



## **ERRATA**

### **Moffett Park Specific Plan Environmental Impact Report (SCH No. 2021080338) June 12, 2023**

#### **BACKGROUND AND PURPOSE OF ERRATA**

The Draft Environmental Impact Report (Draft EIR) for the Moffett Park Specific Plan (Specific Plan) was published for public review on December 19, 2022. The public review period ended on February 10, 2023. A Final EIR, which included formal responses to public comments received on the Draft EIR and text revisions to the Draft EIR, was published for public review on April 14, 2023. In addition, late comments were received on the Draft EIR after the publication of the Final EIR. Those late comments are addressed in a Responses to Late Comments Memorandum dated June 12, 2023.

The purpose of this errata document to the Draft EIR is to: (1) correct typographical errors, (2) reflect updates made to the Specific Plan following circulation of the Draft and Final EIRs, and (3) clarify, amplify, or make insignificant modifications to existing information in the Draft and Final EIRs.

CEQA Guidelines Section 15088.5 requires that a lead agency recirculate an EIR when:

- (a) A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification. As used in this Section, the term “information” can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. “Significant new information” requiring recirculation includes, for example, a disclosure showing that:
  - (1) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented.
  - (2) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that reduce the impact to a level of insignificance.
  - (3) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project’s proponents decline to adopt it.
  - (4) The Draft EIR was so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded.

- (b) Recirculation is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR.
- (c) If the revision is limited to a few chapters or portions of the EIR, the lead agency need only recirculate the chapters or portions that have been modified.
- (d) Recirculation of an EIR requires notice pursuant to Section 15087, and consultation pursuant to Section 15086.
- (e) A decision not to recirculate an EIR must be supported by substantial evidence in the administrative record.
- (f) The lead agency shall evaluate and respond to comments as provided in Section 15088.  
Recirculating an EIR can result in the lead agency receiving more than one set of comments from reviewers. The following are two ways in which the lead agency may identify the set of comments to which it will respond. This dual approach avoids confusion over whether the lead agency must respond to comments which are duplicates or which are no longer pertinent due to revisions to the EIR. In no case shall the lead agency fail to respond to pertinent comments on significant environmental issues.

## EIR TEXT REVISIONS

The following text revisions reflect minor updates and clarifications made to the Specific Plan after the Draft EIR and Final EIR were published. Deletions are shown with ~~a line through the text~~ and new text is shown with underlining.

Draft EIR, Page 10      **ADD** the following text to bottom row of Table 2.3-3 on this page:

(1) MP-E1: Mixed- Employment 1	Areas that allow for a mix of R+D, light industrial, manufacturing, and moderate intensity office uses.	<ul style="list-style-type: none"> <li>• <u>Warehouse (MP-E3 only)</u></li> <li>• Office</li> <li>• R&amp;D/Flex</li> <li>• Light Industrial</li> <li>• Manufacturing</li> <li>• Retail</li> <li>• General Commercial</li> <li>• Eating/Drinking Establishments</li> <li>• Healthcare</li> <li>• Parks and Open Space</li> </ul>	Located primarily west of Mathilda Avenue, totaling 335 acres <ul style="list-style-type: none"> <li>• MP-E1: 44 acres</li> <li>• MP-E2: 143 acres</li> <li>• MP-E3: 147 acres</li> </ul>
(2) MP-E2: Mixed- Employment 2	<u>Warehouse uses are allowed in MP-E3.</u> Residential uses are not allowed.		
(3) MP-E3: Mixed- Employment 3			

Draft EIR, Page 18 **ADD** the following text to the second sentence under Section 2.3.5 Open Space and Urban Ecology:

The Specific Plan defines open space as publicly accessible open spaces, parks, and natural areas which serve the community by providing public access, active transportation, recreational, cultural programs, and ecosystem services. These may include undeveloped natural areas, areas of ecological and ecosystem value, greenbelts and trails, recreation areas, community and neighborhood parks, areas of cultural historic significance, contributing open spaces, public plazas, and squares.

Draft EIR, page 71 **ADD** the following text after the bulleted list of Specific Plan Policies:

In addition, the Specific Plan includes Standard 8.2.4.c requiring new development to meet the following peak hour trip reduction rates (see table below) through efforts defined in a submitted TDM and through participation in programs of the Moffett Park TMA.

