EXHIBIT - A

City of Sunnyvale

800 Carlisle Way Well and Water Tank Project

Significant Environmental Effects, Findings of Fact, Mitigation Measures, Monitoring Program, and Statement of Overriding Considerations

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I. Introduction

The purpose of these findings is to satisfy the requirements of Sections 15091, 15092, and 15093 of the California Environmental Quality Act (CEQA) Guidelines, associated with approval of the 800 Carlisle Way Well & Water Tank Project ("Project").

The CEQA Statutes (California Public Resources Code [PRC] Sections 21000, et seq.) and Guidelines (California Code of Regulations Sections 15000, et seq.) state that if it has been determined that a project may or will have significant impacts on the environment, then an environmental impact report (EIR) must be prepared. Prior to approval of the project, the EIR must be certified pursuant to CEQA Guidelines Section 15090. When an EIR has been certified that identifies one or more significant environmental impacts, the approving agency must make one or more of the following findings, accompanied by a brief explanation of the rationale, pursuant to CEQA Guidelines Section 15091(a), for each identified significant impact:

1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.
2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.
3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the EIR.

CEQA Guidelines Section 15092 states that after consideration of an EIR, and in conjunction with making the Section 15091 findings identified above, the lead agency may decide whether or how to approve or carry out the project. A project that would result in a significant environmental impact cannot be approved if feasible mitigation measures or feasible alternatives can avoid or substantially lessen the impact. However, in the absence of feasible mitigation, an agency may approve a project with significant and unavoidable impacts, if there are specific economic, legal, social, technological, or other considerations that outweigh the unavoidable adverse environmental effects. Section 15093 requires the lead agency to document and substantiate any such determination in a "statement of overriding considerations" as a part of the record.

The requirements of Sections 15091, 15092, and 15093 (as summarized above) are all addressed herein. This document summarizes the findings of fact and statement of overriding considerations authorized by those provisions of the CEQA Guidelines.

II. Project Description

The approximately 0.77-acre Project site is located on the southeast corner of Lillian Avenue and Carlisle Way at 800 Carlisle Way in the City of Sunnyvale. The Project site is bound by Panama Park to the west, Carlisle Way to the north, and residential developments to the south and east.

The Project site was formerly used as a groundwater extraction site for California Water Service (Cal Water) to provide potable water to their Los Altos Suburban service district (which includes portions of Sunnyvale). The site consisted of a water well and associated chemical storage buildings, a cellular communication tower, booster pump, and a 50,000-gallon water storage tank. In 2016, the water well on-site was decommissioned and is no longer functional. The water tank was also removed in 2016. The chemical storage buildings – though unused – remain on-site. The cellular communication tower was removed by the cellular service provider under a separate project application in January 2025.

To provide water supply reliability and meet current customer water supply demands, Cal Water is proposing to reactivate the site as a groundwater extraction site by constructing a replacement well and associated improvements to accommodate future water demands.

The Project would demolish the existing chemical storage buildings, electrical control panel, and connection to the existing water main on-site. After demolition, the Project would install a replacement groundwater well and construct a new, approximately 56,000-gallon steel water storage tank, three chemical storage enclosures, and several utility and right-of-way improvements, including a new discharge pipeline. The Project would also include a diesel-powered emergency generator with a sound attenuation enclosure and comply with the City's Bird Safe Building Design Guidelines. Emergency lighting would also be installed on-site; however, it would be reserved for emergency situations where repair work is required at night.

III. Project Objectives

Pursuant to CEQA Guidelines Section 15124(b), the EIR must identify the objectives sought by the project. As shown in Section 2.3 Project Objectives of the Draft EIR for the Project, the specific project objectives of the applicant for this Project are to:

1. **Replace a critical Cal Water supply well that was previously destroyed on-site due to its age.** Santa Clara Valley Water District (Valley Water) is planning a 10-year Pipeline Inspection and Rehabilitation project that will take significant portions of its supply system down over a phased period. These planned shutdowns started in 2021 and are expected to extend until 2028. During the Valley Water project, Cal Water expects interruptions to the supply system between 2023 to 2026. These interruptions in supply would remove the emergency supply for Cal Water, and would increase the risk of supply shortfalls if an emergency or a break in a mainline were to occur.

   This well would provide potable water to Cal Water's Los Altos Suburban service district which encompasses the City of Los Altos and portions of Cupertino, Los Altos Hills, Mountain View, Sunnyvale, and adjacent unincorporated areas of Santa Clara County. The service district delivers potable water to approximately 18,000 service connections (approximately 2,000 of which are located in Sunnyvale) and a population of approximately 70,000 customers. Acquiring new property in the Los Altos Suburban service district (within the cities of Sunnyvale and Los Altos) is difficult, therefore, constructing the replacement well on a property that Cal Water already owns is preferable. In addition, the former well on-site produced good yields and the site is already connected to Cal Water's existing distribution system infrastructure. Therefore, drilling and installing a replacement well on-site is an expeditious and cost-effective solution to adding additional water supply to the Los Altos Suburban service district.

2. **Upgrade Cal Water's aged infrastructure in the Los Altos Suburban service district with a new well and water tank to maximize and improve the reliability of the water supply in the area.** Of the 20 groundwater wells operated by Cal Water in the Los Altos Suburban service district, 16 were installed before 1970 and are near the end of their anticipated service life. Aging infrastructure is at a higher risk to experience potential failures, including water quality issues, mechanical equipment failure, or structural issues in the well.

3. **Address potential drought emergency in the County of Santa Clara by generating an additional source of groundwater.**

4. **Address fire risk in the area generating an additional source of groundwater in the area that can be used in emergency scenarios.**

IV. The CEQA Process

Based on the nature and scope of the Project, the City of Sunnyvale determined, based on substantial evidence, that the Project may have a significant effect on the environment and prepared an EIR for the Project. The EIR (State Clearinghouse No. 2023020080) was prepared, noticed, published, circulated, reviewed, and completed in full compliance with CEQA (PRC Sections 21000 et seq.) and the CEQA Guidelines (14 California Code of Regulations Sections 15000 et. seq.), and noticing and opportunities for public comment were provided as follows:

A. A Notice of Preparation (NOP) was prepared and circulated on February 3, 2023, for the minimum 30-day period of public and agency comment. The NOP was submitted to the State Clearinghouse and Santa Clara County Clerk-Recorder. The NOP was sent to responsible and trustee agencies during the 30-day public comment period.
B. A public scoping meeting to receive comments regarding the issues to be covered in the EIR was held on February 16, 2023. The meeting was held virtually, and can be accessed at the following link: https://www.youtube.com/live/OTR2c_b0Kuw?si=47CWVQ3P6hah3nd6.
C. Following the publication of the original NOP on February 3, 2023, the dimensions of the proposed water tank were changed from 33 feet in diameter and 12 feet in height to 21 feet in diameter and 24 feet in height. This change was disclosed in a Recirculated NOP, which circulated on March 14, 2025, for the minimum 30-day period of public and agency comment.
D. A Notice of Completion and copies of the Draft EIR were distributed to the State Clearinghouse on May 15, 2025, to those public agencies that have jurisdiction by law with respect to the Project or which exercise authority over resources that may be affected by the Project, and to other interested parties and agencies as required by law.
E. A Notice of Availability of Draft EIR was published on the City's website (https://www.sunnyvale.ca.gov/business-and-development/projects-in-

sunnyvale/development-projects/carlisle-well-and-water-tank) and in the Sunnyvale Sun, a newspaper of general circulation in Sunnyvale, on May 9, 2025. It was also mailed to project-area residents and other members of the public who had indicated interest in the Project. Copies of the Draft EIR were made available on the City's website (https://www.sunnyvale.ca.gov/business-and-development/projects-in-sunnyvale/development-projects/carlisle-well-and-water-tank) and at the City of Sunnyvale Library (located at 665 West Olive Avenue), City of Sunnyvale One-Stop Permit Center (located at 456 West Olive Avenue), and City of Sunnyvale Community Center (located at 550 East Remington Drive).

