

Final Subsequent Environmental Impact Report

North Bayshore Precise Plan

State Clearinghouse #2013082088



Prepared by the City of Mountain View
In consultation with David J. Powers & Associates, Inc.

November 2017



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SECTION 1.0 OVERVIEW AND PURPOSE OF THE FINAL SEIR

This document, together with the Draft Environmental Impact Report (DSEIR), constitutes the Final Environmental Impact Report (FSEIR) for the proposed *North Bayshore Precise Plan* in Mountain View, California. Under the California Environmental Quality Act (CEQA), the Lead Agency is required, after completion of a DSEIR, to consult with and obtain comments from public agencies having jurisdiction by law with respect to the proposed project, and to provide the general public with an opportunity to comment on the DSEIR. The City of Mountain View, as the Lead Agency, is then required to respond to significant environmental issues raised in the review and consultation process, as described in CEQA Section 15132.

The DSEIR was circulated to affected public agencies and interested parties for a 45-day review period, from March 2, 2017 to April 17, 2017. Comments on the DEIR were to be received in writing by no later than Monday, April 17, 2017 at 5:00 p.m.

1.1 FORMAT OF THE FINAL SEIR

This document, which includes responses to comments and text revisions, has been prepared in accordance with Section 15088 of the CEQA Guidelines. In addition to Section 1.0, describing an overview of the purpose and format of the FEIR, the FEIR includes the following sections:

***Section 2.0* List of Agencies and Individuals Receiving the DEIR**

The agencies, organizations, and individuals who received copies of the DEIR are listed in this section. The locations where the DEIR could be reviewed during the public circulation period are also included in this section.

***Section 3.0* List of Agencies and Individuals Commenting on the DEIR**

This section contains a list of all parties who submitted written comments on the DEIR.

***Section 4.0* Written and Verbal Comments on the DEIR and Responses**

This section contains the written and verbal comments received on the DEIR and the responses to those comments.

***Section 5.0* Revisions to the Text of the DEIR**

Section 5.0 contains text revisions to the DEIR. Text revisions can be made as a result of comments received during the DEIR public review process, corrections or clarifications to the text to reflect modifications that have been made to the project, or other information added by the Lead Agency.

***Section 6.0* Copies of Comment Letters**

Section 6.0 contains copies of the complete comment letters received on the DEIR during the circulation period.

1.2 PURPOSE OF THE FINAL SEIR

In conformance with the CEQA Guidelines (Section 15151), EIRs should be prepared with a sufficient degree of analysis to provide decisions-makers with information which enables them to make a decision on the project that takes into account environmental consequences. The FEIR also is required to examine mitigation measures and alternatives to the project intended to reduce or eliminate significant environmental impacts.

The FEIR is used by the City and other Responsible Agencies in making decisions regarding the project. The CEQA Guidelines require that, while the information in the FEIR does not control the agency's ultimate discretion on the project, the agency must respond to each significant effect identified in the DEIR by making written findings for each of those effects. According to the State Public Resources Code (Section 21081), no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more significant effects on the environment that would occur if the project is approved or carried out unless both of the following occur:

- (a) The public agency makes one or more of the following findings with respect to each significant effect:
 - (1) Changes or alterations have been required in, or incorporated into, the project which will mitigate or avoid the significant effects on the environment.
 - (2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
 - (3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities of highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.
- (b) With respect to significant effects which were subject to a finding under paragraph (3) of subdivision (a), the public agency finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment.

All documents referenced in this FEIR are available for public review in the City of Mountain View's Community Development Department, City Hall, 1st Floor, 500 Castro Street, Mountain View, during front counter and phone hours, Monday thru Friday, 8:00 a.m. to Noon, 1:00 p.m. to 4:00 p.m.

The FEIR will also be available for review on the City's website, <http://www.ci.mtnview.ca.us/>, and at the Mountain View Public Library, 585 Franklin Street, Mountain View. In accordance with the CEQA Guidelines, the FEIR will be made available to the public and commenting agencies a minimum of ten days prior to the EIR certification hearing.

SECTION 2.0 AGENCIES, ORGANIZATIONS, AND INDIVIDUALS RECEIVING THE DRAFT SEIR OR NOTICE OF AVAILABILITY

Federal Agencies

NASA Ames Research Center
Department of the Army
Environmental Protection Agency

State Agencies

California Department of Fish and Wildlife, Region 3
California Department of Housing and Community Development
California Department of Parks and Recreation
California Department of Toxic Substances Control
California Department of Transportation, District 4 (CalTrans)
California Department of Transportation, Division of Aeronautics
California Department of Water Resources
California Highway Patrol
California Native American Heritage Commission
California Emergency Management Agency
California Office of Emergency Services
California Public Utilities Commission
California Resources Agency
California State Clearinghouse
Regional Water Quality Control Board, Region 2
San Francisco Bay Conservation and Development Commission

Regional and Local Agencies

Santa Clara Valley Transportation Authority (VTA)
Santa Clara Valley Water District
Santa Clara Valley Habitat Agency
County of Santa Clara
County of Santa Clara, Parks Department
County of Santa Clara, Roads and Airports
City of East Palo Alto
City of Los Altos
City of Menlo Park
City of Palo Alto
City of Sunnyvale
Mountain View Los Altos High School District
Mountain View Whisman School District
Los Altos School District
Mountain View Library

Businesses and Organizations

Santa Clara Valley Audubon Society
Sierra Club, Loma Prieta Chapter
Adams, Broadwell, Joseph, & Cardozo, Janet Laurain
Northern California Carpenters, Katie Boyd
Local 405, Counties Conference Board
Campaign for Jobs Local 104, Mark Espinoza
Building Industry Association of the Bay Area
Carpenters Union, Joseph Lopez

Additional individuals and groups were notified of the availability of the DEIR by email and postal mail, and the DEIR has been posted on the City's website and filed in the Mountain View Public Library.

SECTION 3.0 AGENCIES, ORGANIZATIONS, AND INDIVIDUALS COMMENTING ON THE DRAFT SEIR

3.1 WRITTEN COMMENTS RECEIVED

Shown below is a list of agencies, organizations, and individuals commenting on the DEIR. The table below also identifies the date of the letter received. Comments that raise questions regarding the adequacy of the EIR or analyses in the EIR require substantive responses. Comments that contain only opinions regarding the proposed project do not require substantive responses in the FEIR. Complete copies of all the letters received are included in *Section 6.0* of this FEIR.

| Letter Number | Commenter | Date | Page Number |
|--|---|--------------------|-------------|
| <i>State Agencies</i> | | | |
| 1. | State Water Resources Control Board, Division of Drinking Water | March 15, 2017 | 6 |
| 2. | San Francisco Bay Conservation and Development Commission | April 17, 2017 | 7 |
| 3. | California Department of Transportation | April 18, 2017 | 10 |
| 4. | State Clearinghouse | April 18, 19, 2017 | 17 |
| <i>Local and Regional Agencies</i> | | | |
| 5. | County of Santa Clara, Parks and Recreation Department | March 7, 2017 | 17 |
| 6. | City of Sunnyvale, Community Development Department | April 13, 2017 | 22 |
| 7. | City of Palo Alto, Department of Planning & Community Environment | April 14, 2017 | 26 |
| 8. | Mountain View Whisman School District | April 17, 2017 | 41 |
| 9. | Mountain View Los Altos High School District | April 17, 2017 | 48 |
| 10. | County of Santa Clara, Roads and Airports Department | April 17, 2017 | 55 |
| 11. | Santa Clara Valley Habitat Agency | April 17, 2017 | 56 |
| 12. | Santa Clara Valley Water District | April 17, 2017 | 63 |
| 13. | Santa Clara Valley Transportation Authority | April 17, 2017 | 67 |
| <i>Businesses, Organizations, and Individuals</i> | | | |
| 14. | Serge Bonte | April 16, 2017 | 73 |
| 15. | Mountain View Coalition for Sustainable Planning | April 17, 2017 | 74 |
| 16. | Friends of Caltrain | April 17, 2017 | 84 |
| 17. | Working Partnerships USA, on behalf of Silicon Valley Rising | April 17, 2017 | 89 |
| 18. | Google, Inc. | April 17, 2017 | 96 |
| 19. | Santa Clara Valley Audubon Society and Loma Prieta Chapter of the Sierra Club | April 17, 2017 | 104 |

SECTION 4.0 RESPONSES TO COMMENTS RECEIVED ON THE DRAFT SEIR

The following section includes all of the comments requiring responses contained in letters received during the advertised 45-day review period by the City of Mountain View regarding the DSEIR. The comments are organized under headings containing the source of the letter and its date. The specific comments have been excerpted from the letter and are shown as “Comment” with each response directly following (“Response”). The letters submitted to the City of Mountain View on the DSEIR are contained in their entirety in *Section 6.0* of this document.

1. RESPONSE TO COMMENT LETTER 1 FROM THE STATE WATER RESOURCES CONTROL BOARD, DIVISION OF DRINKING WATER, DATED MARCH 15, 2017

Comment 1.1: The State Water Resources Control Board's (SWRCB) Division of Drinking Water's (Division or DDW) comments on the proposed project are as follows:

The North Bayshore Precise Plan (NBPP) is a 650-acre multi-use development project located in northern Mountain View, consisting of multi-family residential, single-family residential, general office/Research and Development, industrial non-manufacturing, general manufacturing, retail and parks/recreational facilities. The City is planning to provide water supply for the project, which will include both potable and recycled water. The project will add almost 10,000 multi-family residential units and approximately 3.5 million square feet of non-residential space by 2030. It was indicated in the Draft Subsequent Environmental Impact Report (DSEIR) prepared by the City of Mountain View (City) for the project that this addition will increase water demand by 1414 acre feet per year (AFY). With such an increase in water demand, the Division would like to know how the City, in meeting the water requirements for the project, intends to comply with the applicable requirements of California Waterworks Standards, Chapter 16, Title 22, California Code of Regulations (CCR).

In addition, in the event that any capital improvement project within the scope of the NBPP project would require additional water facilities and capacities in order to meet the water demands of the project, the City will need to apply for and obtain the necessary (amended) permits from the Division regarding any additions or changes to its system, in accordance with Section 116550, Article 7, Chapter 4, California Health and Safety Code (CHSC). This section specifies that no person operating a water system shall modify, add to or change his or her source of supply or method of treatment or change his or her distribution system as authorized by a valid permit issued to him or her by the Division, unless the person first submits an application to the Division and receives an amended permit as provided in this chapter authorizing the modification, addition or change in his or her source of supply or method of treatment.

Finally, any proposed water system improvement within the scope of the NBPP project must comply with the provisions of the California Waterworks Standards, Chapter 16, Title 22, CCR.

If you have any questions, please call Jose P. Lozano IV at (510) 620-3459 or myself at (510) 620-3453.

Response 1.1: The comments on the North Bayshore Precise Plan’s water demands are noted. The water supply assessment and the utilities capacity assessment prepared for the amended North Bayshore Precise Plan identified future water main improvements, but did not identify the need for additional sources of water supply or storage. Even with the population growth projected for the North Bayshore area and the City, the per-unit demands are much less, and the utility studies indicated that the water supply, water source, and storage capacity were sufficient for the buildout of the Precise Plan.

The City will monitor population increases in the City, and will coordinate with the State Board on any required permit changes as permit amendment thresholds are approached, and will comply with California Waterworks Standards, as applicable.

2. RESPONSE TO COMMENT LETTER 2 FROM THE SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION, DATED APRIL 17, 2017

Comment 2.1: Thank you for the opportunity to comment on the draft Subsequent Environmental Impact Report for the General Plan Amendment and Rezoning of the North Bayshore Precise Plan – Residential Uses Project (SEIR), dated March 2nd, 2017 and received in our office on March 6th, 2017. The Commission has not reviewed the SEIR, however the following staff comments are based on staff review of the SEIR for consistency with the McAteer-Petris Act and the policies of the San Francisco Bay Plan (Bay Plan). Staff provided comments on the project’s Notice of Preparation on April 19, 2016.

Jurisdiction. Thank you for including the description of the Commission’s jurisdiction provided in the NOP comment letter dated April 19, 2016. As mentioned in the SEIR on page 316, “Projects within BCDC’s jurisdiction may require permits issued by BCDC”. This may include the proposed bridge crossing Stevens Creek discussed in the SEIR, depending upon the project’s final location.

Climate change and sea level rise. As noted in the NOP comment letter dated April 19, 2016 the Bay Plan climate change policies state, in part: “[t]o minimize the potential hazard to Bay fill projects and bayside development from subsidence, all proposed development should be sufficiently high above the highest estimated tide level for the expected life of the project or sufficiently protected by levees.” Additionally, the policies state: “[l]ocal governments and special districts with responsibilities for flood protection should assure that their requirements and criteria reflect future relative sea level rise and should assure that new structures and uses attracting people are not approved in flood prone areas or in areas that will become flood prone in the future, and that structures and uses that are approvable will be built at stable elevations to assure long---term protection from flood hazards.”

The SEIR lists on page 343 two objectives under the City of Mountain View’s General Plan Land Use Goal 18:

- 1) A comprehensive strategy for reducing the effects of future sea level rise.

- 2) Collaboratively assessing vulnerabilities and creating adaptation strategies and plan for development of flood retention areas to address effects from sea level rise are mentioned as two policies.

In addition, page 578 of the SEIR notes an objective of the approved City of Mountain View for the North Bayshore Precise Plan project is: Minimize the potential consequences of sea-level rise through strategies, including improving levees, upgrading stormwater facilities, and elevating development.

Please consider utilizing the sea level rise adaptation planning information available on the Commission's Adapting to Rising Tides website, available at: <http://www.adaptingtorisingtides.org>.

Collaborating with the Commission's Adapting to Rising Tides program can help ensure the City of Mountain View fulfills its two objectives under General Plan Land Use Goal 18. The Adapting to Rising Tides Program has supported sea level rise assessment and adaptation strategies development in cities and counties around the Bay Area, including the cities of San Francisco, Oakland, San Rafael, and Benicia; as well as the counties of Marin and San Mateo. With grant funding, the Adapting to Rising Tides Program has also led detailed, collaborative climate adaptation planning, vulnerability assessments, and developing adaptation strategy priorities.

Response 2.1: The comment on the Precise Plan and the Commission's Adapting to Rising Tides program are acknowledged. The City of Mountain View looks forward to collaborating with the Commission on coordinated regional efforts to respond to sea-level rise.

Comment 2.2: According to the SEIR, the project relies upon sea level rise projections from the Shoreline Regional Park Community Sea Level Rise Study: Feasibility Report and Capital Improvement Program. Section 3.6 of the SEIR (Hydrology) notes that future development under the amended Precise Plan, along with other development in the City, would contribute to a capital improvement program to protect the area from the eight-inch sea level rise scenario. Individual development projects under the amended Precise Plan would contribute fairshare contributions to a capital improvement program to fund the construction of sea level rise protection measures.

Instituting a pay-into capital improvement program for future sea level rise adaptation is a commendable adaptation strategy, however the final EIR should assess and plan for multiple scenarios, including higher sea level rise projections that are consistent with the most recent and best available science. To that end, the project should utilize the recently revised State of California sea level rise projections released this month by the California Ocean Protection Council. As noted in the NOP comment letter dated April 19, 2016, the project should also include an analysis of (1) current elevations of the plan area and recent data, if available, documenting the vertical land motion (eg., subsidence or uplift); (2) current rates of sedimentation, if known, for the project site or sites located nearby; (3) estimated rate of relative sea level rise for the project area (relative sea level rise equals the sum of the change in global sea level and the change in land elevation); (4) projected changes in wetland communities from sea level rise (this should also include information on surrounding areas); (5) projected hydraulic changes around the project site that would result in a change in flood and creek elevations, and duration of ponding, drainage, erosion, or sedimentation.

Response 2.2:

The comments on further study of the area is noted. In the *Shoreline Regional Park Community Sea Level Rise Study*, the City of Mountain View evaluated potential coastal flood impacts due to the projected sea level rise. The study considered the low and high sea level rise projections, and developed three implementation options for the Capital Improvement Program (CIP), which were presented to the City Council on February 5, 2013.

As described in Sections 4.9.2.4 and 4.9.3.4 of the Draft SEIR, the City is currently moving forward with the “Low Plus” sea level rise scenario. Under the “Low Plus” scenario, each project is designed to provide coastal flood protection under the low sea level rise projection. In addition, for flood protection components such as levees, the design will incorporate design elements, such as wider foundations to support incremental improvements in the future to adapt to higher sea level rise.

Since the study was completed, the City continues to work on a number of additional efforts related to sea level rise planning, including:

- South Bay Salt Pond Restoration Project: The City of Mountain View is participating in this project to incorporate sea level rise CIP elements into the regional tidal marsh restoration effort.
- Charleston Slough Tidal Marsh Restoration: To address BCDC’s mitigation requirements, while maintaining flood protection and Sailing Lake water supply needs.
- City of Mountain View Stormwater Master Plan: To evaluate the storm drain systems and creeks in the City under the existing condition and future climate change conditions. As a part of the project, the City plans to review the latest sea level rise projection (including those from Ocean Protection Council 2017) and assess how it may affect the City’s sea level rise planning effort.
- The City is planning to update the *Shoreline Regional Park Community Sea Level Rise Study* in 2023 to re-evaluate and revise the sea level rise CIP.

The City will include consideration of the technical elements noted in the comment letter as it proceeds with sea level rise planning and implementation efforts.

Comment 2.3:

Public Access. As noted in the NOP comment letter dated April 19, 2016 Section 66602 of the McAteer-Petris Act states, in part: “existing public access to the shoreline and waters of the San

Francisco Bay is inadequate.” The Bay Plan policies on public access state, in part: “Whenever public access to the Bay is provided as a condition of development, on fill or on the shoreline, the access should be permanently guaranteed.” The EIR should include robust discussion on whether the proposed changes to the North Bayshore Precise Plan would be consistent with the Bay Plan policies to maximize public access, how the proposed increase in residential density may impact public access, and ensure that any public access will be designed to be resilient to future flooding and sea level rise. As the project may result in greater visitation and use of the adjacent areas including the shoreline park, the potential impact on public use, habitat and wildlife should be evaluated in the EIR.

Thank you for the opportunity to comment on the revised SEIR for the City of Mountain View’s proposed amendments to the North Bayshore Precise Plan. If you have any questions regarding this letter please do not hesitate to contact me by phone at (415) 352-3626 or email isaac.pearlman@bcdca.gov.

Response 2.3: As described in the Draft SEIR (page 394), immediately north (and outside) of the North Bayshore Precise Plan area, at the edge of the San Francisco Bay, is Shoreline at Mountain View Regional Park, a 750-acre wildlife and recreation area with multiple land uses, including a 50-acre small boat sailing lake, an 18-hole golf course, clubhouse, amphitheater, banquet facilities, the historic Rengstorff House, a self-guided interpretive sign system, extensive wetlands, open space, and wildlife habitat including lands currently managed for burrowing owls. Recreational opportunities within the park include jogging, walking, bird watching, kite flying and sailing. The park also provides opportunities to directly connect to other park facilities, including the Stevens Creek Trail and the San Francisco Bay Trail.

The amended North Bayshore Precise Plan does not propose any changes to Shoreline at Mountain View Regional Park. The amended North Bayshore Precise Plan does include provisions for increased bicycle and pedestrian access through the North Bayshore area and to Shoreline at Mountain View through a system of connected open spaces along bikeways and greenways. The proposed increase in residential density should not impact public access to the Bay. The increase in resident population resulting from the project may increase use of Shoreline at Mountain View facilities, but this is not considered an adverse impact on public use of the shoreline. Any public access improvements in the North Bayshore Precise Plan project area would be designed to be resilient to future flooding and sea level rise. The increase in use is not anticipated to be so great as to cause degradation of the park facilities, or the habitat and wildlife, as described in Responses 19.1, 19.3, 19.5, 19.6, and 19.8.

3. RESPONSE TO COMMENT LETTER 3 FROM THE CALIFORNIA DEPARTMENT OF TRANSPORTATION, DATED APRIL 18, 2017.

Comment 3.1: Thank you for continuing to include the California Department of Transportation

(Caltrans) in the environmental review process for the above-referenced project. In tandem with the Metropolitan Transportation Commission’s (MTC) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), Caltrans new mission signals a modernization of our approach to evaluating and mitigating impacts to the State Transportation Network (STN). Caltrans Strategic Management Plan aims to reduce vehicle miles traveled (VMT) by tripling bicycle and doubling both pedestrian and transit travel by 2020. Our comments are based on the Draft Subsequent Environmental Impact Report (DSEIR). Please also refer to Caltrans’ previous comment letters on this project.

Project Understanding

The proposed project is located adjacent to US 101 on the north side between San Antonio Road and Stevens Creek. The proposed project consists of City of Mountain View (City)-initiated revisions to the Mountain View 2030 General Plan and *P(39) North Bayshore Precise Plan* zoning district to allow residential uses, in addition to office and commercial uses. The adopted North Bayshore Precise Plan (Precise Plan) was designed to provide a vision and guiding principles, development standards, and design guidelines for the properties in this area, in conformance with the 2030 General Plan vision for North Bayshore.

The project proposes to amend the Mountain View 2030 General Plan to allow an increase in residential uses, consistent with the proposed revisions to the Precise Plan. Up to 9,850 new multi-family residential units would be allowed under the amended 2030 General Plan and Precise Plan, in addition to 3.6 million square feet of office and commercial development. The project area could also include new or enhanced parks and trails, and new public streets. The amended Precise Plan would allow a mix of multi-family units, including a goal of up to 70 percent one-bedroom and “micro” units (approximately 300-350 square feet in size, with some shared common areas), with the remaining 30 percent comprised of two- and three-bedroom units. The proposed residential uses would be located in the central portion of the Precise Plan area, and would have a 2030 General Plan land use designation of either *North Bayshore Mixed- Use* or *Mixed-Use Center*. The existing North Bayshore Residential Uses Boundary would be removed from the General Plan land use map.

The amended Precise Plan includes the development of “Complete Neighborhoods,” which have been envisioned to include a mix of land uses, amenities and services. The amended Precise Plan includes an increase in retail and supporting services over the existing plan, and would include neighborhood-serving retail in several locations along Shoreline Boulevard and regional retail in the Gateway Character Area. The Precise Plan includes a goal of a minimum of 20 percent affordable housing units within the North Bayshore district. The amended Precise Plan also includes program-level information regarding a potential new bridge crossing(s) over Stevens Creek. A new bridge would be anticipated to serve transit vehicles, bicycles, and pedestrians only. No formal bridge project is currently proposed at this time. The Precise Plan could include a policy supporting a new bridge crossing over Stevens Creek into North Bayshore, based on policy direction from the City Council. A new bridge would serve transit vehicles, bicycles, and pedestrians only.

Response 3.1: The comment on the project description is noted. As this comment does not raise any issues or questions related to the content of the SEIR, no further response is required.

Comment 3.2:

Lead Agency

As the lead agency, the City is responsible for all project mitigation, including any needed improvements to the STN and for VMT reduction. The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

Response 3.2: A Mitigation Monitoring and Reporting Program (MMRP) will be reviewed by the Mountain View City Council when considering adoption of the North Bayshore Precise Plan SEIR and approval of the project. This document describes all significant project impacts, proposed mitigation measures, and significance after mitigation of these impacts. The MMRP will also list the agencies or departments responsible for implementing and monitoring the project's mitigation measures.

Comment 3.3:

Travel Demand Analysis

This is a Project Type 3. VMT-Reducing Opportunity Development (Caltrans *Smart Mobility 2010: A Call to Action for the New Decade*, Place Type 4d. Neighborhoods). Please submit a travel demand analysis that provides VMT resulting from the proposed project. With the enactment of Senate Bill (SB) 743, Caltrans is focusing on transportation infrastructure that supports smart growth and efficient development to ensure alignment with State policies through the use of efficient development patterns, innovative travel demand reduction strategies, multimodal improvements, and VMT as the primary transportation impact metric.

Response 3.3: Vehicle miles traveled (VMT) estimates resulting from the draft project description were prepared, as described in the technical memorandum titled *North Bayshore Precise Plan with Residential – Vehicle Miles Traveled Estimates* (May 31, 2017). This memo has now been added as an appendix to the transportation impact analysis (TIA) (see Appendix K of the revised *North Bayshore Precise Plan Transportation Impact Analysis*, attached to this Final SEIR as Appendix D) in order to provide more information on the project's VMT effects. The VMT estimates were used as inputs into the air quality and greenhouse gas emissions analysis presented in the Draft SEIR.

The City of Mountain View has been closely following the development of the technical guidance associated with the recent California legislation Senate Bill 743. Specifically, once the legislation is implemented, vehicle LOS will no longer be used as a determinant of significant environmental impacts, and VMT analysis will be required. The timing of implementation is not known at this point; based on current information, implementation guidelines may be finalized sometime in 2017, and agencies will then have a specific timeframe to comply. The City of Mountain View has not begun the process to define baseline VMT methods, establish significance threshold(s), and identify

acceptable VMT mitigation. In the interim, environmental impact analyses in Mountain View will continue to use the criteria and standards adopted and used by the City.

Comment 3.4: The California Environmental Quality Act (CEQA) Guidelines Section 15206(b) requires the environmental document for this project be circulated to the Metropolitan Planning Organization because of the project’s statewide, regional, and areawide significance.

Response 3.4: The Draft Subsequent EIR for the amended North Bayshore Precise Plan was circulated to the Association of Bay Area Governments’ Regional Clearinghouse, per State Clearinghouse requirements.

Comment 3.5: The DSEIR for the purposes of the air quality impacts analysis states, “Daily VMT for 2015 and 2030 were obtained from the project traffic consultant using the total VMT accounting method.” “Using 2015 as a baseline year, VMT attributable to implementation of the North Bayshore Precise Plan is anticipated to increase 65 percent. The increase in population is estimated to be 2,268 percent. VMT would not increase at a higher rate than population with implementation of the North Bayshore Precise Plan.” Under the energy impacts analysis section the DSEIR states,

“The proposed amended Precise Plan project would generate approximately 73,450 daily vehicle trips, and a total annual VMT of approximately 654,050 miles.”

Caltrans uses VMT as the metric for evaluating transportation impacts and mitigation. Please ensure that the travel demand analysis includes:

1. A VMT analysis pursuant to the City’s guidelines or, if the City has no guidelines, the Office of Planning and Research’s Draft Guidelines. Projects that result in automobile VMT per capita greater than 15% below existing (i.e. baseline) citywide or regional values for similar land use types may indicate a significant impact.
2. Operational concerns for all road users that may increase the potential for future collisions should be identified and fully mitigated in a manner that does not further raise VMT.

Response 3.5: As noted in Response 3.3, the City of Mountain View is following the implementation guidance for SB 743. The City, however, has not begun the process of establishing significance thresholds or analysis methods for VMT analysis. Note that this SEIR uses the same criteria and standards as used in the adopted North Bayshore Precise Plan EIR adopted in 2014, which allows for direct comparison of potential impacts between the adopted North Bayshore Precise Plan and the Proposed North Bayshore Precise Plan with Residential. Vehicle miles traveled (VMT) estimates resulting from the draft project description were prepared for the project and are included with the VMT memorandum included in the revised TIA. Clarifications to the Energy section of the Draft SEIR are included in Section 5.0 of this Final SEIR.

Comment 3.6:

Vehicle Trip Reduction

Consistent with the General Plan, the amended Precise Plan contains an extensive Transportation Demand Management (TDM) program. Caltrans commends the City on the General Plan and the North Bayshore Change Area Mobility and Land Use and Design Goals and Policies, which focus on multi-modal, sustainable mixed-use planning. These smart growth approaches are consistent with the MTC's Regional Transportation Plan RTP/SCS goals and would meet Caltrans Strategic Management Plan. Reducing parking supply can encourage active forms of transportation, reduce regional VMT, and lessen future transportation impacts on US 101 and other nearby State facilities.

Response 3.6: The comment on vehicle trip reduction and travel demand management programs is noted. As this comment does not raise any issues or questions related to the content of the SEIR, no further response is required.

Comment 3.7:

Cultural Resources

As identified in Section 4.4.2.2 Archaeological Resources, there is an archaeological site recorded adjacent to the project area within Caltrans right-of-way (ROW). As the site is a State-owned cultural resource, any work within Caltrans ROW near the site is subject to compliance with Public Resources Code (PRC) 5024. If an encroachment permit is needed for work within Caltrans ROW, we may require cultural resource technical studies be prepared in compliance with CEQA, PRC 5024, and the Caltrans Standard Environmental Reference (SER) Chapter 2 (<http://www.dot.ca.gov/ser/vol2/vol2.htm>). Should ground-disturbing-activities take place within Caltrans ROW and there is an inadvertent archaeological or burial discovery, in compliance with CEQA, PRC 5024.5, and the SER, all construction within 60 feet of the find shall cease and the Caltrans District 4 Office of Cultural Resource Studies (OCRS) shall be immediately contacted at (510) 622-1673.

Response 3.7: The comment on cultural resources is noted. Future projects proposed under the North Bayshore Precise Plan would be required to coordinate with Caltrans on any activities affecting state roadways. Infrastructure and other improvement projects would undergo separate environmental review, as necessary, including coordination with responsible state agencies.

Comment 3.8:

Transportation Management Plan

If it is determined that traffic restrictions and detours may affect State highways, a Transportation Management Plan (TMP) or construction Traffic Impact Analysis (TIA) may be required for approval by Caltrans prior to construction. These must be prepared in accordance with Caltrans' *TMP Guidelines*.

In addition, pedestrian access through the construction zone must be in accordance with the Americans with Disabilities Act (ADA) regulations (see Caltrans *Temporary Pedestrian Facilities*

Handbook for maintaining pedestrian access and meeting ADA requirements during construction at: www.dot.ca.gov/hq/construc/safety/Temporary_Pedestrian_Facilities_Handbook.pdf) (see also Caltrans Traffic Operations Policy Directive 11-01 “Accommodating Bicyclists in Temporary Traffic Control Zones” at: www.dot.ca.gov/trafficops/policy/11-01.pdf). All curb ramps and pedestrian facilities located within the limits of the project are required to be brought up to current ADA standards as part of this project.

Please ensure that such plans are also prepared in accordance with the TMP requirements of the corresponding jurisdictions. For further TMP assistance, please contact the Caltrans District 4 Office of Traffic Management Operations at (510) 286-4579. Additional information is available for download at the following web address: www.dot.ca.gov/hq/traffops/trafmgmt/tmp_lcs/index.htm.

Response 3.8: The comment on transportation management plans is noted. Future projects proposed under the amended North Bayshore Precise Plan would be required to coordinate with Caltrans on any activities affecting state roadways. Infrastructure and other improvement projects would undergo separate environmental review, as necessary, including coordination with responsible state agencies.

Comment 3.9:

Bridges, Trestles, Culverts and Other Structures in Riparian Environments

Some project level activities may affect riparian flow patterns upstream of bridges, trestles, culverts or other structures for which Caltrans holds responsibility. Please ensure your project level environmental documents include hydrological studies to determine whether such impacts will occur, and to identify appropriate mitigation measures.

Habitat Restoration and Management

Project level activities related to habitat restoration and management should be done in coordination with local and regional Habitat Conservation Plans, and with Caltrans where our programs share stewardship responsibilities for habitats, species and/or migration routes.

Response 3.9: The comments on bridges, trestles, culverts, habitat restoration and management are noted. As described in the Draft SEIR, the project site is outside of the area of the Santa Clara Valley Habitat Plan. Future projects proposed under the amended North Bayshore Precise Plan would be required to coordinate with Caltrans on any activities affecting state roadways. Infrastructure and other improvement projects would undergo separate environmental review, as necessary, including coordination with responsible state agencies.

Comment 3.10:

Sea Level Rise

Caltrans commends the City for the following North Bayshore Change Area goals and policies:

- Goal LU-18 A comprehensive strategy for reducing the effects of future sea-level rise.
- Policy LUD 18.1 Collaboration on sea-level rise impacts. Collaborate with regional, state and federal agencies to address the effects of potential rises in sea levels through assessing vulnerabilities and creating adaptation strategies.
- Policy LUD 18.2 Flood retention areas. Plan for the development of flood retention areas to address effects from sea-level rise.

The effects of sea level rise may have impacts on transportation facilities located in the project area. Executive Order (EO) S-13-08 directs State agencies to plan for potential impacts by considering a range of sea level rise scenarios for the years 2050 and 2100. Higher water levels may increase erosion rates, change environmental characteristics that affect material durability, lead to increased groundwater levels and change sediment movement along shores and at estuaries and river mouths, as well as affect soil pore pressure at dikes and levees on which transportation facilities are constructed. All these factors must be addressed through geotechnical and hydrological studies conducted in coordination with Caltrans.

Response 3.10: The comment on sea-level rise is noted. *Section 4.9, Hydrology and Water Quality* of the Draft SEIR addresses this issue, as does Mountain View’s *Shoreline Sea-Level Rise Study*. Infrastructure and other improvement projects would undergo separate environmental review, as necessary, including coordination with responsible state agencies. Please all refer to Response 2.2.

Comment 3.11:

Encroachment Permit

Please be advised that any ingress-egress, work (e.g., construction, vegetation management, drainage improvement, etc.), or traffic control that is conducted within or adjacent to or encroaches upon the State ROW requires an encroachment permit that is issued by Caltrans. Where construction related traffic restrictions and detours affect the STN, a TMP or construction TIA may be required. Traffic-related mitigation measures should be incorporated into the construction plans prior to the encroachment permit process.

To apply, a completed encroachment permit application, environmental documentation, and six (6) sets of plans clearly indicating State ROW as well as any applicable specifications, calculations, maps, etc. must be submitted to the following address: David Salladay, District Office Chief, Office of Permits, California Department of Transportation, District 4, P.O. Box 23660, Oakland, CA 94623-0660. It is important to note that, in order to uphold the Caltrans statutory responsibility to protect the safety of the traveling public, if this information is not adequately provided, then a permit will not be issued for said encroachments. See the following website for more information: <http://www.dot.ca.gov/hq/traffops/developserv/permits>

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

Response 3.11: The comment on encroachment permits is noted. Future projects proposed under the North Bayshore Precise Plan would be required to coordinate with Caltrans on any activities affecting state roadways or right-of-way. Infrastructure and other improvement projects would undergo separate environmental review, as necessary, including coordination with responsible state agencies.

4. RESPONSE TO COMMENT LETTERS FROM THE CALIFORNIA STATE CLEARINGHOUSE, DATED APRIL 18 AND 19, 2017.

The letters document compliance with the State Clearinghouse review requirements and transmit comment letters on the Draft SEIR. No response is required.

5. RESPONSE TO COMMENT LETTER 5 FROM THE COUNTY OF SANTA CLARA, DEPARTMENT OF PARKS AND RECREATION, DATED MARCH 7, 2017.

Comment 5.1: The County of Santa Clara Parks and Recreation Department (“County Parks Department”) is in receipt of the Notice of Availability of the Draft Subsequent Environmental Impact Report (SEIR) for the North Bayshore Precise Plan Project (“the Project”). The Project would update development standards and design guidelines within the Project area to include residential uses in addition to the office and commercial uses currently allowed under the adopted Precise Plan. Up to 9,850 new multi-family residential units and 3.6 million square feet of office and commercial development would be allowed upon Project approval. The Project could also include new or enhanced public parks, trails, and streets as well as a bridge connection across Stevens Creek at Charleston Road and/or La Avenida Avenue. The County Parks Department previously commented on the Notice of Preparation for this Project, and the following comments are still valid.

The County Parks Department is charged with the planning and implementation of the *Santa Clara County Countywide Trails Master Plan Update (Countywide Trails Plan)*, an element of the Parks and Recreation Section of the County General Plan adopted by the Board of Supervisors on November 14, 1995. Although responsibility for the actual construction and long-term management of each individual trail varies, the County Parks Department provides general oversight and protection of the overall trail system. Existing and proposed trail routes near the Project site are as follows:

- ***Juan Bautista de Anza National Historic Trail (NHT) (Route R1-B)*** – This partially completed trail runs along the San Francisco Bay shoreline within the Project site; it is designated for hiking and off-road (off-street) cycling. This NHT connects Nogales, AZ, to the San Francisco Bay Area.
- ***San Francisco Bay Trail (Route R4)*** – This partially completed trail runs along the San Francisco Bay shoreline; it is designated primarily for hiking and off-road (off-street) cycling. This trail provides a regional connection along the San Francisco Bay shoreline.
- ***Stevens Creek Sub-regional Trail (S2)*** – This partially completed trail runs alongside Stevens Creek; it is designated for hiking, off-road (off-street) cycling and partially for

equestrian use. Once fully completed, this route would connect the San Francisco Bay shoreline to Stevens Creek County Park, Upper Stevens Creek County Park, and the Bay Area Ridge Trail.

- *The Permanente Creek Trail* is also located in the Project area in addition to several other local trails administered by the City of Mountain View.

The County Parks Department respectfully recommends that the following items be addressed in the Draft SEIR as they relate to the existing and proposed countywide trail routes in the vicinity of the Project site:

Land Use

The Draft SEIR does not address the Project’s consistency with the Countywide Trails Plan. The Final SEIR document should specifically address the four trails listed above.

Response 5.1: The County’s comments on trail alignments are noted. Of the four trails listed above, only the Permanente Creek trail is directly within the North Bayshore Precise Plan area, which is a developed area containing primarily office and industrial uses (and which does not include Shoreline Park). The Juan Bautista de Anza National Historic Trail alignment is north of and outside the Precise Plan area, and shares the same alignment as the San Francisco Bay Trail through Mountain View near the Bay.

The Countywide Trails Master Plan is described in *Section 4.13.1.2, Public Services and Recreation* of the Draft SEIR. A consistency discussion has been added to this section; please refer to Section 5.0, Text Revisions of this Final SEIR.

In addition, as described in *Section 4.14.1.2, Transportation* of the Draft SEIR, the *City of Mountain View Bicycle Transportation Plan* (November 2015) and the *City of Mountain View Pedestrian Master Plan* (January 2014) were developed in conformance with the County Trails Master Plan.

Comment 5.2:

Transportation and Circulation

The Draft SEIR does not evaluate any potential impacts to existing and proposed trail routes, or include mitigation measures to reduce potential impacts to trail connections.

Response 5.2: The County’s comments on trail alignments are noted. Figure 4.14-7, “Existing Bicycle Facilities” shows the existing San Francisco Bay Trail, Permanente Creek Trail, and Stevens Creek Trail. The Bay Trail borders the San Francisco Bay shoreline north of and outside the Precise Plan area, and

the Juan Bautista de Anza National Historic Trail follows the same alignment as the Bay Trail in the vicinity of the project site.^{1,2}

The transportation analysis for the project, *Section 4.13.2.4, Bicycle Facilities Impacts* (page 492), discloses that implementation of the amended Precise Plan would not interfere with existing bicycle facilities (including Stevens Creek and Permanente Creek Trails) or conflict with planned bicycle facilities or adopted bicycle system plans, guidelines, policies, or standards.

In addition to the Transportation section, the potential impacts to trails are discussed in several sections of the SEIR, including in the Aesthetics, Biological Resources, Land Use, and Public Services sections. The Bay Trail and Juan Bautista de Anza Historic Trail are not adjacent to the Precise Plan area, and correspondingly direct impacts are not anticipated to these facilities.

Comment 5.3: Where feasible, the Project could construct proposed segments of the trails.

Response 5.3: The County's comments on trail segments are noted. Improvements to trails are discussed throughout the North Bayshore Precise Plan (Appendix A to the Final SEIR), particularly in Chapter 6, Mobility. Future trail connections and improvements are also identified in this chapter and elsewhere in the SEIR. The amended North Bayshore Precise Plan seeks to improve connectivity with walkable and bikable paths and greenways throughout the North Bayshore area. Design standards for "Green Ways" are included in the Precise Plan, which seeks to expand and improve public spaces and transportation connections to other trails such as the Stevens Creek, Permanente Creek, and San Francisco Bay trails.

Comment 5.4: *Section 4.14.3.8 Stevens Creek Bridge Crossing* of the Draft SEIR lists the opportunities and constraints of selecting the Charleston Road and/or La Avenida Avenue locations for vehicular travel yet there is no evaluation of any potential impacts from increased users on the Stevens Creek Sub-regional Trail or mitigation for any negative impacts. Please address potential impacts from increased users of the trail in the Final SEIR.

Response 5.4: The County's comments on trail usage are noted. *Section 4.14.2.13* of the Transportation section describes travel patterns and existing bicycle and pedestrian users on the Stevens Creek trail. Based on the existing usage, and estimates for multimodal travel under project conditions, the TIA analyzed bicycle and pedestrian impacts and did not identify a significant impact from the increase in trail users.

¹ Juan Bautista de Anza National Historic Trail. <http://www.anzahistorictrail.org/visit/explorer>. Accessed May 8, 2017.

² San Francisco Bay Trail. Association of Bay Area Governments. <http://baytrail.org/baytrailmap.html>. Accessed May 8, 2017.

Comment 5.5:

Noise

Under Noise and Vibration Impacts, the Draft SEIR only evaluates noise and vibration impacts to surrounding buildings and construction. Please address potential noise and vibration impacts, both during and after construction, on trail users and biological resources, in the Final SEIR.

Response 5.3: The County's comments on trail noise impacts are acknowledged. Construction noise and vibration in the vicinity of the Stevens Creek and Permanente Creek Trails would be perceptible as visitors use the trails and travel past construction sites. These noise impacts, however, would be transitory, and trail users would not be subject to disturbances over noise thresholds for an extended period of time. Noise impacts following construction were not identified as being substantially greater than existing conditions.

Comment 5.4:

Hydrology and Water Quality

The Draft SEIR does not evaluate the potential impacts from increased stormwater runoff and drainage from the proposed Project. The evaluation should include impacts to water quality and the overall hydrology of neighboring riparian corridors.

Response 5.4: The County's comments on stormwater runoff are acknowledged. The impacts of development in the area on water quality and San Francisco Bay is described in *Section 4.9, Hydrology and Water Quality* of the Precise Plan. Future development projects in the North Bayshore area would be required to comply with federal, state, and local regulations and Precise Plan standards and guidelines to control runoff and nutrient flow into the Bay.

The discussion of riparian habitat impacts from Precise Plan implementation is discussed in the Biological Resources section, particularly in *Section 4.3.4.7, Impacts on Aquatic and Fresh Water Marsh Habitats* from Precise Plan Activities. The Precise Plan also discusses the standards and guidelines in the Open Water, Creeks, and Storm Drain Facilities Habitat Overlay Zone (HOZ) discussion. This HOZ requires future developments near riparian and wetland habitats to follow standards and guidelines such that an impact does not occur.

In addition, as older industrial sites with standard landscaping (such as traditional lawns) are redeveloped, they would be replaced with newer landscaping and stormwater controls constructed to current standards. These measures would help to reduce overall stormwater runoff in the Precise Plan area.

Comment 5.5:

Visual and Aesthetics

In regard to the potential for visual and aesthetic impacts, the Draft SEIR does not evaluate any degradation of views in the area of the Project site, including from the San Francisco Bay Trail and Stevens Creek Sub-regional Trail. The Final SEIR should address these issues.

Response 5.5: The County's comments on visual and aesthetic resources is noted. The amended North Bayshore Precise Plan, as described in *Section 4.1.2.4, Impacts to Visual Character and Quality* of the Draft Subsequent EIR, includes the following required standard of future development projects:

7. View and shadow study. Proposed projects with building elements greater than 95' in height shall submit a view and shadow study. This study shall include information, including but not limited to, 3D massing models, digital simulations, or other methods, that evaluate both building shadows and impacts to views of mountain ranges surrounding the City. The view study shall provide views from several public locations in North Bayshore, including, but not limited to, Shoreline Park, Charleston Park, Charleston Retention Basin, Stevens Creek trail, Vista Slope, and the North Shoreline Boulevard corridor.

With this requirement and the implementation of other standards such as habitat overlay zones near sensitive resources and General Plan policies, the SEIR found visual and aesthetic impacts to be less than significant.

Comment 5.6:

Public Services and Recreation

The Project may impact recreational facilities in the Project vicinity. Project maps and the Final SEIR should document Countywide Trail Routes and consider the opportunity for trails to serve as non-motorized connections, for both commuters and recreational users, from the surrounding neighborhoods to the project site. As routes of countywide significance, these trails also provide connections between nearby parks, trails, and open space areas.

Thank you for the opportunity to comment on the Notice of Availability of the Draft Subsequent Environmental Impact Report for the North Bayshore Precise Plan Project. The County Parks Department looks forward to additional coordination with the City of Mountain View regarding various aspects of the Project. If there are any questions regarding these comments, please feel free to contact me at (408) 355-2362 or via email at Michael.Hettenhausen@prk.sccgov.org

Response 5.6: The County's comments on trail routes are noted. Please refer to Responses 5.2 and 5.3.

6. RESPONSE TO COMMENT LETTER 6 FROM THE CITY OF SUNNYVALE, COMMUNITY DEVELOPMENT DEPARTMENT, DATED APRIL 13, 2017.

Thank you for the opportunity to review the draft Subsequent Environmental Impact Report for the proposed North Bayshore Precise Plan Update (project or Precise Plan) in Mountain View. This letter includes all City of Sunnyvale comments.

Comment 6.1:

A. General Questions and Comments:

1. We request that the City of Mountain View provide outreach to Sunnyvale residents, and that the notice area be expanded if the traffic impacts show potential significant impacts to the nearby Sunnyvale neighborhoods.

Response 6.1: The comment is noted. The methodology used to identify the study intersections, roadway and freeway segments for the TIA is described in detail in Response 6.2, below. The transportation impact analysis did not show potentially significant impacts to the nearby Sunnyvale neighborhoods.

Comment 6.2:

B. Traffic and Transportation Input for the Notice of Preparation:

If you have questions on the following traffic related items, please contact Carol Shariat, Dept. of Public Works, cshariat@sunnyvale.ca.gov or (408) 730-2713.

1. It is of concern for the City that no Sunnyvale intersections or roadway segments were analyzed as part of the project's EIR. The Precise Plan calls for a net new of approximately 3.5 million square feet of development and a majority of this new development is office. It would be unrealistic to assume that residents of Sunnyvale would not work in the Precise Plan area. Accordingly, municipal and CMP intersections with ten or more project trips per lane added to any intersection movement should be analyzed. Intersections along Maude Avenue, Mary Avenue, Evelyn Avenue, and Bernardo Avenue should be considered within the traffic analysis.

Response 6.2: The impact analysis considered studying the streets listed by the commenter – Maude Avenue, Mary Avenue, Evelyn Avenue, and Bernardo Avenue. However these locations did not meet the criteria described below.

The transportation impact analysis evaluated 75 intersections, 208 mixed flow freeway segments, and 174 high occupancy vehicle (HOV) freeway segments. The study intersections were selected by comparing the amount of added project traffic to the roadway capacity, following typical practice for CEQA documents in Santa Clara County. Generally, the study intersections include all major intersections within the North Bayshore area and major intersections between North Bayshore and the regional freeway and expressway systems. One or more segments of the following freeways was

studied where the project contributed at least one percent of freeway capacity: State Route (SR) 17, SR 84, SR 85, SR 87, SR 237, US 101, and I-280.

As discussed in the trip generation memorandum (see *North Bayshore Precise Plan with Residential – Project Trip Generation Estimates*, February 8, 2017) and *North Bayshore Precise Plan Transportation Impact Analysis*, locating office and residential next to each other internalizes a large portion of the new person trips within North Bayshore, and the North Bayshore Precise Plan further requires the implementation and monitoring of mode shift to carpool, transit, bicycling, or walking. Thus, the growth in vehicle trips from North Bayshore is relatively low compared to the change in development activity.

For the purposes of identifying the appropriate extents of the study area for the North Bayshore Precise Plan with Residential project, the City of Mountain View travel demand model was applied using the select zone technique. This commonly-used method assigns the North Bayshore traffic to the roadway system based on the locations of complementary uses and the accessibility of the regional and local transportation networks.

Since the Mountain View travel model select zone analysis was used, the list of study intersections was selected by identifying those major intersections where the project would contribute at least two percent of the roadway capacity. Freeway segments were selected where the project traffic contributed at least one percent of capacity. This approach is similar to guidelines provided by the VTA which suggest that an intersection is evaluated if a project contributes ten peak hour trips per lane (VTA's *Transportation Impact Analysis Guidelines*, 2014).

This creates a study area generally bounded by Oregon Expressway/Page Mill Road, I-280, Foothill Expressway, SR 85 and the North Bayshore area. St54fs (San Antonio Road, Rengstorff Avenue, and Shoreline Boulevard), connections to I-280 via Charleston Road and Arastradero Road, and a connection to SR 84 from US 101 via University Avenue. The intersection of Central Expressway and Mary Avenue was the farthest east intersection that met the selection criteria. While there will undoubtedly be some travel between Sunnyvale and North Bayshore, there are several routes available to serve that travel, including US 101, SR 85 and Central Expressway, each of which is grade separated through Sunnyvale.

Comment 6.3:

3. As part of the traffic analysis, the following improvements were assumed to be in place for the existing plus project scenario:

- Charleston Road Transit Boulevard,
- New north/south street east of Shoreline Boulevard,
- Amphitheatre Parkway improvements,
- Multi-use path over US 101 between Terra Bella Avenue and Plymouth Street, and
- Frontage road along US 101 between Alta Avenue and the Shoreline Commons site.

The Draft SEIR states that these projects are considered reasonably foreseeable. Since these infrastructure improvements are not fully funded and/or approved, how can they be included in the traffic analysis?

Response 6.3: The transportation improvements listed by the commenter are transportation improvements with a dedicated source of funding that the City of Mountain View can plan, design and implement. These transportation improvements are a part of the adopted 2014 North Bayshore Precise Plan and will be funded through the City of Mountain View’s North Bayshore Precise Plan Development Impact Fee. This fee applies to new commercial development in the North Bayshore Precise Plan area and will help fund transportation, water, and sewer infrastructure improvements within and near the North Bayshore area. For these reasons, these improvements are considered reasonably foreseeable in the SEIR.

Comment 6.4:

4. The cumulative forecast traffic volumes were developed through the use of the Mountain View travel demand model. Does this model take into account regional traffic growth and pending/pipeline projects located within other jurisdictions?

Response 6.4: The City of Mountain View travel model encompasses the nine Bay Area counties, the Association of Monterey Bay Area Governments (AMBAG) region (Santa Cruz County, San Benito County, and Monterey County) and portions of the San Joaquin Valley. The travel model land use inputs take into account future development in Mountain View, in nearby cities (like Sunnyvale), and the entire Bay Area and AMBAG regions.

Comment 6.5:

5. Per VTA TIA guidelines Section 9.1.2, a queuing analysis needs to be conducted at the study intersections. Please present queuing results in the transportation/traffic section of the DEIR and disclose possible queuing deficiencies.

Response 6.5: The VTA *Transportation Impact Analysis (TIA) Guidelines* request a queuing analysis be done for the near-term scenario (occupancy within the next five years of approval) at CMP intersections, freeway ramps, and other intersections near the project site. This analysis is useful for projects that would be constructed and occupied in the near-term.

The proposed amended North Bayshore Precise Plan is a very large project that will take more than five years to build and occupy at full buildout, so conducting a queuing analysis at this time would be premature. Furthermore, future development projects proposed under the Precise Plan will be subject to a Site Specific Transportation Analysis (SSTA), which will evaluate queuing and other operational considerations at affected intersections.