<u>Land Use</u>	<u>Initial TDM Peak Hour Reduction Rate</u>	<u>Long Term TDM Peak Hour Reduction Rate</u>
<u>Office/R&amp;D</u>	<u>50%</u>	<u>65%</u>
<u>Commercial/Retail</u>	<u>0%</u>	<u>10%</u>
<u>Residential</u>	<u>15%</u>	<u>30%</u>
<u>Other Uses</u>	<u>50%</u>	<u>65%</u>

Draft EIR, page 103 **ADD** the following text to the end of the paragraph above the Special Status Plants heading:

For actions described below regarding special-status species and sensitive habitats, a qualified biologist shall be a person with a minimum of four-year degree in wildlife sciences, biology, environmental sciences, or equivalent experience in the biological sciences, and when required by the USFWS, CDFW, or National Marine Fisheries Service (NMFS), appropriate permit or authorization. Actions that fall under survey protocols for special status species and sensitive habitats defined by responsible wildlife agencies such as the USFWS, CDFW, or NMFS, the qualified biologist shall consult with the responsible agency as appropriate and follow the established survey protocols.

Draft EIR, page 115 **REVISE** the text in bullets 4 and 4a in the list of Specific Plan standards as follows:

- (4) Façade treatment. No more than 10 percent of the surface area of a building's total exterior façade between the ground and 60 feet above ground or within 15 feet above a green roof shall have untreated glazing. Bird-friendly glazing treatments can include the use of opaque glass, the covering of clear glass surface with patterns, the use of paned glass with fenestration patterns, and the use of external screens and/or netting over non-reflective glass. All façade glazing shall have reflectivity ratings no greater than ~~30~~15%.

- a. Glazing treatment. Bird-friendly glazing treatments shall include elements with a minimum horizontal width of one quarter of an inch and minimum vertical height of one eighth of an inch with a maximum vertical spacing of ~~four~~two inches and maximum horizontal spacing of two inches.

Draft EIR, Page 175 **ADD** the following policy after the General Compatibility heading:

Policy	Description
<i>General Compatibility</i>	
<u>G-5</u>	<u>Where legally allowed, dedication of an aviation easement to the United States Government shall be required to be offered as a condition of approval on all projects located within an Airport Influence Area, other than reconstruction projects as defined in paragraph 4.3.7 in the CLUP. All such easements shall be similar to that shown as Exhibit 1 in Appendix A in the CLUP.</u>

Draft EIR, Page 193 **ADD** the following text to the second sentence under Impact HAZ-5:

As discussed in Section 3.9.1 Environmental Setting, all of Moffett Park is located within the Moffett Airfield AIA. Development proposals within the AIA are required to be reviewed by the ALUC for compatibility with applicable CLUP policies including identified in Section 3.9.1.1 Regulatory Framework.

Draft EIR, Page 194 **ADD** the following text to the end of the first sentence on the page:

The southwest corner of Moffett Park is located within the turning safety zone of the CLUP, which restricts land use to non-residential uses, with a maximum of 200 people per acre (including open space and parking required for the building's occupants and one-half of the adjacent street area).

Draft EIR, Page 194 **ADD** the following text at the end of the first paragraph under Objects in Navigable Airspace:

Per the ALUC, when measuring development height for consistency with the CLUP Part 77 Heights, height is to be measured from above mean sea level (AMSL) to the top of the highest point of the development.<sup>1</sup>

<sup>1</sup> Airport Land Use Commission. *Referral from the City of Sunnyvale requesting review of a proposed update to the Moffett Park Specific Plan related to General Plan and Zoning Ordinance Amendments*. May 5, 2023.

Draft EIR, Page 245 **ADD** the following word to the first sentence in the first paragraph:

As shown in Table 3.13-5 above, buildout of the Specific Plan would result in an increase of more than three dBA  $L_{dn}$  at two roadway segments when the 2040 cumulative plus project scenario is compared to existing conditions and more than one dBA compared to the 2040 cumulative no project conditions.

Draft EIR, Page 259 **REVISE** the number in the last column of the bottom row in Table 3.14-1 as follows:

<b>Table 3.14-1: Estimated Residents and Employees under Existing, Adopted Specific Plan, and Proposed Specific Plan Conditions</b>				
	<b>Households</b>	<b>Residents</b>	<b>Employment Use in Millions of Square Footage</b>	<b>Jobs/ Employees</b>
A. Existing Conditions	0	0	18.5	35,269
B. Adopted Specific Plan	0	0	24.3	51,584
C. Proposed Specific Plan	20,000	42,000	33.5	95,683
<i>Change between Existing and Proposed (C – A)</i>	<i>20,000</i>	<i>42,000</i>	<i>15.0</i>	<i>60,414</i>
<i>Change between Adopted and Proposed (C – B)</i>	<i>20,000</i>	<i>42,000</i>	<i>9.2</i>	<i><u>26,95444,099</u></i>

Draft EIR, Page 259 **REVISE** the sentence before Table 3.14-2 and Table 3.14-2 as follows:

As shown in Table 3.14-2 below, the buildout of the General Plan, with the net growth resulting from the proposed project, is beyond the growth projected by ABAG for the City of 84,170 households, 222,210 residents/population, and 108,640 jobs/employees by year 2040.