F. The public comment period on the Draft EIR began on May 15, 2025, and concluded on June 30, 2025.
G. On June 23, 2025, the City of Sunnyvale held a Planning Commission meeting to present an overview of the Project, summarize the potential environmental impacts identified in the Draft EIR, and to receive comments from members of the Planning Commission and the public on the information and analysis included in the Draft EIR.
H. On February 6, 2026, the City published the Final EIR, which includes responses to all comments received during the Draft EIR public comment period, as well as revisions to the Draft EIR.
I. Pursuant to CEQA Guidelines Section15088(b), a written response was provided to each public agency on comments made by that public agency on April XX, 2026.
J. On March 9, 2026, the Planning Commission conducted a duly and properly noticed public hearing on the Project and the EIR and recommended that the City Council certify the EIR and adopt the required findings under CEQA and approve the Project.

V. Record of Proceedings

In accordance with PRC Section 21167.6, subdivision (e), the record of proceedings for the City's decision on the Project includes the following documents, which are incorporated by reference and made part of the record supporting these findings:

- The application package, and all attachments and supplemental information thereto.
- City staff reports and all attachments;
- The Draft EIR and all appendices to the Draft EIR;

- The Final EIR and appendix to the Final EIR, including comments submitted by agencies and members of the public during the comment period of the Draft EIR;
- All comments submitted by agencies and members of the public during the comment period on the original and recirculated Notice of Preparation;
- All notices required by CEQA and presentation materials related to the Project;
- All studies conducted for the Project and contained or referenced in the Draft EIR and the Final EIR;
- All documents cited or referenced in the Draft EIR and the Final EIR;
- All public reports and documents related to the Project prepared for City and other agencies;
- All documentary and oral evidence received and reviewed at public hearings and all transcripts and minutes of those hearings related to the Project, the Draft EIR, and the Final EIR;
- All other documents related to the Project;
- The Mitigation Monitoring and Reporting Program (MMRP) for the Project; and
- Any additional items not included above if otherwise required by law.

The documents constituting the record of proceedings are available for review by responsible agencies and interested members of the public during normal business hours at the City of Sunnyvale One-Stop Permit Center at 456 W. Olive Avenue, Sunnyvale, CA 94086.

The EIR is comprised of the Draft EIR together with the Final EIR and is incorporated into these findings in its entirety, unless and only to the extent these findings expressly do not incorporate by reference the EIR. The EIR is posted on the City's website at: https://www.sunnyvale.ca.gov/business-and-development/projects-in-sunnyvale/development-projects/carlisle-well-and-water-tank. Hard copies are also available at the City of Sunnyvale Library (located at 665 West Olive Avenue), City of Sunnyvale One-Stop Permit Center (located at 456 West Olive Avenue), and City of Sunnyvale Community Center (located at 550 East Remington Drive) during normal business hours. Without limitation, this incorporation is intended to elaborate on the scope and nature of mitigation measures, the basis for determining the significance of impacts, the comparative analysis of alternatives, and the reasons for approving the Project in spite of the potential for associated significant and unavoidable adverse physical environmental impacts.

VI. Findings Required Under CEQA

The City Council certifies that the EIR has been completed in compliance with CEQA and that it was presented to, and reviewed and considered by, the City Council prior to acting on the Project. In so certifying, the City Council recognizes that there may be differences in and among the different sources of information and opinions offered in the documents and testimony that make up the EIR and the administrative record; that experts disagree; and that the City Council must base its decision and these findings on the substantial evidence in the record that it finds most compelling. Therefore, by these findings, the City Council ratifies, clarifies, and/or makes insignificant modifications to the EIR and resolves that these findings shall control and are determinative of the significant impacts of the Project.

The mitigation measures proposed in the EIR are adopted in this Exhibit A, substantially in the form proposed in the EIR, with such clarifications and non-substantive modifications as the City Council has deemed appropriate to implement the mitigation measures. Further, the mitigation measures adopted in this Exhibit A are expressly incorporated into the Project pursuant to the adopted conditions of approval.

The findings and determinations in this Exhibit A are to be considered as an integrated whole and, whether or not any subdivision of this Exhibit A fails to cross-reference or incorporate by reference any other subdivision of this Exhibit A, that any finding or determination required or permitted to be made shall be deemed made if it appears in any portion of this document. All of the text included in this document constitutes findings and determinations, whether or not any particular caption sentence or clause includes a statement to that effect.

Each finding herein is based on the entire record. The omission of any relevant fact from the summary discussions below is not an indication that a particular finding is not based in part on the omitted fact.

Many of the mitigation measures imposed or adopted pursuant to this Exhibit A to mitigate the environmental impacts identified in the administrative record may have the effect of mitigating multiple impacts (e.g., conditions imposed primarily to mitigate air quality impacts may also secondarily mitigate greenhouse gas emission impacts, etc.). The City Council has not attempted to exhaustively cross-reference all potential impacts mitigated by the imposition of a particular mitigation measure; however, such failure to cross-reference shall not be construed as a limitation on the potential scope or effect of any such mitigation measure.

VII. Impacts, Mitigation Measures and Findings

In conformance with Section 15091 of the State CEQA Guidelines, this section of the findings lists each significant environmental effect of the Project listed in the EIR (including those identified in the Initial Study included as Draft EIR Appendix A); describes those mitigation measures recommended in the EIR; and, as required by Section 15091(a), finds that either the adopted mitigation measures have substantially lessened the significant effect or that specific considerations make infeasible the mitigation measures identified in the EIR.

All feasible mitigation measures listed and described below have been incorporated into the MMRP. Compliance with the MMRP is a condition of approval of the Project and the construction of the Project will incorporate all conditions contained in the MMRP.

A. Significant and Unavoidable Impact

Construction of the replacement groundwater well would require 24-hour drilling, including work outside normal construction hours. With respect to the foregoing findings and in recognition of those facts that are included in the record, the City has determined that the Project will result in a significant and unavoidable impact related to temporary nighttime construction noise that would occur outside allowed construction hours, even with implementation of all feasible mitigation measures.

1. **<u>Noise</u>**

NOI-1

Impact: The Project (specifically the Project construction drilling phase occurring during the nighttime outside the allowed construction hours) would result in 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, even with mitigation incorporated.

Mitigation:

MM NOI-1.1: Installation of Acoustic Barriers: During drilling activities on-site, the Project shall install the following acoustic barriers (the installation of which shall take place during regular, daytime construction hours):

- Approximately 600 linear feet of 32-foot-high, Sound Transmission Class (STC) rated 32 acoustic barrier wall shall

be installed parallel to the site boundaries. The acoustic barrier wall shall be installed with no openings or gaps except for an acoustical gate on the north side of the Project site to facilitate site access during drilling activities. This acoustical gate shall remain closed during drilling operations.