Comment 6.6:

6. The City of Mountain View should coordinate with the City of Sunnyvale for bicycle routes when appropriate.

Response 6.6: The City of Mountain View will continue to coordinate with the City of Sunnyvale regarding bicycle routes and other transportation facilities.

Comment 6.7:

7. The environmental document discusses Transportation Demand Management (TDM) in the traffic section. We would like to find out how the City of Mountain View will enforce the proposed TDM with 45% target, and what the penalties will be if projects within the Precise Plan area are not able to make the target.

The City of Sunnyvale appreciates your consideration of the requested study scope elements described above. Please contact Kelly Cha, Associate Planner, at (408) 730-7408 or kcha@sunnyvale.ca.gov if you have any questions or concerns about items discussed in this letter.

Response 6.7: The City of Mountain View monitors the person and vehicle trips at the North Bayshore Gateways (San Antonio Road, Rengstorff Avenue, and Shoreline Boulevard) every six months. These observations are compared to the calculated gateway capacity to determine if available capacity remains. If the monitoring shows that the vehicle trip demand exceeds the gateway capacity at any of the three gateway locations after two consecutive data reporting periods, the City will not grant any new building permits for net new square footage in the North Bayshore Plan area until the morning peak period new vehicle trips are reduced below the gateway capacity by implementing additional vehicle trip reductions with a TDM program, or funding future transportation improvements.

Currently, the trip cap monitoring focuses on AM peak period trips. The City's monitoring efforts will include evening peak period counts over time as residential uses are added to the Precise Plan area. The City also requires non-residential site specific TDM Plan and vehicle trip cap compliance monitoring. This monitoring is done by conducting driveway counts. If a developer is not complying with the vehicle trip cap, the City may assess a financial penalty. The amount of the financial penalty will be determined by

the City. The City of Mountain View will also be adding a residential vehicle performance standard that will include a site-specific TDM Plan and vehicle trip cap compliance monitoring.

7. RESPONSE TO COMMENT LETTER 7 FROM THE CITY OF PALO ALTO, DEPARTMENT OF PLANNING AND COMMUNITY ENVIRONMENT, DATED APRIL 14, 2017.

Comment 7.1: Thank you for the opportunity to review and comment on the Draft Environmental Impact Report (DEIR) on the City of Mountain View's proposed Amendment to the North Bayshore Precise Plan (Clearing House #2013082088). We respect the City of Mountain View's plans to assist in the local housing shortage by accommodating additional housing in the North Bayshore Precise Plan Area. Given our shared interests as well as the shared boundary of the North Bayshore Precise Planning area with Palo Alto, the City of Palo Alto offers the following comments on the DEIR.

Transportation and Traffic

1. The largest number of significant impacts and the ones that cannot be mitigated identified in the DEIR are those related to traffic, and, in turn, on transportation that cannot move within the gridlock created by the traffic from the proposed project.
 - a. With the project, because of their location relative to the northern most 'gateway' into the project area, two intersections in Palo Alto will experience significant impacts: San Antonio Road/E. Bayshore Parkway and Embarcadero Road/E. Bayshore Road (Pg. 465). While the DEIR notes mitigation is infeasible at the Embarcadero Road/E. Bayshore Road intersection, the City of Palo Alto has identified a reasonable and feasible project to improve operations at this location, and given the identified impacts caused by the project a fair-share contribution from the City of Mountain View should be provided to assist with project implementation.

Response 7.1: It appears that the commenter is referring to draft mitigation in the *Comprehensive Plan Update Supplement to the Draft EIR City of Palo Alto (April 13, 2017)*, for which the City of Palo Alto "...is considering an extension of Geng Road, which is near this intersection, from its current terminus to connect with Laura Lane." This improvement would incrementally improve local traffic circulation by shifting some left-turn traffic from Bayshore Road to Embarcadero Road and right-turn traffic from Embarcadero Road to Bayshore Road. This local street connection would reduce the severity of the impact, but not reduce the North Bayshore Precise Plan impact to a less than significant level during both peak hours.

The *City of Palo Alto Comprehensive Plan* has multiple scenarios and the preferred scenario has not been selected, so it would be premature for the analysis presented in this SEIR to assume Palo Alto will implement a particular scenario or set of improvements.

At this time, no mechanism exists for developments in Mountain View to provide a fair-share contribution toward impacts in Palo Alto and vice versa. The City of Mountain View is open to discussing potential mechanisms, such as a multi-jurisdictional impact fee program. In the absence of such a program, the conclusions of the SEIR regarding impacts and mitigations would remain the same.

Comment 7.2:

- b. At other impacted intersections, mitigation should be added to provide for cooperation between the City of Mountain View and Palo Alto to implement other possible improvements and require developers within the project area to support funding of feasible improvements consistent with the policies of both cities. A mitigation should be added such that the Mountain View TDM model include collecting regular data on these intersections in Palo Alto and, when the traffic caps are reached, add TDM programs that will address the traffic impacts at these locations (Pg. 496).

Response 7.2: Please see Response 7.1, above. The monitoring program conducted by the City of Mountain View is focused on collecting traffic data at the three North Bayshore gateways, because those are the locations where trip caps have been defined (see also Response 6.7 for more information).

Comment 7.3:

- c. The traffic analysis is based on Level of Service (LOS) methodology. Increasingly communities are being encouraged to look at Vehicle Miles Traveled (VMT). To be compliant with SB 743, Mountain View is encouraged to work the local congestion management agency (VTA) to establish a VMT standard and also evaluate the traffic impacts of this project in VMT terms.

Response 7.3: Please refer to Response 3.3.

Comment 7.4:

- d. The project is projected to create demand for a new traffic signal at Page Mill Road and Arastradero Road at the PM peak hour (Pg. 465). The City of Palo Alto, in partnership with Santa Clara County Roads & Airports and Caltrans are planning multimodal improvements for this intersection, and a fair-share contribution from the City of Mountain View or other sources should be provided to assist with project implementation.

Response 7.4: Please refer to Response 7.1.

Comment 7.5:

- e. The traffic analysis documents a project impact on twenty-two US-101 segments; two of these affect Palo Alto directly: Embarcadero Road to Rengstorff and Whipple Avenue to Oregon Expressway (Pg. 484). It is the City of Palo Alto's policy to focus on reducing traffic on freeways before widening and the City of Palo Alto supports the proposed mitigation that Mountain View contribute toward freeway improvements particularly those which prioritize transit and high occupancy vehicles, such as HOT or HOV lanes.

Response 7.5:

The comment is acknowledged. The City of Mountain View would likely support and participate in development of a regional transportation impact fee program, should it be proposed by regional agencies, such as the VTA. In the event a regional transportation impact fee were established, projects that are consistent with the Mountain View General Plan and the North Bayshore Precise Plan could be required to pay the fee to offset the incremental increase in traffic on regional facilities.

Comment 7.6:

2. Transit Service

- a. The project is projected to generate 6,800 peak hour transit riders (Pg. 490). The project includes implementation programs to enhance service connectivity to Caltrain and VTA light rail. However, the study does not address the impact of the projected increase ridership on Caltrain service that is already at or over capacity. This impact needs study. The mitigation for expanding the connecting transit services to be funded from private employers, landowners, city and regional sources should also include programs to address impacts on Caltrain service and capacity (Pg. 490).

Response 7.6:

The commenter says that the project would generate 6,800 morning peak hour transit riders, which is not accurate. In fact, the amended North Bayshore Precise Plan would add between 2,400 and 2,800 total (inbound and outbound) peak hour transit riders, compared to existing conditions (refer to page 171 of the *North Bayshore Precise Plan Transportation Impact Analysis*, attached to this FEIR).

Current data on transit ridership indicates that employee commuter shuttles carry more than 95 percent of the total transit riders to and from North Bayshore (*North Bayshore Area Trip Monitoring*, April 2016, page 22). This leaves less than five percent of the ridership on the MVGo, ACE shuttle, and VTA bus services, only a portion of which would transfer to and from Caltrain. Therefore, because the Caltrain ridership is quite low, a separate Caltrain capacity analysis was not required or completed.

Comment 7.7:

- b. The North Bayshore Precise Plan has a horizon of 2030, since the development will be incremental, it will be some time before there will be sufficient services in the North Bayshore area for the resident population. At what point will it be viable to provide regular mass transit to and through the area? How will the traffic generated be handled up to the point at which mass transit is viable?

Response 7.7:

The construction of residential uses in the North Bayshore Precise Plan area will occur over a number of years. Many of the residents will walk or bike to work in North Bayshore, while others may leave North Bayshore to access the businesses, schools, and entertainment destinations in Mountain View and nearby communities. Residents that do leave North Bayshore will drive, carpool, take transit, bike or walk to these destinations. The mix of these modes will change as new transportation systems are constructed, and as land use and demographic patterns change.

With respect to transit improvements in North Bayshore, the City is planning and designing transit lanes on Charleston Road and a reversible transit lane on Shoreline Boulevard to accommodate the increased transit/employee shuttle usage. Other transit modifications are also being planned such as the modification of the VTA bus routes as part of the VTA Next Network.

The City is also studying the feasibility of longer-term transit improvements, like an automated guideway system between North Bayshore and downtown Mountain View, and the VTA is studying the extension of transit service from the NASA Ames light rail station to North Bayshore. These future facilities and services, however, were not assumed in this SEIR, because they are not funded and are still undergoing feasibility studies.

The City will continue to monitor the vehicle traffic at the gateways during the morning and evening peak hours, and new developments would be monitored at the driveways. This monitoring will be used to assess the amount of traffic being generated, and determine if additional development can be accommodated and/or other priority transportation improvements described in the North Bayshore Precise Plan need to be prioritized.

Comment 7.8:

- c. The includes a dedicated reversible bus-only lane on Shoreline Boulevard between the project area and the Downtown Mountain View Transit Center and Caltrain Station. Please analyze the need for two-way dedicated transit facilities based on projected travel demand and transit performance factors. Due to the introduction of housing, it's likely there will be added outbound travel demand in the morning peak period, potentially creating a need for a two-way dedicated transit facility. Furthermore, the DEIR also states that several of the major employers in the North Bayshore area bring their

employees in by private bus and that this mode of transport is expected to increase by 45 to 75 buses with development of the plan. To avoid deadheading, as a mitigation measure can these buses be required to take those living in the North Bayshore area, who work for different employers outside of the area, to their employment locations?

Response 7.8: At the Shoreline Boulevard gateway to the North Bayshore Precise Plan area, the Shoreline Transportation Corridor Study evaluated options for a new pedestrian and bicycle bridge crossing of US 101, as well as either a transit bridge west of Shoreline Boulevard or dedicated transit lanes on Shoreline Boulevard. The Shoreline Boulevard Transportation Corridor Study was completed in 2016, and City staff has begun developing more detailed designs to better integrate transit, bicycle and pedestrian improvements along the Shoreline Boulevard corridor between the North Bayshore area and the Downtown Transit Center. The North Bayshore TIA did not presuppose any particular outcome of the Transportation Corridor Study; therefore, some of the mitigations identified in this analysis may be further elaborated upon in the Corridor design, which could include a two-way dedicated transit facility.

Many of the employer shuttles in North Bayshore are available to employees, contract workers of various services, and even residents of Mountain View in some cases. The use of these employer commuter shuttles is constantly changing to maximize usage and travel choice. Also, the Mountain View Transportation Management Association, employers, and the City of Mountain View are constantly monitoring and adjusting the employer commuter shuttle and other transit services to meet the needs of North Bayshore employees, and this focus on providing transportation solutions will continue with the addition of residential uses in North Bayshore.

Comment 7.9:

3. Transportation Demand Management (TDM)

- a. In several parts of the Transportation and Traffic section the Mountain View TDM program addresses the addition of a ‘trip cap’ program that would identify locations where the capped number of trips is exceeded as well as providing for regular monitoring of performance at these intersections. This model would guide the selection of appropriate TDM measures to reduce the impacts at the locations where the cap is exceeded. However, it is noted that TDM programs will not fully address the significant impacts in many cases (Pg. 496). As mitigation it is important that the ‘trip cap’ model be written so that it can evaluate changes over the cap limits as they occur in significantly impacted intersections in Palo Alto. Further, that the mitigation includes the implementation of specific TDM programs that will address impacts on Palo Alto intersections identified as being significant and unavoidably affected by the planned development.

Response 7.9: Please refer to Response 7.2.

Comment 7.10:

- b. In the TDM impact analysis it is noted that while the City of Mountain View could not directly reduce the impact of the project on the affected freeway segments, the City could make a fair share contribution to freeway improvements. The report points out that, while a fair share contribution to improving mobility on freeways is not considered mitigation it is an appropriate finding for Overriding Considerations (Pg.496) (See d above). The City of Palo Alto supports such a fair share contribution.

Response 7.10: Please refer to Response 7.5.

Comment 7.11:

- c. The addition of more jobs and residences in the North Bayshore area will result in traffic reaching the maximum the capacity of the three gateway access locations. This will cause a shift to the San Antonio Road/Bayshore Parkway and Rengstorff locations that are not as central and currently not a capacity. Addition of residents' trips to work outside of the planning area will further impact the capacity of these gateways. Palo Alto supports mitigation that includes congestion pricing to manage the use of these gateway areas (Pg.458).

Response 7.11: The North Bayshore Precise Plan includes a policy to evaluate and implement congestion pricing, as a "last resort" policy option, if the on-going gateway monitoring of commercial and residential development exceeds gateway capacity.

Comment 7.12:

- d. Employees in the technology industry are highly mobile in their jobs. It is typical for them to change employers every three years. As a result the number of people living in the North Bayshore area and commuting out to jobs could change significantly overtime. Has this phenomena been included in the evaluation of resident's trips in the a.m. and p.m. peak hours? What mitigations are offered to address the impact in commute volume generated by this destination shift over time among residents in the North Bayfront area?

Response 7.12: The transportation impact analysis does not presuppose a preferential occupancy of North Bayshore dwelling units by local employees. While such a policy could have an effect on the amount of traffic generated by the North Bayshore residential areas, the magnitude of that effect would depend on the specific policy requirements, which are not defined at this time.

Rather, the transportation analysis is based on typical residential occupancy for smaller residential units (70 percent one-bedroom and studio/"micro" units and the remaining 30 percent comprised of two- and three-bedroom units) by using multiple empirical data sources including local trip generation

surveys in North Bayshore and at several residential developments in Silicon Valley, trip generation information from comparable mixed-use developments around the country, and the California Household Travel Survey. It would be unrealistic to expect that all person trips would remain internal to a particular site; one reason is that many households, particularly in high-cost locations such as Silicon Valley, have more than one worker, so while one of them may work in the North Bayshore area it is likely that the other(s) may work elsewhere. Similarly, people travel for many purposes; commuting to and from work typically represents no more than about one-third of a household's total travel, with the rest being trips to schools, shopping, recreational activities, personal business appointments, and many other activities. All of these considerations have been accounted for in the transportation impact analysis.

Comment 7.13:

4. Bicycle and Pedestrian

- a. The DEIR states that bicycle access to/from the North Bayshore area would be improved by closing the gap on San Antonio Road or by provided an alternate route (such as the planned pedestrian/bicycle overcrossing of US-101 at Adobe Creek/Palo Alto Baylands) (Pg. 492). Palo Alto supports a mitigation that Mountain View continue to work with Palo Alto to providing the planned pedestrian/bicycle overcrossing of US-101at Adobe Creek/Palo Alto Baylands possibly with funding assistance from the City of Mountain View and/or from development in the North Bayshore area.

Response 7.13: The City of Mountain View will continue to work with the City of Palo Alto on the planning, design and construction of the bicycle access to and from the North Bayshore area.

Comment 7.14:

Hazards and Hazardous Materials

5. In the aviation study there is discussion that the Palo Alto Airport is about 9,480 feet (from the western boundary) northwest of the North Bayshore area (p. 295). However, the fact that the published approach minimums to the Palo Alto Airport over the planning area may be affected is not addressed. Multi-story structures can have an adverse impact on the navigable airspace within certain geographic parameters around airports, specifically the areas adjacent to the approach/departure zones. Any development must comply with Federal Aviation Administration (FAA) regulations that impact development on parcels of land located adjacent to or at the ends of runways. Such development must comply with FAA Order 8260.3B-United States Standard for Terminal Instrument Procedures (TERPS) and FAA Part 77-Safe, Efficient Use and Preservation of the Navigable Airspace. Furthermore, consideration should also be given to the fact that TERPS instrument flight procedures and the criteria that define the protection areas change over time, including criteria that specify

the minimum measure of obstacle clearance that is considered by the FAA to supply a satisfactory level of vertical protection from obstructions predicated on normal aircraft operations. Because of the significance of the change in development over time proposed in the plan, mitigation should be added that the City of Mountain View must ensure that any new development in the North Bayshore area complies with existing and future changes in FAA regulations that would affect the Palo Alto Airport.

Response 7.14: The City of Mountain View acknowledges the comments on the Palo Alto Airport. Section 4.8.2.3 of the SEIR, *Airport Safety: Moffett Federal Airfield*, includes a detailed discussion of the project's consistency with the Moffett Federal Airfield Comprehensive Land Use Plan (CLUP) because portions of the North Bayshore Precise Plan Area are located within that facility's Airport Influence Area (AIA). As stated in the CLUP, the AIA is a composite of the areas surrounding the Airport that are affected by noise, height, and safety considerations and that all areas within the AIA should be regarded as potentially subject to aircraft overflights. As noted on page 294 of the SEIR, the CLUP also states new projects within the AIA that are subject to discretionary review and approval shall be required to dedicate an aviation easement to the County of Santa Clara. Further, the SEIR states that all proposed buildings to be constructed as part of the project will need to be reviewed for consistency with the CLUP, as well as reviewed by the FAA (where applicable) for consistency with Part 77 of the Federal Aviation Regulations, the latter which pertains to heights of structures and their potential to constitute a hazard to aviation.

The SEIR does not, however, discuss these issues with regard to Palo Alto Airport, which is located 1.8 miles from the closest point within the North Bayshore Precise Plan Area. The reasons the SEIR does not include a discussion pertaining to Palo Alto Airport are as follows:

- Per Figure 8 of the ALUC's adopted Palo Alto Airport CLUP (November 2008), no portion of the North Bayshore Precise Plan Area is located within that airport's AIA.
- No building proposed by the project would have a height that would come close to exceeding the Part 77 surfaces for Palo Alto Airport. As an example, Figure 6 of the Palo Alto Airport CLUP shows that, at the corner of the Precise Plan Area located closest to the Palo Alto Airport, a building with a height of 354 feet above mean sea level (msl) would be compatible with Palo Alto's Part 77 surfaces. In contrast, the highest building allowed in the Precise Plan Area would not exceed 160 feet above ground level which, depending on location, would equate to approximately 170 – 180 feet above msl. Such heights would not interfere with any TERPS associated with Palo Alto Airport.
- Per Figure 5 of the Palo Alto Airport CLUP, no portion of the North Bayshore Precise Plan Area is located within any of the Airport's noise contours, including the 55 dBA CNEL contour.

To summarize, none of the development proposed under the North Bayshore Precise Plan would be incompatible with aircraft operations associated with Palo Alto Airport.

Comment 7.15:

6. Terminal Instrument Procedures (TERPS) is an important consideration when evaluating potential obstacles to the navigable air space. TERPS surfaces also typically occupy larger volumes of airspace than FAR Part 77. Surface penetrations as defined in FAR part 77 do not by themselves typically generate adverse impacts on the use of the airport runways. Obstructions can be marked and/or lighted so that they can be seen during flight. However, TERPS surface penetrations can have severe impacts on the use of a runway and result in decreased airport use and loss of revenue because increases to instrument approach minimums essentially reduce the amount of time that a runway is available for aircraft use. The negative operations and economic impacts resulting from inappropriate installation of an obstacle can more than offset the capital investment made at an airport to provide the desired level of service to users. Mountain View should undertake the TERPS feasibility studies that accompany the FAA Form 7450-1 should be undertaken for the Palo Alto Airport so that the FAA can take the impacts of future development in to consideration. Appropriate mitigations should be added to the Draft EIR.

Response 7.15: Please refer to Response 7.14. As noted in that response, no portion of the North Bayshore Precise Plan Area is located within the AIA for Palo Alto Airport, the AIA delineated in the CLUP so as to include all locations that could potentially affect aircraft operations.

Comment 7.16:

7. FAR Part 77 aside, the addition of structures as tall as 15 stories, outside the area affected by the Moffitt Field flight path area could negatively affect the operations of the Palo Alto Airport. This impact would include things like electrical interference with radio communication between the airport and aircraft, and interference of navigational aids. Avigation easements should acknowledge the presence of the Palo Alto Airport published approach minimums and that the parcel/development would be subject to aircraft over flights as well as other aviation impacts (vibrations, fumes, dust noise etc.) from the aircraft using the Palo Alto Airport. This should be addressed in the DEIR and appropriate mitigations considered, including Palo Alto's request that as parcels are individually developed, avigation easements should be required. (See *Noise and Vibration Section, item 9.*)

Response 7.16: Regarding the portion of this comment pertaining to building heights, please see Response 7.14.

With regard to the request that avigation easements for aircraft overflights be required on parcels developed as part of the North Bayshore Precise Plan, the City notes that such easements will be granted for those properties located

within the AIA for Moffett Federal Airfield. However, as stated in Responses 7.14 and 7.15, no portion of the North Bayshore Precise Plan Area is located within the AIA for Palo Alto Airport. Therefore, there is no basis for requiring avigation easements for overflights associated with Palo Alto Airport.

Further, the City notes that such easements are not environmental mitigation per se. The question of whether to require avigation easements is a policy question. As stated in Section 5.2.2 of both the Moffett Federal Airfield and Palo Alto Airport CLUPs, “avigation easements are another type of land use control measure available to local jurisdictions. Historically, avigation easements have been used to establish height limitations, prevent other flight hazards, and prevent noise impacts. More recently, they have been used as a form of buyer awareness - the recording of an easement against a property ensures that prospective buyers of the property are informed about the Airport impacts.” Section 5.2.2 of the CLUPs provides a detailed discussion of the various types of avigation easements and their purposes.

Comment 7.17:

Noise and Vibration

8. The noise analysis presented in the DEIR notes that sensitivity to noise increases during the evening hours. The study goes on to present noise measurements from two concerts at Shoreline Amphitheater (both included measurement during evening hours). The conclusion is that the maximum noise level from these events was less than the threshold of significance (Pg. 360). However, it was noted that noise levels from Shoreline Amphitheatre are highest at the northernmost portions of the Precise Plan area ranging from 55 to 63 dBA (Pg.365). The analysis does not address the impact of atmospheric conditions on the transmission of noise particularly at night when ambient noise levels are low. During many events at Shoreline Amphitheater the sound can be clearly heard in portions of Palo Alto north of the planning area, particularly during the summer months. The analysis should include the impacts on outdoor activity within the project area as well as on the long distance noise transmission at night during periods of atmospheric conditions that might impact noise transmission on locations north of the North Bayshore Precise Plan Area. Appropriate mitigations should be added to the DEIR.

Response 7.17: The amended North Bayshore Precise Plan does not propose any changes to the operations of Shoreline Amphitheater. Concert noise audible in Palo Alto is an existing condition, and the noise survey and noise modeling did not identify any new impact to Palo Alto or to the new residents in North Bayshore. Palo Alto residents would be informed about concert noise when they move into the area in the same manner as has been the case since the Amphitheater was constructed. While Shoreline Amphitheater will continue to be audible during events to people living and working in the area,

audibility of music by itself is not an environmental impact, if the noise levels do not exceed adopted thresholds.

Comment 7.18:

9. The DEIR indicates that the North Bayshore area is outside of the 65 dBA zone from the Palo Alto Airport (1.6 miles away) (Pg. 362). However, the DEIR does not address the fact that the published approach minimums to the Palo Alto Airport are over the North Bayshore area. (See Hazards above). With respect to aircraft over flights, noise complaints are usually more closely related to development patterns than to the volume of aircraft operations that is one reason why the City is requesting avigation easements for the Palo Alto Airport to be required. Since noise has become a heightened issue in recent years following the roll out of the FAA's NextGen program and other increased air taxi over flights on the Peninsula, Mountain View should consider seeking an advisory review from the Airport Land Use Commission for requirements for the types of development proposals just outside the AIA. The potential impacts of aviation noise source on development within the planning area should be evaluated both in point source and cumulative noise analysis. Mitigation should be added to require each new development to include an evaluation of noise and vibration impacts from the Palo Alto Airport over flights and these should be addressed in the required avigation easement.

Response 7.18: Palo Alto's request for avigation easements on all properties developed as part of the North Bayshore Precise Plan is acknowledged. As noted above in Response 7.16, requiring avigation easements is a policy question.

As stated in Response 7.16, there is currently no basis for requiring avigation easements for overflights associated with Palo Alto Airport because no portion of the project area is located within the AIA for Palo Alto Airport. In the event that flight paths associated with Palo Alto Airport are modified in the future to include overflights of the North Bayshore Precise Plan Area, it is presumed that the ALUC would modify the boundaries of the Palo Alto AIA accordingly. In that case, per ALUC policy, an avigation easement would be required for development on North Bayshore parcels located within the modified AIA.

Comment 7.19:

Public Services

10. The DEIR notes that the amended North Bayshore Precise Plan would not result in an increase in demand for fire protection services sufficient to require expanding or constructing new fire facilities (Pg. 395). The City of Palo Alto would note that the cities of Palo Alto and Mountain View have both Automatic Aid and Boundary Drop Agreements that send the closest fire unit to a call no matter what the jurisdiction and location of the call. These services include emergency medical and rescue assistance, assistance to suppress fires, as well as assistance to mitigate other types of emergencies. Given this agreement, Palo Alto

service could be affected and additional public safety impacts could be created by the increase in resident and daytime population in the North Bayshore area. In addition, since the agreement includes response times, the significant unavoidable impacts identified in the traffic section of this DEIR could create inequities in the ability of the Palo Alto Fire Department to meet the acceptable response performance standards into the City of Mountain View. This issue should be addressed in the DEIR and mitigations should be added to address the impacts identified.

Response 7.19: The comments from the City of Palo Alto on fire protection services are acknowledged. The CEQA Guidelines state that the project would result in a significant public services impact if there are adverse environmental impacts associated with the provision of new or physically altered government facilities, in order to maintain acceptable service ratios or response times. The impact of a particular project on public services, therefore, is generally a fiscal impact. The need for additional staffing and personnel, or the addition of vehicles and other equipment, are considered fiscal impacts; they do not constitute environmental impacts under CEQA.

As described in the Draft SEIR (pgs. 389-390) the City of Mountain General Plan includes goals and policies related to the provision of community safety with police, fire, and emergency response services that meet or exceed industry-accepted service standards. These goals and policies set forth the City's commitment to make appropriate decisions and allocate necessary resources to support the fulfillment of the City's vision. The City of Mountain View is committed to maintaining the cooperative agreements with the City of Palo Alto related to fire protection services.

As described in the Draft SEIR (pg. 395), as a Precise Plan action item, the City of Mountain View will complete a study within three years to fully determine the fire and emergency response needs in North Bayshore (refer to Chapter 8 of the Precise Plan, City Implementation Actions). This study would utilize a nationally recognized standard such as "Standards of Cover" for measuring fire and emergency service needs. Additionally, with the potential for traffic congestion in the area, the City of Mountain View will consider the modernization of traffic signals, using technologies such as the pre-empt from the emitter/receiver model to a modern fire apparatus GPS system that changes the traffic signals based on fire apparatus route. Please see the revised Precise Plan policy addressing these programs in the revised Precise Plan attached as Appendix A to this Final SEIR.

City of Mountain View Fire Station No. 5 is located at the intersection of North Shoreline Boulevard and Crittenden Lane. Regarding traffic delays for emergency vehicles, as a part of on-going monitoring in North Bayshore, the City of Mountain View will monitor and review emergency response times from this station and other nearby stations serving the Mountain View and Palo Alto neighborhoods covered under the Automatic Aid and Boundary

Drop Agreements. Equipment and personnel will be allocated, as needed, to meet emergency response times.

The project will not require construction of new facilities that would result in a significant physical change to the environment; therefore, the project would not result in a significant public services impact under CEQA.

Comment 7.20:

Land Use

11. In addressing the analysis in which the North Bayshore Precise Plan creates conflicts with other applicable plans, policies and regulations, it is concluded that with the standards and guidelines to minimize environmental impacts the future development in the North Bayshore Precise Plan area would be consistent with the General Plan policies (Pg. 352). However, the parking ratio used for residential development in the General Plan and proposed for the North Bayshore Area are significantly different (1.2 spaces per dwelling unit in the General Plan compared to 0.6 spaces for the Bayshore area). The rationale for the significant reduction in parking from that required by the city standard should be examined, given the proposed parking standard in the Bayshore area and the projected number of single occupancy vehicle commute trips out of the North Bayshore area attributed to the added housing.

Response 7.20:

The transportation impact analysis used a parking ratio of 1.2 parking spaces per dwelling unit to identify impacts. The North Bayshore Precise Plan will establish an average parking standard of 0.6 parking spaces per dwelling unit as a part of the overall strategy to reduce vehicle trips to and from North Bayshore.

The City of Mountain View recognizes the challenge of implementing a reduced parking standard; thus, the residential parking supply rate would be phased along with other parking strategies, such as unbundled parking and district parking that could allow for shared parking between office and residential units.

Comment 7.21:

12. Height standards for planned development range from a maximum of 140 feet (8 stories) for non-residential uses to 160 feet (15 stories) for residential uses. It is noted in the DEIR that the tallest buildings will be near US-101 and Shoreline Boulevard. Although it is not stated in the report that the visual impact would be less than significant, the report does state that the location of these taller buildings would change the visual environment from general office park to 'more urban development'. This can be seen as a significant visual impact for those traveling on US-101. The impact of the change in land use, height and mass on the character of views from US-101 should be evaluated for significance and mitigations considered.

Response 7.21: The City of Palo Alto’s comments on visual and aesthetic resources is noted. Please refer to Response 5.5, above. The amended North Bayshore Precise Plan includes a required standard for preparation of a view study for future development projects over 95 feet in height. With this requirement and the implementation of other standards, such as habitat overlay zones near sensitive resources and General Plan policies, the SEIR found visual and aesthetic impacts to be less than significant.

It should be noted that the visibility of new buildings in the Precise Plan area from the US 101 corridor, while a change in visual character, does not in itself indicate a significant visual impact. The US 101 corridor in the south bay and peninsula area is a highly developed, urban area with many examples of medium- to high-rise office and commercial buildings. The US 101 corridor is not a designated scenic highway, and, in the opinion of the City of Mountain View, development of the North Bayshore Precise Plan would not result in a significant visual and aesthetic impact.

Comment 7.22:

Biological Resources

13. A number of provisions are described to protect nesting and migratory birds that occupy or are transient through the North Bayshore area. The described measures include bird safe structural design (Pg. 194), special provisions to be considered in bridge design (Pg.16) and regulating the height of buildings near sensitive areas (Pg. 193). However, the analysis does not address why the impact of this new development on nesting and migratory birds is less than significant. The potential negative impacts should be identified more specifically and appropriate mitigations required to reduce the impacts to less than significant, if appropriate, should be identified and incorporated as regulatory requirements for development in the Bayshore area.

Response 7.22: Buildings with certain architecture characteristics such as large glass facades, see through glass corners, and glass walkways are known to be collision hazards for resident and migratory bird species. The Precise Plan specifically includes standards such as the Habitat Overlay Zones, Bird Safe Design standards, and Nesting Bird Protection standards to protect and enhance biological resources in North Bayshore. These standards help to avoid, minimize, and ameliorate potential impacts from the project and increased human activity in the North Bayshore area. Bird Safe Design measures were specifically included to help diminish the likelihood of avian building collision fatalities and reduce potential impacts to migratory birds by restricting the use of building materials and architectural characteristics that are known to result in avian building collisions.

In the absence of these protective standards, Precise Plan activities could result in impacts to nesting and migratory birds through modification of

habitat, placement of new lighting next to sensitive habitats, and the construction of buildings or bridges that use materials or incorporate design characteristics that are known to be potential collision hazards for avian species. However, with incorporation of HOZ, Bird Safe Design measures, bridge design provisions, and other design standards, adverse effects of the Precise Plan on nesting and migratory birds would be reduced to a less than significant level.

Comment 7.23:

Cumulative Analysis

14. This analysis documents that, with the build out of this project, traffic signals will need to be added at Page Mill Road and Arastradero Road. Mitigation should be added to have Mountain View join with the other jurisdictions already working on signalization and intersection operations in this area.

Response 7.23: Please refer to Response 7.2.

Comment 7.24:

15. The cumulative analysis addresses ‘impacts on several transit corridors’ but still does not include specific information on either the short term or long term impacts on Caltrain capacity and service (Pg. 538). Impacts and possible mitigations for addressing cumulative impacts on Caltrain capacity and service should be addressed.

Response 7.24: Please refer to Response 7.6.

Comment 7.25:

16. Significant and unavoidable impacts on 40 intersections are described in the cumulative traffic analysis (Pg. 538). Twelve of these intersections are in Palo Alto strung along San Antonio Road, Charleston Road, and Embarcadero Road generally between US-101 and as far west as Alma and El Camino Real (Pg. 509-511). Mitigation to include incorporation of key Palo Alto locations into the trip cap program, coordinated TOM programs with Palo Alto to improve these impacted intersections and shared funding where appropriate for possible improvements and maintenance overtime should be addressed.

Thank you again for giving Palo Alto the opportunity to comment on the DEIR for the Amendment to the North Bayshore Precise Plan and for your support in providing much needed local housing options. If you have any questions regarding our comments please contact Jonathan Lait, Assistant Director of Planning and Community Environment at Jonathan.Lait@cityofpaloalto.org.

Response 7.25: Please refer to Response 7.2.

8. RESPONSE TO COMMENT LETTER 8 FROM THE MOUNTAIN VIEW WHISMAN SCHOOL DISTRICT, DATED APRIL 17, 2017.

Comment 8.1: This document serves as the Mountain View Whisman School District (MVWSD) response to the Amended North Bayshore Precise Plan (NBPP), Draft Environmental Impact Report. We have reviewed the report and provide the following with regard to the adequacy of the findings as related to direct and indirect impacts on the Mountain View Whisman School District. We understand that the passage of SB50 limits the levying of developer fees for direct impacts on school districts. However, nothing precludes the City, Developer and School District from entering into a mitigation agreement to address those direct and indirect impacts on the school district.

BACKGROUND

A MVWSD demographic study by DecisionInsite was completed on November 30, 2016. According to this study, the Districtwide projection of the buildout of currently approved projects will increase student enrollment by 445 students in the next 5 years. These projected students will precede the impact of students generated by the North Bayshore Precise Plan (NBPP) and it is anticipated that no capacity will be available when students are generated by the NBPP. In addition, while both Monta Loma Elementary school and Crittenden Middle School are in the proximity of the NBPP, there will be no capacity available when the NBPP project is developed.

Response 8.1: As discussed on pages 397 and 398 of the Draft Subsequent EIR, MVWD schools that serve the North Bayshore area would not accommodate the new students generated by the project; attendance of the existing schools would cause these schools to exceed capacity. For individual projects, the applicants would be required to pay a school impact fee, as stated in the conditions of approval in *Section 4.13.3.4, School Impacts* of the Draft Subsequent EIR. The impact fee provides the school district with funding for additional school facilities as needed to accommodate increased enrollment from new development. Under State Law (Government Code Section 65996), this is an acceptable method of offsetting a project's impact on school facilities. Methods that also can be used by schools to increase or balance capacity within a District include placement of portable classrooms, and/or adjustments to attendance boundaries, as noted on pages 397-398 of the Draft Subsequent EIR. But these methods are under the District's sole authority and discretion to choose and implement, and the City has no jurisdiction to dictate any particular method.

Comment 8.2: All district capital funding sources are encumbered for other facility needs and are not available for mitigating the impact of the NBPP project. The District has two sites where schools have not been constructed. These two school sites are not adequate to provide housing for the students generated from the NBPP. The first site is a ten acre property in the southern end of the District. The District does not provide student transportation and the transporting of students from the NBPP project would add to an already serious and significant transportation problem that is defined as "significant unavoidable impact." The other site is a District/City joint use green area near the District office. Changing the use of that common area to a school site may not be an acceptable

alternative to its current use. The District does not have land currently available to construct a school to serve students from the NBPP project.

Response 8.2: *Section 4.13.3.4* of the Draft Subsequent EIR discloses that the MVWSD schools do not currently have capacity for new students generated by the North Bayshore Precise Plan buildout. The City will work with MVWSD to administer programs and develop school site properties. The development of the school sites would be funded, in part, from the applicant’s payment of school impact fees (refer to Response 8.1 above). It should be noted that typical residence to school vehicle trips are included in the residential trip generation rates utilized in the project traffic report.

Please also refer to Response 8.1, above, regarding changing attendance boundaries to shift students around to alleviate transportation concerns. Amending school attendance boundaries during or after the North Bayshore Precise Plan buildout would be one way to avoid transporting North Bayshore students a longer distance away from their nearest school.

Comment 8.3:

DIRECT IMPACT OF THE NBPP PROJECT ON THE MVWSD

The 2014 NBPP provided for very few residential units. That plan designated 2.1 acres for residential development which included 362 residential units. The current amended NBPP designates 105.1 acres for residential development and includes 9,850 residential units, an increase of 9,488 residential units from 2014 to present. This significant amendment to the NBPP will create challenges to the District with regard to funding the construction of new schools, land for those schools, and other indirect impacts.

The current amended NBPP includes the following breakdown of the 9,850 units:

| Table 3.3-1: Proposed Dwelling Unit Distribution Goal | | |
|--|----------------------------|---|
| Unit Type | Percentage of Units | Approximate Number of Units per Type |
| Micro-Unit/Studio | 40% | 3,940 |
| One-bedroom | 30% | 2,955 |
| Two-bedroom | 20% | 1,970 |
| Three-bedroom | 10% | 985 |
| | 100% | 9,850 |

(Source: NBPP)

There are three neighborhoods: Joaquin, Shorebird, and Pear. The additional units will be distributed as follows:

| Table 3.3-4: Targets for Complete Neighborhood Areas | | | |
|---|---------------------------------|-----------------------------------|------------------------------|
| | Joaquin Neighborhood | Shorebird Neighborhood | Pear Neighborhood |
| Size in Acres | 68 acres | 43 acres | 43 acres |
| Residential Units | 3,950 units | 2,950 units | 2,950 units |
| Affordable Housing Units | 790 units | 590 units | 590 units |

(Source: NBPP)

The stated goal of the housing element of the NBPP:

It is the City's goal to provide housing in North Bayshore that is affordable to a diverse workforce at all income levels. The Precise Plan includes a goal of a minimum of 20 percent affordable housing units within the North Bayshore district. The City's key strategies for creating affordable housing in North Bayshore are, in priority order: 1) incentivizing land donation for affordable housing development; 2) including affordable units within market-rate developments; and 3) collecting rental housing impact fees from market-rate housing development. (Draft Subsequent EIR, page 106)

Response 8.3: Please refer to Response 8.1 for a discussion of the state-mandated mitigation for additional school facilities to accommodate increased enrollment from the project, including funding the construction of new schools that would serve the North Bayshore Precise Plan area.

Comment 8.4: The projected student impact, which includes a 20% affordable component, is as follows:

| Table A | | | | | |
|---|------------|---|----------------|---|-----------------|
| Mountain View Whisman Elementary | | | | | |
| Grade | SGR | | Units | | Students |
| K-5 | 0.1 | x | 7,880 (80%) | = | 788 |
| 6-8 | 0.04 | x | 7,880 (80%) | = | 315 |
| | | | | | 1,103 |
| Affordable | | | | | |
| K-5 | 0.409 | x | 1,970 | = | 806 |
| 6-8 | 0.228 | x | 1,970 | = | 449 |
| | | | | | 1,255 |
| Total: | | | | | 2,358 |

(Sources: Schoolhouse Planning, and Jack Schreder & Associates)

The number of projected students is 979 more than the DEIR indicates as the DEIR did not include an affordable component for the MVWSD. The student yield included in our calculations was based on the affordable housing student yield from the 2014 MVWSD Demographic Study:

Affordable Housing Units

The MVWSD also has numerous affordable housing complexes located within the District boundaries. Jack Schreder & Associates calculated the affordable housing student generation rates for this type of housing. Cities now require development projects to provide for some affordable housing within the development. Therefore, it is imperative the District remain aware of this generation factor.

Table 5. Student Generation Factors: Affordable Housing Units

| Housing Type | # of Units Surveyed | Total Students | Student Generation Factor (TK-8) | TK-5 | 6-8 |
|--------------------|---------------------|----------------|----------------------------------|-------|-------|
| Affordable Housing | 215 | 137 | 0.637 | 0.409 | 0.228 |

(Source: Jack Schreder & Associates)

Response 8.4: The text in *Section 4.13.3.4* of the Draft Subsequent EIR (page 397) has been revised to clarify the higher student generation projected for the 20 percent affordable housing component shown in Table A above, in Comment 8.4. Table 4.13-3 in the Draft Subsequent EIR has been replaced with the information shown in Table A, and with updated student generation rate information that has been recently provided to the City by the District. This updated information is attached to this Final Subsequent EIR as Appendix C.

Please note that the text revisions in this Final SEIR do not change the significance conclusions of the Draft SEIR, nor do they substantially change the analysis.

Comment 8.5:

COST TO HOUSE STUDENTS GENERATED FROM NBPP

Construction costs in the Bay Area have escalated dramatically in the last 8 years. The State per pupil grant does not reflect this escalation and therefore the gap between what the State allows and provides for school construction is significantly less than the actual cost of school construction. These cost differences are reflected in the shortfall described in these calculations.

The actual cost to house students generated by NBPP, (excluding land):

Table B

| Grade | Students | | Cost to house per pupil | | Total |
|-------|--------------|---|-------------------------|---|----------------------|
| K-5 | 1,594 | x | \$69,667 | = | \$111,049,198 |
| 6-8 | 764 | x | \$71,428 | = | \$54,570,992 |
| | 2,358 | | | | \$165,620,190 |

(Source: Greystone West)

The anticipated funding through levying local school fees and the State School Facilities funding Program (excluding land):

Table C

| State School Facilities Funding | | | | | |
|---------------------------------|----------|---|-------------------------|---|---------------------|
| Grade | Students | | State Grant Per Student | | Total |
| K-5 | 1,594 | x | \$11,104 | = | \$17,699,776 |
| 6-8 | 764 | x | \$11,744 | = | \$8,972,416 |
| | | | | | \$26,672,192 |

(Source: Office of Public School Construction)

Table D

| MVWSD collects \$2.32/Sq. Ft. of Level 1 Developer Fees | | | | | | | | | |
|---|------------|---|--------------|---|-----------|---|--------|---|---------------------|
| Units | # of Units | | Avg. Sq. Ft. | | Sq. Ft. | | Fees | | Total |
| Micro/Studio | 3,940 | x | 450 | = | 1,773,000 | x | \$2.32 | = | \$4,113,360 |
| 1-Bedroom | 2,955 | x | 715 | = | 2,112,825 | x | \$2.32 | = | \$4,901,754 |
| 2-Bedroom | 1,970 | x | 1,025 | = | 2,019,250 | x | \$2.32 | = | \$4,684,660 |
| 3-Bedroom | 985 | x | 1,250 | = | 1,231,250 | x | \$2.32 | = | \$2,856,500 |
| | | | | | | | | | \$16,556,274 |

(Source: City of Mountain View, and Jack Schreder & Associates)

| |
|--|
| Total State Funding and Developer Fees (excluding land): \$43,228,466 |
|--|

The shortfall between the actual cost to house K-8 students and funds from State grants and developer fees:

| | |
|---------------------------------|----------------------|
| Actual: | \$165,620,190 |
| State and Local Funding: | \$43,228,466 |
| Shortfall: | <u>\$122,391,724</u> |

Response 8.5: The analysis of the financial impacts on schools resulting from the buildout of the amended North Bayshore Precise Plan is not required under CEQA. Refer to Response 8.1 above for the discussion of the state-mandated mitigation for additional school facilities to accommodate increased enrollment from the project, including funding for construction of District schools.

Comment 8.6:

LAND

In addition to dramatic escalation in construction costs in the Bay Area, land costs have increased as well. The State of California will provide 50% of the cost of land for eligible school construction.

However, the remaining 50% of the land cost is the responsibility of the local school district. These substantial increases in land costs make it difficult to build schools in accordance with the Department of Education school site guidelines. The land cost escalation issues were anticipated when SB50 was drafted and Government Code section 65998 allows the cities to “reserve or designate” real property for a school site.

Government Code – GOV

TITLE 7. PLANNING AND LAND USE [65000 – 66499.58] (Heading and Title 7 amended by Stats. 1974, Ch. 1536)

DIVISION 1. PLANNING AND ZONING [65000 – 66103] (Heading of Division 1 added by Stats. 1974, Ch. 1536)

CHAPTER 4.9. Payment of Fees, Charges, Dedications, or Other Requirements Against a Development Project [65995 – 65998] (Chapter 4.9 added by Stats. 1986, Ch. 887, Sec. 11.)

65998 (a) Nothing in this chapter or in Section 17620 of the Education Code shall be interpreted to limit or prohibit the authority of a local agency to reserve or designate real property for a schoolsite.

(b) Nothing in this chapter or in Section 17620 of the Education Code shall be interpreted to limit or prohibit the ability of a local agency to mitigate the impacts of a land use approval involving, but not limited to, the planning, use, or development of real property other than on the need to school facilities.

(Added by Stats. 1998, Ch. 407, Sec. 25. Effective August 27, 1998. Operative November 4, 1998 (Prop. 1A was adopted Nov. 3) by Sec. 31 of Ch. 407. Note: Pursuant to Education Code Section 101122 (subd. (d)), which was added Nov. 8, 2016, by Prop. 51, Chapter 4. 9 (Sections 65995 to 65998) as it read on Jan. 1, 2015, continues in effect until Dec. 31, 2020, or earlier date prescribed. Thereafter, Chapter 4.9 may be amended.)

As a condition of approval of the NBPP project, and prior to the certification of the DEIR, we request that the City designate and reserve school sites for MVWSD as follows:

Table E

| | Grade | Students | Acres (Student Guidelines) |
|---------------|--------------|-----------------|---------------------------------------|
| Site 1 | K-5 | 600 | 10.7 |
| Site 2 | K-5 | 600 | 10.7 |
| Site 3 | K-5 | 394 | 8.1 |
| Site 4 | 6-8 | 764 | 20.9 |

(Source: California Department of Education)

The availability of land for school construction in Mountain View is extremely limited. The District is amenable to creative efforts to utilize all real property options and is willing to discuss these options with the Developer. The school site requirements provided in Table E are based on California Department of Education guidelines.

Response 8.6: As stated in the in Response 8.1 above, individual projects under the amended North Bayshore Precise Plan will be subject to school impact fees in

compliance with State Government Code Section 65996. The fees would provide the school district some funding for additional school facilities to accommodate increased enrollment from new development. CEQA does not require an analysis of indirect financial impacts from the amended North Bayshore Precise Plan buildout. However, the City is supportive of the school district and will continue to work in good faith with the District to explore opportunities for new elementary and middle schools sites throughout the City, as described by supportive policies within the amended North Bayshore Precise Plan. The location of these sites will be determined as development under the amended Precise Plan occurs.

Comment 8.7:

INDIRECT IMPACTS

Chawanakee Unified School District V. County of Madera

In this appellate court case, the court concluded that the phrase in SB50 “impacts on school facilities” does not cover all possible environmental impacts. While the NBPP does consider noise, emissions, traffic, and other indirect impacts, it does not specifically identify those indirect impacts in the operation of a school district. For example, the eighteen “significant unavoidable impacts” created by transportation and traffic may have an indirect impact on transporting students to school if the school is not in the proximity of the NBPP project. In addition, the buildout of 9,850 units is in a plan that covers a period through 2030. The approximate 10-year buildout of the NBPP project would mean an absorption rate of 980 units per year. This construction period would require the MVWSD to provide interim housing over a period of time and is considered an “indirect impact.” This issue is not addressed in the DEIR.

Response 8.7:

The traffic impact analysis in Appendix J of the Draft Subsequent EIR addresses traffic impacts resulting from buildout of the amended North Bayshore Precise Plan and the trip generation estimates used in the project traffic analysis include residence-to-school vehicle trips; therefore, the analysis would have identified any potential impacts to intersections near schools that serve the North Bayshore area. No further traffic analysis pertaining to the impacts on intersections near District schools would be necessary. Any interim housing (i.e., facilities) required by the District through the buildout of the North Bayshore Precise Plan is considered an impact on school facilities; it is not an indirect impact. The indirect effects of providing both the interim and long-term school facilities, in terms of construction air quality, noise, traffic, and hazardous materials issues, would be reduced to a less than significant level through adherence to the policies and program-level mitigation measures described in the SEIR.

Comment 8.8:

CLOSING COMMENTS

Our comments regarding the DEIR should not be construed to indicate our opposition to the amended NBPP. It is critical that all interested parties understand that 9,850 new dwelling units are of such magnitude that school mitigation measures for the project exceed the District's ability to absorb the 2,358 students projected from this project. We look forward to the cooperation of the City and proponents of the project to meet with MVWSD and resolve the challenges that are apparent in proceeding forward in the process of developing a successful project. We suggest that the District, City, and proponents of the project meet during the 45-day period and attempt to provide creative viable measures to meet the needs of MVWSD and all stakeholders.

Response 8.8: The comments of the District are acknowledged and will be taken into account during the City's consideration of the project. Discussions between the District and the City aimed at developing creative solutions to the District's facility funding challenges are ongoing, and the City will continue working with the District in good faith outside the CEQA process to try to reach a mutually satisfactory resolution.

9. RESPONSE TO COMMENT LETTER 9 FROM THE MOUNTAIN VIEW LOS ALTOS HIGH SCHOOL DISTRICT, DATED APRIL 17, 2017.

Comment 9.1: This document serves as the Mountain View Los Altos Union High School District (MVLA) response to the Amended North Bayshore Precise Plan (NBPP), Draft Environmental Impact Report. We have reviewed the report and provide the following with regard to the adequacy of the findings as related to direct and indirect impacts on the Mountain View Los Altos High School District. We understand that the passage of 5650 limits the levying of developer fees for direct impacts on school districts. However, nothing precludes the City, Developer and School District from entering into a mitigation agreement to address those direct and indirect impacts on the school district.

BACKGROUND

The MVLA Demographic Study by Jack Schreder & Associates (JSA) was revised April 3, 2017. The enrollment in MVLA is projected to increase from the current 4,073 to 4,576 by 2021-22. The Demographic Study recommended the following to accommodate the increase in projected enrollment prior to the consideration of including an additional 9,850 dwelling units as proposed in the Amended North Bayshore Precise Plan.

- It is recommended the District add facility capacity in order to accommodate the projected significant enrollment growth, most of which will occur over the next six years.
- It is recommended the District correspondingly expand core ancillary facilities as new classrooms are constructed. While adding classrooms will provide housing for additional students, it will also overburden existing ancillary facilities such as libraries, cafeterias, administrative space, gymnasiums, etc.

