

**Extra Space Storage  
106 Lawrence Station Road  
Use Permit (2017-7092)**

**Environmental Checklist**

**PREPARED FOR:**

**City of Sunnyvale**  
Community Development Department, Planning Division  
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## ACRONYMS AND ABBREVIATIONS

°C	degrees Celsius
°F	degrees Fahrenheit
AB 32	California Global Warming Solutions Act of 2006
APE	Area of Potential Effects
ARB	California Air Resources Board
ATCMs	air toxic control measures
BAAQMD	Bay Area Air Quality Management District
BMPs	best management practices
CAA	federal Clean Air Act
CAAQS	California Ambient Air Quality Standard
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CH <sub>4</sub>	methane
CNELs	community noise equivalent levels
CNG	compressed natural gas
CO	carbon monoxide
CO <sub>2</sub>	carbon dioxide
CO <sub>2</sub> e	CO <sub>2</sub> -equivalent
dB	decibels
diesel PM	diesel-powered engines
DWR	California Department of Water Resources
ECSDC	El Camino Storm Drain Channel
EIR	Environmental Impact Report
EPA	U.S. Environmental Protection Agency
FTA	Federal Transit Administration
GHG	greenhouse gas
GWP	global warming potential
HFCs	hydrofluorocarbons
HVAC	heating, ventilation, and air conditioning
IPCC	Intergovernmental Panel on Climate Change
L <sub>dn</sub>	day-night average noise level
LID	low impact development
LUTE	Land Use and Transportation Element
LSAP	Lawrence Station Area Plan
MMT	million metric tons
MTC	Metropolitan Transportation Commission
N <sub>2</sub> O	nitrous oxide

NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NHTSA	National Highway Traffic Safety Administration
NOA	naturally occurring asbestos
NO <sub>x</sub>	oxides of nitrogen
NPDES	National Pollutant Discharge Elimination System
NRC	National Research Council
PCE	tetrachloroethene
PFCs	perfluorocarbons
PHPS	Preliminary Historic Properties Synthesis
PM <sub>10</sub>	particulate matter with an aerodynamic diameter of 10 micrometers or less
PM <sub>2.5</sub>	particulate matter with an aerodynamic diameter of 2.5 micrometers or less
PPV	peak particle velocity
RECs	recognized environmental conditions
ROG	reactive organic gases
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCS	Sustainable Communities Strategy
SENLs	single event noise levels
SF <sub>6</sub>	sulfur hexafluoride
SHPO	State Historic Preservation Officer
SWPPP	storm water pollution prevention plan
TAC	toxic air contaminant
TCE	trichloroethene
TRUs	transport refrigeration units
VdB	vibration decibels
VOCs	volatile organic compounds
WSA	Water supply assessment
UWMP	Urban water management plan

# 1 INTRODUCTION AND PROJECT HISTORY

On December 6, 2016, the Sunnyvale City Council approved the 319-acre Lawrence Station Area Plan (LSAP) for development of up to 2,323 new residential units, 1.2 million square feet of new office/research and development uses, and 16,600 square feet of new retail uses. The LSAP would result in mixed use development and revitalization surrounding the existing Lawrence Caltrain Station. The City prepared an Environmental Impact Report (EIR) (State Clearinghouse No. 2013082030) for the LSAP that evaluated the environmental impacts associated with development of the entire plan area based on the land use and zoning designations established in the LSAP.

The Extra Space Storage site is located within the southern portion of the LSAP and designated as "Flexible Mixed Use II." The project site is 373,752 square feet (8.12 acres) and measures approximately 2,800 feet in length and 200 feet in width. The property is bounded by the Lawrence Caltrain Station station and railroad tracks to the south, Lawrence Expressway over the overpass and Lawrence Station Road under the overpass to the west, big box retail and industrial properties to the north and east. On the east end of the parcel, Calaveras Creek flows south to north under the property and the Caltrain tracks through a box culvert. There is an unused railroad spur along the north property line which merges with the Caltrain tracks at the east end of the property. The proposed project is to construct a 54,000-square foot, three story storage building at an existing self storage facility resulting in a total floor area of 159,637 square feet and 43% Floor Area Ratio (FAR). The project is consistent with the LSAP and is considered a subsequent project as part of the implementation of the LSAP. The project also includes the implementation of a pedestrian and bike trail connecting the Calabazas Creek Trail to The Loop which is identified as a need in the LSAP. The path would be in the form of an easement and to be constructed in the future.

The EIR was prepared at the program "first-tier" level of environmental review consistent with the requirements of California Environmental Quality Act (CEQA) Sections 15152 and 15168. The program-level analysis considered the broad environmental impacts of the overall LSAP. The EIR acknowledged that subsequent development of the LSAP area would occur in multiple years and phases. As those phases are proposed, such as the project, they are being evaluated to determine whether the entitlements/actions proposed fall within the scope of the approved EIR and incorporate all applicable performance standards and mitigation measures identified therein. Should the subsequent development phases not be consistent with the approved LSAP, additional environmental review through the subsequent review provisions of CEQA for changes to previously-reviewed and approved projects may be warranted (CEQA Guidelines Sections 15162 through 15164).

Consistent with the process described, the City is evaluating the project application to determine what type of additional environmental review would be required. This environmental checklist has been prepared to determine whether the environmental impacts of the project are within the scope of the LSAP EIR, or if changed environmental conditions that are of sufficient magnitude result in new or substantially more severe environmental impacts, as compared to those considered in the LSAP EIR. This analysis also considers whether there is new information of substantial importance showing that new or substantially more severe environmental impacts would occur compared to that evaluated in the LSAP EIR.

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## 2 PROJECT DESCRIPTION

### 2.1 PROJECT OVERVIEW

The proposed project is to construct a 54,000-square foot, three story storage building at an existing self storage facility resulting in a total floor area of 159,637 square feet and 43% Floor Area Ratio (FAR). The area where the new building is proposed to be constructed is currently storage parking for Recreational Vehicles (RVs). The project also includes the implementation of a pedestrian and bike trail connecting the Calabazas Creek Trail to The Loop which is identified as a need in the LSAP. The path would be in the form of an easement and to be constructed in the future.

The project is consistent with LSAP land use designations and zoning. The project would require Use Permit approval by the Sunnyvale Zoning Administrator.

### 2.2 PROJECT LOCATION

The 8.12-acre project site is bounded by the Lawrence Caltrain Station and railroad tracks to the south, Lawrence Expressway over the overpass and Lawrence Station Road under the overpass to the west, and big box retail and industrial properties to the north and east. South of the Caltrain railroad tracks is City of Santa Clara with multi-family and duplex residences. The project site is accessed from Lawrence Station Road. On the east end of the parcel, Calaveras Creek flows south to north under the property and the Caltrain tracks through a box culvert. There is an unused railroad spur along the north property line which merges with the Caltrain tracks at the east end of the property.

### 2.3 EXISTING SETTING

The project site is irregularly shaped with a maximum width of approximately 160 feet and a total length of approximately 2,600 feet. The site is developed with four buildings, parking and landscaping. The three self-storage buildings are long, single-story, stucco buildings with metal roll up doors. The first building to the north is 36,164 square feet, the second building is 50,177 square feet, and the third building is 18,021 square feet. The building closest to the driveway access at Lawrence Station Road is a two-story, 1,275-square foot office and care manager's building. There is a minimum 20-foot wide drive aisle down the property and around the two larger storage buildings. The location where the new storage building is proposed is located on the east end of the parcel and is currently storage parking for 42 Recreational Vehicles (RVs). The LSAP designates the zoning as MXD II- Flexible MixedUse II.

### 2.4 PROJECT OBJECTIVES

The LSAP's objectives, as described in the LSAP Draft EIR are the following:

- ▲ Promote a diversity of land uses and densities that will support transit usage and neighborhood services.
- ▲ Locate highest intensity development closest to Lawrence Station.
- ▲ Improve connectivity for all modes of travel.
- ▲ Ensure the area has a character that is unique to its location while being compatible with the overall character of Sunnyvale and sensitive to existing environmental assets.

- ▲ Create a strong sense of place and community identify with the development of a vibrant neighborhood center.
- ▲ Allow the area to redevelop over time through a flexible system that is responsive to the goals, schedule, and needs of individual business and property owners, developers, and residents.
- ▲ Redevelop the area in a manner that is environmentally, economically, and socially sustainable.

## 2.5 PROJECT ELEMENTS

The proposed project is to construct a 54,000-square foot, three-story storage building at an existing self-storage facility resulting in a total floor area of 159,637 square feet and 43% Floor Area Ratio (FAR). The area where the new building is proposed to be constructed is currently storage parking for Recreational Vehicles (RVs). The project also includes the implementation of a multi-use trail identified in the LSAP to connect the proposed Calabazas Creek Trail to the Loop Road (The Loop). The trail would be dedicated in the form of an easement and to be constructed in the future. The project's development intensities are consistent with LSAP standards.

## 2.6 REQUIRED ACTIONS

The project would require the following actions by the City. No other agency actions would be required.

- ▲ Use Permit approval by the Zoning Administrator
- ▲ Issuance of building permits
- ▲ Recordation of easements

### 3 ENVIRONMENTAL CHECKLIST FOR SUPPLEMENTAL ENVIRONMENTAL REVIEW

#### 3.1 EXPLANATION OF CHECKLIST EVALUATION CATEGORIES

The purpose of this checklist is to evaluate the categories in terms of any “changed condition” (i.e., changed circumstances, project changes, or new information of substantial importance) that may result in environmental impact significance conclusions different from those found in the LSAP EIR. The row titles of the checklist include the full range of environmental topics, as presented in Appendix G of the State CEQA Guidelines. The column titles of the checklist have been modified from the Appendix G presentation to help answer the questions to be addressed pursuant to CEQA Section 21166 and State CEQA Guidelines Section 15162. A “no” answer does not necessarily mean that there are no potential impacts relative to the environmental category, but that there is no change in the condition or status of the impact because it was analyzed and addressed with mitigation measures in the LSAP EIR. For instance, the environmental categories might be answered with a “no” in the checklist because the impacts associated with the project were adequately addressed in the LSAP EIR, and the environmental impact significance conclusions of the LSAP EIR remain applicable. The purpose of each column of the checklist is described below.

##### **Where Impact was Analyzed**

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

##### **Do Proposed Changes Involve New Significant Impacts?**

The significance of the environmental impacts of the project-specific features not considered in the LSAP and its EIR (i.e., off-site intersection improvement), is indicated in the columns to the right of the environmental issues.

##### **Any new Circumstances Involving New or Substantially More Severe Significant Impacts?**

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

##### **Any New Information Requiring New Analysis or Verification?**

Pursuant to Section 15162(a)(3)(A-D) of the CEQA Guidelines, this column indicates whether new information of substantial importance which was not known and could not have been known with the exercise of reasonable diligence at the time the previous environmental documents were certified as complete is available, requiring an update to the analysis of the previous environmental documents to verify that the environmental conclusions and mitigation measures remain valid. If the new information shows that: (A) the project will have one or more significant effects not discussed in the prior environmental documents; or (B) that significant effects previously examined will be substantially more severe than shown in the prior environmental documents; or (C) that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the Mitigation Measure or alternative; or (D) that mitigation measures or alternatives which are considerably different from those analyzed in the prior environmental documents would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the Mitigation Measure or alternative, the question would be answered “yes” requiring the preparation of a subsequent EIR or supplement to the EIR. However, if the additional analysis completed as part of this Environmental Checklist Review finds that the conclusions of the prior environmental documents remain the

same and no new significant impacts are identified, or identified significant environmental impacts are not found to be substantially more severe, the question would be answered “no” and no additional EIR documentation (supplement to the EIR or subsequent EIR) would be required.

Notably, where the only basis for preparing a subsequent EIR or a supplement to an EIR is a new significant impact or a substantial increase in the severity of a previously identified impact, the need for the new EIR can be avoided if the project applicant agrees to one or more mitigation measures that can reduce the significant effect(s) at issue to less than significant levels. (See *River Valley Preservation Project v. Metropolitan Transit Development Board* (1995) 37 Cal.App.4th 154, 168.)

### **Do Prior Environmental Documents Mitigations Address/Resolve Impacts?**

This column indicates whether the prior environmental documents and adopted CEQA Findings provide mitigation measures to address effects in the related impact category. In some cases, the mitigation measures have already been implemented. A “yes” response will be provided in either instance. If “NA” is indicated, this Environmental Checklist Review concludes that there was no impact, or the impact was less-than-significant and, therefore, no mitigation measures are needed.

## **3.2 DISCUSSION AND MITIGATION SECTIONS**

### **Discussion**

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

### **Mitigation Measures**

Applicable mitigation measures from the prior environmental review that would apply to the project are listed under each environmental category. New mitigation measures are included, if needed.

### **Conclusions**

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

### **Acronyms Used in Checklist Tables**

Acronyms used in the Environmental Checklist tables and discussions include:

EIR	Environmental Impact Report
MM	Mitigation Measure
NA	not applicable

## 4 ENVIRONMENTAL CHECKLIST

### 4.1 AESTHETICS

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Draft and Final EIR.	Do Any New Circumstances Involve New or Substantially More Severe Significant Impacts?	Any New Information Requiring New Analysis or Verification?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
<b>1. Aesthetics. Would the project:</b>				
a. Have a substantial adverse effect on a scenic vista?	Draft EIR Setting pp. 3.12-1 to 3.12-5 No Impact	No	No	NA, no impact would occur.
b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	Draft EIR Setting pp. 3.12-1 to 3.12-5 No Impact	No	No	NA, no impact would occur.
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	Draft EIR Setting pp. 3.12-1 to 3.12-5 Impacts 3.12.1, 3.12.3 and 3.12.4	No	No	NA, impact remains less than significant
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Draft EIR Setting pp. 3.12-1 to 3.12-5 Impact 3.12.2 and 3.12.4	No	No	NA, impact remains less than significant

#### 4.1.1 Discussion

No substantial change in the environmental and regulatory settings related to aesthetics, described in the LSAP Draft EIR Section 3.12, Visual Resources and Aesthetics, has occurred since certification of the EIR in December 2016.

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

See discussion under item b) below.

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

As described in the LSAP Draft EIR Section 3.12, Visual Resources and Aesthetics, there are no scenic vistas within the plan area, and the plan area is not located in the vicinity of any officially designated state or county scenic highway. Therefore, no impact would occur for build out under the LSAP or for the project.

##### c) Substantially degrade the existing visual character or quality of the site and its surroundings?

Impact 3.12.1 of the LSAP EIR describes permanent changes to the visual character of the LSAP area from development, while Impact 3.12.3 addressed potential shadow impacts of new buildings in the plan area. Impact 3.12.4 addresses whether the LSAP would contribute to cumulative aesthetic impacts.

The LSAP Draft EIR identified that the LSAP would provide opportunities for new development and redevelopment, including higher densities, mixed use, and new urban living elements in areas generally occupied by industrial, office/R&D, and other nonresidential uses. The Transit Core, West, East, and Peninsula subareas, which adjoin the Caltrain tracks on the north and south, could experience the greatest amount of land use changes. The changes would alter the visual characteristics of those subareas compared to existing conditions. The land use changes in the Transit Core, West, East, and Peninsula subareas could be visible from residential uses, depending on the viewers' locations relative to the areas where the higher intensity land uses could be developed around the Lawrence Caltrain Station.

The Transit Core and West and East subareas could consist of vertical development up to 85 feet in height with varying building footprints. The buildings could be substantially taller and would be more visible than the existing low-rise, large-footprint structures that currently occupy the area and could generate shadow impacts. The appearance of the height and mass of the buildings and structures would be minimized through areawide design guidelines in the Lawrence Station Area Plan such as BH-UDG4, BMA-UDG1, BMA-UDG1, BO-UDG10, and PK-UDG17. These guidelines, along with other areawide and subarea-specific guidelines, encourage the greatest concentration of taller buildings in the vicinity of the Lawrence Station (Transit Core subarea), where the elevated portion of the station creates an existing vertical element. Variations in building height within blocks and parcels in the subarea and limits on the footprint of the tallest portion of a building on a lot, along with modulation and articulation of building massing to reduce apparent scale to provide visual interest and variety, would avoid a blocky uniform appearance. These measures would ensure that development in the Transit Core and adjoining West and East subareas would not be visually intrusive and would be consistent with surrounding urban form and context, both when viewed from within the plan area or when viewed from outside the plan area. The LSAP also contains guidelines to ensure appropriate open space and landscaping is included to provide visual interest and overall beautification of the subareas. Although the visual appearance of the Transit Core and West and East subareas would change, they would retain Sunnyvale's established urban visual character.