- Approximately 190 linear feet of 20-foot-high, STC rated 32 dual K-rail mounted acoustic barriers shall be installed on the south and north sides of drilling equipment. These acoustic barriers shall also be installed on portions of the east and west sides of drilling equipment as shown in Figure 7-3 of the Noise Assessment Report.
- Approximately 72 linear feet of 12-foot-high, STC rated 25 acoustic barrier walls shall be installed on the north, west and south sides of mud pump and air compressor.
- Approximately 96 linear feet of 8-foot-high, STC rated 25 acoustical blankets shall be installed on the rig floor.

MM NOI-1.2: Provision of Vouchers for Alternative Accommodations. California Water Service (Cal Water) shall provide the two nearest residences adjacent to the southwestern portion of the Project site (i.e., 819 and 823 Coventry Court as identified in the Noise Assessment Report dated July 24, 2024 in Appendix B of the Draft EIR) with the potential to exceed 50 dBA noise levels during nighttime drilling activities, with vouchers for alternative accommodations. At least 45 days prior to the initiation of nighttime drilling activities, Cal Water shall communicate the anticipated drilling schedule to the affected residents at 819 and 823 Coventry Court. Vouchers shall be offered based on the needs of each household for the specific dates that nighttime drilling activities are scheduled. It is anticipated that the nighttime drilling activities would occur over two separate phases. Vouchers for alternative accommodations shall be issued for each of the two phases based on the finalized construction schedule and be for $300/night/room, with the necessary number of rooms being determined through consultation with the affected residents. Confirmation regarding the provision of vouchers for alternative accommodations shall be provided by Cal Water to the City prior to the initiation of nighttime drilling activities.

Finding: Drilling activities on-site would not exceed the applicable daytime thresholds of 80 dBA and 85 dBA during allowed construction hours; however, the drilling activities outside allowed construction hours would exceed the applicable daytime thresholds of 60 dBA and 70 dBA and nighttime thresholds of 50 dBA and 60 dBA. This would result in a significant construction noise impact. With implementation of mitigation measure MM NOI-1.1, drilling activities outside allowed construction hours would be below the daytime threshold. However, drilling activities would still generate noise levels that would exceed the established nighttime thresholds for construction noise outside of the allowed construction hours at the two nearest residential noise receptors adjacent to the southwestern portion of the Project site. No other feasible mitigation measures are available that would clearly lessen the noise levels from drilling. With implementation of mitigation measure MM NOI-1.2, residents adjacent to the Project site that would experience construction noise levels exceeding the City's established threshold of significance would have the option to relocate during the significant and unavoidable noise activity. Since this measure does not actually reduce the significant, unavoidable noise levels at these two residences to an acceptable level and the City cannot require the residents of these two residences relocate, the impact from nighttime construction noise that would occur outside allowed construction hours would remain significant and unavoidable.

The City finds that, with implementation of the above mitigation measures, changes or alterations have been required in, or incorporated into, the Project that would lessen the significant construction noise impact outside of allowed construction hours identified in the EIR. Even with implementation of MM NOI-1.1 and MM NOI-1.2 above, the impact would remain significant and unavoidable because the noise levels at two residences during nighttime drilling activities would not be lowered to an acceptable level, and the City cannot require the residents of these two residences to temporarily relocate.

B. Significant Impacts That Are Less Than Significant With Mitigation

2. <u>Air Quality</u>

AIR-1 **Impact:** The Project would conflict with or obstruct implementation of the applicable air quality plan.

AIR-2 **Impact:** The Project would 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.

Mitigation:

LUTE DEIR MM 3.5.3: Basic BMPs – Include measures to control dust and exhaust during construction.

During any construction period ground disturbance, the applicant shall ensure that the project contractor implement measures to control dust and exhaust. Implementation of the measures recommended by BAAQMD (now called the Bay Area Air District, referred to herein as the "Air District") and listed below would reduce the air quality impacts associated with grading and new construction to a less-than-significant level. Additional measures are identified to reduce construction equipment exhaust emissions. The contractor shall implement the following best management practices that are required of all projects:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be

laid as soon as possible after grading unless seeding or soil binders are used.

- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Finding: The construction period and operational period criteria air pollutant emissions from the project would not exceed the Air District thresholds of significance. With implementation of mitigation measure LUTE DEIR MM 3.5.3, the project construction period emissions would be further reduced by controlling dust, limiting equipment idling, and properly maintaining equipment and meet the Air District's criteria for a less than significant impact.

The City finds that, with implementation of the above mitigation measure, changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen construction air quality impacts identified in the EIR to a less-than-significant level.

AIR-3 **Impact:** During construction, the Project could expose off-site sensitive receptors to substantial concentrations of Toxic Air Contaminants (TACs) and $PM_{2.5}$.

Mitigation:

Implement mitigation measure **LUTE DEIR MM 3.5.3** above.

MM AIR-3.1: Use construction equipment that has low diesel particulate matter exhaust emissions.

Implement a feasible plan to reduce DPM emissions by 35 percent such that increased cancer risk from construction would be reduced below the Air District significance threshold as follows:

1. All construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA Tier 4 emission standards for PM (PM_{10} and $PM_{2.5}$), if feasible, otherwise,
    a. If use of Tier 4 equipment is not available, alternatively use equipment that meets U.S. EPA emission standards for Tier 2 or 3 engines and include particulate matter emissions control equivalent to CARB Level 3 verifiable diesel emission control devices that altogether achieve a 35 percent reduction in particulate matter exhaust in comparison to uncontrolled equipment; alternatively (or in combination).
    b. Use of electrical or non-diesel fueled equipment.
2. Alternatively, the applicant may develop another construction operations plan demonstrating that the construction equipment used on-site would achieve a reduction in construction diesel particulate matter emissions by 35 percent or greater. Elements of the plan could include a combination of some of the following measures:
    - Implementation of No. 1 above to use Tier 4 or alternatively fueled equipment,
    - Installation of electric power lines during early construction phases to avoid use of diesel generators and compressors,
    - Use of electrically-powered equipment,
    - Forklifts and aerial lifts used for exterior and interior building construction shall be electric or propane/natural gas powered,

- Change in construction build-out plans to lengthen phases, and
- Implementation of different building techniques that result in less diesel equipment usage.

Such a construction operations plan would be subject to review by an air quality expert and approved by the City prior to construction.

Finding: Modeling was completed to determine the effectiveness of mitigation measures LUTE DEIR MM 3.5.3 and MM AIR-3.1 at reducing health risk impacts to project MEI. The modeling results show that with the implementation of mitigation measures LUTE DEIR MM 3.5.3 and MM AIR-3.1, the project's significant cancer risk impact would be reduced to a less than significant level.

The City finds that, with implementation of the above mitigation measures, changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the impacts to sensitive receptors from exposure to pollutants identified in the EIR.

3. **Biological Resources**

BIO-1 **Impact:** The Project would have a substantial effect, either directly or through habitat modifications, on any special status species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or U.S Fish and Wildlife Service (USFWS).

BIO-4 **Impact:** The Project would 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.

Mitigation:

MM BIO-1.1: When possible, construction shall be scheduled to avoid the nesting season to the extent feasible. The nesting season for most birds, including most raptors, in the San Francisco Bay area extends from February 1 through August 31.

If it is not possible to schedule construction and tree removal between September and January, then pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure that no nests shall be disturbed during project implementation. This survey shall be completed no more than 14 days prior to the initiation of grading, tree removal, or other demolition or construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August).

