

ENVIRONMENTAL CHECKLIST/ADDENDUM

Intuitive North Site Modification Project



Prepared for:



June 2024

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Intuitive North Site Modification Project

Prepared for:



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Addendum to the Lawrence Area Station Plan Update/Intuitive Surgical Corporate Campus Project Final Subsequent Environmental Impact Report

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BACKGROUND AND ACTION TRIGGERING THE ADDENDUM

This document serves as an addendum to the Final Subsequent Environmental Impact Report (LSAP Update SEIR) for the Lawrence Area Station Plan Update/Intuitive Surgical Corporate Campus Project. This addendum evaluates an amendment to the Intuitive Surgical Corporate Campus Project (ISI Project). This analysis evaluates the major modification to the Special Development Permit and Development Agreement for the North Site (945-955 Kifer Road) that would remove the approved underground parking and relocate this parking to a new above-grade parking structure on the adjacent site to the east at 2900 Semiconductor Drive (Extension Site) that is owned by Intuitive Surgical (ISI), but in the City of Santa Clara (referred to as the Intuitive North Site Modification Project or project). Also included in the project are minor architectural changes to the approved north building and a different geometry for the approved intersection and private driveway leading to the loading area and new garage. The City of Sunnyvale permit process is a modification to the Special Development Permit and Development Agreement for the ISI North Site. A separate approval process through the City of Santa Clara, that includes an Architectural Review Permit and Use Permit, is required for the construction of the parking structure in their jurisdiction. In both jurisdictions, ministerial building permits would be required to undertake construction.

As the lead agency under the California Environmental Quality Act (CEQA), the City of Sunnyvale has determined that, in accordance with Section 15164 of the CEQA Guidelines, the proposed changes to the North Site and relocation of the parking garage to the Extension Site require minor technical changes or additions to the Lawrence Area Station Plan Update/Intuitive Surgical Corporate Campus Project Final LSAP Update SEIR but not of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred, and therefore preparation of an addendum is appropriate.

PREVIOUS ENVIRONMENTAL ANALYSES

The environmental process for the Lawrence Area Station Plan Update/Intuitive Surgical Corporate Campus Project involved the preparation of the following documents that are relevant to the consideration of the proposed Intuitive North Site Modification Project.

- ▶ Draft EIR for the Lawrence Station Area Plan, May 2016
- ▶ Final EIR for the Lawrence Station Area Plan, November 2016
- ▶ Draft SEIR for the Lawrence Area Station Plan Update/Intuitive Surgical Corporate Campus Project and Appendices, May 2021;
- ▶ Final LSAP Update SEIR for the Lawrence Area Station Plan Update/Intuitive Surgical Corporate Campus Project, May 2021;
- ▶ CEQA Findings of Fact and Statement of Overriding Considerations for the Lawrence Area Station Plan Update/Intuitive Surgical Corporate Campus Project, August 2021;

- ▶ Mitigation Monitoring and Reporting Program for the Lawrence Area Station Plan Update/Intuitive Surgical Corporate Campus Project, August 2021.

CALIFORNIA ENVIRONMENTAL QUALITY ACT GUIDELINES REGARDING AN ADDENDUM TO AN ENVIRONMENTAL IMPACT REPORT

Altered conditions, changes, or additions to a project that require discretionary approval and occur after certification of an EIR may require additional analysis under CEQA. The legal principles that guide decisions regarding whether additional environmental documentation is required are provided in the CEQA Guidelines, which establish three mechanisms to address these changes: a subsequent environmental impact report (SEIR), a supplement to an EIR, and an Addendum to an EIR.

Section 15162 of the CEQA Guidelines describes the conditions under which a SEIR would be prepared. In summary, when an EIR has been certified for a project, no Subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
 - (A) The project will have one or more significant effects not discussed in the previous EIR;
 - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measures or alternatives; or
 - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Section 15163 of the CEQA Guidelines states that a lead agency may choose to prepare a supplement to an EIR rather than a Subsequent EIR if:

- (1) any of the conditions described above for Section 15162 would require the preparation of a SEIR; and
- (2) only minor additions or changes would be necessary to make the previous EIR adequately apply to the project in the changed situation.

According to section 15164 of the CEQA Guidelines, a lead agency or a responsible agency must prepare an addendum to a previously certified EIR if some changes or additions to the EIR are necessary but none of the conditions described in section 15162 of the CEQA Guidelines calling for preparation of a subsequent EIR have occurred.

This addendum evaluates the proposed Intuitive North Site Modification Project, which would be a change relative to what is described and evaluated in the Lawrence Area Station Plan Update/Intuitive Surgical Campus SEIR, and provides substantial evidence that none of the conditions in described in section 15162 of the CEQA Guidelines have occurred. This addendum is organized as an environmental checklist, and is intended to evaluate all environmental topic areas for any changes in the project, the circumstances under which it would be taken, or the presence of new information of substantial importance that could not have been known at the time of the Final LSAP Update SEIR, as compared to the certified Final LSAP Update SEIR (which includes the Draft SEIR), and if so determine whether such changes, new information, or changed circumstances could cause new or substantially more severe significant impacts than covered in the certified EIR or show new feasible mitigation measures or alternatives that would substantially reduce significant project impacts but that the project proponent declines to adopt. As explained below, the purpose of this checklist is to evaluate the checklist categories in terms of any “changed condition” (i.e., changed circumstances, project changes, or new information of substantial importance) that may result in a different environmental impact significance conclusion from the SEIR or new feasible mitigation measures or alternatives that would reduce impacts but that the project proponent declines to adopt. The column titles of the checklist have been modified from the CEQA Guidelines Appendix G presentation to help answer the questions to be addressed pursuant to CEQA Section 21166 and CEQA Guidelines Section 15162, 15163, and 15164.

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LIST OF ABBREVIATIONS

2017 Clean Air Plan	<i>2017 Clean Air Plan: Spare the Air, Cool the Climate</i>
2022 Scoping Plan	<i>Final 2022 Scoping Plan for Achieving Carbon Neutrality</i>
AB	Assembly Bill
ABAG	Association of Bay Area of Governments
AFY	acre feet per year
APN	Assessor’s Parcel Numbers
BMP	best management practices
CAA	California Clean Air Act
CAAQS	California Ambient Air Quality Standards
Cal/OSHA	California Occupational Safety and Health Agency
CalMod	Caltrain Modernization Program
CAP	climate action plan
CCA	community choice aggregation
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
City	City of Sunnyvale
CNDDDB	California Natural Diversity Database
CNPS	California Native Plant Society
CO	carbon monoxide
dB	decibels
dba	A-weighted decibels
EIR	Environmental Impact Report
EO	Executive Order
ESA	Environmental Site Assessment
FAR	Floor Area Ratio
GHG	greenhouse gas

GWP	global warming potential
HPRD	high-performance renewable diesel
in/sec	inches per second
IPaC	Inventory of Rare Plants
ISI Site	Intuitive Surgical campus
ISI	Intuitive Surgical
Justification Report	<i>Justification Report: CEQA Thresholds for Evaluating the Significance of Climate Impacts</i>
lbs	pounds
L_{eq}	energy-equivalent noise level
LID	Low Impact Development
L_{max}	maximum noise level (the maximum instantaneous noise level during a specific period)
LOS	level of service
LSAP	Lawrence Station Area Plan
LUTE	Land Use and Transportation Element
MRP	Municipal Regional Stormwater Permit
MTC	Metropolitan Transportation Commission's
MTCO _{2e}	metric tons of carbon dioxide equivalent
MTCO _{2e} /yr/SP	metric tons of carbon dioxide equivalent per year per service population
NAAQS	National Ambient Air Quality Standards
NO _x	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
PG&E	Pacific Gas and Electric Company
Playbook	Climate Action Playbook
PM ₁₀	respirable particulate matter with an aerodynamic resistance diameter of 10 micrometers or less
PM _{2.5}	fine particulate matter with an aerodynamic resistance diameter of 2.5 micrometers or less
PPV	peak particle velocity
PRC	Public Resources Code Section

REC	Recognized Environmental Conditions
ROG	reactive organic gases
RTP/SCS	Regional Transportation Plan/Sustainable Communities Strategy
RWQCB	regional water quality control board
SB	Senate Bill
SDP	Special Development Permit
SEIR	Subsequent Environmental Impact Report
SFBAAB	San Francisco Bay Area Air Basin
SVCE	Silicon Valley Clean Energy
SVP	Silicon Valley Power
SWPPP	stormwater pollution prevention plan
TAC	toxic air contaminants
TDM	Transportation Demand Management
TPA	Transit Priority Area
TPP	Transit Priority Project
USFWS	United States Fish and Wildlife Service
VCP	vitrified clay pipe
VMT	vehicle miles traveled
VOC	volatile organic compound

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1 INTRODUCTION AND PROJECT HISTORY

On December 6, 2016, the Sunnyvale City Council adopted the 319-acre Lawrence Station Area Plan (LSAP) for development of up to 2,323 new residential units and 1.2 million square feet of new office/research and development (R&D) uses. The City of Sunnyvale (City) prepared an Environmental Impact Report (LSAP EIR) (State Clearinghouse No. 2013082030) for the LSAP that evaluated the environmental impacts associated with development of the entire plan area based on the land use and zoning designations established in the LSAP (City of Sunnyvale 2016). Following LSAP adoption, the City Council directed staff to update the LSAP. The LSAP Update included an increase in housing potential within the LSAP, expansion of the western LSAP boundary, and a Sense of Place Plan that would function as a policy document for LSAP area circulation, open space, and streetscape improvements. A Subsequent Environmental Impact Report (LSAP Update SEIR) was prepared for the LSAP Update and the Intuitive Surgical Corporate Campus (described below) (City of Sunnyvale 2021), and the City Council certified the LSAP Update SEIR and approved the LSAP Update and the Intuitive Surgical Corporate Campus Project on September 14, 2021.

The LSAP Update expanded the LSAP boundary west on Kifer Road to include the Intuitive Surgical (ISI) corporate campus (ISI Site). The ISI Site encompasses three sites (containing four parcels) located at the western portion of the original LSAP boundary. ISI acquired these sites with the intent to expand and unify its operations adjacent to ISI's existing headquarters in Sunnyvale at 1020 Kifer Road. The ISI Site contains four parcels (932, 945, 950, and 955 Kifer Road) on 32.4 acres located on the north and south sides of Kifer Road. To distinguish between the two areas bisected by Kifer Road, the proposed ISI Project Site was referred to as North Site and South Site in the LSAP Update SEIR. The approved development for the ISI Site consists of approximately 1,211,000 gross square feet of office/R&D development, including amenity space. ISI would demolish approximately 172,706 square feet of existing industrial development (of which approximately 105,000 square feet is currently being used) on the ISI Site, resulting in approximately 1,038,294 square feet of net new Office/R&D area. The net new square feet was assumed to be 1,106,000, in the LSAP Update SEIR. The LSAP Update SEIR evaluated the ISI Project at the project level, while evaluating other potential future development in the LSAP area at a program level.

As analyzed in the LSAP Update SEIR, the 15.6-acre North Site (945/955 Kifer Road) would contain an approximately 364,000 square foot office headquarters and visitor experience center, new multi-purpose amenity building, outdoor sports fields and courts, an outdoor dining area, and two levels of underground parking. The 16.8-acre South Site (932 and 950 Kifer Road) would include an 847,000 square feet, three-story manufacturing and research and development facility. The basement level of the facility would include a covered loading dock, manufacturing storage, and service space. The South Site would also include a six-level, above-grade parking garage in a separate structure. In September of 2021, the City approved a Special Development Permit (permit no. 2019-7557), Vesting Tentative Parcel Map, and Development Agreement for the ISI Project. As of February 2024, the South Site development is currently under construction. Construction activities have not yet been initiated on the North Site.

The proposed Intuitive North Site Modification Project (project) proposes to modify the proposed development on the North Site of the approved ISI Project. The proposed modification would remove the approved underground parking and relocate this parking to a new six-level above-grade parking structure on the adjacent site to the east that is owned by ISI (2900 Semiconductor Drive), but is located outside of the City of Sunnyvale LSAP in the City of Santa Clara, which requires separate discretionary review and approval.

Also included in the project are minor changes on the North Site, including:

- ▶ Addition of an internal courtyard in the middle of the North Site building footprint, which reduces the gross building area from 364,000 to 358,000 square feet;
- ▶ Relocation of the loading area approximately 100 feet to the south;
- ▶ Different geometry for the approved Kifer Road intersection across from the 1020 Kifer Road site and private driveway leading to the North Site loading area and proposed new parking structure at 2900 Semiconductor Drive;

- ▶ Design refinements to the approved pedestrian bridge across Kifer Road, linking together the North and South Sites at the second floor;
- ▶ Relocation of the employee restaurant from the west to east side of the North Site;
- ▶ Extension of roof trellis element along the edges of the building;
- ▶ Installation of rooftop screening units with associated screening structures;
- ▶ Change spandrel glazing at the second and third floors to vision (transparent) glazing; and
Increase 12” spandrel glazing to 24” consistently throughout the façade.

The City of Sunnyvale permit process is a modification to the Special Development Permit (SDP) and a Development Agreement amendment for the ISI Project. The City of Santa Clara’s discretionary approvals include an Architectural Review Permit and Use Permit for the construction of the parking structure on the adjacent 2900 Semiconductor Drive property in Santa Clara.

The 2016 LSAP EIR and 2021 LSAP Update SEIR were prepared at the program “first-tier” level of environmental review of the LSAP and LSAP Update, consistent with the requirements of the California Environmental Quality Act (CEQA) Sections 15152 and 15168, and the 2021 LSAP Update SEIR also was prepared as a project-specific EIR for the ISI Project. The project-level analysis prepared for the ISI Project considered the potential environmental impacts associated with development of the ISI Project on the ISI Site. The North Site Modification Project is a modification to an approved project being implemented under the LSAP.

The LSAP EIR and LSAP Update SEIR acknowledged that subsequent development of the LSAP area would occur in multiple years and phases. This North Site Modification Project is evaluated to determine whether it would require changes or additions to the LSAP Update SEIR but none of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent EIR have occurred. Should the evaluation show that any of the conditions described in Section 15162 of the CEQA Guidelines have occurred, additional environmental review through the subsequent review provisions of CEQA for changes to previously reviewed and approved projects may be warranted (see CEQA Guidelines Section 15164, subdivision (a) [referring to CEQA Guidelines Section 15162]).

Consistent with the process described, the City is evaluating the project – including both the Intuitive North Site Modification application and the proposed garage in the City of Santa Clara - to determine whether subsequent environmental review is required. This environmental checklist has been prepared to determine whether the environmental impacts of the project are within the scope of the LSAP Update SEIR or if the changes in the project, changed circumstances, or new information would result in new or substantially more severe significant environmental impacts, or newly feasible or considerably different mitigation measures or alternatives that would reduce significant impacts but ISI declines to adopt them, as compared to those considered in the LSAP EIR and LSAP Update SEIR. As further described in the analysis in the environmental checklist, none of the circumstances identified above would occur and the City has elected to prepare an addendum consistent with CEQA Guidelines Section 15164.

2 PROJECT DESCRIPTION

2.1 PROJECT OVERVIEW

The proposed Intuitive North Site Modification Project (project) includes a major modification to the Special Development Permit and Development Agreement amendment for the North Site (945-955 Kifer Road) of the approved Intuitive Surgical (ISI) Corporate Campus that would remove the approved underground parking and relocate this parking to a new above-grade parking structure on the adjacent site to the east at 2900 Semiconductor Drive, in the City of Santa Clara, that is owned by ISI. Also included in the project are minor architectural changes to the approved north building and a different geometry for the approved intersection and private driveway leading to the loading area and new garage. The City of Sunnyvale permit process is a modification to the Special Development Permit and Development Agreement for the ISI North Site. A separate permit process through the City of Santa Clara, that includes Architectural Review Permit and Use Permit approval, is required for the construction of the parking structure in its jurisdiction. Both jurisdictions will require ministerial building permits for construction.

2.2 PROJECT LOCATION

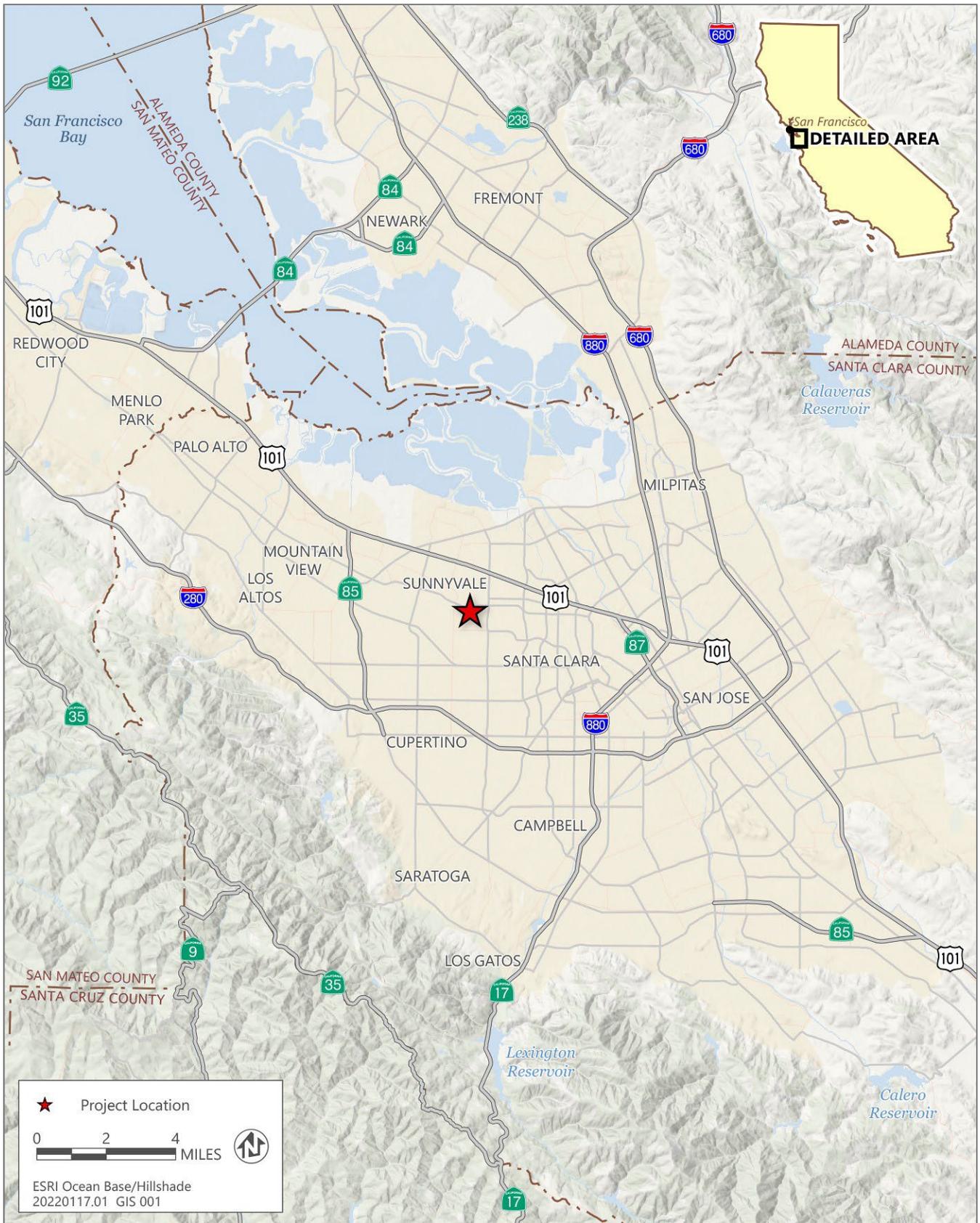
The project site is within the City of Sunnyvale and City of Santa Clara and consists of two separate sites (Figure 2-1). The western site is located at 945/955 Kifer Road on an approximately 15.6-acres in the City of Sunnyvale (Assessor's Parcel Numbers [APN] 205-40-002 and 205-40-001) (North Site). The extension of the ISI Project to the east is located at 2900 Semiconductor Drive on approximately 2.5 acres in the City of Santa Clara (APN 205-39-028) (Extension Site). See Figure 2-2 for the project site and location.

2.3 EXISTING SETTING

The North Site (945/944 Kifer Road) in the City of Sunnyvale is bound by Kifer Road to the south, the City's boundary with City of Santa Clara and an industrial shipping and receiving facility to the east, various small commercial and light industrial buildings to the west, and Central Expressway to the north. The North Site contains a private sports and recreation complex, a gymnasium, a baseball field, a soccer field, an amphitheater, a volleyball court, a children's play area, a tented barbeque area, a recently filled-in former concrete manmade lake, portable bathroom and shower trailers, a parking area, a groundwater monitoring well, and landscaped areas with mature trees. The recreational facilities and parking lot are currently utilized by ISI employees.

The adjacent parcel (Extension Site) to the east (2900 Semiconductor Drive) in the City of Santa Clara is bound by Central Expressway to the north, a private access drive, an industrial/office building and Kifer Road to the south, 945/955 Kifer Road (North Site) to the west, and industrial/office buildings to the east. The Extension Site contains a paved surface parking lot with varied species of mature trees that provide shade to the parking lot.

The project site is within a Transit Priority Area (TPA) and partially within a Priority Development Area (PDA) as designated by the Association of Bay Area of Governments (ABAG) and Metropolitan Transportation Commission's (MTC) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) (ABAG and MTC 2021). A TPA is an area within one-half mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program or applicable RTP (Public Resources Code Section [PRC] 21099[a][7]). Aesthetic and parking impacts of a residential, mixed-use residential, or employment center project on an infill site within a TPA are not considered significant impacts on the environment under CEQA. (PRC Section 21099(d)(1)). An "employment center project" means a project located on property zoned for commercial uses with a floor area ratio of no less than 0.75. An "infill site" is a lot located within an urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses.



Source: prepared by Ascent Environmental in 2023.

Figure 2-1 Project Vicinity



Source: prepared by Ascent in 2023.

Figure 2-2 Project Site

Under the RTP/SCS, a PDA is an area within an existing community that local city or county governments have identified and approved for future growth (MTC 2018). The Extension Site in the City of Santa Clara is in a PDA.

The City's General Plan land use designation for the North Site is Transit Mixed-Use, and the site is zoned M-S/LSAP 60% – LSAP Industrial and Service 60% Floor Area Ratio (FAR). Allowed uses under this zoning district include industrial, office, research and development uses up to 60 percent FAR and smaller-scale retail and service uses. Residential uses are prohibited. The maximum building height is 85 feet.

The Extension Site located in the City of Santa Clara has a General Plan designation of Medium Density Residential and is zoned Light Industrial (ML). The Medium Density Residential Land Use is intended for residential development at densities ranging from 20 to 36 units per gross acre. This density range accommodates a variety of housing types. The Light Industrial zoning district permits general industrial development, and is intended to accommodate industries operating substantially within an enclosed building. The maximum FAR is 0.45 and maximum building height is 70 feet for new development.

2.4 PROJECT OBJECTIVES

The ISI Project objectives from the LSAP Update SEIR were:

- ▶ Create an innovative campus that unifies ISI's workforce in connected buildings to promote creativity and collaboration, and to reduce daily trips between existing ISI buildings and the new campus.
- ▶ Construct a project that accommodates ISI's existing needs in proximity to its existing employment base and allows for its long-term continued presence in the City.
- ▶ Fulfill the LSAP goals of increasing transit ridership and promoting economic, social, and environmental sustainability through integrated design and development of a sustainable campus in proximity to the Lawrence Caltrain Station.
- ▶ Promote transit and active commute modes through thoughtful site planning coupled with a robust Transportation Demand Management (TDM) program to reduce daily vehicle trips. The TDM program will provide amenities such as employee shuttle services between ISI buildings and public transit, extensive bicycle parking, showers and lockers, free Caltrain Go Passes, rideshare matching services, flexible work schedule programs and dedicated carpool spaces.
- ▶ Provide on-site amenities to promote ISI employees' health and well-being, reduce daily vehicle trips, and create a strong sense of place.
- ▶ Create a campus design that reflects ISI's innovative technology.
- ▶ Develop the campus over time in response to ISI's needs.
- ▶ Achieve the appropriate security and privacy required for the invention and manufacture of new surgical products and technologies by limiting public access to certain areas within the new campus.

The objectives for the proposed revision to the ISI Project are the following:

- ▶ Maintain open space on the North Site while providing adequate parking to meet the needs of an office/R&D facility;
- ▶ Reduce soil disturbance and associated construction emissions by reducing excavation work; and
- ▶ Increase operational efficiencies through appropriately locating employee amenities.

2.4.1 Project Background

As analyzed in the LSAP Update SEIR, the ISI Project would include a North and South Site. The 15.6-acre North Site (945/955 Kifer Road) would contain a 364,000 square-foot office headquarters and visitor experience center, new

multi-purpose amenity building, outdoor sports fields and courts, an outdoor dining area, and two levels of underground parking including 785 parking spaces. The 16.8-acre South Site (932 and 950 Kifer Road) would include an 847,000 square feet, three-story manufacturing, research, and development facility. The basement level of the facility would include a covered loading dock, manufacturing storage, and service space. The South Site would also include a six-level, above-grade parking garage in a separate structure. As of February 2024, the South Site development is currently under construction. Construction activities have not yet been initiated on the North Site.

The Special Development Permit approval in 2021 (permit no. 2019-7557) included 822 parking spaces (including 37 surface parking spaces) on the North Site, plus an allocation of 115 parking spaces for the North Site in the South Site's parking structure because there was not sufficient space on the North Site. A total of 1,728 parking spaces were approved on the South Site. Since the original 2021 approval, a Miscellaneous Plan Permit (permit no. 2022-7336) was approved to adjust the parking supply on the South Site based on building refinements since the planning entitlement, notably a reduced South Site building area due to an interior courtyard addition, which was approved under another Miscellaneous Plan Permit (permit no. 2022-7014). The currently approved parking supply on the South Site is 1,675 parking spaces, with 100 parking spaces allotted to the North Site.

Since certification of the LSAP Update SEIR, ISI has purchased the parcel east of the North Site at 2900 Semiconductor Drive (Extension Site). The City boundary between Sunnyvale and Santa Clara is the eastern property line of the North Site.

2.4.2 Proposed Project

The project proposes a major modification to the Special Development Permit and Development Agreement for the North Site of the ISI Project that would remove the approved two levels of underground parking and relocate this parking to a new six-level, above-grade parking structure on the adjacent surface parking lot to the east at 2900 Semiconductor Drive, in the City of Santa Clara, which is owned by ISI. There are no changes to the proposed jurisdictional boundaries of the Cities of Sunnyvale or Santa Clara as part of this project. Also included in the proposal are minor architectural changes to the north building, a different geometry for the private driveway leading from the new signalized intersection at Kifer Road to the loading area in the City of Sunnyvale and new garage in the City of Santa Clara, and improvements to Central Expressway north of both sites. Project components are described in more detail below.

EXTENSION SITE

With the addition of the Extension Site to the east in the City of Santa Clara (2900 Semiconductor Drive), the project includes modifying the plan for the North Site. The project proposes to remove the approved 785-space underground parking serving the north building and instead build the required parking in a new six-level above-ground parking structure on the Extension Site. There would be a total of 1,183 parking spaces in the parking structure, including 454 electric vehicle charging stations and 714 electric vehicle-capable parking spaces. Of the 1,183 parking spaces, 904 parking spaces would be allocated to support the North Site in the City of Sunnyvale (Figure 2-4). The remaining 279 parking spaces would be allocated for the 2900 Semiconductor Drive and 3875 Kifer Road buildings in the City of Santa Clara, which are also owned by ISI. The parking spaces allocated for the buildings in the City of Santa Clara include the replacement of the 300 surface parking spaces on the Extension Site that would be removed to construct the parking structure. The North Site would provide 33 surface parking spaces near Kifer Road, a loss of one space from the 2021 approval due to additional space needed for the required electric vehicle parking spaces. Therefore, a total of 937 parking spaces would serve the North Site. Therefore, the total number of parking spaces serving the ISI Project would remain the same as analyzed in the LSAP Update SEIR.

The proposed parking garage would be six levels and approximately 52 feet in height from the parapet of the garage and 62 feet in height from the solar panels on the roof (Figures 2-4 and 2-5). The garage would be accessible via a private gated access. The parking garage façade would be visually screened architecturally.

When the garage on the Extension Site is complete, 65 of the 100 parking spaces in the South Site garage, intended to support the North Site, would be caged or removed because they would be in excess of the 1,610 parking spaces required for the South Site. With removal of these 65 spaces, there would be no net increase in the overall parking allocation for the project as compared to what was analyzed in the LSAP Update SEIR. In addition to parking updates, the project would include moving the loading dock proposed on the North Site approximately 100 feet south.

As part of development on the Extension Site, ISI would record reciprocal easement and access agreements between parcels or a covenant of easements to the benefit of the City of Sunnyvale to ensure that the reciprocal parking and access rights would be retained or alternative parking arrangements sufficient to meet the City of Sunnyvale’s required parking standards for the North Site building would be implemented. While the Extension Site is associated with the ISI Project, the project does not include any changes to the LSAP boundary or Cities of Sunnyvale or Santa Clara boundaries.

Table 2-1 Comparison of Proposed Parking Structure Modifications to Currently Approved Project

Site Characteristics	Parking Structure Modifications	Parking Structure as Currently Approved
Type of Structure	Above Grade Parking Structure	Underground Parking Structure
Location of Structure	Extension Site	South Site
Levels of Structure	Six Levels	Two Levels
Number of Parking Spaces	1,183	785

Source: Hellmuth, Obata and Kassabaum, Inc. 2024.

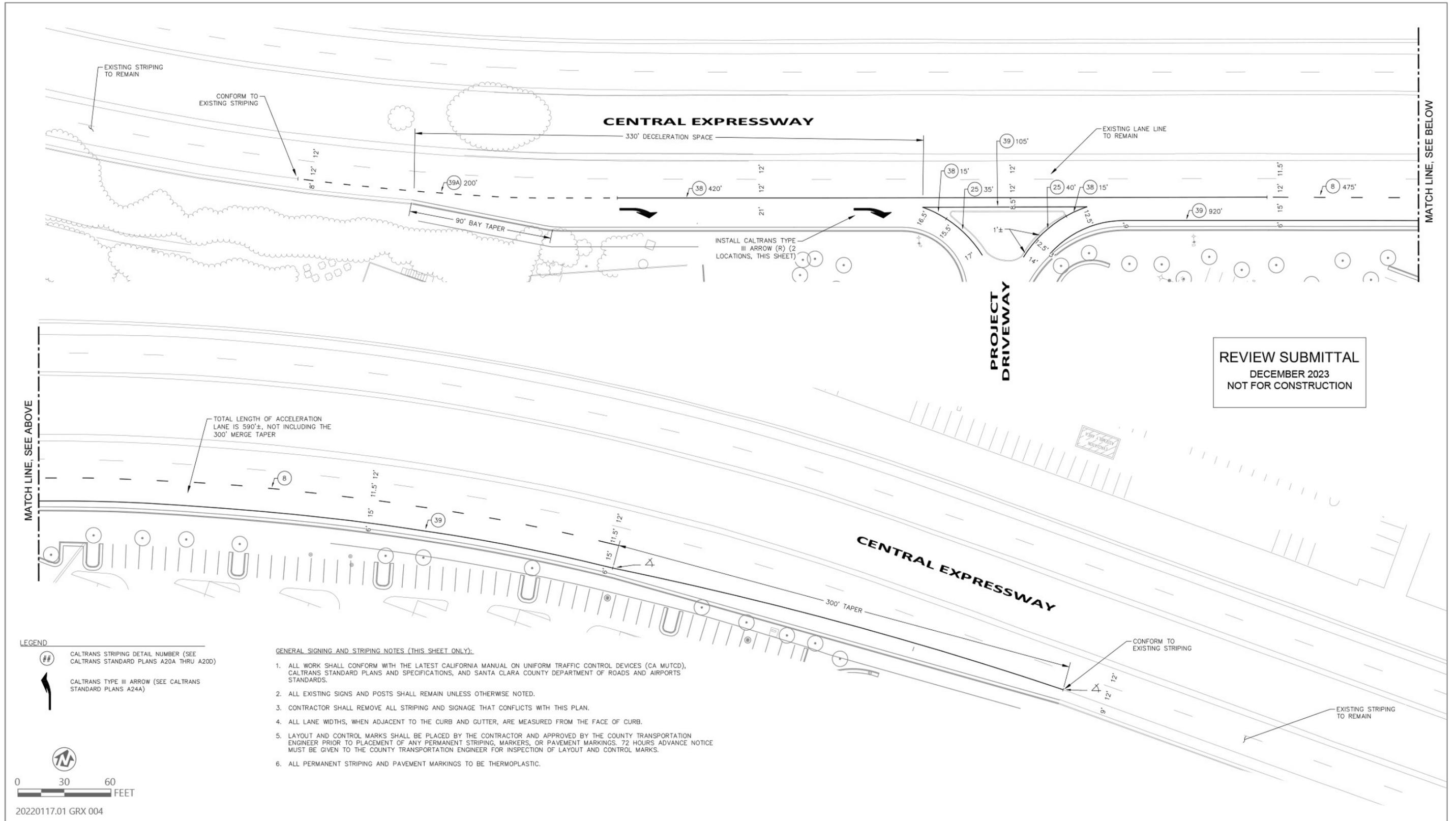
ROADWAY GEOMETRY

The geometry of the previously-approved signalized intersection at 945 Kifer Road would be changed to accommodate the proposed driveway leading to the private parking garage in the City of Santa Clara. The intersection of Kifer Road and the project site would be designed to provide gated access to the site and prevent public through traffic from Central Expressway to Kifer Road.

CENTRAL EXPRESSWAY IMPROVEMENTS

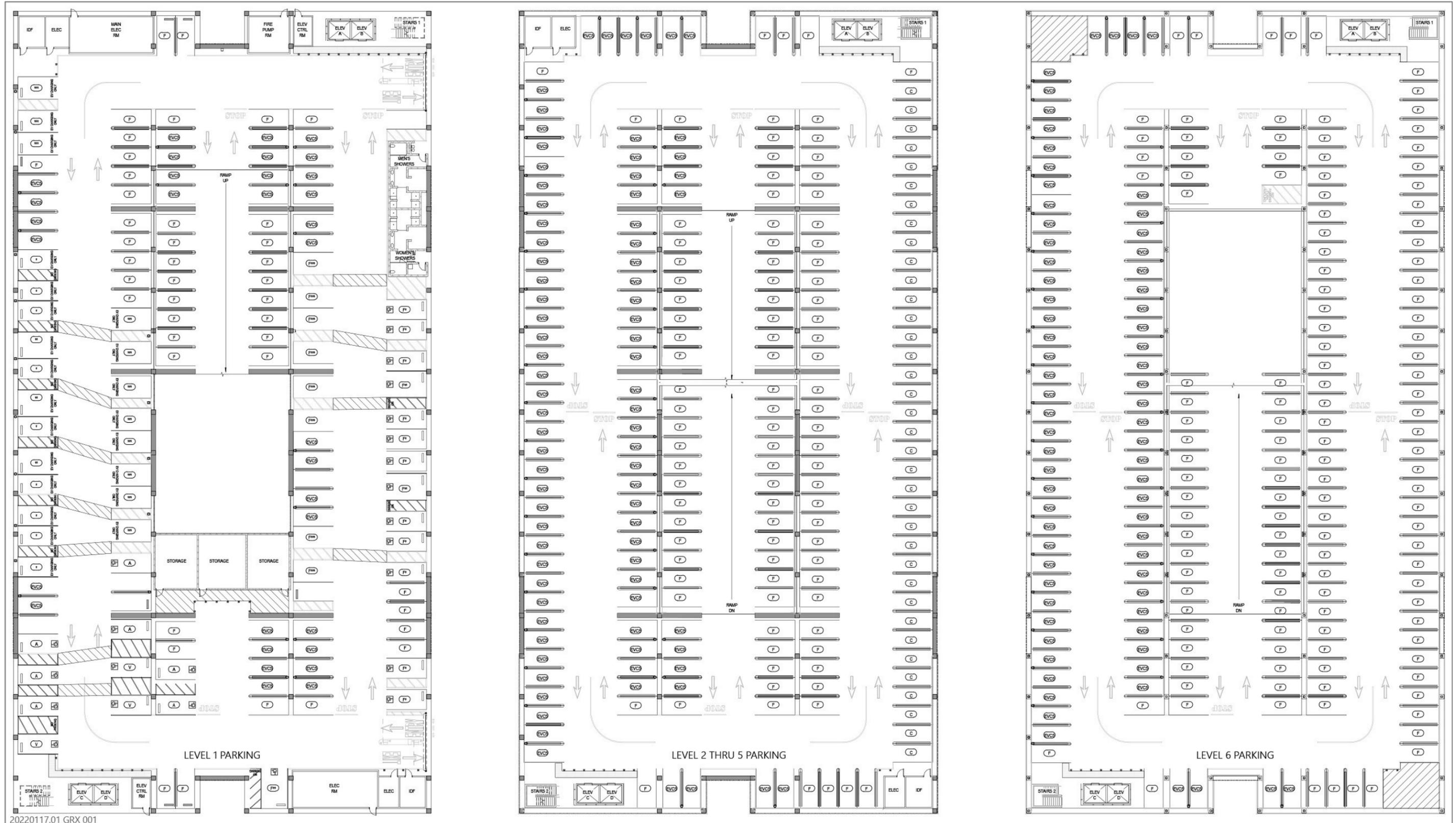
Vehicle access to the new parking structure would be from a private driveway on the north leg of a new signalized intersection on Kifer Road. There would also be a new access point from an existing right-in-right-out ramp intersection on Central Expressway, which has an existing gate that will be removed as part of the project. Vehicles could also access an existing right-out-only on-ramp onto Central Expressway at Semiconductor Drive, which is located on the neighboring parcel with same ownership in the City of Santa Clara. Vehicles would access this on-ramp at Semiconductor Drive from the project site via an access agreement.