<b>Table 3.14-2: Projected Growth Citywide</b>			
	<b>Households</b>	<b>Residents/ Population</b>	<b>Jobs/Employees</b>
A. General Plan Buildout	82,122	<u>197,785</u> 203,985	<u>121,689</u> 43,856
B. Net Increase from Proposed Specific Plan	20,000	42,000	<u>26,95444,099</u>
<i>Total (A+B)</i>	102,122	<u>239,785</u> 245,985	<u>148,643</u> 70,810
<del>2040 Projected Citywide Growth</del>	<del>84,170</del>	<del>222,210</del>	<del>108,640</del>

Draft EIR, Page 275 **REVISE** the following text after the bulleted list:

In addition, the City currently has approximately 772 acres of park and open space and 156,234 residents, which results in a ratio of 4.94 acres per 1,000 residents. The implementation of the Specific Plan would result in approximately 42,000 new residents and at least 212 acres of new park and open space. Under existing conditions with the Specific Plan, the City would have 984 acres of park and open space and 198,234 residents, resulting in a ratio of 4.96 acres of park and open space per 1,000 residents. The project, therefore, would increase the amount of park and open space provided per resident than under existing conditions.

Draft EIR, Page 281 **ADD** the following text after the second sentence under Impact REC-1:

Existing recreational facilities include Baylands Park and San Francisco Bay Trail. The current use, operations, and restrictions at existing recreational facilities would not change as part of the project. For example, the San Francisco Bay Trail is an existing regional trail facility that is open to the public and serves more than seven million Bay Area residents. The San Francisco Bay Trail “provides space for recreation and active transportation to work, school and other destinations in the community.”<sup>2</sup> Baylands Park and San Francisco Bay Trail direct visitors to designated trails (and not sensitive wildlife habitat) and dogs are prohibited at Baylands Park and the San Francisco Bay Trail segment at the closed landfill to avoid substantially impacting special status species. The existing use regulations for these facilities for users, including future users from Moffett Park, would not change as a result of the project and would continue to minimize and avoid significant impacts from facility users.

Draft EIR, Page 297 **ADD** the following text to footnote 3 in Table 3.17-2:

<sup>3</sup> With district parking, people coming into Moffett Park would need to park once and use other modes of transport (e.g., walking or biking) to complete their activities within Moffett Park; therefore, it is assumed travel within Moffett Park would be achieved via non-driving modes of transportation.

For informational purposes, if the project did not include a park once environment, the internal mode split would be different than shown in the table above. Without a park once environment, it is estimated that the internal driving trips would be 14 percent of the total trips (or 79,862 average daily trips) and internal non-driving trips would be six (6) percent of the total trips (or 37,582 average daily trips). The external trips and mode split would not change from the above if the park once concept was not included in the project. The total trip generation of the project would increase by less than two percent if the park once concept was not included as part of the project. As a result, the project’s residential VMT per capita and employment VMT per capita would increase by less than one percent and would remain below the respective VMT thresholds. In addition, an LOS deficiency would occur at the Geneva Drive and Java Drive intersection that could be addressed with the implementation of multimodal improvements (i.e., reducing the curb radius at the corners and converting the intersection to a protected intersection, installing new curb ramps, and relocating signal poles). No new or substantially more severe impacts would result from the implementation of these multimodal improvements than disclosed in the EIR given the Specific Plan policies and requirements to reduce construction related impacts. Additionally, without the park once environment, the project would result in a new permanent noise increase on segments of Java Drive and Bordeaux Drive at an existing sensitive receptor (AC Hotel) located at the intersection of these two roadways. The City could implement measures such as repaving the impacted road segments with quieter pavement types or installing traffic calming measures to