- It is recommended the District increase staffing and programs correspondingly as facility capacity expands and student enrollments increase.
- Until new facilities are constructed, it is recommended the District consider revising the current intra-district transfer policy to alleviate overcrowding.
- It is recommended the District consider federal, state, and local sources of funding, including a local school bond to assist in constructing new facilities for housing current and future students.

Currently, the MVLA is adding three portables at Los Altos High School to accommodate the immediate impacts by projected growth. The addition of 9,850 new dwelling units, generating 1,108 students, will be in addition to current student housing needs.

The MVLA is currently preparing a Facility Master Plan to accommodate student enrollment in the future. Additional student housing measures will be included in that study.

Response 9.1: As discussed on page 398 of the Draft Subsequent EIR, MVLA schools that serve the North Bayshore Precise Plan area would not accommodate the new students generated by the project; attendance of the existing schools would cause these schools to exceed capacity. For individual projects under the amended North Bayshore Precise Plan, the applicants would be required to pay a school impact fee as stated in the conditions of approval in *Section 4.13.3.4, School Impacts* of the Draft Subsequent EIR. The impact fee provides the school district with funding for additional school facilities as needed to accommodate increased enrollment from new development. Under State Law (Government Code Section 65996) this is an acceptable method of offsetting a project’s impact on school facilities.

While not the first preference of local school districts, when additional land or new facilities cannot be developed, then methods that also can be used by schools to increase or balance capacity within a District include placement of portable classrooms, and/or adjustments to attendance boundaries, as noted on page 398 of the Draft Subsequent EIR. The impact fees would, in part, cover the above recommendations for the District disclosed in the demographic study (discussed above) and address the student generation impacts due to the North Bayshore Precise Plan buildout.

Comment 9.2:

DIRECT IMPACT OF THE NBPP PROJECT ON THE MVLA

The 2014 NBPP provided for very few residential units. That plan designated 2.1 acres for residential development which included 362 residential units. The current amended NBPP designates 105.1 acres for residential development and includes 9,850 residential units, an increase of 9,488 residential units from 2014 to present. This significant amendment to the NBPP will create challenges to the District with regard to funding the construction of new schools, land for those schools, and other indirect impacts.

The current amended NBPP includes the following breakdown of the 9,850 units:

| Table 3.3-1: Proposed Dwelling Unit Distribution Goal | | |
|--|----------------------------|---|
| Unit Type | Percentage of Units | Approximate Number of Units per Type |
| Micro-Unit/Studio | 40% | 3,940 |
| One-bedroom | 30% | 2,955 |
| Two-bedroom | 20% | 1,970 |
| Three-bedroom | 10% | 985 |
| | 100% | 9,850 |

(Source: NBPP)

There are three neighborhoods: Joaquin, Shorebird, and Pear. The additional units will be distributed as follows:

| Table 3.3-4: Targets for Complete Neighborhood Areas | | | |
|---|-----------------------------|-------------------------------|--------------------------|
| | Joaquin Neighborhood | Shorebird Neighborhood | Pear Neighborhood |
| Size in Acres | 68 acres | 43 acres | 43 acres |
| Residential Units | 3,950 units | 2,950 units | 2,950 units |
| Affordable Housing Units | 790 units | 590 units | 590 units |

(Source: NBPP)

The stated goal of the housing element of the NBPP:

It is the City's goal to provide housing in North Bayshore that is affordable to a diverse workforce at all income levels. The Precise Plan includes a goal of a minimum of 20 percent affordable housing units within the North Bayshore district. The City's key strategies for creating affordable housing in North Bayshore are, in priority order: 1) incentivizing land donation for affordable housing development; 2) including affordable units within market-rate developments; and 3) collecting rental housing impact fees from market-rate housing development." (Draft Subsequent EIR, page 106)

Response 9.2: Refer to Response 9.1 for a discussion of the state-mandated mitigation for additional school facilities to accommodate increased enrollment from the project, including funding the construction of new schools that would serve the North Bayshore Precise Plan area.

Comment 9.3: The projected student impact, which includes 20% affordable component, is as follows:

Table A

| Total Units: 9,850 | | | | | |
|---------------------------|--------------------------|---|------------|---|-----------------|
| Grade | Market Rate Units | | SGR | | Students |
| 9-12 | 7,880 | x | 0.046 | = | 363 |
| | Affordable | | | | |
| 9-12 | 1,970 | x | 0.378 | = | 745 |
| Total: | | | | | 1,108 |

(Sources: *Schoolhouse Planning*, and *Jack Schreder & Associates*)

These additional 1,108 9-12 students are in addition to the projected increase in the JSA Demographic Study of 503 additional students to be generated by 2021-22.

Affordable Housing Units

A total of 164 affordable, multi-family housing in Mountain View were surveyed in March 2017. These 164 units generated 62 9-12 students for a Student Generation Rate (SGR) of 0.378.

| Housing Type | # of Units Surveyed | Total Students | Student Generation Factor (9-12) |
|---------------------------|----------------------------|-----------------------|---|
| Affordable Housing | 164 | 62 | 0.378 |

(Source: *Jack Schreder & Associates*)

Response 9.3: The text in *Section 4.13.3.4* of the Draft Subsequent EIR (page 397) has been revised to clarify the higher student generation projected for the 20 percent affordable housing component shown in Table A above, in Comment 9.3. Table 4.13-3 in the Draft Subsequent EIR has been replaced with the information shown in Table A, and with updated student generation rate information that has been recently provided to the City by the District. This updated information is attached to this Final Subsequent EIR as Appendix C.

Comment 9.4:

COST TO HOUSE STUDENTS GENERATED FROM NBPP

Construction costs in the Bay Area have escalated dramatically in the last 8 years. The State per pupil grant does not reflect this escalation and therefore the gap between what the State allows and provides for school construction is significantly less than the actual cost of school construction. These cost differences are reflected in the shortfall described in these calculations.

The actual cost to house students generated by NBPP, (excluding land):

Table B

| Grade | Students | | Cost to house per pupil | | Total |
|-------|----------|---|-------------------------|---|--------------|
| 9-12 | 1,108 | x | \$83,000 | = | \$91,964,000 |

(Source: LPA Architects)

The anticipated funding through levying local school fees and the State School Facilities Funding Program (excluding land) is listed below. Please note that these figures are based on continuation of the current state funding model for school facility construction, appropriate eligibility and adequate state revenue to fund the school construction necessary to house the additional students generated by the NBPP project.

Table C

| State School Facilities Funding | | | | | |
|---------------------------------|----------|---|-------------------------|---|--------------|
| Grade | Students | | Cost to house per pupil | | Total |
| 9-12 | 1,108 | x | \$14,944 | = | \$16,557,952 |

(Source: Office of Public School Construction)

Table D

| MVLA collects \$1.16/Sq. Ft. of Level 1 Developer Fees | | | | | | | | | |
|--|------------|---|--------------|---|-----------|---|--------|---|--------------------|
| Units | # of Units | | Avg. Sq. Ft. | | Sq. Ft. | | Fees | | Total |
| Micro/Studio | 3,940 | x | 450 | = | 1,773,000 | x | \$1.16 | = | \$2,056,680 |
| 1-Bedroom | 2,955 | x | 715 | = | 2,112,825 | x | \$1.16 | = | \$2,450,877 |
| 2-Bedroom | 1,970 | x | 1,025 | = | 2,019,250 | x | \$1.16 | = | \$2,342,330 |
| 3-Bedroom | 985 | x | 1,250 | = | 1,231,250 | x | \$1.16 | = | \$1,428,250 |
| | | | | | | | | | \$8,278,137 |

(Source: City of Mountain View, and Jack Schreder & Associates)

| |
|--|
| Total State Funding and Developer Fees (excluding land): \$24,836,089 |
|--|

The shortfall between the actual cost to house 9-12 students and funds from State grants and developer fees:

| | |
|---------------------------------|---------------------|
| Actual: | \$91,964,000 |
| State and Local Funding: | \$24,836,089 |
| Shortfall: | \$67,127,911 |

Response 9.4: The analysis of the financial impacts on schools resulting from the buildout of the amended North Bayshore Precise Plan is not required under CEQA. Refer to Response 9.1 above for the discussion of the state-mandated

mitigation for additional school facilities to accommodate increased enrollment from the project, including funding for construction of District schools.

Comment 9.5:

LAND

In addition to dramatic escalation in construction costs in the Bay Area, land costs have increased as well. The State of California will provide 50% of the cost or land for eligible school construction. However, the remaining 50% of the land cost is the responsibility of the local school district. These substantial increases in land costs make it difficult to build schools in accordance with the Department of Education school site guidelines. The land cost escalation issues were anticipated when SB50 was drafted and Government Code section 65998 allows the cities to “reserve or designate” real property for a school site.

Government Code – GOV

TITLE 7. PLANNING AND LAND USE [65000 – 66499.58] (Heading and Title 7 amended by Stats. 1974, Ch. 1536)

DIVISION 1. PLANNING AND ZONING [65000 – 66103] (Heading of Division 1 added by Stats. 1974, Ch. 1536)

CHAPTER 4.9. Payment of Fees, Charges, Dedications, or Other Requirements Against a Development Project [65995 – 65998] (Chapter 4.9 added by Stats. 1986, Ch. 887, Sec. 11.)

65998 (a) Nothing in this chapter or in Section 17620 of the Education Code shall be interpreted to limit or prohibit the authority of a local agency to reserve or designate real property for a school site.

(b) Nothing in this chapter or in Section 17620 of the Education Code shall be interpreted to limit or prohibit the ability of a local agency to mitigate the impacts of a land use approval involving, but not limited to, the planning, use, or development of real property other than on the need to school facilities.

(Added by Stats. 1998, Ch. 407, Sec. 25. Effective August 27, 1998. Operative November 4, 1998 (Prop. IA was adopted Nov. 3) by Sec. 31 of Ch. 407. Note: Pursuant to Education Code Section 101122 (subd. (d)), which was added Nov. 8, 2016, by Prop. 51, Chapter 4. 9 (Sections 65995 to 65998) as it read on Jan. 1, 2015, continues in effect until Dec. 31, 2020, or earlier date prescribed. Thereafter, Chapter 4.9 may be amended.)

Standards for new school construction in California

Based on guidelines provided by the California Department of Education (see Table E below), 33.5 acres of land are recommended to house an additional 1,108 students.

Table E

| | Grade | Students | Acres (Student Guidelines) |
|---------------|--------------|-----------------|---------------------------------------|
| Site 1 | 9-12 | 1,208 | 33.5 |

(Source: California Department of Education)

The availability of land for school construction in Mountain View is extremely limited. Therefore, as a condition of approval of the NBPP project, and prior to the certification of the DEIR, we request that the City designate and reserve an adequate amount of land for MVLA to accommodate the additional 1,108 students generated as a result of this project.

The District is amenable to creative efforts to utilize all real property options and is willing to discuss these options with the Developer.

Response 9.5: As stated in Response 9.1 above, individual projects under the amended North Bayshore Precise Plan will be subject to school impact fees in compliance with State Government Code Section 65996. The fees would provide the school district funding for additional school facilities as needed to accommodate increased enrollment from new development. CEQA does not require an analysis of financial impacts from the buildout of the amended North Bayshore Precise Plan. The City will continue to work with the District to explore opportunities for new high school facilities throughout the City. The distribution of these sites will be determined as development under the amended North Bayshore Precise Plan occurs.

Comment 9.6:

INDIRECT IMPACTS

Chawanakee Unified School District V. County of Madera

In this appellate court case, the court concluded that the phrase in SBSO “impacts on school facilities” does not cover all possible environmental impacts. While the NBPP does consider noise, emissions, traffic, and other indirect impacts, it does not specifically identify those indirect impacts in the operation of a school district. For example, the eighteen “significant unavoidable impacts” created by transportation and traffic may have an indirect impact on transporting students to school if the school is not in the proximity of the NBPP project. In addition, the buildout of 9,850 units is in a plan that covers a period through 2030. The approximate 10-year buildout of the NBPP project would mean an absorption rate of 980 units per year. This construction period would require the MVLA to provide interim housing over a period of time and is considered an “indirect impact.” This issue is not addressed in the DEIR.

Response 9.6: The traffic impact analysis in Appendix J of the Draft SEIR addresses traffic impacts resulting from buildout of the amended North Bayshore Precise Plan and the trip generation estimates used in the project traffic analysis include residence to school vehicle trips; therefore, the analysis would have identified any potential impacts to intersections near schools that serve the North Bayshore area. No further traffic analysis pertaining to the impacts on intersections near District schools would be necessary. Any interim housing (i.e., facilities) required by the District through the buildout of the North Bayshore Precise Plan is considered an impact on school facilities; it is not an

indirect impact. The indirect effects of providing both the interim and long-term school facilities, in terms of construction air quality, noise, traffic, and hazardous materials issues, would be reduced to a less than significant level through adherence to the policies and program-level mitigation measures described in the SEIR.

Comment 9.7:

CLOSING COMMENTS

Our comments regarding the DEIR should not be construed to indicate our opposition to the amended NBPP. It is critical that all interested parties understand that 9,850 new dwelling units are of such magnitude that school mitigation measures for the project exceed the District's ability to absorb the 1,108 students projected from this project. We look forward to the cooperation of the City and proponents of the project to meet with MVLA and resolve the challenges that are apparent in proceeding forward in the process of developing a successful project. We suggest that the District, City, and proponents of the project meet during the 45-day period and attempt to provide creative viable measures to meet the needs of all stakeholders.

Response 9.7: The comments of the District are acknowledged and will be taken into account during the City's consideration of the project.

10. RESPONSE TO COMMENT LETTER 10 FROM THE COUNTY OF SANTA CLARA, ROADS AND AIRPORTS DEPARTMENT, DATED APRIL 17, 2017.

Comment 10.1: The County of Santa Clara Roads and Airports Department appreciates the opportunity to review the DSEIR and is submitting the following comments.

1. For Intersections #20 Rengstorff Avenue and Central Expressway and #49 Moffett Boulevard-Castro Street and Central Expressway, the DSEIR has findings of "Significant and Unavoidable Impact"; however, in the DSEIR, the City also renews its commitment to provide and pursue funding for a grade separation at Intersection #20 and modifications to Intersection #49 which will mitigate the impacts. The County supports these two projects and will work with the City in seeking funding and implementation.

Response 10.1: A county or regional transportation impact fee program does not exist whereby new development projects could make contributions to offset their impacts on county or regional facilities. The County of Santa Clara Roads and Airports Department, in partnership with Valley Transportation Authority, are the responsible agencies for planning and implementing improvements on expressways in Santa Clara County. The City of Mountain View would be open to consider participating in the development of a county or regional transportation impact fee; in the event such a fee were established, projects in Mountain View could be required to pay the fee to offset their impacts.

Comment 10.2:

2. The DSEIR states that the project will create a significant and unavoidable impact at the following two intersections:

- Intersection #24: Springer Road-Magdalena Avenue and Foothill Expressway
- Intersection #67: Page Mill Road and I-280 Southbound Off-Ramp-Arastradero Road

However, feasible mitigation measures have been identified and listed in the Comprehensive County Expressway Planning Study 2040 (EP 2040). The overall cost for mitigating Intersection #24 is relatively low and the mitigation for Intersection #67 is a Tier 1 Expressway Project eligible for 2016 Measure B funding. Therefore, these mitigation measures are likely to be implemented. The County requests that the project commit to provide a fair-share contribution to both mitigation projects in the DSEIR.

Response 10.2: Please refer to Response 10.1.

Comment 10.3:

3. The DSEIR states that the project will create a significant and unavoidable impact at the following intersections:

- Intersection #42: Shoreline Boulevard and Central Expressway (East)
- Intersection #50: Central Expressway and State Route 85 Ramps
- Intersection #52: Whisman Station Road and Central Expressway
- Intersection #54: Ferguson Drive and Central Expressway
- Intersection #56: Mary Avenue and Central Expressway
- Intersection #64: Oregon Expressway and Middlefield Road
- Intersection #66: Arastradero Road and Foothill Expressway

The DSEIR states that no feasible mitigation measures are available at these locations. The EP 2040 does identify improvements for some of these locations that would mitigate the impacts; however, the County acknowledges that these particular EP 2040 improvements are high cost and not likely to be implemented in the near future. Therefore, the County requests that alternative mitigation measures be considered and included in the City's multimodal improvement plan. If you have any questions or concerns about these comments, please contact me at (408) 573-2465 or dawn.cameron@rda.sccgov.org.

Response 10.3: Please refer to Response 10.1.

11. RESPONSE TO COMMENT LETTER 11 FROM THE SANTA CLARA VALLEY HABITAT AGENCY, DATED APRIL 17, 2017.

Comment 11.1: Thank you for the opportunity to review the North Bayshore Precise Plan (Plan) Subsequent Draft Environmental Impact Report (DEIR). The Santa Clara Valley Habitat Agency appreciates the City's vision for long term sustainability in the region to be achieved, in part, through

the proposed amended Plan. The amended Plan would now allow development potential for nearly 10,000 new residential dwelling units, with a corresponding reduction in future square footage allocated to research & development, industrial building use and office space. These changes in allowable land use will help to correct the jobs/housing imbalance in the area. As noted in the DEIR, it will also result in a reduction in area traffic and a commensurate reduction in traffic generated air emissions. To the extent that development must occur in the region, the Habitat Agency supports the type of infill development envisioned by the amended Plan. Mixed use, which tends to localize traffic and reduce work commute distances, is perhaps the most benign form of infill development, in terms of limiting new emissions of airborne nitrogen and other constituents of concern.

Response 11.1: The Habitat Agency's comments on the amended Precise Plan are appreciated.

Comment 11.2: As stated in DEIR Section 4.3.5.7 – *Cumulative Impacts of Indirect Nitrogen Deposition*, the amended Plan will generate air emissions that will contribute to the nitrogen deposition already occurring throughout the county. The Plan details, consistent with the Santa Clara Valley Habitat Plan (Habitat Plan) findings, that nitrogen deposition is a chief threat and impediment to the recovery of state and federally protected species of plants and animals relying on serpentine soils in the Santa Clara Valley.

Additionally, because the nitrogen becomes an artificial fertilizer, it's deposition across the landscape facilitates the growth of non-native forbs and grasses in the valley's oak woodland, which chokes out native plants and contributes to an increased fire risk due to an unnatural accumulation of vegetation in these habitats which are historically prone to wildfires. Nitrogen deposition has a similar effect on the Valley's aquatic resources, encouraging algae growth beyond what has historically occurred in those landscapes. Because the effects of nitrogen deposition are realized in an array of landscapes, the Plan impacts should not be considered to affect serpentine soils exclusively.

The Plan will result in an increase of vehicle miles traveled (VMT) of 65 percent above the existing area traffic. These new emissions will exacerbate the existing rate of nitrogen deposition and its anticipated effects on the environment. Section 4.3.5.7 concludes that, because 17 percent of the nitrogen deposition within the Habitat Plan area comes from locations in Santa Clara County that are outside the Habitat Plan, and because the North Bayshore area is but a small portion of this 17 percent, then the cumulative impacts of indirect nitrogen deposition would be less than significant.

The Habitat Agency respectfully disagrees with the conclusion that the Plan's cumulative contributions to nitrogen deposition are less than significant. Nitrogen deposition across the landscape is a cumulative impact. Small-scale, individual projects may be considered less than significant contributors to cumulative impacts. However, a precise plan, which will facilitate the development of 9,850 new residential units, 5.5 million square feet of office space and 130,000 square feet of restaurant/retail space cannot be considered to result in a less than significant contribution to nitrogen deposition when the air emissions of this development and its associated new VMT are dispersed across the Santa Clara Valley.

Response 11.2: The Habitat Agency's comments on the amended Precise Plan are noted. Please note that the office and commercial space proposed by the amended

Precise Plan is essentially the same as in the adopted Precise Plan – and the primary difference between the two is the addition of the residential uses. One objective of the City in constructing residential uses near employment centers is to reduce vehicle miles traveled (VMT) per service population (the sum of all residents and employees). Daily VMT per service population in North Bayshore is projected to decrease from 19.6 under existing conditions to 14.3 under existing plus project conditions. The project’s reduced vehicle miles per service population should also reduce the potential nitrogen deposition emissions from vehicle trips associated with North Bayshore development, compared to existing conditions, on a service population basis. By reducing VMT per service population, adding housing in the North Bayshore area (as part of the amended Precise Plan) would also reduce GHG emissions per service population compared to existing conditions and the currently adopted Precise Plan.

The effects of nitrogen deposition on habitats other than serpentine grasslands is acknowledged; however, the implication that the nitrogen deposition from the Precise Plan would result in a cumulative impact to non-serpentine habitats across the landscape is not supported by any substantial evidence. Several other land cover types in the Habitat Plan have been identified as sensitive or potentially sensitive to nitrogen deposition, including oak woodlands, although the Habitat Plan does not provide conclusions as to the level of indirect effect over time. For this reason, these effects would not be considered a cumulatively considerable impact from implementation of the Precise Plan.

Nitrogen deposition affecting serpentine habitat is an acknowledged significant cumulative impact and, therefore, the relevant question under CEQA is whether the Precise Plan provides a “cumulatively considerable” contribution to that significant cumulative impact. Neither CEQA, the CEQA Guidelines, case law, the USFWS, CDFW, nor the Habitat Agency define what level of nitrogen deposition contributes an amount that is considered cumulatively considerable; therefore, it is within the discretion of the City of Mountain View as the lead agency to make that determination, taking into account existing cumulative emissions, future emissions (both within and outside the Habitat Plan), and the distance of the Precise Plan to the Habitat Plan.

The threshold of significance used by the City to determine the significance of this impact is whether it would “Conflict with any applicable habitat conservation plan (HCP) or natural community conservation plan (NCCP), or other approved local, regional, or state habitat conservation plans.” At the project level, this was not considered to be a significant impact, and at the cumulative level, the project would not make a cumulatively considerable contribution to this impact, for the reasons provided in the Draft SEIR.

CEQA establishes that a cumulatively considerable contribution to a cumulative impact is not just one molecule, and the fact that numerous projects within the Habitat Plan are exempt from paying fees indicates that nitrogen deposition can be emitted, even within the Habitat Plan, without being considered cumulatively considerable. Those projects were not required to provide any mitigation due to the conclusion that the Habitat Plan would address the cumulative impact. The cumulative condition, reflecting nitrogen emissions both from covered activities within the Habitat Plan and emission from sources outside the Habitat Plan, would be satisfactorily addressed through the Habitat Plan. This conclusion is supported by the Biological Opinion prepared by the wildlife agencies for the Habitat Plan, as well as the findings of the Habitat Plan itself (Chapter 9, pages 9-54), which concluded funding sources will meet all expected costs of the Habitat Plan. Specifically, development fees are to cover the responsibilities and requirements of the Habitat Agency and participating local jurisdictions to both mitigate their impacts and conserve in the study area. State and federal contributions; continuing local, state, and federal conservation efforts; and funding from private competitive grants will contribute to the conservation component of the Plan. The Habitat Plan, as adopted, made no assumption that fees were to be collected from jurisdictions not covered by the Habitat Plan.

Comment 11.3: As stated in the DEIR, approximately 50 percent of the total nitrogen deposition that occurs on the land within the Habitat Plan is generated by anthropogenic sources outside the Habitat Plan. As adopted, the Habitat Plan provides sufficient mitigation to reduce nitrogen deposition on land within the Habitat Plan which is generated only by covered projects within the Habitat Plan boundary. However, there is no mitigation established for projects surrounding the Habitat Plan area that result in nitrogen emissions which contribute to the growing impacts within the Habitat Plan area.

The notion that all nitrogen deposition impacts in the Santa Clara Valley are entirely mitigated through the collection of land cover fees from projects that are covered by the Habitat Plan is one that has been perpetuated by the City of Mountain View in its most previous CEQA documents. Yet this is not true. As mentioned above, the Habitat Plan only mitigates for 50 percent of the total nitrogen deposition impacts, because it will only collect 50 percent of the funds required to manage the land for nitrogen impacts.

Response 11.3: The funding strategy adopted as part of the Habitat Plan provides for the full and successful implementation of the Habitat Plan related to the impacts of nitrogen deposition (wherever emitted) on sensitive species and habitats and does not rely on contributions from jurisdictions outside of the Plan area to achieve the goals and objectives of the Plan. Section 9.4.4 of the Habitat Plan states that funding sources identified on Table 9-5 will meet all expected costs of the Habitat Plan. Those funding sources include development fees and non-fee funding sources, but do not quantify, identify, acknowledge, or rely on project-specific mitigation contributions from jurisdictions outside the

Habitat Plan.

The comment letter from the Habitat Agency dated October 21, 2014 on the North Bayshore Precise Plan Draft EIR (approved November 2014), states “the Habitat Agency agrees with the statement that the Habitat Plan funding strategy provides for the full and successful implementation of the Plan related to sensitive serpentine habitat and the Bay checkerspot butterfly and does not rely on contributions from cities outside of the Plan area.”

The current comment does not provide any suggestions as to what nitrogen deposition fees outside of the Habitat Plan area should be, how they should be calculated, which jurisdictions outside the plan area would be included, or any other specific mechanisms for implementing mitigation. Payment of fees without nexus to specific impacts would not constitute valid mitigation under CEQA. It is also unclear what the fees would be used for – whether to allow the Habitat Agency to buy more land than currently required or to manage land more intensively, for example? See also Response 11.4 below.

The Habitat Plan is both an HCP as well as an NCCP. In accordance with State requirements, NCCPs are required to not only mitigate for potential impacts, but must also contribute to the recovery of the species in the plan area. To achieve this standard, the conservation strategy included in the Habitat Plan exceeds project level mitigation requirements to offset planned growth and addresses existing baseline emissions already affecting. Therefore, the goals and objectives included in the Plan are over and above that needed to offset project related mitigation requirements, and the impact fees are not intended to fully fund all Habitat Plan activities.

Comment 11.4: Land management activities funded by the collection of nitrogen deposition fees include removal/treatment of invasive plant species, mowing and grazing of landscapes to slow the growth of invasive species and encourage native plant propagation and restoration activities. To arrive at a figure for the nitrogen deposition fee, the Habitat Plan first determined the combined effects of nitrogen deposition to land cover within the Habitat Plan area that would be generated by all sources. It then determined that, because only 50 percent of these impacts would result from projects within the Habitat Plan, a mitigation fee to fund management of the land impacted by nitrogen deposition should be established at 50 percent of the total cost of the management. This is because projects within the Habitat Plan cannot be expected to mitigate for impacts they are not directly responsible for, but are instead the effects of projects outside the Habitat Plan. Therefore, Santa Clara Valley projects that are outside the Habitat Plan collectively contribute to 50 percent of the impact, but provide no mandatory mitigation for these impacts.

Based on the analysis in the Habitat Plan EIR/EIS, the actual cost to mitigate the effects of nitrogen deposition on land within the Habitat Plan by all projects (within and outside the Habitat Plan) is known and quantified. The fee is clearly posted on the Habitat Agency website and provides a figure for new residential units or new average daily trips. Accordingly, if all new projects that are outside the Habitat Plan area, but are inside Santa Clara Valley paid the same fee that projects within the

Habitat Plan currently pay, then the unfunded 50 percent of land management costs required to fully mitigate the impacts of nitrogen deposition would become funded and appropriate mitigation for these impacts would be realized.

Response 11.4:

The Habitat Agency's comments on the amended Precise Plan are noted. Please refer to Responses 11.2 and 11.3, above. As stated in the comment letter, the Habitat Plan does not provide a mandatory mitigation program for projects and jurisdictions outside of the Habitat Plan's boundaries. There are no thresholds or guidelines adopted in the Habitat Plan to indicate how distant geographically or what size or type of project would theoretically be subject to a nitrogen deposition fee to mitigate effects within the Habitat Plan boundaries.

There is no way to distinguish the effects of nitrogen deposition derived from within the Habitat Plan and from outside (including from the Precise Plan), and the Habitat Plan conservation strategy was designed and is being implemented to offset the effects of nitrogen deposition affecting managed habitat within the Habitat Plan, regardless of the source. The comment has not indicated, nor does the Habitat Plan itself state the amount of habitat acreage to be managed or that the management strategy is related to the location source or amount of nitrogen deposition, i.e., Precise Plan or other external non-Habitat Plan emissions don't create the need to acquire more serpentine habitat acreage than already mandated by the Habitat Plan, nor employ more cows or other grazing techniques more intensively.

The Habitat Plan's Biological Opinion (pg. 81) notes that moderate levels of cattle grazing can effectively control non-native vegetation, which implies that regardless of the amount of nitrogen emitted by the North Bayshore Precise Plan, or elsewhere, within or outside the Habitat Plan, the moderate levels of grazing covered by the adopted funding strategy will be sufficient to mitigate for the cumulative effects of nitrogen deposition. The comment has not provided any indication that the additional emissions from the North Bayshore Precise Plan (or any other source) create the need for more intensive management activities by the Habitat Agency that add to its management costs, nor that the emissions increase the amount of acreage to be managed by the Habitat Plan. Rather, the foreseeable emissions through the 50-year Permit term were accounted for the Habitat Plan as initially adopted, both in terms of acreage and funding sources, therefore the North Bayshore Precise Plan creates no additional unanticipated burden for the Habitat Plan.

Therefore, the Draft SEIR appropriately notes that Mountain View, as the lead agency, can make the finding under CEQA Guidelines Section 150901(a)(2) that cumulative effects of nitrogen deposition, including the relatively small contribution from the Precise Plan, would be substantially

lessened by another public agency, namely the Habitat Agency, as evidenced by the Biological Opinion issued by the wildlife agencies.

Comment 11.5: Section 4.3.4.1 of the DEIR states that the Plan would result in a significant impact if the project would “conflict with the provisions of an adopted Habitat Conservation Plan”. This is a CEQA threshold of significance. If the DEIR is adopted as proposed, with merely the opportunity for a voluntary project-level contribution to the nitrogen deposition fund, a contribution that is not likely to manifest, the Habitat Agency would consider the DEIR to be in conflict with the provisions of the Habitat Plan. Indeed, to allow for the avoidance of payment of these fees should a project proponent elect to not pay them, would directly affect the Habitat Plan’s ability to appropriately mitigate the effects of nitrogen deposition that would be generated by the Plan.

Response 11.5: Please refer to Responses 11.2, 11.3, and 11.4 above. A conflict with an adopted Habitat Conservation Plan is difficult to justify if the project is not within the boundaries of an adopted HCP, or even adjacent to the boundaries of an adopted HCP. Projects within Mountain View are not required to pay fees to the adopted Habitat Plan, nor could they receive the benefit of take permits for development under the Habitat Plan.

As the lead agency, the City is obligated to identify baseline conditions without the project (i.e., Precise Plan), disclose the impact resulting from the project, in this case an acknowledged cumulative impact, determine whether the project’s contributions to the cumulative impact is considerable and, if so, identify feasible mitigation, when available. The Draft SEIR has done this by disclosing the regional cumulative nitrogen deposition impacts to serpentine habitat and covered species within the Habitat Plan, and considering the Precise Plan’s emissions in their proper context by describing the emissions resulting from within the Habitat Plan area, the remainder of Santa Clara County (which includes Mountain View and the Precise Plan), the Bay Area as a whole, and sources elsewhere in California and Nevada. On this basis, the Precise Plan’s emissions were determined to be less than cumulatively considerable, and regardless, the combined effects of the cumulative emissions are being addressed at a regional level by the Habitat Plan conservation strategy to acquire and manage habitat to offset the effects of nitrogen deposition, and the conservation strategy has taken into account nitrogen emissions that would be deposited, regardless of origin, over the Habitat Plan 50-year permit term.

Comment 11.6: The Habitat Agency recommends the DEIR to be revised, making the voluntary project-level contribution to nitrogen deposition a mandatory mitigation measure for the purpose of adequately addressing the project’s true cumulative impacts to nitrogen deposition in the Santa Clara Valley. As noted above, the fee is already established and would be adequate to reduce the cumulative effects of Plan implementation. The Habitat Agency would consider the project-level payment of fees as sufficient mitigation to reduce the Plan impacts to nitrogen deposition to a less than significant level. Alternatively, the DEIR should propose other mitigation to address the program-level cumulative nitrogen emissions.

Response 11.6: Please see Responses 11.2 through 11.5 above.

Comment 11.7: The DEIR conclusion that cumulative nitrogen emissions resulting from the Plan are less than significant is primarily based on a comparison of the scale of the Plan in respect to the remainder of the nitrogen sources in the area. However, this discussion avoids a deeper analysis of the Transportation Demand Management (TDM) program and whether or not it can realistically achieve the air emissions reductions necessary to ensure the impacts are less than significant. If the standards and guidelines identified in the TDM are not all enforceable, then potential air emissions, including airborne nitrogen, may actually be higher than predicted. What assurances can be made that the TDM program will result in lower nitrogen emissions as opposed to the emissions generated by a precise plan without such a program?

Response 11.7: The Habitat Agency's comments on the amended Precise Plan are noted. The North Bayshore Precise Plan's TDM and vehicle trip reduction programs can be considered aggressive compared to the greater Bay Area, and will continue to be monitored and enforced by the City. The City's goal in developing residential units in North Bayshore is partially to reduce vehicle trip lengths for employees working in the area and reduce overall VMT per service population. The City of Mountain View, as the lead agency, is responsible for the oversight and enforcement of the TDM program. The City will monitor results of the TDM program and will enforce the standards and guidelines through conditions of approval, as individual projects apply for development permits. The City of Mountain View has the ability to place conditions of approval on the project, as well as future projects with the Precise Plan, to provide annual monitoring and make adjustments to the TDM program over time to assure that the goals and objectives of the TDM are being met.

12.RESPONSE TO COMMENT LETTER 12 FROM THE SANTA CLARA VALLEY WATER DISTRICT, DATED APRIL 17, 2017.

Comment 12.1: The Santa Clara Valley Water District (District) staff reviewed the subject document received on March 2, 2017. The proposed Draft SEIR amends the P(39) North Bayshore Precise Plan to allow 9,850 residential units in addition to office and commercial uses within the project site bounded by the Shoreline at Mountain View Regional Park and the San Francisco Bay to the north, U.S. Highway 101 to the south, the City of Palo Alto to the west, and NASA/Ames Research Center to the east. The following are our comments:

The District has fee and easement right of way over the two District facilities, Permanente Creek and Stevens Creek located within the North Bayshore Precise Plan Area. In accordance with the District's Water Resources Protection Ordinance, any work within the District right of way (fee and easement) requires an encroachment permit. The last sentence on Page 121 incorrectly describes the role of the District; please revise to reflect the above statement.

Response 12.1: The comment is noted, and the SEIR has been revised. Please see the text revisions in Section 5.0 of this Final SEIR.

Comment 12.2: The SEIR includes a potential new bridge crossing(s) over Stevens Creek that would service vehicles, pedestrians, and bicycles. Efforts must be made to eliminate the bridge crossing(s) as they can adversely impact the District operations and maintenance of the creek, riparian corridor and fish and wildlife habitat. Detailed comments will be provided at such time when the project level EIR is developed and further details are provided.

Response 12.2: The comment is noted. The Water District will be informed of any further City activities or proposals that may affect Stevens Creek.

Comment 12.3:

Water Supply Comments

The SEIR states (p. 556): “Based on the City's 2015 UWMP and the project's estimated future water demand (2,518 AFY), water supply shortfalls can be expected in single dry years and multiple dry years. Single dry year shortfalls would be 11 to 18 percent from 2020 to 2040 and multiple dry year shortfalls would be 13 to 20 percent from 2020 to 2040.” It further states, “With the addition of future development projects as part of the amended North Bayshore Precise Plan, the City of Mountain View would have sufficient water supply for the proposed project in normal rainfall years. The City of Mountain View has considered potential water shortages in dry years, and has developed a water shortage contingency plan (WSCP) that provides measures to reduce demand to match available supply.”

Mandatory water use restrictions will likely have an environmental and economic cost to the community. Furthermore, the impact may be considered significant as it causes the whole community to make mandatory water use reductions because of increased growth in the North Bayshore area. Without the extra growth considered in this SEIR, the 2015 UWMP indicates shortages of up to only 4%, which would not result in mandatory actions or restrictions by the community. To meet the increased demand created by this project in dry years, the City’s WSCP would require mandatory water use restrictions on the whole community. District staff suggest that improved demand analysis that considers water use efficiency, combined with additional active water conservation programs, would considerably reduce shortages such that mandated restrictions may not be needed and the water supply impact can be avoided.

Response 12.3: For the purposes of the North Bayshore Precise Plan water supply assessment (WSA), both the improvements in water use efficiency and the responses to mandated restrictions are acknowledged, but not quantified. This approach reflects the unknowns about the specific water demands of future projects that may be developed under the North Bayshore Precise Plan. The City acknowledges that increased water efficiency results in demand hardening (i.e., when water conservation has already reduced demand, it is more difficult to further reduce demand); nonetheless, both approaches are described in the WSA, and both may be used by the City to address future potential shortages. The comment is acknowledged that the City, given its

demonstrated capability to conserve, may find value in the improved demand analysis suggested by the District, however, this change is beyond the scope of this WSA or SEIR.

Comment 12.4: The SEIR states the City has developed a water shortage contingency plan that provides measures to reduce demand to match available supply. However, if those measures do not reduce demand as expected, the City may rely more heavily on alternative sources, such as increased groundwater pumping. For instance, in 2014, Mountain View doubled its use of groundwater compared to 2013 (751 AF compared to 361 AF, which was more than the 20-year average of 563 AF). If significant and unanticipated groundwater pumping is used for a prolonged basis during multiple dry years, it could negatively affect groundwater conditions in the Santa Clara groundwater subbasin and prompt action under the district's water shortage contingency plan, which could include calls for water use restrictions throughout northern Santa Clara County. Again, increased focus on water use efficiency and proactive water conservation may help to avoid the need for mandated community restrictions during droughts.

Response 12.4: The City's Urban Water Management Plan (UWMP) does focus on water use efficiency and conservation. Please refer to Response 12.3.

Comment 12.5:

Appendix K - Water Supply Assessment (WSA) for North Bayshore Precise Plan March 2017

The District appreciates the City's desire to incorporate LEED and CALGreen requirements into the new building requirements for the North Bayshore project (project), and to utilize recycled water to reduce potable water demand. Water use efficiency and recycled water use are sustainable approaches and useful in all-weather years. These components are also major parts of the District's overall water supply reliability strategies. Additional water demand reductions could also be achieved if the highest level of LEED requirements or optional CALGreen requirements were required for the project. The highest level of efficiencies could be gained by also incorporating the requirements in the Draft Ordinance for Water Use Efficiency in New Developments and the Model Water Efficiency Landscape Ordinance (MWELo).

Response 12.5: The City looks forward to working with the District towards achieving higher water conservation goals.

Comment 12.6:

WSA Water Demand Comments

The WSA states that the increased project demand (total project demand minus existing project area demand) is 1,414 AFY. This is essentially the net increase in demand due to the project. However, in Tables 11-13, the total project demand is listed (2,518 AFY), not the net increase. Therefore, it appears the WSA is adding the total project demand (2,518 AFY), instead of the net project demand (1,414 AFY), to the total city demand. This may have resulted in an overestimation of the Total Demand in Tables 11-13.

Response 12.6: The comment is acknowledged. Tables 11-13 in Appendix K of the Draft SEIR have been revised to show the net project demand, 1,414 acre-feet per

year (AFY), instead of the total project demand (2,518 AFY) (refer to the revised WSA attached to this Final SEIR as Appendix E). It should be noted that some amount of the 1,414 AFY project water demand, up to 340 AFY for the office component, was part of the 2014 approved North Bayshore Precise Plan and, therefore, was included in the base demand of General Plan buildout included in the 2015 UWMP. For this reason, the WSA is very conservative in its estimation of project water demand.

Comment 12.7: Page 15 of the WSA refers to an additional demand beyond the City's 2015 Urban Water Management Plan (UWMP) and the beyond the WSA North Bayshore revised demand. It states that Table 14 represents projects identified in August 2016 that were not considered in the 2015 UWMP and are in addition to North Bayshore demands. This additional demand is 1,670 AFY. When added to the increase in project demand, the demand is 3,084 AFY above the 2015 UWMP base scenario.

Please clarify whether this added demand is inclusive of, or in addition to, projected growth rates already assumed by the UWMP or in the regional projections used in the UWMP demand. If this added demand is above the growth assumptions in the UWMP, it may be appropriate to consider this additional growth in the cumulative impact analyses in the EIR Section 4.15.4.1. It would also be appropriate for the WSA supply and demand analysis to consider that the North Bayshore project demands are in addition to the 2015 demand assumptions and the additional demand in Table 14. Tables 11- 13 documenting the supply and demand analysis did not include this additional demand.

Response 12.7: The demand for the projects summarized on Table 14 of the WSA (Appendix E of this FEIR) are from all current pending projects, many of which are included in the City's 2015 Urban Water Management Plan (UWMP). Some projects, however, may be considered to be part of the higher growth alternative demand. This is a conservative estimate because it does not account for replacement of existing water demands.

Comment 12.8: The WSA and EIR make multiple statements or conclusions regarding additional active water conservation and water use efficiencies that would reduce the project demand and total demand. Since the additional demand of the project results in considerable dry year water supply shortages, District staff recommends that the demand analyses use reasonable estimates of efficiencies that are expected. Conducting this analysis could show that the costs and benefits of active water conservation programs may outweigh the costs and impacts from mandatory water use restrictions.

Response 12.8: The District's suggestions for further analysis of water conservation programs is appreciated; however this analysis is beyond the scope of the project WSA and SEIR. Conservation savings from cost-effective programs were studied and quantified in the 2015 UWMP, however for conservative planning purposes the savings were not subtracted from the City's demand projections because funding for these programs has not yet been committed.

Comment 12.9:

Supply Reliability Comments

The following District comments are intended to provide suggestions that could be helpful in clarifying or documenting available reliable water supplies for the project.

The WSA (page 15) states that "...additional water demand (3,084 AFY) can be compared to the 'higher-growth' alternative water demand planned to 2040, which is 17,442 AFY." It should be noted that this growth scenario would result in up to 26 percent supply shortages in some dry years. This comparison appears to infer that since it was considered in the 2015 UWMP, that it meets the intent of the WSA. Due to the significant shortage projected, and because it was not the proposed demand in the 2015 UWMP, the comparison may be misleading.

Thank you for the opportunity to review the subject document and I look forward to receiving a copy of the Final SEIR and a response to our comments. Please contact me either by phone at (408) 630-2731 or by email at uchatwani@valleywater.org with any further questions.

Response 12.9: The revised Tables 11-13 in the WSA in Appendix E (refer to Response 12.6 above) shows that single dry years would result in shortages up to 11 percent and multiple dry years would result in shortages up to 13 percent. The UWMP recognizes a "higher growth" alternative, which includes the North Bayshore Precise Plan area's residential expansion. The UWMP General Plan buildout demand does not account for the North Bayshore Precise Plan's water demand, which is why the WSA assumes the project's water demand is added to the UWMP water demand. The North Bayshore Precise Plan's water demand can be compared to the higher growth alternative in the WSA. This comparison shows the proposed projects have not outpaced the City's UWMP estimates for future water demand and supply.

As described previously, the project's WSA is conservative, because some amount of the 1,414 AFY project water demand, up to 340 AFY for the office component, was part of the 2014 approved North Bayshore Precise Plan and, therefore, was included in the base demand of General Plan buildout included in the 2015 UWMP, and all Table 14 projects that are consistent with the General Plan would have been included in the base water demand of General Plan buildout included in the 2015 UWMP.

13. RESPONSE TO COMMENT LETTER 13 FROM THE SANTA CLARA VALLEY TRANSPORTATION AUTHORITY, DATED APRIL 17, 2017.

Comment 13.1: Santa Clara Valley Transportation Authority (VTA) staff have reviewed the Draft SEIR for the addition of up to 9,850 multi-family residential units in the North Bayshore Precise Plan area, and the potential addition of up to two bridge connections across the Stevens Creek. We have the following comments.

Land Use

VTA continues to support the proposed land use intensification and mix of uses in this area. While not in an established core or station area, the development of high density residential in this area which has been historically dominated by employment uses will help balance out the mix of land uses and create opportunities for employees to live closer to work. This could lead to a reduction in automobile trips and vehicle miles traveled (VMT) within North Bayshore, on a per-capita or per-service population basis. The creation of a mixed-use district within the North Bayshore Precise Plan (NBPP) area will allow many residents to fulfill their daily needs without having to access services or jobs at other locations in the City or beyond.

Response 13.1: The comment on the amended North Bayshore Precise Plan is noted.

Comment 13.2: VTA supports the City's overall efforts to achieve a better balance of jobs and housing within the North Bayshore area, while acknowledging that the proposed Project would cause impacts on the gateways into North Bayshore and would also negatively impact transit travel times. Considering these factors, VTA encourages the City to fully explore the Increased Gateway Capacity alternative (Section 1.4.3) which would allow the targeted 9,850 residential units but lessen the burden on the existing gateways by creating new gateway capacity - such as new bridge crossing(s) over the Stevens Creek. VTA also supports further consideration of the Reduced Residential Alternative (Section 1.4.2) to identify whether the number of residential units that fit within the gateway capacity could be increased beyond 3,000 through the addition of more aggressive parking policies (e.g., parking maximums) and other TDM policies.

Response 13.2: The VTA's comments on the Project Alternatives are noted.

Comment 13.3:

Roadway Connectivity / Stevens Creek Bridges

The DSEIR includes program-level review of a potential new bridge crossing(s) over Stevens Creek at either La Avenida Avenue or Charleston Road that could prioritize auto travel over other modes. The analysis presented in the DSEIR (p. 494) states that options for the Stevens Creek Bridge were presented in a separate memo, dated March 18, 2016. The information provided by the TIA as a general guide to discuss the impacts of both potential locations (p. 494) is not detailed enough to analyze whether the crossing(s) would result in increases or decreases to automobile congestion, VMT, transit/shuttle travel times and alternative mode shares. VTA encourages the City to include a policy in the updated NBPP supporting a new bridge crossing over Stevens Creek into North Bayshore. VTA also recommends that the City begin further analysis to fully assess the effects of a Stevens Creek Bridge connection. This analysis should include the effects on all modes of travel (including single-occupancy vehicles as well as alternative modes).

Response 13.3: The VTA's comments on a policy supporting a new bridge crossing over Stevens Creek are acknowledged. A Precise Plan action item for a Stevens Creek bridge feasibility study is proposed. If a new bridge or bridges are proposed following the North Bayshore Precise Plan process, further environmental review will be required to analyze the impacts of the proposed bridge design. This analysis would include a transportation analysis that

would discuss the bridge's effect on all modes of travel. This analysis would consider all modes with potential restrictions applied to achieve the goals of the North Bayshore Precise Plan. The City will work closely with the VTA and other stakeholders as the Stevens Creek bridge crossing is being evaluated.

Comment 13.4: VTA is currently working with Google on the North Bayshore Transportation Study, which will likely include recommendations to further study a new bridge crossing of Stevens Creek at Charleston Road for private vehicle and/or mass transit. VTA suggests additional coordination between City and VTA staff regarding a potential Stevens Creek crossing. We look forward working with City staff to share the conclusions of VTA's study and coordinating on the additional analysis to assess effects of the potential crossing.

Response 13.4: The VTA's comments are acknowledged, and the City looks forward to continuing to coordinate with the VTA and other stakeholders. Please refer to Response 13.3.

Comment 13.5:

Congestion Analysis on Transit Travel Times

VTA commends the City for including analysis of congestion impacts on transit operations in the DSEIR. The DSEIR identified significant and unavoidable impacts to transit operations. VTA notes that the current NBPP policies encourage alternate modes of transportation to decrease dependence on motor vehicles. The existing NBPP also includes many infrastructure improvements to accommodate transit vehicles. VTA notes that the DSEIR projects an anticipated increase of up to 2,400 to 2,800 transit riders and projects that 45 to 75 transit vehicles would be needed to accommodate this growth (Appendix J TIA, pp. x-xi). VTA requests further clarification on the City's expectation for how this increase in transit service would be accommodated - i.e., would this be mainly corporate shuttles, TMA-operated shuttles, or VTA buses, and in what proportions?

Response 13.5: The amended North Bayshore Precise plan would add between 2,400 and 2,800 total (inbound and outbound) peak hour transit riders compared to existing conditions (page 171 of the North Bayshore Precise Plan TIA). It is presumed that most of these new riders would be served by commuter shuttles, whether provided directly by employers or by the TMA; currently, corporate shuttles carry more than 95 percent of the peak hour transit ridership in North Bayshore (North Bayshore Area Trip Monitoring, April 2016, page 22). The proportion of transit riders using public services (such as VTA buses and MVGo), which is currently very low, may increase over time as more efficient transit connections are created. However, it is likely that commuter shuttles will continue to carry most of North Bayshore's transit riders.

Comment 13.6: VTA notes that the recommended draft Next Network service plan currently being considered by VTA Board Committees includes new direct VTA bus service between North Bayshore and the Mountain View Transit Center, at a 30-minute frequency on weekdays. Any

increase in service beyond this draft proposal would need to be considered within the framework of VTA's Board-adopted Transit Sustainability Policy/Service Design Guidelines. VTA looks forward to working with the City to address the anticipated increase of transit riders and working with the City to help implement the transit measures in the NBPP.

Response 13.6: The modified bus transit route described by the commenter from North Bayshore to downtown is one of the many components needed to achieve the reduced vehicle trip goal in North Bayshore. The City will work with the VTA to continue to address the evolving transportation needs of the Mountain View community.

Comment 13.7:

Transportation Demand Management / Trip Reduction

VTA again recommends that residential developments in North Bayshore be required to join the Mountain View Transportation Management Association (TMA) to coordinate TDM strategies with other developments and employers in the area. VTA seeks additional clarification of whether residential developments will be required to participate in the TMA. VTA also supports efforts by the City to incentivize the development of retail and services in North Bayshore, and to reduce school-related auto trips into and out of North Bayshore.

Response 13.7: Similar to the current office uses in North Bayshore, residential property owners will participate in the Transportation Management Association (TMA), which works with its members to reduce vehicle trip generation through transportation demand management strategies. As with Employer TDM programs to reduce office vehicle trips, the residential developments will be required to develop and implement a TDM Plan that may include the items listed by the commenter, among others. The effectiveness of the TDM Plan will be monitored on a regular basis with adjustments to the plan made as needed. A phased penalty structure will be evaluated for the residential TDM Plans that do not achieve specific trip rates.

Comment 13.8:

Additional effective TDM programs that may be applicable to the project include:

- * Elimination of parking minimums, and implementation of parking maximums
- * Unbundling of parking costs from residential rents/costs
- * Public-private partnerships or developer contributions to improved transit service to the area (for example, to extend the hours and coverage of the MVgo shuttles or VTA connections to Caltrain and light rail)
- * Transit fare incentives such as free or discounted transit passes, or Clipper Cash
- * Bicycle lockers and bicycle racks
- * Parking for car-sharing vehicles

Response 13.8: Please refer to Response 13.7

Comment 13.9: The DSEIR also documents a Mixed-Use Reduction of trip generation (Appendix J, TIA, p. vii). It notes that the adopted NBPP documents a 9% reduction (approximately 1,680 trips) in the morning peak while the proposed NBPP with Residential scenario proposed in the DSEIR doubles to about 18% (from 1,680 trips to 4,440 trips.) These estimates³ are based on local trip generation surveys in North Bayshore, from several other developments in Silicon Valley, and the California Household Travel Survey. VTA commends the City for thoroughly documenting justification the proposed trip reductions in Appendix J, including providing cases that represent local context as presented in the Mixed-Use Reduction analysis. This approach is consistent with the Peer/Study-Based Trip Reduction approach outlined in Section 8.2.3 of VTA’s Transportation Impact Analysis (TIA) Guidelines.