Compliance with existing Sunnyvale General Plan policies, zoning regulations, standard development conditions, Citywide Design Guidelines, and the proposed LSAP policies and guidelines would minimize potential effects on the visual environment that could be subjectively perceived as adverse or negative. Therefore, implementation of the LSAP would not substantially degrade the visual character or quality of the plan area or its surroundings under project or cumulative conditions.

As noted above, the project would be located within the East subarea. The project is consistent with the LSAP standards for this area and is subject to LSAP policies and guidelines for design. Project building heights (32 feet) would be below the LSAP maximum allowed height of 85 feet. No changes to the visual character of the site or surrounding areas have occurred since approval of the LSAP and certification of its EIR. Therefore, no new significant impacts or substantially more severe impacts would occur, and the findings of the certified LSAP EIR remain valid and no further analysis is required.

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

As identified in Impact 3.12.3, there are existing sources of nighttime lighting and glare in the plan area because it is largely built out with residential and nonresidential uses. New development in the Transit Core, West, East, and Peninsula subareas would comprise the predominant potential sources of additional nighttime lighting and illumination in the plan area because those areas could experience the greatest amount of land use changes. Potential sources of nighttime lighting would be expected to include exterior lighting on new nonresidential and residential buildings, light emanating from building interiors, additional street lighting on new street improvements. Additional nighttime illumination could also contribute to existing skyglow conditions. Glare could be created from reflective surfaces, such as vehicles in parking lots and windows on buildings.

The LSAP contains several areawide design guidelines that would help reduce the potential for spillover lighting and skyglow effects associated with nighttime illumination and to minimize glare from reflective

surfaces. For example, a Lighting Master Plan would be required as part of the Streetscape Master Plan (Guideline L-UDG1). Dark sky goals would be incorporated into the Lighting Master Plan (L-UDG2). Other guidelines address the use of luminaries with white, natural appearing light in pedestrian areas and requirements for pole heights that relate to the scale of the street and include shielding or directionality to avoid light spillover and glare. Potential glare effects from new buildings would be minimized through Guideline BO-UDG3 (clear, nonreflective glazing on all windows at street level) and avoiding highly reflective surfaces and materials (BM-UDG5). Shading and perimeter landscaping at surface parking lots (PK-UDG9) would reduce the amount of glare that could be generated from vehicle windshields. Additionally, compliance with Section 19.42.050 of the Sunnyvale Municipal Code would further minimize potential light and glare impacts by ensuring that all lights, spotlights, floodlights, reflectors, and other means of illumination are shielded or equipped with special lenses in such a manner as to prevent any glare or direct illumination on any public street or other property.

Implementation of the proposed lighting, building design, and landscaping guidelines, as well as continued compliance with the City's existing lighting regulations, would ensure that potential light and glare impacts are reduced to a level that would be less than significant for the LSAP under project and cumulative conditions.

No changes in the proposed nighttime lighting conditions for the project site have occurred since approval of the LSAP. Therefore, no new significant impacts or substantially more severe impacts would occur. The findings of the certified LSAP EIR remain valid and no further analysis is required.

### **Mitigation Measures**

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

### **CONCLUSION**

No new circumstances or project changes have occurred nor has any new information been found requiring new analysis or verification. Therefore, the conclusions of the LSAP EIR remain valid and approval of the project would not result in new or substantially more severe significant impacts to aesthetics.

## 4.2 AGRICULTURE AND FOREST RESOURCES

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Draft and Final EIR.	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
<b>2. Agriculture and Forestry Resources. Would the project:</b>				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	Scoped out at Notice of Preparation stage. Resources do not exist in LSAP area.	No	No	NA
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	Scoped out at Notice of Preparation stage. No agricultural zoning or Williamson Act contracted lands exist in LSAP area.	No	No	NA
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	Scoped out at Notice of Preparation stage. Resources do not exist in LSAP area.	No	No	NA
d. Result in the loss of forest land or conversion of forest land to non-forest land?	Scoped out at Notice of Preparation stage. Resources do not exist in LSAP area.	No	No	NA
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	Scoped out at Notice of Preparation stage. Resources do not exist in LSAP area.	No	No	NA

### 4.2.1 Discussion and Conclusion

Agricultural and forestry impacts were scoped out of the LSAP EIR at the Notice of Preparation stage as these resources do not exist in the LSAP area. The project site does not contain any of these resources and would also have no impact.



## 4.3 AIR QUALITY

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Draft and Final EIR.	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Do Prior Environmental Documents' Mitigations Address/Resolve Impacts?
<b>3. Air Quality. Would the project:</b>				
a. Conflict with or obstruct implementation of the applicable air quality plan?	Draft EIR Setting pp. 3.5-1 to 3.12-20 Impact 3.5.1	No.	No	NA, impact remains less than significant
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	Draft EIR Setting pp. 3.5-1 to 3.12-20 Impacts 3.5.2, 3.5.3 and 3.5.8	No.	No	Yes, operational impacts remain less than significant but construction impacts remain significant and unavoidable.
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	Draft EIR Setting pp. 3.5-1 to 3.12-20 Impact 3.5.8	No.	No	Yes, but impact remains significant and unavoidable
d. Expose sensitive receptors to substantial pollutant concentrations?	Draft EIR Setting pp. 3.5-1 to 3.12-20 Impacts 3.5.4, 3.5.5, and 3.5.6	No.	No	Yes, carbon monoxide impacts would remain less than significant and toxic air contaminant impacts would remain less than significant with application of adopted mitigation measures.
e. Create objectionable odors affecting a substantial number of people?	Draft EIR Setting pp. 3.5-1 to 3.12-20 Impact 3.5.7	No.	Yes	NA, impact remains less than significant.

### 4.3.1 Discussion

No substantial change in the environmental and regulatory settings related to Air Quality, described in LSAP Draft EIR Section 3.5, Air Quality, has occurred since certification of the EIR in December 2016

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

As identified in Impact 3.5.1, the LSAP is a transit-oriented development in support of the Lawrence Caltrain station. The LSAP includes strategies to establish a transit-supportive environment by improving connections between the station and adjacent destinations, densifying and intensifying land uses at key locations within the plan area, and enhancing the physical design of the urban environment. The LSAP would provide moderate- to high-density housing in locations within convenient walking distance of employment centers, shopping centers, and transit routes. As such, the LSAP would result in improved access to local and regional transit services, as well as the promotion of alternative means of transportation through increased access to pedestrian and bicycle facilities. The Bay Area Air Quality Management District's (BAAQMD) 2010 Clean Air Plan includes various control strategies to reduce emissions of local and regional pollutants and promote public health and energy conservation. Consistent with the control strategies identified in the Clean

Air Plan, the LSAP includes numerous provisions to reduce emissions of local and regional pollutants and to promote public health and energy conservation. Policy provisions of the LSAP support the goals of the 2010 Clean Air Plan as they include applicable pollutant control mechanisms. Therefore, this impact is considered less than significant for the LSAP.

No changes in the air quality conditions for the project site have occurred since approval of the LSAP. Therefore, no new significant impacts or substantially more severe impacts would occur. The findings of the certified LSAP EIR remain valid and no further analysis is required.

**b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?**

**Operational Emissions of Criteria Pollutants and Precursor Emissions**

The 2011 BAAQMD CEQA Guidelines do not contain numeric thresholds related to criteria pollutant emissions resulting from 'plan implementation'. According to the BAAQMD CEQA Guidelines, in order to identify whether the LSAP would violate any ambient air quality standard or contribute substantially to an existing or projected air quality violation, the LSAP must demonstrate consistency with the control measures contained in the Bay Area 2010 Clean Air Plan and show that projected VMT increases as a result of the plan area are less than or equal to projected population increases over its planning period. The LSAP is consistent with the 2010 Clean Air Plan and VMT would increase at a lower rate than population growth in comparison to existing conditions. As identified in Impact 3.5.2, this impact would be less than significant for the LSAP.

No changes in the air quality conditions for the project site have occurred since approval of the LSAP. The findings of the certified LSAP EIR remain valid and no further analysis is required.

**Construction Emissions of Criteria Air Pollutants and Precursor Emissions**

As identified in Impact 3.5.3, the quantification of air quality emissions from short-term, temporary construction activities associated with the LSAP is not possible due to project-level variability and uncertainties related to future individual projects in terms of market conditions of development, detailed site plans, construction schedules, equipment requirements, etc. However, all construction projects can produce ozone precursors and nuisance dust emissions. Therefore, future project-level analyses of air quality impacts, in accordance with CEQA requirements, would be required to be conducted on a case-by-case basis as individual, future development projects allowed in the LSAP proceed. While the BAAQMD has promulgated methodology protocols for the preparation of air quality analyses, and future development projects allowed under the LSAP that are projected to exceed BAAQMD significance thresholds are required to implement mitigation measures in order to reduce air pollutant emissions as much as feasible, BAAQMD significance thresholds may still be exceeded during project construction. Since it cannot be guaranteed that construction of future projects allowed under the LSAP would generate air pollutant emissions below BAAQMD significance thresholds due to the programmatic and conceptual nature of the LSAP and uncertainties related to future individual projects, this is considered a significant and unavoidable impact for the LSAP (see Impact 3.5.3 and 3.5.8). The City did adopt mitigation measures 3.5.3a and b that require compliance with BAAQMD recommended construction measures as well as use of construction equipment that is California Air Resources Board (ARB) Tier 3 Certified or better.

No changes in the air quality conditions for the project site have occurred since approval of the LSAP. The findings of the certified LSAP EIR remain valid and no further analysis is required.

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

As stated under the LSAP Draft EIR Impact 3.5.3, it cannot be guaranteed, despite mitigation, that construction of subsequent projects allowed under the LSAP would generate air pollutant emissions below BAAQMD significance thresholds due to the programmatic and conceptual nature of the LSAP and uncertainties related to future subsequent projects. Therefore, because of the uncertainties, cumulative impacts (Impact 3.5.8) would be cumulatively considerable and significant and unavoidable even with implementation of Mitigation Measures 3.5.3a and 3.5.3b.

As discussed in (a), above, the project would not exceed BAAQMD CEQA thresholds for construction or operational emissions. The project's land use and development intensities are consistent with the LSAP and what was assumed in the LSAP Draft EIR air quality analysis in Section 3.5, Air Quality. Therefore, no new significant impacts or substantially more severe impacts would occur. The findings of the certified LSAP EIR remain valid and no further analysis is required.

**d) Expose sensitive receptors to substantial pollutant concentrations?**

**Carbon Monoxide Concentrations**

Based on BAAQMD guidance, projects meeting all of the following screening criteria would be considered to have a less-than-significant impact on localized carbon monoxide concentrations if:

- ▲ The project traffic would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour.
- ▲ The project traffic would not increase traffic volumes at affected intersections to more than 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, bridge underpass, natural or urban street canyon, below grade roadway).

According to the traffic impact analysis prepared for the LSAP Draft EIR (Hexagon 2015, Figure 9; Tables 15 & 16, see Appendix C of the LSAP Draft EIR), none of the traffic volumes at any intersection, freeway segment, or freeway ramp would experience more than 44,000 vehicles per hour generated by the LSAP. Similarly, the LSAP would not result in 24,000 vehicles per hour where vertical and/or horizontal mixing of pollutants and atmosphere is substantially limited (i.e., an enclosed parking structure). As a result, this impact would be considered less than significant for the LSAP under project and cumulative conditions.

No new significant impacts or substantially more severe impacts would occur. The findings of the certified LSAP EIR remain valid and no further analysis is required.

**Toxic Air Contaminant Concentrations**

**Temporary, Short-Term Emissions from Construction Equipment**

As identified in Impact 3.5.5, sources of construction-related TACs potentially affecting the sensitive receptors include off-road diesel-powered equipment. In the case of most construction projects allowed under the LSAP, duration would be short-term, lasting less than one year. According to the BAAQMD (2011), construction-generated diesel PM emissions contribute to negative health impacts when construction is extended over lengthy periods of time. The use of diesel-powered construction equipment during construction would be temporary and episodic and would occur over several locations isolated from one another. Furthermore, the LSAP would be subject to, and would comply with, California regulations limiting idling to no more than five minutes, which would further reduce nearby sensitive receptors exposure to temporary and variable diesel PM emissions. Many of the individual construction projects would span small areas. Construction projects contained in a site of less than 5 acres are generally considered by CARB to

represent less than significant health risk impacts due to (1) limitations on the off-road diesel equipment able to operate and thus a reduced amount of generated diesel PM, (2) the reduced amount of dust-generating ground disturbance possible compared to larger construction sites, and (3) the reduced duration of construction activities compared to the development of larger sites. For these reasons, and because diesel fumes disperse rapidly over relatively short distances, diesel PM generated by most construction activities, in and of itself, would not be expected to create conditions where the probability of contracting cancer is greater than 10 in 1 million for nearby receptors.

Implementation of Mitigation Measure 3.5.3b requires the use of the specified off-road construction equipment manufactured to Tier 3 standards or higher during all construction activities. Compared to current standards, Tier 3 standards for heavy-duty vehicles represent approximately a 60 percent reduction in per vehicle PM emissions compared with equipment that does not meet the Tier 3 standard (USEPA 2014). Implementation of this mitigation measure would reduce the emissions of toxic pollutants generated by heavy-duty diesel-powered equipment during construction. Also, Mitigation Measure 3.5.3a requires that BAAQMD basic construction mitigation measures are employed. These basic construction mitigation measures include measures that would substantially reduce nuisance fugitive dust. Mitigation Measure 3.5.5 requires a site-specific analysis of large-scale construction projects (>5 acres lasting longer than 2 years) for the potential of construction-generated air pollutant impacts based on specific project details of future development, and the development of adequate mitigation, in consultation of the BAAQMD, to address any such impacts. As a result, implementation of these mitigation measures would reduce the impact to less than significant for the LSAP.

The BAAQMD 2011 CEQA significance thresholds for health risks and hazards from a project single source are:

- ▲ An excess lifetime cancer risk level of more than 10 in one million;
- ▲ A noncancer (chronic or acute) HI greater than 1.0; and
- ▲ An incremental increase in the annual average PM<sub>2.5</sub> of greater than 0.3 micrograms per cubic meter (µg/m<sup>3</sup>).

The project is subject to compliance to Mitigation Measures 3.5.3a, 3.5.3b, and 3.5.5 would ensure compliance with the health risk performance standards set forth in Mitigation Measure 3.5.5.

### Operational Source Emissions

As addressed in Impact 3.5.6, sensitive receptors can be exposed to TAC concentrations from future nonresidential land uses under the LSAP. Development projects that involve numerous heavy-duty truck trips on-site create substantial quantities of diesel PM emissions, and therefore can negatively affect sensitive land uses. According to CAPCOA's (2009) Health Risk Assessments for Proposed Land Use Projects, operations that require fewer than 100 delivery trucks daily are not considered a potential health risk. It is anticipated that the majority of nonresidential land uses developed in the plan area would generate less than 100 delivery trucks daily. This impact was identified as potentially significant that would be mitigated through implementation of Mitigation Measure 3.5.6 that requires health risk evaluations for new development projects containing sensitive receptors or nonresidential developments projected to generate more than 100 heavy-duty trucks daily.

The project consists of a 54,000 square foot self-storage facility and would not generate daily traffic in exceedance of 100 net new daily trips, and would not include any stationary TAC sources. Therefore, no new significant impacts or substantially more severe impacts would occur. The findings of the certified LSAP EIR remain valid and no further analysis is required.

### e) Create objectionable odors affecting a substantial number of people?

Construction within the plan area is not anticipated to expose nearby receptors to objectionable odors. As noted in Impact 3.5.7, construction-generated odors are typically associated with exhaust emissions from diesel fueled equipment and the application of architectural coatings and paving materials, which may be considered objectionable to some individuals. However, because construction-related odors would be intermittent, temporary, and would disperse rapidly with distance from the source, construction-related odors would not result in the frequent exposure of a substantial number of individuals to objectionable odors. It is also important to note that projects developed as part of the LSAP would be required to comply with BAAQMD Regulation 8, Rule 3, Architectural Coatings, and Rule 15, Emulsified Asphalt, which establish VOC content limits for these construction materials. VOCs are the main sources of odors from these sources. Therefore, compliance with these regulatory requirements would further reduce odor impacts associated with these sources. Short-term exposure to odorous emissions would therefore be considered less than significant for the LSAP. For these reasons, odorous emissions generated during construction under the project would also be less than significant under project and cumulative conditions.