The County of Santa Clara Roads and Airports Department requested a feasibility study for lengthening the deceleration and acceleration lanes at the Central Expressway driveway ramps due to the new project trip demands on Central Expressway. The applicant provided a study from Hexagon Transportation Consultants, Inc. (“Hexagon”) dated April 24, 2023. Hexagon concluded that the existing right-turn deceleration lane on Central Expressway (along the frontage in the City of Sunnyvale) is 225 feet long, which is 90 feet short of Caltrans guidelines. They recommend extending the deceleration lane to 315 feet, including a 90-foot bay taper, to meet Caltrans guidelines. The opportunity to extend the acceleration lane (along the City of Santa Clara frontage) is limited, and Hexagon recommends modifying the project frontage, to the extent feasible with the City of Santa Clara’s approval, to accommodate an acceleration lane length of up to 590 feet with a 300-foot transition at the on-ramp on Central Expressway at the project site. The applicant is incorporating these improvements in the proposed project, with an extended deceleration lane of 330 feet, including a 90-foot bay taper.



Source: Hellmuth, Obata & Kassabaum, Inc. 2024.

Figure 2-3 Central Expressway and Project Driveway



20220117.01 GRX 001

Source: Hellmuth, Obata & Kassabaum, Inc. 2024.

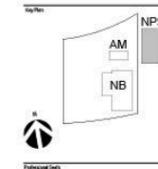
Figure 2-4 Proposed Parking Plan



2 NE CORNER PERSPECTIVE VIEW



1 SW CORNER PERSPECTIVE VIEW



20220117.01 GRX 002

Source: Hellmuth, Obata & Kassabaum, Inc. 2024.

Figure 2-5 Illustrative Parking Garage North and South Renderings



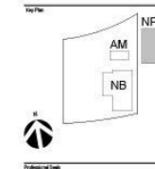
1 WEST ELEVATION RENDERING VIEW



2 EAST ELEVATION RENDERING VIEW



3 ENLARGED ELEVATION RENDERING VIEW



20220117.01 GRX 003

Source: Hellmuth, Obata & Kassabaum, Inc. 2024.

Figure 2-6 Illustrative Parking Garage East and West Rendering

NORTH SITE DESIGN REFINEMENTS

Refinements to the design of the North Site building are proposed as part of the project to ensure consistency with the building on the South Site. The following design refinements are proposed as part of the project:

- ▶ Replace atria and skylights with an internal, open to the sky courtyard in the middle of the North Site building footprint, which reduces the gross building area from approximately 364,000 to approximately 358,000 square feet;
- ▶ Design refinements to the approved pedestrian bridge across Kifer Road, linking together the North and South Sites at the second floor;
- ▶ Relocate the loading dock proposed on the North Site approximately 100 feet south;
- ▶ Relocate the employee restaurant from the west to east side;
- ▶ Extension of roof trellis element along the edges of the building;
- ▶ Install rooftop screening units with associated screening structures;
- ▶ Change spandrel glazing at the second and third floors to vision (transparent) glazing; and
- ▶ Increase 12" spandrel glazing to 24" consistently throughout the façade.

2.5 CONSTRUCTION ACTIVITIES

The project is anticipated to be built in sequences over approximately three years, consistent with the schedule evaluated in the LSAP Update EIR. The project would include demolition of the existing surface parking lot on the Extension Site, excavation, site preparation, building construction, and architectural coating. Pile driving would not be required.

2.6 REQUIRED ACTIONS

The project would require the following discretionary actions by the City:

- ▶ Approval of a major modification to the Special Development Permit
- ▶ Development Agreement amendment for the North Site

The Extension Site is located in the City of Santa Clara. Therefore, the City of Santa Clara is a Responsible Agency for the project. The City of Santa Clara would require the following discretionary actions for the project:

- ▶ Approval of Architectural Review of the parking structure.
- ▶ Use Permit approval

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3 ENVIRONMENTAL CHECKLIST FOR SUBSEQUENT ENVIRONMENTAL REVIEW

3.1 EXPLANATION OF CHECKLIST EVALUATION CATEGORIES

The purpose of this checklist is to evaluate the categories in CEQA Guidelines Appendix G in terms of any “changed condition” (i.e., changed circumstances, substantial project changes, or new information of substantial importance) that may result in environmental impact significance conclusions different from those found in the 2021 LSAP Update SEIR (referred to as “LSAP Update SEIR”). As defined in Section 15162(a)(3) of the CEQA Guidelines new information of substantial importance is when any of the following can be shown:

- A) A project will have one or more significant effects not discussed in the previous EIR or negative declaration;
- B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
- C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

The row titles of the checklist include the full range of environmental topics, as presented in Appendix G of the CEQA Guidelines. The column titles of the checklist have been modified from the Appendix G presentation to help answer the questions to be addressed pursuant to CEQA Section 21166 and CEQA Guidelines Section 15162. A “no” answer does not necessarily mean that there are no potential impacts relative to the environmental category, but that there is no change in the condition or status of the impact because it was analyzed and addressed with mitigation measures in the LSAP EIR or LSAP Update SEIR. For instance, the environmental categories might be answered with a “no” in the checklist because the impacts associated with the project were adequately addressed in the LSAP Update SEIR, and the environmental impact significance conclusions of the LSAP Update SEIR remain applicable. The purpose of each column of the checklist is described below.

3.1.1 Where Impact was Analyzed

This column provides a cross-reference to the pages of the LSAP Update SEIR (including the Draft SEIR and Final SEIR) where information and analysis may be found relative to the environmental issue listed under each topic.

3.1.2 Do Proposed Project Changes Involve New or Substantially More Severe Significant Impacts?

Pursuant to Section 15162(a)(1) of the CEQA Guidelines, this column indicates whether there have been substantial changes proposed in the project that would require major revisions of the LSAP Update SEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

3.1.3 Any Changes in Circumstances Involving New or Substantially More Severe Significant Impacts?

Pursuant to Section 15162(a)(2) of the CEQA Guidelines, this column indicates whether there have been changes to the circumstances under which the project is undertaken that have occurred subsequent to the prior environmental documents, which would result in the current project having new significant environmental impacts that were not considered in the prior environmental documents or having substantial increases in the severity of previously identified significant impacts.

3.1.4 Any New Information Of Substantial Importance?

Pursuant to Section 15162(a)(3)(A-D) of the CEQA Guidelines, this column indicates whether new information of substantial importance which was not known and could not have been known with the exercise of reasonable diligence at the time the previous environmental documents were certified as complete is available, requiring an update to the analysis of the previous environmental documents to verify that the environmental conclusions and mitigation measures remain valid. New information of substantial importance is new information showing that: (A) the project will have one or more significant effects not discussed in the prior environmental documents; or (B) that significant effects previously examined will be substantially more severe than shown in the prior environmental documents; or (C) that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or (D) that mitigation measures or alternatives which are considerably different from those analyzed in the prior environmental documents would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative. If there is new information of substantial importance, the question would be answered "yes" requiring the preparation of a subsequent EIR or supplement to the EIR. However, if the additional analysis completed as part of this Environmental Checklist Review finds that there is no new information of substantial importance and the conclusions of the prior environmental documents remain the same and no new significant impacts are identified, or identified significant environmental impacts are not found to be substantially more severe, the question would be answered "no." This column also is answered "no" if there are no mitigation measures or alternatives previously found not to be feasible that would in fact be feasible and would substantially reduce one or more significant effects of the project or there are such mitigation measures or alternatives but the project proponents agree to adopt them. Similarly, this column is answered "no" if there are no mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR that would substantially reduce one or more significant effects on the environment or there are such measures or alternatives and the project proponents agree to adopt them. An answer of "no" means no additional EIR documentation (supplement to the EIR or subsequent EIR) would be required.

3.1.5 Do Prior Environmental Documents Mitigations Address/Resolve Impacts?

This column indicates whether the prior environmental documents and adopted CEQA Findings require mitigation measures to address effects in the related impact category. In some cases, the mitigation measures have already been implemented. A "yes" response will be provided regardless whether the mitigation measures have already been implemented to indicate that a mitigation measure from the prior environmental documents will be carried forward for the project modification and no new mitigation is required. If "NA" is indicated, this Environmental Checklist Review concludes that there was no impact, or the impact was less than significant and, therefore, no mitigation measures are needed.

3.2 DISCUSSION AND MITIGATION SECTIONS

3.2.1 Discussion

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

3.2.2 Mitigation Measures

Applicable mitigation measures from the prior environmental review that would apply to the project are listed under each environmental category. No new mitigation measures are proposed in this addendum.

3.2.3 Conclusions

A discussion of the conclusion relating to the need for additional environmental documentation is contained in each section.

3.3 ADDENDUM APPROACH

This document serves as an addendum to the LSAP Update EIR. This addendum is prepared in accordance with State CEQA Guidelines Section 15164 to evaluate whether the proposed project's effects were adequately examined in the previous environmental analysis in the LSAP Update EIR or whether any changes trigger supplemental or subsequent review under State CEQA Guidelines Section 15162 or 15163. This document considers whether the environmental conditions that exist today have changed such that new or substantially more severe environmental impacts would occur compared to that evaluated in the LSAP Update EIR. As described throughout this document, no changes associated with the proposed project, and no changes in circumstances, trigger subsequent or supplemental review. This addendum analyzes impact of the entire project as a whole and also breaks out the impacts of work on the Extension Site so that the document can be used the City of Santa Clara for CEQA clearance.

Under Section 15164, an addendum is appropriate where a previously certified EIR has been prepared and some changes or revisions to the project are proposed, or the circumstances surrounding the project have changed, but none of the changes or revisions would result in significant new or substantially more severe environmental impacts, consistent with CEQA Section 21166 and State CEQA Guidelines Sections 15162, 15163, 15164, and 15168.

Based on the criteria above and the results of the following EIR conformity evaluation, the City has determined that an addendum to the LSAP Update EIR is the appropriate CEQA document. The EIR conformity evaluation is intended to review relevant environmental topic areas for any changes in circumstances or the substantial new information as defined under State CEQA Guidelines Section 15162, as compared to the environmental impacts identified in the certified EIR prepared for the LSAP Update EIR.

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4 ENVIRONMENTAL CHECKLIST

4.1 AESTHETICS

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Update Draft and Final SEIR.	Do Project Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Any New Information of Substantial Importance?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
1. Aesthetics. Would the project:					
a) Have a substantial adverse effect on a scenic vista?	Draft SEIR page 3.1-6	No	No	No	NA, no impact would occur.
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	Draft SEIR page 3.1-6	No	No	No	NA, no impact would occur.
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	Draft SEIR Impact 3.1-1; Final SEIR identified no change in impact conclusion	No	No	No	NA, impact would be less than significant.
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Draft SEIR Impact 3.1-2; Final SEIR identified no change in impact conclusions	No	No	No	NA, impact would be less than significant.

4.1.1 Discussion

No substantial change in the environmental and regulatory settings related to aesthetics, summarized above and described in the LSAP Update SEIR Section 3.1, Aesthetics, has occurred since certification of the LSAP Update SEIR in September 2021.

Applicable urban design and lighting standards for the City of Santa Clara include Chapter 18.48 of City of Santa Clara City Code that provides building and landscape design standards. Section 18.48.140 requires building lighting to reflect away from residential areas and public streets to prevent glare and light spillover.

a) Have a substantial adverse effect on a scenic vista?

As described in the LSAP Update SEIR there are no scenic vistas within the LSAP area, and the ISI Project site is not located near any officially designated state or county scenic highways. As such, the LSAP Update SEIR determined that no impact would occur. Similarly, there are also no scenic vistas within the City of Santa Clara from the Extension Site. Therefore, the proposed 62-foot parking garage on the Extension Site would not block scenic views. The proposed 63-foot-tall building on the North Site and parking garage on the eastern site extension would not have an

adverse effect on a scenic vista. The project would not result in new significant impacts or substantially more severe impacts related to a scenic vista than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantially more severe impacts related to a scenic vista than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to scenic vistas the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

As described in the LSAP Update SEIR, the ISI Project site is not located near any officially designated state scenic highways in the City of Sunnyvale. Also, the ISI project site is not located near any officially designated state scenic highways in the City of Santa Clara. Therefore, no impacts to scenic resources within any state scenic highways would occur from the project. The project would not result in new significant impacts or substantially more severe impacts related to a scenic vista than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to a scenic vista than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to scenic vistas the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality? (The project is in an urbanized area.)

The LSAP Update SEIR determined that implementation of the ISI Project would improve the visual experience for pedestrians and cyclists and the overall visual and aesthetic character of the project site consistent with the LSAP. The ISI Project would include open space with passive and active recreation on the North Site and a publicly accessible pedestrian-bicycle path on the South Site. The ISI Project would be implemented to improve the overall character of the area consistent with the LSAP policies and other regulations governing scenic quality. Therefore, the LSAP Update SEIR concluded that the ISI Project would not result in a new or substantially more severe significant effect on visual character or quality of public views than analyzed in the LSAP EIR.

North Site and South Site

The LSAP Update SEIR determined that implementation of the ISI Project would improve the visual experience for pedestrians and cyclists and the overall visual and aesthetic character of the project site consistent with the LSAP. The ISI Project would include open space with passive and active recreation on the North Site and a publicly accessible pedestrian-bicycle path on the South Site. The ISI Project would be implemented to improve the overall character of the area consistent with the LSAP policies and other regulations governing scenic quality. Therefore, the LSAP Update SEIR concluded that the ISI Project would not result in a new or substantially more severe significant effect on visual character or quality of public views than analyzed in the LSAP EIR.

Updates to the North Site would include refinements to the design of the North Site building to ensure consistency with the building on the South Site. The proposed modifications include the addition of an internal courtyard which would reduce the gross North Site building area from approximately 364,000 to approximately 358,000 square feet;

the relocation of the loading area approximately 100 feet to the south; different geometry for the approved Kifer Road intersection; design refinements to the approved pedestrian bridge; the relocation of the employee restaurant from the west to the east side of the building; the extension of the roof trellis element along the edges of the building; the installation of rooftop screening units with associated screening structures; and a change in spandrel and vision glazing on the second and third floors. The project would not include any substantial increases in the floor area ratio or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR. Also, the parking spaces on the South Site would be removed or caged. This would prevent anyone from parking in those spaces and would therefore result in no increases to the total number of parking spaces on the ISI project site.

The project would not increase the height of the proposed building on the North Site, which would remain approximately 63 feet. The proposed building would remain within the zoning height restriction of 85 feet. The appearance of the height and mass of the North Site would not change as a result of the proposed refinements. Aesthetic impacts would continue to be minimized through application of areawide design guidelines in the LSAP such as BH-UDG4, BMA-UDG1, BMA-UDG2, BO-UDG10, and PK-UDG14, which encourage the greatest concentration of taller buildings where the elevated portion of the station creates an existing vertical element. Variations in height at different portions of the North Site would be similar to what was assumed in the LSAP Update SEIR and would provide visual interest and variety would still avoid a blocky uniform appearance.

The project would not change the front yard setback of the North Site, which would be set at 48 feet to provide enough space for existing tree canopies. The North Site would still be consistent with the minimum setback established in the LSAP. As explained in the LSAP Update SEIR, the ISI Project would include outdoor landscaping, street designs and trees consistent with applicable City and LSAP guidelines. The refined North Site designs would be consistent with and retain Sunnyvale's established urban visual characters. Therefore, the portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to visual character or quality than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to visual character than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to visual character the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Extension Site

The Extension Site, located in the City of Santa Clara, would replace an existing parking lot with an above-ground 62-foot-tall parking garage. Zoning for the site establishes a maximum height restriction of 70 feet. Therefore, the height for the proposed parking garage is within the zoning height restriction for Santa Clara.

Associated zoning for the Extension Site requires a 15-foot setback for development. A 200-foot front yard setback is proposed for the parking garage. Therefore, the project would be consistent with the City of Santa Clara setback requirements. The proposed Extension Site would include outdoor landscaping and trees consistent with Santa Clara Municipal Code Chapter 18.48. The Extension Site is surrounded by development including Central Expressway to the north; a private access drive, industrial building and Kifer Road to the south; 945/955 Kifer Road (North Site) to the west; and industrial/office buildings to the east. Since the area immediately surrounding the project site is already developed, the project would be consistent with the urban visual character of the surrounding development. Because the Extension Site is on a parcel zoned for industrial uses, the proposed parking garage would be subject to the City of Santa Clara Community Design Guidelines for Industrial Development (Section F). The design of the proposed parking garage is consistent with these guidelines as it would include adequate landscaping, circulation, and parking. As such, the project would be consistent with and retain Santa Clara's established urban visual characteristics and would not conflict with policies established to govern scenic resources. Impacts would remain less than significant. The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to visual character than were identified for the ISI Project in the LSAP Update SEIR, no changes

in circumstances would result in new or substantial more severe impacts related to visual character than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to visual character the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid..

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

The LSAP Update SEIR further pointed out that there are existing sources of nighttime lighting and glare in the plan area because it is largely built out with residential and nonresidential uses. The LSAP Update SEIR also identified that the lighting for expanded urban uses at the ISI Project site would be minimal, downward shielded, and include safety and security lighting as well as outdoor lighting that would not substantially increase light or glare. The LSAP Update SEIR further stated that implementation of the ISI Project would be installed in conformance with City codes and ordinances, applicable safety and illumination requirements produced by the Illuminating Engineering Society of North America and the Recommended Practice Design Guides, City's Bird-Safe Design Guidelines, and California Title 24 requirements. As such, the LSAP Update SEIR determined that impacts related to conflicts with applicable zoning or other regulations governing scenic quality and the creation of new sources of substantial light and glare that would adversely affect day or nighttime views in the area would be less than significant.

North Site

As identified in the LSAP Update SEIR there are existing sources of nighttime lighting and glare in the plan area because it is largely built out with residential and nonresidential uses. The LSAP Update SEIR identified that the lighting for expanded urban uses at the ISI Project site would be minimal, downward shielded, and include safety and security lighting as well as outdoor lighting that would not substantially increase light or glare. The LSAP Update SEIR stated that implementation of the ISI Project would be installed in conformance with City codes and ordinances, applicable safety and illumination requirements produced by the Illuminating Engineering Society of North America and the Recommended Practice Design Guides, City's Bird-Safe Design Guidelines, and California Title 24 requirements. For example, Section 19.42.050 of the Sunnyvale Municipal Code requires that all lights, spotlights, floodlights, reflectors, and other means of illumination are shielded or equipped with special lenses in such a manner as to prevent any glare or direct illumination on any public street or other property.

Lighting associated with development on the North Site would similarly be required to conform to City codes and ordinances, applicable safety and illumination requirements produced by the Illuminating Engineering Society of North America and the Recommended Practice Design Guides, City's Bird-Safe Design Guidelines, and California Title 24 requirements. Updates to the North Site would include refinements to the design of the North Site building but the North Site building would remain architecturally consistent with the building on the South Site. The project would not include any substantial increases to the floor area ratio or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR. Therefore, additional lighting beyond what was analyzed in the LSAP Update SEIR would not be needed for the North Site. The portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to light or glare than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to light or glare than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to light or glare the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Extension Site

The Extension Site, located in the City of Santa Clara, would replace an existing parking lot with an above-ground parking garage that would include lighting. There are existing sources of nighttime lighting and glare in the project area because it is largely built out with residential and nonresidential uses. Lighting associated with development of the parking garage would be similar to that of other parking garages in the area with exterior and interior lighting. Lighting for such structures is normally minimal, downward shielded, and includes safety and security lighting.

Lighting for the proposed parking garage would be required to conform with City of Santa Clara codes and ordinances. Section 18.48.140 of the Santa Clara Municipal Code requires building lighting to reflect away from residential areas and public streets to prevent glare and light spillover. Illumination from the parking garage is also required to be either shielded or equipped with special lenses in such a manner as to prevent any glare or direct illumination on any public street or other property. As shown in the project plans, all lighting on the project site would be shielded and directed downward to prevent any glare or light from spilling over and illuminating any surrounding streets or neighboring properties. Compliance with the Santa Clara Municipal Code would ensure that potential light and glare impacts are reduced to a level that would be less than significant for the Extension Site. The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to light or glare than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to light or glare than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to light or glare the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Mitigation Measures from LSAP Update SEIR

No significant aesthetic impacts were identified in the LSAP Update SEIR, and no mitigation measures were required.

Conclusion

No new circumstances or project changes related to aesthetics have occurred that would result in new or substantially more severe aesthetics impacts than were identified in the LSAP Update SEIR, nor is there new information of substantial importance that shows the project will have one or more significant effects not previously discussed or that the discussed effects would be substantially more severe or there would be newly feasible mitigation measures or alternatives or substantially different mitigation measures or alternatives that would substantially reduce impacts but that ISI declines to adopt. Therefore, the findings of the certified LSAP Update SEIR remain valid, and no additional analysis is required.

4.2 AGRICULTURE AND FOREST RESOURCES

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Update Draft and Final SEIR.	Do Project Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Any New Information of Substantial Importance?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
2. Agriculture and Forestry Resources. Would the project:					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	Draft SEIR Section 1.3.1	No	No	No	NA, there would be no impact.
b) Conflict with existing zoning for agricultural use or a Williamson Act contract?	Draft SEIR Section 1.3.1	No	No	No	NA, there would be no impact.
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	Draft SEIR Section 1.3.1	No	No	No	NA, there would be no impact.
d) Result in the loss of forest land or conversion of forest land to non-forest use?	Draft SEIR Section 1.3.1	No	No	No	NA, there would be no impact.
e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	Draft SEIR Section 1.3.1	No	No	No	NA, there would be no impact.

4.2.1 Discussion and Conclusion

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?
- b) Conflict with existing zoning for agricultural use or a Williamson Act contract?
- c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources

Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

- d) **Result in the loss of forest land or conversion of forest land to non-forest use?**
- e) **Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?**

Agricultural and forestry impacts were scoped out of the LSAP EIR and LSAP Update SEIR at the notice of preparation stage as these resources do not exist in the LSAP area. These resources also do not exist on the project site in the City of Santa Clara. The project site does not contain any of these resources; therefore, the project would also have no impact.

Conclusion

No new circumstances or project changes related to agricultural and forest resources have occurred that would result in new or substantially more severe impacts related to agricultural and forestry resources than were identified in the LSAP Update SEIR, nor is there new information of substantial importance that shows the project will have one or more significant effects not previously discussed or that the discussed effects would be substantially more severe or there would be newly feasible mitigation measures or alternatives or substantially different mitigation measures or alternatives that would substantially reduce impacts but that ISI declines to adopt. Therefore, the findings of the certified LSAP Update SEIR remain valid, and no additional analysis is required.

4.3 AIR QUALITY

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Update Draft and Final SEIR.	Do Project Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Any New Information of Substantial Importance?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
3. Air Quality. Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	Draft SEIR Impact 3.2-2; Final SEIR identified no change in impact conclusion	No	No	No	NA, impact would be less than significant.
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	Draft SEIR Impact 3.2-1 and 3.2-2; Final SEIR identified no change in impact conclusion	No	No	No	Yes, but LSAP Update SEIR impact would remain significant and unavoidable for construction and less than significant for operation. The project would not make a cumulatively considerable contribution to construction and operation air quality impacts.
c) Expose sensitive receptors to substantial pollutant concentrations?	Draft SEIR Impact 3.2-3 and 3.2-4; Final SEIR identified no change in impact conclusion	No	No	No	Yes, impact would be less than significant with application of adopted mitigation measures.
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	Draft SEIR Impact 3.2-5; Final SEIR identified no change in impact conclusion	No	No	No	Yes, impacts would be less than significant.

4.3.1 Discussion

As identified in Impact 3.2-2 of the LSAP Update SEIR, the LSAP Update, which includes the ISI Project, would be consistent with the BAAQMD’s Clean Air Plan’s control measures developed to reduce criteria air pollutants. This impact was determined to be less than significant.

Implementation of the project would involve the construction and operation the North Site (945/955 Kifer Road), which would contain an approximately 358,000 square-foot office headquarters and visitor experience center, as well as the proposed Extension Site, an above ground parking structure that is owned by ISI but is in the City of Santa Clara. All other components of the Project (i.e., the office headquarters and visitor experience center, multi-purpose amenity building, outdoor sports fields and courts, and outdoor dining area) would remain located in the city of Sunnyvale. The following analysis addresses potential impacts to air quality that would result from the construction and operation of the project changes on both the North Site and Extension Site.

BAAQMD updated its 2022 CEQA Air Quality Guidelines in April 2023. The guidance provides updates to BAAQMD’s methodology and recommendations for assessing impacts from toxic air contaminant (TAC); however, the updated 2022 CEQA Air Quality Guidelines do not amend BAAQMD’s previous mass emissions thresholds for construction-generated and operational criteria air pollutants, or recommendations for plan consistency and do not constitute substantial new information.

Table 4.3-1 National and California Ambient Air Quality Standards

Pollutant	Averaging Time	CAAQS ^{ab}	NAAQS ^c Primary ^{bd}	NAAQS ^c Secondary ^{be}
Ozone (O ₃)	1-hour	0.09 ppm (180 µg/m ³)	– ^e	Same as primary standard
	8-hour	0.070 ppm (137 µg/m ³)	0.070 ppm (147 µg/m ³)	Same as primary standard
Carbon monoxide (CO)	1-hour	20 ppm (23 mg/m ³)	35 ppm (40 mg/m ³)	Same as primary standard
	8-hour	9 ppm ^f (10 mg/m ³)	9 ppm (10 mg/m ³)	Same as primary standard
Nitrogen dioxide (NO ₂)	Annual arithmetic mean	0.030 ppm (57 µg/m ³)	53 ppb (100 µg/m ³)	Same as primary standard
	1-hour	0.18 ppm (339 µg/m ³)	100 ppb (188 µg/m ³)	—
	24-hour	0.04 ppm (105 µg/m ³)	—	—
Sulfur dioxide (SO ₂)	3-hour	—	—	0.5 ppm (1300 µg/m ³)
	1-hour	0.25 ppm (655 µg/m ³)	75 ppb (196 µg/m ³)	—
Respirable particulate matter (PM ₁₀)	Annual arithmetic mean	20 µg/m ³	—	Same as primary standard
	24-hour	50 µg/m ³	150 µg/m ³	Same as primary standard
Fine particulate matter (PM _{2.5})	Annual arithmetic mean	12 µg/m ³	9.0 µg/m ³	15.0 µg/m ³
	24-hour	—	35 µg/m ³	Same as primary standard
Lead ^f	Calendar quarter	—	1.5 µg/m ³	Same as primary standard
	30-Day average	1.5 µg/m ³	—	—
	Rolling 3-Month Average	–	0.15 µg/m ³	Same as primary standard
Hydrogen sulfide	1-hour	0.03 ppm (42 µg/m ³)	No national Standards	No national Standards
Sulfates	24-hour	25 µg/m ³	No national Standards	No national Standards
Vinyl chloride ^f	24-hour	0.01 ppm (26 µg/m ³)	No national Standards	No national Standards
Visibility-reducing particulate matter	8-hour	Extinction of 0.23 per km	No national Standards	No national Standards

Notes: CAAQS = California Ambient Air Quality Standards; NAAQS = National Ambient Air Quality Standards; µg/m³ = micrograms per cubic meter; km = kilometers; ppb = parts per billion; ppm = parts per million.

- ^a. California standards for ozone, carbon monoxide, SO₂ (1- and 24-hour), NO₂, particulate matter, and visibility-reducing particles are values that are not to be exceeded. All others are not to be equaled or exceeded. California ambient air quality standards are listed in the Table of Standards in Section 70200 of Title 17 of the California Code of Regulations.
- ^b. Concentration expressed first in units in which it was promulgated. Equivalent units given in parentheses are based on a reference temperature of 25 degrees Celsius (°C) and a reference pressure of 760 torr. Most measurements of air quality are to be corrected to a reference temperature of 25°C and a reference pressure of 760 torr; ppm in this table refers to ppm by volume, or micromoles of pollutant per mole of gas.
- ^c. National standards (other than ozone, particulate matter, and those based on annual averages or annual arithmetic means) are not to be exceeded more than once a year. The ozone standard is attained when the fourth highest 8-hour concentration in a year, averaged over three years, is equal to or less than the standard. The PM₁₀ 24-hour standard is attained when the expected number of days per calendar year with a 24-hour average concentration above 150 µg/m³ is equal to or less than one. The PM_{2.5} 24-hour standard is attained when 98 percent of the daily concentrations, averaged over three years, are equal to or less than the standard. Contact the U.S. Environmental Protection Agency for further clarification and current federal policies.
- ^d. National primary standards: The levels of air quality necessary, with an adequate margin of safety to protect the public health.
- ^e. National secondary standards: The levels of air quality necessary to protect the public welfare from any known or anticipated adverse effects of a pollutant.
- ^f. The California Air Resources Board has identified lead and vinyl chloride as toxic air contaminants with no threshold of exposure for adverse health effects determined. These actions allow for the implementation of control measures at levels below the ambient concentrations specified for these pollutants.

Source: EPA 2024, CARB 2022a.

Table 4.3-2 below summarizes the most recent attainment status of Santa Clara County.

Table 4.3-2 Attainment Status Designations for Santa Clara County

Pollutant	NAAQS	CAAQS
Ozone	Attainment (1-hour) ¹	Nonattainment (1-hour) Classification ²
	Nonattainment (8-hour) ³ Classification – Marginal	Nonattainment (8-hour)
	Nonattainment (8-hour) ³ Classification – Marginal	Nonattainment (24-hour)
Respirable particulate matter (PM ₁₀)	Attainment (24-hour)	Nonattainment (24-hour)
	Attainment (24-hour)	Nonattainment (Annual)
Fine particulate matter (PM _{2.5})	Attainment (24-hour)	(No State Standard for 24-Hour)
	Attainment (Annual)	Nonattainment (Annual)
Carbon monoxide (CO)	Attainment (Maintenance) (1-hour)	Attainment (1-hour)
	Attainment (Maintenance) (8-hour)	Attainment (8-hour)
Nitrogen dioxide (NO ₂)	Attainment (Maintenance) (1-hour)	Attainment (1-hour)
	Attainment (Maintenance) (Annual)	Attainment (Annual)
Sulfur dioxide (SO ₂) ⁴	Attainment (1-Hour)	Attainment (1-hour)
	Attainment (3-month rolling avg.)	Attainment (24-hour)
Lead (Particulate)	Attainment (3-month rolling avg.)	Attainment (30-day average)
Hydrogen Sulfide	No Federal Standard	Unclassified (1-hour)
Sulfates		Attainment (24-hour)
Visibly Reducing Particles		Unclassified (8-hour)
Vinyl Chloride		Unclassified (24-hour)

Notes: NAAQS = National Ambient Air Quality Standards; CAAQS = California Ambient Air Quality Standards

¹ Air Quality meets federal 1-hour Ozone standard (77 FR 64036). EPA revoked this standard, but some associated requirements still apply.

² Per Health and Safety Code Section 40921.5(c), the classification is based on 1989–1991 data, and therefore does not change.

³ 2015 Standard.

⁴ 2010 Standard.

Source: EPA 2022; CARB 2022b.

The LSAP Update SEIR quantitatively analyzed emissions of criteria air pollutants that would result from the ISI Project. This analysis uses a qualitative approach because emissions from the proposed Extension Site parking garage were captured in the LSAP Update SEIR analysis as a proposed underground parking garage. Relocation of the parking garage, as proposed under the east site expansion, would generate similar emissions to those previously addressed in the LSAP Update SEIR, as analyzed below.

The LSAP Update SEIR provided updated air pollutant emission estimates for the expanded development potential under the LSAP Update. The following discussion summarizes new air quality information as it relates to the proposed project and compares this information to the analysis presented in the LSAP Update SEIR.

a) Conflict with or obstruct implementation of the applicable air quality plan?

The LSAP has been developed to promote greater use of the existing Lawrence Station transit asset and guide the development of a diverse neighborhood for employment, residential, retail, and other support services. The LSAP includes policies that prioritize new residential development near transit stations, improve connections between the transit station and adjacent destinations, and densify and intensify the land uses at key locations within the plan area. The project site is within a TPA and PDA. As designated by the Association of Bay Area Governments’ and Metropolitan

Transportation Commission's (ABAG/MTC) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) (Plan Bay Area 2050), a TPA is a geographic area that is within one-half mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program or applicable regional transportation plan (Pub. Resources Code § 21099(a)(7)). The LSAP Update SEIR addresses potential impacts associated with the generation of criteria air pollutants and toxic air contaminants (TACs) from construction and operational activities associated with implementation of the ISI Project and the LSAP Update, as well as issues related to odor.

The California Clean Air Act (CAA) requires air districts to create clean air plans that provide the framework for how an air basin will meet the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS). These plans must be updated periodically. The most recently adopted air quality plan for the San Francisco Bay Area Air Basin (SFBAAB) is the *2017 Clean Air Plan: Spare the Air, Cool the Climate* (2017 Clean Air Plan). To fulfill State ozone planning requirements, the 2017 Clean Air Plan control strategies include all feasible measures to reduce emissions of ozone precursors (reactive organic gases [ROG] and nitrogen oxides [NO_x]) and reduce the transport of ozone and its precursors to neighboring air basins. In addition, the 2017 Clean Air Plan builds upon and enhances BAAQMD's efforts to reduce emissions of fine particulate matter with an aerodynamic resistance diameter of 2.5 micrometers or less (PM_{2.5}) and TACs. The 2017 Clean Air Plan does not include regulate individual development projects. Instead, the control strategy includes state measures related to stationary sources, transportation, energy, buildings, agriculture, natural and working lands, waste management, water, and greenhouse gas (GHG) pollutants with a high global warming potential (GWP) (BAAQMD 2017). Some of these measures, such as the sustainability requirements in the California Building Code, apply directly to the project and some, such as the Renewable Portfolio Standards, apply indirectly to the project because it would affect the emissions of the electricity provided to the project.

The 2017 Clean Air Plan focuses on two paramount goals (BAAQMD 2017):

- ▶ protect air quality and health at the regional and local scale by attaining all state and national air quality standards and eliminating disparities among San Francisco Bay Area communities in cancer health risk from TACs, and
- ▶ protect the climate by reducing Bay Area GHG emissions to 40 percent below 1990 levels by 2030, and 80 percent below 1990 levels by 2050.

Under BAAQMD's methodology, a determination of consistency with the 2017 Clean Air Plan should demonstrate that a project:

- ▶ supports the primary goals of the 2017 Clean Air Plan,
- ▶ includes applicable control measures from the 2017 Clean Air Plan, and
- ▶ would not disrupt or hinder implementation of any control measures in the 2017 Clean Air Plan.

A project that would not support the 2017 Clean Air Plan's goals would not be considered consistent with the 2017 Clean Air Plan. On an individual project basis, consistency with BAAQMD's quantitative thresholds is interpreted as demonstrating support for the 2017 Clean Air Plan's goals. Impact 3.2-1 of the LSAP Update SEIR concluded that implementation of the LSAP Update, which includes the ISI Project, would not result in emissions that would exceed BAAQMD-recommended thresholds and that the impact would be less than significant. The Extension Site would be developed with structured parking, which would have emissions similar to the approved North Site underground garage that the project would eliminate. Emissions would be similar in that the Extension Site would be a similar land use (i.e., parking) to the approved underground garage and the proposed Extension Site parking garage would serve the same function and same number of net new employees as the previously proposed underground parking garage on the North Site, resulting in similar quantities of emissions. These emissions are captured in the emissions modeling for the LSAP Update SEIR. Therefore, it can be concluded that the project would not result in exceedances of BAAQMD's thresholds for criteria air pollutants and thus would not conflict with the 2017 Clean Air Plan's goal to attain air quality standards. Furthermore, as shown in Table 4.3-3, the proposed project would include applicable control measures from the 2017 Clean Air Plan and would not disrupt or hinder implementation of such control

measures. Therefore, the proposed project would not conflict with implementation of the policies of the 2017 Clean Air Plan and would not result in new significant impacts or substantially more severe impacts than what were identified in the LSAP Update SEIR.