VTA notes that the Peer/Study-Based Trip Reduction approach, which is one of the three accepted approaches to documenting auto trip reductions in a TIA report for Congestion Management Program (CMP) purposes, also requires the Lead Agency to commit to periodic monitoring of trip generation as well as to commit to sharing summary level monitoring data with VTA. While VTA is aware of the monitoring framework for the trip cap across the gateways in the current NBPP, it is unclear from our review of the DSEIR whether the City is committing to monitoring trip generation from the residential developments in North Bayshore. VTA requests clarification of the City’s monitoring and data sharing approach.

Response 13.9: The City is committing to monitoring the trip generation of residential developments; this may include driveway counts, residential travel surveys, parking occupancy surveys, or other techniques. Like the office development, a separate TDM Plan will be prepared with more detailed guidance for residential land owners. Please see Response 13.7 for more detail regarding the residential TDM requirements.

Comment 13.10:

Freeway Impacts and Mitigation Measures

The SDIER identifies significant impacts to 74 freeway segments in the AM peak hour and 85 freeway segments in the PM peak hours under Existing with Project Conditions (p. 69). Freeway segments of SR 85, SR 237, I-880, US 101, I-280, SR 17 and SR87 were all analyzed for the purposes of this study. The SDIER states that the implementation of the “project would result in significant impacts to freeway segments” (p. 493) and notes that a “fair share contribution toward freeway improvement costs could be considered as a mitigation measure.”

Additional mitigation measures proposed in the DSEIR include significant efforts to reduce single occupant vehicle trips by implementing a comprehensive Transportation Demand Management (TDM) Program, a morning period trip cap and potential TDM measures in VTA’s Immediate Implementation Action List. VTA recommends updating the reference to this list in the Final DSEIR and replacing it with items listed in VTA’s TIA Guidelines Appendix J “CMP Multimodal Improvement Plan Action List”.

³ Memo dated February 8, 2017, *North Bayshore Precise Plan with Residential – Project Trip Generations Estimates*, page 1468, Appendix J.

Response 13.10: Please see the text revisions in Section 5.0 of this Final SEIR, and the revised TIA in Appendix D.

Comment 13.11: While VTA recommends implementing additional the strategies outlined above (TDM/Trip Reduction and multimodal measures), these stated measures alone will not reduce freeway impacts to a less than significant level. VTA reiterates that certain cities in Santa Clara County have identified contributions to regional transportation improvements as mitigation measures for development that causes significant freeway impacts. Referred to in the SDIER as a “fair share contribution,” VTA again recommends that the City include voluntary contributions to projects in VTP 2040 as a mitigation measure in the DSEIR. Projects in the VTP that provide congestion relief and additional transportation options along the impacted corridors, identifies freeway express lanes (VTA VTP 2040 Project #H1, H2, H3, and H5), and freeway auxiliary lane projects.

Response 13.11: A regional transportation impact fee program does not exist under which new projects that are consistent with the City of Mountain View General Plan or elsewhere in the region could make contributions. The Valley Transportation Authority is the responsible agency for planning and implementing improvements on freeways in Santa Clara County. In the event a regional transportation impact fee were established, projects that are consistent with the Mountain View 2030 General Plan may be required to pay the fee to offset the incremental increase in traffic on freeways during a development approval process.

Comment 13.12:

CMP Facilities and Analysis

The DSEIR indicates significant impacts to 18 intersections (p. 471), however it is not documented which of these intersections are CMP intersections. VTA requests that table 4.14-12 in the Final DSEIR clarify which intersections are CMP facilities.

Response 13.12: Please see the text revisions in Section 5.0 of this Final SEIR, and the revised TIA in Appendix D.

Comment 13.13: VTA also notes that the City of Mountain View is in the process of preparing a city-wide Multimodal Improvement Plan (previously “Deficiency Plan”) to help address the anticipated congestion impacts to CMP roadway facilities associated with the Mountain View 2030 General Plan and the current North Bayshore Precise Plan. The California CMP legislation requires Member Agencies to prepare Deficiency Plans/Multimodal Improvement Plans for CMP facilities located within their jurisdictions that exceed, or are expected to exceed in the future, the CMP traffic LOS standard. The preparation of a Multimodal Improvement Plan can be an opportunity to implement multimodal (non-automotive) transportation improvements as offsetting measures, when mitigations to meet the LOS standard are either infeasible or undesirable. VTA encourages the City to continue to pursue aggressive TDM and multimodal measures through the MIP process. VTA also recommends that the City consider how the proposed NBPP amendments would be addressed within the MIP framework. VTA staff would be happy to discuss these matters with City staff.

Thank you for the opportunity to review this project. If you have any questions, please call me at (408) 321-5949.

Response 13.13: The monitoring program conducted by the City of Mountain View is focused on collecting traffic data at the three North Bayshore gateways, because those are the locations where trip caps have been defined (see also Response 6.7 for more information).

14. RESPONSE TO COMMENT LETTER 14 FROM SERGE BONTE, DATED APRIL 16, 2017.

Comment 14.1: I wanted to provide public comments on the Draft SEIR (residential addition to North Bayshore Precise Plan) and in particular to the impact on schools (4.13.3.4)

The following figure shows that the impact on our local school districts (Mountain View Whisman and MVLA High School Districts) will be very significant.

| Table 4.13-3: Student Generation Rates | | | |
|---|--|--|-----|
| Type of School | Student Generation Rates (Multi-Family) | Estimated Number of Students from Project¹ | |
| Elementary School Students | 0.1 | 985 | |
| Middle School Students | 0.04 | 394 | |
| High School Students ² Standard Units (80%/100%) | 0.046 | 363 | 453 |
| High School Students ² Affordable Units (20%/0%) | 0.378 | 745 | 0 |
| ¹ Based on 9,850 multi-family units. | | | |
| ² Range of potential affordable units, from 0% up to 20% of 9,850 units. | | | |

The EIR concludes that because of school impact fees paid by residential developments (as explained in section 4.13.1.1 School Impact Fees California Government Code Section 65995-65998), there will be a less than significant impact to schools.

I would like to dispute that conclusion:

- While it is true that school impact fees would be paid, there is no discussion of their adequacy. School Districts are severely limited by the State in setting these fees. In practice, these fees are barely sufficient to add portables to existing school sites, not to expand common services (library, multi-activities room, playground...) at an existing site, let alone procuring new school sites (as would likely be required by adding over a couple thousands students). At a minimum, the EIR should provide a matrix comparing projected impact fees and what a school district could build with these fees. If as expected the impact fees come up

short, the EIR should contemplate other mitigation measures (school site dedication/carve-out, Transfer of Development Rights for school, public benefits...)

- The EIR also ignores the costs associated with running our schools. It is clear that education a few thousands more students will increase the personnel costs for our school districts. Because both our school districts are “basic aid,” most of their revenue comes from local property taxes. Usually, property taxes increase with new development and that increase could cover the costs associated with additional students. However, the EIR ignores the fact that North Bayshore is a special tax district where property tax increments are captured and don’t flow to the districts. Thus, the increase in cost (more students) will not be compensated by an increase in revenue (property tax increment captured by the North Bayshore district). The EIR should identify that unique impact and propose an appropriate mitigation (disband the tax district, revisit the sharing formula, let school money follow to the schools...).

Response 14.1: Neither financial impact analysis nor an impact fee adequacy analysis on schools due to buildout of amended North Bayshore Precise Plan is required under CEQA. Based on Section 15002 in the CEQA Guidelines, the purposes of CEQA are to inform governmental decision makers and the public about potential, significant *environmental* effects of a project and to identify ways that environmental damage can be avoided or significantly reduced. The statutory impact fees will be paid by the applicant for each project, as discussed in *Section 4.13.3.4, School Impacts* of the Draft Subsequent EIR. The state impact fee is the legally mandated and accepted mitigation to provide the school district with funding for additional school facilities to accommodate increased enrollment from new development.

15. RESPONSE TO COMMENT LETTER 15 FROM THE MOUNTAIN VIEW COALITION FOR SUSTAINABLE PLANNING, DATED APRIL 17, 2017.

Comment 15.1: Below are the formal comments from the Mountain View Coalition for Sustainable Planning (MVCSP) on the *North Bayshore Precise Plan, Draft Subsequent Environmental Impact Report* (2017 NBPP DSEIR). The members of MVCSP would again like to thank you for setting up the April 7, 2017 meeting with representatives from Fehr & Peers, Nelson/Nygaard, David J. Powers, and MVCSP members that provided important dialogue and clarification of potential questions and comments that we had on the 2017 NBPP DSEIR. The meeting has enabled us to provide more informed comments on the 2017 NBPP DSEIR as presented below.

We would also like to thank the City of Mountain View and its consultants for the extraordinary analysis and sensitivity testing for trip generation and household characteristics conducted for the Transportation Impact Analysis. Such detailed sensitivity testing provides the basis for informed public discussion on many of the findings of the 2017 NBPP DSEIR.

As a broad introduction to this comment letter, MVCSP members have been involved with the redevelopment of North Bayshore for almost nine years now. We were involved in public outreach efforts in the 2008 Environmental Sustainability Task Force, 2012 General Plan, 2014 North Bayshore Precise Plan (2014 NBPP), and the Draft 2016 North Bayshore Precise Plan (2016 Draft

NBPP). In general, MVCSP is extremely supportive of the 2016 Draft NBPP -- it provides a vision to transform a traditional auto-centric suburban business park into a vibrant mixed-use major activity center in the heart of Silicon Valley, with a robust mix of uses, including office, market-rate and affordable residential, and retail. It includes a new mobility paradigm that encourages walking, biking, and public and private transit, and discourages the use of single-occupant private automobiles (SOV) whenever feasible. MVCSP feels that the policies and standards in the 2016 Draft NBPP are very forward-thinking and innovative, and they provide the public policy framework to achieve the vision that we have been advocating for these last nine years.

We would like responses to our following comments in the Final EIR.

Response 15.1: The comments on the amended North Bayshore Precise Plan are acknowledged. As this comment does not raise any issues or questions related to the content of the EIR, no further response is required.

Comment 15.2:

1. There is a need for an easy-to-read general public summary of the 2017 NBPP DSEIR.

The 2017 NBPP DSEIR is very voluminous by any standard with about 2,500 pages in just the main body of the DSEIR and Appendix J alone. The details of the transportation analysis are extremely complex and technical, and these cannot be easily understood by even the most informed members of MVCSP. It is virtually impossible for the community at large to engage with the City on such a document. There is a need for a summary that the general public can read that provides a short digest on the background, methodology, key assumptions, key findings, and the sensitivity of the key assumptions that a layperson can easily understand.

There were a number of important decisions made on assumptions driving key findings of the 2017 NBPP DSEIR that are opaque to concerned community members. For instance, the community deserves an explanation about why the standard 1.2 parking spaces per residential unit was chosen for the proposed project when the 2016 Draft NBPP has a blended parking rate standard of approximately 0.6 parking spaces per unit (about half of what is included in the analysis). Another important assumption is that 27% of North Bayshore residents will live and work in North Bayshore. The general public summary should explain the importance of the key assumptions, the rationale for the assumptions, and the sensitivity of the assumptions relative to outcome and the key finding of the analysis. (We address our concerns around both of these assumptions in separate comments below.)

Response 15.2: The comments requesting a summary are noted. A brief overview of the Draft SEIR has been provided in Appendix F of this Final SEIR, and a staff report from the April 25, 2017 Mountain View City Council meeting is also attached as Appendix G. This staff report includes background on the TIA assumptions. Please also refer to Section 1.0, Executive Summary of the Draft SEIR and the Executive Summary in the TIA.

Comment 15.3:

2. There needs to be more treatment and analysis of SB 743 and the implications on the outcome of the EIR findings and conclusions.

On page 453 of the EIR, there is a very brief explanatory note on SB 743. When fully implemented, SB 743 means vehicle level of service (LOS) will no longer be used as a determinant of significant impacts, and an analysis of vehicle miles traveled (VMT) will be required instead. It is our understanding that the City of Mountain View is waiting for the final guidance from the California Office of Planning and Research (OPR) before utilizing VMT as a determinant of significant impacts, even though other nearby cities are already using VMT as the standard for significant impacts. And critically, Mountain View's own 2012 General Plan utilized VMT comparisons for different alternatives in the EIR. Using LOS in this analysis is discordant with the general plan vision for the future of our city and mismatched with the upcoming laws of our state.

Response 15.3: Please refer to Response 3.3, above.

Comment 15.4: The community needs to know: if the analysis had utilized VMT as the determinant of significant impacts, how would the major conclusions of the NBPP EIR potentially change, including the environmentally preferred alternative? At a minimum, could you provide a comparison of the VMT change of the Proposed Project compared to the 2014 NBPP as well as the final alternatives selected for Final EIR analysis? If there were 9,850 housing units built in North Bayshore, some percentage of existing employees would move from outside of North Bayshore into North Bayshore. It is true that other residents would live in North Bayshore and commute out of North Bayshore, but the VMT per employee may be lower due to increased access to jobs and shorter commutes. The analysis needs to capture these benefits of the new internal trips and the shorter commute trips and therefore less total VMT.

Response 15.4: Please refer to Response 3.3 -- information about the project's VMT effects has now been added as an appendix (Appendix K) to the transportation impact analysis (Appendix D of this Final SEIR).

The results show the addition of the project increases total VMT for all geographies analyzed, but decreases VMT per service population. These results support the concept that providing housing near jobs increases the likelihood that trips can remain within a local area, thus shortening travel distances and increasing residents' ability to accomplish some travel needs by walking, cycling, or using short-distance transit.

Comment 15.5:

3. The standard parking ratio of 1.2 parking spaces per unit is too high, as the 2016 Draft NBPP parking maximums average about 0.6 parking spaces per unit. We believe that the Proposed Project should be consistent with the average parking maximums in the 2016 Draft NBPP.

The standard parking of 1.2 parking spaces per unit is not reflective of the new mobility paradigm for North Bayshore that envisions car-light, walkable, and bikeable complete neighborhoods. We request that the Proposed Project reflect the mix of units in the 2016 Draft NBPP and parking maximums in the 2016 NBPP (since they were known as of November 2016), which is an average of 0.6 parking spaces per residential unit.

For residential uses, the parking ratio maximums on page 185 of the 2016 Draft NBPP range are:

- 1.0 spaces per unit for three bedroom units
- 1.0 spaces per unit for two bedroom units
- 0.5 spaces per unit for one bedroom units
- 0.25 spaces per unit for a micro-unit up to 450 square feet

The 2016 NBPP has a housing unit mix goal of 40% micro-units/studios, 30% 1-bedroom units, 20% 2-bedroom units, and 10% 3-bedroom units. According to our understanding of the discussion at the April 7 meeting, the blended rate is approximately 0.6 parking spaces per unit.

The 2017 NBPP DSEIR has a standard parking rate of 1.2 spaces per unit (standard parking rate). According to the April 7 meeting, the standard parking rate was selected to be conservative and because the 2016 NBPP parking standards were not known when the EIR analysis commenced. But they are known now.

Response 15.5: Please refer to Response 7.20.

Comment 15.6: The Fehr & Peers sensitivity analysis in Appendix J’s Transportation Impact Analysis clearly shows the importance of smaller residential units and reduced parking on the trip generation rates. When applied to the transportation model, they could improve the level of service at key intersections, reducing the number traffic related unavoidable significant impacts.

Appendix J has a series of tables on trip generation from Table 6A to Table 9B that provide excellent sensitivity analysis on the importance of smaller units and reduced parking. These tables also highlight the mixed-use reduction of person trips with smaller residential units and reduced parking. For example, for 3,000 housing units, with smaller residential units and reduced parking, there is a 22.8% mixed-use reduction in person trips during the AM peak hour and a 20.9% mixed reduction in PM peak hours compared to existing office-only development. It is not known from the 2017 NBPP DSEIR what the person trip reduction would be *if* the 2016 Draft NBPP blended parking spaces per unit of 0.6 parking spaces per unit were applied for all 9,850 residential units.

Response 15.6: The information that the commenter requests is included in Table 8A of the trip generation memorandum (Appendix G of the TIA), under the scenario called “North Bayshore Precise Plan with Smaller Residential Units and Reduced Parking.” The person trip reduction is 25.0 percent in the AM peak hour and 22.2 percent in the PM peak hour.

Comment 15.7:

4. The assumed mode share of North Bayshore for residents leaving North Bayshore is 77% single occupant vehicles. We request that the Proposed Project include a goal of approximately 60% SOV for residential trips leaving North Bayshore, and that this be incorporated in the transportation modelling for the Proposed Project.

Of the 73% of future North Bayshore residents who are presumed to work outside of North Bayshore, it is assumed that 77% of the residents commuting to jobs outside North Bayshore will drive alone, a very similar figure to the existing average for all Mountain View residents today. This figure is not reflective of the 2016 Draft NBPP vision of a car-light environment, nor does it reflect mode shift potential to transit, bicycling, and walking by residents based on the proposed significant transit and active transportation investments planned for North Bayshore.

The vision for the 2016 Draft NBPP is to have less driving and more alternative transportation use by both residents and employees of North Bayshore. To this end, the 2016 Draft NBPP requires a 45% single occupant vehicle (SOV) goal, and this is captured in the transportation modelling. There are requirements for aggressive residential TDM that would have a goal of substantially less SOV use than the average residential commuter in Mountain View. While no goal for residential SOV use has been established for resident commuting outside of North Bayshore, the North Bayshore vision assumes less driving, and this should be reflected in this key assumption for the Proposed Project.

From the April 7th discussion, we were told that many of the transit improvements being designed or proposed were included in the EIR analysis. However, we are unsure if this includes some or all of: the electrification of Caltrain, reversible dedicated bus lane on Shoreline, light rail extension to North Bayshore, and Automated Guideway system between Caltrain and North Bayshore. This will provide significant public transportation alternatives for North Bayshore residents. *Please specifically document what transportation improvements are included in the transportation modelling.*

Response 15.7: The commenter is citing the 77 percent single-occupancy vehicle (SOV) mode share for daily external residential traffic under the North Bayshore Precise Plan with Smaller Residential Units and Standard Parking scenario used in the transportation analysis. Across the day, residents travel for work, school, entertainment, shopping and recreational activities, which in this suburban neighborhood context the vehicle trips are dispersed throughout Mountain View and nearby cities. Some of these activities are accessible by existing and planned transit, but many of them are not. Thus, the daily SOV mode share for external residential trips takes into account the suburban neighborhood context with dispersed neighborhood destinations.

Regarding the request to document what transportation improvements are included in the transportation modelling, as described in the TIA (pages 80 and 81), the future roadway network was developed based on planned and funded improvements identified in the financially-constrained roadway improvement project list from the *Valley Transportation Plan (VTP) 2040*

published by the VTA (October 2014), and the City's 2030 General Plan - Circulation Chapter.

The regional roadway improvements within Mountain View that were assumed to occur by 2030 are summarized below (with VTP 2040 project numbers in parentheses).

- SR 237 HOV/Express Lanes: Mathilda Ave to SR 85 (H5)*
- SR 85 Northbound to Eastbound SR 237 Connector Ramp and Northbound SR 85 Auxiliary Lane including braided SR 237 eastbound off-ramp between SR 85 and Dana Street (H21)*
- SR 237 Westbound On-Ramp at Middlefield Road (H32)*
- US 101 Southbound Improvements from San Antonio Road to Charleston/Rengstorff Avenue (H42)*
- SR 237 Eastbound Auxiliary Lanes: Mathilda Avenue to Fair Oaks Avenue (H47)*
- Southbound US 101 Auxiliary lanes between Ellis Street and SR 237 (H49)*

* Denotes Congestion Management Program (CMP) facility.

In addition, to accommodate the potential land use growth, increased usage of transit and active modes of travel, and improve local vehicle circulation, the following priority infrastructure improvements from the North Bayshore Precise Plan were included in the TIA (pages 3 and 4):

- Charleston Road Transit Boulevard: Convert outside curb lanes of Charleston Road between Amphitheatre Parkway and Shoreline Boulevard to transit-only lanes (Precise Plan Improvement Project T-3).
- New north/south street east of Shoreline Boulevard: Construct a new north/south local two-lane street between La Avenida and Charleston Road (Precise Plan Improvement Project T-10).
- Amphitheatre Parkway is widened from a three-lane street (one eastbound lane and two westbound lanes) between Permanente Creek bridge and Shoreline Boulevard to a four-lane street (two lanes in each direction) (Precise Plan Improvement Project T-14).
- Multi-use path over US 101 between Terra Bella Avenue and Plymouth Street (Precise Plan Improvement Project T-8).
- Frontage road along US 101 between Alta Avenue and the Shoreline Commons site (Precise Plan Improvement Project T-11).

The amended North Bayshore Precise Plan includes further detail and prioritization of additional infrastructure improvements throughout the North Bayshore area, such as the US 101 Northbound Ramp re-alignment with La Avenida Avenue, cycle tracks along Shoreline Boulevard, Charleston Road, Garcia Avenue and other local streets, additional local street connections, and

an enhanced transit connection at or near the Shoreline Boulevard and US 101 interchange.

The intersection forecasting and impact analysis described in the TIA is based on the sub-set of North Bayshore priority transportation improvements that City staff consider reasonably foreseeable and within the City's control to implement. The remaining North Bayshore Precise Plan priority transportation improvements (such as the US 101 Northbound Ramp realignment with La Avenida Avenue) and the Shoreline Corridor Improvements (such as the enhanced Shoreline Boulevard bus lane) require further multimodal operations analysis to refine the project description, and interagency and developer cooperation to design and construct. For these reasons, the other priority transportation improvements are less certain and have been discussed as mitigation.

Finally, the transportation analysis includes the VTA light rail system, Caltrain electrification, the MVGo system, the ACE shuttle system, and the employer shuttle system. The transportation analysis does not include any transit technology that requires substantial planning and funding to construct, such as the automated guideway transit or VTA LRT extension into North Bayshore via NASA Ames.

Comment 15.8: For the office commute trips, the achievement and sustainability of the 45% SOV goal is very dependent on the existing private transit network provided in North Bayshore. This network will very likely be available for residents commuting out of North Bayshore as well as office commuters into North Bayshore. If not, this could be an important mitigation measure. We are assuming that currently the 2017 NB DSEIR does not reflect the availability of private transit leaving North Bayshore. We are requesting that both the substantial investment in private and public transportation be considered for the mode share assumption for North Bayshore residential work trips outside of North Bayshore in the transportation modelling.

Response 15.8: Many of the employer shuttles in North Bayshore are available to employees, contract workers of various services, and even residents of Mountain View in some cases. The structure of these commuter shuttle programs is constantly changing to maximize usage and travel choice. Also, the Mountain View Transportation Management Association, employers, and the City of Mountain View are constantly monitoring and adjusting the employer commuter shuttle and other transit services to meet the needs of North Bayshore employees, and this focus on providing transportation solutions will continue with the addition of residential uses in North Bayshore.

Comment 15.9: We are therefore requesting that at least a 60% SOV goal (or a goal adopted by the City Council) for residential driving be utilized in transportation modelling for residential commute trips leaving North Bayshore as part of the Proposed Project. This is a reasonable assumption reflective of the vision for the North Bayshore.

Response 15.9: The City of Mountain View will develop a residential trip performance standard as a Precise Plan action item, which will be determined based on available data and the Plan's policies. This performance standard may be expressed as a mode share target, or could be applied as a target for number of vehicles at the driveways.

Comment 15.10:

5. Increase the internalization rate for trips within North Bayshore from 27% to at least 35% in the Proposed Project.

As reported in the 2017 NBPP DSEIR, there is a 27% internalization rate provided, and this is backed up by excellent research of existing communities and the California Household Travel Survey. However, there is a degree of uncertainty as to the range of the potential outcomes if 9,850 housing units are built.

The existing analysis does not show the sensitivity of this important assumption. Similar to the extensive and excellent sensitivity done for trip generation, there needs to be a better understanding of how the internalization rate affects the trip distribution and mode choice assumptions in the transportation model. The range of assumptions will ultimately affect the number of significant unavoidable impacts in the traffic analysis, and we request that this be documented. There are a number of policy interventions that could be implemented to achieve a higher internalization rate. This includes a potential policy directing that a percentage of residential housing units built in North Bayshore have a preference for employees working in North Bayshore.

We are requesting that additional sensitivity testing be conducted for the internalization rate. The vision for the 2016 Draft NBPP is to provide mixed-use development in order to provide increased opportunity for living and working in North Bayshore. With such housing development in the campus of a major Silicon Valley employer, the goal of a 35% is not unreasonable, and we are requesting that such a goal be included in the Proposed Project.

Response 15.10: As described in Response 3.6, the trip generation analysis studied 13 different scenarios where the number of residential dwelling units, household size, and parking supply were adjusted to determine the daily, morning peak hour and evening peak hour trip generation and level of internalization. The TIA studied the effects of the North Bayshore Precise Plan with 9,850 smaller residential units and standard parking; this scenario results in an internalization of 27 percent during the morning peak hour. If parking supply were reduced to 0.6 parking spaces per dwelling unit, the internalization would increase to 40.6 percent during the morning peak hour. Thus, the sensitivity analysis that has already been conducted has addressed the range of internalization described in the comment, which is summarized in the *North Bayshore Precise Plan Transportation Analysis* staff report to the Mountain View City Council, dated April 25, 2017 (Appendix G).

The City of Mountain View will develop residential trip performance standards that are easy to monitor such as driveway vehicle trip generation and/or parking occupancy. The monitoring will compare vehicle trip generation to specific targets approved as part of the development project.

Comment 15.11:

In summary of comments 3, 4, and 5 above, MVCSP is requesting that the following changes in key assumptions to the Proposed Project be made to better reflect the vision for North Bayshore:

- Standard parking rate assumption of 1.2 parking spaces is changed to 0.6 parking spaces per unit.
- The residential commute mode share assumption is changed from 77% to 65% SOV drivers.
- The internalization rate is increased from 27% to 35%.

If these reasonable changes in assumptions were run in the transportation model for the Proposed Project with the 9,850 housing units, there could be a significant decrease in the number of vehicle trips during the AM and PM peak periods. It is not known if the number of vehicle trips would exceed the gateway capacity in North Bayshore, but there would be significant improvement compared to the current 2017 NBPP DSEIR.

Response 15.11: As described previously, a wide range of sensitivity tests have already been conducted, testing how different parking ratios and internalization percentages affect the project's trip generation and comparison to gateway capacity. The sensitivity tests already cover the range of changes described in the comment, and the conclusion of those tests was that the level of project trip generation would still exceed the gateway capacity.

Comment 15.12:

6. Please include a “maximize housing alternative” that provides a minimum of 7,000 residential housing units in North Bayshore within the gateway capacity.

If the decision is made not to change the above assumptions for the Proposed Project, there is a need to include an EIR alternative that maximizes the amount of housing in North Bayshore, a key goal of the 2016 Draft NBPP. Overall, the goal of MVCSP in requesting is to have sufficient residential units in order to have a viable mixed use community. There should be sufficient residents for the three complete neighborhoods proposed in the 2016 Draft NBPP. North Bayshore should be a walkable community with sufficient residents to justify dedicated parks and have financially viable retail outlets including a potential grocery store. We will let economic development experts determine the number of residential units that are necessary for a thriving community, but 7,000 to 9,850 residential units seems to be a reasonable range.

Response 15.12: The comment on an additional project alternative is noted. The comment requests an additional alternative if the project assumptions are not changed. This alternative was not added because it would not reduce or avoid

potentially significant impacts. CEQA focuses on a reasonable range of potentially feasible alternatives that would reduce or avoid impacts; additional planning alternatives may be of interest to the Mountain View Coalition for Sustainable Planning and the City Council, but they would not necessarily be considered project alternatives under CEQA.

Comment 15.13: As carefully explained on page 576 of the 2017 NBPP DSEIR, the range of alternatives selected for analysis is governed by the CEQA “rule of reason”. As further explained, the intent of the alternatives is to “encourage both meaningful public participation and informed decision-making.” In alternatives considered but rejected is the “Design Alternative,” an alternative to the proposed project that would “adjust (reduce) the parking supply.” The discussion above points to the importance of parking standards to trip generation and mixed-use reduction. The changes to the mode share for residential external commute trips and increasing the internalization rate are also very important assumptions in the analysis. It is the contention of MVCSP that aligning key assumptions in the EIR analysis with the vision and standards of 2016 Draft NBPP will come close to enabling sufficient housing for a viable community. The current alternative of 3,000 housing units is too low.

Response 15.13: Please refer to Response 15.12.

Comment 15.14: Currently, all alternatives assume all 3.4 million square feet is developed regardless of the alternative. We would like to request an alternative be included with a minimum of 7,000 housing units (but up to the 9,850) with the goal of being within the gateway capacity. The alternative would include the 0.6 parking rate standard, but could also consider one or more of the many reasonable policy alternatives to achieve maximum housing in North Bayshore such as:

- Preference of up to 50% of housing units for local employees
- Establishing a modal goal for external residential auto trips leaving North Bayshore in the morning, similar to the 45% SOV goal for commute trips
- Expanding the gateway capacity by including a transit, bike, and pedestrian bridge across Stevens Creek, and HOV/bike/pedestrian tunnel or other high capacity treatment as Charleston enters North Bayshore
- Lowering the 3.4 million square feet of development to a number that would enable a minimum of 7,000 housing units, but hopefully all 9,850 housing units

It is our understanding that some of these ideas will be discussed with the City Council on April 25, 2017, and City Council direction could guide how this alternative is designed.

Response 15.14: The comments on additional project alternatives are acknowledged. The City Council will consider the feasibility of the project alternatives during consideration of the Final EIR and Precise Plan.

Please note that up to 3.4 million square feet of office development is allowable under the existing zoning, and could still be implemented if the proposed amendments to the North Bayshore Precise Plan do not proceed.

Comment 15.15:

7. Determine the impact of mixed-use development colocation with major planned transit improvements in North Bayshore.

The proposed transit investments are summarized above. They should be included in the 2017 NBPP DSEIR.

There is no discussion in the 2017 NBPP DSEIR that we are aware of that discusses the impact of the innovative mixed-use land use plan in combination with these major infrastructure improvements. What affect do these improvements have on mode choice and trip assignment in the transportation model?

In closing, MVCSP would like to thank the City of Mountain View for considering the comments we have made on the 2017 NBPP DSEIR. As stated earlier, we are very supportive of the vision and standards included in the 2016 Draft NBPP. Our comments are made in order to match the key assumptions in the 2017 NBPP DSEIR with vision and standards in the 2016 Draft NBPP. Additionally, a general public summary of this voluminous EIR would provide a better basis for public input and discussion.

Response 15.15: Please refer to Response 15.2 and the SEIR overview attached as Appendix F of this Final SEIR.

16. RESPONSE TO COMMENT LETTER 16 FROM THE FRIENDS OF CALTRAIN, DATED APRIL 17, 2017.

Comment 16.1: Thank you for the opportunity to comment on the Draft Supplemental Environmental Impact Report for the North Bayshore Precise Plan.

Friends of Caltrain is a 501c3 nonprofit supporting a modernized Caltrain service in the context of an integrated system of sustainable transportation and supportive policies on the Peninsula Corridor.

The Environmental Impact Report clearly shows the contrast between new and old metrics for assessing the environmental impact of transportation. By adding housing and services near jobs, the North Bayshore area would reduce vehicle miles travelled per person by about 7%, according to the analysis in the new Environmental Impact Report.

The study in Mountain View joins recent EIRs in Menlo Park (which chose to allow up to 5,500 units of housing near Facebook) and Brisbane (considering a major development at the Baylands near Bayshore Caltrain) showing that adding homes and services near jobs results in less per-person driving; and the EIR for the San Francisco Central SOMA which shows that infill development with housing, offices, and services further reduces VMT.

<http://www.greencaltrain.com/2017/03/moving-away-from-environmental-reviews-that-favor-driving-san-francisco-mountain-view-menlo-park/>

However, because Mountain View has not yet adopted the new VMT metric (cities will have up to two years to transition following the formal adoption of the new rules by the state), the North Bayshore SEIR reaches the formal conclusion using the obsolescent LOS metric that maintaining commercial-focused land use is the “environmentally preferred alternative” because adding more housing would have greater impacts on vehicle delay at intersections.

The analysis using the new VMT metric is more closely in line with the city’s current policies to foster increased use of sustainable transportation and to add infill housing to address the housing crisis which is having severe impacts on Mountain View and the region. The VMT/service population metric is closely correlated with greenhouse gas emissions and other pollutants as well.

Response 16.1: The comment is acknowledged, please also refer to Responses 3.3 and 15.4.

Comment 16.2: One of the key goals of the California Environmental Quality Act is public disclosure that gives community members information to comment and policymakers information to make decisions. The information in the EIR reveals a number of important levers that affect the environmental impacts of the project.

Summary for community members and policymaker showing key metrics and policy levers

Therefore, it would be very helpful to have a summary written to be understandable by community members disclosing the connections between policy levers and key environmental metrics, especially the incoming new transportation impact metric, VMT/service population.

In addition, while gateway capacity is not a required CEQA metric, it is a critical local policy threshold that is covered in the EIR. Therefore, the community-focused summary would also benefit by clearly showing the policy levers and how they affect the ability to support gateway capacity.

Response 16.2: Please refer to Response 15.2 and the overview attached as Appendix F of this Final SEIR.

Comment 16.3:

Explanation of the transition from LOS to VMT

The materials from the State of California regarding SB743 have clear and compelling explanations for the reasons for the transition from LOS to VMT as the new CEQA metric. The materials explain how the use of LOS tends to discourage mixed use infill development, favor greenfield development, and disadvantage walking, bicycling, and transit. It would be helpful to include such explanations for community members and policymakers to see the connection between the new metric and the current policies of the City of Mountain View and State of California.

https://www.opr.ca.gov/s_sb743.php

Response 16.3: Please refer to Response 3.3.

Comment 16.4:

Transportation demand management requirements for residential uses

In the draft EIR, the assumed mode share of North Bayshore for residents leaving North Bayshore is 77% single occupant vehicles. This figure does not reflect the city's policies to create a car-light community in North Bayshore, including design requirements for pedestrian and bicycle access, and plans to improve transit access.

The North Bayshore Precise Plan includes strong TDM requirements with mode share and trip cap requirements for employers. It is also reasonable to institute TDM requirements for residential developments as well. The City of San Mateo currently imposes TDM requirements for residential developments in its Rail Corridor Plan, with increasing requirements phased in over time. All residential projects in the San Mateo Rail Corridor Plan Area are currently in compliance with their requirements.

Therefore, we request that the Proposed Project include a goal of approximately 60% SOV for residential trips leaving North Bayshore, and that this be incorporated in the transportation modelling for the Proposed Project.

Response 16.4: The commenter is citing the 77 percent SOV mode share for daily external residential traffic under the North Bayshore Precise Plan with Smaller Residential Units and Standard Parking scenario used in the transportation analysis. Across the day, residents travel for work, school, entertainment, shopping and recreational activities. In this suburban neighborhood context the vehicle trips are dispersed throughout Mountain View and nearby cities. Some of these activities are accessible by existing and planned transit, but many of them are not. Thus, the daily SOV mode share for external residential trips takes into account the suburban neighborhood context with dispersed neighborhood destinations.

Please refer to Response 15.11 regarding the trip generation scenario that achieves the stated goal during the AM peak hour.

Comment 16.5:

Phased implementation of reduced parking

Parking ratios are an important lever affecting VMT/person, and should be covered in the high-level summary. However, low parking ratios are difficult to sustain with the current level of services.

Therefore, the EIR should study phased implementation with parking ratios that are incrementally lowered as additional housing, services, and transportation options are provided, with a goal of migrating to the current goal of .6 parking spaces per unit over time.

Policy tools to facilitate the transition over time include providing parking for residential developments that is unbundled from the apartment lease or condo price, and designing parking that is designed to be shared over time with other uses. These policy tools will allow the amount of parking used to decrease as services and transportation options improve.

Response 16.5: Please refer to Responses 7.20 and 13.7.

Comment 16.6:

More robust study of gateway capacity expansion options

The current study has a high-level analysis of several opportunities to expand gateway capacity, including a transit/carpool/bike/ped bridge across Stevens Creek, and an HOV/bike/ped tunnel or other high capacity treatment for the Charleston access to North Bayshore.

We recommend more robust study of these options, showing the effect of these options on gateway capacity, and providing a summary of how these options would affect the number of housing units that could be provided within the gateway capacity.

Response 16.6: Please refer to Response 13.3 regarding the Stevens Creek crossing.

In addition, the North Bayshore Precise Plan will include a new action item for a feasibility study of a Charleston Road undercrossing of US 101. Further planning, design and environmental review will be required to determine the location and extent of the crossing. This analysis would consider all modes with potential restrictions applied to achieve the goals of the North Bayshore Precise Plan. The City will work closely with the VTA and other stakeholders as the Charleston Road crossing is being evaluated.

Comment 16.7:

Study a higher commute internalization scenario

The current study uses a 27% commute internalization assumption, in line with Mountain View's current internalization rate. The study shows comparables of highly dense, walkable, transit-rich center city environments with internalization rates around 40%, and much more car-centric housing developments adjacent to car-centric office parks in the Bay Area, in areas that do not have enough housing to support robust services, with internalization rates well under 20%. North Bayshore is being designed to support car-light lifestyles, and has the opportunity for housing policies that favor (but do not require) residents to work locally.

Therefore we recommend study of an option with a commute internalization rate of 35%, assuming policies that favor local workers and sufficient density to support more services and less household driving, and providing a summary of how these options would affect the number of housing units that could be provided within the gateway capacity, and effect on VMT/service population.

Response 16.7: Please refer to Response 15.11.

Comment 16.8:

Study a “robust housing” alternative with at least 7,000 housing units

The various parameters - parking ratios, TDM policies, commute internalization, amount of housing to support services including a grocery store, gateway expansion, all affect the amount of housing that can be provided in North Bayshore within the city’s gateway capacity policy, and the VMT impacts.

We would request that the city study a “robust housing” alternative which was a key goal of the draft 2016 North Bayshore Precise Plan. This alternative would have at least 7,000 and up to 9,850 housing units. The alternative analysis should show the policy choices that could be used to enable the “robust housing” alternative, and the transportation impacts of the alternative including VMT/service population.

Response 16.8: The comment on an additional project alternative is noted. Please refer to Response 15.12.

Comment 16.9:

Thank you for the opportunity to provide these comments for the North Bayshore SEIR.

We strongly support the city’s assertive policies supporting and requiring increased use of sustainable transportation in the North Bayshore area. One of the biggest causes of transportation challenges in the Bay Area is the lack of housing near jobs, requiring more employees to commute long distances. While households will continue to make location choices for a variety of reasons, giving more people the option to live near work has the potential to alleviate transportation challenges in addition to the major social challenges driven by the housing shortage.

We also strongly support the state’s transition to the use of VMT as a metric for transportation impact, and urge cities to make use of the new metric as much and as soon as practical, since this metric is more strongly correlated to GHG emissions and other pollutants, and tends to foster infill mixed use development and sustainable transportation, in line with the policies of the city and state.

We urge the city to provide decisionmakers with clear information about the policy choices for North Bayshore, showing how these choices affect the incoming VMT metric and the amount of housing that can be provided to address the city’s environmental and social policy goals.

Thank you for your consideration,

Response 16.9: The comments on the VMT metric and the project description are noted.

17. RESPONSE TO COMMENT LETTER 17 FROM SILICON VALLEY RISING, DATED APRIL 17, 2017.

Comment 17.1: The following comments on the Draft SEIR for North Bayshore Precise Plan Update – Residential Study are submitted on behalf of Silicon Valley Rising, a coalition of labor, faith leaders, community-based organizations, and tech service workers who live and work in and around Mountain View. Members of our coalition include UNITE HERE Local 19, SEIU USWW, Teamsters, Affordable Housing Network, Latinos United for a New America, NAACP San Jose Chapter, and more.

Tech giants like Google, Microsoft, LinkedIn and Intuit depend on the work of many thousands of cafeteria workers, janitors, security guards, shuttle drivers, groundskeepers, laundry attendants, massage therapists, and other service workers. According to a study by the Bay Area Council Economic Institute, the tech industry generates approximately 4.3 jobs in local goods and services for each additional direct tech job, and has the largest jobs multiplier of any industry.⁴ This means that for every direct tech job in the North Bayshore, four service jobs are created such as restaurant employees, janitors, ride-share drivers, hotel workers, doctors, nurses etc. We want to ensure that the perspectives of the thousands of tech service workers in North Bayshore are accounted for in this development process. North Bayshore’s tech service workers stand to be impacted by this plan as local employees, commuters, and residents. We believe that the amended North Bayshore Precise Plan (NBPP) can be improved to achieve superior environmental impact mitigation through increased trip internalization and create neighborhoods which are inclusive and diverse.

We appreciate the plan’s efforts to address regional jobs-housing imbalance, which results in longer commutes, increases traffic congestion and causes other transportation-related environmental impacts.⁵ As leading advocates for tech service workers, we are concerned that the amended NBPP will not create enough housing that is affordable to North Bayshore’s thousands of low-wage service workers, thereby undermining the plan’s goal of trip internalization. Low-wage workers like tech service workers are more likely to travel longer distances because of the housing affordability crisis spreading across Silicon Valley.⁶ A majority of tech service workers we surveyed have families with children.⁷ A study by UC Santa Cruz’s Everett Program researchers on contracted workers in Silicon Valley found that 22% of Silicon Valley’s contract industry workers live in households with multiple unrelated families because of the lack of affordable housing.⁸ We estimated in a 2016 report that the

⁴ “Technology Works: High-Tech Employment and Wages in the United States” Technology Works: Hi-Tech Employment and Wages in the United States, 2012, p. 5, available at <http://documents.bayareacouncil.org/TechReport.pdf>.

Also see “The New Geography of Jobs”, Enrico Moretti. First Mariner Books. 2013.

⁵ City of Mountain View Housing Element, 2014. 4.2.3 Jobs-Housing Balance pg. 58

⁶ “The highly paid technical and business services workers who live in Silicon Valley have relatively short commute times, since they typically work nearby. It’s middle- and lower-income workers — teachers and firefighters, security guards at tech campuses, waiters at restaurants — who have been priced out of the Peninsula and are spending much more time in traffic” <https://ww2.kqed.org/news/2016/04/07/in-search-of-cheaper-housing-silicon-valley-workers-face-long-commutes/>

⁷ In two surveys of cafeteria workers at Intel and Cisco conducted by UNITE HERE found that 53% and 70% of surveyed cafeteria workers had families with children. Survey conducted in January and October 2016 respectively.

⁸ See Silicon Valley Technology Industries Contract Workforce Assessment. Chris Benner and Kyle Neering. University of California Santa Cruz. March 29, 2016. Available at <http://www.everettprogram.org/main/wp->

majority of tech's blue collar workers were Black or Latino⁹, whereas tech's engineers and leadership are majority white and overwhelmingly male. Google's tech employees are 1% Black and 3% Hispanic.¹⁰

The best way to address the jobs-housing imbalance is to create affordable housing that is carefully targeted toward the diverse mix of workers in North Bayshore. Because of the lack of clarity in the affordable housing plan, and of the lack of attention to low-wage workers' potential impacts on transportation and traffic, the DSEIR fails to comply with CEQA's mandate to provide complete and accurate information about foreseeable environmental impacts of the project.

Response 17.1: The comments on the City's affordable housing policy and the jobs-housing imbalance are noted. The SEIR provides an evaluation of the amended North Bayshore Precise Plan as proposed. As this comment does not raise any issues or questions related to the content of the EIR, no further response is required.

Comment 17.2: Our comments are as follows:

1. The DSEIR's discussion of Transportation/Traffic and its Transportation Impact Analysis (TIA)'s are incomplete without more clarity on the type and level of affordable housing.

The amended plan's affordable housing strategy lacks clarity. The amended NBPP includes a goal of a minimum of 20% affordable housing units.¹¹ The minimum affordable housing required of developers is 10% affordable units or in-lieu/rental housing impact fees, following the City's standard affordable housing requirements (Mountain View's BMR Ordinance). The city's BMR ordinance targets affordability levels of 80-100% of AMI for ownership units and 50-80% AMI for rental units. A residential developer may also opt to receive a density bonus of up to 3.5 or 4.2 FAR in the "Gateway" and "Core" areas in exchange for 15% or 20% percent of affordable units respectively. In the description of its "Complete Neighborhoods" plan, the DSEIR assumes that 20% affordability will be achieved, which would only happen if every developer chose to maximize its density bonus.¹² In another section of the DSEIR, the affordability goal is stated as "20% or more" affordable units,¹³ while in DSEIR's "Schools Impact" section, the "range of potential affordable units" is described as "from 0% and 20% of 9,850 units".¹⁴ The DSEIR's Schools Impact analysis is also likely to be impacted by the levels and type of affordability.¹⁵ Neither the amended NBPP nor the EIR define which income levels of affordability are acceptable to satisfy the density bonus plan (except that 5% of units will be reserved for very-low income earners earning <50% of AMI for

<content/uploads/Contract-Workforce-Assessment.pdf>

⁹ See Tech's Invisible Workforce. A report by Working Partnerships USA and Silicon Valley Rising. March 2016. Available at <http://www.wpusa.org/Publication/TechsInvisibleWorkforce.pdf>

¹⁰ <https://www.google.com/diversity/>

¹¹ NBPP Public Draft 2016. Pg. 80

¹² DSEIR 3.3.4.1: Complete Neighborhoods, pg. 100, assumes that 20% of units built in each of the three neighborhoods will be affordable units.

¹³ DSEIR, 3.4: Project Goals and Objectives, pg. 119

¹⁴ DSEIR 4.13.3.4: School Impacts, pg. 397

¹⁵ Because the Schools Impact Analysis uses different student per housing unit multiples for affordable or market-rate units. DSEIR 4.13.3.4. pg. 397

developments which opt to receive the density bonus). The amended plan also does not stipulate which types of housing will receive affordable designation (rental or owned, micro-units or two-bedrooms, on-site or off-site). The types of housing that receive affordable designation will impact tech service workers. Micro-units will not serve working families. Rentals are more likely to be obtainable than ownership units for low-wage workers, absent down-payment assistance. During the November 2016 City Council study session on the amended NBPP, planning staff stated that they would be releasing “Affordable Housing Administrative Guidelines” with affordable housing income levels and other details. These guidelines were not released to the public prior to the release of the DSEIR and appear not to have informed the creation of the DSEIR.

Response 17.2: The comments on the affordable housing references in the Draft SEIR are noted. Please refer to the City’s Draft North Bayshore “Affordable Housing Guidelines” (Public Draft, May 2017), which provide detailed information on how the Plan’s affordable housing policies are proposed to be implemented. The draft Affordable Housing Guidelines can be accessed on the City’s website:
<http://www.mountainview.gov/depts/comdev/planning/activeprojects/northbayshore/nbppupdate.asp>,

Please also refer to the text revisions to the schools in Section 5.0 of this Final SEIR. Table 14.4-3 and the accompanying text has regarding student generation rates has been revised to reflect an assumption of a 20 percent affordable housing mix, rather than a range.

Comment 17.3:

The amended plan’s affordable housing strategy is not likely to meet the housing needs of North Bayshore’s thousands of low-wage service workers. The DSEIR does not provide a breakdown of the types of employment or income levels of workers in North Bayshore. Based on estimates from our member unions, we estimate that Google, LinkedIn, Microsoft, and Intuit depend on between 4,000 and 5,000 subcontracted cafeteria workers, janitors, security guards, shuttle drivers, and other facilities workers based in the North Bayshore, which account for 16% to 20% of the current North Bayshore workforce.¹⁶ This estimate does not include other service workers providing the numerous other amenities or services, many made available by Google and other employers, such as massage therapists, hair stylists, laundry attendants, Uber/Lyft drivers, fitness instructors, gym attendants, etc., and other induced goods and service jobs created by tech’s jobs multiplier.¹⁷ The amended plan’s mix of housing types also skews sharply away from family housing, with a goal of 70% of units as one-bedroom or micro-units of 300-350 square feet.¹⁸ We predict that this mix grossly mismatches

¹⁶ Our estimate is based on internal estimates provided by UNITE HERE Local 19, SEIU USWW, and Teamsters Local 853.

DESEIR, 4.12.2.2: Population and Housing, pg. 382 estimates the current NB employment at 24,850.

¹⁷ DSEIR 4.12.3.2 Population and Housing Growth Assumptions, pg. 384 projects that the North Bayshore employment increase from 24,840 today to 38,910 in 2030 under project conditions.

¹⁸ DSEIR Table 3.3-1: Proposed Unit Distribution Goal, pg. 93

the family housing needs of low-income workers in North Bayshore. This emphasis on one bedroom or less combined with minimal affordability requirements risks overcrowding.¹⁹

We recommend requiring 15% of units to be affordable to households earning <50% AMI and 15% of units affordable to 50-80% of AMI. Mountain View workers should get first priority in accessing affordable units. We estimate that the bulk of North Bayshore’s service workers are likely to fall into both the <50% of AMI range and the 50%-80% of AMI range, classified as very-low-income and low-income workers.²⁰ Even many directly-employed tech workers are having trouble affording market-rate housing, therefore the plan’s transportation mitigation could benefit from setting aside affordable units for moderate-income workers as well.²¹ Family size and situation of low-income tech workers will vary, including both single-earner and dual-earner households, and both large-family, and single-individual households. The mix of affordable unit allocations should reflect that diversity. The affordable housing strategy should include a provision to ensure that a percentage of each type of unit is set aside for low-income households, ideally with a better mix of family housing (for example: 20% micro-units, 30% one-bedrooms, 50% two- bedrooms). We also strongly recommend adding a provision which gives first priority to households who work in Mountain View when evaluating potential tenants for the area’s affordable housing, in order to ensure increased trip internalization. These preferences are allowable under HUD rules if they do not have a discriminatory effect. Mountain View already has such a priority in its BMR program.²² To be clear, we are not in favor of a broad prioritization of North Bayshore workers for the housing units allowed under the amended plan, unless adequate affordable housing is required, per our proposal.

Response 17.3: The comments on the amended North Bayshore Precise Plan’s proposed mix of units and affordable housing strategies are noted. The SEIR provides an evaluation of the amended North Bayshore Precise Plan as proposed. As this comment does not raise any issues or questions related to the content of the SEIR, no further response is required.

Comment 17.4:

The DSEIR does not address induced employment growth caused by the tech’s service sector multiplier. As previously mentioned, the tech industry creates approximately 4.3 goods and services jobs for each direct tech job. According to economist and multiplier expert Enrico Moretti: “With

¹⁹ “A lack of affordable housing can result in overcrowded households. The U.S. Census defines “overcrowding” as more than one person per room, excluding bathrooms and kitchens. Units with more than 1.5 persons per room are considered to be severely overcrowded.” See Mountain View Housing Element pg. 73

²⁰ Based on internal estimates provided by member unions. To our knowledge, most contracted tech service workers (food service, janitorial, security, other facilities) in North Bayshore earn between \$13 and \$18 per hour, about \$15-16 per hour average. Most of these workers fall into the <50% AMI basket for single-income households (1 to 6 or more persons) and the 50-80% AMI basket for dual-income households (3 to 5 persons). Union shuttle drivers earn between \$24.75 and \$28 an hour. Drivers are likely to earn 50%-80% of AMI for one-income households, and 80%-120% of AMI for two income households.