The project would not be expected to result in the installation of any major odor emission sources. In addition, no existing major stationary sources of odors have been identified in the plan area. Therefore, long-term exposure to odorous emissions would be considered less than significant for the LSAP. The project consists of office/research and development uses and is not a major source of odorous emissions would also be less than significant.

### Mitigation Measures

The following mitigation measures were referenced in the LSAP EIR analysis and would be implemented if the project were approved.

#### ▲ Mitigation Measure 3.5.3a:

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

- 1) All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- 2) All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

- 3) All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- 4) All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
- 5) All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- 6) All construction equipment shall be maintained and properly tuned in accordance with manufacturers' specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- 7) A publicly visible sign shall be posted with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be visible to ensure compliance with applicable regulations.

▲ Mitigation Measure 3.5.3b:

In the cases where construction projects are projected to exceed the Bay Area Air Quality Management District's (BAAQMD) air pollutant significance thresholds for NO<sub>x</sub>, PM<sub>10</sub>, and/or PM<sub>2.5</sub>, all off-road diesel-fueled equipment (e.g., rubber-tired dozers, graders, scrapers, excavators, asphalt paving equipment, cranes, and tractors) shall be at least California Air Resources Board (CARB) Tier 3 Certified or better.

▲ Mitigation Measure 3.5.5:

In the case when a subsequent project's construction is span greater than five acres and is scheduled to last more than two years, the subsequent project shall be required to prepare a site-specific construction pollutant mitigation plan in consultation with the Bay Area Air Quality Management District (BAAQMD) staff prior to the issuance of grading permits. A project-specific construction-related dispersion modeling acceptable to BAAQMD shall be used to identify potential toxic air contaminant impacts, including diesel particulate matter. If BAAQMD risk thresholds (i.e., probability of contracting cancer is greater than 10 in 1 million) would be exceeded, mitigation measures shall be identified in the construction pollutant mitigation plan to address potential impacts and shall be based on site-specific information such as the distance to the nearest sensitive receptors, project site plan details, and construction schedule. The City shall ensure construction contracts include all identified measures and that the measures reduce the health risk below BAAQMD risk thresholds. Construction pollutant mitigation plan measures shall include, but not be limited to:

- 1) Limiting the amount of acreage to be graded in a single day,
- 2) Restricting intensive equipment usage and intensive ground disturbance to hours outside of normal preschool hours,
- 3) Notification of affected sensitive receptors one week prior to commencing on-site construction so that any necessary precautions (such as rescheduling or relocation of outdoor activities) can be implemented. The written notification shall include the name and telephone number of the individual empowered to manage construction of the project. In the event that complaints are received, the individual empowered to manage construction shall respond to the complaint within 24 hours. The response shall include identification of measures being taken by the project construction contractor to reduce construction-related air pollutants. Such a measure may include the relocation of equipment.

▲ Mitigation Measure 3.5.6:

The following measures shall be utilized in site planning and building designs to reduce TAC and PM<sub>2.5</sub> exposure where new receptors are located within 1,000 feet of emission sources:

- Future development with the LSAP that includes sensitive receptors (such as residences, schools, hospitals, daycare centers, or retirement homes) located within 1,000 feet from Caltrain and/or stationary sources shall require site-specific analysis to determine the level of health risk. This analysis shall be conducted following procedures outlined by BAAQMD. If the site-specific analysis reveals significant exposures from all sources (i.e., health risk in terms of excess cancer risk greater than 100 in one million, acute or chronic hazards with a hazard Index greater than 10, or annual  $\text{PM}_{2.5}$  exposures greater than  $0.8 \mu\text{g}/\text{m}^3$ ) measures shall be employed to reduce the risk to below the threshold (e.g., electrostatic filtering systems or equivalent systems and location of vents away from TAC sources). If this is not possible, the sensitive receptors shall be relocated.
- Future nonresidential developments projected to generate more than 100 heavy-duty trucks daily will be evaluated through the CEQA process or BAAQMD permit process to ensure they do not cause a significant health risk in terms of excess cancer risk greater than 10 in one million, acute or chronic hazards with a hazard Index greater than 1.0, or annual  $\text{PM}_{2.5}$  exposures greater than  $0.3 \mu\text{g}/\text{m}^3$ .

## CONCLUSION

The project would not result in new or substantially more severe significant impacts to air quality. The conclusions of the LSAP EIR remain valid and no additional analysis is required.

## 4.4 BIOLOGICAL RESOURCES

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Draft and Final EIR.	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
<b>4. Biological Resources. Would the project:</b>				
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	Draft EIR Setting pp. 3.9-1 to 3.9-14 Impacts 3.9.1, 3.9.2, 3.9.10, and 3.9.11	No	No	Yes, impacts would remain less than significant with application of adopted mitigation measures.
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	Draft EIR Setting pp. 3.9-1 to 3.9-14 Impacts 3.9.5 and 3.9.6	No	No	NA, no riparian or sensitive habitat exists on the project site.
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Draft EIR Setting pp. 3.9-1 to 3.9-14 Impact 3.9.6	No	No	NA, no wetland habitat exists on the project site.
d. Interfere substantially with the movement of any native resident or migratory fish and wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Draft EIR Setting pp. 3.9-1 to 3.9-14 Impact 3.9.7	No	No	NA, no wildlife movement corridors exist on the project site.
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	Draft EIR Setting pp. 3.9-1 to 3.9-14 Impact 3.9.8	No	No	NA, project is subject to Municipal Code Chapters 13.16 and 19.94.
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	Draft EIR Setting pp. 3.9-1 to 3.9-14 Impact 3.9.9	No	No	NA, no adopted habitat conservation plan or related plan exists in the LSAP area.

### 4.4.1 Discussion

No new information pertaining to biological resources on the project site has become available since the LSAP EIR was certified in December 2016.



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

There is one vacant, undeveloped location in the LSAP—the eastern half of the Corn Palace property in the Southern Residential subarea north of Lily Avenue and west of Lawrence Expressway. The entire property was historically agricultural but is now fallow; the western part of the Corn Palace property was developed with residences in 2012. The vacant field could provide habitat for burrowing owl, though no evidence of the owls were identified during site review. The project is not located in or near the Corn Palace property.

As identified in Impact 3.9.2, bats, including western red bat, Townsend's big-eared bat, pallid bat, and western mastiff bat, are known to occur in the vicinity of the LSAP area. These species are California species of special concern due to recent population declines. Habitat for bat species consists of foraging habitat, night-roosting cover, maternity roost sites, and winter hibernacula. These bat species may forage in a variety of habitats. In general, the CDFW is most concerned about the loss of maternity roosting sites. Potential maternity and night-roosting sites occur in snags, under bark, and in human structures in the LSAP area. Bats are at their most vulnerable in buildings or other roost sites during the summer, when large numbers may be gathered together and young bats, unable to fly, may be present. Removal of maternity roost sites may cause direct mortality of numerous bats. Noise and dust from construction could indirectly impact bat species during construction. This is potentially significant impact for the LSAP that would be mitigated through implementation of Mitigation Measure 3.9.2 that would require pre-construction surveys and protection of bats and active roosts.

All native breeding birds, regardless of their listing status, are protected under the Migratory Bird Treaty Act. As noted in Impact 3.9.3, the LSAP contains several guidelines intended to protect trees, but recognizes that some trees may need to be removed to accommodate new projects. If construction occurs during the nesting season and trees are removed or substantially pruned, this could result in direct impacts on nesting birds and raptors should they be present. In addition, noise and other human activity may result in nest abandonment if nesting birds are present within 200 feet (500 feet for raptors) of a work site. Due to the presence of suitable habitat for these species, implementation of future development activities in the LSAP may result in potentially significant impacts, should those species be present in areas proposed for disturbance. Mitigation Measure 3.9.3 would mitigate this impact by requiring preconstruction surveys and avoidance of active nest sites under project and cumulative conditions.

The findings of the certified LSAP EIR remain valid and no further analysis is required.

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

The two waterways in the LSAP area (El Camino Storm Drain Channel [ECSDC] and Calabazas Creek) are concrete lined and do not support riparian vegetation. All other areas in the plan area are completely developed or disturbed and no longer support natural communities. No riparian habitat or other sensitive natural communities occur in the LSAP area.

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

Calabazas Creek and the El Camino Storm Drain Channel (ECSDC) in the plan area are federally protected waters (waters of the United States) in the plan area. No direct fill or loss of these waters is proposed as part of the LSAP.

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

The CDFW's Biogeographic Information & Observation System was reviewed to determine whether the LSAP area is located in an Essential Connectivity Area. The LSAP area does not overlap with an Essential Connectivity Area. In addition, the LSAP would not result in a significant change in land use intensity and therefore would not alter the movements of wildlife currently utilizing the LSAP area. The entire LSAP area and surrounding lands are either developed or disturbed and provide very limited wildlife movement opportunities. The project is located within an existing developed area and provides no wildlife movement corridors. Project off-site roadway improvement is located within the roadway corridor and do not support wildlife movement as a result of vehicle use. Because there are no new significant impacts or substantially more severe impacts, the findings of the certified LSAP EIR remain valid and no further analysis is required.

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

As identified in Impact 3.9.8, the LSAP recognizes the aesthetic value of the mature redwoods along Sonora Court and trees along Kifer Road. Implementation of LSAP Policy OSP-6 and Guideline STP-UDG6 would ensure the protection and enhancement of the trees throughout the plan area wherever possible. Municipal Code Chapters 13.16 and 19.94 dictate the limited circumstances under which protected trees may be removed and require implementation of protection measures for these trees during construction activities. If any protected trees are impacted by future development, the project applicant will be required to comply with Chapter 19.94. The LSAP would implement this requirement through guideline STPUDG7, which requires that replacement trees be provided where tree removal is unavoidable. In addition, the LSAP has identified a goal to enhance the urban forest in the plan area in order to provide shade and shelter, add scale to pedestrian and vehicular streets, beautify the area, and provide wildlife habitat (LSAP Goal STP-G1). This would be accomplished through guidelines that require planting street trees on all streets, using medium- to large-canopy trees on large streets, and ensuring new tree plantings are appropriate for an urban environment. Impacts would be less than significant.

The project would not result in any new significant impacts or substantially more severe impacts; therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

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

The LSAP area is not located in a habitat conservation plan area. As a result, no conflict with an adopted habitat conservation plan would occur, and no impact would result. Therefore, no impact was identified. No new conservation plans have been adopted since approval of the LSAP. Therefore, there are no new significant impacts or substantially more severe impacts that would occur pertaining to conflicts with adopted conservation plans. The findings of the certified LSAP EIR remain valid and no further analysis is required.

## **Mitigation Measures**

The following mitigation measures were referenced in the LSAP EIR analysis and would be implemented if the project were approved.

▲ **Mitigation Measure 3.9.1:**

If clearing and construction activities will occur during the nesting period for burrowing owls (February 1–August 31) on the vacant portion of the Corn Palace property, a qualified biologist shall conduct focused surveys for burrowing owls on and adjacent to the project site. Surveys shall be conducted in accordance with the CDFW's Staff Report on Burrowing Owl Mitigation, published March 7, 2012. Surveys shall be repeated if project activities are suspended or delayed for more than 15 days during nesting season.

If no burrowing owls are detected, no further mitigation is required. If active burrowing owls are detected, the project proponent will implement the avoidance, minimization, and mitigation methodologies outlined in the CDFW's Staff Report prior to initiating project-related activities that may impact burrowing owls.

▲ Mitigation Measure 3.9.2:

Prior to the removal of trees or the demolition of buildings, a bat survey shall be performed by a qualified biologist no more than 3 days prior to the start of construction activities. If bat roosts are identified, the City shall require that the bats be safely flushed from the sites where roosting habitat is planned to be removed. If maternity roosts are identified during the maternity roosting season (typically May to September), they must remain undisturbed until a qualified biologist has determined the young bats are no longer roosting. If roosting is found to occur on-site, replacement roost habitat (e.g., bat boxes) shall be provided to offset roosting sites removed. If no bat roosts are detected, no further action is required if the trees and buildings are removed prior to the next breeding season.

If a female or maternity colony of bats is found on the project site, and the project can be constructed without the elimination or disturbance of the roosting colony (e.g., if the colony roosts in a large oak tree not planned for removal), a qualified biologist shall determine what buffer zones shall be employed to ensure the continued success of the colony. Such buffer zones may include a construction-free barrier of 200 feet from the roost and/or the timing of the construction activities outside of the maternity roost season (after July 31 and before March 1).

If an active nursery roost is documented on-site and the project cannot be conducted outside of the maternity roosting season, bats shall be excluded from the site after July 31 and before March 1 to prevent the formation of maternity colonies. Nonbreeding bats shall be safely evicted under the direction of a bat specialist.

▲ Mitigation Measure 3.9.3:

All construction and clearing activities shall be conducted outside of the avian nesting season (January 15–August 31), when feasible. If clearing and/or construction activities occur during the nesting season, preconstruction surveys for nesting raptors, special-status resident birds, and other migratory birds protected by the Migratory Bird Treaty Act shall be conducted by a qualified biologist, up to 3 days before initiation of construction activities. The qualified biologist shall survey the construction zone and a 250-foot radius surrounding the construction zone to determine whether the activities taking place have the potential to disturb or otherwise harm nesting birds.

If an active nest is located within 100 feet (250 feet for raptors) of construction activities, the project applicant shall establish an exclusion zone (no ingress of personnel or equipment at a minimum radius of 100 feet or 250 feet, as appropriate, around the nest). Alternative exclusion zones may be established through consultation with the CDFW and the USFWS, as necessary. The City shall be notified if altered exclusion zones widths are authorized by these agencies prior to the initiation of work. The exclusion zones shall remain in force until all young have fledged.

## CONCLUSION

No new significant or substantially more severe biological impacts would occur with the project. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

## 4.5 CULTURAL RESOURCES

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Draft and Final EIR.	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
<b>5. Cultural Resources. Would the project:</b>				
a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	Draft EIR Setting pp. 3.10-1 to 3.10-8 Impact 3.10.1 and 3.10.3	No	No	NA, impacts would remain less than significant
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	Draft EIR Setting pp. 3.10-1 to 3.10-8 Impact 3.10.2 and 3.10.3	No	No	Yes, impacts would remain less than significant with the application of the adopted mitigation measure.
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Draft EIR page 3.7-11 Impact 3.7.4 and 3.7.6	No	No	Yes, impacts would remain less than significant with the application of the adopted mitigation measure.
d. Disturb any human remains, including those interred outside the formal cemeteries?	Draft EIR Setting pp. 3.10-1 to 3.10-8 Impact 3.10.2 and 3.10.3	No	No	Yes, impacts would remain less than significant with the application of the adopted mitigation measure.

### 4.5.1 Discussion

No new information pertaining to cultural or historic resources in the LSAP area has become available since the LSAP EIR was certified in December 2016.

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

As identified under Impact 3.10.1, Sunnyvale has numerous buildings that may have historical value. However, none of the structures or sites identified in the City's Heritage Resources Inventory is located within or immediately adjacent to the LSAP area. Therefore, the proposed LSAP is not anticipated to have any impact on historic structures or sites.

The project site includes no historic structures and no new significant impacts or substantially more severe impacts would occur. Project off-site roadway improvement is located within the roadway corridor and do not contain any known historic resources. Therefore, the findings of the certified LSAP EIR remain valid.

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

While the LSAP would not directly affect archaeological resources or human remains, implementation of the LSAP would allow new development, redevelopment, and infrastructure improvements that could involve

subsurface disturbance for installation of foundations, utilities, or subterranean building features. As identified in Impact 3.10.2, subsequent actions have the potential to impact undiscovered cultural resources and unrecorded human remains. Health and Safety Code Section 7050.5(b) specifies protocol when human remains are discovered. The actions required under Section 7050.5(b) would ensure a less than significant impact to human remains. However, potential impacts on archaeological resources would remain potentially significant. Implementation of Mitigation Measure 3.10.2 that would require halting of construction activities and protection of any discovered cultural resources.

The project would be subject to Mitigation Measure 3.10.2. No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid.

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

The underlying geology of the LSAP area consists of basin and alluvial deposits that have the potential to contain fossils, based on previously reported finds in similar materials in other locations in the Bay Area. New development and redevelopment activities in the LSAP area could involve the installation of footings and foundations and/or excavations. Because the plan area is developed, it is likely that a substantial amount of ground disturbance and placement of fill has altered the subsurface soils and underlying geologic materials at varying depths. However, if a large area were excavated to depths greater than 10 feet, it is possible the excavation could be within Holocene deposits or older Pleistocene alluvial materials, which could contain fossils. Paleontological resources are classified as nonrenewable scientific resources. The inadvertent damage or destruction during excavation and grading activities at construction sites could further reduce this finite resource base. This is a potentially significant impact for the LSAP. Implementation of Mitigation Measure 3.7.4 that would require halting of construction activities and protection of any discovered paleontological resources.