During this survey, the ornithologist shall inspect all trees and other possible nesting habitats within and immediately adjacent to the construction area for nests. If an active nest is found sufficiently close to work areas to be disturbed by construction, the ornithologist shall determine the extent of a construction-free buffer zone to be established around the nest to ensure that nests of bird species protected by the MBTA or Fish and Game code shall not be disturbed during project construction.

A final report of nesting birds, including any protection measures, shall be submitted to the Director of Community Development prior to the start of grading or tree removal.

Finding: The proposed Project, with the implementation of the above mitigation measure, would result in less than significant impacts to nesting birds by avoiding construction activities during the nesting season and conducting preconstruction surveys if construction activities were to take place during nesting season to avoid disturbing active nests that may be affected by project construction. If any nesting birds are identified during these surveys, construction-free buffer zones would be established around nests to protect the nesting birds.

The City finds that, with implementation of the above mitigation measure, changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the impacts to special status species and wildlife nursery sites identified in the EIR.

4. <u>Cultural Resources</u>

CUL-2 **Impact:** The Project would cause a substantial change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5.

Mitigation:

MM CUL-2.1: Prior to ground-disturbing activities, a qualified archaeologist shall provide cultural resources training to all contractors and employees involved in trenching and excavation. The training shall inform participants how to recognize archaeological artifacts and deposits, and discuss their obligations under the law and the project mitigation measures.

MM CUL-2.2: A qualified archaeologist shall monitor the demolition of the building foundations and any other below surface disturbances, such as but not limited to, grading, excavation, and utility connections and improvements. If any cultural resources are identified, all activity in the vicinity of such resources shall stop until a research design and treatment plan is prepared to address those types of resources encountered and such plan is approved by the City, as described in mitigation measure MM CUL-2.3 below. Any cultural resources identified shall be evaluated to determine if these resources would qualify for the NRHP or CRHR. If no resources are found during excavation work, the implementation of mitigation measure MM CUL-2.3 below is not required.

MM CUL-2.3: In the event that buried, or previously unrecognized archaeological deposits or materials of any kind are inadvertently exposed during any construction activity, all activity within a 50-foot radius of the find shall be stopped until a qualified archaeologist can assess the find and provide recommendations for further treatment, if warranted. Preservation in place is the preferred treatment of an archeological resource. When preservation in place of an archeological resource is not feasible, data recovery, in accordance with a data recovery plan prepared by a qualified archaeologist and adopted by the City, is the appropriate mitigation. Construction and potential impacts to the area within a radius determined by the archaeologist shall not recommence until the assessment is complete.

Finding: With implementation of mitigation measures MM CUL-2.1 through MM CUL-2.3, the proposed Project would not result in significant impacts to buried archaeological resources because it would provide cultural sensitivity training to educate all contractors on types of artifacts and features that may be encountered and what to do if those items are encountered, retain a qualified archaeologist to monitor excavation work, and stop construction and prepare a research design and treatment plan to protect and preserve resources if found.

The City finds that, with implementation of the above mitigation measures, changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the impacts to archaeological resources identified in the EIR.

CUL-3 **Impact:** The Project would disturb any human remains, including those interred outside of dedicated cemeteries.

Mitigation:

MM CUL-3.1: In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find shall be stopped. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner shall notify the NAHC immediately. Once NAHC identifies the most likely descendants, the descendants shall make recommendations regarding proper burial, which shall be implemented in accordance with Section 15064.5 of the CEQA Guidelines.

Finding: With implementation of mitigation measure MM CUL-3.1, the proposed Project would not result in significant impacts to human remains because, if any remains are discovered, work would be stopped within a 50-foot radius of the find and, if the find is determined to be Native American, recommendations by the most likely descendants would be implemented for a proper burial.

The City finds that, with implementation of the above mitigation measure, changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the impacts to human remains identified in the EIR.

5. Energy

EN-1 **Impact:** The Project would result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

Mitigation:

Implement mitigation measures **LUTE DEIR MM 3.5.3** and **MM AIR-3.1** above.

Finding: Implementation of the mitigation measures above will restrict equipment idling times, require that signs be posted on the Project site reminding workers to shut off idle equipment, and require use of certain construction equipment with emission controls, thus reducing the potential for energy waste and reducing Impact EN-1 to a less than significant level.

The City finds that, with implementation of the above mitigation measures, changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the energy impacts identified in the EIR.

6. Geology and Soils

GEO-6 **Impact:** The Project would directly or indirectly destroy a unique paleontological resource or site or unique geological feature.

Mitigation:

MM GEO-6.1: Should a unique paleontological resource or site or unique geological feature be identified at the Project site during any phase of construction, all ground disturbing activities within 25 feet shall cease and the Sunnyvale Community Development Director notified immediately. A qualified paleontologist shall evaluate the find and prescribe measures to preserve the find. Work may proceed on other parts of the Project site while measures to preserve the paleontological resources or geologic features are implemented. One such measure would be a buffer that would be established by the qualified paleontologist. This buffer would preserve the area immediately surrounding the discovered resource while allowing work to happen beyond the buffer. Upon completion of the paleontological assessment, a report shall be submitted to the City and, if paleontological materials are recovered, a paleontological repository, such as the University of California Museum of Paleontology shall also be submitted to the City.

Finding: With the implementation of the above mitigation measure, the Project would halt work and implement measures to preserve any undiscovered paleontological resources encountered during construction, ensuring impacts to paleontological resources would be less than significant.

The City finds that, with implementation of the above mitigation measure, changes or alterations have been required in, or incorporated into, the

Project that avoid or substantially lessen the impacts to paleontological resources identified in the EIR.

7. Greenhouse Gas Emissions

GHG-1 **Impact:** The Project would generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.

GHG-2 **Impact:** The Project would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

Mitigation:

Implement mitigation measures **LUTE DEIR MM 3.5.3** and **MM AIR-3.1** above.

Finding: The Project would implement mitigation measure LUTE DEIR MM 3.5.3 and MM AIR-3.1 to restrict idling of construction equipment and utilize energy-efficient equipment, which would in turn reduce GHG emissions. For these reasons, the Project's construction GHG emissions are less than significant and the Project would not conflict with the 2017 CAP goal to reduce GHG emissions.

The City finds that, with implementation of the above mitigation measures, changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the greenhouse gas emission impacts identified in the EIR.

8. Noise and Vibration

Refer to Impact NOI-1 and mitigation measures MM NOI-1.1 and MM NOI-1.2 above.

MM NOI-1.3: Ongoing Noise Monitoring and Implementation of Portable Acoustic Barriers: During demolition, grading, excavation, trenching, and tank construction activities on-site, the Project shall conduct ongoing noise monitoring to determine when the use of portable acoustic barriers is required to the prevent the exceedance of the applicable 80 dBA threshold as measured at surrounding sensitive receptors. If noise levels during these construction activities are measured within one dBA of the 80 dBA threshold at surrounding sensitive receptors, then portable acoustic barriers shall be installed between the noise generating equipment and the impacted

sensitive receptor prior to initiating any additional noise generating construction activities.

Finding: With implementation of MM NOI-1.3, noise levels at the impacted surrounding receptors during the demolition, grading, excavation, trenching, and tank construction activities on-site would be reduced by up to six dBA. With strategic positioning of the portable acoustic barriers, even greater noise reduction could be achieved on-site. Therefore, the significant construction noise impact during demolition, grading, excavation, trenching, and tank construction would be reduced to a less than significant level with implementation of MM NOI-1.3. The City finds that, with implementation of the above mitigation measure, changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the construction noise impacts during the demolition, grading, excavation, trenching, and tank construction activities on-site identified in the EIR.