AMI source: <http://www.mountainview.gov/civicax/filebank/blobdload.aspx?BlobID=20045>

²¹ <https://www.theguardian.com/technology/2017/feb/27/silicon-aa-cost-of-living-crisis-has-americas-highest-paid-feeling-poor>

²² Mountain View’s fourth priority for BMR units is for “Households who work in Mountain View for at least two years.” <http://www.mountainview.gov/depts/comdev/preservation/homebuying/bmrhousing/default.asp>

only a fraction of the jobs, the innovation sector generates a disproportionate number of additional local jobs and therefore profoundly shapes the local economy”. Moretti uses Apple in Cupertino as an example, “Incredibly, this means that the main effect of Apple on the region’s employment is on jobs outside of high tech.”²³ Studies of jobs multipliers distinguish between “tradable” and “non-tradable” sectors. Tech is in the “tradable” sector because it sells goods in regions other than where they are produced. According to the Bay Area Council Economic Institute Report, one new tech job creates approximately 4.3 jobs in local “non-tradable” sectors, meaning sectors whose goods or services are consumed in the same region as where they are produced. These 4.3 “non-tradable” jobs include localized services like restaurants, hotels, healthcare and personal service etc.²⁴ Moretti estimates that for every five jobs that are created, two will be for professional jobs such as doctors, nurses and lawyers, while three will be for unskilled occupations like restaurant and hotel workers or retail clerks etc. The DSEIR predicts that employment in the North Bayshore area will increase from 24,850 currently to 38,910 in 2030 under proposed project conditions, an increase of 14,060 employees.²⁵ If 70% of these employees are direct tech employees, then in the long term, tech’s multiplier effect will create 42,321 induced jobs in the non-tradable sector. Of those 42,321 jobs, 25,392 will be non-professional, presumably low-wage jobs. Without access to local affordable housing, many of these 25,392 low-wage workers will have to drive long distances to serve tech workers in the North Bayshore. We urge the City to consider the environmental impacts of these tens of thousands of potentially-induced low-wage jobs.

Response 17.4: The comments on the population estimates and job types in North Bayshore are noted. The 14,060 new employees to work in the North Bayshore Precise Plan development would represent all levels of employment, including both high technology and service sector jobs. The trip rates used in the Transportation Impact Analysis were based on local trip generation surveys and trip generation data from the California Household Travel Survey (CHTS) for households in the Silicon Valley.

Lower income households do tend to have slightly lower trip generating rates than higher income households of the same size, but this effect can be offset if the lower-income household has more people. So it is not clear whether accounting for 10 to 20 percent low income households would actually result in reduced trip generation; even if it did, those effects are not likely to be large enough to cause substantive change in the EIR’s impact conclusions.

Comment 17.5:

The TIA’s internal trip generation estimates will be impacted by the type and level of affordable housing. The DSEIR states that “one of the primary effects of the addition of housing to the North Bayshore area is to reduce vehicle trips due to an increased proportion of internalized person trips”.²⁶ The DSEIR refers to trip internalization estimates made in Appendix G of the TIA.²⁷ The TIA

²³ “The New Geography of Jobs” Enrico Moretti. First Mariner Press. 2013.

²⁴ BACEI Report pg. 25

²⁵ DSEIR Table 4.12-5 Employment: 2030 General Plan Estimates. Pg. 384

²⁶ DSEIR 4.14.3.3, pg. 460.

²⁷ DSEIR: TIA, Appendix G: Project Trip Generation Estimates pg. 1467 of pdf

estimates that 18% of trips will be internalized, up from 9% in the adopted 2014 NBPP, and that “these results support the concept that providing housing near jobs increases the likelihood that trips can remain within a local area, thus shortening travel distances and increasing residents’ ability to accomplish some travel needs by walking, cycling, or using short-distance transit.”²⁸ Internal trip generation, a foundational concept of the amended plan, could vary significantly based the details of affordable housing plan, and how well the plan’s housing affordability strategy accommodates the North Bayshore workforce. Any low-wage service workers shut out of North Bayshore housing are likely to drive and to drive long distances. Low wage workers who do not live in the North Bayshore area are likely to have longer commutes than their median- to high-wage counterparts who are more likely to be able to afford market rate options in other parts of Mountain View or closer to work. The bulk of the amended NBPP’s transportation strategy (“infrastructure and programs to improve the safety and comfort of other travel modes such as transit, carpooling, walking and biking”)²⁹ are likely to be moot for low-wage service workers without affordable housing on site. Many tech service workers live too far away to benefit from any potential transit improvements. The DSEIR and TIA do not state whether a North Bayshore employer’s TDM programs are required to address transportation impacts of subcontractors. Many tech service workers live in neighborhoods or cities that, to our knowledge, are not served by Google buses, like East San Jose, East Palo Alto, Gilroy, or Modesto. The TIA’s internal trip generation estimates also “assume that the NBPP policy of a 45 percent SOV rate for non-residential developments is achieved in all future scenarios”, which assumes a goal which the Mountain View Environmental Planning Commission called “difficult to achieve” in a comment on the NBPP.^{30 31} In the trip generation surveys conducted by Fehr & Peers, “Survey records were filtered to match the household size, household income, residential type, and potential parking supply expected in North Bayshore.”³² It’s hard to know what household income or residential type could be expected in North Bayshore when the amended plan is affordability details and the current or projected workforce income breakdown. The TIA’s “Appendix G: Project Trip Generation Estimates” never once mentions affordable housing. In fact, affordable housing is not mentioned once in the 1,936-page TIA.

Response 17.5: Please refer to Response 17.4.

Comment 17.6:

The limited nature of the amended plan’s affordability requirements highlight the unfairness of other aspects of the amended plan. The DSEIR states that if the employer TDM program requirement and trip cap do not reduce the number of vehicle trips to less than the established AM peak period vehicle trip cap, the City may implement a congestion pricing system.³³ Without a robust affordable housing plan, burden of congestion pricing would hit North Bayshore’s low-wage workers the hardest, who already bear the brunt of the housing crisis.³⁴

²⁸ DSEIR 4.14.3.3, pg. 460.

²⁹ NBPP Public Draft 2016, pg. 124

³⁰TIA pg. 1472

³¹ EPC comment from planning department slide during NBPP City Council Study Session, November 29, 2016.

³² TIA pg. 1472

³³ DSEIR, 3.3.5.4 Mobility – Traffic and Transportation, pg. 115

³⁴ According the Silicon Valley Rising’s study of contracted workers, Blue-collar potential contracted workers are much more likely to be paying unaffordable rents (59% of workers) compared to direct tech employees (25%). See

Response 17.6: The comments on congestion pricing are noted. The Mountain View City Council has determined that congestion pricing will not be included in the amended North Bayshore Precise Plan.

Comment 17.7: In addition, The DSEIR's TIA states that the amended plan may be accompanied by a new Precise Plan policy that would establish preferential occupancy of North Bayshore dwelling units for local employees.³⁵ This potential plan would be impossible to implement fairly without robust and clear affordability requirements and a preferential occupancy provision specifically for those affordable units.

Response 17.7: The comments on preferential housing policy are noted. Any policies regarding preferential occupancy of North Bayshore dwelling units for local employees would potentially be considered by the City Council.

Comment 17.8:

Alternatively, more affordable housing can increase internal trips generated. The more that the housing produced is affordable and accessible to all North Bayshore workers, the more likely that they will choose to live in the project area, and to walk, bike or take transit to work (increasing internal trips). Increased housing affordability will increase motivation for North Bayshore workers of both low and moderate income levels to live where they work. Increasing trip internalization for North Bayshore's low-wage workers will be better for the physical environment than the trip internalization of their tech employee counterparts because low-wage workers are otherwise more likely to drive and drive longer distances.

Response 17.8: The comments on affordable housing and internalization are noted.

Comment 17.9:

Google has already indicated its ability to produce higher levels of affordability. North Bayshore's largest employer, landowner and developer, and one of the most cash-rich companies based in the U.S., has already expressed its desire to develop affordable housing in North Bayshore.³⁶ In its' 2015 Bonus FAR Request, Google proposed the following affordability mix: 15% BMR units for low-income households earning 50-80% of AMI, 50% BMR units for median-income households earning 80-100% of AMI and 35% market rate units or 65% affordable units.

Response 17.9: The comments on Google's statements concerning their future development plans are noted. As the comment is not specifically on the North Bayshore Precise Plan SEIR, no further response is required.

Tech's Invisible Workforce, page 6.

³⁵ TIA pg. 1469

³⁶ Google Inc.'s North Bayshore Bonus FAR Request for four sites submitted in May 2015. Project Development and Design Summary, pg. 14.

Comment 17.10:

2. The NBPP’s affordable housing strategy does not address the RHNA mandated by the state’s housing element law

California’s housing element law requires local governments to consider projected housing needs by income level to guide planning decisions. The Association of Bay Area Governments (ABAG) identified the following housing needs: 1,833 affordable housing units in Mountain View (2014-2022). 63% of the housing needs identified by ABAG’s Regional Housing Needs Assessment (RHNA) in Mountain View are for affordable units (28% very-low income units, 17% low-income units, 18% moderate-income units).³⁷ The North Bayshore Precise Plan’s affordable housing strategy differs significantly from the distribution of housing needs identified by ABAG. The plan also may not meet the RHNA’s affordable housing needs outright (814 very-low income units, 492 low-income units, 527 moderate-income units). To achieve these outright RHNA-identified needs, the plan would have to require a minimum of 18% affordable units, and build all 10,000 units by 2022, a requirement which we believe still wouldn’t go far enough to meet the needs of tech service workers in the North Bayshore. According to ABAG’s progress report, from 2007-2014 Mountain View has met 42% of RHNA housing needs for very-low income people (0-50% AMI), 7% of its RHNA for low income people (50-80% AMI), and 1% of its RHNA for moderate income people (80-120% AMI).³⁸ Mountain View has already met 207% of RHNA identified housing needs for market rate units (120%+ AMI). A discussion of how the NBPP’s affordable housing strategy responds to Mountain View’s RHNA would add additional clarity to the amended plan.

Mountain View and the large tech employers in the North Bayshore area have an opportunity to support sustainable jobs with sustainable housing for the thousands of subcontracted workers who contribute to Mountain View’s success. We hope the City will take the time to address the issues raised here and improve the NBPP and its EIR so that it addresses the needs all of local workers on tech campuses and thereby better mitigates its environmental impacts.

Response 17.10: The comments on the City’s affordable housing strategy are noted. Please note that the City’s Housing Element for the 2014-2023 RHNA period has been certified by the state, and did not include potential housing in North Bayshore.

18. RESPONSE TO COMMENT LETTER 18 FROM GOOGLE, INC., DATED APRIL 17, 2017.

Comment 18.1: On behalf of Google, we appreciate the opportunity to provide comments on the North Bayshore Precise Plan (Residential Uses) Draft Subsequent Environmental Impact Report (“DSEIR”).

We remain committed to working with the City regarding the North Bayshore Precise Plan and the incorporation of residential uses into North Bayshore. We appreciate the City’s work on the DSEIR and we submit the following comments for your review and consideration.

³⁷ ABAG Final Regional Housing Need Plan, San Francisco Bay Area 2014-2022, pg. 26

³⁸ San Francisco Bay Area Progress in Meeting 2007-2014 Regional Housing Need Allocation (RHNA)

Some of our main points discussed in more detail below include the following.

- Google supports City Council approval of the 9,850 housing units in North Bayshore. However, if the Council is concerned regarding the transportation/traffic impacts associated with the 9,850 housing units, Google suggests a phased approach, which would allow the development of housing units in phases (e.g., approx. 3,000 units per phase). An applicant could build-out phase 1 and demonstrate through transportation/traffic studies that due to an increased mixed-use reduction rate, transportation improvements, etc. that there is additional trip capacity available for the following residential phases.
- Applicants should have the flexibility to implement a range of certain housing priorities, design standards (e.g., small units, reduced parking, car-shares, delivery systems), transportation measures, etc., as part of their future residential projects to demonstrate a higher mixed-use reduction, thus increasing the trip capacity for residential units in North Bayshore.
- The DSEIR’s Level of Service (“LOS”) analysis, and even its Vehicle Miles of Travel (“VMT”) information, indicate that all of the residential vehicle trips will be new vehicle trips to the region. However, this does not account for the likelihood that many people who currently live in the region, but commute long distances to their employment in Mountain View or the surrounding area, will likely move to the new residential units in North Bayshore to reduce their commute. Therefore, creating new housing in North Bayshore should result in a reduction in total VMT, not an increase in VMT. Consequently, we believe that the traffic impacts will be less than those impacts analyzed in the DSEIR.

Response 18.1: The comments on the amended North Bayshore Precise Plan are noted. The SEIR’s analysis demonstrates that even though the total VMT would increase under the amended plan, the VMT *per service population* would decrease because employees in the plan area may have shorter or non-vehicle commutes with the development of more housing nearby.

Comment 18.2:

1). Section 3.3: Project Description

a) 3.3.1: Project Description Summary

The DSEIR, states that the North Bayshore Precise Plan approval in 2014 (“2014 Precise Plan”) allowed an increase in office and commercial uses up to approximately 3.4 million square feet of net new development. (p. 85.) The amended North Bayshore Precise Plan, October 2016 Public Draft, (“Amended Precise Plan”) does not propose a change to the total non-residential square footage allowed under the adopted 2014 Precise Plan. However, the Amended Precise Plan includes an increase in retail and supporting services over the 2014 Precise Plan. (p. 94.)

Given the statements above, we request clarification regarding Table 3.3-2, which seems to indicate an increase in office square footage from the 2014 Precise Plan to the Amended Precise Plan and a decrease in research & development square footage from the 2014 Precise Plan to the Amended Precise Plan. (p. 94.) Please see our related comments below regarding Section 4.14.3.2 and Table 4.14-8. (p. 455.)

Response 18.2: The comments on the amended North Bayshore Precise Plan are noted. The amended Precise Plan takes into account the project descriptions from the Bonus FAR applications, and other development applications under consideration by the City of Mountain View. This includes the proposed Sobrato Mixed-Use development (1255 Pear Avenue), which would construct a 230,000 square foot office development in addition to residential uses. Furthermore, both the adopted North Bayshore Precise Plan and the amended Precise Plan envision redeveloping a significant amount of outdated and inefficient research and development (R&D) building space and replacing it with modern office buildings with more amenities and higher employee populations; in the case of the amended Precise Plan, more than half of the existing R&D space would be redeveloped. This is the reason for the decrease in R&D space and increase in office space. Please see the text revisions in Section 5.0 of this Final SEIR.

Comment 18.3:

2) Section 4.1 Aesthetics:

a) 4.1.1.2 Existing Conditions

To be consistent with the end of the second paragraph on page 128, which describes Photo 4 as the 18-acre Charleston East site, we recommend that the description for Photo 4 on page 131 be revised to be 18-acres (rather than 10-acres) and should specify that this is the site known as Charleston East.

Response 18.3: The comment on the photos in the North Bayshore Precise Plan are noted. Please see the revised photo page in Section 5.0 of this Final SEIR.

Comment 18.4:

3) Section 4.3.4: Biological Resources Impacts

a) 4.3.4.2 Habitat Overlay Zones

On Figure 4.3-2, we suggest using a different color to illustrate the Open Water, Creeks, and Storm Drain Facilities Residential Boundary. The blue used for this boundary is very similar to the blue used for the Open Water, Creeks, and Storm Drain Facilities Boundary. (p. 190.)

We also suggest that Section 4.b on page 193 regarding the building placement in the open water, creeks, and storm drain facilities HOZ include a distinction between placement of new residential

construction and new non-residential construction, as the DSEIR does for the other HOZ area on page 192.

Response 18.4: The comments on the Open Water, Creeks, and Storm Drain Facilities HOZ figure and description are noted. Please see the revisions in Section 5.0 of this Final SEIR and proposed Precise Plan revisions.

Comment 18.5:

b) 4.3.5.3 Impacts on Biological Resources from Bridge Construction

For the potential Stevens Creek Bridge Crossing, Google appreciates all of the City’s work to determine the program-level mitigation measures to avoid and minimize impacts to biological resources. (pgs. 212-221.) As discussed below under the Transportation analysis, Google supports the Stevens Creek Bridge Crossing at Charleston Road.

Response 18.5: The comments on the Stevens Creek Bridge crossing are acknowledged. Please also refer to Response 13.3.

Comment 18.6:

4) Section 4.10: Land Use and Planning

a) 4.10.1.1 General Plan

The base Floor Area Ratio (“FAR”) for non-residential uses in the Core, General, and Edge Areas of North Bayshore in the 2014 Precise Plan is 0.45. Please clarify whether the General Plan should reflect this base FAR of 0.45. (p. 341.) The FAR ratios are accurately stated in Table 3.3-5 on page 104 of the DSEIR.

Response 18.6: The comment on floor area ratio is noted. The comment on the floor area ratio (FAR) are noted. The base FAR on page 341 has been revised from 0.35 to 0.45 for High-Intensity Office and North Bayshore Mixed Uses. Please see the text revisions in Section 5.0 of this Final SEIR.

Comment 18.7:

b) 4.10.2.1 Existing Land Uses in the Precise Plan Area

Please include Charleston East in the last sentence in this section as indicated with underlining below. “These projects include an approved office development at 1625 Plymouth Street and an approved office development at Charleston East (2000 North Shoreline Boulevard).” (p. 346.)

Response 18.7: The comment on the land uses in North Bayshore are noted. Please see the text revisions in Section 5.0 of this Final SEIR.

Comment 18.8:

c) Section 4.10.3.2 General Plan Amendment

The North Bayshore Mixed-Use General Plan designation, which we believe relates to the Core Area, should be revised to have an intensity for office of 0.45 FAR to 1.50 FAR and an intensity for residential of 1.0 FAR to 4.20 FAR. (p. 349.)

The Mixed Use Center General Plan designation, which we believe relates to the Gateway Area, accurately reflects the office intensity (p. 349) but should be amended to reflect the upper range of the residential intensity - 1.0 FAR to 4.20 FAR. (p. 350.)

The FAR ratios are accurately stated in Table 3.3-5 on page 104 of the DSEIR.

Response 18.8: The comment on the floor area ratio (FAR) are noted. Please see the text revisions in Section 5.0 of this Final SEIR.

Comment 18.9:

5) Section 4.14.3: Transportation/Traffic Impacts

a) 4.14.3.1: Thresholds of Significance (VMT)

The DSEIR notes that after SB 743 is implemented, VMT will be used to determine level of significance for transportation/traffic impacts, rather than the current threshold, LOS. (p. 453.)

Even without the formal adoption of VMT as a threshold of significance, we appreciate that the City has completed a VMT analysis for informational purposes. Fehr & Peers' December 15, 2016 North Bayshore Precise Plan with Residential - Vehicle Miles Traveled Estimates Memorandum ("VMT Memorandum") appears to assume that all of the approximately 18,000 residential vehicle trips are new trips dropped into the region that did not exist before.

Therefore, the VMT Memorandum concludes that VMT will increase with the addition of the residential units in North Bayshore.

However, the VMT Memorandum does not account for the likelihood that many people who currently live in the region, but commute long distances to their employment in Mountain View or the surrounding area, will likely move to the new residential units in North Bayshore to reduce their commute. Thus, it is our understanding that these North Bayshore residential vehicle trips will not all be new vehicle trips to the region. Rather, current residents in the region will be shifting their vehicle trips closer to their source of employment, thereby reducing VMT. Therefore, creating new housing in North Bayshore should result in a reduction in total VMT, not an increase in VMT as described in the VMT Memorandum.

Furthermore, the North Bayshore Precise Plan Draft Subsequent Environmental Impact Report (DSEIR) uses Level of Service ("LOS") as the threshold of significance, which also assumes that the

residential vehicle trips are all new trips to the region. Consequently, the DSEIR's transportation/traffic impacts are also higher than we anticipate.

Response 18.9: The comment letter incorrectly references the 18,000 residents in North Bayshore as “18,000 residential vehicle trips.” There are an estimated 46,651 daily residential vehicle trips for the North Bayshore area.

The comment suggests that the proposed residential trips would not be all new trips, but would shift from elsewhere in the region as people move into North Bayshore. The conservative assumption that the project would represent new development is a typical CEQA practice and is reasonable in this situation. This assumption is consistent with the methods used for the City’s 2030 General Plan Environmental Impact Report and for EIRs on other major projects such as the adopted North Bayshore Precise Plan (2014).

Further, there is a significant housing supply shortage throughout the Bay Area, and even if this project is implemented there will still be a housing shortage, so the housing units vacated by people moving to North Bayshore will quickly be filled by new residents. Finally, since VMT is not a CEQA threshold yet, making this change would not change the conclusions of the environmental analysis.

Comment 18.10:

b) 4.14.3.2: Proposed Precise Plan Project Assumptions (Table 4.14-8)

Related to our comments regarding Table 3.3-2, the discussion on page 454 regarding additional office space and a reduction in research & development space seems inconsistent with the allocation of non-residential square footage under the 2014 Precise Plan and Amended Precise Plan.

Furthermore, it is our understanding that the non-residential net new square footage can be used for office and/or research & development uses. Table 4.14-8 on page 455 appears to support this understanding by grouping the total employment uses (non-residential uses) together and not distinguishing between office and research & development uses.

Please clarify the statements on page 454 regarding a reduction in research & development space.

Response 18.10: The comment on the project assumptions are noted. Please refer to Response 18.2. Please see the text revisions in Section 5.0 of this Final SEIR.

The North Bayshore Precise Plan land use details described in the Draft SEIR on page 454 were used in creating the assumptions for trip generation, trip assignment, and modeling for the traffic analysis. The project description in Section 3.3 of the SEIR describes the general parameters of proposed development, by character area, and the overall development, in terms of residential units and employment uses is described in Table 4.14-8. As

described in the proposed amended North Bayshore Precise Plan and the SEIR, the non-residential net new square footage can be applied to office and/or research and development uses, subject to City approval processes and any additional transportation analysis.

Comment 18.11:

c) 4.14.3.3: Existing with Project Conditions: Project Traffic Volumes (Affiliation and Mixed-Use Reduction)

The DSEIR states that the mixed-use reduction from all land use types will be about 18 percent. (p. 460.) Based on the size of the units, residential parking requirements, and employment uses, we believe that the mixed-use reduction will be much higher than 18 percent.

Applicants should have the flexibility to implement a range of certain housing priorities, design standards (e.g., small units, reduced parking, car-shares, delivery systems), transportation measures, etc., as part of their future residential projects to demonstrate a higher mixed-use reduction than the mixed-use reduction stated in the DSEIR, thus increasing the trip capacity for residential units in North Bayshore.

Response 18.11:

The amended North Bayshore Precise Plan will require residential property owners to participate in the Transportation Management Association (TMA) which works with its members to reduce vehicle trip generation through transportation demand management strategies. Similar to the employer TDM programs to reduce office vehicle trips, the residential development will be required to develop a TDM Plan that will include a toolbox of TDM strategies including those listed by the commenter. The effectiveness of the TDM Plan will be monitored on a regular basis with adjustments to the plan made as needed. A phased penalty structure will be evaluated for the residential TDM Plans that do not achieve specific trip rates. As demonstrated in the trip generation sensitivity analysis, different combinations of housing type, household size, and parking supply ratios have noticeable effects on the project's trip generation.

Finally, the transportation impact analysis does not presuppose a preferential occupancy of North Bayshore dwelling units by local employees. While such a measure could have an effect on the amount of traffic generated by the North Bayshore Precise Plan residential areas, the magnitude of that effect would depend on the specific policy requirements, which are not defined at this time.

Comment 18.12:

d) 4.14.3.8: Stevens Creek Bridge Crossing

Google supports a Stevens Creek bridge crossing and, in particular, supports the Charleston Road crossing location. Google agrees with the analysis in the DSEIR regarding the benefits of the Charleston Road crossing location. For example, using the Charleston Road bridge crossing would allow vehicles to get to their destinations without using the congested sections of Shoreline Boulevard or the new north-south street. Thus, unlike the La Avenida Avenue crossing location, the Charleston Road crossing could reduce the number of vehicles along Shoreline Boulevard and the new north-south street. Additionally, the Charleston Road crossing location would provide a direct connection to the Charleston Road transit boulevard west of Shoreline Boulevard, thus allowing for improved transit circulation and travel times. (pgs. 494-495.)

To further improve circulation and access, in addition to the Stevens Creek bridge serving transit vehicles, shuttles, bicycles, and pedestrians, Google would like the bridge to also serve emergency vehicles and service vehicles.

Response 18.12: The comments on the use of the Stevens Creek bridge are noted. Please refer to Response 13.3, and the text revisions in Section 5.0 of this Final SEIR. A Stevens Creek bridge feasibility study has been added as a Precise Plan action item.

Comment 18.13:

6) Section 8.0: Alternatives to the Proposed Project

a) 8.2.2. Reduced Residential Alternative (Approx. 3,000 units)

Google does not believe that the Reduced Residential Alternative is the best alternative. (p. 583.) We believe that there is an opportunity to implement transportation mitigation measures above what was assumed in the transportation/traffic analysis, allowing for the full build out of up to 9,850 residential units over time.

Google supports City Council approval of the 9,850 housing units in North Bayshore. However, if traffic impacts are a concern regarding approving the 9,850 residential units, after the development of the first approximately 3,000 residential units, applicants could be required, on a project-by-project basis, to demonstrate that the traffic from their proposed project would be less than anticipated in the DSEIR (e.g., through a higher mixed-use reduction rate, TDM measures, or other improvements), resulting in additional trip capacity for residential uses.

Alternatively, the residential units could be phased in over time, starting with approximately 3,000 residential units. Once the traffic analysis, gateway impacts, and mixed-use reduction resulting from the first 3,000 units is demonstrated to be better than anticipated, another 3,000 units could be released for development, with later phases released up to the total 9,850 residential units. To create

a clear path forward for residential project applicants, each phase should have clear targets regarding vehicle trips and transportation performance that allow the release of the next phase of residential units.

Response 18.13: The comments on the amended North Bayshore Precise Plan are noted. Please refer to Response 6.7.

Comment 18.14:

b) 8.2.4.2 Design Alternative (Reduced Residential Parking Ratio)

The DSEIR states that a reduction in the residential parking ratio below the standard ratio of 1.2 spaces per unit was not considered feasible at this time given the currently limited multi-modal infrastructure and services available in the area. (p. 587.) However, the DSEIR notes that the Amended Precise Plan's goals, policies, and actions will continue to guide more innovative and sustainable development, which could include parking standards below 1.2 spaces per unit and a vehicle trip performance standard, and through project design characteristics, TDM strategies, shared parking, and other strategies. (p. 587.)

Google supports allowing reduced residential parking through programs proposed and implemented by applicants, such as TDM strategies and shared parking.

Google also supports a phased residential parking reduction program where the required residential parking ratio is reduced as more multi-modal infrastructure and commercial services become available in North Bayshore.

Response 18.14: The comments on the amended North Bayshore Precise Plan are noted. Please refer to Response 7.20.

19. RESPONSE TO COMMENT LETTER 19 FROM THE SANTA CLARA VALLEY AUDUBON SOCIETY AND THE LOMA PRIETA CHAPTER OF THE SIERRA CLUB, DATED APRIL 17, 2017.

Comment 19.1: The Santa Clara Valley Audubon Society (SCVAS) and Sierra Club Loma Prieta Chapter (SCLP) appreciate the opportunity to comment on the Supplemental Draft Environmental Impact Report (SDEIR) for the North Bayshore Precise Plan (Project). SCVAS is one of the largest Audubon chapters in California. SCVAS' mission is to promote the enjoyment, understanding, and protection of birds and other wildlife by engaging people of all ages in birding, education, and conservation. SCVAS members in Mountain View and Santa Clara County frequent Shoreline at Mountain View Regional Park (Shoreline Park), as well as the wetland of the Retention Basin, the egret rookery of Shorebird Way and both Permanente and Stevens Creek Trails to observe and enjoy birds. The Sierra Club Loma Prieta Chapter (SCLP) has more than 16,000 members in San Mateo, Santa Clara, and San Benito counties. SCLP members enjoy, explore, and protect the planet. SCLP has long championed the creation and stewardship of parks and open space in Santa Clara County for the many benefits parks provide to residents, as well as their role in preserving our natural environment. Our organizations are concerned because the introduction of thousands of residents

into North Bayshore, and human activity there day and night, is likely to impact birding hotspots and the birds that can be observed there.

The SDEIR fails to adequately analyze impacts to parklands and recreational spaces

In the 2014 EIR, the City estimated that the Precise Plan could result in an increase of 13,346 employees, thereby increasing the use and demand for park facilities in the Precise Plan area (see August 2014 DEIR, Page 309). With the addition of more than 20,000 new residents in North Bayshore, impacts to existing parkland and recreational facilities in the region are inevitable, and the SDEIR should provide a full analysis of park impacts to include the cumulative use of 35,000 people on the parklands and trails within the Project Area and neighboring communities.

Response 19.1: The comment is acknowledged. The potential impacts to parklands and recreational spaces from the Precise Plan are discussed in *Section 4.13.3.5* of the SEIR, and potential cumulative impacts are discussed in *Section 4.13.4*. The North Bayshore area has the largest area of parks and open space in the City of Mountain View, 756 acres, not including GARfield Park and the Shoreline Athletic Fields. New parks and recreational facilities with appropriate amenities may be needed in North Bayshore as the area is built-out and new development is proposed. The Precise Plan (Chapter 3: Land Use and Design) includes a vision and development standards for future parks and open space network in the North Bayshore area, and Figure 3.3-6 shows the potential conceptual locations of future open space and recreational areas. The exact location of future recreational areas will be determined as the Precise Plan is implemented and new development is proposed. In order to understand how much recreational acreage may be needed, the City of Mountain View has a standard of at least three acres of park land for every 1,000 persons. An in-lieu fee can also be paid to offset the increased demands on park facilities.

The threshold of significance for a recreation impact is if the project would increase the use of existing neighborhood and regional parks, such that substantial physical deterioration of the facilities would occur, or be accelerated. Given the existence of so much existing park space in North Bayshore, plus the fact that new residential development will include project-serving recreation space, it is unlikely that the office and residential development proposed as part of the amended North Bayshore Precise Plan would cause substantial deterioration to park facilities.

Comment 19.2: While the SDEIR states residential land uses included in the amended Precise Plan are expected to increase human activity, domestic pet activity, and visits to Shoreline Park (Impact BIO-2), the document concludes that the Project would not substantially affect the provision of parks and open space (Impact PS-4), and that payment of Park Land Fees reduces any impact to a less than significant level. We disagree.

The SDEIR does not offer analysis of how the current, daytime population of North Bayshore uses parks, trails and recreation facilities in Mountain View, as well as surrounding communities and facilities (for example, Palo Alto, the Bay Trail and the Don Edwards National Wildlife Refuge). The SDEIR also does not analyze the expected increase in usage of park and recreation facilities at Shoreline Park and in neighboring communities, as thousands of new residents are present day and night. The SDEIR finds no Significant impact to recreation facilities based on the availability of land at Shoreline Park, assuming that payment of Park Land Fees will allow development of facilities there in the future. However, the timing of development of new facilities may not harmonize with the timing of the impact on parks and recreation facilities. Furthermore, Shoreline Park is built on a landfill, and has areas dedicated to the preservation of burrowing owls and other species. The SDEIR offers no analysis that shows that land is available at Shoreline Park to satisfy the requirements of the Quimby Act.

Response 19.2: The comment is acknowledged. Please see Response 19.1 above.

Comment 19.3: The final SEIR should also analyze the expected increase in usage of Shoreline Park, the Bay Trail and park and recreation facilities in neighboring communities when thousands of new residents use them day and night. Without a baseline or analysis, the SDEIR lacks the substantial evidence that is needed to support the finding that there is no significant, unavoidable impact to parks and recreation facilities. Especially, impacts to recreation facilities that do not benefit from Mountain View Park Land Fees should be analyzed and mitigated.

Because the residential development of North Bayshore is likely to occur before parks and recreation facilities are offered, residents are likely to use parks and recreation facilities in neighboring Palo Alto, including heightened use of Mitchell Park, Ramos Park, Byxbee Park, the Palo Alto Baylands Nature Preserve and the Lucy Evans Baylands Nature Interpretive Center. Please provide a complete and comprehensive analysis and mitigation for the Project's potential impacts to neighboring parklands and facilities.

Response 19.3: Refer to Response 19.1. With the proximity of Shoreline Park, the San Francisco Bay Trail, and Stevens Creek trail, future residents in North Bayshore are anticipated to use these high quality recreational facilities. It is difficult to predict the type of future residents that may live in North Bayshore, and their interest in recreational activities and recreational behavior patterns. It is likely that some residents may choose to use these nearby facilities or explore other recreational opportunities in nearby communities, in addition to recreational opportunities in other counties (San Francisco, Santa Cruz, etc.) or cities located further away. Although some residents may use nearby neighboring recreational areas in adjoining cities, the increased use is not anticipated to degrade these facilities at an accelerated rate and, therefore, the potential impacts to neighboring parks and facilities would be less than significant.

The Precise Plan update anticipates and acknowledges an increase in human use and activity of Shoreline Park and other areas. As a result, measures were added to the Precise Plan (Chapter 5: Habitat and Biological Resources) to

reduce the effects of increased human use on sensitive biological resources. Such measures include additional and enhanced signage to reduce the potential for humans to enter sensitive areas, increased fencing of sensitive habitat areas, and recommended funding for increased area ranger patrols. These measures are intended to help avoid significant impacts to habitats in neighboring areas from increases in human use.

Comment 19.4:

The SDEIR fails to fully analyze or mitigate the impacts of increased human and pet activity and disturbance on biological resources outside of the project footprint

The Mountain View 2030 General plan includes in its vision, “*In 2030, sensitive species of Shoreline at Mountain View Regional Park remain and thrive*”. We believe that further analysis and mitigation is needed to ensure that the many sensitive species of Shoreline Park remain and thrive.

Comprehensive analysis and mitigations are also needed to ameliorate the regional biological impacts that may result from increased use of Shoreline Park, Palo Alto Baylands, Bay trail and trails in the Don Edwards National Wildlife Refuge by new employees and new residents of North Bayshore.

Response 19.4:

Please see Response 19.3, above. The City is committed to the long term management of Shoreline Park and has adopted the Burrowing Owl Management Plan to promote burrowing owl protection. There are many factors that may influence or contribute to the expanded use of regional recreational facilities. The Precise Plan update anticipated increases in human use of Shoreline Park and other sensitive habitat areas as a result of Precise Plan changes such as inclusion of residential development in North Bayshore. As a result, measures were added to the Precise Plan to reduce the effects of increased human use on sensitive biological resources. Such measures include additional/enhanced signage to reduce the potential for humans to enter sensitive areas and several measures, such as increased fencing, patrols, habitat improvements, and discouragement of the release or feeding of animals near sensitive habitat that will reduce human disturbance of burrowing owls in Shoreline Park. These measures are intended to avoid significant impacts to habitats in neighboring areas from increases in human use.

Comment 19.5: Local studies indicate significant response to trail use from migratory waterfowl.³⁹ Dr. Trullio and Ms. Sokale’s research indicates that trail use reduces the foraging area available to **migratory waterfowl**. Since each type of waterfowl has specific foraging needs, and given that the

³⁹ Personal communication regarding Dr. Trullio and Ms. Sokale’s research of human disturbance impacts from trail use on wildlife, prepared for the South Bay Salt Pond Restoration Project (Bay Delta Conference):
<http://www.southbayrestoration.org/documents/technical/Final%20Snowy%20Plover%20Study%20Report.pdf>
<http://www.southbayrestoration.org/science/2011symposium/presentatinposter/SBSP%20Trullio%20Feb2011%20v2.ppt.pdf>
<http://www.baytrail.org/wildlifestudy.htm>

research focused on areas that have historically had high waterfowl counts, it is reasonable to conclude that increased trail use by the public may have a significant impacts to avian species. Local studies by Dr. Lynne Trulio and Jana Sokale show that trail walkers disrupted nesting **snowy plovers**, causing them to leave their nests. The plovers returned to their nest fairly quickly, but even a short disturbance can have an impact on nest success by exposing eggs or chicks to the elements, or catch the attention of predators. Faster movement on the trail was more impactful than slow movement, and with thousands of commuters and residents walking, jogging and biking on the trails along creeks and baylands, the disturbance should be considered significant, potentially unavoidable. In recent years, snowy plovers nested at a Moffett Field salt panne near the bay trail⁴⁰, and impacts to this species should be evaluated and mitigated.

Response 19.5: The Precise Plan update will not result in the establishment of any new trails in areas where waterfowl, snowy plovers, or other sensitive wildlife may be affected. The number of people using the existing trails around the South Bay may increase as a result of the Precise Plan update, but these trails are already heavily used by people. The referenced studies by Trulio and Sokale indicate that some birds avoid areas close to trails due to their aversion to human activity. Because of the number of people who already use existing trails, including the public trails adjacent to the salt pannes where snowy plovers nest (at least in some years) near Moffett Field, waterfowl, snowy plovers, and other wildlife using sensitive habitats adjacent to existing trails already maintain certain buffer distances from the trails. Increasing the number of human users of those trails would not necessarily cause those birds to increase their buffers from the trails, given the relatively high current human use of those trails.

In addition, a majority of cities and counties in the Bay Area have adopted plans to improve, expand, and connect trails throughout the Bay Area and beyond for better connectivity. The SEIR analyzed the projects potential impacts and contribution, and although the Precise Plan would increase trail uses in the area, those impacts would be less than significant. The Charleston Retention Basin Improvement Project has been approved and is being implemented and will expand the aquatic and wetland habitat in North Bayshore that will ultimately enhance conditions for marsh and riparian bird species, and could also provide some benefit to waterfowl in the area.

Comment 19.6: A breeding population of **Ridgeway Rail** has been observed in Charleston Slough and the Palo Alto Baylands.⁴¹ Charleston Slough and the Palo Alto Baylands are connected to the North Bayshore of Mountain View by the Bay Trail and Adobe Creek Loop Trail. Increased use of these trails by new employees and residents in North Bayshore may cause disturbance to this population. The final SEIR should evaluate this issue and provide mitigation.

⁴⁰http://www.valleywater.org/uploadedFiles/Services/FloodProtection/Projects/SunnyvaleEastandWestChannelsFloodProtectionProject/ReportsandDocuments/Appendix_N_Bio_WildlifeSpecies_092013.pdf?n=2580

⁴¹ Liu, L., J. Wood, N. Nur, L. Salas, and D. Jongsomjit. 2012. *California Clapper Rail (Rallus longirostris obsoletus) Population monitoring: 2005-2011*. PRBO Technical Report to the California Department of Fish and Game.

Impact BIO-2 and various sections of the SDEIR discuss the increased use of Shoreline Park and nearby creeks and habitat areas, and the expected increase in disturbance by humans and pets, for example:

- *“Residential land uses may potentially have greater impacts on sensitive biological resources than commercial or office land uses, due to higher number of people and pets present at night and throughout the week” (Page 191)*
- *“Residential land uses are expected to result in greater human use of Shoreline Park, which may include an increase in dogs and cats within Shoreline Park. Although dogs are not allowed within Shoreline Park, even on-leash, and human activities are supposed to be restricted to existing trails, infringement on these regulations would likely increase with residential uses in the Precise Plan area. Increased human activity, dog activity, and visits by pet cats to Shoreline Park is expected to result in increased disturbance of and possible predation of burrowing owls in the park. Over time, such impacts would likely result in a decline in burrowing owl populations in the park.” (Page 199)*
- *“In general, the closer residential development is to a given sensitive biological resource area, the greater the number of visits to that area by humans, pets, or predatory/nuisance wildlife and, therefore, the greater the potential for impact on the biological resource.” (Page 200)*
- *“...an increase in the number of people using the Precise Plan area is expected to result in increased human presence along Permanente and Stevens Creeks downstream from the Precise Plan area...” (Page 202)*
- *“Aquatic, stream, riparian, and wetland habitat located along Stevens Creek, Permanente Creek, and the Charleston Retention Basin may be degraded over time by off-trail user trampling, and wildlife using those areas could receive more direct disturbance by humans and pets than is expected to occur without residential development. Over time, this may result in a reduction in habitat that supports certain sensitive species and the number of species that can be supported by the habitat.” (Page 205)*

Disturbance can be expected to degrade habitat for additional sensitive species at Shoreline Park. Several special-status avian species are known to forage, nest, or breed in the Precise Plan. However, the SDEIR lacks a full analysis of potential impacts to all of these species and their habitats. We have included maps generated by eBird to show the prevalence of certain avian species that are not included in the SDEIR’s discussion of impacts to biological resources area (Appendix 1). In particular, Bald Eagles, Least Terns, Tricolored Blackbirds, Yellow Warblers, and Golden Eagles frequent the Bayshore of Mountain View, and may be directly impacted by an increase of human activity. Potential disturbance of foraging, breeding, and nesting habitats for all special status avian species caused by heightened human activity should be analyzed, discussed, and fully mitigated for in the final SEIR. To achieve the vision of the Mountain View General Plan 2030, mitigations should more than compensate for the impacts to sensitive species.

Response 19.6: Please refer the Response 19.4 and 19.5 above. The trails along the edge of the Ridgway rail habitat at the Palo Alto Baylands and Charleston Slough are already heavily used by pedestrians and cyclists. Any rails, as well as other birds, that forage or breed in sensitive habitats adjacent to those trails are

habituated to the existing levels of human activity and/or maintain buffers between their activities and those trails according to their tolerance, or lack thereof, for human activity. Given how heavy the existing human use of those trails is, increasing the number of human trail users is not expected to result in any additional adverse effects on species using sensitive habitats.

Also, some of the species mentioned in this comment use Shoreline Park and neighboring areas infrequently, or do so only as migrants or occasional foragers. Bald eagles, golden eagles, and tricolored blackbirds occur in the Shoreline Park area infrequently and in low numbers, and they do not breed in or very near the park. These species make little or no use of the Precise Plan itself due to a lack of suitable habitat. As noted above, their use of Shoreline Park takes into account the existing high human activity in the park. The amended Precise Plan will not reduce foraging habitat for these species in and around Shoreline Park, and it is unlikely that increasing human activity would substantially reduce the occasional visits by these species to the park.

Yellow warblers occur in Shoreline Park in moderate numbers during migration, but they do not breed there, and again, yellow warblers that forage in the park during migration do so even with existing heavy human use of the park. California least terns undergo post-breeding staging in former salt ponds north of Moffett Field, and although this staging area is important to Bay area populations, high levels of human activity already exist on trails in the vicinity of these ponds, and adding human users to those trails is not expected to substantially reduce the use of these ponds by the species.

Comment 19.7: While some of the disturbance is due to lawful use of trails (as discussed above), residential use will expand the disturbance – the current activity is focused on commute hours and lunchtime (with the exception of events). With residents at North Bayshore, activity can be expected to occur at all times of day, late into the night. The SDEIR dismisses this increase in use, and proper analysis is needed.

Response 19.7: This comment is acknowledged. Please see Response 19.1 and 19.3 above.

Comment 19.8: Furthermore, it is reasonable to expect that some people will veer off designated trails, bring dogs into areas where dogs are not permitted, trample creeks and riparian vegetation, encroach into designated burrowing owl habitat, and otherwise disrespect rules and signage. It is also reasonable to expect people to use Shoreline Park and recreational trails in the area after sunset and after closing hours. Clearly, this anticipated disturbance could impose a significant impact to the sensitive species of Shoreline Park (especially burrowing owls) as well as to the sensitive species of Stevens Creek, Charleston Slough and the Don Edwards National Wildlife Refuge.

Because activity – lawful and unlawful – can be expected to increase and to expand to all hours of the day and night, monitoring and mitigation must be required. We ask for an ongoing monitoring program, and the allocation of at least two rangers to be deployed at all time (day and night) to Shoreline Park and to trails along Stevens Creek, the Bay Trail and the Palo Alto Baylands.

Response 19.8: The comment is noted. Please refer to Responses 19.1 and 19.3 above. Please also refer to the “burrowing owl habitat enhancements” measures in Chapter 5.5 of the Precise Plan, which includes a measure to increase patrols within Shoreline Park.

Please note that the City of Mountain View does not have the ability to increase staffing at parks outside their jurisdiction, such as the Palo Alto Baylands. An action item has been added to the Precise Plan to consider increasing ranger patrols in the area.

Comment 19.9:

The Egret Rookery of Shorebird Way

Observations of the Egret Rookery by Audubon Staff and volunteers in recent years show that fledglings use the redwood trees across Shorebird Way from the London Plane Trees in which the egrets nest. The fledgling egrets roost in these redwoods in late June into September, as they become independent from their parents. It seems that these trees are critical to the function of the rookery, and we ask for this to be acknowledged in the final SEIR.

Response 19.9: The comments on fledgling egrets in the redwoods on Shorebird Way are noted. Both the London plane trees and the redwoods are within the Egret HOZ, and the same standards and guidelines for protection of the egrets would apply. The fledglings may choose to use a variety of trees in and outside of the HOZ for roosting (which could change annually). The City notes that the egret rookery is regionally important, and the Precise Plan was specifically developed to include measures to reduce potential impacts to the rookery to a less than significant level. Please refer to the clarifying text revisions in Section 5.0 of this Final SEIR.

Comment 19.10:

Bird-Safe Design

The SDEIR relaxes the requirements for Bird Safe Design for most residential buildings (only new residential construction within 300-feet of the Charleston Retention Basin is required to adhere to implement the guidelines). Unfortunately, birds’ collision with glass surfaces is not limited to non-residential construction. Please consider prohibition of glass-curtain buildings for residential development.

Response 19.10: The Bird Safe Design standards are specifically intended to reduce the potential for avian building collisions. The Precise Plan states “To minimize adverse effects on native and migratory birds, new construction and major renovation will incorporate design measures to promote bird safety.”

There are no specific development plans included in the amended North Bayshore Precise Plan. As the lead agency, the City of Mountain View will independently review future development applications as they are received. Each development application and proposal will be reviewed for consistency with the Precise Plan goals and objectives and for its potential environmental impacts, which does not preclude the City from prohibiting glass-curtains on future residential buildings or requiring future projects to incorporate bird safe design measures to reduce potential impacts based on the design application being reviewed at that time.

The reason why the updated Precise Plan only included bird safe residential design requirements within 300 feet of the Charleston Retention Basin is that this basin was the only sensitive habitat feature (e.g., creeks, wetlands, or riparian habitat) close to proposed areas of residential development. In other areas, bird collisions with glass on residential buildings may occur, but the bird species involved are more likely to be common, urban-adapted species, and the abundance of birds in those other areas (and, therefore, the frequency of collisions) would be lower than near sensitive habitats.

Comment 19.11:

Burrowing Owl HOZ

The SDEIR proposes, “*Raptor perch deterrents adjacent to burrowing owl habitat. For new construction in the HOZ, raptor perch deterrents shall be placed on the edges of building roofs or other structures (e.g., light poles or electrical towers) facing the burrowing owl habitat and with a clear view of burrowing owls.*” However, any new construction that has a view into burrowing owl habitat, not only in HOZ, should be designed to avoid provision of perches to raptors.

Response 19.11: The Burrowing Owl HOZ was designed specifically to address potential impacts from raptor perches on burrowing owls in Shoreline Park. The HOZ-required raptor perch deterrents are in the areas closest to known burrowing owls, since those locations have the highest likelihood to provide perch points for foraging raptors (direct line of site of occupied burrows). Other buildings located further away from Shoreline Park could provide perches, but are not located adjacent to areas inhabited by burrowing owls.

Comment 19.12:

Stevens Creek Bridges

The SDEIR acknowledges that the construction of a Charleston Road and/or La Avenida Avenue bridge could result in bird strikes from avian collision with bridge structures, and is therefore a significant impact. We disagree with the finding that the installation of Bird Flight Diverters would minimize this impact to a less than significant level. The City fails to provide substantial evidence

that Bird Flight Diverters have proven to be effective in preventing bird collisions with bridge suspension cables, especially for bridges constructed along riparian corridors.

Response 19.12: Bird flight diverters have not been proven effective in preventing bird collisions with bridge cables, but that is not because bird flight diverters have been implemented unsuccessfully on such projects. Rather, this is because projects have not previously required any mitigation for bridge cables related to avian collisions. For the Stevens Creek bridge project, the City of Mountain View is taking a cautious approach, given the value of riparian habitat along Stevens Creek to riparian birds, and the proximity of the bridges (especially at Charleston Road) to the egret rookery and to valuable baylands habitats. As a result, the City of Mountain View is taking the precautionary step of requiring bird flight diverters, in lieu of following the example of previous suspension bridge projects and not requiring any features that would attempt to increase the visibility of the cables to birds.

The commenter has provided no evidence to support its suggestion that bird flight diverters will not be effective in reducing bird collisions. Studies of bird flight diverters on power lines have concluded that wire markers result in a significant reduction in avian mortality by making the power lines more visible to birds.⁴² It is the professional opinion of the City's biological consultant that adding bird flight diverters to suspension cables on a bridge, at a spacing at least as dense as suggested for power lines, would make those cables more evident to birds, thereby reducing the frequency of avian collision with suspension cables.

There are no approved bridge designs and no formal bridge designs proposed in the amended North Bayshore Precise Plan. The two potential bridges are discussed at a program-level and implementation of one or both of these bridges would require project-specific environmental review at the time detailed bridge plans are proposed and available for analysis. Future bridges could be designed without the use of cables or could be designed to incorporate features to reduce avian collisions and will be thoroughly evaluated when designs are proposed.

Comment 19.13: The SDEIR proposes that impacts of Stevens Creek Crossings have been evaluated in a previous 2012 CEQA Document. That document was heavily criticized by many, and was never adopted by Council. We attach some public comment letters that were submitted at that time, as they are still pertinent. We believe it is premature to find that any of the environmental

⁴² [APLIC] Avian Power Line Interaction Committee. 2012. Reducing Avian Collisions with Power Lines: The State of the Art in 2012. Edison Electric Institute and APLIC. Washington, D.C.

Barrientos R, Ponce C, Palaci ´n C, Marti ´n CA, Marti ´n B, et al. 2012. Wire Marking Results in a Small but Significant Reduction in Avian Mortality at Power Lines: A BACI Designed Study. PLoS ONE 7(3): e32569. doi:10.1371/journal.pone.0032569

Jenkins, A. R., J. J. Smallie, and M. Diamond. 2010. Avian collisions with power lines: a global review of causes and mitigation with a South African perspective. *Bird Conserv. Int.* 20:263–278.

impacts associated with the construction and operation of one or two Stevens Creek crossings could be less than significant prior to project-level review.

Response 19.13: The comments about the Stevens Creek Crossings project are noted, and the City appreciates the inclusion of the comment letters for the 2012 bridge proposal. The North Bayshore Precise Plan Draft SEIR reviews a potential bridge crossing at a program level, and requires project-specific environmental review at the time specific bridge designs are proposed. As with any environmental review, older technical reports and information were used in this case to evaluate the existing setting and potential impacts of the action, but the 2012 report was only one of the sources consulted for the evaluation of impacts in the Draft SEIR, and information from that report was updated and added to as necessary by City staff and consultants.