Table 4.3-3 Project Consistency with Applicable Control Strategies of 2017 Clean Air Plan

2017 Control Strategy	Evaluation
Direct new development to areas that are well served by transit, and conducive to bicycling and walking.	Consistent. The project site is located within walking and bicycling distance of various amenities, including commercial, retail, restaurant, and entertainment opportunities. Additionally, the North Site is located within the Lawrence Station Area Plan boundary and provides pedestrian and bike access to the Lawrence Caltrain Station. The Extension Site is located just outside of the Sunnyvale Lawrence Station Area Plan boundary but is within the transit-oriented development (TOD) boundary in the Santa Clara Lawrence Station Area Plan and provides similar pedestrian and bicycle access to the Lawrence Area Caltrain Station. Therefore, the project would be located in an area that is well served by transit and conducive to bicycling and walking.
Accelerate the widespread adoption of electric vehicles.	Consistent. The project design would provide a parking garage that would provide Level 2 electric vehicle (EV) charging stations for a minimum of 35 percent of the total garage parking spaces. This would be consistent with both the City’s Municipal Code and Santa Clara County’s Green Building Standards Code, and would promote the adoption of electric vehicles by providing infrastructure to facilitate their use.
Expand the production of low-carbon, renewable energy by promoting on-site technologies such as rooftop solar, wind and ground-source heat pumps.	Consistent. The ISI Project included CalGreen-compliant building features and achieved LEED Gold status. The project would not alter these aspects of the ISI project. The North Site would continue to include the use of a solar photovoltaic system on the building rooftop. The parking structure on the Extension Site would also include a rooftop photovoltaic system.
Promote energy and water efficiency in both new and existing buildings.	Consistent. The project would have building features, such as low-flow toilets and energy-efficient lighting, that would promote energy and water efficiency in accordance with California Energy Code and CalGreen requirements.

Source: BAAQMD 2017.

The project, including the parking structure on the Extension Site, would include project design features which align with the strategies of the 2017 Clean Air Plan. . No new circumstances or project changes related to conflict with an applicable air quality plan have occurred that would result in new or substantially more severe impacts than were identified in the LSAP Update SEIR. Additionally, there is no new information of substantial importance that shows the project would have one or more significant effects not previously discussed in the LSAP Update SEIR, that the discussed effects would be substantially more severe, or that there would be newly feasible mitigation measures, alternatives, or substantially different mitigation measures or alternatives that would substantially reduce impacts but that ISI declines to adopt. Therefore, the findings of the certified LSAP Update SEIR remain valid, and no additional analysis is required.

- b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?**

Construction

The SFBAAB is currently in nonattainment for the CAAQS and NAAQS for Ozone (1-Hour and 8-Hour Standards) and PM_{2.5} and NAAQS for respirable particulate matter with an aerodynamic resistance diameter of 10 micrometers or less (PM₁₀) (EPA 2022, CARB 2022a). The LSAP Update SEIR provided updated air pollutant emission estimates for the expanded development potential under the LSAP Update and concluded that there would be no increase in severity of this cumulative air quality impact, as daily ROG, PM_{2.5}, and PM₁₀ emissions for both construction and operations activities associated with the ISI Project would be below BAAQMD average daily thresholds. However, the LSAP Update SEIR analysis found that construction related emissions of NO_x would likely exceed BAAQMD thresholds. The

analysis concluded that despite the application of Mitigation Measures MM 3.5.3a (apply BAAQMD basic construction mitigation measures), 3.5.3b (reduce construction equipment emissions through use of CARB Tier 3 or better certified construction equipment), and 3.2-1 (require the use of high-performance renewable diesel (HPRD) fuel for diesel-powered construction equipment), emissions of NO_x would still exceed BAAQMD thresholds. ISI committed to the use of construction equipment that is CARB Tier 4 (City of Sunnyvale 2021:2-39) that would implement Mitigation Measure MM 3.5.3b. This impact was considered significant and unavoidable for the ISI project even with the use of Tier 4 final construction equipment.

Construction of the project would not result in emissions of criteria air pollutants greater than what was analyzed in the LSAP Update SEIR because emissions associated with construction of the ISI Project would likely be less than what was estimated in the LSAP Update SEIR because of the exclusion of the underground parking lot previously proposed as part of the North Site, as that component of the previously approved North Site would generate the greatest construction emissions from trenching, excavation, and use of other heavy-duty construction equipment. The removal of this component of the North Site would reduce the level of construction emissions generated by project implementation as fewer pieces of construction equipment would be required and fugitive dust emissions associated with excavation would be avoided. Specifically, the project would have structured parking instead of an underground parking garage. Although the proposed Extension Site parking garage would serve the same function and same number of net new employees as the previously proposed underground parking garage on the North Site, it would not require as much equipment to excavate and trench. Excavation and trenching are two of the greatest sources of construction-generated criteria air pollutants because such activities require heavy-duty construction equipment of high horsepower (hp) and result in more fugitive dust emissions from earth-moving activity than grading a site for structured parking. Moreover, excavation would entail extensive haul truck trips that could contribute emissions regionally. would not be required for an above ground parking garage.

Nevertheless, consistent with the findings of the LSAP Update SEIR for the ISI Project, the project would contribute NO_x, an ozone precursor, in excess of the BAAQMD threshold and thus would make a cumulatively considerable contribution to the nonattainment of ozone in the SFBAAB and could therefore increase the potential for adverse health impacts to receptors from exposure to ozone. Construction impacts would continue to be significant and unavoidable consistent with the conclusions of the LSAP Update SEIR even with implementation of Mitigation Measures 3.5.3a, 3.5.3b, and 3.2-1. No new circumstances or project changes on the North Site related to a cumulatively considerable net increase in a nonattainment pollutant have occurred that would result in new or substantially more severe impacts than were identified in the LSAP Update SEIR. Additionally, there is no new information of substantial importance that shows the project would have one or more significant effects not previously discussed in the LSAP Update SEIR, that the discussed effects would be substantially more severe, or that there would be newly feasible mitigation measures, alternatives, or substantially different mitigation measures or alternatives that would substantially reduce impacts but that ISI declines to adopt. Therefore, the findings of the certified LSAP Update SEIR remain valid, and no additional analysis is required.

Operation

Emissions associated with project operations would not substantially differ from those addressed in the LSAP Update SEIR because the project would not include any increases in the number of employees, intensity of use, floor area ratio, or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR. In addition, there would not be an increase in the net available parking for the ISI project or uses at the Extension Site. Because emissions of criteria air pollutants associated with project operations are estimated based on building size, land use type and density, and trips made by employees, the project would not increase operational air emissions from the emissions disclosed for the ISI project in the LSAP Update SEIR. As stated under Item "c" below, implementation of the project would not affect vehicle miles traveled (VMT), energy use/demand, maintenance activity frequency, water demand/usage or waste generation that would result in additional emissions compared to those estimated in the LSAP Update SEIR. The portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to a air quality than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to air quality than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as

to air quality the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Extension Site

Construction

Construction emissions related to the proposed Extension Site parking garage were accounted for as part of the ISI Project analysis in the LSAP Update SEIR as the below-ground parking structure previously proposed to be constructed under the North Site. It was concluded that construction of the ISI Project would result in emissions of criteria air pollutants which would exceed BAAQMD average daily thresholds for construction-related NOx emissions. Because the parking structure accounted for a small fraction of the total emissions of the ISI Project, it can be assumed that construction of the parking structure itself would not result in exceedances of BAAQMD thresholds. The proposed Extension Site parking garage would serve a similar function as the previously proposed underground parking garage on the North Site. Construction of the proposed above-ground parking structure would result in reduced construction-related air quality emissions compared to the construction emissions from the underground parking garage analyzed in the LSAP Update SEIR because the types of construction equipment needed to excavate and trench a below ground parking lot would be avoided. Excavation and trenching are the greatest source of construction-generated criteria air pollutants and precursors because they require heavy-duty construction equipment of high horsepower (hp) and result in fugitive dust emissions from earth-moving activity. Moreover, excavation for an underground parking garage would entail extensive haul truck trips that could contribute emissions regionally and these haul trips would not be required for the above-ground parking garage. Construction impacts would continue to be significant consistent with the conclusions for the ISI Project in the LSAP Update SEIR. The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to a cumulatively considerable net increase in a nonattainment pollutant than were identified for in the LSAP Update SEIR. There would be no changes in circumstances that would result in new or substantially more severe impacts related to operational criteria air pollutants than were identified in the LSAP Update SEIR and there is no new information that shows that the project would result in one or more significant effects not discussed in the LSAP Update SEIR, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR remain valid.

Operation

The proposed garage would have similar operational air emissions as the underground garage because the net new parking spaces would be the same and other sources of emissions, such as electricity for lighting, would be similar. The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to a cumulatively considerable net increase in a nonattainment pollutant than were identified for in the LSAP Update SEIR. There would be no changes in circumstances that would result in new or substantially more severe impacts related to operational criteria air pollutants than were identified in the LSAP Update SEIR and there is no new information that shows that the project would result in one or more significant effects not discussed in the LSAP Update SEIR, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR remain valid.

c) Expose sensitive receptors to substantial pollutant concentrations?**Carbon Monoxide Concentrations****North Site**

Impact 3.2-3 of the LSAP Update SEIR included an analysis of the ISI Project to determine whether the implementation of the ISI Project would result in a short- or long-term increase in localized carbon monoxide (CO) emissions that exceed BAAQMD-recommended thresholds. It was determined that the ISI Project as a whole would not cause an intersection to exceed the BAAQMD-recommended peak hour thresholds of intersections experiencing a traffic volume greater than 44,000 vehicles per hour or 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited. Therefore, operation of the ISI Project would not violate a standard or contribute substantially to an existing or projected air quality violation or expose sensitive receptors to substantial CO concentrations and this impact was determined to be less than significant. Because the project would not increase square footage, floor-to-area ratio, and number of employees, the project would not result in additional trips beyond those accounted for in the LSAP Update SEIR. No new circumstances or project changes to the North Site related to CO emissions have occurred that would result in new or substantially more severe impacts than were identified in the LSAP Update SEIR. Additionally, there is no new information of substantial importance that shows the project would have one or more significant effects not previously discussed in the LSAP Update SEIR, that the discussed effects would be substantially more severe, or that there would be newly feasible mitigation measures, alternatives, or substantially different mitigation measures or alternatives that would substantially reduce impacts but that ISI declines to adopt. Therefore, the findings of the certified LSAP Update SEIR remain valid, and no additional analysis is required.

Extension Site

The proposed parking structure would not result in increases in project-related VMT. Of the 1,183 parking spaces 279 parking spaces would be allocated for 2900 Semiconductor Drive and 3875 Kifer Road buildings in the City of Santa Clara and there would not be an increase in the total number of parking spaces. Therefore CO emissions would not increase because relocating the parking structure above ground, as opposed to being located underground as was analyzed in the LSAP Update SEIR, would not result in changes to square footage, floor-to-area ratio, or an increase in the number of employee trips associated with the ISI Project. Rather, VMT associated with these trips would be displaced to the proposed Extension Site adjacent to the North Site. Additionally, the project would be required to implement a TDM Plan that achieves 35 percent peak hour and 20 percent daily trip reduction as required by the LSAP. The portion of the project on the Extension Site would not result in new circumstances or project changes to related to CO emissions that would result in new or substantially more severe impacts than were identified in the LSAP Update SEIR. Additionally, there is no new information of substantial importance that shows the project would have one or more significant effects not previously discussed in the LSAP Update SEIR, that the discussed effects would be substantially more severe, or that there would be newly feasible mitigation measures, alternatives, or substantially different mitigation measures or alternatives that would substantially reduce impacts but that ISI declines to adopt. Therefore, the findings of the certified LSAP Update SEIR remain valid, and no additional analysis is required.

Toxic Air Contaminant Concentrations**North Site**

Impact 3.2-4 of the LSAP Update SEIR included an analysis to determine whether the implementation of the ISI Project would result in the exposure of sensitive receptors to substantial increases in TAC emissions during construction or operations activities.

Construction TACs

The TAC analysis of the ISI Project included in the LSAP Update SEIR stated that health risks associated with emissions of TACs during construction with the application of CARB Tier 4 construction equipment that was committed to by ISI (City of Sunnyvale 2021:2-39) consistent with adopted LSAP Mitigation Measure MM 3.5.3b (require CARB Tier 3 Certified or better off-road diesel-fuel equipment) and MM 3.5.5 (require site-specific construction-related impact analysis and construction pollutant mitigation plan) would be less than significant. It was also determined that

conservative estimates of both maximum diesel PM_{2.5} emission concentration and carcinogenic risk from project construction would be below applicable BAAQMD thresholds. Sensitive receptors near the ISI Project site were identified and include multi-family residences approximately 120 feet south of the South Site and multi-family residences approximately 400 feet south of a temporary concrete batch plant that would be located in the northern part of the South Site. The project, occurring at the North Site, would be an even greater distance from the sensitive receptors identified in the LSAP Update SEIR and is not near any additional sensitive receptors. As stated above, the LSAP Update SEIR determined that both maximum diesel PM_{2.5} emission concentration and carcinogenic risk from construction of the ISI Project would be below applicable BAAQMD thresholds. The project would not include any increases in the number of employees, intensity, floor area ratio, or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR. No new circumstances or project changes to the North Site related to construction TAC emissions have occurred that would result in new or substantially more severe impacts than were identified in the LSAP Update SEIR. Additionally, there is no new information of substantial importance that shows the project will have one or more significant effects not previously discussed in the LSAP Update SEIR, that the discussed effects would be substantially more severe, or that there would be newly feasible mitigation measures, alternatives, or substantially different mitigation measures or alternatives that would substantially reduce impacts but that ISI declines to adopt. Therefore, the findings of the certified LSAP Update SEIR remain valid, and no additional analysis is required.

Operational TACs

The TAC analysis of the ISI Project included in the LSAP Update SEIR stated while operational activities associated with the ISI Project would result in long term emissions of diesel PM_{2.5} associated with emergency generator use and delivery truck idling, the highest expected annual average diesel PM_{2.5} emission concentrations at the ISI Campus site would remain below the BAAQMD threshold of 10 per million. Acute and chronic hazards also would be below the BAAQMD significance threshold of 1.0. Therefore, it was concluded that the ISI Project would not result in the exposure of any nearby sensitive receptors to TAC concentrations that exceed applicable thresholds of significance during operations. No new circumstances or project changes to the North Site related to operational TAC or PM_{2.5} emissions have occurred that would result in new or substantially more severe impacts than were identified in the LSAP Update SEIR. Additionally, there is no new information of substantial importance that shows the project will have one or more significant effects not previously discussed in the LSAP Update SEIR, that the discussed effects would be substantially more severe, or that there would be newly feasible mitigation measures, alternatives, or substantially different mitigation measures or alternatives that would substantially reduce impacts but that ISI declines to adopt. Therefore, the findings of the certified LSAP Update SEIR remain valid, and no additional analysis is required.

Extension Site

Construction TACs

Emissions of TACs related to the parking garage were accounted for as part of the ISI Project analysis in the LSAP Update SEIR as construction of the below-ground parking structure previously proposed would have the same or more TAC emissions compared to the construction of the project's parking structure. It was concluded that construction of the ISI Project would not result in emissions of TACs which would exceed BAAQMD thresholds. Because the parking structure accounted for a portion of the total emissions of the ISI Project, it can be reasonably assumed that construction of the parking structure itself would not result in exceedances of BAAQMD thresholds for TACs. Relocating the parking structure above-ground would not result in changes to construction duration than what was addressed in the LSAP Update SEIR analysis; however, as compared to a below-ground parking structure, the anticipated intensity and/or or equipment quantity/type likely that would be less than what would be required to build a below-ground parking structure as the excavation construction phase would be significantly reduced. There would still be excavation for footings, utilities, and foundation of the above-ground parking structure, but it is minimal compared to a full excavation for a below-ground parking structure. The proposed parking garage would not be located near any new sensitive receptors beyond those identified in the LSAP Update SEIR. Additionally, the project would not be any closer to the identified sensitive receptors than what was accounted for in the LSAP Update EIR. The portion of the project on the Extension Site would not result in new circumstances or project changes to related to construction TAC emissions that would result in new or substantially more severe impacts than were identified in the LSAP Update SEIR. Additionally,

there is no new information of substantial importance that shows the project would have one or more significant effects not previously discussed in the LSAP Update SEIR, that the discussed effects would be substantially more severe, or that there would be newly feasible mitigation measures, alternatives, or substantially different mitigation measures or alternatives that would substantially reduce impacts but that ISI declines to adopt. Therefore, the findings of the certified LSAP Update SEIR remain valid, and no additional analysis is required.

Operational TACs

The LSAP Update EIR identified that operation of the ISI Project would result in long term emissions of diesel PM_{2.5} from emergency generator use and delivery truck idling, but that these emissions would be below BAAQMD thresholds. TAC emissions resulting from operation of the parking garage on the Extension Site would come from cars that were accounted for in the LSAP Update SEIR analysis as part of the previously proposed underground parking structure to be located under the North Site. Although the parking garage would have more spaces than the previously proposed underground parking structure, the net new spaces on the Extension Site and the number of spaces to serve employees associated with the project would be substantially similar to the spaces previously proposed (937 spaces allocated for the north site in 2021 and the same number proposed in the modification). Because emissions of TACs from the North Site, which included the previously proposed underground parking garage, account for a fraction of the total operational TAC emissions from the ISI Project, it can be reasonably assumed that emissions from the project, including the parking garage, would also be below BAAQMD thresholds. Operational activities associated with the parking garage on the Extension Site would not substantially differ in type or intensity from what was previously analyzed as the underground parking structure in the LSAP Update SEIR. Additionally, the proposed parking garage would not be located near any new sensitive receptors beyond those identified in the LSAP Update SEIR and the project would not be any closer to the identified sensitive receptors than what was accounted for in the LSAP Update EIR. The portion of the project on the Extension Site would not result in new circumstances or project changes to related to operational TAC emissions that would result in new or substantially more severe impacts than were identified in the LSAP Update SEIR. Additionally, there is no new information of substantial importance that shows the project would have one or more significant effects not previously discussed in the LSAP Update SEIR, that the discussed effects would be substantially more severe, or that there would be newly feasible mitigation measures, alternatives, or substantially different mitigation measures or alternatives that would substantially reduce impacts but that ISI declines to adopt. Therefore, the findings of the certified LSAP Update SEIR remain valid, and no additional analysis is required.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

The LSAP EIR and LSAP Update SEIR determined that construction within the plan area is not anticipated to expose nearby receptors to objectionable odors. The project would be required to comply with BAAQMD Regulation 8, Rule 3, Architectural Coatings, and Rule 15, Emulsified Asphalt, which establish volatile organic compound (VOC) content limits for these construction materials. VOCs are the main sources of odors from these sources. Therefore, compliance with these regulatory requirements would further reduce odor impacts associated with these sources. The project would not result in new significant impacts or substantially more severe impacts related to construction-generated odors than what were identified in the LSAP Update SEIR.

With respect to operation, the BAAQMD's CEQA Air Quality Guidelines identifies land uses associated with odor complaints to include, but not limited to, wastewater treatment plants, landfills, confined animal facilities, composting stations, food manufacturing plants, refineries, and chemical plants (BAAQMD 2017). The projects, a commercial office land use with associated parking garage, are not identified on this list. The land use designations of the North Site would not change from that which was analyzed in the LSAP Update SEIR, and the parking garage on the Extension Site is not considered a land use typically associated with odor complaints. The project would not result in new significant impacts or substantially more severe impacts related to odors than were identified in the LSAP Update SEIR, nor would there be new feasible mitigation measures or alternatives that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR remain valid.

Mitigation Measures from LSAP Update EIR

Mitigation Measures MM 3.5.3a and 3.5.3b were adopted as part of the LSAP EIR to ensure compliance with BAAQMD's basic construction measures. As noted above, ISI has committed to the use of CARB Tier 4 construction equipment, which implements Mitigation Measure MM 3.5.3b. Mitigation Measure 3.2-1 was included for the ISI Project in the LSAP Update SEIR to reduce NO_x emissions during construction. The following adopted mitigation measures referenced in the LSAP EIR and LSAP Update SEIR analysis would continue to be applicable for the North Site if the project was approved. ISI has also agreed to implement these mitigation measures on the Extension Site in a letter dated December 20, 2023 and as included on the project site plans.

Mitigation Measure MM 3.5.3a

Prior to the issuance of grading or building permits, the City of Sunnyvale and City of Santa Clara, as appropriate, shall ensure that BAAQMD's basic construction mitigation measures from Table 8-1 of the BAAQMD 2011 CEQA Air Quality Guidelines (or subsequent updates) are noted on the construction documents. These basic construction mitigation measures include the following:

- 1) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- 2) All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- 3) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- 4) All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
- 5) All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- 6) All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- 7) A publicly visible sign shall be posted with the telephone number of the job superintendent overseeing construction of the Extension Site parking structure 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 MM 3.5.3b

In the cases where construction projects are projected to exceed the BAAQMD air pollutant significance thresholds for NO_x, PM₁₀, and/or PM_{2.5}, all off-road diesel-fueled equipment (e.g., rubber-tired dozers, graders, scrapers, excavators, asphalt paving equipment, cranes, and tractors) shall be at least CARB Tier 3 Certified or better.

Mitigation Measure 3.2-1: Reduce construction-related NO_x emission for the ISI Project

The applicant shall require its construction contractors to use HPRD fuel for diesel-powered construction equipment, to the extent available. Any HPRD product that is considered for use by the construction contractor shall comply with California's Low Carbon Fuel Standards. HPRD fuel must meet the following criteria:

- ▶ be hydrogenation-derived (reaction with hydrogen at high temperatures) from 100 percent biomass material (i.e., nonpetroleum sources), such as animal fats and vegetables,
- ▶ contain no fatty acids or functionalized fatty acid esters, and
- ▶ have a chemical structure that is identical to petroleum-based diesel which ensures HPRD will be compatible with all existing diesel engines; it must comply with American Society for Testing and Materials D975 requirements for diesel fuels.

Conclusion

No new circumstances or project changes related to air quality have occurred that would result in new or substantially more severe air quality impacts than were identified in the LSAP Update SEIR, nor is there new information of substantial importance that shows the project will have one or more significant effects not previously discussed or that the discussed effects would be substantially more severe or there would be newly feasible mitigation measures or alternatives or substantially different mitigation measures or alternatives that would substantially reduce impacts but that ISI declines to adopt. Therefore, the findings of the certified LSAP Update SEIR remain valid, and no additional analysis is required.

4.4 BIOLOGICAL RESOURCES

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Update Draft and Final SEIR.	Do Project Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Any New Information of Substantial Importance?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
4. Biological Resources. Would the project:					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?	Draft SEIR Impacts 3.4-1 and 3.4-2	No	No	No	Yes, impacts to special-status bats, nesting raptors, and migratory birds would be less than significant with application of adopted mitigation measures. Impact on other special-status species remains less than significant.
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?	Draft SEIR page 3.4-14	No	No	No	NA, impact would be less than significant.
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Draft SEIR page 3.4-15	No	No	No	NA, impact would be less than significant.
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Draft SEIR page 3.4-15	No	No	No	NA, impact would be less than significant.
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Draft SEIR Impact 3.4-3	No	No	No	NA, impact would be less than significant.
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	Draft SEIR page 3.4-15	No	No	No	NA, no impact would occur.

Discussion

Biological resources are discussed in Chapter 3.4, “Biological Resources,” of the LSAP Update SEIR. To determine if any changes to biological resources have occurred on the North Site since adoption of the LSAP Update SEIR and to analyze the biological resources on the Extension Site, a literature review was completed for the North Site and Extension Site. This analysis utilizes updated and site-specific results of the California Natural Diversity Database (CNDDDB) and California Native Plant Society (CNPS) Inventory of Rare Plants (IPaC) species searches prepared for the project. CNDDDB and CNPS record searches were completed of the Mountain View, Mindego Hill, Palo Alto, Newark, Niles, Redwood Point, Milpitas, and San Jose West U.S. Geological Survey 7.5-minute quadrangles. Additionally, a list of biotic resources of interest to the federal government and that could be affected by activities conducted in the project area was obtained from the United States Fish and Wildlife Service (USFWS) Information for Planning and Consultation website. The analysis for the North Site also incorporates the *Tree Survey of 945 Kifer Road, Sunnyvale, CA* prepared for the ISI Project (Urban Tree Management 2015). Special-status plant and wildlife species known to occur in the vicinity of the project area, and their potential to occur within the project area, are listed in Appendix A. Species that were previously addressed in the LSAP Update SEIR are not included. None of the additional species identified in the vicinity have potential to occur on or adjacent to the project site, due to lack of suitable habitat.

Santa Clara Municipal Code Chapter 12.35 includes standards relating to removal of trees and shrubs. Santa Clara Municipal Code Chapter 12.35.090 requires a permit for the removal of any heritage tree and all specimen trees with a diameter of 12 inches or more when measured at 54 inches above natural grade; and dictates the replacement ratios for removed trees. Tree replacement ratios required by the City of Santa Clara are 1:1 for dead or unsuitable trees and for live trees 2:1 if 24-inch box trees are planted and 4:1 if 15-gallon container trees are planted.

- a) **Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?**

North Site

As discussed in Impact 3.4-1 of the LSAP Update SEIR the ISI Project area has the potential to be occupied by roosts of special-status bat species. The LSAP Update SEIR determined that pallid bat may use buildings and hollows of large trees within the ISI Project area for roosting and buildings in the ISI Project area may provide roosting for Townsend’s big eared bat. Removal of roost sites and roost disturbance could cause direct injury or mortality of bats. Bats may occur on or adjacent to the North Site and be impacted by construction noise and dust. This impact would be mitigated through implementation of adopted LSAP Mitigation Measure MM 3.9.2, which would require pre-construction surveys and protection of bats and active roosts. Project compliance with Mitigation Measure MM 3.9.2 would ensure that impacts to roosting bats would be minimized.

The ISI Project does not contain habitat suitable for burrowing owl or other special-status bird species. All native breeding birds, regardless of their listing status, are protected under the Migratory Bird Treaty Act as well as California Fish and Game Code sections 3503 and 3513. As noted in Impact 3.4-3, the LSAP contains several guidelines intended to protect trees, but recognizes that some trees may need to be removed to accommodate new projects. If construction occurs during the nesting season and trees are removed or substantially pruned, this could result in direct impacts on nesting birds and raptors if present. Additionally, noise and other human activity may result in nest abandonment if nesting birds are present within 100 feet (250 feet for raptors) of a work site. The project site contains large ornamental trees which could provide suitable habitat for nesting birds and raptors, and removal of these trees may result in mortality of eggs or young birds that are not capable of flying away. Adopted LSAP Mitigation Measure MM 3.9.3 would mitigate this impact by requiring preconstruction surveys and avoidance of active nest sites under project and cumulative conditions.

Architectural updates to the North Site building would include refinements to the design of the North Site building to ensure consistency with the building on the South Site. Proposed site improvements would not result in additional impacts to sensitive species or their habitat because the project would be required to implement the LSAP Update

SEIR mitigation measures protecting bats and birds. Bird-safe measures have been incorporated through low-reflectivity glass, interior window blinds, small glass panes, and shielded lighting near buildings. The portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to a special status species than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to special status species than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to special status species the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid and this impact would remain less than significant with implementation of adopted LSAP Update SEIR Mitigation Measures MM 3.9.2 and 3.9.3.

Extension Site

Effects on special-status plant or wildlife species related to the project on the Extension Site would be similar to those assumed as part of the ISI Project analysis in the LSAP Update SEIR. The Extension Site consists almost entirely of pavement, with no grassland habitat or other natural vegetation or bare ground suitable for burrowing owl.

The Extension Site contains redwoods and ornamental trees which could provide suitable habitat for pallid bat or nesting birds and raptors. Removal of these trees during project construction has the potential to result in loss pallid bats or nesting birds and raptors. Adopted LSAP Mitigation Measure MM 3.9.2 and 3.9.3 would mitigate this impact by requiring preconstruction surveys and avoidance of active roosts or nest sites under project and cumulative conditions and ISI has agreed to comply with these measures.

Project compliance with Mitigation Measures MM 3.9.2 and MM 3.9.3, as included on the site plans for the Extension Site, would minimize the impacts to roosting bats and migratory birds to a level that is less than significant. The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to a special status species than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to special status species than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to special status species the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid and this impact would remain less than significant with implementation of adopted LSAP Update SEIR Mitigation Measures MM 3.9.2 and 3.9.3.

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?**

North Site

As stated in the LSAP Update SEIR, the ISI Project site and surrounding area are developed or disturbed and no longer support natural communities. No riparian habitat or other sensitive natural communities occur on the North Site. Architectural updates to the North Site would include refinements to the design of the North Site building to ensure architectural consistency with the building on the South Site. The project would not include any increases in the number of employees, intensity, floor area ratio, or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR. Development would not expand into areas of riparian habitat or sensitive natural communities. The portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to a sensitive habitat than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts

related to a sensitive habitat than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to sensitive habitats the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Extension Site

The proposed Extension Site is completely developed with a paved parking lot and site landscaping and is surrounded by roads and other urban and suburban development. The Extension Site does not contain riparian habitat or any other sensitive natural communities. The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to a sensitive habitat than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to a sensitive habitat than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to sensitive habitats the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

- c) **Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

North Site

The LSAP Update SEIR states that Calabazas Creek is the only protected waters of the United States within the LSAP project area. As stated in the LSAP Update SEIR, there are no wetlands or aquatic habitat on the North Site. The North Site contains a concrete and gravel lined artificial water feature, which does not possess the field characteristics used by the federal and state resource/regulatory agencies in defining their jurisdiction (i.e., waters of the U.S., under the Clean Water Act, or waters of the State, under the Porter-Cologne Water Quality Control Act). Therefore, no jurisdictional or regulated waters or aquatic habitats occur on the North Site. Architectural updates to the North Site would include refinements to the design of the North Site building to ensure architectural consistency with the building on the South Site, such as adding an internal courtyard, changing vision and spandrel glazing in similar locations, extending the trellis element, and relocating mechanical equipment to the rooftop with screening structures. The project on the North Site would not include any increases in the number of employees, intensity, floor area ratio, or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR. The portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to a wetland than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to a wetland than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to wetlands the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Extension Site

The proposed Extension Site is paved and does not contain any wetland or other aquatic habitat, or any field characteristics used by the federal and state resource/regulatory agencies in defining their jurisdiction (i.e., waters of the U.S., under the Clean Water Act, or waters of the State, under the Porter-Cologne Water Quality Control Act).

Therefore, no jurisdictional or regulated wetlands or aquatic habitats occur on the project site. There would be no impacts to state or federally protected wetlands. The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to a wetland than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to a wetland than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to wetlands the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

North Site

As stated in the LSAP Update SEIR, the LSAP area does not overlap with an Essential Connectivity Area as defined by California Department of Fish and Wildlife (CDFW) and does not contain native wildlife nursery sites. An Essential Connectivity Area is an area that is essential for the ecological connectivity of large natural habitat blocks that support biodiversity. In addition, the LSAP and ISI Project would not result in a significant change in land use intensity and therefore would not alter the movements of wildlife currently utilizing the LSAP area. The entire LSAP area and surrounding lands are either developed or disturbed, and include impediments to migration such as rail tracks and busy roads, and provide very limited wildlife movement opportunities and no wildlife movement corridors. Therefore, the portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to a wildlife movement corridor than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to a wildlife movement corridor than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to wildlife movement corridors the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Extension Site

The proposed Extension Site does not overlap with an Essential Connectivity Area and does not contain native wildlife nursery sites. The area and surrounding lands are either developed or disturbed and provide limited wildlife movement opportunities. Therefore, there would be no impacts to wildlife corridors, wildlife movement, or wildlife nursery sites. Therefore, the portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to a wildlife movement corridor than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to a wildlife movement corridor than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to wildlife movement corridors the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

North Site

Implementation of LSAP Policy OSP-6 and Guideline STP-UDG6 would ensure the protection and enhancement of trees throughout the plan area wherever possible. Sunnyvale Municipal Code Chapters 13.16 (City Trees) and 19.94 (Tree Preservation on private property) dictate the limited circumstances under which protected trees may be removed and require implementation of protection measures for trees to remain during construction activities. If any protected trees are affected by future development, the project applicant will be required to comply with Chapters 13.16 and 19.94. The LSAP would implement this requirement through guideline STP-UDG7, which requires that replacement trees be provided where tree removal is unavoidable. In addition, the LSAP has identified a goal to enhance the urban forest in the plan area to provide shade and shelter, add scale to pedestrian and vehicular streets, beautify the area, and provide wildlife habitat (LSAP Goal STP-G1). This would be accomplished through guidelines that require planting street trees on all streets, using medium- to large-canopy trees on large streets, and ensuring new tree plantings are appropriate for an urban environment. Impacts would be less than significant.

The portion of the project on the North Site would be subject to LSAP policy provisions and Municipal Code Chapters 13.16 and 19.94. Updates to the North Site would include refinements to the design of the North Site building to ensure consistency with the building on the South Site, such as adding an internal courtyard, changing vision and spandrel glazing in similar locations, extending the trellis element, and relocating mechanical equipment to the rooftop with screening structures. There would not be an increase in the number of trees removed on this portion of the project site as compared to what was analyzed in the LSAP Update SEIR. Since the 2021 approval, an additional four trees have been identified for preservation (tree #s 6372P, 6380P, 6388P, and 6396P), two additional trees (6261 and 6259P) proposed for removal due to fire lane requirements for the surface parking lot, and one additional tree (5555P) proposed for removal due to the Central Expressway Improvements resulting in a net of one additional preserved tree. The portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to an ordinance protecting biological resources than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantially more severe impacts related to an ordinance protecting biological resources than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to ordinances protecting biological resources the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Extension Site

Project plans for the Extension Site include removal of the 84 existing trees on the site. Located in the City of Santa Clara, the proposed Extension Site would be subject to Santa Clara Municipal Code Chapter 12.35, relating to removal of trees and shrubs. Santa Clara Municipal Code Chapter 12.35.090 would require a permit for the removal of any heritage tree and specimen trees of a certain species (e.g. oaks, redwoods, cedars) with a diameter of 12 inches or more when measured at 54 inches above natural grade; and dictates the replacement ratios for removed trees. Tree replacement ratios required by the City of Santa Clara are 1:1 for dead or unsuitable trees and for live trees 2:1 if 24-inch box trees are planted and 4:1 if 15-gallon container trees are planted. There are a total of 32 trees with diameters of 12 inches or more when measured at 54 inches above natural grade, but only two of these trees are species that meet the specimen criteria (Coast Redwoods) (Monarch Consulting Arborists 2022). The applicant would plant 90 trees consisting of 24-inch and 36-inch box trees on the site, which exceeds the required replacement ratio of 2:1; which would offset the removal of the two specimen trees. Trees would line the proposed private access drive and would be planted to the north and south of the proposed parking structure. Planted trees would be of varying sizes and species and comply with applicable replacement standards. Therefore, the portion of the project on the Extension Site would be consistent with the City of Santa Clara tree preservation ordinance. The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to an ordinance protecting biological resources

than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to an ordinance protecting biological resources than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to ordinances protecting biological resources the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

The LSAP area and Extension Site are not located in an area covered by an adopted habitat conservation plan. No new conservation plans have been adopted since approval of the LSAP. As a result, no conflict with an adopted habitat conservation plan would occur, and no impact would result. The project would not result in new significant impacts or substantially more severe impacts related to a habitat conservation plan than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to a habitat conservation plan than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to habitat conservation plans the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Mitigation Measures from LSAP Update EIR

Mitigation Measures MM 3.9.2 and 3.9.3 were adopted as part of the LSAP EIR to ensure impacts to special status species would be reduced. The following adopted mitigation measures referenced in the LSAP EIR and LSAP Update SEIR analysis would continue to be applicable for the North Site if the project is approved. ISI has also agreed to implement these mitigation measures on the Extension Site in a letter dated December 20, 2023 and as included on the project site plans.

Mitigation Measure MM 3.9.2

- ▶ Prior to the removal of trees or the demolition of buildings, a bat survey shall be performed by a qualified biologist no more than 3 days before the start of construction activities. If bat roosts are identified, the City shall require that the bats be safely flushed from the sites where roosting habitat is planned to be removed. If maternity roosts are identified during the maternity roosting season (typically May to September), they must remain undisturbed until a qualified biologist has determined the young bats are no longer roosting. If roosting is found to occur on-site, replacement roost habitat (e.g., bat boxes) shall be provided to offset roosting sites removed. If no bat roosts are detected, no further action is required if the trees and buildings are removed before the next breeding season.
- ▶ If a female or maternity colony of bats is found on the project site, and the project can be constructed without the elimination or disturbance of the roosting colony (e.g., if the colony roosts in a large oak tree not planned for removal), a qualified biologist shall determine what buffer zones shall be employed to ensure the continued success of the colony. Such buffer zones may include a construction-free barrier of 200 feet from the roost and/or the timing of the construction activities outside of the maternity roost season (after July 31 and before March 1).
- ▶ If an active nursery roost is documented on-site and the project cannot be conducted outside of the maternity roosting season, bats shall be excluded from the site after July 31 and before March 1 to prevent the formation of maternity colonies. Nonbreeding bats shall be safely evicted under the direction of a bat specialist.