The project would be subject to Mitigation Measure 3.7.4. No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid.

**d) Disturb any human remains, including those interred outside of formal cemeteries?**

See discussion under item a) above.

**Mitigation Measures**

The following mitigation measure was adopted with the LSAP and would continue to remain applicable if the project was approved.

▲ Mitigation Measure 3.7.4:

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

▲ Mitigation Measure 3.10.2:

All subsequent projects within the LSAP plan area shall be required to include information on the improvement plans that if, during the course of grading or construction cultural resources (i.e., prehistoric or historic sites) are discovered, work will stop in that area and within 100 feet of the find until a qualified archaeologist can assess the significance of the find and, if necessary, develop appropriate treatment measures as part of a treatment plan in consultation with the City and all other appropriate agencies. The treatment plan shall include measures to document and protect the

discovered resource. Consistent with CEQA Guidelines Section 15126.4 (b)(3), preservation in place will be the preferred method of mitigating impacts to the discovered resource. Pursuant to Government Code Section 6254.10, information on the discovered resource shall be confidential.

**CONCLUSION**

No new significant or substantially more severe cultural or paleontological resource impacts would occur with the project. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

## 4.6 GEOLOGY AND SOILS

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Draft and Final EIR.	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
<b>6. Geology and Soils. Would the project:</b>				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: <ul style="list-style-type: none"> <li>i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.</li> <li>ii. Strong seismic ground shaking?</li> <li>iii. Seismic-related ground failure, including liquefaction?</li> <li>iv. Landslides?</li> </ul>	Draft EIR Setting pp. 3.7-1 to 3.7-8 Impact 3.7.1 and 3.7.6	No	No	NA, no geologic impacts would occur.
b. Result in substantial soil erosion or the loss of topsoil?	Draft EIR Setting pp. 3.7-1 to 3.7-8 Impact 3.7.2 and 3.7.6	No	No	NA, no geologic impacts would occur.
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in: on-or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	Draft EIR Setting pp. 3.7-1 to 3.7-8 Impact 3.7.3 and 3.7.6	No	No	NA, no geologic impacts would occur.
d. Be located on expansive soil, as defined in Table 18- 1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	Draft EIR Setting pp. 3.7-1 to 3.7-8 Impact 3.7.3 and 3.7.6	No	No	NA, no geologic impacts would occur.
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	No Impact	No	No	NA

### 4.6.1 Discussion

No substantial change in the environmental and regulatory settings related to geology and soils, described in the LSAP Draft EIR Section 3.7 Geology, Soils, and Paleontological Resources, has occurred since certification of the LSAP EIR. The regional and local settings remain the same as stated Section 3.7.

- a) **Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:**

**i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to California Geological Survey Special Publication 42.)**

See discussion under item iv) below.

**ii) Strong seismic ground shaking?**

See discussion under item iv) below.

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

See discussion under item iv) below.

**iv) Landslides?**

As addressed in Impact 3.7.1, the LSAP area is located in a seismically active area and could experience strong seismic ground shaking and seismic-related ground failure (e.g., liquefaction and settlement) from earthquakes on active faults located outside of the plan area. The anticipated increase in population and development under the LSAP could result in the exposure of more people, structures, and infrastructure to seismic-related hazards. All new development and redevelopment would be required to comply with the current adopted CBC, which includes design criteria for seismic loading and other geologic hazards, including design criteria for geologically induced loading that govern sizing of structural members and provide calculation methods to assist in the design process. While ground shaking impacts could be potentially damaging, they would also tend to be reduced in their structural effects because of CBC criteria that recognize this potential. The CBC includes provisions for buildings to structurally survive an earthquake without collapsing and includes measures such as anchoring to the foundation and structural frame design.

Thus, while subsequent development associated with implementation of the LSAP would inherently result in the exposure of people, structures, and infrastructure to dangers associated with earthquakes because of its location in a seismically active region, continued implementation of the City's Municipal Code would help minimize these dangers. There are no aspects of the LSAP that would increase the potential for seismic activity or the inherent risks associated with such activity. Therefore, this impact would be less than significant for the LSAP under project and cumulative conditions.

The project would be subject to CBC and Municipal Code provisions for geologic stability. No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid.

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

Impact 3.7.2 identifies that implementation of the LSAP would allow new development, redevelopment, and infrastructure improvements. Grading and site preparation activities associated with such development could remove buildings and pavement, which could expose the underlying soils to wind and water erosion. Because erosion would depend on the type of development, intensity of development, and amount of lot coverage of a particular project site, impacts would vary.

Ground-disturbing activities at projects in the LSAP plan area would be required to comply with CBC Chapter 70 standards, which would ensure implementation of appropriate measures during grading activities to reduce soil erosion. Additionally, any development involving clearing, grading, or excavation that causes soil disturbance of 1 or more acres would be required to prepare and comply with a stormwater pollution prevention plan (SWPPP) which provides a schedule for the implementation and maintenance of erosion control measures and a description of the erosion control practices, including appropriate design details and a time schedule. The SWPPP would consider the full range of erosion control best management practices (BMPs), including any additional site-specific and seasonal conditions. As further discussed in LSAP Draft EIR Section 3.8, Hydrology and Water Quality, the State Water Resources Control Board has adopted a



Construction General Permit (Order No. 20090009-DWQ, as amended by Order No. 2010-0014-DWQ and Order 2012-0006-DWQ) that provides additional standards and requirements to avoid soil erosion. In addition, the City's grading standards (Municipal Code Section 18.12.110) specify that when grading will create a nuisance or hazard to other properties, public way, or public facilities due to erosion from storm runoff or rainfall, grading cannot commence or continue without specific consent in writing from the Director of Public Works or the Director of Community Development. The grading standards also regulate gradients for cut-and-fill slopes.

The project is subject to the above standards. No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid.

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

See discussion under item d) below.

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

Future structures and improvements that could be developed under the LSAP could experience stresses on various sections of foundations and connected utilities, as well as structural failure and damage to infrastructure if located on expansive or unstable soils (Impact 3.7.3). In addition, the LSAP area is underlain by young alluvial sediments that may be susceptible to settlement. The City requires preparation of geotechnical reports for all development projects. These geotechnical reports would include soil sampling and laboratory testing to determine the soil's susceptibility to expansion and differential settlement and would provide recommendations for design and construction methods to reduce potential impacts, as necessary. Furthermore, the CBC includes common engineering practices requiring special design and construction methods that reduce potential expansive soil and settlement-related impacts. Preparation of site-specific geotechnical reports and continued compliance with CBC regulations would ensure the adequate design and construction of building foundations to resist soil movement. Adherence to the City's Municipal Code and the CBC would reduce potential impacts associated with developing on unstable soils to a less than significant level for the LSAP under project and cumulative conditions.

The project is subject to the above standards and have included soil stability and erosion controls within project plans. No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid.

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

As described in the EIR, the LSAP, as well as the project, would utilize the existing City's wastewater conveyance and treatment. Septic systems would not be required and there would be no impact. This condition has not changed. No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

## **Mitigation Measures**

No significant geologic impacts were identified in the LSAP EIR, and no mitigation measures were required.

## **CONCLUSION**

No new circumstances or project changes have occurred nor has any new information been found requiring new analysis or verification. Therefore, the conclusions of the LSAP EIR remain valid and approval of the project would not result in new or substantially more severe significant impacts to geology and soils.

## 4.7 GREENHOUSE GAS EMISSIONS

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Draft and Final EIR.	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Do Prior Environmental Documents' Mitigations Address/Resolve Impacts?
<b>7. Greenhouse Gas Emissions. Would the project:</b>				
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Draft EIR Setting pp. 3.13-1 to 3.13-10 Impact 3.13.1	No	No	NA, impact remains less than significant.
b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Draft EIR Setting pp. 3.13-1 to 3.13-10 Impact 3.13.1	No	No	NA, impact remains less than significant.

### 4.7.1 Discussion

Since the LSAP Draft EIR was completed, Senate Bill 32 was adopted that establishes a new state-wide greenhouse gas (GHG) emission reduction target of 40% of 1990 emissions by the year 2030. However, the City of Sunnyvale GHG reduction targets are still regulated by its Climate Action Plan (CAP) that establishes a GHG target of 3.6 metric tons per person in 2020 and 2.6 metric tons per person in 2035.

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

See discussion under item b) below.

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

Build out of the LSAP is expected to generate 22,122 metric tons annually (2.4 metric tons annually per person in the LSAP) by the year 2035. The LSAP service population ratio does not exceed the CAP targets of 3.6 metric tons per service population in 2020 and 2.6 metric tons per service population in 2035. Implementation and subsequent development under the LSAP must comply with the CAP. Several of the policies in the LSAP directly conform to CAP policies. CAP policies are intended to achieve transit-oriented and mixed land use development throughout Sunnyvale as well as reduce emissions from construction activities. The LSAP would have a vehicle miles traveled (VMT) per capita below the target set the CAP (11.62 miles under CAP versus 10.58 miles under LSAP). Thus, GHG impacts were identified as less than significant.

The project is consistent with the LSAP and its contribution to GHG emission contribution were programmatically in the LSAP EIR. Conditions of approval for the project will require compliance with Climate Action Plan (CAP). Therefore, the conclusions of the LSAP EIR remain valid and no additional analysis would be required.

### Mitigation Measures

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

### CONCLUSION

No new circumstances or project changes have occurred nor has any new information been found requiring new analysis or verification. Therefore, the conclusions of the LSAP EIR remain valid and approval of the project would not result in new or substantially more severe significant impacts to GHG emissions.



## 4.8 HAZARDS AND HAZARDOUS MATERIALS

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Draft and Final EIR.	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
<b>8. Hazards and Hazardous Materials. Would the project:</b>				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Draft EIR Setting pp. 3.3-1 to 3.3-8 Impact 3.3.1 and 3.3.7	No	No	NA, impact remains less than significant
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Draft EIR Setting pp. 3.3-1 to 3.3-8 Impact 3.3.2	No	No	NA, impact remains less than significant
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Draft EIR Setting pp. 3.3-1 to 3.3-8 Impact 3.3.3 and 3.3.7	No	No	Yes, impacts would remain less than significant with the application of the adopted mitigation measure.
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Draft EIR Setting pp. 3.3-1 to 3.3-8 Impact 3.3.3 and 3.3.7	No	No	Yes, impacts would remain less than significant with the application of the adopted mitigation measure.
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	Draft EIR page 3.3-9 No Impact	No	No	NA
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working on the project area?	Draft EIR page 3.3-9 No Impact	No	No	NA
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Draft EIR Setting pp. 3.3-1 to 3.3-8 Impact 3.3.5 and 3.3.8	No	No	Yes, impacts would remain less than significant with the application of the adopted mitigation measure.
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	Draft EIR page 3.3-9 No Impact	No	No	NA

## 4.8.1 Discussion

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

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

As identified in Impact 3.3.1, hazardous materials are routinely used, stored, and transported in the plan area in the businesses north of the Caltrain tracks, and such use is expected to continue. Implementation of the LSAP would allow for land uses that routinely store, use, and transport hazardous materials, including industrial uses and certain commercial uses (e.g., gas stations, dry cleaners, medical facilities). LSAP goal LU-G2 provides that existing uses in the plan area may remain as legal, conforming uses with the ability to grow and expand, but that such uses would be discouraged from using hazardous materials in their operation, especially when located adjacent to residential uses. New development or redevelopment that involves construction, demolition, and landscaping activities could also result in the transport, use, and disposal of hazardous materials such as gasoline, fuels, demolition materials, asphalt, lubricants, toxic solvents, pesticides, and herbicides. The transport, use, and disposal of these materials could pose a potential hazard to the public and the environment.

The transport, use, and storage of hazardous materials by any development or redevelopment associated with the LSAP would be required to comply with all applicable local, state, and federal regulations during construction and operations. Facilities that use hazardous materials are required to obtain permits and comply with appropriate regulatory agency standards designed to avoid hazardous waste releases. The City's Department of Public Safety is responsible for consolidating, coordinating, and making consistent the administrative requirements, permits, inspections, and enforcement activities of state standards regarding the transportation, use, and disposal of hazardous materials in the LSAP area.

Continued compliance with all federal, state, and local regulations related to the transport, use, and disposal of hazardous materials would reduce this impact to a level that is less than significant for the LSAP.

The project would be subject to the above standards noted above. No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid.

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

Subsequent projects under the LSAP could involve the transportation, use, and disposal of hazardous materials in the LSAP area (see Impact 3.3.2). These activities could result in the accidental release of hazardous materials into the environment and exposure of the public to hazardous materials.

Redevelopment activities associated with the LSAP could result in exposure to hazardous materials that may be contained in building features. There is the potential for soil and/or groundwater contamination, particularly in the area north of the Caltrain tracks where land uses have been dominated by industrial activities. The transport, storage, and use of hazardous materials by developers, contractors, business owners, residents, and others are required to be in compliance with local, state, and federal regulations during project construction and operation. Furthermore, facilities that use hazardous materials are required to obtain permits and comply with appropriate regulatory agency standards designed to avoid hazardous waste releases. As the LSAP is implemented, it is anticipated there would not be a substantial increase in the number of facilities or types of activities involving the use of hazardous materials compared to existing conditions, and the LSAP does not designate land for new heavy industrial or manufacturing. However, if there are new or expanded industrial or commercial uses and they would involve the use of hazardous

materials, the facilities would be required, as necessary based on the City's regulations, to obtain a permit, which would involve the preparation of a Hazardous Materials Business Plan including a material inventory list and emergency response plan. This would minimize the potential for accidental releases from new uses.

The project consists of self-storage uses and would not utilize hazardous materials. No changes to the conditions of the site or the presence of hazardous materials has occurred since approval of the LSAP. No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

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

Santa Clara Christian School, Monticello Academy, Sunshine Day Care, and Wilcox High School are located east of Lawrence Expressway outside the LSAP area but are within one-quarter mile of the Transit Core East and Office/R&D East subareas. Ponderosa Elementary School is within one-quarter mile of the Southern Residential subarea. No new school sites are proposed as part of the LSAP.

Subsequent projects under the LSAP could involve increased storage, use, and transport of hazardous materials in the plan area, including during demolition and construction activities as well as operation. However, the land use designation changes are intended to facilitate mixed-use development with primarily residential and office/R&D uses, which would not be a source of hazardous emissions. Individual development projects would be required to comply with all federal, state, and local regulations related to the transport, use, and disposal of hazardous materials, which would be monitored and enforced by the City. If hazardous building materials or contamination is discovered at a development site, potential emissions from contaminated dust (which would be the primary pathway for exposure) would be controlled through adherence to existing regulations and site control measures. This would minimize the potential for hazardous emissions that could affect existing schools. This impact would be less than significant for the LSAP.

The project consists of self-storage uses and would not utilize hazardous materials. No changes to the conditions of the site or the presence of hazardous materials has occurred since approval of the LSAP. No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

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

As identified in Impact 3.3.3, there are contaminated sites identified in the LSAP EIR, but most of the known hazardous materials release sites in the LSAP area have been closed. However, not all potential development locations in the LSAP area have been evaluated, particularly north of the Caltrain tracks where the predominant land use is industrial, and at the existing Calstone/Peninsula Building Materials operation. In addition, there are underground tanks in the plan area, and there may be sources of groundwater contamination from off-site sources that have migrated under the plan area. At the vacant Corn Palace location, a Phase I environmental site assessment for the adjacent residential project constructed on the then-agricultural parcel to the west included soil testing. Thus, this impact was identified as potentially significant and would be reduced to less than significant through implementation Mitigation Measure 3.3.3 requires preparation of a Phase I Environmental Site Assessment and remediation of any contamination discovered.

The project's Phase 1 Environmental Site Assessment (The Vertex Companies, Inc., 2016) identified no on-site contamination. No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

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

See discussion under item f) below.