Comment 19.14:

Alternatives

We continue to believe that inviting over 20,000 residents into Mountain View's North Bayshore will not achieve the Precise Plans vision of supporting and enhancing wildlife, trees, and habitat areas. Rather, an increase in human activity will inevitably result in impacts to biological resources, and may irreparably alter the regions ecology. To lessen the adverse impacts, we ask that the City study alternatives that distance residential development from the Egret rookery, the Retention Basin, and especially from Shoreline Park. For example, residential development along Highway 101 (in the area where LinkedIn once proposed office development) and further from sensitive habitats can help lessen the impacts of human activity on sensitive species and thus, the contradiction with the vision of the General Plan.

Response 19.14: Figure 3.3-5 of the amended North Bayshore Precise Plan shows the location of allowed future residential development. Residential development is concentrated along the Shoreline Boulevard corridor adjacent to planned transit and services, away from sensitive habitat areas near creeks and Shoreline Park. The Egret Rookery and Open Water, Creeks, and Storm Drain Facilities Habitat Overlay Zones include standards and guidelines to limit potential impacts to biological resources in these areas.

Comment 19.15:

Impact of increased nutrient flow into the San Francisco Bay

The Regional Water Quality Control Plant serving Mountain View (Palo Alto RWQCP) is not designed to remove nitrogen or phosphorus from effluents it releases into the Bay. These nutrients are known to cause algal blooms, which can release toxins and deplete oxygen when they die off. The San Francisco Regional Water Quality Control Board (SFRWQCB) recognizes this problem, and is currently working to develop to develop nutrient numeric endpoints (NNE) for the San Francisco

Bay Estuary.⁴³ These NNEs will create new limitations on nitrogen and phosphorus releases into San Francisco Bay. Population growth will increase the amount of these nutrients flowing to the Bay, and the SDEIR should analyze and offer mitigation for this impact.

Thank you for your time and consideration. Please do not hesitate to contact us should you have any questions.

Response 19.15: The comments on nutrient flow into San Francisco Bay are acknowledged.

⁴³http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/planningtmdls/amendments/estuaryrne.shtm

SECTION 5.0 REVISIONS TO THE TEXT OF THE DRAFT SEIR

The following section contains text revisions to the *Draft Subsequent Environmental Impact Report, North Bayshore Precise Plan*, dated March 2017.

Underlining depicts text added, while ~~strikeouts~~ depict text deleted.

Page 16: **REVISE** *Section 1.2.1, Summary of Significant Impacts*, as shown.

Impact GHG-1: Under the 2030 full buildout under the amended North Bayshore Precise Plan, annual service population emissions of CO₂e/yr/service population would exceed the ~~City's established GGRP~~ threshold of 4.5 MT of CO₂e/year/service population for the Precise Plan area changes, and would also exceed the mid-term 2030 target under SB 32. This impact is, therefore, significant. [**Significant Impact**]

Page 19: **REVISE** *Section 1.2.1, Summary of Significant Impacts*, as shown.

MM HAZ-43.1: If a future project is located in an area for which an overseeing regulatory agency (e.g., US EPA, California Department of Toxic Substances Control [DTSC]), San Francisco Bay Regional Water Quality Control Board (Water Board) or Santa Clara County Department of Environmental Health (DEH) has determined that mitigation or other site management measures are required prior to future development, the project applicant shall coordinate development activities with the overseeing regulatory agency and adhere to the project-specific development requirements.

Page 20: **REVISE** *Section 1.2.1, Summary of Significant Impacts*, as shown.

MM HAZ-43.2: If a future project is not located in such areas as described in MM HAZ-43.1 and as part of the building permit application process, project applicants shall prepare the following reports:

Page 21: **REVISE** *Section 1.2.1, Summary of Significant Impacts*, as shown.

MM HAZ-43.3: Prior to the start of any construction activity on properties with known COC exceeding the lower of the then-current DTSC, Water Board or US EPA residential screening levels¹, the project applicant shall submit the following plans and controls to a regulatory agency for review and approval:

Page 23: **REVISE** *Section 1.2.1, Summary of Significant Impacts*, as shown.

MM HAZ-43.4: Prior to the start of any construction activity on properties with known COC exceeding the lower of the then-current DTSC, Water Board or US EPA residential screening levels, the project applicant shall coordinate work activities with the oversight agency and Responsible Parties (as designated by the oversight agency), including identifying conditions that could affect the implementation and monitoring of the approved remedy.

MM HAZ-43.5: At future project sites identified as being impacted or potentially impacted during

the property-specific Phase I ESA or subsequent studies, a Site Management Plan (SMP) shall be prepared prior to development activities to establish management practices for handling contaminated soil, soil vapor, or other materials during construction. The SMP shall be prepared by an Environmental Professional and be submitted to the overseeing regulatory agency for review and approval prior to construction. The project applicant shall provide the oversight agency's written approval of the SMP to the City. The SMP for the property shall include the following activities:

Page 26: **REVISE** *Section 1.2.1, Summary of Significant Impacts*, as shown.

MM HAZ-43.6: Leaving contaminated soil with COC above residential screening levels in-place or re- using it on future project sites shall require an oversight agency's written approval; the written approval shall be provided to the City. At a minimum, if contaminated soil is left in-place, a deed restriction or land use covenant shall detail the location of these soils. This document shall include a surveyed map of these impacted soils; shall restrict future excavation in these areas; and shall require future excavation be conducted in these areas only upon written approval by an oversight agency.

MM HAZ-43.7: Any soil, soil vapor and/or ground water remediation of a future project site during development activities shall require written approval by an oversight agency and shall meet all applicable federal, state and local laws, regulations and requirements.

Page 27: **REVISE** *Section 1.2.1, Summary of Significant Impacts*, as shown.

MM HAZ-43.8: Due to the North Bayshore Precise Plan area's proximity to US 101, soil sampling and analytical testing on a future site adjacent to US 101 for lead shall be performed (due to historical leaded gasoline use). If lead is detected above the lower of the then-current DTSC, Water Board or US EPA residential screening levels, it should appropriately mitigated under regulatory agency oversight.

MM HAZ-43.9: Unless the Phase I ESA documents that a specific project site was historically not used for agricultural purposes, soil sampling and laboratory analyses shall be performed to evaluate the residual pesticide concentrations, if any, and potential health risks to future occupants and construction workers.

MM HAZ-43.10: Soil exported from future project sites within the Precise Plan area shall be analyzed for COCs amongst other chemicals as required by the receiving facility.

MM HAZ-43.11: The project applicant shall require the construction General Contractor to prepare a Health and Safety Plan (HSP) establishing appropriate protocols for working at the property. Workers conducting property earthwork activities in contaminated areas shall complete 40-hour HAZWOPER training course (29 CFR 1910.120). The General Contractor shall be responsible for the health and safety of their employees as well as for compliance with all applicable federal, state, and local laws and guidelines.

MM HAZ-43.12: Groundwater monitoring wells and remediation system components located on future project sites within the Precise Plan area shall be protected during construction. Upon written approval from the overseeing regulatory agency, the wells could be destroyed under permit from the

Santa Clara Water District prior to mass grading activities. Relocation of the wells may be required. The locations of future ground water monitoring wells and other remediation infrastructure, if any, shall be incorporated into the development plans.

Page 28: **REVISE** *Section 1.2.1, Summary of Significant Impacts*, as shown.

MM HAZ-43.13: If future project sites are under active regulatory agency oversight, the project applicant and subsequent owners and occupants shall provide access to the sites, including ongoing access to monitoring wells for monitoring and sampling purposes, and cooperate with the oversight agency and Responsible Parties during implementation of any subsequent investigation or remediation, if required. In addition, if vapor intrusion poses a human health risk, the project applicant and subsequent property owners and occupants shall provide access for future indoor air vapor monitoring activities and shall not interfere with the implementation of remedies required by the oversight agency.

MM HAZ-43.14: For future sites that are subject to activity and use limitations (AULs), such as institutional (legal or regulatory restrictions on a property's use such as deed restrictions) and engineering (physical mechanisms that restrict property access or use) controls, compliance will be maintained.

MM HAZ-43.15: At future sites where hazardous materials are used or stored, a permit may be required for facility closure (i.e., demolition, removal, or abandonment) of any facility or portion of a facility. The project applicant shall contact the Mountain View Fire Department and County Department of Environmental Health to determine facility closure requirements prior to building demolition or change in property use.

Page 33: **REVISE** *Section 1.2.1, Summary of Significant Impacts*, as shown.

- Option 2 – Partial Mitigation - Single Split Phase Northbound Left Turn Lane: This improvement would include north/south split phasing and a single northbound left turn lane with an approximately 350 foot storage pocket. To fully accommodate the morning peak hour demand volumes, one of the northbound through lanes would serve as a de facto left turn lane requiring approximately 850 feet of storage; this vehicle queue would extend from Space Park Way through Pear Avenue halfway to the US 101 Northbound Off-Ramps. This configuration could require additional right-of-way. This option improves LOS to acceptable operations during the AM peak hour but does not provide acceptable operations in the PM peak hour.

Page 35: **REVISE** *Section 1.2.1, Summary of Significant Impacts*, as shown.

These improvements would have secondary effects on the Shoreline Boulevard and Plymouth Street intersection because the northbound left turns at Pear Avenue would need to divert to Plymouth Street. To address the storage space needs, this option would also require two 500-foot northbound left turn lanes from Shoreline Boulevard to Plymouth Street (see the Option 1 mitigation for the Shoreline Boulevard and Plymouth Street-Space Park Way intersection mitigation #33). Under this mitigation measure, the Plymouth Street intersection would operate

at LOS ~~BD+~~ (+35.9 seconds of delay) and LOS ~~CD+~~ (34.653.9 seconds of delay) during the AM and PM peak hours, respectively.

Page 44: **REVISE** *Section 1.2.1, Summary of Significant Impacts*, as shown.

The amended North Bayshore Precise Plan includes efforts to reduce single occupant vehicle trips by implementing a comprehensive Transportation Demand Management (TDM) Program, and a morning peak period trip cap. To manage deficient freeway operations, potential TDM measures that reduce peak period vehicle trips are described in the VTA ~~Immediate Implementation~~ Deficiency Plan Action List (See Appendix ~~L~~ M of the TIA). ~~The VTA action list is supplemented by a list of TDM measures described in a report titled Quantifying Greenhouse Gas Mitigation Measures: A Resource for Local Government to Assess Emission Reductions from Greenhouse Gas Mitigation Measures by the California Air Pollution Control Officers Association (CAPCOA) (August 2010).~~ While a successful TDM program and trip cap may incrementally reduce peak period freeway traffic, by itself it would not reduce the identified freeway impacts to a less than significant level. Therefore, the addition of project traffic results in a significant and unavoidable impact to the remaining identified freeway segments.

Page 45: **REVISE** *Section 1.2.1, Summary of Significant Impacts*, as shown.

Impact C-TRANS-1: Implementation of the proposed Precise Plan would result in significant impacts to ~~40~~45 project study intersections under Year 2030 Cumulative With Project conditions in either the AM and/or the PM peak hours.

Page 46: **REVISE** *Section 1.2.1, Summary of Significant Impacts*, as shown.

- **#3. San Antonio Road and Charleston Road (Palo Alto):** No feasible vehicle capacity improvements (e.g., intersection turn lanes) at the intersection of San Antonio Road and Charleston Road because each quadrant of the intersection is developed and widening of the intersection would likely affect adjacent buildings and/or infrastructure. Furthermore, widening this intersection would conflict with Palo Alto policies to accommodate the needs of bicyclist and pedestrians. Therefore the impact is considered significant and unavoidable under Year 2030 Cumulative with Project Conditions. No other improvements are possible due to right-of-way constraints. **[Significant Unavoidable Cumulative Impact]**

Page 51: **REVISE** *Section 1.2.1, Summary of Significant Impacts*, as shown.

These improvements would have secondary effects on the Shoreline Boulevard and Plymouth Street intersection because the northbound left turns at Pear Avenue would need to divert to Plymouth Street. To address the storage space needs, this option would also require two 500-foot northbound left turn lanes from Shoreline Boulevard to Plymouth Street (see the mitigation for the Shoreline Boulevard and Plymouth Street-Space Park Way intersection, Mitigation Measure #33). Under this mitigation measure, the Plymouth Street intersection would operate at LOS ~~BD+~~ (+35.9 seconds of delay) and LOS ~~CD+~~ (34.653.9 seconds of delay) during the AM and PM peak hours, respectively.

Page 52: **REVISE** *Section 1.2.1, Summary of Significant Impacts*, as shown.

...These improvements would improve the overall intersection to an acceptable level of operation in the AM peak hour. Appendix ~~KL~~ of the TIA provides the intersection volume and level of services results for the study intersections (#31 to 35 and 71 to 75 plus the realigned ramp intersection #76) with affected by the ramp realignment.

Page 53: **REVISE** *Section 1.2.1, Summary of Significant Impacts*, as shown.

The realignment of the US 101 northbound off-ramp would increase traffic on the new north/south street; this increase in traffic would require signalization of the new north/south local street intersections at Shorebird Way and Space Park Way. The new north/south local street and Charleston Road would also operate unacceptably during the evening peak hour (see Appendix ~~KL~~ of the TIA).

Page 57: **REVISE** *Section 1.2.1, Summary of Significant Impacts*, as shown.

- **#4. San Antonio Road and Middlefield Road (Palo Alto):** No vehicle capacity improvements (e.g., intersection turn lanes) at the intersection of San Antonio Road and Middlefield Road are physically feasible because each quadrant of the intersection is developed and widening of the intersection would likely affect adjacent buildings and/or infrastructure. Furthermore, widening this intersection ~~would intersection~~ would conflict with Palo Alto policies accommodate the needs of bicyclist and pedestrians. Therefore the impact is considered significant and unavoidable under Year 2030 Cumulative with Project Conditions. No other improvements are possible due to right-of-way constraints.

Page 57: **REVISE** *Section 1.2.1, Summary of Significant Impacts*, as shown.

- **#8. Charleston Road and Fabian Way (Palo Alto):** No vehicle capacity improvements (such as adding turn lanes) at this intersection are physically feasible because each quadrant of the intersection is developed and widening of the intersection would likely affect adjacent buildings and/or infrastructure. Furthermore, widening this intersection ~~would intersection~~ would conflict with Palo Alto policies to accommodate the needs of bicyclist and pedestrians. Therefore the impact is considered significant and unavoidable under Year 2030 Cumulative with Project Conditions. No other improvements are possible due to right-of-way constraints. Although not typically considered an acceptable mitigation measure by itself, signal timing modification (increasing the cycle length) would improve operations to an acceptable LOS (LOS D or better).

Page 57: **REVISE** *Section 1.2.1, Summary of Significant Impacts*, as shown.

- **#9. Charleston Road and Middlefield Road (Palo Alto):** No vehicle capacity improvements (such as adding turn lanes) at this intersection are physically feasible because each quadrant of the intersection is developed and widening of the intersection would likely affect adjacent buildings and/or infrastructure. Furthermore, widening this intersection ~~would intersection~~ would conflict with Palo Alto policies to accommodate the needs of bicyclist and pedestrians. Therefore the impact is considered significant and unavoidable under Year 2030 Cumulative with Project

Conditions. No other improvements are possible due to right-of-way constraints. Although not typically considered an acceptable mitigation measure by itself, signal timing modification (increasing the cycle length) would improve operations to an acceptable LOS (LOS D or better). **[Significant Unavoidable Cumulative Impact]**

- **#10. Charleston Road and Alma Street (Palo Alto):** No vehicle capacity improvements (e.g., intersection turn lanes) at the intersection of Charleston Road and Alma Street are physically feasible because each quadrant of the intersection is developed and widening of the intersection would likely affect adjacent buildings and/or infrastructure. Furthermore, widening this intersection ~~would~~ ~~intersection~~ would conflict with Palo Alto policies to accommodate the needs of bicyclist and pedestrians. Therefore the impact is considered significant and unavoidable under Year 2030 Cumulative with Project Conditions. No other improvements are possible due to right-of-way constraints. **[Significant Unavoidable Cumulative Impact]**

Page 67: **REVISE** Section 1.2.1, *Summary of Significant Impacts*, as shown.

...In addition, Caltrans has been evaluating a safety project at this location that would include signalization. However, this improvement is controlled by another agency and the City of Mountain View cannot guarantee it will be implemented; therefore this impact is considered significant and unavoidable under Year 2030 Cumulative with Project Conditions. **[Significant Unavoidable Cumulative Impact]**

Page 69: **REVISE** Section 1.2.1, *Summary of Significant Impacts*, as shown.

- **Cumulative Transportation Impacts:** The cumulative projects, including the amended Precise Plan, would result in cumulatively significant and unavoidable impacts to intersections, freeway segments, and transit levels of service.
 - Implementation of the proposed Precise Plan would result in significant and unavoidable impacts to ~~45~~39 intersections during either the AM and/or PM peak hours under Year 2030 Cumulative with Project Conditions.
 - Implementation of the project would result in a cumulatively considerable contribution to impacts to 130 freeway segments in the AM peak hour (67 mixed-flow, 63 HOV lanes) and ~~122~~121 freeway segments in the PM peak hour (~~66~~65 mixed-flow and 56 HOV lanes) under Year 2030 Cumulative with Project conditions.

Page 70: **REVISE** Section 1.3, *Executive Summary*, as shown.

- **Operational Emissions:** Under the 2030 full buildout of the amended North Bayshore Precise Plan, annual service population emissions of CO₂e/yr/service population would exceed the ~~City's established GGRP~~ threshold of 4.5 MT of CO₂e/year/service population for the Precise Plan area changes, and would also exceed the mid-term 2030 target under SB 32. The project proposes to implement feasible energy efficiency and TDM measures identified in the City's GGRP and North Bayshore Precise Plan to minimize impacts; however, these

measures would not reduce impacts to a less than significant level. This impact is, therefore, significant and unavoidable.

Page 70: **REVISE** *Section 1.4.4.3, Increased Residential Density Alternative*, as shown.

An alternative to the proposed project to avoid the project's significant, unavoidable GHG impact would be to substantially increase the residential population within the North Bayshore Precise Plan area, such that the ~~GGRP~~ threshold of 4.5 MT CO₂e/year/service population would not be exceeded. While a detailed quantitative analysis was not completed for this alternative, it is estimated that approximately 15,750 additional residents or an additional 9,000 residential units above what is proposed by the amended Precise Plan, with the additional residents not generating any mobile emissions, would be necessary to reduce annual CO₂e emissions per service population below the 4.5 MT threshold of significance.

Page 96-97: **REVISE** *Section 3.3.2, General Plan Amendment*, as shown.

The 2030 General Plan's *North Bayshore Mixed-Use* land use designation would be amended with adoption of the proposed General Plan amendment. The allowed land uses, floor area ratios, densities, and building heights within this designation would be amended to be consistent with the proposed revisions to the North Bayshore Precise Plan. The proposed amendments to the *North Bayshore Mixed-Use* designation are as follows:

North Bayshore Mixed-Use promotes a vibrant mix of retail, including restaurants and services, along with residential, offices, lodging, entertainment and small businesses along the North Shoreline Boulevard corridor. Pedestrian and bike paths connect this area to surrounding office campuses and other areas.

- Allowed Land Uses: Office, commercial, lodging, entertainment; and residential ~~allowed east of North Shoreline Boulevard between La Avenida and the flood retention basin, between North Shoreline Boulevard and Joaquin Road, and south of Plymouth Street, as shown on the General Plan Land Use Map.~~
- Intensity (office): ~~0.35-0.45 FAR; office intensities above between 0.35 FAR and up to 0.65 and 1.50 FAR~~ may be permitted with measures for highly sustainable development and public benefits specified within zoning ordinance or precise plan standards; ~~residential and lodging intensities up to 1.85 FAR permitted, inclusive of other uses in mixed-use projects (approximately 70 DU/ac or 60 – 150 residents per acre)~~
- Intensity (residential): 1.0 FAR (approximately 40 DU/ac or 40 – 80 residents per acre). FAR greater than 1.0 may be allowed if consistent with North Bayshore Precise Plan affordable housing strategies
- Intensity (lodging): 1.85 FAR
- Intensity (mixed-use): Mixed use intensities are defined within Precise Plan or zoning ordinance standards

- *Height Guideline:* Up to 8 stories for office and lodging; up to 15 stories for residential

The 2030 General Plan's *Mixed-Use Center* land use designation would also be amended with adoption of the proposed General Plan amendment. The allowed land uses, floor area ratios, densities, and building heights within this designation would be amended to be consistent with the proposed revisions to the North Bayshore Precise Plan. The proposed amendments to the *Mixed-Use Center* designation are as follows:

Mixed-Use Center promotes pedestrian-oriented mixed-use centers with integrated, complementary uses such as entertainment, restaurants, residential, department stores and other retail, office, hotels, convention/assembly and/or civic uses and public spaces that draw visitors from surrounding neighborhoods and the region.

San Antonio

- *Allowed Land Uses:* Office, retail and personal services, multi-family residential, lodging, entertainment, parks and plazas
- *Intensity:* 2.35 FAR (approximately 70 DU/acre or 60 - 150 residents/acre), of which up to 0.75 FAR can be office or commercial.
- *Height Guideline:* Up to 8 stories

North Bayshore

- *Allowed Land Uses:* Office, retail and personal services, multi-family residential, lodging, entertainment, parks and plazas
- *Intensity (office):* 1.0 FAR; intensities between 1.0 FAR and up to 2.35 FAR may be permitted with measures for highly sustainable development specified ~~and public benefits specified~~ defined within zoning ordinance or precise plan standards
- *Intensity (residential):* 1.0 FAR (approximately 40 DU/ac or 40 – 80 residents per acre). FAR greater than 1.0 may be allowed if consistent with North Bayshore Precise Plan affordable housing strategies
- *Intensity (lodging):* 1.85 FAR
- *Intensity (mixed-use):* Mixed use intensities are defined within Precise Plan or zoning ordinance standards
- *Height Guideline:* Up to 8 stories for office and lodging; up to 15 stories for residential

General Character Area

Within the Complete Neighborhood Areas, the General Character Area will accommodate mixed-used development with building forms and character that are similar to those of the Core Area. New development will include mixed-use buildings, office and R&D buildings, and residential-only buildings, as well as new shared and public open spaces. Buildings will be organized within new smaller blocks, close to and oriented to walkable streets with active ground floor. New public Neighborhood Streets, Service Streets, and bicycle and pedestrian connections will help break up the large existing blocks, improve access, and connect to a fine-grained, multimodal transportation network. Parking will be well screened from public spaces and located in structures or below-grade, but can also be located in well-landscaped, sustainably-designed surface parking lots.

Bonus Floor Area Ratio

Base floor area ratios (FAR) and Maximum FAR have been defined for each Character Area, with the highest intensities in the Gateway and Core Areas and the lowest intensities in the Edge Area. Bonus FAR for non-residential projects, up to the Maximum FAR, may be granted to projects that 1) meet the requirements for higher building level environmental performance, 2) contribute to public benefits or district-level improvements, and/or 3) transfer development rights from the Edge Area to the Core Area. Bonus FAR for residential projects, up to the Maximum FAR, may be granted to projects that 1) provide a minimum amount of the residential units onsite at affordable rent or sales price, 2) propose a Local School Strategy to support new local schools in or adjacent to the North Bayshore Precise Plan area; and 2) implement additional green building and site design measures.

| Table 3.3-5: Floor Area Ratio Standards | | | | | |
|--|------------------|--------------------------------|----------------------------|---|--------------|
| Character Area | Land Uses | Non-Residential Project | Residential Project | Mixed-use Non-Residential and Residential Project | Hotel |
| Gateway | Base | 1.00 | 1.00 | 1.00 | 1.00 |
| | Maximum | 2.35 | 4. 20 50 | 4. 20 50, with the non-residential area equal to or less than 2.35 | 2.35 |
| Core | Base | 0.45 | 1.0 | 1.0 | 0.45 |
| | Maximum | 1.50 | 4. 20 50 | 4. 20 50, with the non-residential area equal to or less than 1.5 | 1.85 |
| General | Base | 0.45 | 1.0 | 1.0 | N/A |
| | Maximum | 1.0 | 3.50 | 3.50, with the non- | N/A |

| Table 3.3-5: Floor Area Ratio Standards | | | | | |
|--|---------|------|------|--|-----|
| | | | | residential area equal to or less than 1.0 | |
| <i>Edge</i> | Base | 0.45 | 1.0 | N/A | N/A |
| | Maximum | 0.65 | 1.85 | 1.85, with the non-residential area equal to or less than 0.65 | N/A |

Page 105: **REVISE** Table 3.3-6, *Maximum Residential Building FAR by Tier*, as shown.

| Table 3.3-6: Maximum Residential Building FAR by Tier | | | |
|--|-----------------|--|--|
| Character Area | Base FAR | Tier 1 FAR Bonus 15% Affordable Housing Units | Tier 1 FAR Bonus 20% Affordable Housing Units |
| Gateway and Core | 1.0 | 3.50 20 (7 stories) | 4.20 50 (15 stories) |
| General | 1.0 | 2.50 (5 stories) | 3.50 (8 stories) |
| Edge | 1.0 | 1.85 (4 stories) | N/A |

Page 114: **REVISE** Section 3.3.5.4, *Mobility – Traffic and Transportation*, as shown.

Key transportation policies and metrics of the Precise Plan include the following:

- Setting a district wide single occupancy vehicle mode share target of 45 percent;
- Establishing a district-wide vehicle trip cap of 18,900 inbound vehicle trips during the morning peak period (7:00 a.m. to 10:00 a.m.);
- Implementation of Transportation Management Association programs;
- Eliminating minimum parking requirements and setting parking maximums;
- Development of new street typologies and design guidelines for each typology;
- Identification of key transportation infrastructure improvements to support SOV target and mode shift; and
- Development of a complete bicycle network.

Page 115: **REVISE** Section 3.3.5.4, *Mobility – Traffic and Transportation*, as shown.

North Bayshore District Vehicle Trip Cap: ~~A district wide trip cap of 18,900 vehicle trips has been established for the AM inbound peak period.~~ The District Vehicle Trip Cap is established as 22,390 inbound and outbound vehicle trips (17,010 inbound; 5,370 outbound) during the AM peak period (7:00 a.m. to 10:00 a.m.), based on the analysis conducted of the roadway network capacity at the three primary entry points to North Bayshore. Section 8.3, *Monitoring Programs*, of the Precise Plan, includes additional information on the monitoring and implementation of the North Bayshore Trip Cap.

Congestion Pricing: Congestion pricing involves charging motorists a user fee to drive in specific,

congested areas during periods of peak demand to help discourage vehicle use, and thereby, eliminate or reduce related delays to acceptable levels. The revenues generated can be used to fund transportation improvements to accommodate shifts in travel behavior, such as transit service, roadway improvements, and bicycle and pedestrian projects. The congestion pricing system can be designed to exempt certain groups as necessary. For example, license plate recognition can exempt North Bayshore residents or Shoreline Park visitors.

~~If the employer TDM program requirement and trip cap do not reduce the number of vehicle trips to less than the established AM peak period vehicle trip cap.~~ If the employer TDM program requirement does not reduce the number of vehicle trips to less than the established morning peak period vehicle trip cap, the City may implement a congestion pricing system. Prior to the implementation of a congestion pricing system further study and community outreach will be required.

Page 121: **REVISE** Table 3.5-1, as shown.

| Table 3.5-1: CEQA Responsible and Trustee Agencies | |
|--|---|
| Agency | Role(s) |
| U.S. Environmental Protection Agency (EPA) | Oversight of federal hazardous materials cleanup sites. |
| U.S. Army Corps of Engineers (USACE) | Oversight of Clean Water Act, permitting dredge/fill of wetlands |
| U.S. Army Reserve | Environmental review and permits for Stevens Creek Bridges. |
| U.S. Fish and Wildlife Service (USFWS) | Oversight of federally-listed wildlife (Endangered Species Act) |
| National Aeronautics and Space Administration (NASA) | Environmental review and permits for Stevens Creek Bridges. |
| National Marine Fisheries Service (NMFS) | Oversight of federally-listed marine species and anadromous fish. |
| Federal Aviation Administration (FAA) | Compliance with Part 77 of Federal Aviation Regulations |
| California Department of Fish and Wildlife (CDFW) | Streambed Alteration Agreement for any work within the bed and banks of creeks. Special status species oversight and permits. |
| California Department of Transportation (Caltrans) | Encroachment Permit for any work within the Caltrans right-of-way. |
| California Department of Toxic Substances Control | Oversight of Hazardous Materials cleanup sites. |
| San Francisco Bay Regional Water Quality Control Board | Oversight of Hazardous Materials cleanup sites. |
| San Francisco Bay Conservation and Development Commission (BCDC) | Permits for projects within the BCDC's jurisdiction. |
| Santa Clara Valley Transportation | Roadway system improvements, transit system |

| Table 3.5-1: CEQA Responsible and Trustee Agencies | |
|---|---|
| Agency | Role(s) |
| Authority/Joint Powers Board | improvements. |
| Santa Clara County, Department of Roads and Airports | Acceptance and construction of traffic mitigation. |
| Santa Clara County, Airport Land Use Commission | Consistency determination with Comprehensive Land Use Plan |
| Santa Clara County, Department of Environmental Health | Oversight of Hazardous Materials cleanup, including Leaking Underground Storage Tank (LUST) sites. |
| Santa Clara County, Parks and Recreation Department | Permits for any improvements to County Parks trails and facilities. |
| Santa Clara Valley Water District (SCVWD) | Permit(s) for any work within 50 feet of creeks. <u>Fee and easement right-of-way over Permanente Creek and Stevens Creek. Any work within these rights-of-way requires a District encroachment permit.</u> |

Page 137: **REVISE** Section 4.1.2.4, *Impacts to Visual Character and Quality*,

4. Moffett Field Comprehensive Land Use Plan Height Limits. All new buildings shall conform to the height limits established by the Moffett Field Comprehensive Land Use Plan. Specifically, maximum building heights shall not exceed 182 feet AMSL (Above Mean Sea Level). Proposed projects must also obtain a No Hazard determination from the FAA (Federal Aviation Agency).

5. High-rise residential building forms. Building masses greater than 95 feet in height shall meet the following requirements to preserve views and exposure to light and air:

- No facades shall be greater than 190 feet in length.
- No floor plate shall be greater than 16,000 square feet in area.

6. High-rise residential building spacing. High-rise residential building masses greater than 95 feet in height shall be spaced no less than 175 feet apart to minimize shadowing of streets, open space, and other residential units. This distance shall be measured by a 175 feet circular offset from the building perimeter at its outermost points on the building form, as shown on Figure 12.

Page 137: **REVISE** Section 4.1.2.4, *Impacts to Visual Character and Quality*, as follows:

North Bayshore Precise Plan Guidelines

1. High-Rise Building Locations. High-rise buildings should be located in key prominent locations such as the Gateway Character Area; adjacent to transit centers and stops; and areas with significant retail, pedestrian, and bicycle activity.

34. Preserving views. Upper stories should be designed to preserve significant views to surrounding mountains and the bay as viewed from public streets.

Page 160-161: **REVISE** Section 4.2.2.5, *Sensitive Receptor Pollution Exposure*, as follows:

Construction

Implementation of the Precise Plan would result in the construction of a variety of projects. This construction would result in short-term emissions of Diesel Particulate Matter (DPM), a Toxic Air Contaminant (TAC). Construction would result in the generation of DPM emissions from the use of off-road diesel equipment required for site grading and excavation, paving, and other construction activities. The amount to which receptors are exposed (a function of concentration and duration of exposure) is the primary factor used to determine health risk (i.e., potential exposure to TAC emission levels that exceed applicable standards). Health-related risks associated with diesel-exhaust emissions are primarily linked to long-term exposure and the associated risk of contracting cancer.

The calculation of cancer risk associated with exposure to TACs is typically based on a long-term exposure (e.g., 30- or 70-year period). The use of diesel-powered construction equipment for Precise Plan implementation projects would be temporary and episodic and would occur over a relatively large area. Cancer risk and PM_{2.5} exposure from construction of individual projects would have to be analyzed through project-level analysis to identify the potential for significant impacts and measures to reduce those impacts to less than significant. Thresholds of significance for construction-related TAC and PM_{2.5} are based upon health risk. Project emissions could result in a significant impact if they exceed the following thresholds.

- Increased cancer risk of >10.0 in one million
- Increased non-cancer risk of > 1.0 Hazard Index (chronic or acute)
- Ambient PM_{2.5} increase: > 0.3 μ/m³
(Zone of influence: 1,000-foot radius from property line of source or receptor)

Health risks associated with temporary construction would, therefore, be considered potentially significant.

Page 191-192: **REVISE** Section 4.3.4.2, *North Bayshore Precise Plan Project*,

North Bayshore Precise Plan Standards

1. **Habitat Overlay Zone (HOZ).** All new construction proposed within ~~an overlay zone~~ the HOZ shall comply with the overlay zone standards. Figure 4.3-2 shows the approximate boundaries of each HOZ. Project applicants shall work with the City to determine the precise edge of habitat²⁰ from which to measure the edge of the HOZ boundary.
2. **Burrowing owl HOZ.** In Shoreline Park immediately north of the Precise Plan area, the City supports an ongoing burrowing owl monitoring and management program. The following are standards for new construction and renovations designed to protect and enhance the burrowing owl habitat adjacent to the North Bayshore area.

- a. Overlay District Boundaries. Boundaries shall be 250 feet as measured from the edge of the burrowing owl habitat.
- b. Building placement in the HOZ. ~~Any new building~~ construction shall not be placed inside the HOZ, except where allowed by exceptions included in the Precise Plan.
- c. Impervious surface. New impervious surface shall not be constructed closer to burrowing owl habitat than existing impervious surfaces, and no net increase in impervious surface shall occur within the HOZ.
- d. Landscape design. ~~To avoid perches for avian predators of burrowing owls and dense woody vegetation that could hide mammalian predators, new landscaping in the HOZ shall be recommended by a qualified biologist familiar with burrowing owl ecology and the City's Burrowing Owl Preservation Plan, and should consist only of herbaceous plants or shrubs that will not exceed a height of 4 feet.²² Additionally, the size, location and species of any new or replacement public street tree species within or adjacent to the Burrowing Owl HOZ area shall be recommended by a qualified biologist. No new trees or shrubs capable of exceeding 15 feet in height that could provide perches for avian predators of burrowing owls, and no dense woody vegetation that could hide mammalian predators, shall be planted in the HOZ. New landscaping in the HOZ should consist of herbaceous plants.²⁸~~
- e. Low intensity outdoor lighting. Outdoor lighting shall be low intensity (LZ 2) and shall utilize full cutoff fixtures to reduce the amount of light reaching these sensitive habitats.
- f. Raptor perch deterrents adjacent to burrowing owl habitat. For any new construction in the HOZ, raptor perch deterrents shall be placed on the edges of building roofs or other structures (e.g., light poles or electrical towers) facing the burrowing owl habitat and with a clear view of burrowing owls.

²⁰The HOZ boundary is defined as the extent of the overlay zone. The boundary is calculated by measuring a straight-line distance from the edge of habitat of each HOZ type. The distance is defined by the standards of each HOZ type.

²¹ This buffer is consistent with the standard construction buffer for occupied burrowing owl burrows that is required by the Santa Clara Valley Habitat Plan. August 2012.

²²An herbaceous plant is a plant with an herb-like, non-woody stem. Herbaceous plants include numerous types of grasses and flowering plants.

Page 192: **REVISE** Section 4.3.4.2, North Bayshore Precise Plan Project,

3. **Egret rookery HOZ.** A rookery (or nesting areas) of great egrets, snowy egrets, and black-crowned night-herons exists along Shorebird Way. This rookery is regionally significant as one of the largest egret colonies in the South Bay, and is an important natural resource. The following outlines standards for new construction and renovations to protect the egret rookery. The following standards shall apply unless the rookery has been inactive for a minimum of five years.
 - a. HOZ boundary. The boundary shall be measured from the edge of the rookery. Buffer distances vary depending on the particular condition, as noted in (b) through (f) below.
 - b. Building placement in the HOZ. ~~New~~Any residential building shall not be placed within 300 feet of the rookery, and ~~new~~any non-residential ~~construction~~building shall not be

placed within 200 feet of the rookery, except where allowed based on exceptions included in the Precise Plan.

- c. 1201 Charleston Road. The western building façade and roof of 1201 Charleston Road may not be modified in such a way that would reduce suitability of the rookery site for egrets. This includes adding new entrances, façade improvement, or other similar actions.

Page 193: **REVISE** *Section 4.3.4.2, North Bayshore Precise Plan Project,*

- b. Building placement in the HOZ. ~~New Residential construction~~ buildings shall not be placed within 300 feet of the Charleston Retention Basin, and new non-residential buildings shall not be placed within 200 feet of the Charleston Retention Basin ~~shall not be placed inside the HOZ,~~ except where allowed based on the exceptions included in the Precise Plan.

Page 194: **REVISE** *Section 4.3.4.2, North Bayshore Precise Plan Project,*

5. **Skyways, walkways, or glass walls.** New construction and building additions (~~both residential and non-residential~~) shall avoid building glass skyways or walkways, freestanding glass walls, and transparent building corners. New construction and building additions should reduce glass at top of buildings, especially when incorporating a green roof into the design.

Page 195: **REVISE** *Section 4.3.4.2, North Bayshore Precise Plan Project,*

5. **North Bayshore Precise Plan Plant Palette.** The City's North Bayshore Precise Plan Plant Palette shall be used to guide and inform the selection of plant types and species for North Bayshore projects.

Page 204: **REVISE** *Section 4.3.4.6, as shown.*

4.3.4.6 *Impacts due to Potential Bird Collisions from Precise Plan Activities*

To minimize adverse effects on native and migratory birds colliding with new and renovated structures, the Precise Plan includes Bird Safe Design measures, as described in *Section 4.8.5.24.3.4.2*-above, to promote bird safety. All new construction and major renovations in the Precise Plan will incorporate these measures to reduce the likelihood of building collision fatalities through façade treatments and light pollution reduction. These measures will apply to residential land uses within 300 feet of the Charleston Retention Basin.

Page 206: **REVISE** *Section 4.3.4.8, as shown.*

The only feature within the Precise Plan area that is considered an important nursery site is the egret rookery along Shorebird Way. As one of few such rookeries in the South Bay, this feature has regional importance in maintaining populations of great and snowy egrets. Fledgling egrets have also been observed using the redwood trees across Shorebird Way from the London plane trees in which the egrets nest from late June into September as they become independent from their parents.

Development and other Precise Plan activities could result in impacts to the rookery through modification of the habitat conditions, including both vegetation and buildings, around the trees that support this colony, which could reduce the site's attractiveness to the species. Disturbance of nesting birds from construction, including noise and vibration, in nearby areas and increases in night lighting may reduce the site's attractiveness to egrets and/or increase predation by nocturnal predators.

Page 246: **REVISE** *Section 4.5.2.2, Energy Demand*, as shown.

Gasoline for Vehicle Trips

The ~~proposed-amended existing~~ Precise Plan area ~~project would~~ generates an annual total VMT of approximately 1,001,640. ~~73,450 daily vehicle trips, and a total annual VMT of approximately 654,050 miles~~The project would result in an increase in VMT of approximately 615,940 miles.^{64,65} Using EPA fuel economy estimates (for 2014, the estimated average fuel economy of 23.2 mpg), the amended Precise Plan would result in the consumption of approximately ~~28,192~~26,549 additional gallons of gasoline per year.

⁶⁴ Fehr & Peers. Memorandum. North Bayshore Precise Plan with Residential – Project Trip Generation Estimates. Table 3. December 15, 2016. Transportation Impact Analysis North Bayshore Precise Plan. February 2017.

Page 265: **REVISE** *Section 4.7.1.1, Regulatory Framework, City of Mountain View*, as shown.

The Precise Plan also includes measures that can reduce transportation related GHG emissions and vehicle miles travelled. Each individual employer/property owner that applies for development entitlements is required to develop a TDM plan, which includes ~~a total daily a project-level~~ vehicle trip cap and implementation of a set baseline of TDM measures.

Page 265-266: **REVISE** *Section 4.7.2.1, Thresholds of Significance*, as shown.

For the purposes of this SEIR, a greenhouse gas emissions impact is considered significant if the project would:

- Generate a greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment; or
- Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

The BAAQMD thresholds were developed specifically for the Bay Area after considering the latest Bay Area GHG inventory and the effects of AB 32 scoping plan measures that would reduce regional emissions. BAAQMD intends to achieve GHG reductions from new land use developments to close the gap between projected regional emissions with AB 32 scoping plan measures and the AB 32 targets for 2020. The BAAQMD GHG recommendations include a specific plan-and project-level GHG emission efficiency metric of 4.6 metric tons (MT) of CO₂e per service population (future residences and full-time workers) per year.

In addition, the City's GGRP established an City-wide efficiency metric target of 4.5 MT of CO₂e per service population/year for 2030.⁴⁶ For the purposes of this CEQA analysis, the more conservative GGRP impact target threshold (4.5 MT CO₂e /year/service population) ~~reviewed and~~ adopted by the ~~City of Mountain View GGRP~~ was utilized as the threshold of significance for projected emissions in 2030 to evaluate the North Bayshore Precise Plan changes. Consistent with the approach in the BAAQMD CEQA Guidelines, the appropriate thresholds and methodology are the same for the North Bayshore Precise Plan as those for project-level GHG impact assessments (BAAQMD CEQA Guidelines, page 9-2 and pages 4-4 to 4-7). For North Bayshore Precise Plan project-level analysis, GHG emissions from the project (the amended Precise Plan) are estimated and compared with the identified threshold (4.5 MT CO₂e /year/service population).

Pages 267-269: **REVISE** Section 4.7.2.2, *GHG Emissions*, as shown.

Service Population Rate

The service population rate in the Precise Plan area is the annual GHG emissions expressed in metric tons divided by the estimated number of new residents and employees. The estimated 2030 service population for the amended Precise Plan area is 56,910. Under the current Precise Plan, the 2030 estimated service population for the area is 38,650. For areas in 2030 without the amended Precise Plan, the estimated service population for the area is 38,650. For existing conditions, the estimated service population for the area is 25,600.

GHG Operational Emissions

Table 4.7-1 shows the results of the CalEEMod model analysis in terms of annual metric tons of equivalent CO₂e emissions per year (MT of CO₂e/yr) and service population values. Under the 2030 full Precise Plan buildout, operation of uses under the North Bayshore Precise Plan would have annual service population emissions of 5.4 MT of CO₂e/yr/service population, which would exceed the City's ~~established GGRP~~ threshold of 4.5 MT of CO₂e/year/service population used for evaluating the proposed amendments to the Precise Plan. This impact is, therefore, significant.

| Table 4.7-1: 2030 Precise Plan GHG Emissions (MT of CO₂e) | | | |
|--|--|---|---|
| Source Category | Existing 2015 | Adopted 2030 North Bayshore Precise Plan | Amended 2030 North Bayshore Precise Plan |
| Area ¹ | 29 | 29 | 812 |
| Energy Consumption | 23,098 | 31,934 | 44,549 |
| Mobile | 151,247 | 205,034 | 250,537 |
| Solid Waste Generation | 1,362 | 3,388 | 6,060 |
| Water Usage | 8,041 | 7,078 | 8,091 |
| Total | 183,777 | 247,463 | 310,049 |
| Efficiency Metric | 7.2 ² | 6.4 ³ | 5.4 ⁴ |
| City GGRP-2030 Threshold | 4.5 MT CO ₂ e/year/service population | | |
| ¹ Area sources include natural gas, hearths, landscape fuel, and use of consumer products. ² Based on an existing service population of 25,600 ³ Based on a <i>North Bayshore Precise Plan 2030</i> without project service population of 38,650. ⁴ Based on a total proposed 2030 <i>North Bayshore Precise Plan</i> service population of 56,910. Source: Illingworth & Rodkin. <i>North Bayshore Precise Plan Air Quality and Greenhouse Gas Emissions Assessment</i> . February 14, 2017. | | | |

Adding housing in the North Bayshore area (as part of the amended Precise Plan) will reduce GHG emissions per service population compared to the current Precise Plan, however; the state has ambitious goals for GHG emissions reduction between 2020 and 2030 under SB 32. The amended North Bayshore Precise Plan represents some improvement (qualitatively, in that new construction shall meet the green building requirements specified within the Precise Plan and potentially the increased requirements of the Density Bonus program) but still would exceed the total emissions targets in the GGRP for the 2030 time period. Additional measures from state regulators and local agencies will be needed. Future projects may be subject to new measures in effect at the time discretionary and/or building permits are proposed.

Impact GHG-1: Under the 2030 full buildout under the amended North Bayshore Precise Plan, annual service population emissions of CO₂e/yr/service population would exceed the ~~City's established GGRP~~ threshold of 4.5 MT of CO₂e/year/service population for the Precise Plan area changes, and would also exceed the mid-term 2030 target under SB 32. This impact is, therefore, significant. **[Significant Impact]**

Page 289: **REVISE** Section 4.8.2.3, *Airport Safety: Santa Clara County Airport Land Use Commission (ALUC)*, as shown.

Santa Clara County Airport Land Use Commission (ALUC)

The planning area for Moffett Federal Airfield is described in the *Moffett Federal Airfield Comprehensive Land Use Plan (CLUP)* prepared by the Santa Clara County Airport Land Use Commission (ALUC) and adopted in November 2012.⁴⁴ The western border of the airport's influence area coincides approximately with Permanente Creek in the central part of the North Bayshore area. This area is within the Airport Influence Area (AIA) for Moffett Federal Airfield, east of the site (Figure 4.8-3). Figure 4.8-4 shows the Safety Zones from the Moffett Federal Airfield CLUP.

Development within the North Bayshore Precise Plan and the Moffett Federal Airfield planning area will be subject to review by the ALUC for consistencies with the policies of the CLUP. For example, new developments may increase building heights in the proposed plan area and exceed thresholds in the CLUP, and therefore, ~~may~~will require design modifications or an aviation easement for compliance with the CLUP.

Page 292: **REVISE** Section 4.8.2.3, *Airport Safety: Moffett Federal Airfield*, as shown.

G-6. Any proposed uses that may cause a hazard to aircraft in flight are not permitted within the AIA. Such uses include electrical interference, high intensity lighting, attraction of birds (certain agricultural uses, sanitary landfills), and activities that may produce smoke, dust, or glare. This policy requires the height at maturity of newly planted trees to be considered to avoid future penetration of the FAA FAR Part 77 Surfaces.

Page 298: **REVISE** Section 4.8.3.3, *Childcare and Educational Facilities*, as shown.

No public schools are currently located in the North Bayshore Precise Plan area. The amended Precise Plan zoning standards would allow child-care facilities, specialized education and training schools, and studios for dance, art, music, etc., in the plan area with approval of a provisional use permit. It is not currently known whether future development will include child-care facilities or where exactly they may be proposed. The applications for these uses would be reviewed on a project-by-project basis, to identify the suitability of the use and any potential impacts from hazardous materials in the area. Public schools are subject to state siting criteria to ensure that they are not located on a hazardous materials site, and any future development within one-quarter mile of a school will be evaluated for potential impacts to school uses.

For these reasons, implementation of the Precise Plan would not result in impacts to existing or proposed schools, and would not construct a school on a property that is subject to hazards from hazardous materials contamination, emissions, or accidental release.

⁴⁴ Santa Clara County Airport Land Use Commission. *Moffett Federal Airfield Comprehensive Land Use Plan*. November 2, 2012.

Impact HAZ-2: The amended Precise Plan zoning standards would allow child-care facilities, specialized education and training schools, and studios for dance, art, music, etc., in the plan area with approval of a provisional use permit. It is not currently known whether future development will include child-care facilities or where exactly they may be proposed. Applications for child-care facilities, and specialized education and training schools would be reviewed on a project-by-project basis, to determine the suitability of the use and to identify any potential impacts from hazardous materials in the area. All future projects will be evaluated for their potential impacts on schools. For this reason, implementation of the Precise Plan would not result in impacts to existing or proposed schools. **[Less Than Significant Impact]**

Pages 301-307: **REVISE** *Section 4.8.3.4, Existing Hazardous Materials Contamination*, as shown.

MM HAZ-43.1: If a future project is located in an area for which an overseeing regulatory agency (e.g., US EPA, California Department of Toxic Substances Control [DTSC]), San Francisco Bay Regional Water Quality Control Board (Water Board) or Santa Clara County Department of Environmental Health (DEH) has determined that mitigation or other site management measures are required prior to future development, the project applicant shall coordinate development activities with the overseeing regulatory agency and adhere to the project-specific development requirements.

MM HAZ-43.2: If a future project is not located in such areas as described in MM HAZ-43.1 and as part of the building permit application process, project applicants shall prepare the following reports:

MM HAZ-43.3: Prior to the start of any construction activity on properties with known COC exceeding the lower of the then-current DTSC, Water Board or US EPA residential screening levels¹, the project applicant shall submit the following plans and controls to a regulatory agency for review and approval:

MM HAZ-43.4: Prior to the start of any construction activity on properties with known COC exceeding the lower of the then-current DTSC, Water Board or US EPA residential screening levels, the project applicant shall coordinate work activities with the oversight agency and Responsible Parties (as designated by the oversight agency), including identifying conditions that could affect the implementation and monitoring of the approved remedy.

MM HAZ-43.5: At future project sites identified as being impacted or potentially impacted during the property-specific Phase I ESA or subsequent studies, a Site Management Plan (SMP) shall be prepared prior to development activities to establish management practices for handling contaminated soil, soil vapor, or other materials during construction. The SMP shall be prepared by an Environmental Professional and be submitted to the overseeing regulatory agency for review and approval prior to construction. The project applicant shall provide the oversight agency's written approval of the SMP to the City. The SMP for the property shall include the following activities:

MM HAZ-43.6: Leaving contaminated soil with COC above residential screening levels in-place or re- using it on future project sites shall require an oversight agency's written approval; the written

approval shall be provided to the City. At a minimum, if contaminated soil is left in-place, a deed restriction or land use covenant shall detail the location of these soils. This document shall include a surveyed map of these impacted soils; shall restrict future excavation in these areas; and shall require future excavation be conducted in these areas only upon written approval by an oversight agency.

MM HAZ-43.7: Any soil, soil vapor and/or ground water remediation of a future project site during development activities shall require written approval by an oversight agency and shall meet all applicable federal, state and local laws, regulations and requirements.

MM HAZ-43.8: Due to the North Bayshore Precise Plan area's proximity to US 101, soil sampling and analytical testing on a future site adjacent to US 101 for lead shall be performed (due to historical leaded gasoline use). If lead is detected above the lower of the then-current DTSC, Water Board or US EPA residential screening levels, it should appropriately mitigated under regulatory agency oversight.

MM HAZ-43.9: Unless the Phase I ESA documents that a specific project site was historically not used for agricultural purposes, soil sampling and laboratory analyses shall be performed to evaluate the residual pesticide concentrations, if any, and potential health risks to future occupants and construction workers.

MM HAZ-43.10: Soil exported from future project sites within the Precise Plan area shall be analyzed for COCs amongst other chemicals as required by the receiving facility.