Mitigation Measure MM 3.9.3

- ▶ All construction and clearing activities shall be conducted outside of the avian nesting season (January 15–August 31), when feasible. If clearing and/or construction activities occur during the nesting season, preconstruction surveys for nesting raptors, special-status resident birds, and other migratory birds protected by the Migratory Bird Treaty Act shall be conducted by a qualified biologist, up to 3 days before initiation of construction activities. The qualified biologist shall survey the construction zone and a 250-foot radius surrounding the construction zone to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds.
- ▶ If an active nest is located within 100 feet (250 feet for raptors) of construction activities, the project applicant shall establish an exclusion zone (no ingress of personnel or equipment at a minimum radius of 100 feet or 250 feet, as appropriate, around the nest). Alternative exclusion zones may be established through consultation with the CDFW and the U.S. Fish and Wildlife Service (USFWS), as necessary. The City shall be notified if altered exclusion zones widths are authorized by these agencies before the initiation of work. The exclusion zones shall remain in force until all young have fledged.

Conclusion

No new circumstances or project changes related to biological resources have occurred that would result in new or substantially more severe biological resources impacts than were identified in the LSAP Update SEIR, nor is there new information of substantial importance that shows the project will have one or more significant effects not previously discussed or that the discussed effects would be substantially more severe or there would be newly feasible mitigation measures or alternatives or substantially different mitigation measures or alternatives that would substantially reduce impacts but that ISI declines to adopt. Therefore, the findings of the certified LSAP Update SEIR remain valid, and no additional analysis is required.

4.5 CULTURAL RESOURCES

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Update Draft and Final SEIR.	Do Project Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Any New Information of Substantial Importance?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
5. Cultural Resources. Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	Draft SEIR page 3.3-4	No	No	No	NA, no impact would occur.
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	Draft SEIR Impact 3.3-1	No	No	No	Yes, impacts would be less than significant with the application of the adopted mitigation measure.
c) Substantially disturb human remains, including those interred outside of formal cemeteries?	Draft SEIR Impact 3.3-1	No	No	No	Yes, impacts would be less than significant with the application of the adopted mitigation measure.

4.5.1 Discussion

The analysis below is based on the *Archaeological Resources Assessment Reports* prepared for the ISI Project. The 2019 records search performed for the ISI Project noted that no archaeological resources have been previously recorded within or within one-eighth of a mile near the North and South Sites (Far Western 2019). A 2023 records search was performed for the Extension Site and noted that no archaeological resources have been previously recorded on or within one-eighth of a mile near the Extension Site (Far Western 2023). However, one prehistoric archaeological resource (human remains), SCL-863, has been recorded approximately 150 feet outside of the one-eighth mile records search radius of the North and South Sites (Far Western 2019). The human remains found at that location were reinterred at another location (Far Western 2019). The records search noted that the discovery site was completely covered in pavement and recommended the site be deemed ineligible for listing in the National Register (Far Western 2019). A pedestrian survey was performed of the North Site and no new prehistoric or historic-era archaeological resources were observed during the surface survey (Far Western 2019).

a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?

As stated in the LSAP Update SEIR, the City of Sunnyvale has numerous buildings that may have historical value. However, none of the structures or sites identified in the City’s Heritage Resources Inventory are located within or immediately adjacent to the LSAP area. The buildings and structures at 945–955 Kifer Road and 950 Kifer Road were constructed within the last 35 years and are not old enough to require historic evaluation because insufficient time has passed to fully assess the historical importance of the properties (Far Western 2019:1). The Extension Site includes a surface parking lot with no existing structures. The nearest structures are located approximately 130 feet east and 190 feet south of the parking lot and would not be disrupted during project construction or operation. The project would not result in new significant impacts or substantially more severe impacts related to a historic resource than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to a historic resource than were identified for the ISI Project in the LSAP

Update SEIR, and no new information shows that as to historic resources the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

North Site

As discussed in the LSAP Update SEIR, implementation of the ISI Project would allow new development, redevelopment, and infrastructure improvements that could involve subsurface disturbance for installation of foundations and/or utilities. Development of the ISI Project has the potential to impact undiscovered archaeological resources. If such resources were to represent “unique archaeological resources” as defined by CEQA in CEQA Guidelines Section 15064.5 and Public Resources Code Section 21083.2(g), any substantial change to or destruction of these resources would be a significant impact. Archaeological resources may be discovered during ground disturbing construction activities. Implementation of adopted LSAP Mitigation Measure MM 3.10.2 would require halting of construction activities and protection of any discovered archaeological resources.

Updates to the North Site would include refinements to the design of the North Site building to ensure consistency with the building on the South Site, such as adding an internal courtyard, changing vision and spandrel glazing in similar locations, extending the trellis element, and relocating mechanical equipment to the rooftop with screening structures. The project would not include any increases in floor area ratio or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR. Therefore, the portion of the project on the North Site would not result in additional impacts to archeological resources. The project would also no longer include an underground parking garage. As such, there would be much less excavation completed at the project site, which would lower the likelihood of encountering buried archeological resources. The North Site contains no recorded archaeological resources and would be subject to adopted LSAP Mitigation Measure MM 3.10.2 to halt construction if archaeological resources are uncovered and assess the significance of the find. The portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to an archaeological resource than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to an archaeological resource than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to archaeological resources the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.. This impact would remain less than significant with implementation of adopted LSAP Update SEIR Mitigation Measure MM 3.10.2.

Extension Site

Development on the Extension Site would include parking lot removal, construction, and landscaping activities for the proposed above-ground parking garage. Project construction would involve subsurface disturbance for installation of foundations and/or utilities. There are no known cultural resources on or near the project site (Far Western 2023). However, there is the potential to impact undiscovered archaeological resources during project construction. If such resources were to be represent “unique archaeological resources” as defined by CEQA in CEQA Guidelines Section 15064.5 and Public Resources Code Section 21083.2(g), any substantial change to or destruction of these resources would be considered a significant impact. The Extension Site has been previously developed with a surface parking lot and is unlikely to contain unrecorded archaeological resources and would be subject to state regulations overseeing the discovering of archeological resources. However, if unanticipated cultural resources are discovered during project construction ISI has agreed to implement Mitigation Measure MM 3.10.2 to halt construction and evaluate the resource

and, if a unique archeological resource, avoid significant adverse impacts. The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to an archaeological resource than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to an archaeological resource than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to archaeological resources the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid. This impact would remain less than significant with implementation of adopted LSAP Update SEIR Mitigation Measure MM 3.10.2.

c) Substantially disturb human remains, including those interred outside of formal cemeteries?

North Site

The LSAP Update SEIR determined that there is low likelihood of the project to disturb human remains and adherence to state regulations related to discovery of human remains would reduce impacts. Updates to the North Site would include refinements to the design of the North Site building to ensure consistency with the building on the South Site, such as adding an internal courtyard, changing vision and spandrel glazing in similar locations, extending the trellis element, and relocating mechanical equipment to the rooftop with screening structures. Although these activities could involve subsurface disturbance for installation of foundations and/or utilities, the portion of the project on the North Site would not include any increases in the floor area ratio or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR. The project would no longer include an underground parking garage on the North Site. As such, excavation would be substantially reduced, which would lower the likelihood of encountering interred human remains. California Health and Safety Code Section 7050.5, CEQA Guidelines Section 15064.5, and California Public Resources Code Section 5097.98 specify the actions to be followed in the event of accidental discovery of human remains in a location other than a dedicated cemetery. These sections also provide guidance if the remains are determined to be Native American. The project would be subject to state regulations overseeing the preservation of human remains. Therefore, the portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to human remains than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to human remains than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to human remains the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Extension Site

The project would include construction, demolition, and landscaping activities for the proposed above-ground parking garage on the Extension Site. Construction of the parking garage would involve subsurface disturbance for installation of foundations and/or utilities. The Extension Site is developed with a surface parking lot and there is low probability of encountering human remains during project construction. However, if human remains are discovered during construction the project would be required to adhere to state regulations related to human remains. California Health and Safety Code Section 7050.5, CEQA Guidelines Section 15064.5, and California Public Resources Code Section 5097.98 specify the actions to be followed in the event of accidental discovery of human remains in a location other than a dedicated cemetery. These sections also provide guidance if the remains are determined to be Native American. The project would be subject to state regulations overseeing the preservation of human remains. Therefore, the portion of the project on the East Site would not result in new significant impacts or substantially more

severe impacts related to human remains than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantially more severe impacts related to human remains than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to human remains the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Mitigation Measures from LSAP Update EIR

Mitigation Measures MM 3.10.2 was adopted as part of the LSAP EIR to ensure proper treatment of unknown archaeological resources. The following adopted mitigation measure referenced in the LSAP EIR and LSAP Update SEIR analysis and would continue to be applicable for the North Site if the project is approved. ISI has agreed to implement this mitigation measure on the Extension Site in a letter dated December 20, 2023 and as included on the project site plans.

Mitigation Measure MM 3.10.2

All subsequent projects within the LSAP plan area shall be required to include information on the improvement plans that if, during the course of grading or construction cultural resources (i.e., prehistoric or historic sites) are discovered, work will stop in that area and within 100 feet of the find until a qualified archaeologist can assess the significance of the find and, if necessary, develop appropriate treatment measures as part of a treatment plan in consultation with the City and all other appropriate agencies. The treatment plan shall include measures to document and protect the discovered resource. Consistent with CEQA Guidelines Section 15126.4 (b)(3), preservation in place will be the preferred method of mitigating impacts to the discovered resource. Pursuant to Government Code Section 6254.10, information on the discovered resource shall be confidential.

Conclusion

No new circumstances or project changes related to cultural resources have occurred that would result in new or substantially more severe cultural resources impacts than were identified in the LSAP Update SEIR, nor is there new information of substantial importance that shows the project will have one or more significant effects not previously discussed or that the discussed effects would be substantially more severe or there would be newly feasible mitigation measures or alternatives or substantially different mitigation measures or alternatives that would substantially reduce impacts but that ISI declines to adopt. Therefore, the findings of the certified LSAP Update SEIR remain valid, and no additional analysis is required.

4.6 ENERGY

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Update Draft and Final SEIR.	Do Project Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Any New Information of Substantial Importance?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
6. Energy. Would the project:					
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	Draft SEIR Impact 3.5-1; Final SEIR identified no change in impact conclusion	No	No	No	NA, impact would be less than significant
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	Draft SEIR Impact 3.5-2; Final SEIR identified no change in impact conclusion	No	No	No	NA, impact would be less than significant

4.6.1 Discussion

The City of Sunnyvale as well as the cities of Campbell, Cupertino, Gilroy, Los Altos, Los Altos Hills, Los Gatos, Milpitas, Monte Sereno, Morgan Hill, Mountain View, Saratoga, and unincorporated Santa Clara County are members of Silicon Valley Clean Energy (SVCE), which serves as the community choice aggregation (CCA) for its member jurisdictions. SVCE was established in March 2016 following the adoption of the City of Sunnyvale’s 2014 CAP and works in partnership with Pacific Gas and Electric Company (PG&E) to deliver low-GHG electricity to customers within its member jurisdictions. Consistent with state law, all electricity customers in the city of Sunnyvale were automatically enrolled in SVCE; however, customers can choose to opt out and be served by PG&E. According to the Sunnyvale Climate Action Plan Biennial Progress Report released in 2019, 98 percent of residential and commercial accounts received clean electricity from SVCE and 100 percent of City facilities were powered by renewable energy (City of Sunnyvale 2018). Currently, all power supplied by SVCE is carbon-free. PG&E supplies natural gas service to the City of Sunnyvale through state-regulated public utility contracts.

On August 13, 2019, the City of Sunnyvale adopted the Climate Action Playbook (Playbook) which builds upon the City’s previous Climate Action Plan (CAP 1.0) prepared in 2014. Through implementation of measures in the CAP 1.0, the City experienced a 12 percent decrease below 1990 emissions levels in 2016. As of 2020, the City emitted 564,827 metric tons of carbon dioxide equivalent (MTCO_{2e}), which was 15 percent below 2008 emissions. To demonstrate compliance with the state’s long-term climate change reduction goals, the City set targets to achieve an interim target of a 56 percent reduction below 1990 levels by 2030 (SB 32) with the goal of meeting the state’s target of 80 percent below 1990 emissions by 2050 (Executive Order [EO] S-3-05). The Playbook includes a Game Plan 2020 which contains the “next moves” for the City and contains 46 actions that are planned for implementation over three years (2019–2022). Several Playbook next moves are directly applicable to land use development projects. The City requires land use development projects to adhere to the Playbook as a condition of approval.

The Extension Site is located in the City of Santa Clara and would be subject to the City of Santa Clara’s rules and regulations regarding energy, as well as the City of Santa Clara’s CAP (2022). The CAP sets goals for near term, interim, and long-term GHG emissions reductions. To achieve these goals, the CAP includes strategies which apply to multiple sectors (e.g. buildings and energy, transportation and land use, water resources) meant to increase energy efficiency and therefore reduce the amount of GHGs emitted. The City of Santa Clara owns and operates its own electric, water and sewer utilities. Silicon Valley Power (SVP) is the city-owned electric utility. As of December 2023, SVP provided power to 60,685 accounts. SVP totaled approximately 4,588 GWh of electricity between purchased and

generated power (SVP 2024). In 2022, SVP sourced 34.6 percent of its electricity from eligible renewable sources (i.e., biomass and biowaste, geothermal, eligible hydroelectric, solar, and wind) and 65.4 percent of its electricity from large hydroelectric. SVP did not source any electricity from coal- or natural-gas-powered sources in 2022 (SVP 2023). Except as noted above, the regulatory setting provided in the LSAP Update SEIR remains applicable to this analysis.

- a) **Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?**

North Site

Construction

Energy use related to construction of the ISI Project was addressed in Section 3.5 “Energy” of the LSAP Update SEIR. The previous analysis concluded that impacts related to energy consumption during construction of the ISI Project would be less than significant because the consumption of energy during construction activities would be temporary and are not anticipated to require additional capacity or substantially increase peak or base period demands for electricity and other forms of energy.

Energy demand for construction of the North Site was accounted for in the LSAP Update SEIR analysis as the North Site accounts for a fraction of the estimated energy demand for construction of the LSAP. The energy needs for construction of the North Site would be temporary and are not anticipated to require additional capacity or substantially increase peak or base period demands for electricity and other forms of energy, beyond what was assumed in the LSAP Update SEIR because there would be no increases in square footage for buildings on the North Site. Non-renewable energy would not be consumed in a wasteful, inefficient, and unnecessary manner when compared to other construction activity in the region. Construction energy consumption from implementation of the North Site would be less than what was analyzed in the LSAP Update SEIR as the previously approved below-ground parking structure would be eliminated from the project and a parking structure would be constructed on the Extension Site. Therefore, the portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to energy than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to energy than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to energy the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Operational

Energy use related to operation of the ISI Project was addressed in Section 3.5 “Energy” of the LSAP Update SEIR. The previous analysis concluded that impacts related to energy consumption during operation of the ISI Project would be less than significant because the ISI Project would be built to meet current Building Title 24 Building Energy Standards and would consist of infill development and be built with a range of land uses in proximity to a transit station, which will reduce transportation-related energy demand compared to buildings in locations not close to high quality transit.

Energy demand during operation of the North Site was accounted for in the previous analysis as the North Site accounts for only a portion of the total estimated energy demand during operation of the ISI Project. The North Site would increase electricity consumption in the region relative to existing conditions. However, the new facilities would, at a minimum, be built to 2022 Title 24 Building Energy Efficiency Standards, which are more efficient than 2019 Standards, as the 2022 Energy Code encourages efficient electric heat pumps, expands solar photovoltaic and battery storage standards, and strengthens ventilation standards. Similar to what was accounted for in the LSAP Update SEIR, the project would be all electric, with no natural gas. Energy demand during project operation would be similar to what was accounted for in the LSAP Update SEIR because variables used to estimate energy demand such as land

use type, building size, and employee trip rate would not vary from what was accounted for in the SEIR and would therefore not require additional energy consumption. It is likely that energy demand associated with operation of the North Site would be less than what was estimated in the LSAP Update SEIR because the project would not include the previously approved underground parking structure. This would result in decreased electricity and fuel consumption on the North Site. For these reasons, the project would not result in the wasteful or inefficient use of energy beyond what was addressed in the LSAP Update SEIR. Therefore, the portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to energy than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to energy than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to energy the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Extension Site

Construction

Similar to the North Site, the project applicant would be required to operate and maintain construction equipment and transport construction materials. The one-time energy expenditure required to construct the parking structure and related infrastructure associated with the proposed Extension Site would be nonrecoverable. Most energy consumption would result from operation of off-road construction equipment and on-road vehicle trips associated with commutes by construction workers and haul trucks trips.

The energy needs for construction of the proposed Extension Site would be temporary and are not anticipated to require additional capacity or substantially increase peak or base period demands for electricity and other forms of energy. Although the energy required to construct the above-ground parking structure on the Extension Site was not analyzed in the LSAP Update SEIR, it is expected that the energy expenditure would be similar to what would have been required to construct the below-ground parking structure included in the previously approved land uses for the project. The types of construction equipment would be similar to construct the proposed Extension Site. However, it is likely that energy consumption during project construction would be less than what was accounted for in the previous analysis because the parking structure is no longer proposed to be located underground and would thus not require significant excavation and associated hauling trips. There would still be excavation for footings, utilities, and foundation of the above-ground parking structure, but it is minimal compared to a full excavation for a below-ground parking structure.

The associated energy consumption would be typical of that associated with parking projects of this size in an urban setting. The one-time energy expenditure required to construct the physical infrastructure associated with the project would be nonrecoverable. There is no atypical construction related energy demand associated with the proposed Extension Site. Non-renewable energy would not be consumed in a wasteful, inefficient, and unnecessary manner when compared to other construction activity in the region. Therefore, the portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to energy than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to energy than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to energy the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Operation

The Extension Site would increase electricity consumption in the region relative to existing conditions. However, the new facilities would, at a minimum, be built to 2022 Title 24 Building Energy Efficiency Standards, which are more efficient than 2019 Standards, as the 2022 Energy Code expands solar photovoltaic and battery storage standards, strengthens ventilation standards, and requires energy-efficient lighting (CEC 2022). The parking garage would have no natural gas use and would be all electric. Title 24 Building Energy Efficiency Standards would be integrated into the Proposed Extension Site to reduce the projects energy demands.

The estimated amount of energy to be consumed during operational activities for the Extension Site would be similar to the previously proposed North Site underground parking structure. Operating the parking garage on the Extension Site would not result in increases in project related VMT, trip rate, or electricity use because relocating the parking structure above ground, as opposed to being located underground as was analyzed in the LSAP Update SEIR, would not result in an increase in these variables which are typically associated with the consumption of energy. Impacts related to operational energy consumption would not be greater than what was accounted for in the LSAP Update SEIR. For these reasons, the portion of the project proposed on the Extension Site would not result in wasteful, inefficient, or unnecessary consumption of energy. Therefore, the portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to energy than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to energy than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to energy the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Since the adoption of the LSAP, CARB adopted the *Final 2022 Scoping Plan for Achieving Carbon Neutrality* (2022 Scoping Plan) on December 16, 2022, which traces the State's the pathway to achieve its carbon neutrality and an 85 percent reduction in 1990 emissions goal by 2045. It identifies the reductions needed by each GHG emission sector (e.g., transportation [including off-road mobile source emissions], industry, electricity generation, agriculture, commercial and residential, pollutants with high global warming potential, and recycling and waste) to achieve these goals.

As noted above, the project would comply with the 2022 version of the Title 24 Building Energy Efficiency Standards, which increase the energy efficiency of new development projects in the state and move the State closer to its zero-net energy goals outlined in the 2022 Scoping Plan. The respective portions of the project site (North Site and Proposed Extension Site) would be automatically enrolled as a member of the SVCE, which serves as the CCA for the City of Sunnyvale, and SVE, which is the utility providing electricity to the City of Santa Clara. SVCE works in partnership with PG&E to deliver low-GHG electricity to customers within its member jurisdictions. According to the Sunnyvale Climate Action Plan Biennial Progress Report released in 2018, 98 percent of residential and commercial accounts received electricity from SVCE, and 100 percent of City facilities were powered by renewable energy (City of Sunnyvale 2018). SVP provides electricity services to the City of Santa Clara and has provided 100 percent carbon-free energy to its customers as of 2017. By complying with Title 24 2022 Building Energy Efficiency Standards and participating in the CCA, the project would comply with the State's 2022 Scoping Plan Update, the City of Sunnyvale's local Climate Action Plan Playbook, and the City of Santa Clara's CAP, to increase energy efficiency and reduce energy use from fossil fuel sources. Additionally, the prepared parking garage on the Extension Site would include electric vehicle charging stations and conduits, which promotes electric vehicle use to displace less fuel efficient and more polluting gas-powered vehicles. Implementation of the project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency (see discussion under Item B in Section 4.8, "Greenhouse Gas Emissions") because the project would comply with applicable state rules (e.g., Title 24, parts 6 and 11) and local plans (e.g., each city's respective climate action plan) that promote use of renewable energy and energy efficiency. The

project would not result in new significant impacts or substantially more severe impacts related to energy than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantially more severe impacts related to energy than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to energy the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Mitigation Measures from LSAP Update EIR

No mitigation measures were identified in the certified LSAP EIR and the LSAP Update SEIR regarding energy, nor are any additional mitigation measures required for the project.

Conclusion

No new circumstances or project changes related to energy have occurred that would result in new or substantially more severe energy impacts than were identified in the LSAP Update SEIR, nor is there new information of substantial importance that shows the project will have one or more significant effects not previously discussed or that the discussed effects would be substantially more severe or there would be newly feasible mitigation measures or alternatives or substantially different mitigation measures or alternatives that would substantially reduce impacts but that ISI declines to adopt. Therefore, the findings of the certified LSAP Update SEIR remain valid, and no additional analysis is required.

4.7 GEOLOGY AND SOILS

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Update Draft and Final SEIR.	Do Project Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Any New Information of Substantial Importance?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
7. Geology and Soils. Would the project:					
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to California Geological Survey Special Publication 42.)	Draft SEIR page 3.6-2	No	No	No	NA, no impact would occur.
ii) Strong seismic ground shaking?	Draft SEIR page 3.6-2	No	No	No	NA, no impact would occur.
iii) Seismic-related ground failure, including liquefaction?	Draft SEIR page 3.6-2	No	No	No	NA, no impact would occur.
iv) Landslides?	Draft SEIR page 3.6-2	No	No	No	NA, no impact would occur.
b) Result in substantial soil erosion or the loss of topsoil?	Draft SEIR pages 3.6-2 and 3.6-3	No	No	No	NA, no impact would occur.
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	Draft SEIR page 3.6-3	No	No	No	NA, no impact would occur.
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial direct or indirect risks to life or property?	Draft SEIR page 3.6-3	No	No	No	NA, no impact would occur.
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	Draft SEIR page 3.6-3	No	No	No	NA, no impact would occur.
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Draft SEIR Impact 3.6-1	No	No	No	Yes, impacts would be less than significant with the application of the adopted mitigation measure.

4.7.1 Discussion

No substantial change in the environmental and regulatory settings related to geology and soils, described in the LSAP Update SEIR Section 3.6, "Geology, Soils, and Paleontological Resources," has occurred since certification of the LSAP Update SEIR. The regional and local settings remain the same as stated in the LSAP Update SEIR. In addition, the City of Santa Clara City Code Chapter 15.55 contains provisions to control erosion and ensure geologic and soil stability for all development in the City of Santa Clara.

The effects of the environment on a project are generally outside the scope of CEQA unless the project would exacerbate these conditions, as concluded by the California Supreme Court (see [2015] 62 Cal.4th 369, 377 ["we conclude that agencies generally subject to CEQA are not required to analyze the impact of existing environmental conditions on a project's future users or residents. But when a project risks exacerbating those environmental hazards or conditions that already exist, an agency must analyze the potential impact of such hazards on future residents or users."]). Changes to the CEQA Guidelines to reflect this decision were adopted on December 28, 2018. Local agencies are not precluded from considering the impact of locating new development in areas subject to existing environmental hazards; however, CEQA cannot be used by a lead agency to require a developer or other agency to obtain an EIR or implement mitigation measures solely because the occupants or users of a new project would be subjected to the level of hazards specified. However, previous discussions of effects of the environment related to geology and soils on future residents are included herein for disclosure purposes.

- a) **Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:**
 - i) **Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to California Geological Survey Special Publication 42.)**

As discussed in the LSAP Update SEIR, the LSAP area is not located within an Alquist-Priolo Earthquake Fault Zone and would therefore not be subject to hazards associated with substantial fault-rupture. The North Site is located within the LSAP area, which was determined not to be subject to hazards associated with fault-rupture. Similarly, the Extension Site is not located within an Alquist-Priolo Earthquake Fault Zone and thus would not be subject to hazards associated with fault-rupture (CGS 2023a). The project also would not alter or exacerbate the risk of earthquake fault ruptures in the area. The project would not result in new significant impacts or substantially more severe impacts related to an earthquake fault than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantially more severe impacts related to an earthquake fault than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to earthquake faults the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

- ii) **Strong seismic ground shaking?**

See item a- III) below.

- iii) **Seismic-related ground failure, including liquefaction?**

North Site

As discussed in the LSAP Update SEIR, the ISI Project is located in a seismically active area and could experience strong seismic ground shaking and seismic-related ground failure from earthquakes on active faults located outside of the LSAP plan area. Implementation of the project could thus result in the exposure of people, structures, and infrastructure to seismic-related hazards such as ground shaking, and seismic-related ground failure such as

liquefaction and settlement. Updates to the North Site would include refinements to the design of the North Site building to ensure consistency with the building on the South Site, such as adding an internal courtyard, changing vision and spandrel glazing in similar locations, extending the trellis element, and relocating mechanical equipment to the rooftop with screening structures. The portion of the project on the North Site would not include any increases in the floor area ratio or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR. Further, there are no changes in the soil conditions on the North Site that would alter its performance in the event of an earthquake. Therefore, impacts from seismic ground shaking, ground failure, and liquefaction would be similar to those analyzed in the LSAP Update SEIR. The portion of the project on the North Site would be required to adhere to existing regulations and building standards, such as the CBC implemented through Chapter 16.16 of the City's Municipal Code. The CBC includes design criteria for seismic loading and other geologic hazards to minimize impacts of ground shaking on buildings. The project would also be subject to the geotechnical recommendations made by the geotechnical study for the ISI Project. Therefore, the portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to seismic ground failure than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to seismic ground failure than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to seismic ground failure the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Extension Site

The Extension Site is located in the same seismically active area as the LSAP and could experience strong seismic ground shaking and seismic-related ground failure from earthquakes on active faults. Increases in population and development over time could result in the exposure of people, structures, and infrastructure to seismic-related hazards such as ground shaking, and seismic-related ground failure such as liquefaction and settlement.

Similar to the North Site and as considered in the LSAP Update EIR, the Extension Site is located in the Coast Ranges geomorphic province of California that is characterized by northwest-trending valleys and ridges. These topographic features are controlled by folds and faults that resulted from the collision of the Farallon plate and North American plate and subsequent strike-slip faulting along the San Andreas Fault system. The San Andreas Fault is more than 600 miles long from Point Arena in the north to the Gulf of California in the south. The major active faults in the area are the San Andreas, Hayward, Calaveras, and San Gregorio Faults. According to the US Geologic Survey, there is a high risk of earthquakes and liquefaction potential at the Extension Site (USGS 2006). During a major earthquake on a segment of one of the nearby faults, very strong shaking could occur at the Extension Site and impact the proposed above ground parking structure. Strong shaking during an earthquake can result in ground failure such as that associated with soil liquefaction. Intensity of earthquake ground motion at the Extension Site would depend on the characteristics of the generating fault, distance to earthquake epicenter, and magnitude and duration of the earthquake.

Implementation of existing regulations and building standards included in Santa Clara Municipal Code Chapter 15.55 would address seismic hazard impacts on the proposed parking garage. Local regulations include design criteria for seismic loading and other geologic hazards to minimize impacts of ground shaking on buildings. The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to seismic ground failure than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to seismic ground failure than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to seismic ground failure the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

iv) Landslides?

As discussed in the LSAP Update SEIR, the LSAP area is not located within a landslide hazard zone and would therefore not be subject to hazards associated with landslides. The North Site is located within the LSAP area evaluated in the LSAP Update SEIR, which was determined not to be subject to hazards associated with fault-rupture or landslides. Similarly, the Extension Site is not located within a landslide hazard zone and would not be subject to landslides (CGS 2023b). The project would not result in new significant impacts or substantially more severe impacts related to a landslide than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to a landslide than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to landslides the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

b) Result in substantial soil erosion or the loss of topsoil?**North Site**

LSAP Update SEIR stated that implementation of the project would include development of new uses, redevelopment, and infrastructure improvements. Grading and site preparation activities associated with such development could temporarily remove buildings and pavement potentially disturbing the soils, which could result in additional potential for wind and water erosion. However, construction within the LSAP area would be required to comply with CBC Chapter 70 standards, which would ensure implementation of appropriate site-specific measures during grading and other construction activities to reduce and minimize the potential for soil erosion to a less than significant level. Additionally, any development involving clearing, grading, or excavation that causes soil disturbance of one or more acres, such as the project, would be required to prepare and implement a stormwater pollution prevention plan (SWPPP), which includes specific requirements related to the installation and maintenance of erosion control measures.

The North Site is approximately 15.6 acres and would require the preparation of a SWPPP. The SWPPP would consider the full range of erosion control best management practices (BMPs), including any additional site-specific and seasonal conditions. As further discussed in LSAP Update SEIR the State Water Resources Control Board has adopted a Construction General Permit (Order No. 20090009-DWQ, as amended by Order No. 2010-0014-DWQ and Order 2012-0006-DWQ) that provides additional standards and requirements to avoid soil erosion. Compliance with existing standards and BMPs would minimize soil erosion and loss of topsoil. Therefore, the portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to soil erosion than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to soil erosion than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to soil erosion the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Extension Site

The portion of the project on the Extension Site would include construction, demolition, and landscaping activities for the proposed parking garage. Grading and site preparation activities associated with such development would remove pavement potentially disturbing the soils, which could result in additional potential for erosion from wind and water. However, project construction would be required to comply with CBC Chapter 70 standards, which would ensure implementation of appropriate site-specific measures during grading and other construction activities to reduce and minimize the potential for soil erosion.

The Extension Site is approximately 2.5 acres and would require the preparation of a SWPPP. The SWPPP would consider the full range of erosion control BMPs, including any additional site-specific and seasonal conditions. The State Water Resources Control Board has adopted a Construction General Permit (Order No. 20090009-DWQ, as amended by Order No. 2010-0014-DWQ and Order 2012-0006-DWQ) that provides additional standards and requirements to avoid soil erosion. Post construction National Pollutant Discharge Elimination System (NPDES) Permit requirements include ensuring the project would not include areas of exposed topsoil.

Compliance with existing standards and BMPs would minimize soil erosion and loss of topsoil on the Extension Site. The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to soil erosion than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to soil erosion than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to soil erosion the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

- c) **Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?**

North Site

The LSAP Update SEIR stated that future structures and improvements that could be developed under the LSAP could experience stresses on various sections of foundations and connected utilities, as well as structural failure and damage to infrastructure if located on expansive or unstable soils. The City of Sunnyvale requires preparation of geotechnical reports for all development projects, which include soil sampling and laboratory testing to determine the soil's susceptibility to expansion and differential settlement and provide recommendations for design and construction methods to reduce potential impacts, as necessary.

The geotechnical investigation completed for the ISI Project during preparation of the LSAP Update SEIR identified potentially expansive and settlement-prone soils within the project site (Cornerstone Earth Group 2019). The report recommended design recommendations to reduce potential impacts of lateral spreading. In addition to the design recommendations, the CBC requires the incorporation of special design and construction methods to reduce potential site conditions related to expansive soil and settlement. Updates to the North Site would include refinements to the design of the North Site building to ensure consistency with the building on the South Site, such as adding an internal courtyard, changing vision and spandrel glazing in similar locations, extending the trellis element, and relocating mechanical equipment to the rooftop with screening structures. The project would not include any increases in the number of employees, density, floor area ratio, or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR. As such, compliance with recommendations in the previously prepared geotechnical report and with CBC regulations and standards would ensure the adequate design and construction of building foundations, and ground preparation to resist soil movement.

For a discussion of impacts relating to landslides, see analyses under section a-IV) above.

The portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to unstable soil than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to unstable soil than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to unstable soils the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that

are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Extension Site

New structures and improvements completed in the project area could experience stresses on various sections of foundations and connected utilities, as well as structural failure and damage to infrastructure if located on expansive or unstable soils. The Extension Site is located above potentially expansive and settlement-prone soils. The CBC requires the incorporation of special design and construction methods to reduce potential site conditions related to expansive soil and settlement. The Extension Site would be subject to compliance with City of Santa Clara Municipal City Code Chapter Compliance with these recommendations, regulations and standards would ensure the adequate design and construction of building foundations, and ground preparation to resist soil movement. Recommended designs to reduce potential impacts of lateral spreading are discussed under section a-iii. For a discussion of impacts relating to landslides, see analyses under section a-IV) above.

Therefore, with continued compliance with all applicable regulations related to soil instability impacts from the project impacts would remain less than significant. The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to unstable soil than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to unstable soil than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to unstable soils the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial risks to life or property?

See analyses under item c) above.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

As described in the LSAP and consistent with the analyses in the LSAP Update SEIR, the projects in the LSAP plan area would use the City's existing wastewater conveyance and treatment systems. The project would result in a new parking garage on the Extension Site which would only require water for fire services as a safety precaution and would not require generate wastewater. The project would not include any increases in the number of employees, density, floor area ratio, or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR. The project would not result in new significant impacts or substantially more severe impacts related to a septic system than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to a septic system than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to septic systems the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

As described in the LSAP Update SEIR, the underlying geology of the ISI Project site consists of basin and alluvial deposits that have the potential to contain fossils, based on previously reported finds in similar materials in other

locations in the Bay Area. The project would involve the installation of footings and foundations and/or excavations. Because the North Site and Extension Site are developed, it is likely that a substantial amount of ground disturbance and placement of fill has altered the subsurface soils and underlying geologic materials at varying depths. If the project site were excavated to depths greater than 10 feet, it is possible the excavation could be within Holocene age deposits or older Pleistocene alluvial materials, which could contain fossils. Paleontological resources are classified as nonrenewable scientific resources. The inadvertent damage or destruction during excavation and grading activities at construction sites could further reduce this finite resource base. Therefore, there is the potential to uncover paleontological resources during construction on the North Site and eastern site extension. However, since the project would no longer include an underground parking garage on the North Site, excavation depths would be reduced. The likelihood of uncovering paleontological resources would be lower than anticipated in the LSAP Update SEIR. Nonetheless, in the case paleontological resources are uncovered during construction, the implementation of Mitigation Measure MM 3.7.4 that would require halting construction activities and protecting any discovered paleontological resources. LSAP Mitigation Measure MM 3.7.4 would be required on the Extension Site and the applicant has agreed to implement this measure. Implementation of LSAP Mitigation Measure MM 3.7.4 for the project would reduce this impact to a less than significant level.

The project would not result in new significant impacts or substantially more severe impacts related to a paleontological resource than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantially more severe impacts related to a paleontological resource than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to paleontological resources the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid. This impact would remain less than significant with implementation of adopted LSAP Mitigation Measure MM 3.7.4.

Mitigation Measures from LSAP Update EIR

Mitigation Measure MM 3.7.4 was adopted as part of the LSAP EIR to ensure proper treatment of paleontological resources uncovered during project construction. The following adopted mitigation measures referenced in the LSAP EIR and LSAP Update SEIR analysis and would continue to be applicable for the North Site if the project was approved. ISI has also agreed to implement these mitigation measures on the Extension Site in a letter dated December 20, 2023 and as included on the project site development plans.

Mitigation Measure MM 3.7.4

All subsequent projects within the LSAP plan area shall be required to include information on the improvement plans that if, during the course of grading or construction fossils are discovered, work shall be halted immediately within 50 feet of the discovery, the Sunnyvale Community Development Department shall be notified, and the significance of the find and recommended actions must be determined by a qualified paleontologist. In addition, before the commencement of project site preparation, all construction personnel shall be informed of the potential to discover fossils and the procedures to follow.