9. Tribal Cultural Resources

TCR-1 **Impact:** The Project would cause a substantial adverse change in the significance of a tribal cultural resource that is 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).

TCR-2 **Impact:** The Project would cause a substantial adverse change in the significance of a tribal cultural resource that is 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.

Mitigation:

Implement mitigation measures **MM CUL-2.1**, **MM CUL-2.2**, **MM CUL-2.3**, and **MM CUL-3.1** above.

Finding: The Project would implement mitigation measures MM CUL-2.1, MM CUL-2.2, MM CUL-2.3, and MM CUL-3.1 to reduce the potential for adverse impacts to buried cultural resources (including tribal cultural resources) to a less than significant level by providing cultural sensitivity training to educate all contractors on types of artifacts and features that may be encountered and what to do if those items are encountered, monitoring excavation work by a qualified archaeologist, and stopping construction and preserving the

resources in place if any are found, or preparing a data recovery plan if preservation in place is not possible.

The City finds that, with implementation of the above mitigation measures, changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the tribal cultural resources impacts identified in the EIR.

VIII. Project Alternatives

CEQA Guidelines Section 15126.6(a) requires that an EIR identify a reasonable range of potentially feasible alternatives which "would feasibly attain the most basic objectives of the project but avoid or substantially lessen any of the significant environmental effects of the project, and evaluate the comparative merits of the alternatives." The purpose is to determine whether there are alternatives of design, scope, or location which would substantially lessen the significant impacts, even if those alternatives "impede to some degree the attainment of the project objectives" or are more expensive. (CEQA Guidelines Section 15126.6.)

The Project would result in one significant and unavoidable impact due to the construction noise levels generated by nighttime drilling activities on-site (Impact NOI-1). Therefore, the alternatives analysis focused on a reasonable range of alternatives that would avoid or reduce this significant and unavoidable impact. While CEQA does not require that alternatives must be capable of meeting all of the Project objectives, their ability to meet most of the objectives is considered relevant to their consideration.

The City Council has reviewed the significant impact associated with the reasonable range of alternatives as compared to the Project, and in evaluating the alternatives has also considered each alternative's feasibility, taking into account a range of economic, environmental, social, legal, and other factors. In evaluating the alternatives, the City Council has also considered the important factors listed in the Statement of Overriding Considerations included below.

Public Resources Code Section 21081(a)(3) provides that when approving a project for which an environmental impact report has been prepared, a public agency may find that specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report and, pursuant to Section 21081(b) with respect to significant effects which were subject to a finding under paragraph (3) of subdivision (a), the public agency finds that

specific overriding economic, legal, social, technological, or other benefits of the Project outweigh the significant effects on the environment as more fully set forth in the Statement of Overriding Considerations included below.

Project Alternatives Considered but Rejected

Several alternatives were considered for the proposed Project and rejected from further analysis due to their infeasibility or inability to meet project objectives or reduce impacts compared to the proposed Project. The Draft EIR (Section 7.2.1) discusses these potential alternatives and the reasons for rejecting them, and the Council confirms the decision not to further analyze them.

Selected Project Alternatives Considered in the EIR

The following alternatives to the project were evaluated in further detail Section 7.2.2 of the Draft EIR.

A. No Project/No Redevelopment Alternative

Description: Under the No Project/No Redevelopment Alternative, the site would remain as it is today and continue to contain the old chemical storage buildings and inactive booster pump.

Comparison: This Alternative would retain the site in its existing condition with the old chemical storage buildings and inactive booster pump, and none of the proposed improvements would occur. As a result, all direct environmental impacts associated with construction and operation of the proposed Project would be avoided.

Findings: The No Project/No Redevelopment Alternative would avoid all of the Project's impacts, but would also fail to meet any of the Project objectives. Moreover, the No Project/No Redevelopment Alternative could result in indirect impacts of the same magnitude as the proposed Project in other areas within the service district as Cal Water would implement different strategies to secure additional groundwater supplies.

For the foregoing reasons, the No Project/No Development Alternative is hereby rejected.

B. No Project/Redevelopment Alternative

Description: The No Project/Redevelopment Alternative assumes that, if the proposed Project were not approved, the site could be sold by Cal Water and redeveloped according to the existing General Plan designation and zoning for the

site. The No Project/Redevelopment Alternative assumes up to four single-family residences would be constructed on-site of similar scale and character of existing residences in the surrounding neighborhood, which are primarily single-story residences.

Comparison: Under this Alternative, single-family homes would be built on the site. This option would create fewer construction impacts to the nearby neighborhoods. Therefore, the significant-and-unavoidable impact related to nighttime drilling outside allowed construction hours caused by the Project would be avoided and the significant-but-mitigable impacts related to air quality, greenhouse gas emission, biological resources, cultural resources, noise, and geology and soils caused by the Project would be less but comparable under this alternative.

Findings: The No Project/Redevelopment Alternative would avoid the Project's significant and unavoidable construction noise impact and result in similar impacts to other resources. This alternative could result in marginally fewer construction criteria pollutant and greenhouse gas emissions and lesser effects on subsidence than the proposed Project. This alternative, however, would not meet any of the Project objectives. In addition, the No Project/Redevelopment Alternative could result in indirect impacts of similar magnitude as the proposed Project in other areas within the service district as Cal Water would implement different strategies to secure additional groundwater supplies.

For the foregoing reasons, the No Project/New Development Alternative is hereby rejected.

C. Shallower Well Depth On-Site Alternative

Description: The Shallower Well Depth Alternative would reduce the amount of time that drilling would occur on-site as the well depth under this alternative would be approximately 600 feet below ground surface, as opposed to the 1,000 feet below ground surface for the proposed Project.

Comparison: This alternative would result in fewer impacts on nearby neighborhoods compared to the proposed Project. However, the Shallower Well Depth would produce insufficient groundwater yield or contaminated groundwater resulting in an unsuccessful groundwater extraction.

Findings: The Shallower Well Depth Alternative could lessen, though not avoid, the Project's significant and unavoidable construction noise impact because it would still require continuous drilling activities over several weeks. It could result in similar less-than-significant impacts in other environmental resource areas and could also

potentially reduce construction air quality and GHG impacts and operational geology and soils and hydrology and water quality impacts. The target depth, 1,000 feet, is based on data collected during operation of the previous on-site well. According to Cal Water, historic data indicate that this depth consistently provides reliable groundwater yield and acceptable water quality. Drilling a shallower, 600-foot well would introduce greater uncertainty and risk related to groundwater quantity and quality compared to the proposed depth. As a result, this alternative could lead to indirect impacts such as reduced groundwater yield or degraded water quality. Although this alternative would meet the Project objectives, including replacing the on-site Cal Water supply well, upgrading Cal Water infrastructure, and providing an additional water source to address drought conditions and fire risk, it would do so to a lesser extent than the proposed Project and with less certainty regarding groundwater yield and quality.

For the foregoing reasons, the No Project/New Development Alternative is hereby rejected.