MM HAZ-43.11: The project applicant shall require the construction General Contractor to prepare a Health and Safety Plan (HSP) establishing appropriate protocols for working at the property. Workers conducting property earthwork activities in contaminated areas shall complete 40-hour HAZWOPER training course (29 CFR 1910.120). The General Contractor shall be responsible for the health and safety of their employees as well as for compliance with all applicable federal, state, and local laws and guidelines.

MM HAZ-43.12: Groundwater monitoring wells and remediation system components located on future project sites within the Precise Plan area shall be protected during construction. Upon written approval from the overseeing regulatory agency, the wells could be destroyed under permit from the Santa Clara Water District prior to mass grading activities. Relocation of the wells may be required. The locations of future ground water monitoring wells and other remediation infrastructure, if any, shall be incorporated into the development plans.

MM HAZ-43.13: If future project sites are under active regulatory agency oversight, the project applicant and subsequent owners and occupants shall provide access to the sites, including ongoing access to monitoring wells for monitoring and sampling purposes, and cooperate with the oversight agency and Responsible Parties during implementation of any subsequent investigation or remediation, if required. In addition, if vapor intrusion poses a human health risk, the project applicant and subsequent property owners and occupants shall provide access for future indoor air vapor monitoring activities and shall not interfere with the implementation of remedies required by the oversight agency.

MM HAZ-43.14: For future sites that are subject to activity and use limitations (AULs), such as institutional (legal or regulatory restrictions on a property’s use such as deed restrictions) and engineering (physical mechanisms that restrict property access or use) controls, compliance will be maintained.

MM HAZ-43.15: At future sites where hazardous materials are used or stored, a permit may be required for facility closure (i.e., demolition, removal, or abandonment) of any facility or portion of a facility. The project applicant shall contact the Mountain View Fire Department and County Department of Environmental Health to determine facility closure requirements prior to building demolition or change in property use.

Page 311: **REVISE** Section 4.8.4, Conclusion, as shown.

| | | | |
|---|-------------------------------------|---------------------------------|-------------------------------------|
| <p>HAZ-2: Applications for child-care facilities, and specialized education and training schools would be reviewed on a project-by-project basis, to determine the suitability of the use and to identify any potential impacts from hazardous materials in the area. <u>All future projects will be evaluated for their potential impacts on schools.</u> For this reason, implementation of the Precise Plan would not result in impacts to existing or proposed schools.</p> | <p>Less Than Significant</p> | <p>No mitigation required</p> | <p>Less Than Significant</p> |
| <p>HAZ-3: Contaminated soils and groundwater in the plan area could pose a risk to construction workers, future occupants, and/or the general public. Future development allowed under the North Bayshore Precise Plan will be evaluated on a project-by-project basis during the discretionary review process. All future projects will be required to comply with federal, state, local requirements, City of Mountain View 2030 General Plan policies and actions, and standard conditions of approval related to hazardous materials and hazardous waste. Future projects that demonstrate consistency with these regulations, policies, and conditions of approval would reduce potential impacts associated with contaminated soil, groundwater, and hazardous building materials, to a less than significant level.</p> | <p>Less Than Significant</p> | <p>MM HAZ 43.1-43.15</p> | <p>Less Than Significant</p> |

Page 340: **REVISE** *Section 4.10, Land Use and Planning*, as shown.

The following discussion is based upon the following land use documents:

- City of Mountain View 2030 General Plan
- City of Mountain View Greenhouse Gas Reduction Program
- City of Mountain View Municipal Code
- County of Santa Clara, Comprehensive Land Use Plan, Moffett Federal Airfield
- County of Santa Clara, Comprehensive Land Use Plan, Palo Alto Airport
- County of Santa Clara, Countywide Trails Master Plan Update

Page 341: **REVISE** *Section 4.10.1.1, Mountain View 2030 General Plan*, as shown.

North Bayshore Mixed-Use

The *North Bayshore Mixed-Use* land use designation was amended in June 2015 to allow residential uses. The *North Bayshore Mixed-Use* land use designation promotes a vibrant mix of retail, including restaurants and services, along with residential, offices, lodging, entertainment and small businesses along the North Shoreline Boulevard corridor. Pedestrian and bike paths connect this area to surrounding office campuses and other areas.

- Allowed Land Uses: Office, commercial, lodging, entertainment; residential allowed north of Pear Avenue, east of Joaquin Road and south of Charleston Road, as shown on the General Plan map.
- Intensity: ~~0.35~~0.45 FAR; office intensities above ~~0.35~~0.45 FAR and up to 1.0 FAR may be permitted with measures for highly sustainable development specified within zoning ordinance or precise plan standards; residential and lodging intensities up to 1.85 FAR may be permitted, inclusive of other uses in mixed-use projects (approximately 70 dwelling units per acre or 60 – 150 residents per acre);
- Height Guideline: Up to eight (8) stories.

Page 346: **REVISE** *Section 4.10.2.1, Existing Land Uses in the Precise Plan Area*, as shown.

Approximately eight percent of the North Bayshore Precise Plan project area is considered vacant, however, most of the parcels have pending or entitled projects. These projects include an approved office development at 1625 Plymouth Street and an approved office development at Charleston East (2000 North Shoreline Boulevard).

Page 348-350: **REVISE** *Section 4.10.3.2, 2030 General Plan Amendment*, as shown.

~~The 2030 General Plan's *North Bayshore Mixed-Use* land use designation would also be amended with adoption of the proposed General Plan amendment. The allowed land uses, floor area ratios, densities, and building heights within this designation would be amended as follows:~~

The 2030 General Plan's *North Bayshore Mixed-Use* land use designation would be amended with

adoption of the proposed General Plan amendment. The allowed land uses, floor area ratios, densities, and building heights within this designation would be amended to be consistent with the proposed revisions to the North Bayshore Precise Plan. The proposed amendments to the *North Bayshore Mixed-Use* designation are as follows:

North Bayshore Mixed-Use promotes a vibrant mix of retail, including restaurants and services, along with residential, offices, lodging, entertainment and small businesses along the North Shoreline Boulevard corridor. Pedestrian and bike paths connect this area to surrounding office campuses and other areas.

- *Allowed Land Uses:* Office, commercial, lodging, entertainment; ~~and residential allowed east of North Shoreline Boulevard between La Avenida and the flood retention basin, between North Shoreline Boulevard and Joaquin Road, and south of Plymouth Street, as shown on the General Plan Land Use Map.~~
- *Intensity (office):* ~~0.35-0.45 FAR; office intensities above 0.35 FAR and up to 0.65 and 1.50 FAR may be permitted with measures for highly sustainable development and public benefits specified within zoning ordinance or precise plan standards; residential and lodging intensities up to 1.85 FAR permitted, inclusive of other uses in mixed use projects (approximately 70 DU/ac or 60 – 150 residents per acre)~~
- *Intensity (residential):* 1.0 FAR (approximately 40 DU/ac or 40 – 80 residents per acre). FAR greater than 1.0 may be allowed if consistent with North Bayshore Precise Plan affordable housing strategies
- *Intensity (lodging):* 1.85 FAR
- *Intensity (mixed-use):* Mixed use intensities are defined within Precise Plan or zoning ordinance standards
- *Height Guideline:* Up to 8 stories for office and lodging; up to 15 stories for residential

The 2030 General Plan's *Mixed-Use Center* land use designation would also be amended with adoption of the proposed General Plan amendment. The allowed land uses, floor area ratios, densities, and building heights within this designation would be amended to be consistent with the proposed revisions to the North Bayshore Precise Plan. The proposed amendments to the *Mixed-Use Center* designation are as follows:

Mixed-Use Center promotes pedestrian-oriented mixed-use centers with integrated, complementary uses such as entertainment, restaurants, residential, department stores and other retail, office, hotels, convention/assembly and/or civic uses and public spaces that draw visitors from surrounding neighborhoods and the region.

San Antonio

- *Allowed Land Uses:* Office, retail and personal services, multi-family residential, lodging, entertainment, parks and plazas
- *Intensity:* 2.35 FAR (approximately 70 DU/acre or 60 - 150 residents/acre), of which up to 0.75 FAR can be office or commercial.
- *Height Guideline:* Up to 8 stories

North Bayshore

- *Allowed Land Uses:* Office, retail and personal services, multi-family residential, lodging, entertainment, parks and plazas
- *Intensity (office):* 1.0 FAR; intensities between 1.0 FAR and up to 2.35 FAR may be permitted with measures for highly sustainable development specified ~~and public benefits specified defined~~ within zoning ordinance or precise plan standards
- *Intensity (residential):* 1.0 FAR (approximately 40 DU/ac or 40 – 80 residents per acre). FAR greater than 1.0 may be allowed if consistent with North Bayshore Precise Plan affordable housing strategies
- *Intensity (lodging):* 1.85 FAR
- *Intensity (mixed-use):* Mixed use intensities are defined within Precise Plan or zoning ordinance standards
- *Height Guideline:* Up to 8 stories for office and lodging; up to 15 stories for residential

Page 352: **REVISE** *Section 4.10.3.5, Conflicts with Applicable Plans, Policies, and Regulations, as shown.*

The project proposes a General Plan amendment and rezoning, and so by definition, would not be consistent with the General Plan and Zoning Ordinance. The amended North Bayshore Precise Plan includes standards and guidelines to minimize environmental impacts, including transportation, biological resources, and aesthetics, and would be consistent with General Plan policies adopted to mitigate environmental effects.

Impact LU-2: The amended North Bayshore Precise Plan includes standards and guidelines to minimize environmental impacts, and would be consistent with General Plan policies adopted to mitigate environmental effects. **[Less Than Significant Impact]**

Page 385: **REVISE** *Section 4.12.3.4, Growth Inducement and Jobs/Housing Ratio, as shown.*

The project would almost double new dwelling units allowed under the Mountain View General Plan. Section 15126(d) of the CEQA Guidelines require an EIR to address the potential growth-

inducing impacts of a proposed action. Growth does not necessarily create significant physical changes to the environment. However, depending upon the type, magnitude, and location of growth, it can result in significant adverse environmental effects. It is the effects of growth that may result in impacts, such as traffic, air pollutant emissions, and noise. The proposed project is intended to minimize the adverse effects of growth through co-locating housing and jobs. Some new residents may live and work in the North Bayshore area, a Priority Development Area (PDA), and others may commute out of the City. The addition of housing in the North Bayshore area would help provide housing for workers in Mountain View and regionally; thereby reducing commute distances (vehicle miles traveled) and related air pollutant emissions. Growth would occur within a developed area of Mountain View and the proposed project is consistent with the General Plan goals for focused and sustainable growth, because it supports the intensification of development in an urbanized area that is currently served by existing roads, transit, utilities, and public services. For these reasons, the project would not contribute to substantial growth inducement in Mountain View or in the region.

Page 395: **REVISE** Section 4.13.3.2, *Fire Protection Impacts*, as shown.

If the amended North Bayshore Precise Plan is approved, the Mountain View Fire Department will complete a study within ~~five~~three years to fully determine the fire and emergency response needs in North Bayshore. This study would utilize a nationally recognized standard such as “Standards of Cover” for measuring fire and emergency service needs. Additionally, with the potential for traffic congestion in the area, the City of Mountain View will consider the modernization of traffic signals, using technologies such as the pre-empt from the emitter/receiver model to a modern fire apparatus GPS system that changes the traffic signals based on fire apparatus route.⁴⁵

Page 397: **REVISE** Section 4.13.3.4, *School Impacts*, as shown.

Based on the student generation rates provided by the Mountain View Whisman School District, the project would generate approximately ~~985~~927 new elementary and ~~394~~633 new middle school students through the buildout of the plan, as shown in Table 4.13-3.

Page 397: **REPLACE** Table 4.13-3, *Student Generation Rates*, as shown.

| Table 4.13-3: Student Generation Rates | | | |
|--|--|--|-----|
| Type of School | Student Generation Rates (Multi-Family) | Estimated Number of Students from Project¹ | |
| Elementary School Students | 0.1 | 985 | |
| Middle School Students | 0.04 | 394 | |
| High School Students ² Standard Units (80%/100%) | 0.046 | 363 | 453 |

⁴⁵ Diaz, Juan F. Fire Chief, Mountain View Fire Department. Memorandum: “North Bayshore Precise Plan Housing Threshold Analysis.” October 19, 2016.

| | | | |
|---|-------|-----|---|
| High School Students ² Affordable Units (20%/0%) | 0.378 | 745 | 0 |
| ¹ Based on 9,850 multi-family units. | | | |
| ² Range of potential affordable units, from 0% up to 20% of 9,850 units. | | | |

| Table 4.13-3: Student Generation Rates | | | | | |
|---|------------------------|--|--|----------------------------|-------------------------------|
| <u>Schools/ Grade</u> | <u>Unit Type</u> | <u>Student Generation Rate¹</u> | <u>% of NBPP Housing Units²</u> | <u>Number of Units</u> | <u>Students Generated</u> |
| <i>Elementary and Middle Schools</i> | | | | | |
| <u>K-5</u> | <u>Market Rate</u> | <u>0.073</u> | <u>40%</u> | <u>3,940</u> | <u>288</u> |
| <u>K-5</u> | <u>Affordable</u> | <u>0.308</u> | <u>20%</u> | <u>1,970</u> | <u>607</u> |
| <u>K-5</u> | <u>Micro-Unit</u> | <u>0.008</u> | <u>40%</u> | <u>3,940</u> | <u>32</u> |
| | | | | <u>Subtotal:</u> | <u>927</u> |
| <u>6-8</u> | <u>Market Rate</u> | <u>0.04</u> | <u>40%</u> | <u>3,940</u> | <u>126</u> |
| <u>6-8</u> | <u>Affordable</u> | <u>0.228</u> | <u>20%</u> | <u>1,970</u> | <u>487</u> |
| <u>6-8</u> | <u>Micro-Unit</u> | <u>0.005</u> | <u>40%</u> | <u>3,940</u> | <u>20</u> |
| | | | | <u>Subtotal:</u> | <u>633</u> |
| <u>Elementary and Middle School Total:</u> | | | | | <u>1,560</u> |
| <i>High School</i> | | | | | |
| <u>9-12</u> | <u>Market Rate</u> | <u>0.040</u> | <u>40%</u> | <u>3,940</u> | <u>158</u> |
| <u>9-12</u> | <u>Affordable</u> | <u>0.312</u> | <u>20%</u> | <u>1,970</u> | <u>615</u> |
| <u>9-12</u> | <u>Micro-Unit</u> | <u>0.003</u> | <u>40%</u> | <u>3,940</u> | <u>12</u> |
| <u>High School Student Total:</u> | | | | | <u>785</u> |
| Notes: | | | | | |
| ¹ The above student generation rates are for multi-family residential units in Mountain View | | | | | |
| ² Based on 9,850 multi-family units proposed for NBPP area. | | | | | |
| Elementary School includes K-5 th grades, Middle School 6 th – 8 th grades, and High School 9 th -12 th Grades | | | | | |

Page 397: **REVISE** Section 4.13.3.4, *School Impacts*, as shown.

The Mountain View Whisman School District provides d multi-family student generation rates for this SEIR, but does not have specific student generation rates for studio and micro-units. Therefore, the student generation rates described above may be conservative in their project of student demand.

The Mountain View Whisman School District does not currently have sufficient existing capacity to meet the demand in the designated elementary and middle schools, which is estimated to be 985 elementary school students and 394 middle school students. The North Bayshore area currently lacks an elementary or middle school to accommodate the new students, and the Mountain View Whisman

School District does have a funding source or property on which to build a school.

The exact method in which the school district would accommodate the project-generated students in the near term is unknown at this time, however, it is anticipated that they would need to add portable classrooms/buildings, adjust district boundary lines, and/or provide additional bus transportation services. The Mountain View Whisman School District Board will consider new boundaries related to the neighborhood school concept during the 2017-2018 school year, which may affect the schools that North Bayshore students could attend.

It is assumed that the addition of portable classrooms/buildings would occur on existing school sites and that environmental impacts associated with the construction, while requiring separate environmental review, could be mitigated to a less than significant level.

Mountain View Los Altos High School District

Based on the student generation rates provided by Mountain View Los Altos High School District, the project could generate up to approximately ~~1,108,785~~ new high school students through buildout of the plan (~~depending on the percentage of affordable units~~). The Mountain View Los Altos High School District provides multi-family student generation rates for standard and affordable units but ~~does not have specific student generation rates for studio and micro units. For these reasons, the student generation rates described above may be conservative in their project of student demand.~~

Page 398: **REVISE** *Section 4.13.3.4, Schools Impacts*, as shown.

Indirect Effects of the Precise Plan on Schools

The indirect effects of implementation of the Precise Plan on schools in and outside of the Precise Plan area, including construction and operational air quality, hazardous materials, noise, and traffic, are addressed in Sections 4.2, 4.8, 4.11, and 4.14, respectively, of this SEIR.

Page 401: **REVISE** *Section 4.13.3.7, Consistency with Plans*, as shown.

County of Santa Clara, Countywide Trails Master Plan Update

As discussed in Section 4.13.1.2, *Santa Clara County*, the Countywide Trails Master Plan Update (Countywide Trails Plan) is an element of the Parks and Recreation Section of the County of Santa Clara General Plan that was adopted in November, 1995. The Countywide Trails Plan identifies existing and proposed trial routes, identifies policies and guidelines for trail placement, construction, and provides general oversight and protection of the trail system.

Consistency: The proposed buildout of the amended North Bayshore Precise Plan would not result in significant impacts with the implementation of Countywide Trails Plan policies and guidelines for development near trails. Although the number of residential units would increase over General Plan projections with the approval of the amended North Bayshore Precise Plan, policies in the General Plan and Countywide Trails Plan policies would be implemented to protect and maintain trails.

Page 404: **REVISE** Section 4.14, *Transportation/Traffic*, as shown.

The discussion in this section is based on the “~~Final~~~~Draft~~ Transportation Impact Analysis, North Bayshore Precise Plan,” prepared by *Fehr & Peers* in ~~February~~~~July~~ 2017. This report is included in this Draft SEIR as Appendix J. *Chapter 6: Mobility* of the ~~draft~~ Precise Plan (Appendix C) was also referenced.

Page 430: **REVISE** Table 4.14-5, *Existing Intersection Level of Service*, as shown.

| Table 4.14-5: Existing Intersection Level of Service | | | | |
|---|--|----------------------------------|-------------------------------------|------------------------|
| Intersections | Jurisdiction (LOS Standard) | Peak Hour¹ | Delay² (sec) | LOS³ |
| 28. Joaquin Road/ Charleston Road (Unsignalized) | Mountain View (D) | AM PM | 11.8 <u>15.9</u> 17.7 | BC C |

Page 453: **REVISE** Section 4.14.3.1, *Thresholds of Significance*, as shown.

In the interim, impact analysis will continue to use the criteria and standards adopted by each of the relevant agencies, as described above. The VMT associated with the proposed project is also being analyzed and presented for use in the air quality and greenhouse gas analysis in this report, although there are no significance criteria yet developed for the VMT ~~at~~ metric.

Page 459: **REVISE** Section 4.14.3.3, *Existing with Project Conditions: Project Traffic Volumes*, as shown.

The addition of residential uses into the North Bayshore Precise Plan area has the potential to change vehicle demand compared to the land uses envisioned in the adopted North Bayshore Precise Plan (2014). This trip generation analysis incorporates the relevant North Bayshore Precise Plan policies related to travel from the office uses (e.g., to achieve the targeted mode shift for the office uses through an extensive TDM program, and to manage arrivals and departures with an AM peak period district vehicle trip cap for development), and specific characteristics of the proposed residential development (e.g., 9,850 small residential dwelling units with an average of 1.75 persons per unit, and standard residential parking supply of 1.2 parking spaces per unit).

Page 472: **REVISE** Table 4.14-12, *Existing With Project Mitigation Summary*, as shown.

**Table 4.14-12:
Existing With Project Mitigation Summary**

| Impacted Intersection | Mitigation Measure | Peak Hour | Existing with Project Conditions | | | | Impact Level After Mitigation |
|---|--|-----------|----------------------------------|--------|--|----------|-------------------------------|
| | | | Without Mitigation | | With Mitigation | | |
| | | | Delay | LOS | Delay | LOS | |
| <i>Shoreline Boulevard Gateway</i> | | | | | | | |
| 32. Shoreline Boulevard and Space Park Way (Mountain View) | <u>Two Northbound Left Turn Lanes</u> : Realign Plymouth Street with Space Park Way signalized with protected phasing. (Eastbound/Westbound: left turn and shared through-right, Northbound: two left turns, one through, one shared through-right, Southbound: left turn, one through, one shared through-right). The two northbound left turn lanes should be 425 feet long to minimize queue spillback during the morning peak hour. | AM PM | >120 >120 | F F | 14.5 29.8 29.6 50.6 | BC CD | Significant and Unavoidable |
| 33. Shoreline Boulevard and Plymouth Street (Mountain View) | <u>Option 1 – Two Northbound Left Turn Lanes</u> : Realign Plymouth Street with Space Park Way signalized with protected phasing. (Eastbound/Westbound: left turn and shared through-right, Northbound: two left turns, one through, one shared through-right, Southbound: left turn, one through, one shared through-right). The two northbound left turn lanes should be 425 feet long to minimize queue spillback during the morning peak hour. | AM PM | >120 >120 | F F | 14.5 29.8 29.6 50.6 | BC CD | Significant and Unavoidable |
| | <u>Option 2 – Partial Mitigation</u> | AM PM | >120 >120 | F F | 41.3 44.8 | D FC | Significant and Unavoidable |

| | | | | | | | |
|---|---|----------|--------------|--------|--|--------|-----------------------------|
| | <p><u>Single Left Turn Lane with North/South Split Phase:</u> Northbound/southbound split phasing with a single northbound left turn lane.</p> | | | | <p>24.0 104.5</p> | | |
| 34. Shoreline Boulevard and Pear Avenue (Mountain View) | <p><u>Partial Mitigation – Limited Access from Shoreline Boulevard at Pear Avenue:</u> Modify the northbound approach with three northbound through lanes and a separate right-turn lane with 300 foot storage pocket. Restripe the eastbound approach as a left turn, through lane, and two right turn lanes with a no-right-turn on red condition and the eastbound-westbound approach as a left turn lane and one shared through-right lane with east/west split phasing.</p> | AM PM | >120 >120 | F F | <p>29.5 32.2 96.8 109.9</p> | C F | Significant and Unavoidable |
| 35. Shoreline Boulevard and La Avenida Avenue-US 101 Northbound Ramps (Mountain View) | <p><u>Partial Mitigation –</u> Realign US 101 off-ramp with La Avenida Avenue to create a T-intersection.</p> | AM PM | >120 >120 | F F | <p>20.6 23.2 106.5 112.9</p> | C F | Significant and Unavoidable |

| Table 4.14-12: Existing With Project Mitigation Summary | | | | | | | |
|--|---|-----------|----------------------------------|----------------------|---------------------|---------------|--|
| Impacted Intersection | Mitigation Measure | Peak Hour | Existing with Project Conditions | | | | Impact Level After Mitigation |
| | | | Without Mitigation | | With Mitigation | | |
| | | | Delay | LOS | Delay | LOS | |
| <i>Off-Site Intersection</i> | | | | | | | |
| 17. Rengstorff Avenue and Old Middlefield Way (Mountain View) | Add a second westbound left turn lane. | AM PM | 32.7 84.8 | C- F | 32.1 61.5 | C E | Significant and Unavoidable |
| 20. Rengstorff Avenue and Central Expressway (Santa Clara County)* | Grade separation. ¹ | AM PM | 71.5 104.0 | E F | N/A N/A | | Significant and Unavoidable |
| 24. Springer Road-Magdalena Avenue / Foothill Expressway* (Santa Clara County) | Restripe northbound approach to include one left-turn lane and one through lane and southbound approach to include one left turn-lane and two through lanes. Modify signal phasing to provide protected left-turns north/south. | AM PM | > 120 53.3 | F D- | 64.2 47.0 | E D | Significant and Unavoidable ³ |
| 49. Moffett Boulevard-Castro Street / Central Expressway (Mountain View)* | Closure of northbound movements from Castro Street to Central Expressway and Moffett Boulevard. ⁴ | AM PM | 93.0 80.3 | F F | 43.5 26.5 | D C | Significant and Unavoidable |
| 57. Bayfront Expressway / University Avenue (Menlo Park) | No feasible improvements. ⁴ | AM PM | 24.9 116.0 | C F | N/A N/A | | Significant and Unavoidable |
| 59. Donohoe Street / University | Partial Mitigation – Restripe the westbound approach to include dual left turn lanes, one | AM PM | 79.2 43.2 | E- D | 66.8 24.5 | E C | Significant and Unavoidable |

| | | | | | | | |
|--|---|----------|--------------------------------|----------------------|---------------------|---------------|--|
| Avenue (East Palo Alto) | through lane and one right turn lane with protected left turns. | | | | | | |
| 62. Embarcadero Road / E. Bayshore Road (Palo Alto) | Partial Mitigation – Modify signal cycle length to 120 seconds. | AM PM | 53.0 65.5 | D- E | 53.0 61.5 | D E | Significant and Unavoidable |
| 66. Arastradero Road / Foothill Expressway (Santa Clara County)* | No feasible improvements. ⁴ | AM PM | 66.8 >120 | E F | N/A N/A | | Significant and Unavoidable |
| 67. Page Mill Road / I-280 Southbound Off-Ramp-Arastradero Road (Santa Clara County) | Signalize the intersection. | AM PM | 103.0 >120 | F F | 29.9 43.8 | C D | Significant and Unavoidable ³ |

Notes:

1. The City of Mountain View City Council has approved the grade separation concept and the City is seeking funding for this project.
2. Implementation of a grade separated crossing may reduce the impact, but would involve a very high construction cost and is not currently planned. Therefore this mitigation is considered infeasible for the purposes of this document.
3. This facility is controlled by another agency and the City of Mountain View cannot guarantee the mitigation would be implemented; therefore this impact is considered significant and unavoidable under Existing with Project Conditions.

Bold text indicates intersection operations below the applicable level of service standard.

Bold and highlighted indicates a significant impact per the significance criteria used in this study.

* Denotes Congestion Management Program (CMP) intersection.

Source: Fehr & Peers, February/July 2017.

Page 478: **REVISE** Section 4.14.3.4, Existing With Project Conditions: Intersection Levels of Service, as shown.

These improvements would have secondary effects on the Shoreline Boulevard and Plymouth Street intersection because the northbound left turns at Pear Avenue would need to divert to Plymouth Street. To address the storage space needs, this option would also require two 500-foot northbound left turn lanes from Shoreline Boulevard to Plymouth Street (see the mitigation for the Shoreline Boulevard and Plymouth Street-Space Park Way intersection, Mitigation Measure #33). Under this mitigation measure, the Plymouth Street intersection would operate at LOS **BD+** (435.9 seconds of delay) and LOS **CD+** (34.653.9 seconds of delay) during the AM and PM peak hours, respectively.

Page 484: **REVISE** Section 4.14.3.4, Existing With Project Conditions: Freeway Level of Service, as shown.

Freeway segments of SR 85, SR 237, I-880, US 101, I-280, SR 17, and SR 87 were analyzed during

the AM and PM peak hours to calculate the amount of project traffic projected to be added (see Appendix J of the TIA). The results of the analysis identifying the segments that exceed the VTA's standard are shown in Table J-1 of Appendix J of the TIA. The results of the freeway LOS analysis for Existing with Project Conditions are shown graphically in Figure 4.14-14 and 4.14-15 for mixed-flow and HOV lanes, respectively.

Page 486: **REVISE** Section 4.14.3.4, *Existing With Project Conditions: Freeway Level of Service*, as shown.

In San Mateo County, detailed freeway density information is not collected regularly for CMP analysis. Rather, floating car travel-time runs are collected every two years. The most recent CMP data shows that US 101 between State Route 92 and the Santa Clara County border (near Embarcadero Road in Palo Alto) operates unacceptably during the morning and evening peak hours: the project contribution to these segments is shown in Table J-1 of Appendix J of the TIA.

A project is determined to cause a significant impact to freeway facilities based on the criteria described earlier. Existing with Project Conditions freeway segment impact results are shown in Table J-1 of Appendix J of the TIA. Under Existing with Project Conditions, implementation of the proposed project would increase motor vehicle traffic and congestion, resulting in decreased freeway segment levels of service on several segments. This would be considered a potentially significant impact.

Page 489: **REVISE** Section 4.14.3.5, *Existing with Project Conditions: Freeway Level of Service*, as shown.

The amended North Bayshore Precise Plan includes efforts to reduce single occupant vehicle trips by implementing a comprehensive Transportation Demand Management (TDM) Program, and a morning peak period trip cap. To manage deficient freeway operations, potential TDM measures that reduce peak period vehicle trips are described in the VTA ~~Immediate Implementation~~ *Deficiency Plan Action List* (See Appendix L M of the TIA). ~~The VTA action list is supplemented by a list of TDM measures described in a report titled Quantifying Greenhouse Gas Mitigation Measures: A Resource for Local Government to Assess Emission Reductions from Greenhouse Gas Mitigation Measures by the California Air Pollution Control Officers Association (CAPCOA) (August 2010).~~ While a successful TDM program and trip cap may incrementally reduce peak period freeway traffic, by itself it would not reduce the identified freeway impacts to a less than significant level. Therefore, the addition of project traffic results in a significant and unavoidable impact to the remaining identified freeway segments.

Page 512: **REVISE** Section 4.14.4.2, *Year 2030 Cumulative With Project Conditions*, as shown.

Impact C-TRANS-1: Implementation of the proposed Precise Plan would result in significant impacts to 4045 project study intersections under Year 2030 Cumulative With Project conditions in either the AM and/or the PM peak hours. **[Significant Impact]**

| Table 4.14-14: Year 2030 Cumulative With Project Mitigation Summary | | | | | | | |
|--|---|-----------|--|--------|--|----------|-------------------------------|
| Impacted Intersection | Mitigation Measure | Peak Hour | Year 2030 Cumulative with Project Conditions | | | | Impact Level After Mitigation |
| | | | Without Mitigation | | With Mitigation | | |
| | | | Delay | LOS | Delay | LOS | |
| <i>Shoreline Boulevard Gateway</i> | | | | | | | |
| 32. Shoreline Boulevard and Space Park Way (Mountain View) | Two Northbound Left Turn Lanes: Realign Plymouth Street with Space Park Way signalized with protected phasing. (Eastbound/Westbound: left turn and shared through-right, Northbound: two left turns, one through, one shared through-right, Southbound: left turn, one through, one shared through-right). The two northbound left turn lanes should be 425 feet long to minimize queue spillback during the morning peak hour. | AM PM | >120 >120 | F F | 14.5 29.8 29.6 50.6 | BC CD | Significant and Unavoidable |
| 33. Shoreline Boulevard and Plymouth Street (Mountain View) | Two Northbound Left Turn Lanes: Realign Plymouth Street with Space Park Way signalized with protected phasing. (Eastbound/Westbound: left turn and shared through-right, Northbound: two left turns, one through, one shared through-right, Southbound: left turn, one through, one shared through-right). The two northbound left turn lanes should be 425 feet long to minimize queue spillback during the morning peak hour. | AM PM | >120 >120 | F F | 14.5 29.8 29.6 50.6 | BC CD | Significant and Unavoidable |

**Table 4.14-14:
Year 2030 Cumulative With Project Mitigation Summary**

| Impacted Intersection | Mitigation Measure | Peak Hour | Year 2030 Cumulative with Project Conditions | | | | Impact Level After Mitigation |
|---|--|-----------|--|--------|----------------------------|--------|-------------------------------|
| | | | Without Mitigation | | With Mitigation | | |
| | | | Delay | LOS | Delay | LOS | |
| | Option 2 – Partial Mitigation <u>Single Left Turn Lane with North/South Split Phase:</u> Northbound/southbound split phasing with a single northbound left turn lane. | AM PM | >120 >120 | F F | 41.344.8 24.0104. 5 | D E | Significant and Unavoidable |
| 34. Shoreline Boulevard and Pear Avenue (Mountain View) | <u>Partial Mitigation – Limited Access from Shoreline Boulevard at Pear Avenue:</u> Modify the northbound approach with three northbound through lanes and a separate right-turn lane with 300 foot storage pocket. Restripe the eastbound approach as a two right turn lanes with a no-right-turn on red condition and the eastbound westbound approach as a left turn lane and one shared through-right lane with east/west split phasing. (Same as Existing with Project Conditions mitigation) | AM PM | >120 >120 | F F | 32.432.2 96.8210 9.9 | C F | Significant and Unavoidable |
| 35. Shoreline Boulevard and La Avenida Avenue-US 101 Northbound Ramps (Mountain View) | Partial Mitigation – Realign off-ramp with La Avenida Avenue to create a T-intersection. (Same as Existing with Project Conditions mitigation) | AM PM | >120 >120 | F F | 20.623.2 106.511 2.9 | C F | Significant and Unavoidable |
| 37. Shoreline Boulevard and Terra Bella Avenue (Mountain View) | Reconfigure southbound approach with a right turn lane, two through lanes, and a left turn lane. | AM PM | 36.5 60.5 | D E | 32.5 51.1 | C D | Significant and Unavoidable |

| Table 4.14-14: Year 2030 Cumulative With Project Mitigation Summary | | | | | | | |
|--|---|-----------|--|----------------------|-------------------------------|----------------------|-------------------------------|
| Impacted Intersection | Mitigation Measure | Peak Hour | Year 2030 Cumulative with Project Conditions | | | | Impact Level After Mitigation |
| | | | Without Mitigation | | With Mitigation | | |
| | | | Delay | LOS | Delay | LOS | |
| View) | | | | | | | |
| 38. Shoreline Boulevard and Middlefield Road (Mountain View) | Add an additional left turn lane for eastbound and westbound movements. (Same as Existing with Project Conditions mitigation) | AM PM | 101.9 >120 | F F | 75.4 >120 | E F | Significant and Unavoidable |

Page 516-520:

REVISE Table 4.14-14, Year 2030 Cumulative With Project Mitigation Summary, as shown.

| Table 4.14-14: Year 2030 Cumulative With Project Mitigation Summary | | | | | | | |
|--|---|-----------|--|-----------------------|----------------------|----------------------|-------------------------------|
| Impacted Intersection | Mitigation Measure | Peak Hour | Year 2030 Cumulative with Project Conditions | | | | Impact Level After Mitigation |
| | | | Without Mitigation | | With Mitigation | | |
| | | | Delay | LOS | Delay | LOS | |
| <i>Other Off-Site Intersections</i> | | | | | | | |
| 4. San Antonio Road and Middlefield Road (Palo Alto)* | No feasible improvements. | AM PM | 87.2 >120 | F F | N/A N/A | | Significant and Unavoidable |
| 6. San Antonio Road and California Street (Mountain View) | Partial Mitigation – Reconfigure southbound approach with two left-turn lanes, one through lane, one through right lane, and signal timing modifications. | AM PM | 74.3 83.7 | E F | 47.7 69.2 | D E | Significant and Unavoidable |
| 8. Charleston Road and Fabian Way (Palo Alto) | Change AM cycle length from 40 seconds to 80 seconds. | AM PM | 92.7 24.0 | F C | 18.0 24.0 | B C | Significant and Unavoidable |
| 9. Charleston Road and Middlefield Road (Palo Alto) | Partial Mitigation – Change AM cycle length from 60 seconds to 100 seconds. | AM PM | 58.6 101.4 | E+ F | 47.1 101.4 | D F | Significant and Unavoidable |

**Table 4.14-14:
Year 2030 Cumulative With Project Mitigation Summary**

| Impacted Intersection | Mitigation Measure | Peak Hour | Year 2030 Cumulative with Project Conditions | | | | Impact Level After Mitigation |
|--|--|-----------|--|---------|-----------------|---------|-------------------------------|
| | | | Without Mitigation | | With Mitigation | | |
| | | | Delay | LOS | Delay | LOS | |
| Alto) | | | | | | | |
| 10. Charleston Road and Alma Street (Palo Alto) | No feasible improvements. ¹ | AM PM | >120 >120 | F F | N/A N/A | | Significant and Unavoidable |
| 17. Rengstorff Avenue and Old Middlefield Way (Mountain View) | Partial Mitigation – Add a second westbound left turn lane. | AM PM | 50.6 110.1 | D F | 49.2 94.7 | D F | Significant and Unavoidable |
| 20. Rengstorff Avenue and Central Expressway* (Santa Clara County) | Grade separation. ² (Same as Existing with Project Conditions mitigation) | AM PM | >120 >120 | F F | N/A N/A | | Significant and Unavoidable |
| 21. Rengstorff Avenue and California Street Mountain View) | Partial Mitigation – Change AM cycle length from 90 seconds to 110 seconds. | AM PM | 80.9 >120 | F F | 78.6 >120 | E F | Significant and Unavoidable |
| 22. Rengstorff Avenue and El Camino Real* (Mountain View) | No feasible improvements. | AM PM | 40.7 >120 | D F | N/A N/A | | Significant and Unavoidable |
| 39. Shoreline Boulevard and Montecito Avenue-Stierlin Road (Mountain View) | No feasible improvements. | AM PM | 73.2 75.1 | E E- | N/A N/A | | Significant and Unavoidable |
| 42. Shoreline Boulevard and Central Expressway | Change PM cycle length from 120 seconds to 150 seconds. | AM PM | 107.1 >120 | F F | 107.1 21.4 | F C+ | Significant and Unavoidable |

**Table 4.14-14:
Year 2030 Cumulative With Project Mitigation Summary**

| Impacted Intersection | Mitigation Measure | Peak Hour | Year 2030 Cumulative with Project Conditions | | | | Impact Level After Mitigation |
|--|---|-----------|--|----------------------|-----------------|--------|--|
| | | | Without Mitigation | | With Mitigation | | |
| | | | Delay | LOS | Delay | LOS | |
| (East)* (Santa Clara County) | | | | | | | |
| 43. Shoreline Boulevard and California Street (Mountain View) | No feasible improvements. | AM PM | 66.4 >120 | E F | N/A N/A | | Significant and Unavoidable |
| 44. Shoreline Boulevard - Miramonte Avenue and El Camino Real* (Mountain View) | No feasible improvements. | AM PM | >120 >120 | F F | N/A N/A | | Significant and Unavoidable |
| 45. Miramonte Avenue and Castro Street-Marilyn Drive (Mountain View) | Modify the intersection to include protected left turns on each approach. | AM PM | >120 29.2 | F C | 16.7 15.6 | B B | Less Than Significant with Mitigation Measures |
| 46. Miramonte Avenue and Cuesta Drive (Mountain View) | No feasible improvements. | AM PM | >120 95.7 | F F | N/A N/A | | Significant and Unavoidable |
| 48. Moffett Boulevard and Middlefield Road (Mountain View) | No feasible improvements. | AM PM | 90.1 107.4 | F F | N/A N/A | | Significant and Unavoidable |
| 49. Moffett Boulevard - Castro Street and Central Expressway* (Santa Clara County) | Partial Mitigation – Closure of northbound movements from Castro Street to Central Expressway and Moffett Boulevard. ² | AM PM | >120 >120 | F F | 44.4 76.6 | D E | Significant and Unavoidable |
| 50. Central | Partial Mitigation – | AM | 21.6 | C+ | 16.4 | B | Significant |

**Table 4.14-14:
Year 2030 Cumulative With Project Mitigation Summary**

| Impacted Intersection | Mitigation Measure | Peak Hour | Year 2030 Cumulative with Project Conditions | | | | Impact Level After Mitigation |
|---|--|-----------|--|---------|-----------------|---------|--|
| | | | Without Mitigation | | With Mitigation | | |
| | | | Delay | LOS | Delay | LOS | |
| Expressway and SR-85 Ramps (Santa Clara County) | Reconfigure the westbound approach to include three through lanes. | PM | >120 | F | 83.3 | F | and Unavoidable |
| 52. Whisman Station Road and Central Expressway* (Santa Clara County) | No feasible improvements. | AM PM | 18.0 >120 | B F | N/A N/A | | Significant and Unavoidable |
| 54. Ferguson Drive and Central Expressway* (Santa Clara County) | Partial mitigation – Reconfigure westbound approach to include three through lanes. | AM PM | 45.2 >120 | D F | 25.8 56.3 | C E+ | Significant and Unavoidable ³ |
| 56. Mary Ave and Central Expressway* (Santa Clara County) | Partial mitigation – Reconfigure eastbound and westbound approach to include four through lanes in each direction. | AM PM | 103.8 >120 | F F | 92.6 >120 | F F | Significant and Unavoidable |
| 58. Bay Road and University Avenue (East Palo Alto) | Restripe northbound approach to include an exclusive right-turn lane, restripe the westbound approach to include a second westbound left-turn lane, restripe the southbound approach to include a second left-turn lane and modify signal phasing. | AM PM | 52.2 98.0 | D- F | 37.3 45.6 | D+ D | Significant and Unavoidable ³ |
| 59. Donohoe Street and University Avenue (East Palo Alto) | Partial Mitigation – Restripe the westbound approach to include dual left turn lanes, one through lane and one right turn lane with protected left turns. (Same as Existing with Project Conditions mitigation) | AM PM | 98.1 41.9 | F D | 87.2 26.4 | F C | Significant and Unavoidable |
| 62. Embarcadero | Partial Mitigation – | AM | 64.3 | E | 64.3 | E | Significant |

**Table 4.14-14:
Year 2030 Cumulative With Project Mitigation Summary**

| Impacted Intersection | Mitigation Measure | Peak Hour | Year 2030 Cumulative with Project Conditions | | | | Impact Level After Mitigation |
|--|--|-----------|--|--------|-----------------|--------|--|
| | | | Without Mitigation | | With Mitigation | | |
| | | | Delay | LOS | Delay | LOS | |
| Road and E. Bayshore Road (Palo Alto) | Modify signal cycle length to 120 seconds. (Same as Existing with Project Conditions mitigation) | PM | 99.2 | F | 82.3 | F | and Unavoidable |
| 63. Embarcadero Road and Middlefield Road (Palo Alto) | No feasible improvements. | AM PM | 92.7 >120 | F F | N/A N/A | | Significant and Unavoidable |
| 64. Oregon Expressway and Middlefield Road* (Santa Clara County) | Partial Mitigation – Construct a second westbound and eastbound left turn lanes. | AM PM | >120 >120 | F F | >120 >120 | F F | Significant and Unavoidable |
| 65. Arastradero Road-Charleston Road and El Camino Real* (Palo Alto) | No feasible improvements. | AM PM | >120 >120 | F F | N/A N/A | | Significant and Unavoidable |
| 67. Page Mill Road and I-280 Southbound Off Ramp-Arastradero Road (Santa Clara County) | Signalize the intersection with protected left turn phasing and dual left turn lanes and a shared through-right lane on the westbound approach. Restripe the eastbound approach with a dedicated left-turn lane and dedicated right-turn lane. | AM PM | >120 >120 | F F | 64.6 68.3 | E E | Significant and Unavoidable ²³ |
| 70. Moffett Boulevard and SR 85 Southbound Ramp (Mountain View) | Signalize the intersection. | AM PM | >120 90.1 | F F | 16.7 13.8 | B B | Less Than Significant with Mitigation Measures |

Notes:

1. Implementation of a grade separated crossing may reduce the impact but would involve a very high construction cost and is not currently planned. Therefore this mitigation is considered infeasible for the purposes of this document.
2. The City of Mountain View City Council has approved the grade separation concept and the City is seeking funding

| Table 4.14-14: Year 2030 Cumulative With Project Mitigation Summary | | | | | | | |
|--|--------------------|-----------|--|-----|-----------------|-----|-------------------------------|
| Impacted Intersection | Mitigation Measure | Peak Hour | Year 2030 Cumulative with Project Conditions | | | | Impact Level After Mitigation |
| | | | Without Mitigation | | With Mitigation | | |
| | | | Delay | LOS | Delay | LOS | |
| <p>for this project.</p> <p>3. This facility is controlled by another agency and the City of Mountain View cannot guarantee the mitigation would be implemented: therefore this impact is considered significant and unavoidable under Year 2030 Cumulative with Project Conditions.</p> <p>Bold text indicates intersection operations below the applicable level of service standard.</p> <p>Bold and highlighted indicates a significant impact per the significance criteria used in this study.</p> <p>* Denotes Congestion Management Program (CMP) intersection.</p> <p>Source: Fehr & Peers, February/July 2017.</p> | | | | | | | |

Page 521: **REVISE** Section 4.14.4.2, Year 2030 Cumulative With Project Conditions, as shown.

- **#3. San Antonio Road and Charleston Road (Palo Alto):** No feasible vehicle capacity improvements (e.g., intersection turn lanes) at the intersection of San Antonio Road and Charleston Road because each quadrant of the intersection is developed and widening of the intersection would likely affect adjacent buildings and/or infrastructure. Furthermore, widening this intersection would conflict with Palo Alto policies to accommodate the needs of bicyclist and pedestrians. Therefore the impact is considered significant and unavoidable under Year 2030 Cumulative with Project Conditions. No other improvements are possible due to right-of-way constraints. [**Significant Unavoidable Cumulative Impact**]

Page 524: **REVISE** Section 4.14.4.2, Year 2030 Cumulative With Project Conditions, as shown.

These improvements would have secondary effects on the Shoreline Boulevard and Plymouth Street intersection because the northbound left turns at Pear Avenue would need to divert to Plymouth Street. To address the storage space needs, this option would also require two 500-foot northbound left turn lanes from Shoreline Boulevard to Plymouth Street (see the mitigation for the Shoreline Boulevard and Plymouth Street-Space Park Way intersection, Mitigation Measure #33). Under this mitigation measure, the Plymouth Street intersection would operate at LOS **BD+** (45.935.9 seconds of delay) and LOS **CD-** (34.653.9 seconds of delay) during the AM and PM peak hours, respectively.

Page 524: **REVISE** Section 4.14.4.2, Year 2030 Cumulative With Project Conditions, as shown.

- **#35. Shoreline Boulevard and La Avenida-US 101 Northbound Ramps (Mountain View):** This five-legged intersection serves approximately 44 percent of inbound and outbound traffic accessing the North Bayshore Precise Plan area during the morning peak hour and 51 percent during the evening peak hour. As currently configured, vehicles destined for areas east of Shoreline Boulevard must travel through the Shoreline Boulevard and Pear Avenue intersection to access La Avenida. The realignment of the US 101

northbound ramps would create a new T-intersection west of the Inigo Way and La Avenida intersection (shown in mitigation analysis). This intersection would include east/west intersection modifications at the Shoreline Boulevard and La Avenida Avenue intersection and the Inigo Way and La Avenida Avenue intersection. These improvements would improve the overall intersection to an acceptable level of operation in the AM peak hour. Appendix ~~KL~~ of the TIA provides the intersection volume and level of services results for the study intersections (#31 to 35 and 71 to 75 plus the realigned ramp intersection #76) with affected by the ramp realignment.

Page 527: **REVISE** Section 4.14.4.2, Year 2030 Cumulative With Project Conditions, as shown.

- **#4. San Antonio Road and Middlefield Road (Palo Alto):** No vehicle capacity improvements (e.g., intersection turn lanes) at the intersection of San Antonio Road and Middlefield Road are physically feasible because each quadrant of the intersection is developed and widening of the intersection would likely affect adjacent buildings and/or infrastructure. Furthermore, widening this intersection ~~would intersection~~ would conflict with Palo Alto policies to accommodate the needs of bicyclist and pedestrians. Therefore the impact is considered significant and unavoidable under Year 2030 Cumulative with Project Conditions. No other improvements are possible due to right-of-way constraints.

Page 527: **REVISE** Section 4.14.4.2, Year 2030 Cumulative With Project Conditions, as shown.

- **#8. Charleston Road and Fabian Way (Palo Alto):** No vehicle capacity improvements (such as adding turn lanes) at this intersection are physically feasible because each quadrant of the intersection is developed and widening of the intersection would likely affect adjacent buildings and/or infrastructure. Furthermore, widening this intersection ~~would intersection~~ would conflict with Palo Alto policies to accommodate the needs of bicyclist and pedestrians. Therefore the impact is considered significant and unavoidable under Year 2030 Cumulative with Project Conditions. No other improvements are possible due to right-of-way constraints. Although not typically considered an acceptable mitigation measure by itself, signal timing modification (increasing the cycle length) would improve operations to an acceptable LOS (LOS D or better). **[Significant Unavoidable Cumulative Impact]**
- **#9. Charleston Road and Middlefield Road (Palo Alto):** No vehicle capacity improvements (such as adding turn lanes) at this intersection are physically feasible because each quadrant of the intersection is developed and widening of the intersection would likely affect adjacent buildings and/or infrastructure. Furthermore, widening this intersection ~~would intersection~~ would conflict with Palo Alto policies to accommodate the needs of bicyclist and pedestrians. Therefore the impact is considered significant and unavoidable under Year 2030 Cumulative with Project Conditions. No other improvements are possible due to right-of-way constraints. Although not typically considered an acceptable mitigation measure by itself, signal timing modification (increasing the cycle length) would improve operations to an acceptable LOS (LOS D or better). **[Significant Unavoidable Cumulative Impact]**
- **#10. Charleston Road and Alma Street (Palo Alto):** No vehicle capacity improvements (e.g., intersection turn lanes) at the intersection of Charleston Road and Alma Street are

physically feasible because each quadrant of the intersection is developed and widening of the intersection would likely affect adjacent buildings and/or infrastructure. Furthermore, widening this intersection ~~would~~ ~~intersection~~ would conflict with Palo Alto policies to accommodate the needs of bicyclist and pedestrians. Therefore the impact is considered significant and unavoidable under Year 2030 Cumulative with Project Conditions. No other improvements are possible due to right-of-way constraints. **[Significant Unavoidable Cumulative Impact]**

Page 519: **REVISE** *Section 4.14.5, Conclusion*, as shown.

| | | | |
|--|---|---|---|
| <p>C-TRANS-1: Implementation of the proposed Precise Plan would result in significant impacts to 40<u>45</u> project study intersections under Year 2030 Cumulative With Project conditions in either the AM and/or the PM peak hours.</p> | <p>Significant Cumulative Impact</p> | <p>Mitigation measures are available for some of these impacts, refer to Table 4.14-14.</p> | <p>Significant and Unavoidable</p> |
|--|---|---|---|

Page 541: **REVISE** *Section 4.15, Utilities and Service Systems*, as shown.

The water supply discussion in this section is based on the “Water Supply Assessment for City of Mountain View North Bayshore Precise Plan” prepared by *Todd Groundwater* in ~~February~~ September 2017. This report is included in this Draft SEIR as Appendix K.

Page 548: **REVISE** *Section 4.15.1.5 Water Supply*, third paragraph, first sentence, as shown.

The City of Mountain View’s UWMP forecasts that water supplies will be available to meet the City’s projected future water demands during normal and wet years through at least 2040, based on the General Plan growth estimates and supplier projections.

Page 555: **REVISE** *Section 4.15.2.2 Water Supply Impacts, Comparison of Water Supply and Demand*, second paragraph, second sentence, as shown.

Single dry year shortfalls would be ~~4~~ 3 to ~~18~~ 11 percent from 2020 to 2040 and multiple dry year shortfalls would be ~~13~~ 5 to ~~20~~ 13 percent from 2020 to 2040.

Page 574: **REVISE** *Section 7.0, Significant and Unavoidable Impacts*, as shown.