Conclusion

No new circumstances or project changes related to geology and soil have occurred that would result in new or substantially more severe geology and soils impacts than were identified in the LSAP Update SEIR, nor is there new information of substantial importance that shows the project will have one or more significant effects not previously discussed or that the discussed effects would be substantially more severe or there would be newly feasible mitigation measures or alternatives or substantially different mitigation measures or alternatives that would substantially reduce impacts but that ISI declines to adopt. Therefore, the findings of the certified LSAP Update SEIR remain valid, and no additional analysis is required.

4.8 GREENHOUSE GAS EMISSIONS

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Update Draft and Final SEIR.	Do Project Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Any New Information of Substantial Importance?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
8. Greenhouse Gas Emissions. Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Draft SEIR Impact 3.7-1; Final SEIR identified no change in impact conclusion	No	No	No	NA, impact would be less than significant
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Draft SEIR Impact 3.7-1; Final SEIR identified no change in impact conclusion	No	No	No	NA, impact would be less than significant

4.8.1 Discussion

The LSAP Update SEIR determined that the regulatory setting of the 2016 LSAP EIR remained applicable to the LSAP Update SEIR analysis. Several new laws, plans, regulations, and guidelines have been introduced that related to GHGs and have become effective since the writing of the LSAP Update SEIR. These laws, regulations, plans, and guidelines are summarized below:

- ▶ Scoping Plan Update: EO B-30-15 and SB 32 require CARB to prepare updates to the Scoping Plan to address the 2030 target for the state. On December 24, 2017, CARB approved the 2017 Climate Change Scoping Plan Update, which outlines potential regulations and programs, including strategies consistent with Assembly Bill (AB) 197 requirements, to achieve the 2030 target. CARB released the *Final 2022 Scoping Plan for Achieving Carbon Neutrality* (2022 Scoping Plan) on November 16, 2022, pursuant to AB 1279 (summarized below). The 2022 Scoping Plan traces the pathway for the state to achieve its carbon neutrality goal by 2045 using a combined top down, bottoms up approach using various scenarios. CARB adopted the 2022 Scoping Plan on December 16, 2022. The 2022 Scoping Plan readjusted the previous SB 32 target of reducing statewide GHG emissions by 40 percent below a 1990 inventory to 48 percent in consideration of the more aggressive targets established by AB 1279.
- ▶ AB 1279: On September 16, 2022, the State legislature passed AB 1279 which codified stringent emissions targets for the State of achieving carbon neutrality and an 85 percent reduction in 1990 emissions level by no later than 2045 (this superseded the previous GHG emissions reduction target set forth by EO S-3-05 and SB 32).
- ▶ SB 379: SB 379 was passed by the State on September 16, 2022. This bill requires every city and county to implement an online permitting platform that verifies code compliance and issues permits in real time for a residential solar system. The bill would require the Energy Commission to set guidelines, adopted through a specified public process to report the number of permits issued for residential solar energy system and residential energy storage systems paired with residential solar energy systems and the relevant characteristics of those systems.
- ▶ California Renewables Portfolio Standard: SB X1-2 of 2011 requires all California utilities to generate 33 percent of their electricity from renewables by 2020. SB 100 of 2018 sets a three-stage compliance period requiring all California utilities, including independently owned utilities, energy service providers, and community choice aggregators, to generate 52 percent of their electricity from renewables by December 31, 2027; 60 percent by December 31, 2030; and 100 percent carbon-free electricity by December 31, 2045. On September 16, 2022, SB

1020 was signed into law. This bill supersedes the goals of SB 100 by requiring that eligible renewable energy resources and zero-carbon resources supply 90 percent of all retail sales of electricity to California end-use customers by December 31, 2035, 95 percent of all retail sales of electricity to California end-use customers by December 31, 2040, 100 percent of all retail sales of electricity to California end-use customers by December 31, 2045, and 100 percent of electricity procured to serve all state agencies by December 31, 2035.

- ▶ Bay Area Air Quality Management District Justification Report: In April 2022, the BAAQMD released the *Justification Report: CEQA Thresholds for Evaluating the Significance of Climate Impacts* (Justification Report). This report includes guidance for determining a project’s consistency with California’s long-term climate goal of achieving carbon neutrality by 2045. The report recommends using the approach endorsed by the *California Supreme Court in Center for Biological Diversity v. Department of Fish & Wildlife* (2015) (62 Cal.4th 204), which evaluates a project based on its effect on California’s efforts to meet the State’s long term climate goals. As the Supreme Court held in that case, a project that would be consistent with meeting those goals can be found to have a less than significant impact on climate change under CEQA. If a project would contribute its “fair share” of what will be required to achieve those long-term climate goals, then a reviewing agency can find that the impact will not be significant because the project will help to mitigate the effects of global climate change (62 Cal.4th 220–223) (BAAQMD 2022).
- ▶ Building Energy Efficiency Standards: Energy conservation standards for new residential and non-residential buildings were adopted by the California Energy Resources Conservation and Development Commission (now the CEC) in June 1977 and most recently revised in 2022 (Title 24, Part 6, of the California Code of Regulations). Title 24 requires the design of building shells and building components to conserve energy. The standards are updated every three years to allow for consideration and possible incorporation of new energy efficiency technologies and methods. The 2022 Building Energy Efficiency Standards, which were recently adopted on August 11, 2021, became effective on January 1, 2023.
- ▶ CALGreen Updates: CALGreen established planning and design standards for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants and CALGreen standards are updated every three years. The 2022 standards became effective on January 1, 2023 and replace the 2019 standards that are current as of the writing of this analysis. Each iteration of the CALGreen standards improves the energy efficiency and sustainability of new development from the prior iteration.
- ▶ Advanced Clean Cars program: In January 2012, CARB approved the Advanced Clean Cars program which combines the control of GHG emissions and criteria air pollutants, as well as requirements for greater numbers of zero-emission vehicles, into a single package of standards for vehicle model years 2017 through 2025. The program’s zero-emission vehicle regulation requires battery, fuel cell, and/or plug-in hybrid electric vehicles to account for up to 15 percent of California’s new vehicle sales by 2025. In August 2022, CARB adopted the Advanced Clean Cars II program, which sets sales requirements for zero emission vehicles (ZEVs) to ultimately reach the goal of 100 percent ZEV sales in the state by 2035.
- ▶ City of Sunnyvale 2020 Greenhouse Gas Emissions Inventory. The City of Sunnyvale tracks and reports its sources of GHG emissions through a regularly updated emissions inventory. The most recent inventory was created for the year 2020. Table 4.8-1 summarizes Sunnyvale’s GHG emissions by sector in 2020.

Table 4.8-1 City of Sunnyvale 2020 Greenhouse Gas Emissions Inventory

Sector	MTCO _{2e}	Percent
Transportation	268,180	47
Commercial/Industrial Gas	130,080	23
Residential Gas	101,838	18
Commercial/Industrial Electric	2,259	<1
Residential Electric	678	<1
Solid Waste	41,684	7
Off Road Equipment	18,244	3
Total ¹	564,827	100

¹Total may not sum due to rounding.

Notes: MTCO_{2e} = metric tons of carbon dioxide-equivalent

Source: City of Sunnyvale 2019a.

- ▶ City of Santa Clara 2016 Greenhouse Gas Emissions Inventory. The City of Santa Clara tracks and reports its sources of GHG emissions through an emissions inventory which details the annual emissions of GHGs by sector for the inventory year. The most recent inventory was created for the year 2016 and is included in the City of Santa Clara’s 2018 CAP. Table 4.8-2 summarizes the city’s GHG emissions by sector in 2016.

Table 4.8-2 City of Santa Clara 2016 Greenhouse Gas Emissions Inventory

Sector	MTCO _{2e}	Percent
Commercial and Industrial	1,080,261	61
Transportation and Mobile Sources	505,989	29
Residential	132,912	8
Solid Waste	25,724	1
Water and Wastewater	24,292	1
Total ¹	1,769,178	100

¹Total may not sum due to rounding.

Notes: MTCO_{2e} = metric tons of carbon dioxide-equivalent

Source: City of Santa Clara (2018).

- ▶ City of Santa Clara Climate Action Plan. The City of Santa Clara adopted the Climate Action Plan 2022 in June 2022. The Climate Action Plan 2022 sets new targets for reaching emissions reductions across five main focus areas including: building and energy, transportation and land use, materials and consumption, natural systems and water resources, and community resilience and wellbeing. The new targets of the Climate Action Plan 2022 include a near term target of 40 percent reduction in GHG emissions by 2030; interim target of 80 percent reduction in GHG emissions by 2035; and long-term target of carbon neutrality no later than 2045.

- a) **Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

North Site

Impact 3.7-1 in Section 3.7, “Greenhouse Gas Emissions and Climate Change,” of the LSAP Update SEIR evaluated whether the ISI Project would generate GHG emissions that may have a significant impact on the environment or conflict with an applicable plan adopted for the purpose of reducing GHG emissions. It was noted that the LSAP Update includes the expansion of the LSAP boundary designated for the construction and operation of the ISI Project. Thus, the total net emissions from the ISI Project are considered a subset of the total LSAP Update emissions and the ISI Project emissions were evaluated in the LSAP Update’s net emissions analysis. The analysis stated that

construction and operation of the ISI Project would generate a total of 17,421 MTCO_{2e} over the 3-year construction period and annual operational emissions of 9,644 MTCO_{2e}. The LSAP Update SEIR concluded that the ISI Project would not exceed the City's updated GHG efficiency metric threshold of 1.27 metric tons of carbon dioxide equivalent per year per service population (MTCO_{2e}/yr/SP) and would therefore not result in a new or substantially more severe impact to climate change beyond what was identified in the 2016 LSAP EIR.

Construction

The project would result in construction-related exhaust GHG emissions from the use of heavy-duty off-road construction equipment, material transport and hauling, and worker commutes. Construction on the North Site would not involve changes to construction activities, phasing, duration, equipment type/number, worker commute trips, or intensity that would be greater than those that were analyzed in the LSAP Update SEIR because the land use type and size of the project would be similar to what was analyzed in the LSAP Update SEIR. Emissions of GHGs associated with construction of the North Site would be less than what was analyzed in the SEIR because the parking garage previously proposed to be located under the North Site building would not be constructed on the North Site. GHG emissions that would have occurred as a result of excavation and hauling activities from the underground parking garage would not occur on the North Site. Therefore, the portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to a GHGs than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to GHGs than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to GHGs the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Operations

Emissions of GHGs associated with North Site operations would not substantially differ from those addressed in the LSAP Update SEIR because the project would not include any increases in the number of employees, building square footage, electricity demand, water demand, waste generation, or employee trip rate approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR. Therefore, the GHG emissions from these sources were accounted for in the LSAP SEIR analysis. Additionally, GHG emissions associated with operation of the North Site account for a portion of the total operation-related GHG emissions from the ISI Project, which did not exceed the City's updated GHG efficiency metric threshold of 1.27 MTCO_{2e}/yr/SP. Therefore, the portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to a GHGs than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to GHGs than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to GHGs the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Extension Site

Construction

The project would result in construction-related exhaust GHG emissions from the use of heavy-duty off-road construction equipment, material transport and hauling, and worker commutes from construction of the parking garage. Emissions of GHGs related to construction of the proposed parking garage were accounted for as part of the ISI Project analysis in the LSAP Update SEIR as the below-ground parking structure previously proposed to be constructed on North Site. Relocating the parking structure above-ground would not result in more intensive use of heavy-duty off-road construction equipment, material transport and hauling, or worker commutes as compared to what was addressed in the LSAP Update SEIR analysis. Construction activities would be less intense than what was analyzed in the LSAP Update SEIR because significant excavation would not be required for the above-ground

parking structure, whereas the previous analysis included excavation to accommodate the previously planned below-ground parking structure. There would still be excavation for footings, utilities, and foundation of the above-ground parking structure, but it would be minimal compared to a full excavation for a below-ground parking structure. Excavation typically involves the use of additional off road equipment and numerous hauling trips to export excavated soil. These activities typically result in increased emissions of GHGs, especially those relating to diesel exhaust from offroad equipment.

The parking garage would be located in the City of Santa Clara and is not subject to the City of Sunnyvale's GHG efficiency metric which was used in the LSAP Update SEIR to determine impact significance relating to GHG emissions that would result from construction of the ISI Project. Therefore, because the project is under the jurisdiction of the BAAQMD, BAAQMD guidance regarding construction-related GHGs can be utilized. The BAAQMD states in the Justification Report, from "Land Use Projects and Plans," that "There is no proposed construction-related climate impact threshold at this time. Greenhouse gas emissions from construction represent a very small portion of a project's lifetime GHG emissions. The proposed thresholds for land use projects are designed to address operational GHG emissions which represent the vast majority of project GHG emissions" (BAAQMD 2022). In the absence of a numerical threshold for GHGs, BAAQMD states that a project would not result in a significant impact related to GHG's if the project is determined to be consistent with a local GHG reduction strategy that meets the criteria under CEQA Guidelines Section 15183.5(b) (BAAQMD 2022). In accordance with BAAQMD's recommendation, Table 4.8-4 under Item (b) below provides a comparison of the project's consistency with the Santa Clara CAP. As stated in Item (b), the portion of the project on the Extension Site would be consistent with the goals and policies of the Santa Clara CAP. Because the project would be consistent with the applicable local GHG reduction strategy, as recommended by the BAAQMD, impacts would remain less than significant. The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to a GHGs than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to GHGs than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to GHGs the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Operations

Emissions of GHGs that would occur from operation of the Extension Site parking garage were accounted for under Impact 3.7-1 of the LSAP Update SEIR analysis; however, these emissions would have been generated from the previously proposed North Site underground parking structure. The parking garage on the Extension Site would result in similar VMT and electricity use as the underground parking garage analyzed in the LSAP Update SEIR. VMT and electricity are the main contributors of a parking garage's GHG emissions and therefore the GHG emissions accounted for in the LSAP Update SEIR for the underground parking garage cover the proposed above-ground parking structure. Additionally, as stated above, the ISI Project would be required to implement a TDM Plan that achieves a 35 percent peak hour and 20 percent daily trip reduction as required by the LSAP.. The project falls under the jurisdiction of the BAAQMD, which includes guidance for determining a project's consistency with California's long-term climate goals which specifies in the BAAQMD Justification Report. The Justification Report presents BAAQMD's recommended thresholds of significance for use in determining whether a proposed project will have a significant impact on climate change and provides a detailed discussion of the basis for the thresholds. The Air District recommends that these thresholds of significance be used by public agencies to comply with the California Environmental Quality Act (CEQA). recommends using the approach endorsed by the California Supreme Court in *Center for Biological Diversity v. Department of Fish & Wildlife* (2015) (62 Cal.4th 204), which evaluates a project based on its effect on California's efforts to meet the State's long term climate goals. As the Supreme Court held in that case, a project that would be consistent with meeting those goals can be found to have a less than significant impact on climate change under CEQA. As shown in Item (b) below, the project would be consistent with the goals and policies of the City of Santa Clara's CAP. Impacts would remain less than significant. The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to a GHGs than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to GHGs than

were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to GHGs the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

North Site

The LSAP Update SEIR determined that the ISI Project would be consistent with the City of Sunnyvale’s 2019 Climate Action Playbook. Table 4.8-3 below provides a detailed summary of project consistency with the 2019 Sunnyvale Climate Action Playbook for development on the North Site (strategies and plays which are not applicable to the project were not included in the consistency analysis).

Table 4.8-3 Project Consistency with the 2019 Sunnyvale Climate Action Playbook

Strategies and Play	Project Consistency
Strategy 1: Promoting Clean Electricity	Consistent. The proposed project would meet the standards to be classified as LEED Gold, which would include the use of solar PV (photovoltaic) panels.
Play 1.1: Promote 100 percent clean electricity. The City is committed to working with SVCE to expand 100 percent clean energy services to 100 percent of our community. Supporting and protecting this clean electricity supply is critical to other Strategies from this Playbook that rely on decarbonization (namely, Strategies 2 and 3).	Consistent. SVCE, the area’s electricity provider, delivers 100 percent carbon-free electricity. As a result, the project would operate on clean energy at initiation.
Play 1.2: Increase local PV. Targeted incentives, regulations and educational resources will be essential to increasing adoption of distributed solar resources in Sunnyvale. These will help ensure local supply but also help to offset demands on the electricity grid during peak demand periods.	Consistent. The project would be equipped with a solar PV system consistent with the City of Sunnyvale Municipal Code.
Strategy 2: Decarbonizing Buildings	Consistent. This all-electric building development meets decarbonizing goals years in advance of the City’s target date.
Play 2.3: Achieve all-electric new construction. While the state requires moving toward ZNE for new construction, the City will work towards also incentivizing and promoting all-electric new construction options for deep decarbonization.	Consistent. The proposed project would be developed as an all-electric powered building.
Strategy 3: Decarbonizing Transportation and Sustainable Land Use	Consistent. The project is in close proximity to the Caltrain Lawrence Station. The walking distance to the platforms is less than one mile. Station proximity would promote public transit use, leading to reduced GHG emissions. Furthermore, the project would include bicycle parking spaces and dedicated EV parking stalls with charging stations. The latter promote the use of electric vehicles and further supports the push for increased zero-emission vehicles in the area.
Play 3.2: Increase transportation options and support shared mobility. Multimodal transportation choices need to be enhanced to offer a variety of travel options in and around the city that are connected to regional transportation systems and destinations. Advocating for and increasing transportation options and shared mobility will create safer, healthier, and more convenient movement throughout Sunnyvale.	Consistent. The project would include dedicated bike parking to encourage bike transportation per City of Sunnyvale requirements for new development. Additionally, the project is in a major transit corridor and in close proximity to the Lawrence Caltrain Station, located within walking distance.

Strategies and Play	Project Consistency
<p>Play 3.3: Increase zero-emission vehicles. Shifting to electric or alternatively fueled (e.g., hydrogen) vehicles has significant potential to reduce GHG emissions related to transportation. Since SVCE provides 100 percent carbon-free electricity, promoting a shift to electric vehicles away from fossil fuels would significantly reduce emissions. Other priorities include electrification of public transportation, car sharing, and electric bikes and scooters, and also improving availability of alternative fueling stations (e.g., EV charging facilities, hydrogen fueling stations). Currently (as of October 1, 2018) 2.4 percent of vehicles registered in Sunnyvale are battery-electric vehicles and 1.3 percent are plug-in hybrid electric vehicles.</p> <p>a. 2030 Target: 20 percent of all vehicles on road are zero-emission vehicles by 2030 and 75 percent of all vehicles on road are zero-emission by 2050</p>	<p>Consistent. The proposed project would include EV parking space as well as clean air and vanpool spaces. These project features would promote the adoption of zero-emission vehicles by providing infrastructure to facilitate their use.</p>
<p>Strategy 4: Managing Resources Sustainably</p>	<p>Consistent. This project would include the preservation of existing on-site trees as well as the installation of new on-site trees in the landscaping, which would enhance natural carbon sequestration at the site, aligning with the City’s Urban Forest Management Plan and benefiting stormwater infiltration capacity.</p>
<p>Play 4.1: Achieve Zero Waste goals for solid waste. Diverting waste away from landfills, either to recycling, energy recovery or composting facilities, is critical for the City to realize its Zero Waste goals as outlined in its Zero Waste Strategic Plan. This can be accomplished by waste prevention – consuming and throwing away less – and being smarter about the items that must be thrown away. Expanding Sunnyvale’s food scraps collection program (FoodCycle) will help to increase the amount of organic material diverted away from the landfill. However, state laws and policies limit access to diversion technologies so that 75 percent diversion is the current limit. Increasing diversion to 90 percent will require changes at the state level to allow use of technologies that recover energy from unrecyclable resident waste, primarily plastic and paper.</p>	<p>Consistent. The portion of the project on the North Site would not conflict with implementation of the City’s Zero Waste Strategic Plan and the entire project would be served by municipal waste companies that must comply with SB 1383, which set statewide targets to reduce organic waste disposed of in landfills of 50% by 2020 and 75% by 2025. Although the project would generate additional waste, the portion of the project on the North Site (which would generate the majority of the project’s waste) would comply with City’s Zero Waste goals and state laws and policies to reduce solid waste.</p>
<p>Play 4.2: Ensure resilience of water supply. As the region faces water supply challenges driven by recurring droughts and population growth, it will be critical to find ways to reduce the amount of water consumed and increase the sustainability of water supplies. Water conservation and water reuse, in the form of recycled and purified water, will help Sunnyvale reduce the stress placed on Northern California’s water resources.</p>	<p>Consistent. This project would comply with all water conservation requirements.</p>
<p>Play 4.3: Enhance natural carbon sequestration capacity. The natural environment, including plants and soil, have an immense capacity to store carbon dioxide that would otherwise be released into the atmosphere. Through implementation of the City’s Urban Forest Management Plan and Green Stormwater Infrastructure Plan, Sunnyvale can continue to capture carbon by expanding its urban tree canopy and designing landscape features to address stormwater pollution and flood risk.</p>	<p>Consistent. The landscape design for this project would incorporate new trees and shrubs to support carbon sequestration and reduce urban heat island effect.</p>

Notes: LEED = Leadership in Energy and Environmental Design; ZNE = Zero Net Energy; SVCE = Silicone Valley Clean Energy; PV = Photovoltaic; GHG = greenhouse gases; EV = Electric Vehicle.

Source: Ascent 2023.

The North Site project demonstrates consistency with the City’s 2019 Climate Action Playbook to meet updated City and State targets. Therefore, the portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to a GHGs than were identified for the ISI Project in the LSAP Update

SEIR, no changes in circumstances would result in new or substantial more severe impacts related to GHGs than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to GHGs the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Extension Site

As stated in Item (a), according to BAAQMD’s Justification Report, a project would be considered to have a less than significant impact on climate change under CEQA if it can be determined that the project is consistent with the California’s long-term climate goals and does not impede the State’s efforts to meet those goals. One option provided in the Justification Report is demonstrating consistency with a CEQA-qualified CAP. Table 4.8-4 below provides a detailed summary of the proposed Extension Site parking garage project’s consistency with the City of Santa Clara’s CAP (strategies and plays which are not applicable to the project were not included in the consistency analysis).

Table 4.8-4 Proposed Extension Site Project Consistency with the City of Santa Clara Climate Action Plan

Climate Action Plan Strategies	Project Consistency
Strategy B1: Shift to Electric Fuels in New and Existing Buildings to Achieve Net-zero Carbon Buildings	
B-1-5 Reach codes for new construction	Consistent. The project would be all-electric and include electric vehicle EV chargers, consistent with the City of Santa Clara’s Reach Code Ordinance No. 2056, Chapter 15.36 Energy Code and Chapter 15.38 Green Building Code. Although all-electric local reach codes likely are preempted by federal law, the project would continue to be all electric.
Strategy B2: Improve Energy Efficiency	
B-2-3 Energy-efficient and electric-ready building code	Consistent. The project would include the use of highly efficient lighting that would promote energy efficiency in accordance with California Energy Code and CalGreen requirements.
Strategy T1: Transition Vehicles to Electric Alternatives	
T-1-2 EV charging for all new construction	Consistent. The project design would provide Level 2 electric vehicle (EV) charging stations for a minimum of 35 percent of the total garage parking spaces, while an additional 35 percent of the total spaces would be EV capable. This would be consistent with the City of Santa Clara’s reach codes and would promote the adoption of electric vehicles by providing infrastructure to facilitate their use.
T3: Advance Sustainable Land Use	
T-3-1 TDM plan requirements	Consistent. The project would be required to implement a TDM Plan that achieves 25 percent daily trip reduction per the Santa Clara CAP. However, this requirement would be superseded by the 35 percent peak hour and 20 percent daily trip reduction required by the LSAP.
T-3-2 Sustainable development in underutilized non-residential areas	Consistent. The project would be constructed on an existing surface parking lot which does not include EV charging spaces. The project would provide 937 parking spaces, 35 percent of which would be Day 1 EV ready, meaning that these spaces would be available to charge electric vehicle immediately upon the start of project operation. An additional 35 percent of total parking structure spaces would be EV capable. Because the project would provide EV charging spaces and provide substantially more parking spaces than what is currently provided on the existing parking lot, it would provide sustainability-based development in a currently underutilized nonresidential area.
T-3-3 Transit-oriented development	Consistent. The project is in close proximity to the Caltrain Lawrence Station. The walking distance to the platforms is less than one mile, thus promoting the use of public transit.

Notes: EV = electric vehicle.

Source: Ascent 2023.

As shown in Table 4.8-4, the project demonstrates consistency with the City of Santa Clara's CAP and would therefore be consistent with the California's long-term climate goals and would not impede the State's efforts to meet those goals. Impacts would remain less than significant. The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to a GHGs than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to GHGs than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to GHGs the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Mitigation Measures from LSAP Update EIR

No significant GHG impacts were identified in the LSAP Update SEIR, and no mitigation measures were required.

Conclusion

No new circumstances or project changes related to greenhouse gas emissions have occurred that would result in new or substantially more severe greenhouse gas emissions impacts than were identified in the LSAP Update SEIR, nor is there new information of substantial importance that shows the project will have one or more significant effects not previously discussed or that the discussed effects would be substantially more severe or there would be newly feasible mitigation measures or alternatives or substantially different mitigation measures or alternatives that would substantially reduce impacts but that ISI declines to adopt. Therefore, the findings of the certified LSAP Update SEIR remain valid, and no additional analysis is required.

4.9 HAZARDS AND HAZARDOUS MATERIALS

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Update Draft and Final SEIR.	Do Project Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Any New Information of Substantial Importance?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
9. Hazards and Hazardous Materials. Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Draft SEIR Impacts 3.8-1 and 3.8-2; Final SEIR identified no change in impact conclusions	No	No	No	NA, impact would be less than significant
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment?	Draft SEIR Impacts 3.8-1 and 3.8-2; Final SEIR identified no change in impact conclusions	No	No	No	NA, impact would be less than significant
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Draft SEIR Impact 3.8-3; Final SEIR identified no change in impact conclusion	No	No	No	NA, No impact would occur
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Draft SEIR Impact 3.8-4; Final SEIR identified no change in impact conclusion	No	No	No	Yes. Impacts would be less than significant with application of the adopted mitigation measures.
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	Draft SEIR page 3.8-15	No	No	No	NA, no impact would occur.
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Draft SEIR Impact 3.8-5; Final SEIR identified no change in impact conclusion	No	No	No	No, impact would be less than significant
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	Draft SEIR page 3.8-15	No	No	No	NA, no impact would occur.

4.9.1 Discussion

No substantial change in the environmental and regulatory settings related to hazards and hazardous materials, described in LSAP Draft EIR Section 3.3, "Hazards and Human Health," has occurred since certification of the 2016 LSAP EIR and the 2021 LSAP Update SEIR.

A Phase I and Limited Phase II Environmental Site Assessment (ESA) were prepared for the North Site (Iris Environmental 2014). The Phase I identified two Recognized Environmental Conditions (REC) at 945 Kifer Road. One REC was related to historical agricultural practices on the site and the second related to soil vapor from contaminated groundwater. A follow-up subsurface environmental investigation was conducted to assess the potential for hazardous soil, soil vapor, and groundwater. Isolated issues were identified with slightly elevated concentrations of arsenic and nickel in soil, and tetrachloroethene and benzene in soil vapor. The 2019 report concluded the minor soil impacts could be managed through targeted removal during site grading and the minor soil vapor impacts could be managed through engineering and administrative controls already being implemented on neighboring sites with similar issues.

A Phase I and Phase II ESA, Vapor Intrusion Assessment Report, and Soils Management Plan have been prepared for the proposed Extension Site at 2900 Semiconductor Drive (Farallon Consulting 2021; Langan Treadwell Rollo 2014). Initial site assessment of soil and groundwater was conducted in 1982 and samples indicated presence of VOCs in the soil and groundwater. Groundwater monitoring is conducted annually at 2900 Semiconductor Drive to assess VOCs and evaluate the effectiveness of the remediation systems. Cleanup measures have been implemented at 2900 Semiconductor Drive since the mid 1980's and include source removal, soil excavation, groundwater extraction and treatment, soil vapor extraction, and ozone sparging. The Vapor Intrusion Report prepared in 2021 identified vapors on the Extension Site at concentrations that exceed potentially applicable vapor intrusion screening levels, while the Soil Management Plan includes procedures to manage soil, soil vapor, and groundwater during project construction including soil excavation, stockpile management, and soil import criteria.

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

North Site

New development, such as the proposed project, or redevelopment that involves construction, demolition, and landscaping activities would require the transport, use, and disposal of various building materials, including some hazardous materials (e.g., gasoline, fuels, demolition materials, asphalt, lubricants, toxic solvents, pesticides, and herbicides.) As stated in the 2016 LSAP EIR, the transport, use, and disposal of such materials could pose a potential hazard to the public and the environment if not properly transported, used, stored, and disposed. This issue was addressed in Impact 3.3.1 of the certified 2016 LSAP EIR. During construction activities, all work would be conducted in accordance with the California Occupational Safety and Health Agency (Cal/OSHA) training and worker protection rules and regulations. Use, storage, and transport of hazardous materials for buildout of the LSAP would not pose a significant risk to the environment due to compliance with applicable state and federal regulations. ISI Project. The LSAP Update SEIR also stated that implementation of the LSAP Update and ISI Project would not result in a new significant effect and the impact is not substantially more severe than the impact identified in the 2016 LSAP EIR, concluding that the impact to the public and the environment from exposure to these hazardous materials and other hazards during construction would be less than significant.

The LSAP Update SEIR determined that construction activities associated with the ISI Project on the North Site would be required to comply with all federal, State, and local regulations related to the transport, use, disposal, and accidental release of hazardous materials during construction. The LSAP Update SEIR determined that hazardous materials from operation of the ISI Project would be similar to other existing ISI sites in the LSAP. All hazardous wastes used during operation would be required to comply with all applicable local, state, and federal regulations. ISI Project operations that use hazardous materials are required to obtain permits and comply with appropriate regulatory agency standards designed to avoid hazardous waste releases. These include but are not limited to the federal Resource Conservation and Recovery Act, which includes requirements for hazardous solid waste management; the California Department of Toxic Substances Control Environmental Health Standards for the Management of Hazardous

Waste (California Code of Regulations Title 22, Division 4.5), which include standards for generators and transporters of hazardous waste; and the California Division of Occupational Health and Safety, which includes standards for workplace health and safety. The City of Sunnyvale Department of Public Safety is responsible for consolidating, coordinating, and making consistent the administrative requirements, permits, inspections, and enforcement activities of state standards regarding the transportation, use, and disposal of hazardous materials in the LSAP area.

Updates to the North Site would include refinements to the design of the North Site building to ensure consistency with the building on the South Site, such as adding an internal courtyard, changing vision and spandrel glazing in similar locations, extending the trellis element, and relocating mechanical equipment to the rooftop with screening structures. The portion of the project on the North Site would not include any increases in the number of employees, intensity, floor area ratio, or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR. The proposed modifications include a reduction in square footage of the north building from approximately 364,000 square feet to approximately 358,000 square feet. The parking structure proposed for the Extension Site would involve approximately the same amount of hazardous materials as the previously proposed underground parking garage on the North Site. The project does not propose any changes to the South Site. Therefore, the 2,200 pounds of hazardous waste per month assumed to be generated by the ISI Project in the LSAP Update SEIR would not increase as part of the project. Development as part of the project for the North Site would be subject to the Soil Management Plan prepared for the North Site. Therefore, with continued compliance with all federal, state, and local regulations related to the transport, use, and disposal of hazardous materials, construction impacts from the project would remain less than significant. The portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to a hazards than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to hazards than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to hazards the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Extension Site

The project would include construction, demolition, and tree removal/landscaping activities for the proposed parking garage that could result in the transport, use, and disposal of hazardous materials such as gasoline, fuels, demolition materials, asphalt, and lubricants on the Extension Site. The project would not include any increases in the number of employees, intensity, floor area ratio, or square footage of buildings approved by the ISI Special Development Permit. Substantial hazardous material use would not be associated with the proposed parking garage. Small amounts of hazardous materials could be used for cleaning or landscaping. Development as part of the Extension Site would be subject to the Soil Management Plan prepared for the 2900 Semiconductor Drive, which includes the Extension Site (Langan Treadwell Rollo 2014). The Soil Management Plan includes procedures to manage soil, soil vapor, and groundwater during project construction. Construction measures include coverage of stockpiles, testing imported soil, and stopping work if unanticipated conditions (i.e., potential contamination) is encountered on the site. Work would be stopped within a minimum of 25 feet from the find and the encounter would be covered with plastic material. In accordance with the Soil Management Plan an "exclusion zone" would be created until the appropriate Environmental Safety Officer determines the actions to be completed prior to continuing work in the area. Offsite soil movement would be performed in accordance with applicable federal and state laws and regulations, including testing of the soils for waste determination and trucks loaded with at least 1 foot of freeboard. Additionally, site management requirements for 2900 Semiconductor Drive set by the Regional Water Quality Control Board (RWQCB) to reduce exposure to contaminants include no excavation of contaminated soils or groundwater extraction without agency approval; extraction of groundwater only for site remediation permitted; and preparation of a Hazards and Safety Plan prior to any subsurface work. The Health and Safety Plan must meet the performance standards set by the US Occupational Health and Safety Administration, the California Division of Occupational Health and Safety, and the County of Santa Clara Occupational Safety and Environmental Compliance Division. These include but are not limited to having requirements and strategies for the proper storage, transport, and disposal of hazardous waste;

having requirements and strategies to reduce the exposure of community members to hazardous waste to the greatest extent possible; and having requirements and strategies for responding timely to accidents involving hazardous waste.

Compliance with all federal, State, and local regulations related to the transport, use, disposal, and accidental release of hazardous materials during construction of the parking garage would minimize potential impacts. Therefore, with continued compliance with all applicable regulations related to the transport, use, and disposal of hazardous materials, operational impacts from the project would remain less than significant. The portion of the project on the East Site would not result in new significant impacts or substantially more severe impacts related to a hazards than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to hazards than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to hazards the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment?

North Site

The LSAP Update SEIR stated that the ISI Project would generate less than 2,200 pounds of hazardous waste per month and is considered a small quantity generator as defined by the Department of Toxic Substances Control. The LSAP Update SEIR found that construction of the ISI Project would occur in compliance with local, State, and federal regulations, which would minimize but not eliminate the potential for upset or accident conditions. All hazardous wastes would be disposed of according to applicable laws and regulations. The transport, storage, and use of hazardous materials are required to follow local, state, and federal regulations during project construction and operation. These regulations are designed to prevent accidental releases and upsets of hazardous materials, making upset and accidents not reasonably foreseeable. Furthermore, the ISI Project would be required to obtain permits and comply with appropriate regulatory agency standards designed to prevent accidental hazardous waste releases. As the LSAP is implemented, it is anticipated there would not be a substantial increase in the number of facilities or types of activities involving the use of hazardous materials compared to existing conditions, and the LSAP does not designate land for new heavy industrial uses.

Updates to the North Site would include refinements to the design of the North Site building to ensure consistency with the building on the South Site. The project would not include any increases in the number of employees, floor area ratio, or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR. Therefore, the 2,200 pounds of hazardous waste per month assumed to be generated by the ISI Project in the LSAP Update SEIR would not increase as part of the project. Project activities are subject to state and regional regulations related to the handling, storage, and transportation of hazardous materials that are designed to prevent accidental releases. In addition, the portion of the project on the North Site would be subject to and comply with all federal, state, and local laws related to the disposal of hazardous materials in the City of Sunnyvale. The portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to a hazards than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to hazards than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to hazards the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in

the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Extension Site

The project would include construction, demolition, and tree removal/landscaping activities for the proposed parking garage that could result in the transport, use, and disposal of hazardous materials such as gasoline, fuels, demolition materials, asphalt, lubricants, toxic solvents, pesticides, and herbicides. The project would be subject to and comply with all federal, state, and local laws related to the disposal of hazardous materials in the City of Santa Clara. Project construction would be subject to the Soil Management Plan (SMP) prepared for 2900 Semiconductor Drive and site management requirements for 2900 Semiconductor Drive, which includes procedures to manage soil, soil vapor, and groundwater during project construction (Langan Treadwell Rollo 2014). Construction measures from the SMP include coverage of stockpiles, preventing erosion from stockpiles, and covering or wetting soil when it is being moved around the site. Offsite soil movement would be performed in accordance with applicable federal and state laws and regulations, including testing of the soils for waste determination and trucks loaded with at least 1 foot of freeboard. Compliance with existing regulations and the SMP would minimize risk of accidental upset or accidental release of hazardous materials into the environment to a level that is less than significant. No substantial hazardous material use would be associated with the operation of the proposed parking garage. The portion of the project on the East Site would not result in new significant impacts or substantially more severe impacts related to a hazards than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to hazards than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to hazards the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

The project would result in demolition, construction, and landscaping activities that may result in temporary and limited handling of hazardous materials. However, no schools are located within ¼ mile distance of the project site and would not be impacted by project activities. The project would not result in new significant impacts or substantially more severe impacts related to a hazards near a school than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to hazards near a school than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to hazards the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?