Environmentally Superior Alternative

CEQA Guidelines require identification of an environmentally superior alternative. Based on direct impacts alone, the No Project/No Redevelopment Alternative is environmentally superior because it would avoid the Project's significant environmental impacts. However, CEQA Guidelines require identification of another environmentally superior alternative when the no-Project alternative is selected. The No Project/Redevelopment Alternative is also environmentally superior based on direct impacts, as it would avoid significant and unavoidable construction noise and result in fewer impacts to air quality, geology and soils, hazards and hazardous materials, and hydrology and water quality than the proposed Project. However, both these alternatives would result in indirect impacts comparable to the proposed Project in other residential areas of the Los Altos Suburban service district, since Cal Water would still need to secure a supplemental groundwater source to meet demand.

IX. Mitigation Monitoring and Reporting Program

The Mitigation Monitoring and Reporting Program (MMRP) sets forth specific monitoring actions, timing requirements and monitoring/verification entities for each mitigation measure adopted in this Exhibit A, in compliance with Public Resources Code Section 21081.6(a)(1) and CEQA Guidelines Section 15097. The City Council hereby adopts the

MMRP and determines that compliance with the MMRP is a condition of approval of the Project.

X. Statement of Overriding Considerations

Pursuant to Section 21081 of the California Public Resources Code and Section 15093 of the CEQA Guidelines, the City Council of the City of Sunnyvale adopts and makes the following Statement of Overriding Considerations regarding the remaining significant, unavoidable impact of the Project, as discussed above, and the anticipated economic, social, and other benefits of the Project.

Based on the record of proceedings, the City finds and determines that (1) the majority of the significant impacts of the Project will be reduced to a less-than-significant level by implementation of the mitigation measures recommended in the EIR and adopted with these findings; (2) the City's approval of the Project as proposed will result in one significant adverse environmental effect that cannot be avoided or reduced to a less-than-significant level even with the incorporation of all feasible mitigation measures into the Project; and (3) there are no other feasible mitigation measures or feasible Project alternatives that will further mitigate, avoid, or reduce to a less-than significant level the remaining significant environmental effect.

Cal Water has no feasible alternative site because the City does not have any surplus land of comparable size for exchange. Additionally, no quieter alternative equipment is feasible, as available options would be less effective or efficient than the proposed equipment. Though continuous 24-hour drilling will cause unavoidable nighttime noise, continuous drilling is required because stopping work could lead to borehole collapse and equipment damage, which will lead to extended project duration. Also, there are no alternate drilling techniques available that would reduce noise to a less-than-significant level or allow drilling to pause during nighttime and resume only during allowed construction hours.

In addition to the findings and objectives of the Project, each of the following statements constitutes a separate and independent ground for finding that the benefits of the Project outweigh its significant adverse environmental effects. Therefore, the following statements identify the reasons why, in the City's judgment and based on substantial evidence, they are overriding considerations warranting approval.

The City finds that the Project, as conditionally approved, will have the following economic, and social benefits, which constitute overriding considerations:

- The proposed Project incorporates all feasible mitigation measures to reduce potential environmental impacts to the greatest extent feasible. No feasible mitigation measures or alternatives have been identified to mitigate the significant and unavoidable adverse effect of the Project.
- Reactivating the site for groundwater extraction is consistent with the City of Sunnyvale's General Plan Land Use designation of "Water, Electric, Phone, Water Facility." The site would provide potable water to Cal Water's Los Altos Suburban service district, which serves parts of Sunnyvale and surrounding cities, and supports the City's water supply goals and policies outlined in the General Plan.
- The proposed Project would replace a critical water supply well that was destroyed due to age and would upgrade aged infrastructure to enhance and improve the reliability of the water supply.
- The proposed Project is an efficient and cost-effective way to increase Cal Water's water supply, as the former on-site well had strong yields and is already connected to the existing distribution system. Therefore, constructing the replacement well on Cal Water–owned land with proven yield and existing connection is preferable.
- The proposed Project is essential for safeguarding public health and safety in Sunnyvale and surrounding cities by providing a reliable alternative potable water supply. Cal Water's Los Altos District relies mainly on water from Valley Water, with aging groundwater wells providing supplemental supply. Frequent maintenance and unexpected outages from the district's aging infrastructure, combined with potential disruptions from Valley Water's 2021–2028 pipeline program (2023–2026), pose a significant risk to water reliability. The Project is critical that it will enhance alternative water supply, improve reliability, and protect public health.
- The proposed Project is considered critical for supplying potable water in Santa Clara County, which has been declared by Executive Order N-10-21, under a state of emergency due to drought and climate change, making all existing and proposed water sources essential to address the emergency.
- The proposed Project would supply additional groundwater to ensure emergency potable water for Sunnyvale and nearby cities, during peak demand, or disasters like fires or earthquakes.

The above statements of overriding considerations are consistent with, and substantially advance the following goals and policies of the City's General Plan:

- **Community Vision: Goal XII. Supportive Utilities:** To provide and maintain water, sewer, solid waste disposal, and drainage facilities that are safe, efficient, and

reliable, and which can develop sufficient capacity to meet the expected growth of the city.

- **Land Use and Transportation: Policy LT-1.9.** Work with regional agencies to ensure an adequate water supply that will allow progress toward Sunnyvale's long-term land use plans.
- **Environmental Management: Goal EM-1. Adequate Water Supplies:** Acquire and manage water supplies so that existing and future reasonable demands for water, as projected in the 20-year forecast, are reliably met.
- **Environmental Management: Action Statement EM-1.1a.** Investigate possibilities to increase well water sources within the City.
- **Environmental Management: Policy EM-1.3.** Provide enough redundancy in the water supply system so that minimum potable water demand and fire suppression requirements can be met under both normal and emergency circumstances.
- **Environmental Management: Goal EM-3. Reliable and Safe Water Distribution:** Proactively maintain the water distribution system infrastructure to ensure the reliable and safe delivery of water under normal and emergency conditions to both current and future customers.

Based on the detailed findings made above, the City Council hereby finds that economic and social considerations outweigh the remaining environmental effects of approval and implementation of the Project, and the City Council hereby concludes that the Project should be approved.

Mitigation Monitoring and Reporting Program

800 Carlisle Way Well and Water Tank Project
File # PLN2022-7041, SCH # 2023020080

Sunnyvale

January 2026

PREFACE

Section 21081.6 of the California Environmental Quality Act (CEQA) requires a Lead Agency to adopt a Mitigation Monitoring and Reporting Program (MMRP) whenever it approves a project for which measures have been required to mitigate or avoid significant effects on the environment. The purpose of the monitoring and reporting program is to ensure compliance with the mitigation measures during project implementation.

On April 7, 2026, the City Council certified the Environmental Impact Report (EIR) for the 800 Carlisle Way Well and Water Tank project. The Final EIR concluded that the implementation of the project could result in significant effects on the environment and mitigation measures were identified to reduce significant impacts identified. This MMRP addresses those measures in terms of how and when they will be implemented.

Mitigation Monitoring and Reporting Program

800 Carlisle Way Well and Water Tank Project

File # 2022-7041, SCH # 2023020080

Impact	Mitigation Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
AIR QUALITY				
Impact AIR-1: The project would not conflict with or obstruct implementation of the applicable air quality plan with mitigation incorporated. **Impact AIR-2:** The project would not 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 with mitigation incorporated.	**LUTE DEIR MM 3.5.3:** Basic BMPs – Include measures to control dust and exhaust during construction. During any construction period ground disturbance, the applicant shall ensure that the project contractor implement measures to control dust and exhaust. Implementation of the measures recommended by BAAQMD and listed below would reduce the air quality impacts associated with grading and new construction to a less-than-significant level. Additional measures are identified to reduce construction equipment exhaust emissions. The contractor shall implement the following best management practices that are required of all projects: • All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. • All haul trucks transporting soil, sand, or other loose material off-site shall be covered. • 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.	Prior to issuance of building permits, the applicant is responsible for incorporating the measures to control dust, particulate matter, and diesel emissions included in this mitigation measure into the final plan set. The City is responsible for reviewing the final plan set for compliance. During construction, the applicant and its contractors are responsible for implementing the measures identified in the mitigation measure.	All measures to control dust, particulate matter, and diesel emissions during construction listed in this mitigation measure shall be printed on all construction documents, contracts, and project plans.	Community Development Director

Mitigation Monitoring and Reporting Program

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Impact	Mitigation Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	• All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph). • All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. • Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points. • All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. • Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.			