- f) **For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?**

The LSAP Draft EIR page 3.3-9 identifies that the LSAP area is outside the Moffett Federal Airfield's influence area and safety zones, and there are no private airstrips in the vicinity of the LSAP area. Therefore, impacts related to airport or private airfield safety were not discussed in the LSAP EIR. No new airports have been developed near the project area. No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

- g) **Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

As addressed in Impact 3.3.5, construction activities for individual projects in the LSAP could temporarily affect operating conditions on these roadways from movement of heavy equipment, worker vehicle parking, and materials delivery and storage, depending on the locations. Connection of a development site to water, wastewater, and storm drain lines could involve work within the roadway itself. The LSAP also proposes roadway improvements such as The Loop and secondary street improvements along existing roadways. These activities may result in the need for temporary traffic lane closures or narrowing, which could affect emergency response or evacuation routes. This is a potentially significant impact that would be mitigated through implementation of Mitigation Measure 3.3.5 requiring development of a construction traffic control plan if project activities could impair or inhibit emergency response or evacuation.

No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

- h) **Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?**

As identified on LSAP Draft EIR page 3.3-9, there are no Fire Hazard Severity Zones or state responsibility areas or Very High Fire Hazard Severity Zones for local responsibility areas within or adjacent to Sunnyvale. No changes to the location of the project have occurred and no changes to the risks from wildfires has occurred since approval of the LSAP. No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

## Mitigation Measures

The following mitigation measures were referenced in the LSAP EIR analysis and would continue to remain applicable if the project was approved.

### ▲ Mitigation Measure 3.3.3:

The City shall require a Phase I Environmental Site Assessment (ESA) prepared and submitted with any application for new development or redevelopment in any LSAP subarea north of the Caltrain tracks, the Peninsula subarea, the Lawrence/Reed/Willow subarea, or the Corn Palace property. The Phase I ESA shall be prepared by a qualified professional registered in California and in accordance with ASTM E1527-13 (or the most current version at the time a development application is submitted for the project).

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

The City shall not issue a building permit for a site where contamination has been identified until remediation or effective site management controls appropriate for the use of the site have been completed consistent with applicable regulations and to the satisfaction of the City of Sunnyvale, DTSC, or SFBRWQCB (as appropriate) prior to initiation of construction activities. Deed restrictions, if appropriate, shall be recorded.

If temporary dewatering is required during construction or if permanent dewatering is required for subterranean features, the City shall not issue an improvement permit or building permit until documentation has been provided to the City that the Water Pollution Control Permit has approved the discharge to the sewer. Discharge of any groundwater removed from a construction site in any LSAP subarea north of the Caltrain tracks, the Peninsula subarea, the Lawrence/Reed/Willow subarea, or the Corn Palace property to the El Camino Storm Drain Channel, Calabazas Creek, or storm drain shall be prohibited. The City shall ensure all plans and permits state this prohibition.

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

▲ Mitigation Measure 3.3.5:

Prior to issuance of a permit for a specific development project or prior to approving a City-initiated roadway improvement identified in the LSAP, the City shall determine whether project construction activities have the potential to affect traffic conditions on roadways as a result of construction of the development project or roadway improvement(s). If there is the potential the activities could impair or inhibit emergency response or evacuation, a Construction Traffic Control Plan shall be prepared for City review and approval. The plan shall include, but not be limited to, schedule of construction and anticipated methods of handling traffic for each phase of construction to ensure the safe flow of traffic and adequate emergency access, including maintaining an open lane for vehicle travel at all times. All traffic control measures shall conform to City of Sunnyvale, Santa Clara County, and/or Caltrans standards, as applicable. The City shall ensure final approved plans for private development projects specify the requirement, as appropriate, to implement the construction traffic control plan.

## CONCLUSION

No new circumstances or project changes related to hazards and hazardous materials have occurred nor has any new information been identified requiring new analysis or verification. Therefore, the conclusions of the LSAP EIR remain valid and approval of the project would not result in new or substantially more severe significant impacts. No additional analysis is required.



## 4.9 HYDROLOGY AND WATER QUALITY

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Draft and Final EIR.	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
<b>9. Hydrology and Water Quality. Would the project:</b>				
a. Violate any water quality standards or waste discharge requirements?	Draft EIR Setting pp. 3.8-1 to 3.8-13 Impact 3.8.1 and 3.8.4	No	No	NA, impact remains less than significant
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted?	Draft EIR Setting pp. 3.8-1 to 3.8-13 Impact 3.8.2, 3.8.5, 3.11.5.1, and 3.11.5.3	No	No	NA, impact remains less than significant
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	Draft EIR Setting pp. 3.8-1 to 3.8-13 Impact 3.8.1 and 3.8.4	No	No	NA, impact remains less than significant
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	Draft EIR Setting pp. 3.8-1 to 3.8-13 Impact 3.8.3 and 3.8.6	No	No	NA, impacts would remain less than significant.
e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	Draft EIR Setting pp. 3.8-1 to 3.8-13 Impact 3.8.1, 3.8.3 and 3.8.4	No	No	NA, impact remains less than significant
f. Otherwise substantially degrade water quality?	Draft EIR Setting pp. 3.8-1 to 3.8-13 Impact 3.8.1 and 3.8.4	No	No	NA, impact remains less than significant
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	Draft EIR Setting pp. 3.8-1 to 3.8-13 Impact 3.8.3 and 3.8.6	No	No	NA, impacts would remain less than significant.
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	Draft EIR Setting pp. 3.8-1 to 3.8-13 Impact 3.8.3 and 3.8.6	No	No	NA, impacts would remain less than significant.
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	Draft EIR page 3.8-15 No Impact	No	No	NA
j. Inundation by seiche, tsunami, or mudflow?	Draft EIR page 3.8-15 No Impact	No	No	NA

## 4.9.1 Discussion

No substantial change in the environmental and regulatory settings related to hydrology and water quality, described in LSAP Draft EIR Section 3.8, Hydrology and Water Quality, has occurred since certification of the LSAP EIR.

### a) **Violate any water quality standards or waste discharge requirements?**

As addressed in Impact 3.8.1, construction activities associated with development of projects allowed under the LSAP would include grading, demolition, and vegetation removal which would disturb and expose soils to water erosion, potentially increasing the amount of silt and debris entering downstream waterways. In addition, refueling and parking of construction equipment and other vehicles onsite during construction could result in oil, grease, or related pollutant leaks and spills that may discharge into storm drains. Individual development projects would be required to comply with Chapter 12.60 Stormwater Management of the Sunnyvale Municipal Code, as well as implement best management practices (BMPs) for the prevention of erosion and the control of loose soil and sediment, to ensure that construction does not result in the movement of unwanted material into waters within or outside the plan area. The Stormwater Management chapter provides regulations and gives legal effect to certain requirements of the NPDES permit issued to Sunnyvale regarding municipal stormwater and urban runoff requirements. During construction of projects in the city, the dischargers, through individual coverage under the State's General Construction NPDES permit must develop and implement a SWPPP and perform monitoring of discharges to stormwater systems to ensure compliance with State regulations and General Plan Policy EM-8.5. Construction impacts would be less than significant under project and cumulative conditions.

Urban runoff pollutants such as heavy metals, oil, and grease, sediment, and other chemicals would continue to be generated, but because the changes in land use are primarily related to increased intensity of development and not new land uses, the types and amounts of pollutants in stormwater runoff would not vary considerably from existing conditions. All private development projects would be required to include appropriate features to meet applicable regional Municipal Regional Stormwater Permit (MRP) Provision C.3 requirements and implement low impact design (LID). Common LID strategies that would be appropriate for the plan area would include treatment methods such as bio-retention basins and flow-through planters, green roofs, media filtration devices, and pervious surfaces. These features would be included within individual sites on a project-by-project basis. Compliance with existing requirements of Chapter 12.60 of the Municipal Code, the City's Municipal Code Chapter 12.60, the City of Sunnyvale Urban Runoff Management Plan, and MRP Provision C.3 requirements, along with implementation of General Plan policies EM-8.6, EM-10.1, and EM-10.3 and LSAP goal UG-1 and policies U-P1 through U-P4, would reduce surface water quality impacts associated with occupancy of projects in the LSAP to a less than significant level under project and cumulative conditions.

The project is subject to the water quality control requirements identified above. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

### b) **Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?**

Implementation of projects allowed by the LSAP would have little or no effect on groundwater recharge because the LSAP area is largely built out and would not reduce the amount of permeable surfaces, and the area is underlain by soils with low percolation rates. The LSAP does not propose the installation of any wells in the plan area that could alter groundwater flows. As identified on Draft EIR page 3.11-28, city-wide groundwater production is not expected to increase beyond 1,000 acre-feet per year except in multiple dry year conditions and is actively managed by the Santa Clara Valley Water District to avoid groundwater overdraft through its conjunctive use efforts. No mitigation was required.

The project would not substantially change development patterns and the amount of impermeable surfaces from that approved in the LSAP. Therefore, no new significant impacts or substantially more severe impacts would occur. The findings of the certified LSAP EIR remain valid and no further analysis is required.

**c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial on- or off-site erosion or siltation?**

See discussion under item a) above.

**d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in on- or off-site flooding?**

As identified in Impact 3.8.3, there are some locations within the plan area that are within FEMA-designated 100-year flood hazard Zone AO. Areas that could be redeveloped under the LSAP (i.e., where new buildings could be constructed) would be limited to the Peninsula subarea (the current location of the Calstone/Peninsula Building Materials operations), the Lawrence/Reed/Willow subarea and a small part of the Southern Residential subarea north of the Lawrence/Reed Willow subarea, and the undeveloped part of the Southern Residential area at the southern boundary of the LSAP (i.e. Corn Palace parcel). There is also narrow band of Zone AO mapped just north of the Caltrain tracks at the southern parts of the Transit Core and West and East subareas. Projects within Zone AO could be subject to 100-year flood hazard. The Prevention of Flood Damage Chapter (Chapter 16.62) of Sunnyvale's Buildings and Construction Ordinance provides standards for construction in 100-year flood hazard areas. The standards for construction generally require that the lowest floor of any structure be elevated to or above the base flood elevation, anchoring, and the use of flood damage-resistant materials and methods. LSAP goal U-G5 and policy U-P5 also direct that flood prevention measures be included in development projects. Mitigation Measure 3.8.3 would address flood impact changes from placement of fill in the flood hazard Zone AO anticipated to occur in the Peninsula subarea or on the agricultural parcel at the southernmost end of the LSAP area (the project is not located in this area).

Stormwater runoff in the LSAP area is not expected to increase. However, individual development projects would be required, per Section 12.60.160 of the City's Municipal Code, to demonstrate that development each individual development project would not increase runoff over pre-project rates and durations. In addition, General Plan policy EM-9.1 requires that the City maintain and operate the storm drain system so that stormwater is drained from 95% of the streets within one hour after a storm stops. For flood-prone locations, policy EM10.2 requires incorporation of appropriate controls to detain excess stormwater. Compliance with the existing regulations contained in the City's Municipal Code would reduce potential impacts associated with flooding and stormwater drainage to a level that is less than significant for the LSAP under project and cumulative conditions.

No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

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

See discussion under item a) and d) above.

**f) Otherwise substantially degrade water quality?**

See discussion under item a) above.

**g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?**

See discussion under item d) above. The project does not include housing.

**h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?**

See discussion under item d) above.

**i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?**

As discussed on LSAP Draft EIR page 3.8-15, the LSAP area is located outside of the inundation area for Stevens Creek Reservoir and is not considered to be at risk of inundation in the event of a dam failure. The LSAP area is not in an area subject to flooding from levee failure or sea level rise. The project would not alter these conditions. Therefore, no new significant impacts or substantially more severe impacts would occur. The findings of the certified LSAP EIR remain valid and no further analysis is required.

**j) Result in inundation by seiche, tsunami, or mudflow?**

As discussed on LSAP Draft EIR page 3.8-15, seiches and tsunamis would not be expected to affect the LSAP area because it is more than 3 miles from San Francisco Bay. Mudflow would not present a hazard because there are no steep, erodible slopes near the LSAP area. The project would not alter these conditions. Therefore, no new significant impacts or substantially more severe impacts would occur. The findings of the certified LSAP EIR remain valid and no further analysis is required.

## **Mitigation Measures**

Flooding impacts identified in the LSAP EIR that require application of Mitigation Measure 3.8.3 for subsequent projects in the Peninsula subarea and the agricultural parcel at the southernmost end of the LSAP area. The project is located outside of these areas and would not be subject to this mitigation measure.

Flooding impacts identified in the LSAP EIR require application of Mitigation Measure 3.8.3 for subsequent projects in the Peninsula subarea and the agricultural parcel at the southernmost end of the LSAP area. The project is located within these areas and with implementation of Mitigation Measure 3.8.3, this impact would be less than significant.

▲ **Mitigation Measure 3.8.3:**

Prior to approving any subsequent projects in the LSAP at any location where fill is placed in the FEMA AO zone to elevate the ground surface above the base flood elevation, the project applicant shall submit a hydraulic analysis prepared by a California-registered professional engineer for City Engineer review and approval. The analysis shall, at a minimum, identify: (1) the specific locations where changes in water surface elevations due to fill encroachment could occur; and (2) drainage improvements that will be used to ensure placement of fill will not increase flood hazards in areas not previously subject to flooding during occurrence of the base flood discharge.

## **CONCLUSION**

No new circumstances or project changes have occurred nor has any new information been found requiring new analysis or verification. Therefore, the conclusions of the LSAP EIR remain valid and approval of the project would not result in new or substantially more severe significant impacts to hydrology and water quality.

## 4.10 LAND USE AND PLANNING

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Draft and Final EIR.	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
<b>10. Land Use and Planning. Would the project:</b>				
a. Physically divide an established community?	Draft EIR Setting p. 3.1-1 to 3.1-9 Impact 3.1.1 and 3.1.4	No	No	NA, no impact would occur.
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	Draft EIR Setting p. 3.1-1 to 3.1-9 Impact 3.1.2 and 3.1.4	No	No	NA, this impact would remain less than significant.
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	Draft EIR Setting p. 3.1-1 to 3.1-9 Impact 3.1.3	No	No	NA, no impact would occur.

### 4.10.1 Discussion

No substantial change in the environmental and regulatory settings related to land use and planning, described in LSAP EIR Section 3.1, Land Use, has occurred since certification of the LSAP EIR.

#### a) Physically divide an established community?

From an overall land use planning perspective, the planned transportation improvements of the LSAP would enhance, rather than divide, the plan area's connectivity by implementing a complete streets approach to the transportation system. LSAP policies implementation would ensure that new land uses in the LSAP area would not divide an establish community and would enhance the project areas connectivity with the City as a whole. Therefore, the LSAP would have no impact regarding the division of an established community (see Impacts 3.1.1 and 3.1.4).

Project implementation would not physically divide an established community. No changes in development at the site have occurred since approval of the LSAP. No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

#### b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

The City of Sunnyvale General Plan provides the united vision meant to guide comprehensive development in the City. The LSAP establishes the development of a mixed-use, compact and well-connected urban form that would further increase housing and employment opportunities in the City. The project would change land use designations in certain areas of the project area to accommodate project growth and to realize the City's vision. Further, the project outlines transportation and design guidelines that would mold the area to fit the sustainable growth vision. This impact for the LSAP would be less than significant.

The project land uses are consistent with the LSAP standards and is subject to LSAP policies and guidelines for design. No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

**c) Conflict with any applicable habitat conservation plan or natural community conservation plan?**

The LSAP area is not located in a habitat conservation plan area. As a result, no conflict with an adopted habitat conservation plan would occur, and no impact would result. No new conservation plans have been adopted since approval of the LSAP. Therefore, there are no new significant impacts or substantially more severe impacts that would occur pertaining to conflicts with adopted conservation plans. The findings of the certified LSAP EIR remain valid and no further analysis is required.

**Mitigation Measures**

No mitigation measures were needed for the LSAP regarding land use and planning. No additional mitigation measures are required for project for this topic.

**CONCLUSION**

No new circumstances or project changes have occurred nor has any new information been identified requiring new analysis or verification. Therefore, the conclusions of the LSAP EIR remain valid and approval of the project would not result in new or substantially more severe significant impacts to land use and planning.

## 4.11 MINERAL RESOURCES

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Draft and Final EIR.	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
<b>11. Mineral Resources. Would the Project:</b>				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	Scoped out at Notice of Preparation stage. Mineral resources do not exist in LSAP area.	No	No	NA
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	Scoped out at Notice of Preparation stage. Mineral resources do not exist in LSAP area.	No	No	NA

### 4.11.1 Discussion and Conclusion

Mineral resource impacts were scoped out of the LSAP EIR at the Notice of Preparation stage as no mineral resources exist in the LSAP area and the area is already developed with urban land uses. The project site does not contain any of these resources and would also have no impact.