North Site

As discussed in the LSAP Update SEIR, the ISI Project is listed on the lists of sites comprising the Cortese list, and a Phase I ESA and Phase II subsurface investigation were completed for the ISI Project. No records of historical hazardous materials use have been identified on the North Site. However, the investigation prepared on the North Site included evaluation of potential human health risks from contaminated soil for construction workers, vapor intrusion for future building occupants, and potential VOCs in groundwater. Results of the investigation found all onsite soil gas sampling results were below vapor intrusion environmental screening levels for commercial and

industrial uses. Similarly, groundwater levels were below respective environmental screening levels, but with barium, chromium, lead, and zinc above their discharge limits. At 945 Kifer Road, the arsenic exceeded applicable screening criteria for commercial and industrial land use in one soil sample and groundwater samples indicate that total concentrations of five distinct metals are greater than the discharge limit requirements set forth by the RWQCB. Results of the Phase II investigation recommend soil vapor, groundwater, and soil remedial measures at the 945 and 955 Kifer Road parcels.

As prescribed in the Phase II ESA, the shallow soils exceeding applicable screening criteria would be excavated and removed and soils would be sampled during site grading and development to confirm contaminants have been removed. A report documenting the removal activities would also be submitted to the San Francisco RWQCB following completion of construction activity. All work involving direct contact with soil would be conducted in accordance with Cal/OSHA standards. To address metals in the groundwater an on-site treatment system would be designed to remove suspended metals and would be incorporated into the dewatering plan for the North Site in coordination with the City of Sunnyvale and engineering subcontractors to accommodate the anticipated dewatering system. Hydraulic modeling performed for the potential effects of dewatering during construction on the North Site indicated that dewatering activities were not expected to cause VOC-impacted groundwater to migrate into the underground garage analyzed in the LSAP Update SEIR if slurry walls are constructed. The North Site project no longer includes an underground parking garage and VOC-impacted groundwater would no longer be a concern for the project.

No changes to the regulatory setting, the condition of the North Site, or the presence of hazardous materials on the North Site have occurred since adoption of the LSAP Update. Proposed changes to development the North Site would include removal of the underground parking garage and other minor aesthetic changes. Therefore, the portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to a hazards on the Cortese list than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to hazards on the Cortese list than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to hazards the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid. This impact would remain less than significant with implementation of adopted LSAP Update SEIR Mitigation Measure 3.8-1.

Extension Site

The Extension Site is listed on the lists of sites comprising the Cortese list. There is a historical cleanup site at the Extension Site under the oversight of the San Francisco RWQCB (Case No. 43S0084). The Extension Site (2900 Semiconductor Drive, Santa Clara) was assessed for potential for contaminated resources from 1982 to 1991. VOCs were detected in the soil and groundwater. While VOC concentrations in shallow groundwater exceed standards, the deeper drinking water has not been affected by contamination. Various remediation measures have been implemented on the Extension Site including source, removal, soil excavation, groundwater extraction and treatment, chemical oxidation, soil vapor extraction, and ozone sparging since the mid-1980s (Langan Treadwell Rollo 2014). Residual VOCs are present in the groundwater, but have been significantly reduced. Originally 12 contaminated soil source units were identified. Of those 12 soil source units, 11 have been identified as requiring no further action for office and commercial uses including soils under the Extension Site. The Leak L5 Area is the last remaining soil source area requiring closure. Oxidation treatments have been ongoing at the Leak L5 area to reduce VOC concentrations and no further action has been determined by the RWQCB for the Leak L5 Area. However, there are several land use restrictions and covenants for the Extension Site within Santa Clara.

Site work required to construct the parking garage would follow all applicable state and federal laws, which would prevent the release of hazardous materials and exacerbation of existing contamination. Additionally, the Extension Site requires groundwater remediation and annual groundwater monitoring and reporting for the foreseeable future.

The Extension Site is located on land that was formerly part of the Monolithic Memories site, a former semiconductor manufacturing facility located in Sunnyvale and Santa Clara. The Extension Site is located within Operable Unit 1, Subunit 1 of the former Monolithic Memories Site. Operable Unit 1, Subunit 1 is an area that occupies approximately 60 acres and contains over 20 buildings used for administrative offices, laboratories, and semiconductor manufacturing. Operable Unit 1, Subunit 1 also includes the former United Technologies Corporation (UTC) facility. Virgin solvents and acids used in semiconductor manufacturing processes were, or are, stored in aboveground tanks and storage drums on the site. Waste solvents have been stored in underground and aboveground tanks, and acid wastes have been treated in underground and aboveground tanks or underground neutralization sumps on the site.

A Vapor Intrusion Report and Soil Management Plan were prepared for the Extension Site. The Vapor Intrusion Report identified VOC on the Extension Site at concentrations that exceed potentially applicable vapor intrusion screening levels (Farallon Consulting 2021). Sampling indicated that tetrachloroethene is present in indoor air at concentrations below the applicable screening levels at existing buildings located at 2900 Semiconductor Drive and east of the project site. The Vapor Intrusion Report concluded that although vapor intrusion is occurring on the site VOCs are not accumulating at levels that would propose a risk to future workers, but periodic indoor air monitoring is recommended. The project would include a new parking garage where employees would not have long term exposure to vapor intrusion and that is open to outdoor airflow. The Extension Site was analyzed for potential risks from hazardous materials, specifically vapors, on the site and no recommendations were included in the Vapor Intrusion Report. This impact would be less than significant. The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to a hazards on the Cortese list than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantially more severe impacts related to hazards on the Cortese list than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to hazards the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

The LSAP Update SEIR stated that the LSAP area is outside the Moffett Airfield's influence area and safety zones, and there are no private airstrips near the LSAP area. No new airports have been developed near the project area and 2900 Semiconductor Drive is outside Moffett Airfield's influence area and safety zones. No new significant impacts or substantially more severe impacts related to proximity to an airport would occur. Therefore, the findings of the certified LSAP EIR and LSAP Update SEIR remain valid, and no impact would occur.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

As discussed in the LSAP Update SEIR, the ISI Project would involve construction truck traffic and potential lane/shoulder closures in work zones that could interfere with or slow emergency vehicle access and evacuation.

North Site

As indicated in the LSAP Update SEIR, construction activities associated with the ISI Project would include demolition activities, excavation, tree removal and relocation of soil on the site, backfilling and compaction of soils. These activities would occur on the North Site and would not involve work in adjacent roadways. However, providing a deceleration and acceleration lane along Central Expressway and updates to the geometry of the signalized intersection at 945 Kifer Road would involve work in the roadway that may result in the need for temporary traffic lane narrowing or closures, which could affect emergency response or evacuation routes. This was identified as a potentially significant impact in the LSAP Update SEIR that would be mitigated to less than significant through implementation of Mitigation Measure

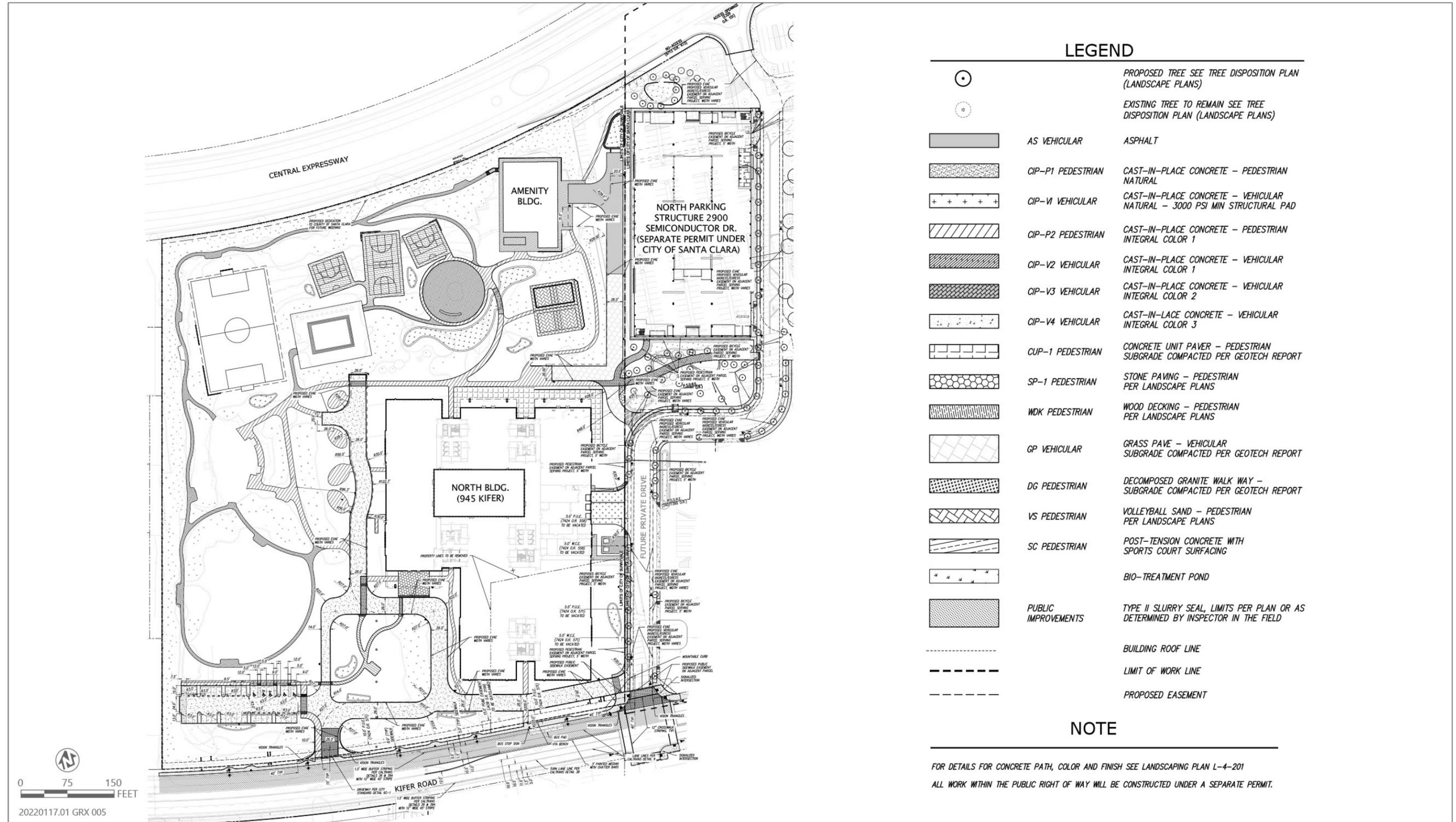
MM 3.3.5, which requires the applicant to develop a construction traffic control plan if project activities could impair or inhibit emergency response or evacuation. This mitigation measures also would apply to the project on the North Site. Additionally, the project on the North Site would adhere to City of Sunnyvale Fire Code Section 16.52.311.1.1, which requires that access be maintained for fire and emergency responders. The geometry of the signalized intersection at 945 Kifer Road would be changed to accommodate the proposed private parking garage on the Extension Site. As shown below in Figure 4-1, the intersection of Kifer Road and the project site would be designed to provide gated access to the site and prevent public through traffic from Central Expressway to Kifer Road. Changes to the intersection would be completed in accordance with City standards and in coordination with the public works department. The Central Expressway deceleration and acceleration lane improvements would be completed in accordance with Santa Clara County Department of Roads and Airports standards and in coordination with the City of Sunnyvale and City of Santa Clara public works departments. With adherence to Mitigation Measure 3.3.5, and the Sunnyvale Municipal Code, proposed changes to the North Site, including the proposed access changes would not interfere with emergency response or evacuation plans. The portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to an emergency response plan than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to an emergency response plan than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to an emergency response plan the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Extension Site

The project would include a new parking structure on the Extension Site. Construction of the parking garage would include removal of the existing surface parking lot, excavation, and relocation of soil on the site, backfilling and compaction of soils. These activities would occur on the Extension Site and would not involve work or construction staging in adjacent roadways, with the exception of the Central Expressway deceleration and acceleration lanes. However, the project would be subject to implementation of Mitigation Measure MM 3.3.5, which requires the applicant to develop a construction traffic control plan if project activities could impair or inhibit emergency response or evacuation. Additionally, the project would adhere to City of Santa Clara City Code Section 15.60.300, which requires emergency vehicle access for all construction sites. The project would not alter emergency evacuation pathways or result in inadequate emergency response or evacuation times. This impact would be less than significant. The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to an emergency response plan than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to an emergency response plan than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to an emergency response plan the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid. opt.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

As identified on LSAP Draft EIR page 3.3-9, there are no Fire Hazard Severity Zones or state responsibility areas or Very High Fire Hazard Severity Zones for local responsibility areas within or adjacent to Sunnyvale. No changes to the location of the portion of the project on the North Site have occurred and no changes to the risks from wildfires has occurred since approval of the LSAP Update. Similarly, the Extension Site is not in any fire hazard zone.



Source: Hellmuth, Obata and Kassabaum, Inc. 2024.

Figure 4-1 Overall Site Plan

The project would not result in new significant impacts or substantially more severe impacts related to a wildland fire than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to a wildland fire than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to wildland fires the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Mitigation Measures from LSAP Update EIR

Mitigation Measures 3.3.3 and 3.3.5 were adopted as part of the LSAP. Mitigation Measure 3.3.3 was replaced with LSAP Update SEIR Mitigation Measure 3.8-1 that requires preparation of a Phase I ESA and, if deemed necessary by the Phase I ESA, the preparation of a Phase II ESA. As noted above, a Phase I and Phase II ESA have been completed for the North Site and Extension Site, and that requirement of Mitigation Measure 3.8-1 has been fulfilled. However, since the ESAs for the North Site identified arsenic in the soil and metals in the groundwater, the site will be remediated as required by the City for the use of the site to the satisfaction of the appropriate oversight agency prior to the initiation of construction activities, as discussed in the LSAP Update SEIR. The project would comply with all federal, state, and local regulations related to the transport, use, and disposal of hazardous materials, which would be monitored and enforced by the City of Sunnyvale for the North Site and City of Santa Clara on the Extension Site. The following adopted mitigation measures are referenced in the LSAP EIR and LSAP Update SEIR analysis and would continue to be applicable for the North Site if the project was approved. ISI has agreed to implement these mitigation measures on the Extension Site in a letter dated December 20, 2023 and as included on the project site plans.

LSAP Update SEIR Mitigation Measure 3.8-1

The City shall require that a Phase I ESA is prepared and submitted with any application for new development or redevelopment within the adopted LSAP boundary. The Phase I ESA shall be prepared by a qualified professional registered in California and in accordance with ASTM E1527-13 (or the most current version at the time a development application is submitted for the project).

If determined necessary by the Phase I ESA, a Phase II ESA shall be conducted to determine the lateral and vertical extent of soil, groundwater, and/or soil vapor contamination, as recommended by the Phase I ESA.

The City shall not issue a building permit for a site where contamination has been identified until remediation or effective site management controls appropriate for the use of the site have been completed, consistent with applicable regulations and to the satisfaction of the City of Sunnyvale, Department of Toxic Substances Control, or San Francisco Bay RWQCB (as appropriate) before initiation of construction activities. Deed restrictions, if appropriate, shall be recorded. If temporary dewatering is required during construction or if permanent dewatering is required for subterranean features, the City shall not issue an improvement permit or building permit until documentation has been provided to the City that the San Francisco Bay RWQCB has approved the discharge to the sewer. Discharge of any groundwater removed from a construction site within the adopted LSAP and to the El Camino Storm Drain Channel, Calabazas Creek, or storm drain shall be subject to Water Pollution Control Permit requirements.

If the Phase I ESA determines there are no RECs, no further action is required. However, the City shall ensure any grading or improvement plan or building permit includes a statement if hazardous materials contamination is discovered or suspected during construction activity, all work shall stop immediately until a qualified professional has determined an appropriate course of action.

Mitigation Measure MM 3.3.5

Prior to issuance of a permit for a specific development project or before approving a City-initiated roadway improvement identified in the LSAP, the City shall determine whether project construction activities have the potential to affect traffic conditions on roadways as a result of construction of the development project or roadway improvement(s). If there is the potential the activities could impair or inhibit emergency response or evacuation, a

Construction Traffic Control Plan shall be prepared for City review and approval. The plan shall include, but not be limited to, schedule of construction and anticipated methods of handling traffic for each phase of construction to ensure the safe flow of traffic and adequate emergency access, including maintaining an open lane for vehicle travel at all times. All traffic control measures shall conform to City of Sunnyvale, Santa Clara County, and/or Caltrans standards, as applicable. The City shall ensure final approved plans for private development projects specify the requirement, as appropriate, to implement the construction traffic control plan.

Conclusion

No new circumstances or project changes related to hazards and hazardous materials have occurred that would result in new or substantially more severe hazards and hazardous materials impacts than were identified in the LSAP Update SEIR, nor is there new information of substantial importance that shows the project will have one or more significant effects not previously discussed or that the discussed effects would be substantially more severe or there would be newly feasible mitigation measures or alternatives or substantially different mitigation measures or alternatives that would substantially reduce impacts but that ISI declines to adopt. Therefore, the findings of the certified LSAP Update SEIR remain valid, and no additional analysis is required.

4.10 HYDROLOGY AND WATER QUALITY

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Update Draft and Final SEIR.	Do Project Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Any New Information of Substantial Importance?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
10. Hydrology and Water Quality. Would the project:					
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	Draft SEIR Impact 3.9-1	No	No	No	NA, impact would be less than significant
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	Draft SEIR Impact 3.9-2	No	No	No	NA, impact would be less than significant.
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:					
i) Result in substantial on- or offsite erosion or siltation;	Draft SEIR Impact 3.9-1	No	No	No	NA, impacts would be less than significant.
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	Draft SEIR Impact 3.9-1	No	No	No	NA, impacts would be less than significant.
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	Draft SEIR Impact 3.9-1	No	No	No	NA, impact would be less than significant.
iv) Impede or redirect flood flows?	Draft SEIR Impact 3.9-1	No	No	No	NA, impacts would be less than significant
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	Draft SEIR page 3.9-5	No	No	No	NA, there would be no impact.
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Draft SEIR Impact 3.9-2	No	No	No	NA, impacts would be less than significant.

4.10.1 Discussion

No substantial change in the environmental and regulatory settings related to hydrology and water quality, described in LSAP Update SEIR Section 3.9, Hydrology and Water Quality, has occurred since certification of the LSAP Update SEIR. The SWRCB Construction General Permit was updated on September 8, 2022. However, the new Order does not include significant changes that would be defined as a changed condition under CEQA Guidelines Section 15162. The City of Santa Clara City Code Chapter 13.20 contains water quality and drainage standards to control water pollution and waste discharges from all development in the City of Santa Clara.

a) **Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?**

North Site

As addressed in the LSAP Update SEIR, construction activities associated with the development of the North Site would include grading, demolition, and vegetation removal which would disturb and expose soils to water erosion, potentially increasing the amount of silt and debris entering downstream waterways. Development of the ISI Project was determined in the LSAP Update SEIR to result in water quality impacts from developing the ISI Project. As stated in the LSAP Update SEIR construction and operation of the ISI Project would be subject to local, state, and regional regulations pertaining to water quality.

As described in the LSAP Update SEIR, Chapter 12.60 of the Sunnyvale Municipal Code provides regulations and gives legal effect to certain requirements of the NPDES permit issued to the City of Sunnyvale regarding municipal stormwater and urban runoff requirements. During construction of the ISI Project, the applicant must develop and implement a SWPPP and perform monitoring of discharges to stormwater systems to ensure compliance with state and local regulations. The ISI Project would also be required to implement BMPs for preventing erosion and movement of unwanted material into waters within or outside the site. Furthermore, the ISI Project would be required to include appropriate features to meet applicable Municipal Regional Stormwater Permit (MRP) Provision C.3 requirements and implement Low Impact Development (LID). Common LID strategies include treatment methods such as bio-retention basins and flow-through planters, green roofs, media filtration devices, and pervious surfaces.

A preliminary stormwater management plan was previously completed for the ISI Project (including the North Site) during preparation of the LSAP Update SEIR to document NPDES provision C.3 and identify BMPs to be incorporated into project design. The project would include refinements to the design of the North Site building to ensure consistency with the building on the South Site. The project would not include any increases in the number of employees, floor area ratio, or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR. The portion of the project on the North Site would therefore not result in an increase in impervious surface area compared to what was analyzed in the LSAP Update SEIR. The project would still include storm water control measures to reduce run off and decrease pollutant concentrations from site runoff. Therefore, with continued compliance with existing requirements of Chapter 12.60 of the Sunnyvale Municipal Code and MRP Provision C.3 requirements, impacts to water quality from the portion of the project on the North Site would remain less than significant. Therefore, the portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to water quality than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to water quality than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to water quality the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Extension Site

The portion of the project on the Extension Site would include removal of the existing surface parking lot, construction, and landscaping activities for the proposed parking garage. These activities would disturb and expose soils to water erosion, potentially increasing the amount of silt and debris entering downstream waterways. In addition, refueling and parking of construction equipment and other vehicles on the Extension Site during construction could result in oil, grease, or related pollutant leaks and spills that may discharge into storm drains. Urban runoff typically consists of pollutants such as heavy metals, oil, grease, sediment, and other chemicals.

Development on the Extension Site would be subject to Chapter 13.20 of the Santa Clara Municipal Code, which provides regulations and supplements the requirements of the NPDES permit issued to the City of Santa Clara regarding municipal stormwater and urban runoff requirements. Chapter 13.20 makes it unlawful for anyone to discharge, or cause, allow, or permit to be discharged into any storm drain, storm sewer, or natural outlet or channel any waste, including, but not limited to, sewage, industrial wastes, petroleum products, coal tar, or any refuse substance arising from the manufacture of gas from coal or petroleum, chemicals, detergents, solvents, paints, contaminated water, or chlorinated swimming pool water, pesticides, herbicides, fertilizers, or other process wastewater. During construction of the parking garage, the applicant, through individual coverage under the State’s General Construction NPDES permit, would be required to develop and implement a SWPPP and perform monitoring of discharges to stormwater systems to ensure compliance with state and local regulations. The project would also be required to implement BMPs for preventing erosion and movement of unwanted material into waters within or outside the site. Furthermore, the project would be required to include appropriate features to meet applicable regional MRP Provision C.3 requirements and implement LID. Common LID strategies that would be appropriate for the parking garage would be similar to the ones described above for the North Site building.

The project site is currently a paved parking lot. The proposed parking garage would replace the parking lot and would not result in an increase in impervious surface cover over existing conditions at the Extension Site. However, the project would still implement stormwater control measures to reduce run off and decrease pollutant concentrations from site runoff. These would include but not be limited to diverting drainage from soil stockpiles, installing silt fencing/straw bale filter barriers on the down gradient toes of stockpile slopes, placing soil stockpiles on top of at least one layer of 10-mil polyethylene sheeting (or equivalent) such as Visqueen to prevent contact with the ground surface, and covering stockpiles with a tarp or Visqueen when soil stockpiles are not being handled (Langan Treadwell Rollo 2014).

Compliance with existing requirements of Chapter 13.20 of the Santa Clara Municipal Code and MRP Provision C.3 requirements would minimize impacts to water quality. Surface water quality impacts associated with development of the Extension Site would remain less than significant. The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to water quality than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to water quality than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to water quality the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

North Site

The project would include refinements to the design of the North Site building to ensure consistency with the building on the South Site. The project would not include any increases in the number of employees, floor area ratio, or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR. The project would have little or no effect on groundwater recharge because the project would take place on a site that is largely built out and would therefore neither increase nor decrease the amount of permeable surfaces; in

addition, the site is underlain by soils with low percolation rates, which results in a muted effect from changes in the amount of permeable surfaces. The project does not propose the installation of any wells on the project site that could alter groundwater flows. The project is not located within an area subject to a sustainable groundwater plan.

The North Site building would no longer include an underground parking garage. Excavation would be significantly reduced as compared to what was assumed in the LSAP Update SEIR. Therefore, the likelihood of encountering groundwater would be reduced. If groundwater is encountered during construction dewatering may be required. Dewatering would be temporary, limited, and would not substantially deplete or interfere with recharge of groundwater at the local aquifer. The project would not increase the amount of impermeable surface from that approved in the LSAP Update SEIR, nor reduce the amount of permeable surface currently on the project site. The project would be required to adhere to SWPPP and MRP provisions and for the portion of the project in Sunnyvale, City of Sunnyvale regulations described in section a) above. In addition, the project would also not include the construction or operation of a well facility. Therefore, the portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to groundwater supplies than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to groundwater supplies than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to groundwater supplies the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Extension Site

The proposed Extension Site would have minimal impacts on groundwater recharge because the project site is currently a paved parking lot and has minor groundwater recharge through planting areas. The project would include removal of the parking lot, construction, and landscaping activities for the proposed parking garage. The project would increase groundwater recharge on the site by increasing landscaping on the site as opposed to what there is now on the existing paved lot. The project does not propose the installation of any wells in the project area that could alter groundwater flows. The project is not located within an area subject to a sustainable groundwater plan.

The proposed parking garage would be built above ground and the project does not involve constructing subsurface building features, except for foundation, footings, and utilities. Therefore, it is not likely that groundwater would be encountered during construction. If groundwater is encountered during construction, dewatering may be required. However, dewatering would be temporary, limited, and would not substantially deplete or interfere with recharge of groundwater at the local aquifer. The project would not substantially increase the amount of impermeable surface on the project site. The project would be required to adhere to SWPPP and MRP provisions and, for the portion of the project in Santa Clara, City of Santa Clara regulations described in section a) above. Compliance with required provisions and regulations would prevent substantial pollution from percolating into the groundwater below the project site and would maintain the groundwater table. Impacts would remain less than significant. The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to groundwater supplies than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to groundwater supplies than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to groundwater supplies the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

- c) **Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:**

i) Result in substantial on- or offsite erosion or siltation

There are no streams or rivers on the project site. The LSAP Update SEIR concluded that stormwater runoff from the ISI Project site is not expected to increase and stated that the project would be required, per Section 12.60.160(a) of the City of Sunnyvale's Municipal Code, to demonstrate that it would not increase runoff over pre-project rates and durations. The LSAP Update SEIR concluded that compliance with the existing regulations contained in the City's Municipal Code would reduce potential impacts associated with stormwater drainage to a level that is less than significant.

North Site

The project would include refinements to the design of the North Site building to ensure consistency with the building on the South Site. The project would not include any increases in the number of employees, floor area ratio, or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR. The project applicant completed a preliminary Stormwater Management Plan for the project that outlines the drainage areas and proposed treatment control measures, including the LID features discussed above, that would prevent an increase in the rate or amount of runoff, preventing substantial erosion, siltation, flooding, and polluted flows.

The portion of the project on the North Site is required to comply with Section 12.60.160 of the City of Sunnyvale Municipal Code. Project design plans include water quality control and drainage features for the North Site building. Implementation of proposed water control and drainage features would ensure that drainage flows would not increase offsite. Therefore, the portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to erosion than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to erosion than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to erosion the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Extension Site

The proposed project would include construction of a parking garage on the Extension Site in Santa Clara. The parking garage would replace an existing paved surface lot, trees and perimeter landscaping and would not significantly alter the drainage pattern on the Extension Site. The project applicant completed a preliminary Stormwater Management Plan for the project that outlines the drainage areas and proposed treatment control measures, including the LID features discussed above, that would prevent an increase in the rate or amount of runoff, preventing substantial erosion, siltation, flooding, and polluted flows. Existing conditions on the paved parking lot are mostly impervious. Therefore, the project would not significantly reduce pervious surfaces on the Extension Site, which is one way drainage patterns can be altered.

The project is required to comply with Section 13.20.020 of the City of Santa Clara City Code. Project design plans include water quality control and drainage features for the Extension Site. Implementation of proposed water control and drainage features would ensure that drainage flows would not increase offsite. Impacts would remain less than significant. The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to erosion than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to erosion than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to erosion the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously

examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain.

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;

See analysis under item c) above.

iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

See analysis under item c) above.

iv) Impede or redirect flood flows?

As stated in the LSAP Update SEIR there are some locations within the LSAP Plan Area that are within the Federal Emergency Management Agency-designated 100-year flood hazard Zone AO. Projects within Zone AO could be subject to 100-year flood hazard. The North Site and Extension Site are located entirely within Zone X, which identifies areas with lower flood risk due to levees. The project applicant completed a preliminary Stormwater Management Plan for the project that outlines the drainage areas and proposed treatment control measures. Project design plans also include water quality control and drainage features for the North Site and Extension Site to prevent impeding or redirecting flood flows. Additionally, the project is required to comply with Section 12.60.160 of the Sunnyvale Municipal Code on the North Site and Section 13.10.020 of the City of Santa Clara City Code on the Extension Site to reduce risk of flood flows and offsite drainage. The project would not result in new significant impacts or substantially more severe impacts related to flood flows than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to flood flows than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to flood flows the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

See analysis under item c-iv) above for impacts from flood hazards.

Seiches and tsunamis would not affect the ISI Project project site because the site is more than three miles from San Francisco Bay. Mudflow would not present a hazard because there are no steep, erodible slopes on or near the ISI Project project site. The project site is located outside of the inundation area for Stevens Creek Reservoir and is not considered to be at risk of inundation in the event of a dam failure. The project site is not in an area subject to flooding from levee failure or sea level rise. The project would not result in new significant impacts or substantially more severe impacts related to flood hazards, tsunami, or seiches than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related from flood hazards, tsunami, or seiches than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to flood hazards, tsunami, or seiches the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures

in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

LSAP Update SEIR

The ISI Project site is located on primarily disturbed land with limited groundwater recharge capabilities and would be required to comply with all applicable programs, policies, and regulations of the 2021 Groundwater Management Plan for the Santa Clara and Llagas Subbasins. As described in the LSAP Update SEIR, the Water Supply Assessment (WSA) completed for the ISI Project concludes that the City's existing water supply contracts would meet the combined increase demand of the project under normal, single dry, multiple dry year conditions between 2020 and 2040. The project is not located within an area subject to a sustainable groundwater plan.

North Site

The project would include refinements to the design of the North Site building to ensure consistency with the building on the South Site. The project would not include any increases in the number of employees, floor area ratio, or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR. The project would continue to comply with all applicable water quality plans and policies of the City of Sunnyvale. The project also would continue to comply with all applicable programs, policies, and regulations of the 2021 Groundwater Management Plan. Further, the project would be required to adhere to SWPPP and MRP provisions. Therefore, the portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to a water quality control plan than were identified in the LSAP Update SEIR, nor would there be new feasible mitigation measures or alternatives that would reduce impacts but that ISI declines to adopt, and the findings of the certified LSAP Update SEIR remain valid. This impact would remain less than significant.

Extension Site

The project would include construction of a parking garage on the Extension Site in Santa Clara. The Extension Site is located on primarily disturbed land with limited groundwater recharge capabilities and would be required to comply with all applicable programs, policies, and regulations of the 2021 Groundwater Management Plan for the Santa Clara and Llagas Subbasins. The project would also continue to comply with all applicable water quality plans and policies of the City of Santa Clara and would be required to adhere to SWPPP and MRP provisions. The Extension Site is not located within an area subject to a sustainable groundwater plan. The portion of the project on the Extension Site would increase landscaping and thus pervious surfaces on the site resulting in increased groundwater percolation. The proposed parking garage would have minimal water demand. Impacts would remain less than significant. The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to a water quality control plan than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to a water quality control plan than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to water quality control plans the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Mitigation Measures from LSAP Update EIR

No mitigation measures were identified in the certified LSAP Update SEIR for the ISI Project regarding hydrology and water quality, nor are any additional mitigation measures required for the project.

Conclusion

No new circumstances or project changes related to hydrology and water quality have occurred that would result in new or substantially more severe hydrology and water quality impacts than were identified in the LSAP Update SEIR,

nor is there new information of substantial importance that shows the project will have one or more significant effects not previously discussed or that the discussed effects would be substantially more severe or there would be newly feasible mitigation measures or alternatives or substantially different mitigation measures or alternatives that would substantially reduce impacts but that ISI declines to adopt. Therefore, the findings of the certified LSAP Update SEIR remain valid, and no additional analysis is required.

4.11 LAND USE AND PLANNING

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Update Draft and Final SEIR.	Do Project Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Any New Information of Substantial Importance?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
11. Land Use and Planning. Would the project:					
a) Physically divide an established community?	Draft SEIR Impact 3.10-1	No	No	No	NA, this impact would be less than significant
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	Draft SEIR Impact 3.10-2	No	No	No	N/A, this impact would be less than significant.

4.11.1 Discussion

No change in the environmental and regulatory settings related to land use and planning described in LSAP EIR Section 3.1, Land Use, has occurred since certification of the LSAP Update SEIR. As previously noted, the City Council adopted an update to the City’s Land Use and Transportation Element (LUTE) of its General Plan in April 2017. The LUTE incorporates and integrates policy direction and land use patterns from other City of Sunnyvale planning documents, including the LSAP.

The Extension Site has a City of Santa Clara General Plan land use designation of Medium Density Residential and is zoned Light Industrial (ML). The Medium Density Residential Land Use is intended for residential development at densities ranging from 20 to 36 units per gross acre. This density range accommodates a variety of housing types. It is primarily intended for areas with access from collector or arterial streets or in close proximity to neighborhood centers and mixed uses. Building types can include a combination of low-rise apartments, townhouses and rowhouses with garage or below-grade parking. The Light Industrial zoning district permits general industrial development, and is intended to accommodate industries operating substantially within an enclosed building. Permitted uses include commercial storage, plants and facilities, incidental retail sales, and incidental accessory buildings (Santa Clara Zoning Code Chapter 18.48).

a) Physically divide an established community?

LSAP Update SEIR

The ISI Project would result in buildout of a corporate campus within the LSAP. The ISI Project does not contain housing and is located in an industrial area. The ISI Project includes several circulation improvements that would provide improved connectivity for pedestrians and multi-modal transportation. Therefore, the LSAP Update SEIR determined that the ISI Project would have a less than significant impact regarding the division of an established community (see LSAP Update SEIR Impact 3.1.0-1).

North Site

Existing uses on the North Site consist of a private sports and recreation complex. The North Site would be developed, as analyzed in the LSAP Update SEIR, and refinements to the design of the North Site building would not have additional land use impacts. Moving the loading dock location on the North Site and refining the geometry of the signalized intersection at 945 Kifer Road would occur on a site that is already developed and surrounded by industrial uses. The project would not conflict with transportation and circulation improvements proposed by the LUTE update (see Section 3.16, “Transportation” for discussion on project impacts to transportation). The project would be consistent with existing development patterns and would not introduce any features that would not divide

an established community. Therefore, the portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to physically dividing an established community than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to a physically dividing an established community than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to physically dividing an established community the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Extension Site

Existing uses on the Expansion Site consist of a paved surface parking lot with ornamental trees. The project would result in construction of a parking garage on the extension site, to replace the underground parking garage proposed on the North Site. The parking garage would occur on a site that is already developed and surrounded by industrial, commercial, and residential uses and existing roadways. The project does not propose new roadways or other circulation impediments that could and would create physical divisions in an established community. Therefore, the portion of the project on the Extension Site would not divide an established community. Impacts would remain less than significant. The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to physically dividing an established community than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to a physically dividing an established community than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to physically dividing an established community the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

LSAP Update SEIR

The LSAP establishes the development of a mixed-use, compact, and well-connected urban form that would further increase housing and employment opportunities in the City. The LSAP Update SEIR concluded that implementation of LSAP modifications would ensure integration and compatibility of new development with the City's sustainable growth vision and associated General Plan and LSAP policy provisions. This includes the ISI Project site, where the land use changed from Industrial (IND) to Transit Mixed-Use (TMU) as part of the adoption of the LSAP Update.

As described in the LSAP Update SEIR, the City redesignated the ISI Project as TMU and rezoned to M-S/LSAP 60 percent (North Site) and M-S/LSAP 120 percent (South Site). The M-S/LSAP zone permits office, R&D, and industrial uses with the percentage referring to the allowable floor area ratio. Similarly, the TMU land use designation permits Office/R&D uses.

North Site

The City of Sunnyvale General Plan and LSAP provide a united vision meant to guide comprehensive development in the LSAP area.