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Impact	Mitigation Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
Impact AIR-3: The project would not expose sensitive receptors to substantial pollutant concentrations with mitigation incorporated.	Refer to **LUTE DEIR MM 3.5.3** above. **MM AIR-3.1:** Use construction equipment that has low diesel particulate matter exhaust emissions. Implement a feasible plan to reduce DPM emissions by 35 percent such that increased cancer risk from construction would be reduced below the Air District significance threshold as follows: 1. All construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA Tier 4 emission standards for PM (PM_{10} and $PM_{2.5}$), if feasible, otherwise, a. If use of Tier 4 equipment is not available, alternatively use equipment that meets U.S. EPA emission standards for Tier 2 or 3 engines and include particulate matter emissions control equivalent to CARB Level 3 verifiable diesel emission control devices that altogether achieve a 35 percent reduction in particulate matter exhaust in comparison to uncontrolled equipment; alternatively (or in combination). b. Use of electrical or non-diesel fueled equipment. 2. Alternatively, the applicant may develop another construction operations plan demonstrating that the	Prior to issuance of building permits, the applicant is responsible for incorporating the measures to control diesel particulate matter emissions into the final plan set. The City is responsible for reviewing the final plan set for compliance. During construction, the applicant and its contractors are responsible for implementing the diesel particulate matter control measures identified in the mitigation measure.	All measures to reduce diesel particulate matter emissions shall be printed on all construction documents, contracts, and project plans.	Community Development Director

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Impact	Mitigation Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	construction equipment used on-site would achieve a reduction in construction diesel particulate matter emissions by 35 percent or greater. Elements of the plan could include a combination of some of the following measures: a. Implementation of No. 1 above to use Tier 4 or alternatively fueled equipment, b. Installation of electric power lines during early construction phases to avoid use of diesel generators and compressors, c. Use of electrically-powered equipment, d. Forklifts and aerial lifts used for exterior and interior building construction shall be electric or propane/natural gas powered, e. Change in construction build-out plans to lengthen phases, and f. Implementation of different building techniques that result in less diesel equipment usage. Such a construction operations plan would be subject to review by an air quality expert and approved by the City prior to construction.			
BIOLOGICAL RESOURCES				
Impact BIO-1: The project would not have a substantial effect, either directly or through habitat modifications, on	**MM BIO-1.1:** When possible, construction shall be scheduled to avoid the nesting season to the extent feasible. The nesting season for most birds, including most raptors, in	The applicant is responsible for ensuring construction activities avoid the nesting	All mitigation measures shall be printed on all construction documents,	Community Development Director

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Impact	Mitigation Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
any special status species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS with mitigation incorporated. **Impact BIO-4:** The project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites with mitigation incorporated.	the San Francisco Bay area extends from February 1 through August 31. If it is not possible to schedule construction and tree removal between September and January, then pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure that no nests shall be disturbed during project implementation. This survey shall be completed no more than 14 days prior to the initiation of grading, tree removal, or other demolition or construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August). During this survey, the ornithologist shall inspect all trees and other possible nesting habitats within and immediately adjacent to the construction area for nests. If an active nest is found sufficiently close to work areas to be disturbed by construction, the ornithologist shall determine the extent of a construction-free buffer zone to be established around the nest to ensure that nests of bird species protected by the MBTA or Fish and Game code shall not be disturbed during project construction. A final report of nesting birds, including any protection measures, shall be submitted to the Director of Community Development prior to the start of grading or tree removal.	season to the extent feasible. The applicant is responsible for ensuring pre-construction surveys are completed (as described in mitigation measure MM BIO-1.1) if construction and tree removal cannot occur between September and January. Any construction buffer zones determined to be required shall be implemented and maintained during construction activities. Prior to the start of grading or tree removal, the applicant is responsible for submitting a final report of nesting birds (including any protection measures) to the City.	contracts, and project plans. A final report of nesting birds, including any protection measures shall be submitted by the applicant to the City.	

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Impact	Mitigation Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
CULTURAL RESOURCES				
Impact CUL-2: The project would not cause a substantial change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 1564.5 with mitigation incorporated.	**MM CUL-2.1:** Prior to ground-disturbing activities, a qualified archaeologist shall provide cultural resources training to all contractors and employees involved in trenching and excavation. The training shall inform participants how to recognize archaeological artifacts and deposits, and discuss their obligations under the law and the project mitigation measures.	Prior to ground-disturbing activities, the applicant is responsible for having a qualified archeologist provide a cultural resources training to all contractors as described in mitigation measure MM CUL-2.1.	All mitigation measures shall be printed on all construction documents, contracts, and project plans.	Community Development Director
	MM CUL-2.2: A qualified archaeologist shall monitor the demolition of the building foundations and any other below surface disturbances, such as but not limited to, grading, excavation, roadway improvements, and utility connections and improvements. If any cultural resources are identified, all activity in the vicinity of such resources shall stop until a research design and treatment plan is prepared to address those types of resources encountered and such plan is approved by the City, as described in mitigation measure MM CUL-2.3 below. Any cultural resources identified shall be evaluated to determine if these resources would qualify for the NRHP or CRHR. If no resources are found during excavation work, the implementation of mitigation measures MM CUL-2.3 is not required.	During demolition of the building foundations and any other below surface disturbances, the applicant is responsible for having a qualified archaeologist monitor construction activities.	All mitigation measures shall be printed on all construction documents, contracts, and project plans.	Community Development Director

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Impact	Mitigation Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	MM CUL-2.3: In the event that buried, or previously unrecognized archaeological deposits or materials of any kind are inadvertently exposed during any construction activity, all activity within a 50-foot radius of the find shall be stopped until a qualified archaeologist can assess the find and provide recommendations for further treatment, if warranted. Preservation in place is the preferred treatment of an archeological resource. When preservation in place of an archeological resource is not feasible, data recovery, in accordance with a data recovery plan prepared by a qualified archaeologist and adopted by the City, is the appropriate mitigation. Construction and potential impacts to the area within a radius determined by the archaeologist shall not recommence until the assessment is complete.	If archaeological deposits are found, the applicant and its contractor are responsible for implementing mitigation measure MM CUL-2.3 at the time of discovery.	All mitigation measures shall be printed on all construction documents, contracts, and project plans.	Community Development Director
Impact CUL-3: The project would not disturb any human remains, including those interred outside of dedicated cemeteries with mitigation incorporated.	**MM CUL-3.1:** In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find shall be stopped. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner shall notify the NAHC immediately. Once NAHC identifies the most likely descendants, the descendants shall make recommendations regarding proper burial, which shall be implemented in accordance with Section 15064.5 of the CEQA Guidelines.	If human remains are found, the applicant and its contractor are responsible for implementing mitigation measure MM CUL-3.1 at the time of discovery.	All mitigation measures shall be printed on all construction documents, contracts, and project plans.	Community Development Director