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<sup>2</sup> Metropolitan Transportation Commission. “About the Bay Trail.” 2023. Accessed February 28, 2023. <https://mtc.ca.gov/operations/regional-trails-parks/san-francisco-bay-trail/about-bay-trail>

slow traffic to reduce the noise level at AC Hotel to a less than significant level. Mobile air pollutant emissions, including greenhouse gas emissions, would also slightly increase if the park once concept was not included as part of the project. If the park once concept was not included as part of the project, the project's operational criteria air pollutant emissions and greenhouse gas emissions would increase slightly (less than two percent) above what is disclosed in this EIR for the project. This slight increase does not represent a substantial increase and would not change the air quality or greenhouse gas impact conclusions disclosed in the EIR for the project. All other impacts identified in the Draft EIR would be the same. Overall, if the project did not include the park once concept, there would be a slight change in VMT, ambient noise, air quality, and greenhouse gas impacts. The slight change with implementation of measures to reduce roadway noise would not result in new or substantially more severe significant impacts than disclosed in this EIR. Sources: 1) Hexagon Transportation Consultants. *Moffett Park Specific Plan Transportation Analysis of No Park-Once Scenario*. June 8, 2023. 2) Illingworth & Rodkin, Inc. *Moffett Park Specific Plan – Traffic Volume Increase Noise Impacts*. June 7, 2023. 3) Reyff, James. Illingworth & Rodkin, Inc. Personal communications. May 30, 2023.

Final EIR, Page 6      **ADD** the following text to Comment Letter R in the Table of Contents:

R. Sierra Club Loma Prieta Chapter, Citizens Committee to Complete the Refuge, and Santa Clara Valley Audubon Society (February 10, 2023)

Final EIR, Page 40      **ADD** the following text to Response I.2:

**Response I.2:** No mitigation is proposed on Valley Water property as part of the project. It is acknowledged that Valley Water prohibits use of its property for mitigation for non-Valley Water projects. The comment does not identify any specific CEQA issues or inadequacies of the Draft EIR; therefore, no further response is required.

Final EIR, Page 60      **ADD** the following text to the Comment Letter R heading:

**R.      Sierra Club Loma Prieta Chapter, Citizens Committee to Complete the Refuge, and Santa Clara Valley Audubon Society (February 10, 2023)**

Final EIR, Page 67      **ADD** the following text to Response R.9:

**Response R.9:** No new lighting is proposed at off-site levees or the former landfill. A copy of the Specific Plan is included in Appendix B of the Draft EIR. Chapter 6.6.9 of the Specific Plan includes the standards for exterior lighting and future development shall comply with these standards, as explained on pages 112 through 113 of the Draft EIR. Standard 3 Full cutoff – lighting shielding requires all exterior lighting be shielded from the top, directed downward, and avoid excessive light trespass. Uplighting of buildings and landscaping is prohibited. Additionally, Table 16 on page 167 of the Specific Plan identifies standards for building placement, impervious area, landscape design, and lighting design specific to the ECD. The lighting design standards states: "Landscape lighting shall not be installed with the Ecological Enhancement Area to ECD."

Further, Standard 4 on page 178 of the Specific Plan specifically pertains to lighting near habitat areas and states: “Exterior light design shall minimize the potential to impact open spaces intended to provide wildlife habitat as identified in this Chapter, including the Ecological Combining District ECD, areas within 150 feet of the ECD boundary, habitat areas within Greenbelts- Ecological Corridors and Natural Areas- Habitat Patches, and the East and West Channels. Within these areas the following standards shall apply.

- a. Light fixtures shall be designed and maintained to only illuminate pathways and other surfaces or features necessary for safety, building entrances, and circulation. Light shall be diverted away from wildlife habitat. Light fixtures shall meet the Backlight-Uplight-Glare (BUG) rating system requirements for Lighting Zone 1 (LZ1) under the International Dark-Sky Association’s model lighting ordinance.
- b. Interior and exterior lighting that is not necessary for safety, building entrances, and circulation shall be automatically shut off from 10 pm to sunrise.
- c. All light fixtures near habitat areas shall have a light temperature of  $\leq 2,700$  kelvin.”

In addition, page 179 of the Specific Plan includes a guideline to conduct lighting studies and modeling during the exterior lighting design process to confirm that the development proposal would minimize the addition of indirect artificial light at night to habitat areas.

The above Specific Plan standard would minimize night lighting near sensitive habitats, prohibit the addition of lighting within the ECD, and not result in impacts to sensitive habitat or special status species in those habitats due to nighttime lighting. Mitigation, therefore, is not required.