The project would include minor design updates and the North Site building and updates to the drive aisle on Kifer Road. The portion of the project on the North Site remains consistent with LSAP goals and is subject to LSAP design guidelines and policies. The project would not include any increases in the number of employees, floor area ratio, or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP

Update SEIR. Therefore, the portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to a conflicts with a land use plan than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to conflicts with a land use plan than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to conflicts with a land use plan the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Extension Site

The Extension Site has a zoning designation in the City of Santa Clara of Light Industrial (ML). The ML zoning district is intended to accommodate industries operating substantially within an enclosed building (City of Santa Clara City Code Section 18.48.020). Permitted uses include research offices and laboratories; testing offices and laboratories; professional, financial, and administrative offices; manufacture, assembling, and packaging of electronic equipment, instruments, and devices; commercial storage, plants and facilities, incidental retail sales, incidental and accessory buildings such as storage buildings and warehouses that comprise less than twenty-five percent of the total lot area and are shielded from public view; and public or private automobile parking lots improved and landscaped in accordance with the Santa Clara Zoning Code requirements. The proposed parking structure would be considered an accessory building to the North Site and the existing commercial buildings located at 2900 Semiconductor Drive and would require a Use Permit per SCCC 18.48.040. Therefore, the project would be consistent with the City of Santa Clara Zoning Code. The parking provided for the North Site building is consistent with the City's parking requirements. The portion of the project on the Extension Site remains consistent with LSAP goals and the applicant has agreed to comply with the LSAP design guidelines and policies. Impacts would remain less than significant. The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to a conflicts with a land use plan than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to conflicts with a land use plan than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to conflicts with a land use plan the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Mitigation Measures from LSAP Update EIR

No mitigation measured were needed for the LSAP or LSAP Update regarding land use and planning. No mitigation measures pertaining to land use and planning would be required for the project.

Conclusion

No new circumstances or project changes related to land use and planning have occurred that would result in new or substantially more severe land use and planning impacts than were identified in the LSAP Update SEIR, nor is there new information of substantial importance that shows the project will have one or more significant effects not previously discussed or that the discussed effects would be substantially more severe or there would be newly feasible mitigation measures or alternatives or substantially different mitigation measures or alternatives that would substantially reduce impacts but that ISI declines to adopt. Therefore, the findings of the certified LSAP Update SEIR remain valid, and no additional analysis is required.

4.12 MINERAL RESOURCES

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Update Draft and Final SEIR.	Do Project Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Any New Information of Substantial Importance?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
12. Mineral Resources. Would the Project:					
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	Draft SEIR Section 1.3.2	No	No	No	NA, there would be no impact.
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	Draft SEIR Section 1.3.2	No	No	No	NA, there would be no impact.

4.12.1 Discussion and Conclusion

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?
- b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

Mineral resource impacts were scoped out of the LSAP EIR at the notice of preparation stage because no mineral resources exist in the LSAP plan area, and because the area is already developed with urban land uses. Similarly, there are no mineral resources on or near the Extension Site in the City of Santa Clara. The project site does not contain mineral resources and is not a mineral resource recovery site. The project would not result in new significant impacts or substantially more severe impacts related to a mineral resource than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to a mineral resource than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to mineral resources the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Mitigation Measures from LSAP Update EIR

No mitigation measures were identified in the certified LSAP Update SEIR regarding mineral resources, nor are any additional mitigation measures required for the project.

Conclusion

No new circumstances or project changes related to mineral resources have occurred that would result in new or substantially more severe mineral resources impacts than were identified in the LSAP Update SEIR, nor is there new information of substantial importance that shows the project will have one or more significant effects not previously discussed or that the discussed effects would be substantially more severe or there would be newly feasible mitigation measures or alternatives or substantially different mitigation measures or alternatives that would substantially reduce impacts but that ISI declines to adopt. Therefore, the findings of the certified LSAP Update SEIR remain valid, and no additional analysis is required.

4.13 NOISE

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Update Draft and Final SEIR.	Do Project Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Any New Information of Substantial Importance?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
13. Noise. Would the project result in:					
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies, or a substantial temporary or permanent increase in noise levels above existing ambient levels that could result in an adverse effect on humans?	Draft SEIR Impacts 3.11-1, 3.11-3, and 3.11-4	No	No	No	NA, impact would be less than significant with application of the adopted mitigation measures.
b) Generation of excessive groundborne vibration or groundborne noise levels?	Draft SEIR Impact 3.11-2	No	No	No	NA, impact would be less than significant
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	Draft SEIR page 3.11-10	No	No	No	NA, no impact would occur.

4.13.1 Discussion

No substantial change in the environmental and regulatory settings related to noise in Section 3.11: “Noise and Vibration,” described in LSAP Draft EIR has occurred since certification of the LSAP EIR and the LSAP Update SEIR. However, the proposed Extension Site is located in the City of Santa Clara, outside of the boundaries of the LSAP. Therefore, portions of the following analysis pertaining to the Extension Site are based on City of Santa Clara construction and operations noise standards and exemptions from the City of Santa Clara 2010-2035 General Plan (General Plan) and the City of Santa Clara City Code, as described below.

City of Santa Clara 2010-2035 General Plan

The Noise Element of the City of Santa Clara General Plan provides noise standards for various land uses to determine compatibility with the General Plan. Table 4.13-1 summarizes the noise standards presented in the General Plan.

Table 4.13-1 City of Santa Clara General Plan Noise Standards (L_{dn}, CNEL)

Land Use Type	Compatible	Require Design and Insulation to Reduce Noise Levels	Incompatible ¹
Residential	Less than 55	55-70	70+
Educational	Less than 55	55-70	70+
Recreational	Less than 65	65-75	75+
Commercial	Less than 65	65-75	75+
Industrial	Less than 70	70-80	80+
Open Space	All ranges considered acceptable	All ranges considered acceptable	All ranges considered acceptable

Note: L_{dn} = day-night average sound level; CNEL = community noise equivalent level.

¹ General Plan states that land uses in this range are considered incompatible except when entirely indoors and an interior noise level of 45 L_{dn} can be maintained.

Source: City of Santa Clara 2010.

City of Santa Clara City Code

Chapter 9.10 “Regulation of Noise and Vibration” of the City of Santa Clara City Code details regulations and exemptions for both fixed sources (Article I) and off-street operations of certain construction sites (Article II). Table 4.13-2 summarizes exterior noise limits for all properties within a specified zone.

Table 4.13-2 City of Santa Clara City Code Exterior Noise Limits (dBA)

Zoning Category	Time Period	Level (dBA)
Category 1		
Single-family and Duplex Residential	Commencing at 7:00 a.m. and ending at 10:00 p.m. that evening	55
	Commencing at 10:00 p.m. and ending at 7:00 a.m. the following Morning	50
Category 2		
Multiple-family Residential, Public Space	Commencing at 7:00 a.m. and ending at 10:00 p.m. that evening	55
	Commencing and 10:00 p.m. and ending at 7:00 a.m. the following Morning	50
Category 3		
Commercial Office	Commencing at 7:00 a.m. and ending at 10:00 p.m. that evening	65
	Commencing and 10:00 p.m. and ending at 7:00 a.m. the following Morning	60
Category 4		
Light Industrial	Anytime	70
Heavy Industrial	Anytime	75

Note: dBA = A-weighted decibels

Source: City of Santa Clara 2022.

The City of Santa Clara provides an exemption for construction activities which occur during allowed hours specified in the code of 7 a.m. to 6 p.m. weekdays and 9 a.m. to 6 p.m. weekends. Construction is not allowed on Sundays or holidays (Santa Clara City Code, Chapter 9.10, Section 9.10.070).

- a) **Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies, or a substantial temporary or permanent increase in noise levels above existing ambient levels that could result in an adverse effect on humans?**

LSAP Update SEIR

The LSAP Update SEIR determined that because the ISI Project would comply with the City of Sunnyvale's time-of-day requirements and implement the adopted LSAP Mitigation Measure MM 3.6.4, which requires multiple measures for minimizing noise levels from construction equipment, the ISI Project would minimize noise exposure to off-site noise-sensitive receptors and impacts related to construction noise would be less than significant.

The LSAP Update SEIR concluded that noise-generating activities associated with operation of the ISI Project would not expose off-site residential receptors to noise levels that exceed the daytime standard of 60 decibels (dB) and nighttime standard of 50 dB established by Section 19.42.030 of the Sunnyvale Municipal Code. Additionally, the LSAP Update SEIR stated that operational noise levels would not combine to exceed the 50-dB standard because they would originate from different areas of the ISI Project site and the nearest off-site residence to each noise source would not be the same. Lastly, it was determined that noise associated with on-site operational activities would not expose off-site residences to noise levels that exceed the normally acceptable standard of 60 dB CNEL for residential land uses that is recommended by General Plan Policy SN-8.5. For these reasons, operational noise impacts were determined to be less than significant.

North Site

Construction Noise

The proposed design (e.g., building square footage, pavement square footage, number of buildings) does not differ from that which was approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR. The proposed parking structure would no longer be underground and would not require extensive excavation or use of piles needed for an underground structure. Therefore, the project would have a reduced construction duration and intensity as assumed in the LSAP Update EIR., Additional types of equipment beyond what was analyzed in the LSAP Update EIR would not be used. Therefore, construction-related noise generation and duration would not be greater than what was accounted for in the LSAP Update SEIR. Additionally, the portion of the project on the North Site would be required to comply with Mitigation Measure MM 3.6.4, further reducing the potential for construction-related noise impacts.

The North Site no longer includes the previously proposed underground parking structure and would therefore not require excavation. Impacts related to noise from construction on the North Site would be less than what was addressed in the LSAP Update SEIR because excavation equipment and hauling trucks would not be required, leading to a reduction in noise from construction equipment. Therefore, noise levels and duration resulting from construction activities would not be greater than what was analyzed in the SEIR. Therefore, the portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to a construction noise than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to construction noise than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to construction noise the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid. This impact would remain less than significant with implementation of adopted LSAP Update SEIR Mitigation Measure MM 3.6.4.

Operational Noise

Development on the North Site would not involve operational activities that would vary in type or intensity from those which were accounted for in the LSAP Update SEIR. Updates to the North Site would include refinements to the design of the North Site building to ensure consistency with the building on the South Site. The project would not include any changes in the number of employees, floor area ratio, or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR that would create new noise impacts. In addition, the portion of the project on the North Site does not propose any new stationary sources of noise. Therefore, noise levels, duration or sources would not substantially differ from what was analyzed in the LSAP Update SEIR. The portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to operational noise than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to operational noise than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to operational noise the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Extension Site

Construction Noise

Construction of the proposed Extension Site parking garage would temporarily generate noise related to construction activities during the construction period. Specific timing of each construction phase and activity was not available at the time of this analysis, and therefore, the construction-noise evaluation of the Extension Site conservatively assumed that three of the highest noise-generating pieces (i.e., one grader, one dozer, and one backhoe) of equipment could operate simultaneously near each other, generating worst-case construction noise levels during grading. It is estimated that onsite construction-related activities could generate a combined hourly average noise level of approximately 83.3 energy-equivalent noise level (L_{eq}) and a maximum noise level as high as 87.3 maximum noise level (the maximum instantaneous noise level during a specific period) (L_{max}) at 50 feet. Detailed inputs and parameters for the estimated construction noise exposure levels are provided in Appendix C.

The closest off-site receptor to the Extension Site is a commercial/industrial building located approximately 150 feet east of the proposed Extension Site project area in the City of Santa Clara. The closest noise-sensitive receptors to the Extension Site (residential uses) are condominiums located approximately 1,700 feet south of proposed Extension Site in the City of Sunnyvale. Based on the construction noise modeling results, construction activity during the loudest anticipated construction phases (i.e., grading) would result in construction noise levels of 73.8 L_{eq} A-weighted decibels (dBA) and 77.8 L_{max} dBA at the nearest commercial/industrial receptors, 150 feet to the east of the project site, and noise levels of 52.7 L_{eq} dBA and 56.7 L_{max} dBA at the noise-sensitive receptors 1,700 feet south of the project site. As stated above, the City of Santa Clara City Code provides an exemption from regulation for construction-related noise generation that occurs between 7:00 a.m. and 6:00 p.m. Monday to Friday and 9:00 a.m. to 6:00 p.m. on Saturday and prohibits construction-generated noise on Sundays or federal holidays (City of Santa Clara 2020a). The City of Sunnyvale also provides a time-of-day exemption in Section 16.08.030 of the Sunnyvale Municipal Code (i.e., 7:00 a.m. and 6:00 p.m. Monday to Friday, 8:00 a.m. to 5:00 p.m. on Saturday) (City of Sunnyvale 2019b). Because the project would comply with both the City of Santa Clara and the City of Sunnyvale's time-of-day regulations for construction, the project would be considered exempt from regulation of construction-related noise. The project site is an urban area where construction noise is part of the urban noise environment. In addition, ISI has agreed that the construction activities on the Extension Site would also be subject to the same mitigation measures contained within the LSAP (i.e., Mitigation Measure 3.6.4) as described above, further reducing noise. Compliance with City of Santa Clara requirements and adopted mitigation measures would ensure that construction noise levels do not create health impacts (e.g., sleep disturbance during nighttime hours). The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to a construction noise than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or

substantial more severe impacts related to construction noise than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to construction noise the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project. This impact would remain less than significant with implementation of adopted LSAP Update SEIR Mitigation Measure MM 3.6.4.

Operational Noise

The Extension Site parking garage provides parking service to a commercial office land use. Therefore, it is assumed that operation of the parking garage would occur during the daytime hours (7:00 a.m. to 10:00 p.m.) outlined in Santa Clara Municipal Code. The change in the noise environment associated with operation of the project is analyzed assuming 937 net new parking spaces (884 net new spaces on the Extension Site + 33 surface parking spaces on the North Site + 20 spaces on the South Site) to ensure that the worst-case scenario was analyzed. It should be noted that because this represents the worst-case parking scenario as it relates to noise generation, it can be assumed that on typical day, noise levels would be even lower than reported. Parking activity during the peak hour at the proposed Extension Site parking structure would generate noise levels of 61.8 dB L_{eq} at 50 feet. This reference level, as well as the noise levels at the sensitive receptors, were estimated using a parking lot noise calculator based on calculation methods established by the Federal Transit Administration in combination with a peak rate of 756 automobiles per hour for the project as provided in the traffic study prepared for the project (FTA 2018) (Hexagon Transportation Consultants 2023). Detailed inputs and parameters for the estimated operational noise exposure levels are provided in Appendix C. Noise generated by parking activity at the Extension Site parking structure would attenuate to 51.6 dB L_{eq} at the industrial/commercial receptor located 150 feet from the project site in the City of Santa Clara and 30.5 dB L_{eq} at the multiple family residential receptors located 1,700 feet from the project site in the City of Sunnyvale. Therefore, operation of the project would not result in an exceedance of the daytime or nighttime noise standards for commercial land uses in the City of Santa Clara (i.e., 65 dB and 60 dB, respectively), nor would the project result in an exceedance of the daytime or nighttime noise standards for residential land uses in the City of Sunnyvale (i.e., 60 dB and 50 dB, respectively). Compliance with these noise standards would avoid potential health impacts such as sleep disturbance during nighttime hours. Impacts would remain less than significant. The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to operational noise than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to operational noise than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to operational noise the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

b) Generation of excessive groundborne vibration or groundborne noise levels?

LSAP Update SEIR

The LSAP Update SEIR analysis stated that the ISI Project would not result in the long-term operation of any ground vibration-generating sources in close proximity to off-site sensitive receptors and that the types of ground vibration-generating construction and demolition activities that would occur on the ISI Project site would be like other land uses developed in the LSAP plan area. The analysis concluded that because exposure standards for human annoyance and structural damage would not be exceeded at off-site receptors and that the impact would be less than significant.

North Site

Construction of the North Site would not result in changes to construction activity types, duration, equipment type/number, or intensity that would be substantially different or greater than those that were analyzed in the LSAP Update SEIR. Subsequently, construction of the portion of the project on the North Site would be expected to involve similar types of ground vibration–generating construction and demolition activities as was analyzed in the SEIR and would not include any new sources of vibration (i.e. piledriving or blasting). For these reasons, it is not expected that exposure standards for human annoyance and structural damage would be exceeded at off-site receptors. Therefore, the portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to vibration than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to vibration than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to vibration the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Extension Site

Project construction on the Extension Site would not involve the use of ground vibration–intensive activities, such as pile driving or blasting. Pieces of equipment that generate lower levels of ground vibration, such as dozers and pavers, would be used during construction. These types of common construction equipment do not generate substantial levels of ground vibration that could result in structural damage, except at extremely close distances (i.e., within at least 10 feet). The most ground vibration–intensive activity performed during project construction would be use of a large bulldozer. Large bull dozers generate ground vibration levels of 0.089 peak particle velocity (PPV) at 25 feet (FTA 2018). At the nearest receptor, an industrial/commercial building located 150 east of the Extension Site area, vibration levels would be 0.006 PPV. Vibration from this source would not exceed the threshold of significance of 0.08 in/sec PPV for building structural damage and would be below the threshold of human perception of 0.01 inches per second (in/sec) PPV. (Caltrans 2013) Because these values are well below the lowest thresholds for structural damage and human annoyance at 150 feet, it can be reasonably assumed that these values would be even lower at the next nearest receptor 1,700 feet south of the project site. Therefore, construction generated vibration from the Extension Site would not result in the potential for structural damage or human annoyance. Impacts would remain less than significant. The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to vibration than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to vibration than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to vibration the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

- c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

As described in the “Issues Not Discussed Further” section in Section 3.11, “Noise and Vibration,” of the LSAP Update SEIR, the 2016 LSAP EIR concluded that there would be no impact for airport-generated noise because the LSAP boundary is located outside of the Moffett Federal Airfield noise contours, which is the closest airport to the LSAP. The LSAP SEIR Update did not change this conclusion because the boundary expansion, which includes the ISI Project, would not expand into any airport noise contours or result in the exposure of people to excessive a noise levels associated with airport activity. The project would not involve moving the project location of the ISI Project and

the Extension Site is similarly not near an airport. The project would not result in new significant impacts or substantially more severe impacts related to airport noise than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantially more severe impacts related to airport noise than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to airport noise the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Mitigation Measures from LSAP Update EIR

Mitigation Measure MM 3.4.6 was adopted as part of the LSAP EIR to ensure reduction of construction noise. The following adopted mitigation measure referenced in the LSAP EIR and LSAP Update SEIR analysis would continue to be applicable for the North Site if the project was approved. ISI has also agreed to implement this mitigation measure on the Extension Site in a letter dated December 20, 2023 and as included on the project site plans.

Mitigation Measure MM 3.6.4

Subsequent projects in the LSAP shall employ site-specific noise attenuation measures during construction to reduce the generation of construction noise. These measures shall be included in a Noise Control Plan that shall be submitted for review and approval by the City of Sunnyvale Building Services Division. Measures specified in the Noise Control Plan and implemented during construction shall include, at a minimum, the following noise control strategies:

- ▶ Equipment and trucks used for construction shall use the best available noise control techniques (e.g., improved mufflers, equipment redesign, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds;
- ▶ Impact tools (e.g., jack hammers, pavement breakers, and rock drills) used for construction shall be hydraulically or electrically powered wherever possible to avoid noise associated with compressed air exhaust from pneumatically powered tools. Where use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used; this muffler can lower noise levels from the exhaust by up to about 10 dBA. External jackets on the tools themselves shall be used where feasible; this could achieve a reduction of 5 dBA. Quieter procedures, such as use of drills rather than impact tools, shall be used; and
- ▶ Stationary noise sources shall be located as far from adjacent receptors as possible, and they shall be muffled and enclosed within temporary sheds, incorporate insulation barriers, or include other measures.
- ▶ Noise reducing pile-driving techniques shall be employed during Project construction. These techniques shall include:
 - Installing intake and exhaust mufflers on pile-driving equipment;
 - Vibrating piles into place when feasible, and installing shrouds around the pile- driving hammer where feasible;
 - Implement “quiet” pile-driving technology (such as pre-drilling of piles and the use of more than one pile driver to shorten the total pile driving duration), where feasible, in consideration of geotechnical and structural requirements and conditions; - Use cushion blocks to dampen impact noise, if feasible based on soil conditions. Cushion blocks are blocks of material that are used with impact hammer pile drivers. They consist of blocks of material placed atop a piling during installation to minimize noise generated when driving the pile. Materials typically used for cushion blocks include wood, nylon and micarta (a composite material); and - At least 48 hours before pile-driving activities, the applicant shall notify building owners and occupants within 600 feet of the Project area of the dates, hours, and expected duration of such activities.

Conclusion

No new circumstances or project changes related to noise have occurred that would result in new or substantially more severe noise impacts than were identified in the LSAP Update SEIR, nor is there new information of substantial importance that shows the project will have one or more significant effects not previously discussed or that the discussed effects would be substantially more severe or there would be newly feasible mitigation measures or alternatives or substantially different mitigation measures or alternatives that would substantially reduce impacts but that ISI declines to adopt. Therefore, the findings of the certified LSAP Update SEIR remain valid, and no additional analysis is required.

4.14 POPULATION AND HOUSING

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Update Draft and Final SEIR.	Do Project Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Any New Information of Substantial Importance?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
14. Population and Housing. Would the project:					
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through expansion of roads or other infrastructure)?	Draft SEIR Impact 3.12-1	No	No	No	NA, impact would be less than significant
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	Draft SEIR page 3.12-5	No	No	No	Na, there would be no impact.

4.14.1 Discussion

No substantial change in the environmental and regulatory settings related to population and housing described in LSAP EIR Section 3.1, Population and Housing, has occurred since certification of the LSAP EIR. The LSAP approved buildout of 2,323 new residential units and 1,200,000 new net square feet of Office/R&D uses in 2016. The LSAP Update SEIR in 2021 included an additional 3,612 new residential units, for a total LSAP development potential of 5,935 units.

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through expansion of roads or other infrastructure)?

As analyzed in Impact 3.12-1 of the LSAP Update SEIR ISI ProjectProject would not exceed the amount of new office/R&D development identified in the LSAP. The ISI Project would not be anticipated to generate employment opportunities that exceed the planned capacity of the LSAP or induce substantial population growth. The project would not include any increases in the number of employees, density, floor area ratio, or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR. The parking garage would replace the underground parking garage anticipated on the North Site and there would be no change in the total number of parking spaces available for the ISI Project. The project would not result in new significant impacts or substantially more severe impacts related to a population growth than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to population growth than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to population growth the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

The project would consist of a modification for the North Site that would remove the approved underground parking and relocate this parking to a new above-grade parking structure on the Extension Site in the City of Santa Clara. Also included in the project are minor architectural changes to the approved north building and a different geometry for the approved private driveway leading to the loading area and new garage. The Extension Site currently includes a paved surface level parking lot. Therefore, the project would not displace any residences or persons. The project would not include any increases in the number of employees, density, floor area ratio, or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR. The parking garage is intended to replace the underground parking garage anticipated on the North Site. The project would not result in new significant impacts or substantially more severe impacts related to housing than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to housing than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to housing the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Mitigation Measures from LSAP Update EIR

No mitigation measures were needed for the certified LSAP EIR regarding population and housing. No additional mitigation measures are required for the project for this issue.

Conclusion

No new circumstances or project changes related to population and housing have occurred that would result in new or substantially more severe population and housing impacts than were identified in the LSAP Update SEIR, nor is there new information of substantial importance that shows the project will have one or more significant effects not previously discussed or that the discussed effects would be substantially more severe or there would be newly feasible mitigation measures or alternatives or substantially different mitigation measures or alternatives that would substantially reduce impacts but that ISI declines to adopt. Therefore, the findings of the certified LSAP Update SEIR remain valid, and no additional analysis is required.

4.15 PUBLIC SERVICES

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Update Draft and Final SEIR.	Do Project Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Any New Information of Substantial Importance?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
15. Public Services					
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times or other performance objectives for any public services:					
i) Fire protection?	Draft SEIR Impact 3.13-1	No	No	No	NA, impact would be less than significant
ii) Police protection?	Draft SEIR Impact 3.13-1	No	No	No	NA, impact would be less than significant
iii) Schools?	Draft SEIR Impact 3.13-2	No	No	No	NA, impact would be less than significant
iv) Parks?	Draft SEIR Impact 3.13-3	No	See below in Section 4.16, Recreation	See below in Section 4.16, Recreation	See below in Section 4.16, Recreation

4.15.1 Discussion

No significant changes in the environmental setting regarding public services have occurred since release of the LSAP Update Final SEIR that would alter the SEIR impact analysis. The City of Santa Clara is served by the Santa Clara City Fire Department and City of Santa Clara Police Department. Santa Clara Unified School District services schools within the City.

- a) **Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:**

Fire protection?

North Site

The ISI Project would add additional employees to the LSAP area, which may increase fire protection. As discussed in the LSAP Update SEIR the ISI Project would fall within the remaining allowable net new Office/R&D development cap of the adopted LSAP. Therefore, increased demand for public services associated with the ISI Project were accounted for in the LSAP Update SEIR. The project would not include any increases in the number of employees, density, floor area ratio, or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP

Update SEIR. Therefore, the project would not increase demand for fire protection facilities beyond what was analyzed in the LSAP Update SEIR. Therefore, the portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to fire protection than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to fire protection than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to fire protection the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Extension Site

Santa Clara City Fire Department Station 9 is located approximately 0.9 miles east of the project site, at 3011 Corvin Drive. The City's Station 2 is located at 795 Arques Avenue, approximately 0.5 miles northwest of the Extension Site. The project would result in a parking garage on the Extension Site. The proposed parking garage would be built consistent with the Santa Clara Municipal and Fire Code that would reduce fire risk from the project. The portion of the project on the Extension Site would not involve a use that adds new employees requiring fire protection services and would not increase demand for fire protection beyond what was analyzed in the LSAP Update SEIR. As parking structures are intended for parking a car and then leaving the structure they do not require increased fire services. As such, the proposed parking garage would not result in the need for new or expanded fire facilities. Impacts would remain less than significant. The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to fire protection than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to fire protection than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to fire protection the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Police protection?

North Site

The ISI Project would add additional employees to the LSAP area, which may increase police protection. As discussed in the LSAP Update SEIR the ISI Project would fall within the remaining allowable net new Office/R&D development cap of the adopted LSAP. Therefore, increased demand for public services associated with the ISI Project were accounted for in the LSAP EIR. The project would not include any increases in the number of employees, density, floor area ratio, or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR. Therefore, the project would not increase demand for fire protection facilities beyond what was analyzed in the LSAP Update SEIR. Therefore, the portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to police protection than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to police protection than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to police protection the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Extension Site

The nearest police station to the site is the City of Sunnyvale Police Station is located 700 All America Way approximately 2 miles west of the project site. The nearest City of Santa Clara police station is located at 3992 Rivermark Parkway approximately 3 miles northeast of the project site. The project would result in a parking garage on

the Extension Site and would not increase the number of parking spaces for the ISI Project assumed in the LSAP Update SEIR. The project would be constructed consistent with the City of Santa Clara City Code ensuring safety within the parking garage. The project would adhere to Chapter 15.50 of the Santa Clara Municipal Code for uniform building security and access to the garage would include a secure entry point onto the site. As the project would not increase the number of employees for ISI or result in increased population the project would not result in a significant impact to the Santa Clara police department. Therefore, the project would not increase the demand for police protection beyond what was analyzed in the LSAP Update SEIR. Impacts would remain less than significant. The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to police protection than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to police protection than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to police protection the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Schools?

As discussed in the LSAP Update SEIR the ISI Project is a corporate campus development that would fall within the remaining allowable net new Office/R&D development cap of the LSAP. Therefore, the increased demand for public schools was accounted for in the LSAP EIR. As an Office/R&D project the ISI Project would not add students to area school districts, including the Sunnyvale and Santa Clara Unified school districts. However, the project applicant would pay the required school fees in accordance with SB 50.

The project would not include any increases in the number of employees, density, floor area ratio, or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR that would involve student generation. Therefore, the project would not increase demand for school facilities beyond what was analyzed in the LSAP Update SEIR. The project would not result in new significant impacts or substantially more severe impacts related to schools than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to schools than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to schools the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Parks?

See the discussion, below, in Section 4.16, "Recreation."

Mitigation Measures from LSAP Update EIR

No mitigation measures were required for the certified LSAP EIR regarding public services. No additional mitigation measures are required for the project.

Conclusion

No new circumstances or project changes related to public services have occurred that would result in new or substantially more severe public services impacts than were identified in the LSAP Update SEIR, nor is there new information of substantial importance that shows the project will have one or more significant effects not previously discussed or that the discussed effects would be substantially more severe or there would be newly feasible mitigation measures or alternatives or substantially different mitigation measures or alternatives that would substantially reduce impacts but that ISI declines to adopt. Therefore, the findings of the certified LSAP Update SEIR remain valid, and no additional analysis is required.

4.16 RECREATION

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Update Draft and Final SEIR.	Do Project Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Any New Information of Substantial Importance?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
16. Recreation					
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Draft SEIR Impact 3.13-3	No	No	No	NA, impact would be less than significant
b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	Draft SEIR Impact 3.13-3	No	No	No	NA, impact would be less than significant

4.16.1 Discussion

No substantial change in the regulatory settings related to recreation, described in the LSAP Update SEIR Section 3.13, Public Services and Recreation, has occurred since certification of the LSAP Update SEIR.

a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

See item b) below

b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?

North Site

As stated in the LSAP Update SEIR, the ISI Project is a proposed corporate campus development that would fall within the remaining allowable net new Office/R&D development cap of the adopted LSAP. Updates to the North Site would include refinements to the design of the North Site building to ensure consistency with the building on the South Site. The project would not include any increases in the number of employees, density, floor area ratio, or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR. The project would not add dwelling units or additional residents to the LSAP or the surrounding area. Therefore, the project would not have increased impacts on park and recreational facilities. In addition, the ISI Project proposes private onsite open space and recreational facilities for its employees as well as a publicly accessible pedestrian-bicycle path adjacent to the Caltrain right-of-way. Because recreational facilities for employees are already included in the ISI Project, the project would not increase the use of public recreational facilities or necessitate the construction of new or expanded recreational facilities. Therefore, the portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to recreation than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to a recreation than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to recreation the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI

Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Extension Site

The project would include construction, demolition, and landscaping activities for the proposed parking garage on the Extension Site. The project would not include any employment generating uses or add dwelling units or additional residents to the LSAP or the surrounding area. The parking garage would be designed to serve the North Site, of which the impacts are discussed above. Therefore, the project would not have any impacts of park or recreational activities. The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to recreation than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to a recreation than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to recreation the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Mitigation Measures from LSAP Update EIR

No mitigation measures were identified in the certified LSAP Update SEIR regarding recreation, nor are any additional mitigation measures required for the project.

Conclusion

No new circumstances or project changes related to recreation have occurred that would result in new or substantially more severe recreation impacts than were identified in the LSAP Update SEIR, nor is there new information of substantial importance that shows the project will have one or more significant effects not previously discussed or that the discussed effects would be substantially more severe or there would be newly feasible mitigation measures or alternatives or substantially different mitigation measures or alternatives that would substantially reduce impacts but that ISI declines to adopt. Therefore, the findings of the certified LSAP Update SEIR remain valid, and no additional analysis is required.

4.17 TRANSPORTATION

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Update Draft and Final SEIR.	Do Project Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Any New Information of Substantial Importance?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
17. Transportation. Would the project:					
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	Draft SEIR Impacts 3.14.2 through 3.14.4	No	No	No	NA, impact would be less than significant
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	Draft SEIR Impact 3.14-1; Final SEIR identified no change in impact conclusion	No	No	No	NA, impact would be less than significant
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Draft SEIR Impact 3.14.5;	No	No	No	NA, impact would be less than significant with application of the adopted mitigation measures.
d) Result in inadequate emergency access?	Draft SEIR Impact 3.14.6;	No	No	No	NA, impact would be less than significant

4.17.1 Regulatory Setting

The federal, state, and City of Sunnyvale regulatory setting for transportation provided in the certified LSAP Update SEIR remain applicable to this analysis. Below is a discussion of City of Santa Clara transportation provisions.

CITY OF SANTA CLARA TRANSPORTATION ANALYSIS POLICY

The City of Santa Clara Council adopted Resolution No. 20-8861, "Transportation Analysis Policy," on June 23, 2020, establishing VMT as the primary threshold of significance for analysis of transportation impacts under CEQA. This policy includes VMT methodology, baselines, thresholds, and criteria for exempting certain types of projects from VMT analysis.

The Transportation Analysis Policy requires all projects to evaluate and disclose transportation impacts by measuring VMT and establishes level of service (LOS) as an operational measure of intersection efficiency, not required for CEQA (City of Santa Clara 2020b). The following policy requirements related to VMT have been adopted by the City:

1. **Land Use Projects.** For residential and office projects, projects will use the Countywide Average VMT as the baseline with a VMT reduction threshold set at 15 percent below the baseline to identify potential transportation impacts and propose mitigations.
2. **Exemptions.** The requirement to prepare a detailed VMT analysis applies to all projects except the following types as these projects will not result in significant transportation impacts.
 - A. Small Projects (110 daily trips or less).

- B. Retail/Commercial uses (50,000 square feet or less for entire commercial development) that are identified as local serving.
- C. Local serving public projects such as fire stations, neighborhood parks, community centers, and libraries.
- D. Housing projects with 100 percent affordable housing.
- E. Transit Supportive Projects that meet the following requirements:
 - (I) The project is located within 0.5 mile of an existing Major Transit Stop or an existing transit stop along a High Quality Transit Corridor;
 - (II) For Office/R&D projects, a minimum Flood Area Ratio of 0.75;
 - (III) For Residential projects, a minimum density of 35 units/acre;
 - (IV) No excess parking: the project does not include more parking for use by residents, customers, or employees of the project that required by City Code;
 - (V) No loss of affordable dwelling units: the project does not replace affordable residential units with a smaller number of affordable units, and any replacement units are at the same level of affordability.
- 3. **Transportation Projects.** Net increase in VMT greater than the 2035 12.19 VMT per service population target consistent with Santa Clara General Plan Transportation and Mobility.
- 4. **General Plan Amendments.** Net increase in VMT greater than the 2035 12.19 VMT per service population target consistent with Santa Clara General Plan Transportation and Mobility.
- 5. **Change of Use or Additions to Existing Development.** Change of use or additions to existing developments shall be analyzed when the change of land use or addition to existing development results in additional trips in excess of the small project threshold (110 daily trips or less).

4.17.2 Discussion

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

Potential conflicts with public transit, bicycle and pedestrian facilities and uses are addressed in Impacts 3.14-2 (public transit), 3.14-3 (bicycle facilities) and 3.14-4 (pedestrian facilities) of the LSAP Update SEIR.

Public Transit

Diversifying land uses and increasing densities envisioned under the LSAP would support the long-term viability of the Lawrence Caltrain station. This could increase the demand for transit services and related facilities. Caltrain is in the process of implementing the Caltrain Modernization Program (CalMod) which includes electrification and other projects that will upgrade the performance, efficiency, capacity, safety, and reliability of Caltrain’s service. The LSAP Update includes the Lawrence Station Sense of Place Plan. The Lawrence Station Sense of Place Plan requires new development in the area to implement a variety of transit and automobile circulation improvements and develop associated design standards and guidelines. It will result in improving transit connections and circulation to and from the Lawrence Caltrain Station.

As detailed in the LSAP Update SEIR the ISI Project is located within one-half mile of a high-quality transit corridor (VTA Route 20) and is near a major transit stop (i.e., Lawrence Caltrain Station). The ISI Project would include multimodal improvements to increase access to the Lawrence Caltrain Station. The LSAP Update SEIR determined that the ISI Project would increase the demand for transit, but the CalMod project would increase Caltrain capacity to provide more frequent train service at the Lawrence Caltrain Station.

The parking garage proposed by the project would replace the underground parking garage anticipated on the North Site. There would be no change in the total number of parking spaces available for the ISI Project. The project

would not include any increases in the number of employees, density, floor area ratio, or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR that could impact transit services. Impacts to transit facilities would be similar to those analyzed in the LSAP Update SEIR. The project would not result in new significant impacts or substantially more severe impacts related to public transit than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to public transit than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to public transit the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Pedestrian and Bicycle

As identified in the LSAP Update SEIR various bicycle and pedestrian facility improvements would be needed to close the gaps in the existing and planned network. The planned bicycle network would provide a continuous system of Class I and Class II facilities that would allow improved and safe connections throughout the plan area. The LSAP Update includes the Lawrence Station Sense of Place Plan. The Lawrence Station Sense of Place Plan would require new development in the area, including the ISI Project, to implement a variety of pedestrian, bicycle, and automobile circulation improvements and develop associated design standards and guidelines. This would result in improving bicycle, and pedestrian connections and circulation to and from the Lawrence Caltrain Station.

As identified in Impact 3.14-3 of the LSAP Update SEIR the ISI Project would generate bicycle trips. The South Site would include the construction of a publicly accessible Class I shared-use path and private pedestrian and bicycle pathways to increase access to the Lawrence Caltrain Station. The ISI Project would provide crosswalks at all legs of the Commercial Street and Kifer Road intersection and the north, east, and west legs of the proposed signalized driveway and at the intersection of Kifer Road and the private road leading to the North Site and Extension Site. Additional pedestrian facilities included as part of the ISI Project includes a private pedestrian bridge spanning Kifer Road and connecting the North Site to the South Site. The ISI Project would include 60 bicycle spaces on the North Site and 151 bicycle spaces on the South Site. These bicycle and pedestrian facility improvements would not conflict with the requirements of the Lawrence Station Sense of Space Plan.