## 4.12 NOISE

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Draft and Final EIR.	Any New Circumstances Involving New or Substantially More Severe Significant Impacts?	Any Substantially Important New Information Requiring New Analysis or Verification?	Do Prior Environmental Documents' Mitigations Address/Resolve Impacts?
<b>12. Noise. Would the project result in:</b>				
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Draft EIR Setting pp. 3.6-1 to 3.6-15 Impact 3.6.1 and 3.6.5	No	No	NA, impact remains less than significant
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	Draft EIR Setting pp. 3.6-1 to 3.6-15 Impact 3.6.3	No	No	NA, impact remains less than significant
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	Draft EIR Setting pp. 3.6-1 to 3.6-15 Impact 3.6.2 and 3.6.5	No	No	NA, impact remains less than significant
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	Draft EIR Setting pp. 3.6-1 to 3.6-15 Impact 3.6.4	No	No	Yes, impact would remain less than significant with the application of the adopted mitigation measure.
e. For a project located within an airport land use plan or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	Draft EIR p 3.6-16 No Impact	No	No	NA
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	Draft EIR p 3.6-16 No Impact	No	No	NA

### 4.12.1 Discussion

No substantial change in the environmental and regulatory settings related to noise and vibration, described in LSAP Draft EIR Section 3.6, Noise, has occurred since certification of the EIR. No new substantial noise sources have been introduced near the project since the LSAP EIR was prepared.

**a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or in other applicable local, state, or federal standards?**

As identified in Impact 3.6.1, residential and mixed-use residential development under the LSAP along major roadways. Traffic noise levels in these areas range from 60.8 to 74.6 dBA Ldn under existing conditions with traffic from build out of the LSAP (see LSAP Draft EIR Table 3.6-6), a conditionally acceptable noise environment for all land uses according to City noise provisions. Under the cumulative conditions, the project would not result in cumulatively considerable roadway noise level increases beyond noise level thresholds at all vicinity roadway segments (see LSAP Draft EIR Table 3.6-10). City General Plan noise standards for



residential uses of a maximum of 75 dBA Ldn would occur along Lawrence Expressway between Kifer Road and Reed Avenue, but the LSAP's contribution to this noise level would not be perceivable and future development in this area would be required to meet interior noise standards of 45 dBA Ldn. Thus, noise impacts would be less than significant. There are no stationary noise source issues within the LSAP and future LSAP uses would be required to comply with City noise standards.

The project is consistent with the land use designations and intensities set forth in the LSAP and its contribution to traffic noise is addressed in the LSAP EIR. No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

**b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?**

As addressed in Impact 3.6.2, the LSAP includes sensitive land uses in portions of the city adjacent to the existing Caltrain corridors. Ground vibration from conventional railroad trains or light rail trains passing could exceed the guidelines set forth by the Federal Transit Administration if new buildings housing sensitive uses such as residences are constructed within approximately 100 feet of the tracks. Employment areas such as offices and research & development facilities can also be sensitive to groundborne vibration. The specific locations of proposed buildings and their sensitivities to vibration levels are not known at this time; however, such uses located in these areas could be exposed to ground vibration levels exceeding FTA guidelines. As identified in the LSAP Draft EIR, 85 VdB is the level considered by the FTA to be acceptable, though only if there are an infrequent number of events per day. The LSAP includes policies and guidelines specific to each subarea within the plan area that are intended to highlight overall design considerations and address potential noise impacts at a programmatic level. LSAP contains provisions specific to areas adjacent to the Caltrain tracks which address groundborne vibration. For instance, Design Guideline TC-UDG4 states that for development directly adjoining the Lawrence Station and Caltrain tracks on the south side of Sonora Court, landscape and building design measures must be incorporating to mitigate the negative effects of noise and vibration. Design Guidelines PS-UDG3, WE-UDG3, and ES-UDG1 require the same of buildings developed in the Peninsula, West, and East subareas. Examples of mitigation that address groundborne vibration include the use setbacks, the use of structural design features, or both.

Construction activities would require the use of off-road equipment such as tractors, jackhammers, and haul trucks. The FTA vibration impact threshold of 85 VdB for construction, which is the vibration level that is considered by the FTA to be acceptable if there are an infrequent number of events per day, can be applied to construction activities. Groundborne vibration levels associated with representative construction equipment are summarized in LSAP Draft EIR Table 3.6-8. Based on the vibration levels presented in the table, ground vibration generated by construction equipment would not be anticipated to exceed 85 VdB at 50 feet. The majority of construction equipment does not result in VdB in excess of FTA thresholds, even at 50 feet. In addition, according to Municipal Code Chapter 16.08, the legal hours of construction are between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday, and between 8:00 a.m. and 5:00 p.m. on Saturdays. These hours are intended to mitigate temporary noise impacts, including groundborne vibration impacts, by avoiding construction during nighttime periods that would disturb noise-sensitive land uses (residential). Because construction noise would be temporary, intermittent, short in duration, and would take place during legal hours of construction, future projects in the LSAP area would be considered insubstantial. For the reasons described, this impact would be less than significant during both operations and construction for the LSAP under project and cumulative conditions.

Project construction is not expected to result in any significant vibration impacts for adjoining uses based on the analysis provided in the LSAP EIR and that there are no residential uses near the site. No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

**c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?**

LSAP Draft EIR Table 3.6-5 shows General Plan standards for evaluating a projects contribution to ambient noise level increases. The primary factor contributing to the ambient noise environment as a result of the LSAP would be the increase of vehicular traffic from increased densities. LSAP Draft EIR Tables 3.6-7 and 3.6-8 shows the calculated roadway noise levels under existing and cumulative traffic levels compared to the buildout of the LSAP. In comparison to existing and cumulative traffic noise levels, the LSAP would result in a predicted increase in traffic noise levels below the applicable noise level thresholds. Therefore, predicted traffic noise levels would not result in a substantial increase in traffic noise levels along other primarily affected roadways.

The project is consistent with the land use designations and intensities set forth in the LSAP and its contribution to traffic noise is addressed in the LSAP EIR. No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

**d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?**

As identified in Impact 3.6.4, major noise-generating construction activities associated with development under the LSAP would include removal of existing pavement and structures, site grading and excavation, installation of utilities, the construction of building foundations, cores, and shells, paving, and landscaping. The highest noise levels would be generated during the demolition of existing structures when impact tools are used (e.g., jackhammers, hoe rams) and during the construction of building foundations when impact pile driving is required to support the structure. Site grading and excavation activities would also generate high noise levels, as these phases often require the simultaneous use of multiple pieces of heavy equipment such as dozers, excavators, scrapers, and loaders. Lower noise levels result from building construction activities when these activities move indoors and less heavy equipment is required to complete the tasks. Construction equipment would typically include, but would not be limited to, earth-moving equipment and trucks, pile driving rigs, mobile cranes, compressors, pumps, generators, paving equipment, and pneumatic, hydraulic, and electric tools. As depicted in LSAP Draft EIR Table 3.6-9, noise levels generated by individual pieces of construction equipment typically range from approximately 74 dBA to 89 dBA  $L_{max}$  at 50 feet. This impact was identified in the LSAP EIR as potentially significant and was mitigated by Mitigation Measure 3.6.4. This mitigation measure requires subsequent projects in the LSAP shall employ site-specific noise attenuation measures during construction to reduce the generation of construction noise.

No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

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

See discussion under item f) below.

**f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?**

As identified on LSAP Draft EIR page 3.6-16, a review of the Moffett Federal Airfield Comprehensive Land Use Plan (2012) shows the LSAP is outside of the Moffett Federal Airfield noise contours. Additionally, the LSAP is not located in the vicinity of a private airstrip.

No changes to the Moffett Federal Airfield Comprehensive Land Use Plan have occurred and no new private airstrips have been developed within the LSAP area since that time. Therefore, there are no new

circumstances or new information requiring new analysis or verification. Therefore, the conclusions of the LSAP EIR remain valid and no further analysis is required.

## Mitigation Measures

The following mitigation measure was identified in the LSAP EIR and would continue to remain applicable if the project were approved.

### ■ Mitigation Measure 3.6.4:

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

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

## CONCLUSION

No new circumstances or project changes have occurred nor has any substantially important new information been found requiring new analysis or verification. Therefore, the conclusions of the LSAP EIRE remain valid and approval project would not result in new or substantially more severe significant noise impacts. No further analysis is required.



## 4.13 POPULATION AND HOUSING

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Draft and Final EIR.	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
<b>13. Population and Housing. Would the project:</b>				
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	Draft EIR Setting pp. 3.2-1 to 3.2-6 Impact 3.2.1 and 3.2.3	No	No	NA, impact remains less than significant
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	Draft EIR Setting pp. 3.2-1 to 3.2-6 Impact 3.2.2 and 3.2.4	No	No	NA, impact remains less than significant
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	Draft EIR Setting pp. 3.2-1 to 3.2-6 Impact 3.2.2 and 3.2.4	No	No	NA, impact remains less than significant

### 4.13.1 Discussion

No substantial change in the regulatory settings related to population and housing, described in LSAP Draft EIR, Population and Housing, has occurred since certification of the LSAP EIR. As described in the project description, the project is consistent with LSAP and would contribute to the anticipated employment growth expected under the LSAP.

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

As identified in Impact 3.2.1, the LSAP provides for approximately 1.2 million square feet of additional office/R&D/industrial uses, as compared to 150,000 square feet of growth anticipated under the current General Plan. This would further increase employment opportunities in the City. Some of the new jobs would likely be filled by those already residing in the City and the surrounding area where commute times and distances are relatively short. However, for those wishing to relocate into the City, the potential increase in housing demand in the City and the plan area, specifically, could be accommodated by the new residential units. The physical environmental effects of this growth are addressed in the LSAP EIR.

The project is consistent with the land use designations and anticipated employment growth set forth in the LSAP. No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

**b) Displace substantial numbers of existing homes, necessitating the construction of replacement housing elsewhere?**

See discussion under item c) below.

**c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?**

As discussed in Impact 3.2.2, the LSAP land use designations allow a broad and flexible mix of land uses would support both residential and commercial growth, and would provide a wider range of housing choices

to complement Sunnyvale's existing range of residential densities. The areas for new residential development are in locations that contain non-residential uses. As such, projects developed under the LSAP would not displace housing. The LSAP addresses also affordable housing through LSAP policies H-P1, H-P2, and H-P3. Further, the LSAP also includes an "Anti-Displacement" component. As stated in the LSAP, to avoid displacement of lower-income residents, no upzoning or increases in allowable densities on site currently occupied by housing would occur. Retaining existing density allowances would minimize the financial incentive to demolish and replace existing units to achieve higher property values, thus minimizing the concern that existing residents would be physically displaced by new development. Because subsequent projects that could be developed under the LSAP would not displace substantial numbers of housing units or people and would not necessitate the construction of replacement housing elsewhere, there would be no impact under existing or cumulative conditions.

The project would not result in the removal of existing housing. No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

### **Mitigation Measures**

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

### **CONCLUSION**

No new circumstances or project changes have occurred nor has any new information been found requiring new analysis or verification. Therefore, the conclusions of the LSAP EIR remain valid and approval of the project would not result in new or substantially more severe significant impacts to population and housing.

## 4.14 PUBLIC SERVICES

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Draft and Final EIR.	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
<b>14. Public Services.</b>				
a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios, response times or other performance objectives for any public services:				
i. Fire protection?	Draft EIR Setting pp. 3.11-1 to 3.11-3 Impact 3.11.1.1 and 3.11.1.2	No	No	NA, impact remains less than significant
ii. Police protection?	Draft EIR Setting pp. 3.11-5 to 3.11-6 Impact 3.11.2.1 and 3.11.2.2	No	No	NA, impact remains less than significant
iii. Schools?	Draft EIR Setting pp. 3.11-7 to 3.11-9 Impact 3.11.3.1 and 3.11.3.2	No	No	NA, impact remains less than significant
iv. Parks?	See below in Section 4.15, Recreation			

### 4.14.1 Discussion

Since release of the LSAP Final EIR, state voters approved Proposition 51 (Funding for K-12 School and Community College Facilities. Initiative Statutory Amendment) in November 2016 that will provide nine billion dollars in general obligation bonds for educational facilities (seven billion dollars would be available to K-12 public school facilities). This would provide an additional funding source for school facility needs for the Sunnyvale School District, Santa Clara Unified School District, and the Fremont Union High School District. This change in funding opportunities would not alter the environmental impact conclusions provided in the certified LSAP EIR.

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

### **Fire protection?**

As identified in Impact 3.11.1.1 and 3.11.1.2, additional residents and retail, commercial, and office/research and development (R&D) uses in the LSAP would increase the need for fire protection services, including an increased need for additional inspectors, permit issuance, etc. It is currently not expected that the LSAP itself would necessitate the need to construct a fire station or emergency medical facility. There are two City of Sunnyvale Fire Department stations within approximately 0.5 mile west and southwest of the plan area boundary, and Santa Clara County has a fire station on Corvin Drive, just north of the plan area boundary along Kifer Road. The LSAP does not contain any policies regarding the provision of fire protection services, but public uses such as a fire station or emergency medical facility would be a permitted use in all land use classifications, subject to review and City approval. The LSAP EIR programmatically evaluates the construction impacts of such a potential facility in regard to air quality, noise, and water quality (see LSAP Draft EIR Sections 3.5, 3.6, and 3.8, respectively). As subsequent development projects are proposed in the LSAP area, the City would ensure that equipment and facilities (e.g., fire trucks and new or modified fire stations) are provided and maintained to meet reasonable standards of safety, dependability, and compatibility with fire service operations and that rapid emergency response times are met. Therefore, fire protection and emergency medical services impacts would be less than significant for the LSAP under project and cumulative conditions.

The project is required to meet all City requirements regarding fire protection, including fire access (see project design plans – sheet C6.0 P1). No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

### **Police protection?**

Additional residents and retail, commercial, and office/R&D uses in the LSAP would increase the need for law enforcement protection services (see Impact 3.11.2.1 and 3.11.2.2). The LSAP recognizes that a variety of public facilities would be needed to serve the area as development proceeds. Some of these would be provided through mandatory fees and assessments consistent with existing City policy. The LSAP does not contain any policies regarding the provision of law enforcement services, but public uses such as a police station would be a permitted use in all land use designations, subject to review and City approval. The LSAP EIR programmatically evaluates the construction impacts of such a potential facility in regard to air quality, noise, and water quality (see LSAP Draft EIR Sections 3.5, 3.6, and 3.8, respectively). As subsequent development projects are proposed, the City would ensure that equipment and facilities are provided and maintained to serve new projects. Therefore, law enforcement services impacts would be less than significant under project and cumulative conditions.

The project is required to meet all City site design requirements regarding public safety. No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

### **Schools?**

Projected growth under the LSAP would increase student enrollment in the Sunnyvale, Santa Clara Unified, and Fremont Union High school districts (see Impact 3.11.3.1 and 3.11.3.2). Buildout of the LSAP's 2,323 housing units would result in 511 elementary and middle school students attending Ellis Elementary School and/or Sunnyvale Middle School and 232 high school students attending Fremont High School. As a result, enrollment capacity could potentially be exceeded. However, exceeding school capacity is not considered a



physical impact under CEQA. Subsequent projects developed under the LSAP would be required to pay applicable school impact fees in accordance with state law. The school districts would address the need for expansion of school facilities or development of new school facilities, and such development would be subject to the appropriate CEQA environmental review, which would identify any site-specific impacts and provide mitigation to reduce those impacts. The LSAP impacts would be less than significant under project and cumulative conditions.

The project is self-storage project would not be subject to local school districts' school impact fees (school impact fees are limited to residential and commercial development projects). No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

### **Mitigation Measures**

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

### **CONCLUSION**

The conclusions of the LSAP EIR remain valid and approval of the project would not result in new or substantially more severe significant impacts to public services.

## 4.15 RECREATION

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Draft and Final EIR.	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
<b>15. Recreation.</b>				
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Draft EIR Setting pp. 3.11-11 to 3.11-12 Impact 3.11.4.1 and 3.11.4.2	No	No	NA, impact remains less than significant
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	Draft EIR Setting pp. 3.11-11 to 3.11-12 Impact 3.11.4.1 and 3.11.4.2	No	No	NA, impact remains less than significant

### 4.15.1 Discussion

No substantial change in the regulatory settings related to recreation, described in the LSAP Draft EIR Section 3.11.4, Parks and Community Services, has occurred since certification of the LSAP EIR.

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

See discussion under item b) below.