Final EIR, Page 69      **ADD** the following text to Response R.11:

**Response R.11:** The project does not propose any changes to the bayland levees, also refer to Topic Response 3: Park and Recreation Impacts regarding how the current use, operations, and restrictions at existing recreational facilities would not change as part of the project. No significant impacts were identified to special status species wildlife or sensitive habitat; therefore, no mitigation (such as the recommendations by Ms. Od referenced in this comment) is required.

Final EIR, Page 70      **ADD** the following text to Response R.13:

**Response R.13:** The aesthetic impacts (including light and glare) from implementing the Specific Plan are evaluated in Section 3.1 Aesthetics on pages 44 through 51 of the Draft EIR and are concluded to be less than significant. Refer to Response R.9 regarding the Specific Plan’s exterior lighting standard to minimize lighting impacts near habitat areas, including the East and West Channels. Also, while the Specific Plan does not require step backs in building height, the Specific Plan maintains



building setbacks from back-of-walk and open spaces to provide for additional habitat areas and increase open spaces. For example, the Specific Plan identifies minimum setbacks from the East and West Channels (30- and 65- foot averages, respectively, from new parcel line or public access easement defining publicly accessible open space). Under existing conditions, the East Channel is between 225 and 240 feet wide and the West Channel is approximately 80 feet wide. The Specific Plan proposes to increase the distance around the East Channel to 375 feet from building to building. Similarly, the Specific Plan would increase the width of the West Channel open space to approximately 375 feet, or 300 feet where the channel is naturalized. Under the proposed Specific Plan, new buildings would be prohibited from being constructed within the increased widths and open space areas, which would reduce shadows cast by the buildings on the channels. Overall, the Specific Plan would increase the amount of open space and habitat areas, and minimize impacts from light and shading on the channels.

Based on the above response and discussion in the Draft EIR, no significant visual, shadow, or light impact was identified. For this reason, no mitigation (such as the building step backs in the above comment) are required.

Final EIR, Page 70      **ADD** the following text to Response R.16:

**Response R.16:** ~~Step backs of building facades would not result in environmental impacts.~~ Refer to Responses R.13, R.14 and R.15 regarding shading impacts to open space and waterways.

Final EIR, Page 78      **ADD** the following text to Response R.31:

**Response R.31:** No specific development is proposed at this time. Refer to Response R.20 for the mechanisms in place to evaluate and remediate contamination (such as contamination from migrating groundwater plumes) during redevelopment of sites within Moffett Park.

It is assumed that the “recommendations A through D from the SFEI report” are the adaptation strategies identified in Chapter 6 of the Sea-level Rise Impacts on Shallow Groundwater in Moffett Park by SFEI included in Appendix G of the Draft EIR. The adaptation strategies are considerations for future development that could minimize the risk of rising groundwater, including adding three feet to groundwater design levels, accounting for higher groundwater levels in stormwater system upgrades, and designing site open spaces to allow more groundwater and stormwater detention.

In addition, the Specific Plan includes implementation actions to develop an updated citywide Storm Drain Master Plan and to establish a groundwater monitoring plan (refer to page 278 of the Specific Plan). The updated Storm Drain Master Plan would assess the condition of the City’s existing storm drainage system and identify capital improvement projects (CIPs) to accommodate capacity changes and reduce the risk of flooding and inundation from sea level rise. The groundwater monitoring plan would

track groundwater elevation changes and salinity, which would assist in advising adaptation strategies such as those described above. Both plans would reduce the effects of sea level rise in Moffett Park.

Per California Building Industry Association v. Bay Area Air Quality Management District, 62 Cal 4<sup>th</sup> 369 (BIA v. BAAQMD), effects of the environment on a project (e.g., groundwater level effects to the development of the Specific Plan) are not considered CEQA impacts, as explained in Section 3.10.3 on page 214 of the Draft EIR. This does not, however, preclude the City from considering the adaptation strategies outside of the CEQA process. When future development is proposed, the City will consider the applicability of the adaptation strategies identified during the planning (not CEQA) process. Possible adaptation strategies are identified in Section 3.10.3 on page 214 of the Draft EIR.

The comment does not identify any specific CEQA issues or inadequacies of the Draft EIR; therefore, no further response is required.

## CONCLUSION

Recirculation of the Draft EIR for the project is not required pursuant to CEQA. The above text revisions are minor and do not represent substantial new information. The revisions would not alter the analysis, conclusions, or findings of the Draft EIR.

In conformance with Section 15121 of the CEQA Guidelines, the Draft EIR (including associated technical appendices and reports), Final EIR, Responses to Late Comments on the Draft EIR Memorandum, together with the information contained in this Errata are intended to inform the decision-makers and the public of the environmental effects of the project.