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Impact	Mitigation Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	ENERGY			
Impact EN-1: The project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation with mitigation incorporated.	Refer to **LUTE DEIR MM 3.5.3** and **MM AIR-3.1** above.			
	GEOLOGY AND SOILS			
Impact GEO-6: The project would not directly or indirectly destroy a unique paleontological resource or site or unique geological feature with mitigation incorporated.	**MM GEO-6.1:** Should a unique paleontological resource or site or unique geological feature be identified at the project site during any phase of construction, all ground disturbing activities within 25 feet shall cease and the Sunnyvale Community Development Director notified immediately. A qualified paleontologist shall evaluate the find and prescribe measures to preserve the find. Work may proceed on other parts of the project site while measures to preserve the paleontological resources or geologic features are implemented. One such measure would be a buffer that would be established by the qualified paleontologist. This buffer would preserve the area immediately surrounding the discovered resource while allowing work to happen beyond the buffer. Upon completion of the paleontological assessment, a report shall be submitted to the City and, if paleontological materials are recovered, a paleontological	All mitigation measures shall be printed on all construction documents, contracts, and project plans.	Community Development Director

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Impact	Mitigation Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	repository, such as the University of California Museum of Paleontology shall also be submitted to the City.			
	GREENHOUSE GAS EMISSIONS			
Impact GHG-1: The project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment with mitigation incorporated.	Refer to **LUTE DEIR MM 3.5.3** and **MM AIR-3.1** above.			
Impact GHG-2: The project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs with mitigation incorporated.				

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Impact	Mitigation Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
NOISE AND VIBRATION				
Impact NOI-1: The project would result in generation of a substantial temporary or permanent increase in ambient noise levels (specifically the project construction drilling phase) 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, even with mitigation incorporated.	**MM NOI-1.1:** Installation of Acoustic Barriers: During drilling activities on-site, the project shall install the following acoustic barriers (the installation of which shall take place during regular, daytime construction hours): • Approximately 600 linear feet of 32-foot-high, Sound Transmission Class (STC) rated 32 acoustic barrier wall shall be installed parallel to the site boundaries. The acoustic barrier wall shall be installed with no openings or gaps except for an acoustical gate on the north side of the project site to facilitate site access during drilling activities. This acoustical gate shall remain closed during drilling operations. • Approximately 190 linear feet of 20-foot-high, STC rated 32 dual K-rail mounted acoustic barriers shall be installed on the south and north sides of drilling equipment. These acoustic barriers shall also be installed on portions of the east and west sides of drilling equipment as shown in Figure 7-3 of the Noise Assessment Report. • Approximately 72 linear feet of 12-foot-high, STC rated 25 acoustic barrier walls shall be installed on the north, west and south sides of mud pump and air compressor. • Approximately 96 linear feet of 8-foot-high, STC rated 25 acoustical blankets shall be installed on the rig floor.	The applicant shall apply for a Miscellaneous Plan Permit with the City at least 60 days prior to initiation of drilling activities to finalize the design, size, and location of the acoustic barriers. The design of the barriers shall be consistent with the placement indicated on Figure 7-3 of the Noise Assessment Report. The City is responsible for reviewing the final plan set for consistency. Prior to the commencement of drilling activities on site, the applicant is responsible for installing acoustic barriers.	The location and size of the acoustic barriers shall be identified on the final plan set. The acoustic barriers shall be installed on-site as noted in the final plan set.	Community Development Director

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Impact	Mitigation Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
	MM NOI-1.2: Provision of Vouchers for Alternative Accommodations. California Water Service (Cal Water) shall provide the two nearest residences adjacent to the southwestern portion of the project site (i.e., 819 and 823 Coventry Court as identified in the Noise Assessment Report dated July 24, 2024 in Appendix B of the Draft EIR) with the potential to exceed 50 dBA noise levels during nighttime drilling activities, with vouchers for alternative accommodations. At least 45 days prior to the initiation of nighttime drilling activities, Cal Water shall communicate the anticipated drilling schedule to the affected residents at 819 and 823 Coventry Court. Vouchers shall be offered based on the needs of each household for the specific dates that nighttime drilling activities are scheduled. It is anticipated that the nighttime drilling activities would occur over two separate phases. Vouchers for alternative accommodations shall be issued for each of the two phases based on the finalized construction schedule and be for $300/night/room, with the necessary number of rooms being determined through consultation with the affected residents. Confirmation regarding the provision of vouchers for alternative accommodations shall be provided by Cal Water to the City prior to the initiation of nighttime drilling activities.	Prior to the commencement of nighttime drilling activities, the applicant is responsible for providing the City and residents of the affected households with the proposed construction schedule. The applicant is responsible for providing vouchers for alternative accommodations to the affected residents during the periods of nighttime drilling activities and submitting proof of issuance to the City. The City is responsible for confirming issuance of the vouchers.	A memorandum from the applicant documenting the issuance of vouchers for alternative accommodation to the affected residents.	Community Development Director
	MM NOI-1.3: Ongoing Noise Monitoring and Implementation of Portable Acoustic Barriers: During demolition, grading, excavation, trenching, and tank construction activities on-site, the project shall conduct ongoing noise monitoring to determine when the use of	Prior to the commencement of demolition, grading, excavation, trenching, and tank construction	The monitoring plan shall be printed on all construction documents,	Community Development Director

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	portable acoustic barriers is required to the prevent the exceedance of the applicable 80 dBA threshold as measured at surrounding sensitive receptors. If noise levels during these construction activities are measured within one dBA of the 80 dBA threshold at surrounding sensitive receptors, then portable acoustic barriers shall be installed between the noise generating equipment and the impacted sensitive receptor prior to initiating any additional noise generating construction activities.	activities on-site, the project applicant shall submit a monitoring plan to the City for review and approval. During demolition, grading, excavation, trenching, and tank construction activities on-site, the applicant shall conduct ongoing noise monitoring to determine when the use of portable acoustic barriers is required to the prevent the exceedance of the applicable 80 dBA threshold per mitigation measure MM NOI-1.3. The applicant is responsible for installing portable acoustic barriers between the noise generating equipment and the impacted sensitive receptor as required per mitigation measure MM NOI-1.3.	contracts, and project plans. Ongoing noise monitoring shall be conducted during all demolition, grading, excavation, trenching, and tank construction activities on-site. Portable acoustic barriers shall be installed if construction noise is within one dBA of the 80 dBA threshold.	

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TRIBAL CULTURAL RESOURCES				
Impact TCR-1: The project would not cause a substantial adverse change in the significance of a tribal cultural resource that is 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) with mitigation incorporated.	Refer to **MM CUL-2.1**, **MM CUL-2.2**, **MM CUL-2.3**, and **MM CUL-3.1** above.			
Impact TCR-2: The project would not cause a substantial adverse change in the significance of a tribal cultural resource that is determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to				

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Impact	Mitigation Measure(s)	Timeframe and Responsibility for Implementation	Method of Compliance	Oversight of Implementation
criteria set forth in subdivision (c) of Public Resources Code Section 5024.1 with mitigation incorporated.				

Sources: 1) City of Sunnyvale. *800 Carlisle Way Well & Water Tank Draft EIR* (including Appendix A). January 2026. 2) City of Sunnyvale. *800 Carlisle Way Well & Water Tank Final EIR*. February 2026.