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

As addressed in Impact 3.11.4.1 and 3.11.4.2, the additional population associated with the LSAP (5,622) would generate a demand for approximately 28 acres of park and recreation facilities. With the proposed Land Use and Transportation Element Update (LUTE) the city-wide demand for parkland would be approximately 698 acres in year 2035. This demand would not occur immediately, but would occur over time as subsequent projects are developed. As required under the City's Municipal Code Chapter 18.10, subsequent projects would be required to dedicate land, pay a fee in lieu thereof, or both, for park or recreational purposes at a ratio of 5 acres per 1,000 residents. The LSAP has identified measures that could be used to meet the need generated by future development projects and proposes an open space framework illustrating key elements of a parks and open space system for the plan area at a conceptual level (LSAP Draft EIR Figure 2.0-4; see Section 2.0, Project Description). Under the LSAP, approximately 32.5 to 39.0 acres of new open spaces and plazas open to the public throughout the plan area could be established. Per the City's Municipal Code, subsequent projects would also be required to dedicate land, pay a fee in lieu thereof, or both, for park or recreational purposes at a ratio of 5 acres per 1,000 residents.

Typical environmental effects regarding improvements to and use of parks and recreational facilities may involve issues with noise (during construction and with use of playfields and playgrounds), air quality (during the construction of the facility), biological resources (depending on location), historic/cultural resources (depending on location), public services and utilities (demand for police and fire protection, electric, water, and wastewater service), and traffic on a local neighborhood level. The environmental effects of construction and operation of such facilities in the plan area have been considered in the technical analyses of this Draft EIR as part of overall development of projects anticipated under the LSAP. Impacts on existing facilities and

the development of new facilities within the LSAP area would be less than significant under project and cumulative conditions.

The project is a self-storage project and would not generate a direct demand for recreation facilities. No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

### **Mitigation Measures**

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

### **CONCLUSION**

No new circumstances or project changes have occurred nor has any new information been identified requiring new analysis or verification. Therefore, the conclusions of the LSAP EIR remain valid and approval of project would not result in new or substantially more severe significant impacts to recreation.

**4.16 TRANSPORTATION/TRAFFIC**

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Draft and Final EIR.	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
<b>16. Transportation/Traffic. Would the project:</b>				
a. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	Draft EIR Setting pp. 3.4-1 to 3.4-23 Impact 3.4.6	No	Yes	Yes, but impact remains significant and unavoidable
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	Draft EIR Setting pp. 3.4-1 to 3.4-23 Impact 3.4.6	No	Yes	Yes, but impact remains significant and unavoidable
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	Draft EIR p 3.4-33 No impact	No	No	NA
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Draft EIR Setting pp. 3.4-1 to 3.4-23 Impact 3.4.4	No	Yes	No, impact remains less than significant
e. Result in inadequate emergency access?	Draft EIR Setting pp. 3.4-1 to 3.4-23 Impact 3.4.5	No	Yes	No, impact remains less than significant
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	Draft EIR Setting pp. 3.4-1 to 3.4-23 Impact 3.4.1, 3.4.2, 3.4.3	No	Yes	No, impact remains less than significant

**4.16.1 Discussion**

No other circumstances have changed in relation to the LSAP or the project.

- a) **Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?**

See discussion under item b) below.

- b) **Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?**

#### **Intersection Operations**

Impact 3.4.6 identified that the following intersections would be significantly impacted by the LSAP at build out in the year 2035 in combination with implementation of the City's proposed Land Use and Transportation Element (LUTE) update as compared to existing conditions for level of service (LOS) operations for AM and PM peak hour conditions. This includes Santa Clara County Congestion Management Plan (CMP) facilities and intersections in the City of Santa Clara:

- ▲ Lawrence Expressway & Tasman Drive (#2) (CMP intersection) – from LOS D in AM and E in PM under existing conditions to LOS F in AM and PM under 2035 conditions.
- ▲ Lawrence Expressway & Lakehaven Drive (#3) (CMP intersection) – from LOS E in AM and PM under existing conditions to LOS F in AM and PM under 2035 conditions.
- ▲ Lawrence Expressway & Oakmead Parkway (#6) (CMP intersection) – from LOS D in AM and E in PM under existing conditions to LOS F in AM and PM under 2035 conditions.
- ▲ Lawrence Expressway & Arques Avenue (#7) (CMP intersection) – from LOS E in AM and F in PM under existing conditions to LOS F in PM under 2035 conditions.
- ▲ Wolfe Road & Arques Avenue (#12) – from LOS C in AM and PM under existing conditions to LOS E in AM under 2035 conditions.
- ▲ Wolfe Road & Kifer Road (#13) – from LOS C in AM and PM under existing conditions to LOS F in AM and PM under 2035 conditions.
- ▲ Wolfe Road & Reed Avenue (#15) – from LOS C in AM and PM under existing conditions to LOS E in AM under 2035 conditions.
- ▲ Wolfe Road & Fremont Avenue (#18) – from LOS D in AM and PM under existing conditions to LOS E in AM and F in PM under 2035 conditions.
- ▲ Lawrence Expressway & Cabrillo Avenue (#25) (CMP intersection in the City of Santa Clara)– from LOS E in AM and PM under existing conditions to LOS F in AM and PM under 2035 conditions.
- ▲ Lawrence Expressway & Benton Street (#27) (CMP intersection in the City of Santa Clara)– from LOS F in AM and LOS E in PM under existing conditions to LOS F in AM and PM under 2035 conditions.
- ▲ Lawrence Expressway & Homestead Road (#28) (CMP intersection in the City of Santa Clara) – from LOS F in AM and PM under existing conditions to LOS F in AM and PM under 2035 conditions.
- ▲ Lawrence Expressway & Pruneridge Avenue (#29) (CMP intersection in the City of Santa Clara) – from LOS E in AM and LOS D in PM under existing conditions to LOS F in AM and PM under 2035 conditions.

- ▲ Lawrence Expressway & I-280 Southbound Ramp (#33) (CMP intersection) – from LOS E in AM and LOS D in PM under existing conditions to LOS F in AM and LOS E in PM under 2035 conditions.
- ▲ Bowers Avenue & Central Expressway (#38) – from LOS E in AM and PM under existing conditions to LOS F in AM and PM under 2035 conditions.
- ▲ Bowers Avenue & Kifer Road (#39) – from LOS C in AM and PM under existing conditions to LOS E in PM under 2035 conditions.
- ▲ Bowers Avenue & Monroe Street (#41) – From LOS C in AM and PM under existing conditions to LOS F in PM under 2035 conditions.

LSAP traffic would also result in significant contributions to the anticipated deficient operation of the following intersections:

- ▲ Lawrence Expressway & Cabrillo Avenue (#25) (CMP intersection in the City of Santa Clara)
- ▲ Lawrence Expressway & Benton Street (#27) (CMP intersection in the City of Santa Clara)
- ▲ Lawrence Expressway & Homestead Road (#28) (CMP intersection in the City of Santa Clara)
- ▲ Lawrence Expressway & Pruneridge Avenue (#29) (CMP intersection in the City of Santa Clara)

Lastly, LSAP traffic would result in significant contributions to the following intersections that would be deficient under the existing General Plan (i.e., no proposed update of the LUTE) for year 2035 conditions.

- ▲ Wolfe Road & Kifer Road (#13)
- ▲ Wolfe Road & Fremont Avenue (#18)
- ▲ Lawrence Expressway & Cabrillo Avenue (#25) (CMP intersection in the City of Santa Clara)
- ▲ Lawrence Expressway & Benton Street (#27) (CMP intersection in the City of Santa Clara)
- ▲ Lawrence Expressway & Pruneridge Avenue (#29) (CMP intersection in the City of Santa Clara)

This would be a cumulatively considerable and significant traffic operation impact. The LSAP Draft EIR identifies a series of possible mitigation measures consisting of at-grade and grade-separated intersection improvements and concludes that these mitigation measures (with the exception of Mitigation Measure 3.4.6) are infeasible (see LSAP Draft EIR pages 3.4-55 through 3.4-57). This impact was identified as cumulatively considerable and a significant and unavoidable impact.

No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

#### **Freeway Operations**

Impact 3.4.6 identifies that the following mixed-flow lanes on the following directional study freeway segments are expected to operate at LOS F with the LSAP during either the AM or PM peak hour under 2035 conditions with the proposed LUTE update:

- ▲ State Route (SR) 237, eastbound from Lawrence Expressway to Great America Parkway in AM and PM.
- ▲ SR 237, westbound from Great America Parkway to Lawrence Expressway in AM and PM.
- ▲ US 101, southbound from Mathilda Avenue to Bowers Avenue/Great America Parkway in AM and PM.
- ▲ US 101, southbound from Bowers Avenue/Great America Parkway to Montague Expressway/San Tomas Expressway in PM.
- ▲ US 101, northbound from Montague Expressway/San Tomas Expressway to SR 237 in AM.
- ▲ Interstate (I)-280, southbound from Lawrence Expressway to Saratoga Avenue in PM.

- ▲ I-280, northbound from Saratoga Avenue to Lawrence Expressway in AM and PM.

The HOV lanes on the following directional study freeway segments are expected to operate at LOS F during either the AM or PM peak hour under 2035 conditions:

- ▲ SR 237, eastbound from Lawrence Expressway to Great America Parkway in AM and PM.
- ▲ SR 237, westbound from Great America Parkway to Lawrence Expressway in AM and PM.
- ▲ US 101, southbound from SR 237 to Montague Expressway/San Tomas Expressway in PM.
- ▲ US 101, northbound from Montague Expressway/San Tomas Expressway to Bowers Avenue/Great America Parkway in AM and PM.
- ▲ US 101, northbound from Bowers Avenue/Great America Parkway to Fair Oaks Avenue in AM.
- ▲ US 101, northbound from Fair Oaks Avenue to SR 237 in AM and PM.
- ▲ I-280, southbound from Lawrence Expressway to Saratoga Avenue in PM.
- ▲ I-280, northbound from Saratoga Avenue to Lawrence Expressway in AM.

LSAP traffic result in significant contributions to the following freeway segments as compared to existing conditions:

- ▲ SR 237, eastbound from Lawrence Expressway to Great America Parkway in AM in mixed flow lanes.
- ▲ SR 237, westbound from Great America Parkway to Lawrence Expressway in AM in mixed flow lanes and HOV lanes in AM and PM.
- ▲ US 101, southbound N. Mathilda Avenue to N. Fair Oaks Avenue in AM in mixed flow lanes and HOV lanes in PM.
- ▲ US 101, southbound N. Fair Oaks Avenue to Lawrence Expressway in HOV lanes in PM.
- ▲ US 101, southbound Lawrence Expressway to Bower Avenue/Great American Parkway in PM in mixed flow lanes and HOV lanes.
- ▲ US 101, southbound Bower Avenue/Great American Parkway to Montague Expressway/San Tomas Expressway in PM in HOV lanes.
- ▲ US 101, northbound Montague Expressway/Santa Thomas Expressway to Bower Avenue/Great American Parkway in AM in mixed flow lanes and HOV lanes.
- ▲ US 101, northbound Bower Avenue/Great American Parkway to Lawrence Expressway in AM in mixed flow lanes and HOV lanes.
- ▲ US 101, northbound Lawrence Expressway to N. Fair Oaks Avenue in AM in HOV lanes.
- ▲ US 101, northbound N. Mathilda Avenue to SR 237 in AM in mixed flow lanes.

LSAP traffic result in significant contributions to the following freeway segments that would be deficient under the existing General Plan (i.e., no proposed update of the LUTE) for year 2035 conditions:

- ▲ SR 237, eastbound from Lawrence Expressway to Great America Parkway in AM in mixed flow lanes.

- ▲ SR 237, westbound from Great America Parkway to Lawrence Expressway in AM in mixed flow lanes and HOV lanes in AM and PM.
- ▲ US 101, southbound N. Mathilda Avenue to N. Fair Oaks Avenue in AM in mixed flow lanes and HOV lanes in PM.
- ▲ US 101, southbound N. Fair Oaks Avenue to Lawrence Expressway in HOV lanes in PM.
- ▲ US 101, southbound Lawrence Expressway to Bower Avenue/Great American Parkway in PM in HOV lanes.
- ▲ US 101, southbound Bower Avenue/Great American Parkway to Montague Expressway/Santa Tomas Expressway in PM in HOV lanes.
- ▲ US 101, northbound Montague Expressway/Santa Thomas Expressway to Bower Avenue/Great American Parkway in AM in HOV lanes.
- ▲ US 101, northbound Bower Avenue/Great American Parkway to Lawrence Expressway in AM in HOV lanes.
- ▲ US 101, northbound Lawrence Expressway to N. Fair Oaks Avenue in AM in HOV flow lanes.

The VTA Valley Transportation Plan (VTP) identifies freeway express lane projects along both SR 237 and US 101 that would consist of converting existing HOV lanes to express lanes and the addition of an express lane on US 101. This would mitigate impacts to US 101, but not to impacts on SR 237. Current development along both SR 237 and US 101 currently restrict the ability to expand these freeway facilities. Development in the LSAP is required to pay fair-share fees towards improvements. However, the City does not have jurisdiction on state highway facilities to ensure these improvements are constructed. Freeway segment impacts would be cumulatively considerable and a significant and unavoidable impact for the LSAP.

No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

**c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?**

The LSAP is outside the Moffet Airport's influence area and safety zones and would not involve changes in air traffic operations. There have no changes to the Moffet Airport's operations since certification of the LSAP EIR. No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

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

As identified in Impact 3.4.4, the LSAP incorporates a "complete streets" approach for circulation planning that accommodates all travel modes. Complete streets are designed and operated to enable safe and convenient access for all users, including pedestrians, bicyclists, and motorists. The LSAP includes several circulation network improvements to provide improved access through the plan area. In addition to providing new streets in the LSAP, improvements to existing streets would be implemented to ensure safety for all street users. Extensive bicycle and pedestrian facility enhancements would be implemented, including additional crosswalks, changes in signal timing, and two grade separate pedestrian/bicycle crossings at the Caltrain tracks. All of the proposed improvements would help reduce the potential for pedestrian/bicycle and vehicle conflicts. All roadway and pedestrian/bicycle facilities would be designed in accordance with City standards.

No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.



**Caltrain Tracks**

There are existing barriers between existing development and the Caltrain tracks in the LSAP. Barriers on the north side are typically solid masonry walls that define the boundaries of the various properties that adjoin the Caltrain right-of-way. There is a chain-link fence on the south side of the tracks in the LSAP area (e.g., at the boundary of the Calstone/Peninsula Building Materials operations). While the LSAP would attract more people into the area who could engage in either illegal or scofflaw behavior, the LSAP does not propose any changes in Caltrain operations that would increase the number or frequency of trains that pass through the plan area, nor are any modifications to Caltrain tracks or Lawrence station anticipated to accommodate new buildings and circulation network improvements identified in the LSAP.

As identified in Impact 3.4.4, results of the traffic modeling show that intersection conditions near roadway crossings of the tracks would not worsen as a result of the LSAP, indicating the LSAP-generated traffic volumes at the at-grade crossing would not substantially increase. As such, no substantial increased risk of vehicle/train conflicts is anticipated due to LSAP traffic. The LSAP includes two new grade-separated crossings at the Caltrain tracks, one on the east side of the plan area and one on the west side. These crossings would be for non-vehicular travel only and would provide two new options for pedestrians and bicyclists traveling between the north and south sides of the plan area to safely cross the tracks. Design and construction of the track crossings would need to be coordinated with Caltrain. Thus, this impact would be less than significant under project and cumulative conditions.

The project would not include an access to the Caltrain tracks. No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

**e) Result in inadequate emergency access?**

As identified in Impact 3.4.5, the LSAP includes several circulation network improvements to provide improved access through the LSAP area. The Loop would provide an additional full access point to Central Expressway west of Lawrence Expressway, which could reduce traffic volumes on Lawrence Expressway. Extending the connectivity of Sonora Court to both Kifer Road and the east side of the Lawrence Expressway overcrossing could reduce traffic volumes on Kifer Road. The Loop would also provide additional access routes to the Lawrence Caltrain Station. The San Ysidro Way extension would provide the opportunity to close San Zeno Way, allowing for a clearer and less circuitous connection in the station area. These improvements, along new secondary streets, would provide additional access through and around the LSAP. All improvements would be required to meet City of Sunnyvale roadway design standards. Because the LSAP would provide adequate access for emergency vehicles, impacts would be less than significant for the LSAP.

The project is required to meet all City requirements regarding emergency access. No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

**f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?**

Potential conflicts with public transit, bicycle and pedestrian facilities and uses are addressed in Impacts 3.4.1 (public transit), 3.4.2 (bicycle facilities) and 3.4.3 (pedestrian facilities).