The parking garage proposed by the project is intended to replace the underground parking garage anticipated on the North Site. There would be no change in the total number of parking spaces available for the ISI Project. Bicycle parking would be provided near the building entrance (short-term) and in the amenity center (long term). The project would not include any increases in the number of employees, density, floor area ratio, or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR. Impacts to bicycle and pedestrian facilities would be similar to those analyzed in the LSAP Update SEIR. The project would not result in new significant impacts or substantially more severe impacts related to pedestrian and bicycle facilities than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to pedestrian and bicycle facilities than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to pedestrian and bicycle facilities the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b), which pertains to vehicle miles travelled?**Introduction**

Pursuant to SB 743, PRC Section 21099, and California Code of Regulations Section 15064.3(a), generally, VMT is the most appropriate measure of transportation impacts and a project's effect on automobile delay shall no longer constitute a significant impact under CEQA. Additionally, on June 30, 2020, Sunnyvale City Council adopted a resolution and Council Policy (Policy 1.2.8, "Transportation Analysis Policy") establishing VMT as the primary threshold of significance for analysis of transportation impacts under CEQA. Policy 1.2.8, "Transportation Analysis Policy" notes that the City of Sunnyvale will retain LOS as an operational measurement of intersection efficiency but reiterates that a project's effect on LOS (i.e., automobile delay) is no longer considered an environmental impact under CEQA. Therefore, the transportation analysis here-in evaluates impacts using VMT and does not include LOS analysis. The LSAP Update SEIR addressed VMT impacts under Impact 3.14-1 and concluded that the LSAP Update would result in no new significant effect to VMT, and the impact is not more severe than what the impact in the 2016 LSAP EIR would have been, if analyzed. The ISI Project analyzed as part of the LSAP Update SEIR was determined to have a less than significant VMT impact because the project would have a FAR that would meet the Sunnyvale screening criteria for office/R&D projects with a FAR ratio of more than 75 percent.

Analysis

The stated purpose of the LSAP is to promote greater use of the existing major transit stop of Lawrence Caltrain Station and guide the development of a diverse neighborhood of employment, residential, retail, other support services and open space. The area covered by the adopted LSAP is generally defined by a one-half-mile radius from the Lawrence Caltrain Station. The LSAP area analyzed in the LSAP Update SEIR, including the ISI Project, would conform to the criteria set forth in Council Policy 1.2.8, "Transportation Analysis Policy," for the presumption of a less than significant VMT impact due to a project's transit supportive nature and its proximity to a high-quality transit corridor and/or major transit stop.

North Site

As analyzed in the LSAP Update SEIR the North Site is within one-half mile of a major transit stop and would not have a significant VMT impact in accordance with the City of Sunnyvale Council Policy 1.2.8. In addition to the requirement for being within one-half mile of a major transit stop the City of Sunnyvale Council Policy 1.2.8 requires that a project meet the following criteria to presume a less than significant VMT impact for a project based on proximity to a major transit stop or high-quality transit corridor:

- ▶ Transit Supportive Projects (office/R&D projects with a floor area ratio of more than 75 percent or a residential project of at least 35 dwelling units/acre) within ½ mile of an existing major bus stop or existing stop along a high-quality transit corridor that meet all of the following requirements:
- ▶ Support the multimodal transportation network by facilitating access to multimodal transportation with improved pedestrian facilities, bike lanes, transit stops; does not harm or hinder access to multimodal transportation.
- ▶ Does not exceed maximum parking requirements or propose higher than what is allowed per the development standards.
- ▶ Is transit oriented in design:
- ▶ has a walkable design that prioritizes pedestrians;
- ▶ is sustainable, and compact;
- ▶ facilitates ease of bicycle use;
- ▶ is focused or centered around transit; and
- ▶ Redevelopment of a site which provides at least as many affordable units as previously existed.

As discussed in the LSAP Update SEIR, the ISI Project would have a FAR of 77 and would meet the Sunnyvale screening criteria for office/R&D projects with a FAR ratio of more than 75 percent. The ISI Project would also include multimodal frontage improvements along both the North and South project site. The ISI Project would provide new multimodal path along the south and west boundaries of the South Site which would then be extended to the Lawrence Caltrain Station with the buildout of the LSAP. Additionally, the ISI Project would provide a free daily shuttle service between the project site and the Lawrence Caltrain Station. There ISI Project does not include housing and therefore would not need to meet the affordable housing requirement. Therefore, the ISI Project would support the multimodal transportation network by facilitating access to multimodal transportation with improved pedestrian facilities and bike lanes consistent with the Sunnyvale criteria for a less than significant VMT impact.

Updates to the North Site would include refinements to the design of the North Site building to ensure consistency with the building on the South Site. The project would not include any changes in the number of employees, density, floor area ratio, or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR that would create new VMT impacts. Therefore, the screening requirements of City of Sunnyvale Council Policy 1.2.8 would be met. The portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to VMT than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to VMT than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to VMT the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid. This impact would remain less than significant.

Extension Site

The Extension Site is within the City of Santa Clara and subject to the City's VMT thresholds. The parking garage proposed by the project is intended to replace the underground parking garage anticipated on the North Site and there would be no change in the total number of parking spaces available for the ISI Project and a slight increase in parking available to existing buildings in Santa Clara that also would use the garage. The project would not include any increases in the number of employees, density, floor area ratio, or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR. The location of the proposed parking garage on the Extension Site would not result in noticeable increase in VMT through the City of Sunnyvale of Santa Clara. The proposed changes to the geometry of the signalized intersection and acceleration/deceleration lane improvements on Central Expressway would not result in any new trips on area roadways. The North Site in the City of Sunnyvale would generate vehicle trips, but not the parking garage itself. Therefore, the project would not generate over 110 daily trips and comply with the City of Santa Clara VMT screening criteria for change of use or additions to existing development of adding 110 daily trips or less. The Extension Site would thus not result in VMT impacts.

The project would conform to the criteria set forth in the City of Santa Clara Transportation Analysis Policy for the presumption of a less than significant VMT impact. The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to VMT than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to VMT than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to VMT the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

c) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The LSAP Update SEIR identified several circulation network improvements to provide improved access through the Plan Area. Extensive bicycle and pedestrian facility enhancements would be implemented, including additional crosswalks, changes in signal timing, and two grade-separated pedestrian/bicycle crossings at the Caltrain tracks as part of the LSAP Update SEIR, including for the ISI Project. All of the proposed improvements would help reduce the potential for pedestrian/bicycle and vehicle conflicts. All roadway and pedestrian/bicycle facilities would be designed in accordance with City of Sunnyvale standards.

As analyzed in the LSAP Update SEIR construction of the North Site would require offsite roadway and intersection improvements, as well as alteration of existing vehicular and multimodal access points the North Site. Construction would occur in the roadway right-of-way and would likely require temporary lane closures. The project would be subject to Mitigation Measure 3.14-7 from the LSAP Update SEIR requiring preparation and implementation of a temporary traffic control plan to reduce temporary construction impacts.

Access to the proposed parking garage would be provided via a signalized intersection at 945 Kifer Road partially within the City of Sunnyvale and partially within the City of Santa Clara, as the border between cities runs through Kifer Road. The project would include changes to the geometry of the signalized intersection to accommodate the proposed private parking garage. Vehicles could also access the proposed parking garage from the existing right-in-right-out ramp intersection on Central Expressway, which has an existing gate that will be removed as part of the project. New gated access to the site and the Kifer Road intersection design would prevent public through traffic from Central Expressway to Kifer Road. Vehicles could also access an existing right-out-only on-ramp onto Central Expressway at Semiconductor Drive, which is located on the neighboring parcel with same ownership in the City of Santa Clara. Vehicles would access this on-ramp at Semiconductor Drive from the project site via an access agreement. The applicant would lengthen the deceleration and acceleration lanes at the Central Expressway driveway ramps due to the new project trip demands on Central Expressway.

The project would comply with LSAP policies regarding site design, which require development under the LSAP to be compatible with their surroundings. Development on the Extension Site for the parking garage would adhere to City of Santa Clara City Code Chapter 18.74 for driveway parking access standards, including sight distance standards. The project would not result in new significant impacts or substantially more severe impacts related to a hazardous design feature than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to a hazardous design feature than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to hazardous design features the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid. This impact would remain less than significant with implementation of adopted LSAP Update SEIR Mitigation Measure 3.14-7.

d) Result in inadequate emergency access?

As determined in the LSAP Update SEIR the ISI Project would provide additional vehicular access points for emergency services. All drive aisles on the ISI Project would be at least 20 feet wide for emergency access. The project would include changes to the geometry of the signalized intersection at 945 Kifer Road, in the City of Sunnyvale, to accommodate the proposed private parking garage. During construction the applicant would implement a construction traffic plan that would ensure no interruption to emergency access in the area during construction in the intersection. The intersection updates would comply with City standards and LSAP policies regarding site design, which require development under the LSAP to be compatible with their surroundings. Site design policies in the LSAP would ensure adequate space and access for emergency vehicles. The Central Expressway deceleration/acceleration lane improvements would comply with Santa Clara County Roads and Airports standards. Additionally, in accordance with City of Santa Clara City Code Section 15.60.150 development on the Extension Site

would be required to adhere to the City's emergency access standards. The project would not result in new significant impacts or substantially more severe impacts related to emergency access than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantially more severe impacts related to emergency access than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to emergency access the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Mitigation Measures from LSAP Update EIR

Mitigation Measure 3.14-7 was adopted as part of the LSAP Update SEIR to require preparation and implementation of a temporary traffic control plan. The following adopted mitigation measure referenced in the LSAP Update SEIR analysis and would continue to be applicable for the North Site if the project was approved. ISI has also agreed to implement this mitigation measure for offsite roadway improvements associated with the Extension Site in a letter dated December 20, 2023 and as included on the project site plans.

Mitigation Measure 3.14-7: Prepare and Implement a Temporary Traffic Control Plan for the ISI Project

Before construction or issuance of building permits, the developer or the construction contractor for the ISI project shall prepare a temporary traffic control plan (TTC) to the satisfaction of the City of Sunnyvale Division of Transportation and Traffic and subject to review by all affected agencies. The TTC shall include all information required on the City of Sunnyvale TTC Checklist and conform to the TTC Guidelines of the City of Sunnyvale. At a minimum, the plan shall include the following elements:

- ▶ provide vicinity map including all streets within the work zone properly labeled with names, posted speed limits and north arrow;
- ▶ provide existing roadway lane and bike lane configuration and sidewalks where applicable including dimensions;
- ▶ description of proposed work zone;
- ▶ description of detours and/or lane closures (pedestrians, bicyclists, vehicular);
- ▶ description of no parking zone or parking restrictions;
- ▶ provide appropriate tapers and lengths, signs, and spacing;
- ▶ provide appropriate channelization devices and spacing;
- ▶ description of buffers;
- ▶ provide work hours/work days;
- ▶ dimensions of above elements and requirements per latest CA—MUTCD Part 6 and City of Sunnyvale's SOP for bike lane closures;
- ▶ provide proposed speed limit changes if applicable;
- ▶ description of bus stops, signalized and non-signalized intersection impacted by the work;
- ▶ show plan to address pedestrians, bicycle and ADA requirement throughout the work zone per CA-MUTCD Part 6 and City of Sunnyvale's SOP for Bike lane closures;
- ▶ indicate if phasing or staging is requested and duration of each;
- ▶ description of trucks, including number and size of trucks per day, expected arrival/departure times, truck circulation patterns;
- ▶ provide all staging areas on the project site; and

- ▶ ensure that the contractor has obtained and read the City of Sunnyvale’s TTC Guidelines and City of Sunnyvale’s SOP for bike lane closures; and
- ▶ ensure traffic impacts are localized and temporary.

Conclusion

No new circumstances or project changes related to transportation have occurred that would result in new or substantially more severe transportation impacts than were identified in the LSAP Update SEIR, nor is there new information of substantial importance that shows the project will have one or more significant effects not previously discussed or that the discussed effects would be substantially more severe or there would be newly feasible mitigation measures or alternatives or substantially different mitigation measures or alternatives that would substantially reduce impacts but that ISI declines to adopt. Therefore, the findings of the certified LSAP Update SEIR remain valid, and no additional analysis is required.

4.18 TRIBAL CULTURAL RESOURCES

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Update Draft and Final SEIR.	Do Project Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Any New Information of Substantial Importance?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
18. Tribal Cultural Resources.					
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	Draft SEIR pages 3.3-4 and 3.3-5	No	No	No	NA, there would be no impact.
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	Draft SEIR pages 3.3-4 and 3.3-5	No	No	No	NA, there would be no impact.

4.18.1 Discussion

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- a) **Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?**

North Site

The project was subject to AB 52 when the LSAP Update SEIR was published. Because no potential tribal cultural resources were identified, the LSAP Update SEIR did not evaluate impacts related to tribal cultural resources as a separate section in the SEIR. Letters were mailed to 12 tribes on January 11, 2019, inviting them to request consultation under AB 52. Two responses were received, but the responding tribes declined consultation and did not have any comments. The LSAP Update SEIR concluded that because the ISI Project site is already developed, it is unlikely that tribal cultural resources are present. Adopted LSAP Mitigation Measure 3.10.2 requires text to be included on project plans regarding the steps to be taken should construction crews discover archaeological resources or human remains during project construction. These steps would also protect previously undiscovered tribal cultural resources during construction, though the presence of tribal cultural resources in the area is unlikely.

Updates to the North Site would include refinements to the design of the North Site building to ensure consistency with the building on the South Site. The project would not include any changes in the number of employees, density,

floor area ratio, or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR. The portion of the project on the North Site would occur within the area as analyzed in the LSAP with a similar project footprint. The North Site contains no recorded archaeological resources and would be subject to adopted LSAP Mitigation Measure MM 3.10.2 to protect unanticipated cultural resources. Therefore, the portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to tribal cultural resources than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to a tribal cultural resource³ than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to tribal cultural resources the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid. This impact would remain less than significant with implementation of adopted LSAP Update SEIR Mitigation Measure MM 3.10.2.

Extension Site

The Extension Site would be located in an area of the City of Santa Clara that is already developed. Therefore, it is unlikely that tribal cultural resources are present on the site. ISI has agreed to implement LSAP Mitigation Measure 3.10.2 on the Extension Site. If unanticipated cultural resources are discovered on the project site and determined to be Native American remains or resources the project would adhere to LSAP Mitigation Measure MM 3.10.2 and state regulations that would require coordination with the NAHC and proper treatment of tribal cultural resources. The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to tribal cultural resources than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to a tribal cultural resource³ than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to tribal cultural resources the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid. This impact would remain less than significant with implementation of adopted LSAP Update SEIR Mitigation Measure MM 3.10.2.

- b) **A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?**

See analysis under item a) above.

Mitigation Measures from LSAP Update EIR

Mitigation Measures MM 3.10.2 was adopted as part of the LSAP EIR to ensure proper treatment of unknown tribal cultural resources. The following adopted mitigation measure referenced in the LSAP EIR and LSAP Update SEIR analysis and would continue to be applicable for the North Site if the project was approved. ISI has agreed to implement these mitigation measures on the Extension Site in a letter dated December 20, 2023 and as included on the project site plans.

Mitigation Measure MM 3.10.2

All subsequent projects within the LSAP plan area shall be required to include information on the improvement plans that if, during the course of grading or construction cultural resources (i.e., prehistoric or historic sites) are discovered, work will stop in that area and within 100 feet of the find until a qualified archaeologist can assess the significance of the find and, if necessary, develop appropriate treatment measures as part of a treatment plan in consultation with the City and all other appropriate agencies. The treatment plan shall include measures to document and protect the discovered resource. Consistent with CEQA Guidelines Section 15126.4 (b)(3), preservation in place will be the preferred method of mitigating impacts to the discovered resource. Pursuant to Government Code Section 6254.10, information on the discovered resource shall be confidential.

Conclusion

No new circumstances or project changes related to tribal cultural resources have occurred that would result in new or substantially more severe tribal cultural resources impacts than were identified in the LSAP Update SEIR, nor is there new information of substantial importance that shows the project will have one or more significant effects not previously discussed or that the discussed effects would be substantially more severe or there would be newly feasible mitigation measures or alternatives or substantially different mitigation measures or alternatives that would substantially reduce impacts but that ISI declines to adopt. Therefore, the findings of the certified LSAP Update SEIR remain valid, and no additional analysis is required.

4.19 UTILITIES AND SERVICE SYSTEMS

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Update Draft and Final SEIR.	Do Project Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Any New Information of Substantial Importance?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
19. Utilities and Service Systems. Would the project:					
a) Require or result in the relocation or construction of construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?	Draft SEIR Impacts 3.15-2, 3.15-4, 3.15-5, and 3.15-7	No	No	No	NA, impact would be less than significant
b) Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	Draft SEIR Impact 3.15-1	No	No	No	NA, impact would be less than significant
c) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has inadequate capacity to serve the project’s projected demand, in addition to the provider’s existing commitments?	Draft SEIR Impacts 3.15-3 and 3.15-4	No	No	No	NA, impact would be less than significant
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	Draft SEIR Impact 3.15-6	No	No	No	NA, impact would be less than significant
e) Fail to comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	Draft SEIR Impact 3.15-6	No	No	No	NA, impact would be less than significant

4.19.1 Discussion

As addressed in the LSAP Update SEIR, the LSAP contributions to water demand and wastewater are anticipated to be accommodated with existing infrastructure facilities. The LSAP Draft EIR acknowledges that there may be some future need to upgrade infrastructure within the LSAP area. The LSAP Update identified the following wastewater facility improvements as part of a sewer impact fee for the area:

- ▶ upsizing of the existing 10-inch vitrified clay pipe (VCP) sewer main in San Zeno Way to a 12-inch PVC sewer main;
- ▶ upsizing of the existing 10-inch VCP sewer main at the intersection of Willow Avenue and Aster Avenue to an 18-inch PVC sewer main; and
- ▶ upsizing of the existing 27-inch VCP sewer main in Lawrence Expressway to a 30-inch PVC sewer main.

The LSAP Update SEIR evaluated the environmental impacts of these improvements and concluded that they would be less than significant.

The environmental effects to electrical and natural gas facilities from the ISI Project were considered in the technical analyses of the LSAP Update SEIR. The LSAP Update SEIR determined that buildout of the LSAP would not specifically trigger the need for off-site energy facility improvements, and no large-scale plan area improvements are anticipated.

Cumulative development in Sunnyvale, including in the LSAP, would result in a net additional water demand of 2,274 acre feet per year (AFY). The LSAP Update WSA identified that the LSAP Update would increase water demand to 1,501 AFY, an increase of 688 AFY over the 813 AFY assumed in the LSAP EIR. The LSAP Update Draft SEIR tables 3.15-3, 3.15-4, and 3.15-5 identify LSAP Update water demands as well as the proposed Downtown Specific Plan Amendment Project water demands on City water supplies under normal, single dry, multiple dry year conditions between 2020 and 2040. Under all scenarios, the City has adequate water supply to accommodate the increase in demand from the LSAP Update. The ISI Project falls within the remaining allowable net new Office/R&D development cap of the LSAP and therefore the LSAP Update SEIR determined there is sufficient water to supply to serve the ISI Project.

The LSAP Update SEIR identified an additional increase of 0.96 million gallons per day of wastewater flows from the LSAP Update, including the ISI Project, in daily flows to the Water Pollution Control Master Plan that would still be well below permitted capacity (LSAP Update Draft SEIR page 3.15-23). Further, compliance with water conservation efforts (e.g., General Plan Policy EM-2.1 and CAP Measure WC-2) would help reduce indoor water use and the amount of wastewater requiring treatment. In the LSAP Draft EIR, the City identified that wastewater flows actually declined from 2006-2015, representing a 10 year trend despite increases in population and an influx of daytime workers.

The LSAP Update SEIR determined that because development of the ISI Project would fall within the remaining allowable net new Office/R&D in the LSAP development of the ISI Project would not exceed the disposal of 19.6 tons per day or 32,500 cubic yards per year estimated for the LSAP.

The City's NPDES permit was updated in February 2020; effluent amount and requirements are regulated by the San Francisco Bay Regional Water Quality Control Board under Order No. R2-2020-0002 (NPDES permit number CA0037621). The permitted values contained in the new permit are similar to those in the prior permit which expired in 2019.

Water service in the City of Santa Clara is provided by the City of Santa Clara Department of Water and Sewer Utilities. The City obtains water from Valley Water, Hetch Hetchy, groundwater, and recycled water. Santa Clara operates 26 wells that provide water from underground aquifers resulting in 60 percent of the City's potable water supply. The water recharge program from local reservoirs, plus imported water enhance the dependability of the underground aquifer system. The remaining supply is imported water. . The City of Santa Clara maintains a municipal storm drainage system that eventually discharges to the Guadalupe River and into the San Francisco Bay.

- a) Require or result in the relocation or construction of construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?**

Wastewater and Water Treatment Facilities

The project would remove the approved underground parking on the North Site and relocate this parking to a new above-grade parking structure on the adjacent site to the east, include minor architectural changes to the approved north building, lengthen acceleration/deceleration lanes on Central Expressway, and have a different geometry for the approved private driveway leading to the loading area and new garage. The project would not result in any changes in the floor area ratio, or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR that would trigger new utility infrastructure impacts. The proposed parking garage in the City of Santa Clara would require minimal water to maintain landscaping, including the proposed trees to be planted on the Extension Site. Landscaping would include drought tolerant plants with water-efficient landscaping and irrigation. The parking garage would not increase impervious surfaces and is not a use that generates wastewater (i.e., would not contain bathrooms). As the water and wastewater anticipated for the project in the City of Santa Clara would be minimal the City would have sufficient infrastructure to serve the project. Construction or expansion of existing water and wastewater system would not be required. Therefore, the project would not increase demand for wastewater or water treatment beyond what was analyzed in the LSAP Update SEIR. The environmental effects of

construction and operation of water and wastewater facilities as part of the ISI Project have been considered in the technical analyses of the LSAP Update SEIR and the infrastructure impact study prepared for the ISI Project that determined no new construction of waste and wastewater facilities would be needed. As included in the study the ISI Project would not require expansion of storm drain systems, sanitary sewer system, and potable water system. .

Electrical and Natural Gas Facilities

North Site

PG&E currently provides electrical and natural gas services to Sunnyvale and would continue to provide these services to future development resulting from projects developed in the LSAP. In addition to PG&E the City of Sunnyvale is a member of SVCE, which serves as the CCA for its member jurisdictions. SVCE works in partnership with PG&E to deliver low-GHG electricity to customers within its member jurisdictions. Consistent with state law, all electricity customers in the city of Sunnyvale were automatically enrolled in SVCE; however, customers can choose to opt out and be served by PG&E. PG&E supplies natural gas service to the City of Sunnyvale through state-regulated public utility contracts. PG&E is required by the California Public Utilities Commission (CPUC) to update the existing systems to meet any additional demand. PG&E builds new infrastructure on an as-needed basis.

The project would remove the approved underground parking on the North Site and relocate this parking to a new above-grade parking structure on an adjacent site to the east, include minor architectural changes to the approved north building, and a different geometry for the approved private driveway leading to the loading area and new garage. The project would not result in any increases in the number of employees, density, floor area ratio, or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR. Because the project would relocate the previously approved parking to an adjacent site in the City of Santa Clara electrical services from SVP would be reduced as compared to the LSAP SEIR. The project would not increase demand for electrical facilities and would not use natural gas. Therefore, the portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to new utilities than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to new utilities than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to new utilities the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Extension Site

SVP provides electricity services to the City of Santa Clara and natural gas is provided by PG&E. PG&E and SVP are required by the California PUC to update the existing systems to meet any additional demand. The project would include a parking garage in the City of Santa Clara. The parking garage would require electricity for lighting and electric vehicle charging, as analyzed in Section 4.6, "Energy." The Extension Site would connect to existing electrical distribution facilities available at the site and would not require new or expanded electrical facilities. As discussed in Section 4.6, "Energy, the Extension Site would require minimal energy and would not result in a wasteful or inefficient use of energy that might require new or expanded facilities. Impacts would remain less than significant. The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to new utilities than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to new utilities than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to new utilities the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Stormwater Drainage Facilities

See analysis under 3.10, "Hydrology and Water Quality," for a discussion of storm drainage impacts. The project includes on-site drainage improvements such as biotreatment ponds and flow through planters (see project design plans– sheets C4-200A through C4-200B and C4-500 through C4-601, Appendix A). The project applicant completed a preliminary Stormwater Management Plan for the Extension Site project that outlines the drainage areas and proposed treatment control measures. The project would not cause an increase in stormwater from the project site and no offsite drainage improvements are proposed for the project. Therefore, no impact would occur in this regard. The project would not result in new significant impacts or substantially more severe impacts related to stormwater drainage than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to stormwater drainage than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to stormwater drainage the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

b) Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?**North Site**

The project would remove the approved underground parking on the North Site and relocate this parking to a new above-grade parking structure on an adjacent site to the east in Santa Clara. Therefore, the project would not result in any changes in the number of employees, density, floor area ratio, or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR that would create additional water supply demand. Therefore, the portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to water supply than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to water supply than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to water supply the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid. This impact would remain less than significant.

Extension Site

The City of Santa Clara updated their Urban Water Management Plan (UWMP) in 2020, which estimates sufficient water supply to meet demand in the City through 2045 during normal, single dry, and multiple dry years that could accommodate the Extension Site (City of Santa Clara 2021). The proposed parking garage would have minimal water demand, with water needed just for landscaping. The incremental increase in water demand from the portion of the project on the Extension Site would be within the water demand anticipated for permitted development on the 2900 Semiconductor site. Therefore, there would be sufficient supply available to serve the parking garage. Impacts would remain less than significant. The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to water supply than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to water supply than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to water supply the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found

to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

- c) Result in a determination by the wastewater treatment provider that serves or may serve the project that it has inadequate capacity to serve the project’s projected demand, in addition to the provider’s existing commitments?**

North Site

The project would relocate the approved underground parking on the North Site to a new above-grade parking structure on an adjacent site to the east. The project would not result in any changes in the number of employees, density, floor area ratio, or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR that would create additional wastewater treatment capacity demand. Therefore, the portion of the project on the North Site would not result in new significant impacts or substantially more severe impacts related to wastewater than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to wastewater than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to wastewater the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid. This impact would remain less than significant.

Extension Site

The proposed parking garage would not generate wastewater. There would be no impacts to wastewater in the City of Santa Clara. The portion of the project on the Extension Site would not result in new significant impacts or substantially more severe impacts related to wastewater than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to wastewater than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to wastewater the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

- d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?**

The project would relocate the approved underground parking on the North Site to a new above-grade parking structure on an adjacent site to the east. Construction of the above ground parking garage would not alter construction solid waste or disposal in landfills as the parking garage would be of a similar size as previously proposed and would require excavation for undergrounding. The project would not result in any changes in the number of employees, density, floor area ratio, or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR that would generate additional solid waste. Solid waste generation from development of the parking garage on the Extension Site would be minimal and was accounted for as part of the overall ISI Project since the parking garage would be similar in size to the garage previously assumed. The project would comply with the City of Santa Clara construction debris diversion ordinance and state diversion requirements of AB 341 to reduce solid waste. Santa Clara has capacity for the minimal waste that would be generated by the proposed parking garage on the Extension Site and would meet solid waste reduction goals. The project would not result in new significant impacts or substantially more severe impacts related to solid waste than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to solid waste than were identified for the ISI Project in the LSAP Update

SEIR, and no new information shows that as to solid waste the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

e) Fail to comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

As discussed in Impact 3.11.7.2, Sunnyvale had a waste diversion rate of 66 percent as of 2011, and under current methods for tracking progress with AB 939, the per capita disposal rates are less than the targets. The City has developed its Zero Waste Strategic Plan, intended to identify the new policies, programs, and infrastructure that are intended to move the City toward its Zero Waste goals of 75 percent diversion by 2020 and 90 percent diversion by 2030. According to the latest Sunnyvale Materials Recovery and Transfer Station (SMaRT Station) report from 2018-2019, approximately 67,734 pounds (lbs) out of 149,245 lbs of solid waste from Sunnyvale residents was diverted from landfills, which represents a diversion rate of approximately 60 percent (City of Sunnyvale 2020). Additionally, the City of Sunnyvale committed to the waste reduction programs, plans, and policies that would apply to new development in the LSAP.

The City of Santa Clara requires applicants seeking construction or demolition permits for projects greater than 5,000 square feet to track and divert a minimum of 65 percent of construction waste through their Construction and Demolition Debris Ordinance. Additionally, in compliance with SB 1383, the City recycles 75 percent of organics.

The project would remove the approved underground parking on the North Site and relocate this parking to a new above-grade parking structure on an adjacent site to the east. Therefore, the project would not result in any changes in the number of employees, density, floor area ratio, or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR would generate additional solid waste. The portion of the project on the Extension Site would be required to adhere to the City of Santa Clara's recycling and reuse of materials ordinances to reduce landfill disposal. The project would not result in new significant impacts or substantially more severe impacts related to solid waste than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts related to solid waste than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to solid waste the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

Mitigation Measures from LSAP Update EIR

No mitigation measures were identified in the certified LSAP EIR and LSAP Update SEIR regarding utilities or energy, nor are any additional mitigation measures required for the project.

Conclusion

No new circumstances or project changes related to utilities and service systems have occurred that would result in new or substantially more severe utilities and service systems impacts than were identified in the LSAP Update SEIR, nor is there new information of substantial importance that shows the project will have one or more significant effects not previously discussed or that the discussed effects would be substantially more severe or there would be newly feasible mitigation measures or alternatives or substantially different mitigation measures or alternatives that would substantially reduce impacts but that ISI declines to adopt. Therefore, the findings of the certified LSAP Update SEIR remain valid, and no additional analysis is required.

4.20 WILDFIRE

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Update Draft and Final SEIR.	Do Project Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Any New Information of Substantial Importance?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
20. Wildfire.					
Is the project located in or near state responsibility areas or lands classified as high fire hazard severity zones?					
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:					
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	Draft SEIR Section 1.3.3	No	No	No	NA, there would be no impact
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	Draft SEIR Section 1.3.3	No	No	No	NA, there would be no impact
c) Require the installation of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	Draft SEIR Section 1.3.3	No	No	No	NA, there would be no impact
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	Draft SEIR Section 1.3.3	No	No	No	NA, there would be no impact

4.20.1 Discussion

The LSAP Update SEIR analyzed wildfire impacts in Section 1.3, “Effects Found Not to be Significant.” As described on page 1-3 of the Draft SEIR, No Fire Hazard Severity Zones, state responsibility areas, Very High Fire Hazard Severity Zones, or local responsibility areas are located in or adjacent to Sunnyvale. Given that the city is urbanized and not adjacent to large areas of open space or agricultural lands that are subject to wildland fire hazards, no impacts associated with exposure to wildland fire would occur.

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

See Section 4.9, “Hazards and Hazardous Materials,” item f).

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

As described on page 1-3 of the LSAP Draft SEIR, No Fire Hazard Severity Zones, state responsibility areas, Very High Fire Hazard Severity Zones, or local responsibility areas are located in or adjacent to Sunnyvale. Given that the city of Sunnyvale and city of Santa Clara is urbanized and not adjacent to large areas of open space or agricultural lands that are subject to wildland fire hazards, no impacts associated with exposure to wildland fire would occur.

The project site, including the North Site and Extension Site, is surrounded by urbanized uses and would not be subject to wildland fire risks. No impact would occur for the North Site and Extension Site. The project would not result in new significant impacts or substantially more severe impacts related to wildfire than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantially more severe impacts related to wildfire than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that as to wildfire the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

- c) **Require the installation of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?**

See analysis for item b) above.

- d) **Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

See Section 4.9, "Hazards and Hazardous Materials," item g).

Mitigation Measures from LSAP Update EIR

No mitigation measures were identified in the certified LSAP EIR and LSAP Update SEIR regarding wildfire, nor are any additional mitigation measures required for the project.

Conclusion

No new circumstances or project changes related to wildfire have occurred that would result in new or substantially more severe wildfire shows the project will have one or more significant effects not previously discussed or that the discussed effects would be substantially more severe or there would be newly feasible mitigation measures or alternatives or substantially different mitigation measures or alternatives that would substantially reduce impacts but that ISI declines to adopt. Therefore, the findings of the certified LSAP Update SEIR remain valid, and no additional analysis is required.

4.21 MANDATORY FINDINGS OF SIGNIFICANCE

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Update Draft and Final SEIR.	Do Project Changes Involve New or Substantially More Severe Significant Impacts?	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Any New Information of Substantial Importance?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
21. Mandatory Findings of Significance.					
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare or threatened species or eliminate important examples of the major periods of California history or prehistory?	Draft SEIR Section 3.3, Cultural and Tribal Cultural Resources, and Section 3.4, Biological Resources	No	No	No	Yes, impacts would remain less than significant with the application of the adopted mitigation measures.
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when view in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	Draft SEIR pages 4-21 and 4-22; Impact 4-22	No	No	No	Yes, impacts would remain less than significant with the application of the adopted mitigation measure except for Impact 4-3 (Cumulative Air Quality) and Impact 4-22 (Cumulative Wastewater Service Impacts) that would remain cumulatively considerable and significant and unavoidable. The project would not make a cumulatively considerable contribution to these impacts.
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	Draft SEIR Sections 3.2, Air Quality; 3.8, Hazards and Hazardous Substances; and 3.11, Noise and Vibration	No	No	No	Yes, impacts would remain less than significant with the application of the adopted mitigation measure, but for air quality as the LSAP Update SEIR impact would remain significant and unavoidable for construction and less than significant for operation.

CONCLUSION

The project site is developed and the project would not degrade the quality of the environment for biological resources or eliminate examples of California history or prehistory.

The LSAP Update SEIR identified significant cumulative impacts to construction air quality emissions. As discussed in Section 4.3, the project would result in slightly reduced construction emissions as compared to development on the North Site analyzed in the LSAP Update SEIR because the project would not include emissions associated with hauling materials for the underground parking garage. However, the project's contribution to emissions would remain cumulatively considerable as concluded in the LSAP Update SEIR. The LSAP Update SEIR identified a new cumulatively considerable and significant and unavoidable impact associated with cumulative wastewater services. The LSAP Update SEIR specified that there would not be sufficient planned capacity at the Donald M. Somers Water Pollution Control Plan (WPCP) to treat wastewater generated by the ISI Project due to a net increase in wastewater from all the development that would be implemented under the LSAP Update. Updates to the North Site would include refinements to the design of the North Site building to ensure consistency with the building on the South Site. The project would not include any increases in the number of employees, density, floor area ratio, or square footage of buildings approved by the ISI Special Development Permit and analyzed in the LSAP Update SEIR that would create additional wastewater demand. The North Site updates would therefore not result in the generation of additional wastewater beyond what was already analyzed in the LSAP Update SEIR. Development on the Extension Site, furthermore, would include construction, demolition, and landscaping activities for the proposed above-ground parking garage. The proposed parking garage would not generate wastewater. Therefore, the project would not generate additional need for wastewater treatment beyond what was analyzed in the LSAP Update SEIR. All approved mitigation in the LSAP Update SEIR would continue to be implemented with the proposed project, as indicated in this checklist.

The project's contribution to other environmental issue areas discussed in this checklist would remain less than cumulatively considerable because the project would not include any changes in the number of employees, density, floor area ratio, or square footage of buildings approved by the ISI Special Development Permit as analyzed in the LSAP Update SEIR.

Impacts to human beings from projects are associated with many of the areas analyzed pursuant to Appendix G of the CEQA Guidelines, including air quality, climate change, hazards and hazardous materials, geology and soils, noise, traffic safety, water quality, and wildfires. With the implementation of applicable mitigation measures for air quality, hazardous materials, and noise the project would not result in a new or substantially more severe adverse effect on human beings from impacts disclosed for the ISI Project in the LSAP Update SEIR and would not alter the conclusions for the ISI Project in the LSAP Update SEIR. Therefore, the project would not result in new significant impacts or substantially more severe impacts than were identified for the ISI Project in the LSAP Update SEIR, no changes in circumstances would result in new or substantial more severe impacts than were identified for the ISI Project in the LSAP Update SEIR, and no new information shows that the project would have one or more significant effects not discussed in the LSAP Update SEIR for the ISI Project, significant effects previously examined would be substantially more severe than shown in the LSAP Update SEIR for the ISI Project, or that there would be feasible mitigation measures or alternatives that were previously found to be infeasible or that are considerably different than measures in the LSAP Update SEIR for the ISI Project that reduce impacts but that ISI declines to adopt. The findings of the LSAP Update SEIR for the ISI Project remain valid.

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5 LIST OF PREPARERS

5.1 LIST OF PREPARERS

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