**Public Transit**

The mode share for transit within the LSAP area would increase from existing (1.5%) to current GP (3.5%) to the 2035 proposed LUTE update conditions (4.5%). This could increase the demand for transit services and related facilities. Diversifying land uses and increasing densities envisioned under the LSAP would support the long-term viability of the Lawrence Caltrain station. Daily transit ridership is estimated to increase to levels comparable to those at the California Avenue Caltrain station in Palo Alto, a station that supports a range of users, including visitors and employees of the California Avenue retail district. Caltrain has plans to increase the number of trains serving the Lawrence Station from the existing 56 trains per day to 66 trains per day during weekdays.

The project design would not conflict with any transit service in the area. No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

### **Pedestrian and Bicycle**

As identified in Impact 3.4.2 and 3.4.3, the LSAP identifies various bicycle and pedestrian facility improvements to close the gaps in the existing and planned network. The planned bicycle network would provide a continuous system of Class I and Class II facilities that would allow improved and safe connections through the plan area. In particular, the LSAP identifies two new bicycle/pedestrian crossings at the Caltrain tracks, one in the vicinity of Calabazas Creek on the east and one in the west side of the plan area connecting The Loop near Sonora Court to Aster Avenue. These grade-separated crossings would increase north-south connectivity for bicyclists, as well as pedestrians, and would provide increased safety.

The project would provide on-site pedestrian/bike path connections to Calabazas Creek and The Loop. No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

### **Mitigation Measures**

The following mitigation measures were adopted with the LSAP and would continue to remain applicable if the project were approved.

#### ■ Mitigation Measure 3.4.6:

Should the proposed Land Use and Transportation Element Update not be adopted, the following roadway improvements shall be a component of the implementation of the LSAP:

- Wolfe Road & Kifer Road - Construction of a second southbound left-turn lane and a second westbound left-turn lane. Both left-turn lanes would need to have the same length as the original left-turn lane. Depending on the width of each travel lane, the north leg and east leg of the intersection will need to be widened between 8 feet and 11 feet. The through lanes at this intersection will be realigned. The required right-of-way would need to be acquired from the northwest, northeast, and/or southeast quadrants of the intersection. Existing bicycle and pedestrian facilities will be retained.

With this improvement, the intersection would operate at an acceptable LOS D during the AM peak hour. There would be secondary deficiencies associated with this improvement such as increased pedestrian and bicyclist exposure to traffic when crossing the intersection. The increased exposure time would range from approximately 2 to 3 seconds for pedestrians and 1 to 2 seconds for bicyclists. This increased exposure time would be minimal. Located within an industrial area and immediately between the rail tracks and Central Expressway, this intersection is also not expected to serve a considerable amount of pedestrian and bicyclist volume. The required right-of-way acquisition would be minimal and would not displace businesses or parking spaces. This improvement would be a requirement for projects within the LSAP only and not a city-wide requirement.

- Wolfe & Fremont Avenue - Construction of an exclusive southbound right turn lane for the length of the segment. The eastbound inner left-turn lane will require restricting the U-turn movement to allow for a southbound overlap right-turn phase. Vehicles wishing to perform the eastbound U-turn movement would instead perform the U-turn at Elanor Way. Depending on the extent of the median on the north leg that could be removed, the north leg would be widened between 3 to 11 feet. The north leg would be realigned to accommodate the southbound right-turn. There is existing right-of-way on the northeast quadrant of the intersection.

With this improvement, the intersection would still operate at an unacceptable LOS E during the PM peak hour, but would no longer have an LSAP intersection deficiency. Secondary deficiencies on the pedestrian and bicycle facilities associated with this improvement would not be considerable. The

increased exposure time would range from approximately 1 to 3 seconds for pedestrians and 1 to 2 seconds for bicyclists. This increased exposure time would be minimal. The required right-of-way acquisition would be minimal and would not displace businesses. This improvement would be a requirement for projects within the LSAP only and not a city-wide requirement.

## **CONCLUSION**

The updated transportation impact analysis is consistent with the analysis done for the approved LSAP. While minor adjustments are necessary to accommodate project-specific impacts, the project would not result in new or substantially more severe significant impacts to transportation. Therefore, the conclusions of the LSAP EIR remain valid.

**4.17 UTILITIES AND SERVICE SYSTEMS**

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Draft and Final EIR.	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
<b>17. Utilities and Service Systems. Would the project:</b>				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	Draft EIR Setting pp. 3.11-30 to 3.11-34 Impact 3.11.6.1 and 3.11.6.3	No	No	NA, impact remains less than significant
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	Draft EIR Setting pp. 3.11-14 to 3.11-34 Impact 3.11.5.2, 3.11.5.4, 3.11.6.1, 3.11.6.2, and 3.11.6.3	No	No	NA, impact remains less than significant
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	See discussion under 4.9, Hydrology and Water Quality.	No	No	NA, impact remains less than significant
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	Draft EIR Setting pp. 3.11-14 to 3.11-24 Impact 3.11.5.1 and 3.11.5.3	No	No	NA, impact remains less than significant
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	Draft EIR Setting pp. 3.11-30 to 3.11-34 Impact 3.11.6.1, 3.11.6.2, and 3.11.6.3	No	No	NA, impact remains less than significant
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	Draft EIR Setting pp. 3.11-37 to 3.11-41 Impact 3.11.7.1 and 3.11.7.3	No	No	NA, impact remains less than significant
g. Comply with federal, state, and local statutes and regulations related to solid waste?	Draft EIR Setting pp. 3.11-37 to 3.11-41 Impact 3.11.7.2	No	No	NA, impact remains less than significant
h. Create demand for natural gas, electricity, telephone, and other utility services that cannot be met.	Draft EIR Setting pp. 3.11-44 to 3.11-47 Impact 3.11.8.1	No	No	NA, impact remains less than significant
i. Result in inefficient, wasteful, and unnecessary consumption of energy.	Draft EIR Setting pp. 3.11-44 to 3.11-47 Impact 3.11.8.1	No	No	NA, impact remains less than significant

**4.17.1 Discussion**

Since completion of the LSAP Draft EIR, the City of Sunnyvale has adopted a 2015 Urban Water Management Plan (UWMP). The LSAP Water Supply Assessment (WSA) was based in part on information from the City's 2010 UWMP. While there is some variation between the WSA and 2015 UWMP in the estimates of water supply and demand for build out of the City, both the WSA and 2015 UWMP conclude that there is adequate water supply available to meet normal, single-dry, and multiple-dry year conditions.

Thus, the 2015 UWMP does not substantially change the water supply impact analysis provided in the LSAP EIR.

**a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?**

As addressed in Impact 3.11.6.1, 3.11.6.2 and 3.11.6.3, increased population associated with the LSAP would result in an additional approximately 0.62 mgd of wastewater flows. Current flows treated by the City's Water Pollution Control Plant (WPCP) are approximately 11.4 mgd. The addition of LSAP flows to existing flows would be approximately 12 mgd, which would be within the current permitted average dry weather flow (ADWF) design flow capacity of the WPCP and would also be within the 19.5-mgd ADWF design flow capacity. Although there would be an increase in wastewater flows to the WPCP, the constituents in the wastewater flows to the plant would remain similar to existing conditions (i.e., residential, retail, office/R&D). No increase in industrial or commercial land uses or other types of land uses typically associated with hazardous pollutant discharges to the sewer system are proposed. Thus, the LSAP would result in a less-than-significant impact under project and cumulative conditions.

The project consists of self-storage uses and is expected to generate constituents in the wastewater flows to the plant would remain similar to existing conditions. The project's contribution to wastewater flows were factored in the LSAP EIR given that its land use and intensities are consistent with the LSAP. No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

**b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

As addressed in Impacts 3.11.5.2, 3.11.5.4, 3.11.6.1, 3.11.6.2, and 3.11.6.3, LSAP contributions to water demand and wastewater are anticipated to be accommodated with existing infrastructure facilities. The LSAP Draft EIR does acknowledge that there may be some future need to upgrade infrastructure in the LSAP area and that the LSAP EIR programmatically evaluates the potential environmental impacts of such improvements that require construction traffic control, construction air quality and noise mitigation (Mitigation Measures 3.5.3a and b and 3.6.4) and City water quality control standards. These impacts were identified as less than significant for the LSAP under project and cumulative conditions.

No on-site or off-site infrastructure improvements are proposed for the project. No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

**c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?**

See analysis under 4.9, Hydrology and Water Quality. No off-site drainage improvements are proposed for the project.

**d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?**

As described in Impact 3.11.5.1 and 3.11.5.3, cumulative development in Sunnyvale, including in the LSAP, would result in a net additional water demand of 2,274 acre-feet per year. For the LSAP plan area, the net additional demand is 677 AFY, or approximately 30 percent of the net increase in citywide demand under projected 2035 conditions. The LSAP Water Supply Assessment (WSA) identifies that there is adequate water supply available to meet build out of the City in year 2035 as well as the LSAP under normal, single-dry, and multiple-dry years. This impact was identified as less than significant under project and cumulative conditions for the LSAP.

The project is consistent with LSAP land use designations and development intensities that were utilized in the WSA. No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

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

As addressed in Impact 3.11.6.2 and 3.11.6.3, increased population associated with the LSAP would result in an additional approximately 0.62 mgd of wastewater flows. Current flows treated by the City's WPCP are approximately 11.4 mgd. The addition of LSAP flows to existing flows would be approximately 12 mgd, which would be within the current permitted ADWF design flow capacity of the WPCP and would also be within the 19.5-mgd ADWF design flow capacity. Although there would be an increase in wastewater flows to the WPCP, the constituents in the wastewater flows to the plant would remain similar to existing conditions (i.e., residential, retail, office/R&D). No increase in industrial or commercial land uses or other types of land uses typically associated with hazardous pollutant discharges to the sewer system are proposed. Thus, the LSAP would result in a less-than-significant impact under project and cumulative conditions.

The project's contribution to wastewater flows were factored in the LASP EIR given that its land use and intensities are consistent with the LSAP. No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

**f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?**

As identified in Impact 3.11.7.1 and 3.11.7.3, the LSAP would generate approximately 19.6 tons per day of solid waste, which would represent approximately 2 percent of the current SMarT Station throughput (or 1.3 percent of maximum permitted throughput) and less than 1 percent of the permitted daily throughput for the Kirby Canyon Landfill. On an annual basis, the LSAP would generate approximately 7,154 tons of solid waste that would be disposed of at the Kirby Canyon Landfill or at the Monterey Peninsula Landfill once the Kirby Canyon Landfill is closed in 2022. Additional growth in surrounding communities, such as Mountain View, Santa Clara, and Cupertino, would also generate solid waste. New development estimated to occur under the proposed LUTE update and the LSAP would increase the generation of solid waste in Sunnyvale. By 2035, approximately 412,979 pounds (206.49 tons) of solid waste would be generated per day in Sunnyvale (including the contribution from the LSAP). This amount of waste represents approximately 12.6 percent of the permitted daily throughput of the Kirby Canyon Landfill or 5.9 percent of the throughput at the Monterey Peninsula Landfill. Therefore, regional landfill facilities would be able to serve the growth expected to occur in the region as well as under the LSAP.

The project's contribution to solid waste generation were factored in the LASP EIR given that its land use and intensities are consistent with the LSAP. No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

**g) Comply with federal, state, and local statutes and regulations related to solid waste?**

As discussed in Impact 3.11.7.2, Sunnyvale had a waste diversion rate of 66 percent as of 2011, and under current methods for tracking progress with AB 939, the per capita disposal rates are less than the targets. The City has developed its new Zero Waste Strategic Plan, intended to identify the new policies, programs, and infrastructure that will enable the City to reach its Zero Waste goals of 75% diversion by 2020 and 90 percent diversion by 2030. Additionally, the City of Sunnyvale has committed to the waste reduction programs, plans, and policies that would apply to new development in the LSAP. Construction of subsequent projects under the LSAP that would result in demolition or renovation of existing structures would generate solid waste, and the City requires the recycling and reuse of materials to reduce landfill disposal. Therefore, the LSAP would not conflict with a federal, state, or local statute or regulation related to solid waste disposal. This impact would be less than significant.

The project would not generate solid waste in excess of what was evaluated in the LSAP EIR and is required to comply with solid waste reduction standards. No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

**h) Create demand for natural gas, electricity, telephone, and other utility services that cannot be met.**

Impact 3.11.8.1 identifies that PG&E currently provides electrical and natural gas services to Sunnyvale and would continue to provide these services to future development resulting from projects developed in the LSAP. PG&E is required by the California Public Utilities Commission to update the existing systems to meet any additional demand. PG&E builds new infrastructure on an as-needed basis. Any electrical and natural gas distribution lines, substations, transmission lines, delivery facilities, and easements required to serve buildout of the Lawrence Station Area Plan would be subject to CEQA review by PG&E. However, it is expected that much of the distribution infrastructure would be collocated with other utilities underground within roadway rights-of-way in order to minimize the extent of environmental effects. Potential environmental effects for the construction of transmission lines include but are not limited to air quality (during construction), biological resources (depending on location), cultural resources (depending on location), hazardous materials, land use, noise and vibration (during construction), traffic, visual resources, and health hazards. Potential environmental effects of obtaining more power through the development of power plants include but are not limited to air quality, biological resources, cultural resources (depending on location), hazardous materials, land use, noise and vibration, traffic, visual resources, waste management, water and soil resources, and health hazards. However, the LSAP would not specifically trigger the need for off-site energy facility improvements and no large-scale plan area improvements are anticipated.

No onsite or off-site infrastructure improvements are proposed for the project. No new significant impacts or substantially more severe impacts would occur. Therefore, the findings of the certified LSAP EIR remain valid and no further analysis is required.

**i) Result in inefficient, wasteful, and unnecessary consumption of energy.**

As described in Impact 3.11.8.1, the LSAP would increase the consumption of energy. However, the LSAP would need to comply with Building Energy Efficiency Standards included in Title 24 of the California Code of Regulations and implement the energy efficiency requirements of the City's CAP. Implementation of the LSAP would also result in an improvement in vehicle miles traveled (VMT) per capita as compared to citywide VMT under the existing General Plan and the proposed Land Use and Transportation Element update (see LSAP Draft EIR Table 3.4-1 in Section 3.4, Transportation and Circulation). This is consistent with the intent of the LSAP to improve the use of alternative modes of transportation and reduce vehicle use and associated VMT. It is also within the VMT per capita set forth in the City's Climate Action Plan (11.62 miles).

The project would be required comply with Title 24 requirements as well as the City's CAP. Therefore, no new significant impacts or substantially more severe impacts would occur. The findings of the certified LSAP EIR remain valid and no further analysis is required.

## **Mitigation Measures**

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

## **CONCLUSION**

No new circumstances or project changes have occurred nor has any new information been identified requiring new analysis or verification. Therefore, the conclusions of the LSAP EIR remain valid and approval of project would not result in new or substantially more severe significant impacts to utilities or energy.

**4.18 MANDATORY FINDINGS OF SIGNIFICANCE**

Environmental Issue Area	Where Impact Was Analyzed in the LSAP Draft and Final EIR.	Any New Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information Requiring New Analysis or Verification?	Do Prior Environmental Documents Mitigations Address/Resolve Impacts?
<b>18. Mandatory Findings of Significance.</b>				
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare or threatened species or eliminate important examples of the major periods of California history or prehistory?	Draft EIR Sections 3.9, Biological Resources, and 3.10, Cultural Resources	No	Yes, discussed throughout environmental checklist	Yes
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when view in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	Draft EIR Sections 3.1 through 3.13	No	Yes, discussed throughout environmental checklist	Yes
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	Draft EIR Sections 3.3, Hazards and Human Health, 3.5, Air Quality, and 3.6, Noise	No	Yes, discussed throughout environmental checklist	Yes

**CONCLUSION**

Since the LSAP EIR was certified, there have been regulatory changes as noted in the above checklist. However, no new significant impacts or substantially more severe impacts were identified.

All approved mitigation in the LSAP EIR would continue to be implemented with the project. Therefore, no new significant impacts would occur with implementation of the project.



5 LIST OF PREPARERS AND PERSONS CONSULTED

5.1 LIST OF PREPARERS

Organization	
Momoko Ishijima .....	Associate Planner/Project Planner
Andrew Miner.....	Planning Officer

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## 6 REFERENCES

City of Sunnyvale. 2016 (May). *Public Draft EIR for the Lawrence Station Area Plan*. SCH # 2013082030. Available at <http://www.lawrencestationinsunnyvale.org/>. Accessed November 28, 2016

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