- **Cumulative Transportation Impacts:** The cumulative projects, including the amended Precise Plan, would result in cumulatively significant and unavoidable impacts to intersections, freeway segments, and transit levels of service.
 - Implementation of the proposed Precise Plan would result in significant and unavoidable impacts to ~~45~~39 intersections during either the AM and/or PM peak hours under Year 2030 Cumulative with Project Conditions.
 - Implementation of the project would result in a cumulatively considerable contribution to

impacts to 130 freeway segments in the AM peak hour (67 mixed-flow, 63 HOV lanes) and ~~122~~121 freeway segments in the PM peak hour (~~66~~65 mixed-flow and 56 HOV lanes) under Year 2030 Cumulative with Project conditions.

- Implementation of the amended North Bayshore Precise Plan would have a significant and unavoidable cumulative effect on transit vehicle operations under Year 2030 with Cumulative with Project Conditions, in particular at those intersections with a significant and unavoidable impact determination for traffic delay.

Greenhouse Gas Emissions

- **Operational Emissions:** Under the 2030 full buildout of the amended North Bayshore Precise Plan, annual service population emissions of CO₂e/yr/service population would exceed the ~~City's established GGRP~~ threshold of 4.5 MT of CO₂e/year/service population for the Precise Plan area changes. The project proposes to implement feasible energy efficiency and TDM measures identified in the City's GGRP and North Bayshore Precise Plan to minimize impacts; however, these measures would not reduce impacts to a less than significant level. This impact is, therefore, significant and unavoidable.

Page 574: **REVISE** *Section 8.2.1.2, No Project Alternative -- Comparison of Impacts*, as shown.

Intersection levels of service under the 2030 Cumulative Conditions (No Project) are shown in Table ~~4.11-134~~14-13. Under this scenario, 44 of the 76 study intersections would operate at unacceptable levels of service during the AM and/or PM peak hour. Traffic from the adopted North Bayshore Precise Plan makes a significant (i.e., cumulatively considerable) contribution to the cumulative impact at 16 intersections (refer to Table H-3 of the TIA Appendix H).⁴⁶

Page 585: **REVISE** *Section 8.2.3.1, Increased Gateway Capacity – Description of Alternative*, as shown.

The proposed amended North Bayshore Precise Plan considers the possible addition of a Stevens Creek bridge crossing for pedestrian/bicycle and transit vehicle access. An alternative to the proposed project to reduce vehicular congestion by addressing vehicle capacity limits at the gateways would be to provide an additional vehicular access to the North Bayshore area, either via a bridge over Stevens Creek, or another crossing of US 101. The addition of a new gateway would provide additional capacity for travel in and out of the North Bayshore area. Possible gateway connections might include a bridge over Stevens Creek near Charleston Road or La Avenida Avenue, and/or an additional crossing location of US 101 connecting Charleston Road to Landings Drive. Any new gateway connection would need to be further evaluated to determine its benefits and impacts. It is assumed this alternative would include the same amount of commercial and residential development as the proposed amended Precise Plan.

⁴⁶ The contribution of the adopted North Bayshore Precise Plan to the cumulative impact is considered to be significant if it contributes at least a two (2) percent increase in vehicle traffic at that location.

~~It is assumed this alternative would include the same amount of commercial and residential development as the proposed amended Precise Plan.~~

Page 587: **REVISE** *Section 8.2.4.3, Increased Residential Density Alternative*, as shown.

An alternative to the proposed project to avoid the project's significant, unavoidable GHG impact would be to substantially increase the residential population within the North Bayshore Precise Plan area, such that the ~~GGRP~~ threshold of 4.5 MT CO₂e/year/service population would not be exceeded. While a detailed quantitative analysis was not completed for this alternative, it is estimated that approximately 15,750 additional residents or an additional 9,000 residential units (assuming 1.75 residents per unit) above what is proposed by the amended Precise Plan, with the additional residents not generating any mobile emissions, would be necessary to reduce annual CO₂e emissions per service population below the 4.5 MT threshold of significance.

Page 590-599: **REVISE** *Section 9.0, References*, as shown.

Fehr & Peers. *Transportation Impact Analysis North Bayshore Precise Plan*. ~~February~~July 2017.

Juan Bautista de Anza National Historic Trail. <http://www.anzahistorictrail.org/visit/explorer>. Accessed May 8, 2017.

Raimi & Associates. ~~Public~~ Final Draft, *North Bayshore Precise Plan*. October 20167.

San Francisco Bay Trail. Association of Bay Area Governments. <http://baytrail.org/baytrailmap.html>. Accessed May 8, 2017

Santa Clara County Airport Land Use Commission. *Moffett Federal Airfield Comprehensive Land Use Plan*. ~~November 2, 2012~~Amended November 2016.

Todd Groundwater. *Revised Draft Water Supply Assessment for City of Mountain View North Bayshore Precise Plan Project*. ~~February~~September 2017.



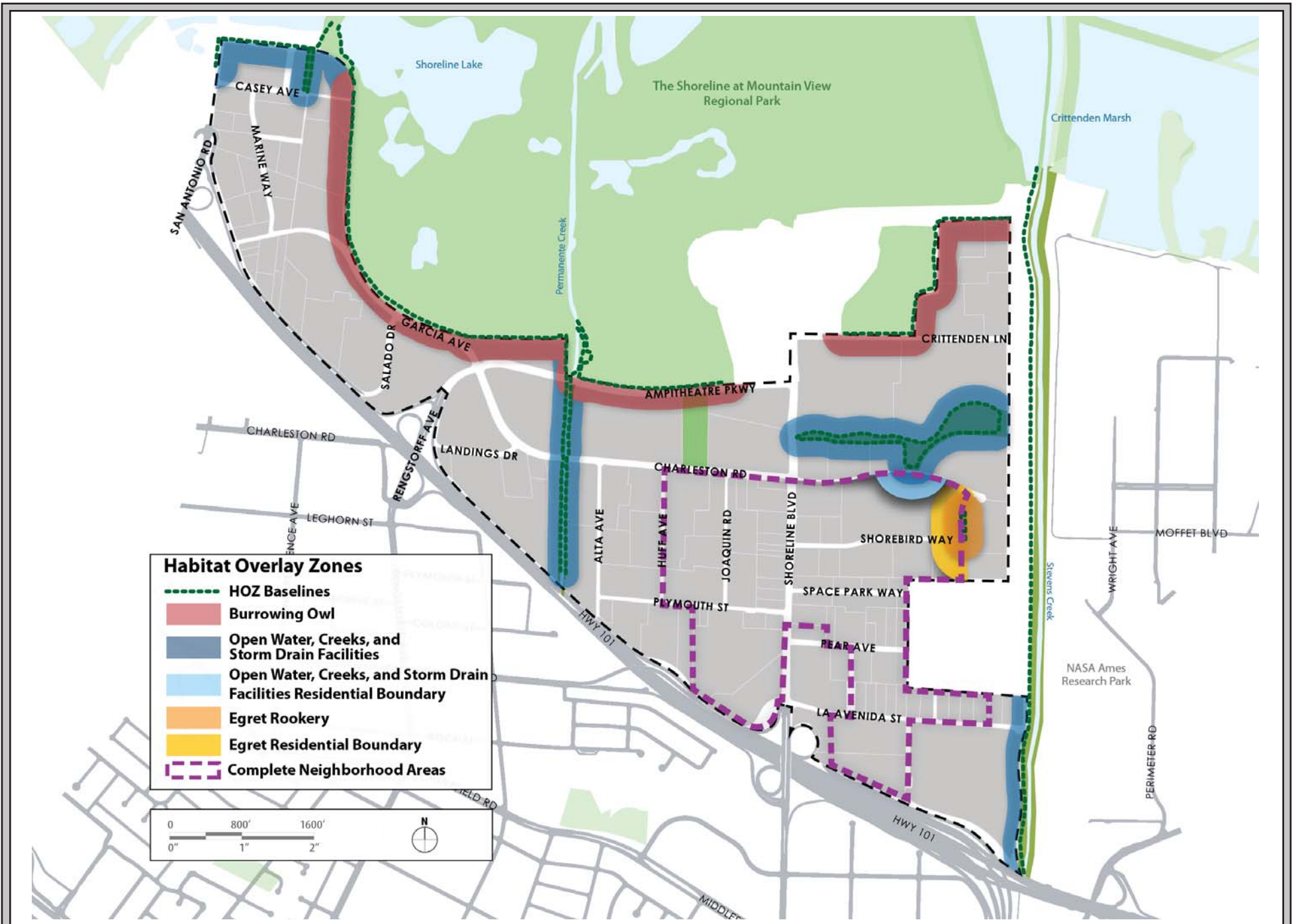
(REVISED) PROPOSED PUBLIC OPEN SPACE PLAN

FIGURE 3.3-6



(REVISED) PROPOSED RETAIL CENTERS

FIGURE 3.3-7



(REVISED) PROPOSED HABITAT OVERLAY ZONES

FIGURE 4.3-2



PHOTO 3: Retail uses at the corner of Shoreline Boulevard and Pear Avenue, view from Shoreline Boulevard to the east.



PHOTO 4: View of the 18-acre Charleston East Property, west of Shoreline Boulevard between Amphitheatre Parkway and Charleston Road in the northern portion of the Precise Plan area.

SECTION 6.0 COPIES OF COMMENT LETTERS RECEIVED

The original comment letters on the *Draft Subsequent Environmental Impact Report, North Bayshore Precise Plan* are provided on the following pages.

State Water Resources Control Board
Division of Drinking Water

RECEIVED

MAR 20 2017

March 15, 2017

Mr. Martin Alkire
Principal Planner
Planning Division
City of Mountain View
500 Castro Street, P.O. Box 7540
Mountain View, CA 94041

Community Development

**DRAFT SUBSEQUENT ENVIRONMENTAL IMPACT REPORT (EIR) FOR THE NORTH BAYSHORE PRECISE PLAN (SCH#2013082088)
CITY OF MOUNTAIN VIEW, WATER SYSTEM NO. 4310007**

Dear Mr. Alkire:

The State Water Resources Control Board's (SWRCB) Division of Drinking Water's (Division or DDW) comments on the proposed project are as follows:

The North Bayshore Precise Plan (NBPP) is a 650-acre multi-use development project located in northern Mountain View, consisting of multi-family residential, single-family residential, general office/Research and Development, industrial non-manufacturing, general manufacturing, retail and parks/recreational facilities. The City is planning to provide water supply for the project, which will include both potable and recycled water. The project will add almost 10,000 multi-family residential units and approximately 3.5 million square feet of non-residential space by 2030. It was indicated in the Draft Subsequent Environmental Impact Report (DSEIR) prepared by the City of Mountain View (City) for the project that this addition will increase water demand by 1414 acre-feet per year (AFY). With such an increase in water demand, the Division would like to know how the City, in meeting the water requirements for the project, intends to comply with the applicable requirements of California Waterworks Standards, Chapter 16, Title 22, California Code of Regulations (CCR).

In addition, in the event that any capital improvement project within the scope of the NBPP project would require additional water facilities and capacities in order to meet the water demands of the project, the City will need to apply for and obtain the necessary (amended) permits from the Division regarding any additions or changes to its system, in accordance with Section 116550, Article 7, Chapter 4, California Health and Safety Code (CHSC). This section specifies that no person operating a water system shall modify, add to or change his or her source of supply or method of treatment or change his or her distribution system as authorized by a valid permit issued to him or her by the Division, unless the person first submits an application to the Division and receives an amended permit as provided in this chapter authorizing the modification, addition or change in his or her source of supply or

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

method of treatment.

Finally, any proposed water system improvement within the scope of the NBPP project must comply with the provisions of the California Waterworks Standards, Chapter 16, Title 22, CCR.

If you have any questions, please call Jose P. Lozano IV at (510) 620-3459 or myself at (510) 620-3453.

Sincerely,

A handwritten signature in black ink, appearing to read "Eric Lacy". The signature is fluid and cursive, with a large loop at the end.

Eric Lacy, P.E.
District Engineer
Santa Clara District
Division of Drinking Water
State Water Resources Control Board

cc: Santa Clara County Environmental Health Department

Office of Planning and Research
State Clearinghouse
P. O. Box 3044
Sacramento, CA 95812-3044

Mr. Gregg Hosfeldt
Assistant Public Works Director
City of Mountain View
231 North Whisman Road
Mountain View, CA 94043

San Francisco Bay Conservation and Development Commission

455 Golden Gate Avenue, Suite 10600, San Francisco, California 94102 tel 415 352 3600 fax 415 352 3606

April 17, 2017

Martin Alkire
City of Mountain View, Community Development Department
500 Castro Street, P.O. Box 7540
Mountain View, CA 94039

SUBJECT: Draft Subsequent Environmental Impact Report for a General Plan Amendment and Rezoning of the North Bayshore Precise Plan

Dear Mr. Alkire:

Thank you for the opportunity to comment on the draft Subsequent Environmental Impact Report for the General Plan Amendment and Rezoning of the North Bayshore Precise Plan – Residential Uses Project (SEIR), dated March 2nd, 2017 and received in our office on March 6th, 2017. The Commission has not reviewed the SEIR, however the following staff comments are based on staff review of the SEIR for consistency with the McAteer-Petris Act and the policies of the San Francisco Bay Plan (Bay Plan). Staff provided comments on the project’s Notice of Preparation on April 19, 2016.

Jurisdiction. Thank you for including the description of the Commission’s jurisdiction provided in the NOP comment letter dated April 19, 2016. As mentioned in the SEIR on page 316, “Projects within BCDC’s jurisdiction may require permits issued by BCDC”. This may include the proposed bridge crossing Stevens Creek discussed in the SEIR, depending upon the project’s final location.

Climate change and sea level rise. As noted in the NOP comment letter dated April 19, 2016 the Bay Plan climate change policies state, in part: “[t]o minimize the potential hazard to Bay fill projects and bayside development from subsidence, all proposed development should be sufficiently high above the highest estimated tide level for the expected life of the project or sufficiently protected by levees.” Additionally, the policies state: “[l]ocal governments and special districts with responsibilities for flood protection should assure that their requirements and criteria reflect future relative sea level rise and should assure that new structures and uses attracting people are not approved in flood prone areas or in areas that will become flood prone in the future, and that structures and uses that are approvable will be built at stable elevations to assure long-term protection from flood hazards.”

The SEIR lists on page 343 two objectives under the City of Mountain View’s General Plan Land Use Goal 18:

- 1) A comprehensive strategy for reducing the effects of future sea level rise.



- 2) Collaboratively assessing vulnerabilities and creating adaptation strategies and plan for development of flood retention areas to address effects from sea level rise are mentioned as two policies.

In addition, page 578 of the SEIR notes an objective of the approved City of Mountain View for the North Bayshore Precise Plan project is: Minimize the potential consequences of sea-level rise through strategies, including improving levees, upgrading stormwater facilities, and elevating development.

Please consider utilizing the sea level rise adaptation planning information available on the Commission's Adapting to Rising Tides website, available at:
<http://www.adaptingtorisingtides.org>.

Collaborating with the Commission's Adapting to Rising Tides program can help ensure the City of Mountain View fulfills its two objectives under General Plan Land Use Goal 18. The Adapting to Rising Tides Program has supported sea level rise assessment and adaptation strategies development in cities and counties around the Bay Area, including the cities of San Francisco, Oakland, San Rafael, and Benicia; as well as the counties of Marin and San Mateo. With grant funding, the Adapting to Rising Tides Program has also led detailed, collaborative climate adaptation planning, vulnerability assessments, and developing adaptation strategy priorities.

According to the SEIR, the project relies upon sea level rise projections from the Shoreline Regional Park Community Sea Level Rise Study: Feasibility Report and Capital Improvement Program. Section 3.6 of the SEIR (Hydrology) notes that future development under the amended Precise Plan, along with other development in the City, would contribute to a capital improvement program to protect the area from the eight-inch sea level rise scenario. Individual development projects under the amended Precise Plan would contribute fairshare contributions to a capital improvement program to fund the construction of sea level rise protection measures.

Instituting a pay-into capital improvement program for future sea level rise adaptation is a commendable adaptation strategy, however the final EIR should assess and plan for multiple scenarios, including higher sea level rise projections that are consistent with the most recent and best available science. To that end, the project should utilize the recently revised State of California sea level rise projections released this month by the California Ocean Protection Council. As noted in the NOP comment letter dated April 19, 2016, the project should also include an analysis of (1) current elevations of the plan area and recent data, if available, documenting the vertical land motion (eg., subsidence or uplift); (2) current rates of sedimentation, if known, for the project site or sites located nearby; (3) estimated rate of relative sea level rise for the project area (relative sea level rise equals the sum of the change in global sea level and the change in land elevation); (4) projected changes in wetland communities from sea level rise (this should also include information on surrounding areas); (5) projected hydraulic changes around the project site that would result in a change in flood and

creek elevations, and duration of ponding, drainage, erosion, or sedimentation.

Public Access. As noted in the NOP comment letter dated April 19, 2016 Section 66602 of the McAteer-Petris Act states, in part: “existing public access to the shoreline and waters of the San Francisco Bay is inadequate.” The Bay Plan policies on public access state, in part: “Whenever public access to the Bay is provided as a condition of development, on fill or on the shoreline, the access should be permanently guaranteed.” The EIR should include robust discussion on whether the proposed changes to the North Bayshore Precise Plan would be consistent with the Bay Plan policies to maximize public access, how the proposed increase in residential density may impact public access, and ensure that any public access will be designed to be resilient to future flooding and sea level rise. As the project may result in greater visitation and use of the adjacent areas including the shoreline park, the potential impact on public use, habitat and wildlife should be evaluated in the EIR.

Thank you for the opportunity to comment on the revised SEIR for the City of Mountain View’s proposed amendments to the North Bayshore Precise Plan. If you have any questions regarding this letter please do not hesitate to contact me by phone at (415) 352-3626 or email isaac.pearlman@bcd.ca.gov.

Sincerely,



Isaac Pearlman
Environmental Scientist

DEPARTMENT OF TRANSPORTATION

DISTRICT 4

P.O. BOX 23660

OAKLAND, CA 94623-0660

PHONE (510) 286-5528

FAX (510) 286-5559

TTY 711

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*Serious Drought.
Help save water!*

April 18, 2017

SCL101930A
SCL/101/PM 49.0
SCH# 2013082088

Mr. Martin Alkire
Community Development Department
City of Mountain View
500 Castro Street
Mountain View, CA 94041

Dear Mr. Alkire:

North Bayshore Precise Plan Update-Residential Uses Project – Draft Subsequent Environmental Impact Report

Thank you for continuing to include the California Department of Transportation (Caltrans) in the environmental review process for the above-referenced project. In tandem with the Metropolitan Transportation Commission's (MTC) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS), Caltrans new mission signals a modernization of our approach to evaluating and mitigating impacts to the State Transportation Network (STN). Caltrans Strategic Management Plan aims to reduce vehicle miles traveled (VMT) by tripling bicycle and doubling both pedestrian and transit travel by 2020. Our comments are based on the Draft Subsequent Environmental Impact Report (DSEIR). Please also refer to Caltrans' previous comment letters on this project.

Project Understanding

The proposed project is located adjacent to US 101 on the north side between San Antonio Road and Stevens Creek. The proposed project consists of City of Mountain View (City)-initiated revisions to the Mountain View 2030 General Plan and *P(39) North Bayshore Precise Plan* zoning district to allow residential uses, in addition to office and commercial uses. The adopted North Bayshore Precise Plan (Precise Plan) was designed to provide a vision and guiding principles, development standards, and design guidelines for the properties in this area, in conformance with the 2030 General Plan vision for North Bayshore.

The project proposes to amend the Mountain View 2030 General Plan to allow an increase in residential uses, consistent with the proposed revisions to the Precise Plan. Up to 9,850 new multi-family residential units would be allowed under the amended 2030 General Plan and Precise Plan, in addition to 3.6 million square feet of office and commercial development. The project area could also include new or enhanced parks and trails, and new public streets. The

amended Precise Plan would allow a mix of multi-family units, including a goal of up to 70 percent one-bedroom and “micro” units (approximately 300-350 square feet in size, with some shared common areas), with the remaining 30 percent comprised of two- and three-bedroom units. The proposed residential uses would be located in the central portion of the Precise Plan area, and would have a 2030 General Plan land use designation of either *North Bayshore Mixed-Use* or *Mixed-Use Center*. The existing North Bayshore Residential Uses Boundary would be removed from the General Plan land use map.

The amended Precise Plan includes the development of “Complete Neighborhoods,” which have been envisioned to include a mix of land uses, amenities and services. The amended Precise Plan includes an increase in retail and supporting services over the existing plan, and would include neighborhood-serving retail in several locations along Shoreline Boulevard and regional retail in the Gateway Character Area. The Precise Plan includes a goal of a minimum of 20 percent affordable housing units within the North Bayshore district. The amended Precise Plan also includes program-level information regarding a potential new bridge crossing(s) over Stevens Creek. A new bridge would be anticipated to serve transit vehicles, bicycles, and pedestrians only. No formal bridge project is currently proposed at this time. The Precise Plan could include a policy supporting a new bridge crossing over Stevens Creek into North Bayshore, based on policy direction from the City Council. A new bridge would serve transit vehicles, bicycles, and pedestrians only.

Lead Agency

As the lead agency, the City is responsible for all project mitigation, including any needed improvements to the STN and for VMT reduction. The project’s fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

Travel Demand Analysis

This is a Project Type 3. VMT-Reducing Opportunity Development (Caltrans *Smart Mobility 2010: A Call to Action for the New Decade*, Place Type 4d. Neighborhoods). Please submit a travel demand analysis that provides VMT resulting from the proposed project. With the enactment of Senate Bill (SB) 743, Caltrans is focusing on transportation infrastructure that supports smart growth and efficient development to ensure alignment with State policies through the use of efficient development patterns, innovative travel demand reduction strategies, multimodal improvements, and VMT as the primary transportation impact metric. The California Environmental Quality Act (CEQA) Guidelines Section 15206(b) requires the environmental document for this project be circulated to the Metropolitan Planning Organization because of the project’s statewide, regional, and areawide significance.

The DSEIR for the purposes of the air quality impacts analysis states, “Daily VMT for 2015 and 2030 were obtained from the project traffic consultant using the total VMT accounting method.” “Using 2015 as a baseline year, VMT attributable to implementation of the North Bayshore Precise Plan is anticipated to increase 65 percent. The increase in population is estimated to be 2,268 percent. VMT would not increase at a higher rate than population with implementation of the North Bayshore Precise Plan.” Under the energy impacts analysis section the DSEIR states,

“The proposed amended Precise Plan project would generate approximately 73,450 daily vehicle trips, and a total annual VMT of approximately 654,050 miles.”

Caltrans uses VMT as the metric for evaluating transportation impacts and mitigation. Please ensure that the travel demand analysis includes:

1. A VMT analysis pursuant to the City’s guidelines or, if the City has no guidelines, the Office of Planning and Research’s Draft Guidelines. Projects that result in automobile VMT per capita greater than 15% below existing (i.e. baseline) citywide or regional values for similar land use types may indicate a significant impact.
2. Operational concerns for all road users that may increase the potential for future collisions should be identified and fully mitigated in a manner that does not further raise VMT.

Vehicle Trip Reduction

Consistent with the General Plan, the amended Precise Plan contains an extensive Transportation Demand Management (TDM) program. Caltrans commends the City on the General Plan and the North Bayshore Change Area Mobility and Land Use and Design Goals and Policies, which focus on multi-modal, sustainable mixed-use planning. These smart growth approaches are consistent with the MTC’s Regional Transportation Plan RTP/SCS goals and would meet Caltrans Strategic Management Plan. Reducing parking supply can encourage active forms of transportation, reduce regional VMT, and lessen future transportation impacts on US 101 and other nearby State facilities.

Cultural Resources

As identified in Section 4.4.2.2 Archaeological Resources, there is an archaeological site recorded adjacent to the project area within Caltrans right-of-way (ROW). As the site is a State-owned cultural resource, any work within Caltrans ROW near the site is subject to compliance with Public Resources Code (PRC) 5024. If an encroachment permit is needed for work within Caltrans ROW, we may require cultural resource technical studies be prepared in compliance with CEQA, PRC 5024, and the Caltrans Standard Environmental Reference (SER) Chapter 2 (<http://www.dot.ca.gov/ser/vol2/vol2.htm>). Should ground-disturbing activities take place within Caltrans ROW and there is an inadvertent archaeological or burial discovery, in compliance with CEQA, PRC 5024.5, and the SER, all construction within 60 feet of the find shall cease and the Caltrans District 4 Office of Cultural Resource Studies (OCRS) shall be immediately contacted at (510) 622-1673.

Transportation Management Plan

If it is determined that traffic restrictions and detours may affect State highways, a Transportation Management Plan (TMP) or construction Traffic Impact Analysis (TIA) may be required for approval by Caltrans prior to construction. These must be prepared in accordance with Caltrans’ *TMP Guidelines*.

In addition, pedestrian access through the construction zone must be in accordance with the Americans with Disabilities Act (ADA) regulations (see Caltrans *Temporary Pedestrian*

Facilities Handbook for maintaining pedestrian access and meeting ADA requirements during construction at:

www.dot.ca.gov/hq/construc/safety/Temporary_Pedestrian_Facilities_Handbook.pdf (see also Caltrans Traffic Operations Policy Directive 11-01 “Accommodating Bicyclists in Temporary Traffic Control Zones” at: www.dot.ca.gov/trafficops/policy/11-01.pdf). All curb ramps and pedestrian facilities located within the limits of the project are required to be brought up to current ADA standards as part of this project.

Please ensure that such plans are also prepared in accordance with the TMP requirements of the corresponding jurisdictions. For further TMP assistance, please contact the Caltrans District 4 Office of Traffic Management Operations at (510) 286-4579. Additional information is available for download at the following web address:

www.dot.ca.gov/hq/traffops/trafngmt/tmp_lcs/index.htm.

Bridges, Trestles, Culverts and Other Structures in Riparian Environments

Some project level activities may affect riparian flow patterns upstream of bridges, trestles, culverts or other structures for which Caltrans holds responsibility. Please ensure your project level environmental documents include hydrological studies to determine whether such impacts will occur, and to identify appropriate mitigation measures.

Habitat Restoration and Management

Project level activities related to habitat restoration and management should be done in coordination with local and regional Habitat Conservation Plans, and with Caltrans where our programs share stewardship responsibilities for habitats, species and/or migration routes.

Sea Level Rise

Caltrans commends the City for the following North Bayshore Change Area goals and policies:

- Goal LU-18 A comprehensive strategy for reducing the effects of future sea-level rise.
- Policy LUD 18.1 Collaboration on sea-level rise impacts. Collaborate with regional, state and federal agencies to address the effects of potential rises in sea levels through assessing vulnerabilities and creating adaptation strategies.
- Policy LUD 18.2 Flood retention areas. Plan for the development of flood retention areas to address effects from sea-level rise.

The effects of sea level rise may have impacts on transportation facilities located in the project area. Executive Order (EO) S-13-08 directs State agencies to plan for potential impacts by considering a range of sea level rise scenarios for the years 2050 and 2100. Higher water levels may increase erosion rates, change environmental characteristics that affect material durability, lead to increased groundwater levels and change sediment movement along shores and at estuaries and river mouths, as well as affect soil pore pressure at dikes and levees on which transportation facilities are constructed. All these factors must be addressed through geotechnical and hydrological studies conducted in coordination with Caltrans.

Encroachment Permit

Please be advised that any ingress-egress, work (e.g., construction, vegetation management, drainage improvement, etc.), or traffic control that is conducted within or adjacent to or encroaches upon the State ROW requires an encroachment permit that is issued by Caltrans. Where construction related traffic restrictions and detours affect the STN, a TMP or construction TIA may be required. Traffic-related mitigation measures should be incorporated into the construction plans prior to the encroachment permit process.

To apply, a completed encroachment permit application, environmental documentation, and six (6) sets of plans clearly indicating State ROW as well as any applicable specifications, calculations, maps, etc. must be submitted to the following address: David Salladay, District Office Chief, Office of Permits, California Department of Transportation, District 4, P.O. Box 23660, Oakland, CA 94623-0660. It is important to note that, in order to uphold the Caltrans statutory responsibility to protect the safety of the traveling public, if this information is not adequately provided, then a permit will not be issued for said encroachments. See the following website for more information:

<http://www.dot.ca.gov/hq/traffops/developserv/permits>.

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

Sincerely,



for PATRICIA MAURICE
District Branch Chief
Local Development - Intergovernmental Review

c: Scott Morgan, State Clearinghouse – electronic copy
Robert Swierk, VTA – electronic copy



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

April 18, 2017

Martin Alkire
City of Mountain View
500 Castro Street
Mountain View, CA 94041

Subject: North Bayshore Precise Plan
SCH#: 2013082088

Dear Martin Alkire:

The State Clearinghouse submitted the above named Supplemental EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on April 17, 2017, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2013082088
Project Title North Bayshore Precise Plan
Lead Agency Mountain View, City of

Type SIR Supplemental EIR
Description The City of Mountain View proposes to amend the 2030 General Plan and the current North Bayshore Precise Plan (P-39) to allow an increased number of residential units within the North Bayshore Precise Plan area. The existing Precise Plan would be amended to allow up to 9,850 multi-family residential units. This would reflect an increase of approximately 8,750 residential units above the number of dwelling units currently allowed in the 2030 General Plan for the North Bayshore Change Area. The Subsequent EIR would include program-level analysis of one to two bridge connections across Stevens Creek, in addition to other infrastructure improvements planned for the build-out of the plan.

Lead Agency Contact

Name Martin Alkire
Agency City of Mountain View
Phone 650-903-6306 **Fax**
email
Address 500 Castro Street
City Mountain View **State** CA **Zip** 94041

Project Location

County Santa Clara
City Mountain View
Region
Lat / Long 37° 25' 15" N / 122° 4' 58" W
Cross Streets San Antonio Road, Rengstorff Avenue, Shoreline Boulevard, Charleston Road, US 101
Parcel No.
Township 6S **Range** 2W **Section** **Base** MDB&M

Proximity to:

Highways US 101, SR 85, 237, 82
Airports Moffett Fedl Airfield, Palo Alto
Railways Caltrain, UPRR
Waterways Adobe, Permanente, & Stevens Creeks; SF Bay
Schools Mtn View-Whisman Dist.
Land Use GP: High-Intensity Office; Mixed Use Center; NB Mixed Use; Parks, Schools, & City Facilities. Zng: N. Bayshore Precise Plan (P-39)

Project Issues Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Geologic/Seismic; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Landuse; Cumulative Effects; Growth Inducing; Aesthetic/Visual

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 3; Department of Parks and Recreation; San Francisco Bay Conservation and Development Commission; Department of Water Resources; Office of Emergency Services, California; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 4; Department of Housing and Community Development; State Water Resources Control Board, Division of Drinking Water, District 17; Regional Water Quality Control Board, Region 2; Native American Heritage Commission; Public Utilities Commission

Date Received 03/02/2017 **Start of Review** 03/02/2017 **End of Review** 04/17/2017



EDMUND G. BROWN JR.
GOVERNOR

April 19, 2017

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

Martin Alkire
City of Mountain View
500 Castro Street
Mountain View, CA 94041

Subject: North Bayshore Precise Plan
SCH#: 2013082088

Dear Martin Alkire:

The enclosed comment (s) on your Supplemental EIR was (were) received by the State Clearinghouse after the end of the state review period, which closed on April 17, 2017. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project.

Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (2013082088) when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency

County of Santa Clara

Parks and Recreation Department

298 Garden Hill Drive
Los Gatos, California 95032-7669
(408) 355-2200; FAX 355-2290
Reservations (408) 355-2201

www.parkhere.org



March 7, 2017

Martin Alkire, Principal Planner
City of Mountain View
Planning Division
500 Castro Street, P.O. Box 7540
Mountain View, CA 94039-7540

Subject: Notice of Availability of the Draft Subsequent Environmental Impact Report for the North Bayshore Precise Plan Project (SCH# 2013082088)

Dear Mr. Alkire:

The County of Santa Clara Parks and Recreation Department (“County Parks Department”) is in receipt of the Notice of Availability of the Draft Subsequent Environmental Impact Report (SEIR) for the North Bayshore Precise Plan Project (“the Project”). The Project would update development standards and design guidelines within the Project area to include residential uses in addition to the office and commercial uses currently allowed under the adopted Precise Plan. Up to 9,850 new multi-family residential units and 3.6 million square feet of office and commercial development would be allowed upon Project approval. The Project could also include new or enhanced public parks, trails, and streets as well as a bridge connection across Stevens Creek at Charleston Road and/or La Avenida Avenue. The County Parks Department previously commented on the Notice of Preparation for this Project, and the following comments are still valid.

The County Parks Department is charged with the planning and implementation of the *Santa Clara County Countywide Trails Master Plan Update (Countywide Trails Plan)*, an element of the Parks and Recreation Section of the County General Plan adopted by the Board of Supervisors on November 14, 1995. Although responsibility for the actual construction and long-term management of each individual trail varies, the County Parks Department provides general oversight and protection of the overall trail system. Existing and proposed trail routes near the Project site are as follows:

- ***Juan Bautista de Anza National Historic Trail (NHT)*** (Route R1-B) – This partially completed trail runs along the San Francisco Bay shoreline within the Project site; it is designated for hiking and off-road (off-street) cycling. This NHT connects Nogales, AZ, to the San Francisco Bay Area.

Board of Supervisors: Mike Wasserman, Cindy Chavez, Dave Cortese, Ken Yeager, S. Joseph Simitian

County Executive: Jeffrey V. Smith



- ***San Francisco Bay Trail*** (Route R4) – This partially completed trail runs along the San Francisco Bay shoreline; it is designated primarily for hiking and off-road (off-street) cycling. This trail provides a regional connection along the San Francisco Bay shoreline.
- ***Stevens Creek Sub-regional Trail (S2)*** – This partially completed trail runs alongside Stevens Creek; it is designated for hiking, off-road (off-street) cycling and partially for equestrian use. Once fully completed, this route would connect the San Francisco Bay shoreline to Stevens Creek County Park, Upper Stevens Creek County Park, and the Bay Area Ridge Trail.
- The ***Permanente Creek Trail*** is also located in the Project area in addition to several other local trails administered by the City of Mountain View.

The County Parks Department respectfully recommends that the following items be addressed in the Draft SEIR as they relate to the existing and proposed countywide trail routes in the vicinity of the Project site:

Land Use

The Draft SEIR does not address the Project’s consistency with the Countywide Trails Plan. The Final SEIR document should specifically address the four trails listed above.

Transportation and Circulation

The Draft SEIR does not evaluate any potential impacts to existing and proposed trail routes, or include mitigation measures to reduce potential impacts to trail connections. Where feasible, the Project could construct proposed segments of the trails.

Section 4.14.3.8 Stevens Creek Bridge Crossing of the Draft SEIR lists the opportunities and constraints of selecting the Charleston Road and/or La Avenida Avenue locations for vehicular travel yet there is no evaluation of any potential impacts from increased users on the Stevens Creek Sub-regional Trail or mitigation for any negative impacts. Please address potential impacts from increased users of the trail in the Final SEIR.

Noise

Under Noise and Vibration Impacts, the Draft SEIR only evaluates noise and vibration impacts to surrounding buildings and construction. Please address potential noise and vibration impacts, both during and after construction, on trail users and biological resources, in the Final SEIR.

Hydrology and Water Quality

The Draft SEIR does not evaluate the potential impacts from increased stormwater runoff and drainage from the proposed Project. The evaluation should include impacts to water quality and the overall hydrology of neighboring riparian corridors.

Visual and Aesthetics

In regard to the potential for visual and aesthetic impacts, the Draft SEIR does not evaluate any degradation of views in the area of the Project site, including from the San Francisco Bay Trail and Stevens Creek Sub-regional Trail. The Final SEIR should address these issues.

Public Services and Recreation

Board of Supervisors: Mike Wasserman, Cindy Chavez, Dave Cortese, Ken Yeager, S. Joseph Simitian

County Executive: Jeffrey V. Smith



The Project may impact recreational facilities in the Project vicinity. Project maps and the Final SEIR should document Countywide Trail Routes and consider the opportunity for trails to serve as non-motorized connections, for both commuters and recreational users, from the surrounding neighborhoods to the project site. As routes of countywide significance, these trails also provide connections between nearby parks, trails, and open space areas.

Thank you for the opportunity to comment on the Notice of Availability of the Draft Subsequent Environmental Impact Report for the North Bayshore Precise Plan Project. The County Parks Department looks forward to additional coordination with the City of Mountain View regarding various aspects of the Project. If there are any questions regarding these comments, please feel free to contact me at (408) 355-2362 or via email at Michael.Hettenhausen@prk.sccgov.org .

Sincerely,

Michael Hettenhausen

Michael Hettenhausen, Associate Planner

cc: Annie Thomson, Principal Planner

Board of Supervisors: Mike Wasserman, Cindy Chavez, Dave Cortese, Ken Yeager, S. Joseph Simitian

County Executive: Jeffrey V. Smith





April 13, 2017

Martin Alkire, Principal Planner
City of Mountain View
Communit Development Department
500 Castro Street, 1st Floor
Mountain View, CA 94041
E-Mail: martin.alkire@mountainview.gov

Re: Comments on a Draft Subsequent Environmental Impact Report for the
North Bayshore Precise Plan Update

Dear Mr. Alkire:

Thank you for the opportunity to review the draft Subsequent Environmental Impact Report for the proposed North Bayshore Precise Plan Update (project or Precise Plan) in Mountain View. This letter includes all City of Sunnyvale comments.

A. General Questions and Comments:

1. We request that the City of Mountain View provide outreach to Sunnyvale residents, and that the notice area be expanded if the traffic impacts show potential significant impacts to the nearby Sunnyvale neighborhoods.

B. Traffic and Transportation Input for the Notice of Preparation:

If you have questions on the following traffic related items, please contact Carol Shariat, Dept. of Public Works, cshariat@sunnyvale.ca.gov or (408) 730-2713.

1. It is of concern for the City that no Sunnyvale intersections or roadway segments were analyzed as part of the project's EIR. The Precise Plan calls for a net new of approximately 3.5 million square feet of development and a majority of this new development is office. It would be unrealistic to assume that residents of Sunnyvale would not work in the Precise Plan area. Accordingly, municipal and CMP intersections with ten or more project trips per lane added to any intersection movement should be

2. analyzed. Intersections along Maude Avenue, Mary Avenue, Evelyn Avenue, and Bernardo Avenue should be considered within the traffic analysis.
3. As part of the traffic analysis, the following improvements were assumed to be in place for the existing plus project scenario:
 - Charleston Road Transit Boulevard,
 - New north/south street east of Shoreline Boulevard,
 - Amphitheatre Parkway improvements,
 - Multi-use path over US 101 between Terra Bella Avenue and Plymouth Street, and
 - Frontage road along US 101 between Alta Avenue and the Shoreline Commons site.

The Draft SEIR states that these projects are considered reasonably foreseeable. Since these infrastructure improvements are not fully funded and/or approved, how can they be included in the traffic analysis?

4. The cumulative forecast traffic volumes were developed through the use of the Mountain View travel demand model. Does this model take into account regional traffic growth and pending/pipeline projects located within other jurisdictions?
5. Per VTA TIA guidelines Section 9.1.2, a queueing analysis needs to be conducted at the study intersections. Please present queueing results in the transportation/traffic section of the DEIR and disclose possible queueing deficiencies.
6. The City of Mountain View should coordinate with the City of Sunnyvale for bicycle routes when appropriate.
7. The environmental document discusses Transportation Demand Management (TDM) in the traffic section. We would like to find out how the City of Mountain View will enforce the proposed TDM with 45% target, and what the penalties will be if projects within the Precise Plan area are not able to make the target.

The City of Sunnyvale appreciates your consideration of the requested study scope elements described above. Please contact Kelly Cha, Associate Planner, at (408) 730-7408 or kcha@sunnyvale.ca.gov if you have any questions or concerns about items discussed in this letter.

Sincerely,

A handwritten signature in black ink that reads "Amber Blizinski". The signature is written in a cursive, flowing style.

Amber Blizinski
Principal Planner, Community Development Department

cc: Trudi Ryan, CDD Director
Manuel Pineda, Director of Public Works
Shahid Abbas, Transportation/Traffic Manager
Amber Blizinski, Principal Planner
Carol Shariat, Principal Transportation Engineer/Planner
Ralph Garcia, Senior Transportation Engineer



CITY OF
**PALO
ALTO**

PLANNING & COMMUNITY ENVIRONMENT

250 Hamilton Avenue, 5th Floor
Palo Alto, CA 94301
650.329.2441

April 14, 2017

Mr. Martin Alkire
Principal Planner
Community Development Department
First Floor
500 Castro Street
Mountain View, CA 94041

Subject: Comments on the Draft Environmental Impact Report for the North Bayshore Precise Plan in Mountain View (State Clearinghouse #2013082088)

Dear Mr. Alkire,

Thank you for the opportunity to review and comment on the Draft Environmental Impact Report (DEIR) on the City of Mountain View's proposed Amendment to the North Bayshore Precise Plan (Clearing House #2013082088). We respect the City of Mountain View's plans to assist in the local housing shortage by accommodating additional housing in the North Bayshore Precise Plan Area. Given our shared interests as well as the shared boundary of the North Bayshore Precise Planning area with Palo Alto, the City of Palo Alto offers the following comments on the DEIR.

Transportation and Traffic

1. The largest number of significant impacts and the ones that cannot be mitigated identified in the DEIR are those related to traffic, and, in turn, on transportation that cannot move within the gridlock created by the traffic from the proposed project.
 - a. With the project, because of their location relative to the northern most 'gateway' into the project area, two intersections in Palo Alto will experience significant impacts: San Antonio Road/E. Bayshore Parkway and Embarcadero Road/E. Bayshore Road (Pg. 465). While the DEIR notes mitigation is infeasible at the Embarcadero Road/E. Bayshore Road intersection, the City of Palo Alto has identified a reasonable and feasible project to improve operations at this location, and given the identified impacts caused by the project a fair-share contribution from the City of Mountain View should be provided to assist with project implementation.
 - b. At other impacted intersections, mitigation should be added to provide for cooperation between the City of Mountain View and Palo Alto to implement other possible improvements and require developers within the project area to support funding of feasible improvements consistent with the policies of both cities. A mitigation should be added such that the Mountain View TDM model include collecting regular data on these intersections in Palo Alto and, when the traffic caps are reached, add TDM



programs that will address the traffic impacts at these locations (Pg. 496).

- c. The traffic analysis is based on Level of Service (LOS) methodology. Increasingly communities are being encouraged to look at Vehicle Miles Traveled (VMT). To be compliant with SB 743, Mountain View is encouraged to work the local congestion management agency (VTA) to establish a VMT standard and also evaluate the traffic impacts of this project in VMT terms.
- d. The project is projected to create demand for a new traffic signal at Page Mill Road and Arastradero Road at the PM peak hour (Pg. 465). The City of Palo Alto, in partnership with Santa Clara County Roads & Airports and Caltrans are planning multimodal improvements for this intersection, and a fair-share contribution from the City of Mountain View or other sources should be provided to assist with project implementation
- e. The traffic analysis documents a project impact on twenty-two US-101 segments; two of these affect Palo Alto directly: Embarcadero Road to Rengstorff and Whipple Avenue to Oregon Expressway (Pg. 484). It is the City of Palo Alto's policy to focus on reducing traffic on freeways before widening and the City of Palo Alto supports the proposed mitigation that Mountain View contribute toward freeway improvements particularly those which prioritize transit and high occupancy vehicles, such as HOT or HOV lanes.

2. Transit Service

- a. The project is projected to generate 6,800 peak hour transit riders (Pg. 490). The project includes implementation programs to enhance service connectivity to Caltrain and VTA light rail. However, the study does not address the impact of the projected increase ridership on Caltrain service that is already at or over capacity. This impact needs study. The mitigation for expanding the connecting transit services to be funded from private employers, landowners, city and regional sources should also include programs to address impacts on Caltrain service and capacity (Pg. 490).
- b. The North Bayshore Precise Plan has a horizon of 2030, since the development will be incremental, it will be some time before there will be sufficient services in the North Bayshore area for the resident population. At what point will it be viable to provide regular mass transit to and through the area? How will the traffic generated be handled up to the point at which mass transit is viable?
- c. The includes a dedicated reversible bus-only lane on Shoreline Boulevard between the project area and the Downtown Mountain View Transit Center and Caltrain Station. Please analyze the need for two-way dedicated transit facilities based on projected travel demand and transit performance factors. Due to the introduction of housing, it's likely there will be added outbound travel demand in the morning peak period, potentially creating a need for a two-way dedicated transit facility. Furthermore, the DEIR also states that several of the major employers in the North Bayshore area bring their employees in by private bus and that this mode of transport is expected to increase by 45 to 75 buses with development of the plan. To avoid deadheading, as a mitigation measure can these buses be required to take those living in the North Bayshore area, who work for different employers outside of the area, to their employment locations?

3. Transportation Demand Management (TDM)

- a. In several parts of the Transportation and Traffic section the Mountain View TDM program addresses the addition of a 'trip cap' program that would identify locations where the capped number of trips is exceeded as well as providing for regular monitoring of performance at these intersections. This model would guide the selection of appropriate TDM measures to reduce the impacts at the locations where the cap is exceeded. However, it is noted that TDM programs will not fully address the significant impacts in many cases (Pg. 496). As mitigation it is important that the 'trip cap' model be written so that it can evaluate changes over the cap limits as they occur in significantly impacted intersections in Palo Alto. Further, that the mitigation includes the implementation of specific TDM programs that will address impacts on Palo Alto intersections identified as being significant and unavoidably affected by the planned development.
- b. In the TDM impact analysis it is noted that while the City of Mountain View could not directly reduce the impact of the project on the affected freeway segments, the City could make a fair share contribution to freeway improvements. The report points out that, while a fair share contribution to improving mobility on freeways is not considered mitigation it is an appropriate finding for Overriding Considerations (Pg. 496) (See 1d above). The City of Palo Alto supports such a fair share contribution.
- c. The addition of more jobs and residences in the North Bayshore area will result in traffic reaching the maximum the capacity of the three gateway access locations. This will cause a shift to the San Antonio Road/Bayshore Parkway and Rengstorff locations that are not as central and currently not a capacity. Addition of residents' trips to work outside of the planning area will further impact the capacity of these gateways. Palo Alto supports mitigation that includes congestion pricing to manage the use of these gateway areas (Pg. 458).
- d. Employees in the technology industry are highly mobile in their jobs. It is typical for them to change employers every three years. As a result the number of people living in the North Bayshore area and commuting out to jobs could change significantly overtime. Has this phenomena been included in the evaluation of resident's trips in the a.m. and p.m. peak hours? What mitigations are offered to address the impact in commute volume generated by this destination shift over time among residents in the North Bayfront area?

4. Bicycle and Pedestrian

- a. The DEIR states that bicycle access to/from the North Bayshore area would be improved by closing the gap on San Antonio Road or by provided an alternate route (such as the planned pedestrian/bicycle overcrossing of US-101 at Adobe Creek/Palo Alto Baylands) (Pg. 492). Palo Alto supports a mitigation that Mountain View continue to work with Palo Alto to providing the planned pedestrian/bicycle overcrossing of US-101 at Adobe Creek/Palo Alto Baylands possibly with funding assistance from the City of Mountain View and/or from development in the North Bayshore area.

Hazards and Hazardous Materials

5. In the aviation study there is discussion that the Palo Alto Airport is about 9,480 feet (from the western boundary) northwest of the North Bayshore area (p. 295). However, the fact that the published approach minimums to the Palo Alto Airport over the planning area may be affected is not addressed. Multi-story structures can have an adverse impact on the navigable airspace within certain geographic parameters around airports, specifically the areas adjacent to the approach/departure zones. Any development must comply with Federal Aviation Administration (FAA) regulations that impact development on parcels of land located adjacent to or at the ends of runways. Such development must comply with FAA Order 8260.3B-United States Standard for Terminal Instrument Procedures (TERPS) and FAA Part 77-Safe, Efficient Use and Preservation of the Navigable Airspace. Furthermore, consideration should also be given to the fact that TERPS instrument flight procedures and the criteria that define the protection areas change over time, including criteria that specify the minimum measure of obstacle clearance that is considered by the FAA to supply a satisfactory level of vertical protection from obstructions predicated on normal aircraft operations. Because of the significance of the change in development over time proposed in the plan, mitigation should be added that the City of Mountain View must ensure that any new development in the North Bayshore area complies with existing and future changes in FAA regulations that would affect the Palo Alto Airport.
6. Terminal Instrument Procedures (TERPS) is an important consideration when evaluating potential obstacles to the navigable air space. TERPS surfaces also typically occupy larger volumes of airspace than FAR Part 77. Surface penetrations as defined in FAR part 77 do not by themselves typically generate adverse impacts on the use of the airport runways. Obstructions can be marked and/or lighted so that they can be seen during flight. However, TERPS surface penetrations can have severe impacts on the use of a runway and result in decreased airport use and loss of revenue because increases to instrument approach minimums essentially reduce the amount of time that a runway is available for aircraft use. The negative operations and economic impacts resulting from inappropriate installation of an obstacle can more than offset the capital investment made at an airport to provide the desired level of service to users. Mountain View should undertake the TERPS feasibility studies that accompany the FAA Form 7450-1 should be undertaken for the Palo Alto Airport so that the FAA can take the impacts of future development in to consideration. Appropriate mitigations should be added to the Draft EIR.
7. FAR Part 77 aside, the addition of structures as tall as 15 stories, outside the area affected by the Moffitt Field flight path area could negatively affect the operations of the Palo Alto Airport. This impact would include things like electrical interference with radio communication between the airport and aircraft, and interference of navigational aids. Avigation easements should acknowledge the presence of the Palo Alto Airport published approach minimums and that the parcel/development would be subject to aircraft over flights as well as other aviation impacts (vibrations, fumes, dust, noise etc.) from the aircraft using the Palo Alto Airport. This should be addressed in the DEIR and appropriate mitigations considered, including Palo Alto's request that as parcels are individually developed, avigation easements should be required. *(See Noise and Vibration Section, item 9.)*

Noise and Vibration

8. The noise analysis presented in the DEIR notes that sensitivity to noise increases during the evening hours. The study goes on to present noise measurements from two concerts at Shoreline Amphitheater (both included measurement during evening hours). The conclusion is that the maximum noise level from these events was less than the threshold of significance (Pg. 360). However, it was noted that noise levels from Shoreline Amphitheatre are highest at the northernmost portions of the Precise Plan area ranging from 55 to 63 dBA (Pg. 365). The analysis does not address the impact of atmospheric conditions on the transmission of noise particularly at night when ambient noise levels are low. During many events at Shoreline Amphitheater the sound can be clearly heard in portions of Palo Alto north of the planning area, particularly during the summer months. The analysis should include the impacts on outdoor activity within the project area as well as on the long distance noise transmission at night during periods of atmospheric conditions that might impact noise transmission on locations north of the North Bayshore Precise Plan Area. Appropriate mitigations should be added to the DEIR.
9. The DEIR indicates that the North Bayshore area is outside of the 65dBA zone from the Palo Alto Airport (1.6 miles away) (Pg. 362). However, the DEIR does not address the fact that the published approach minimums to the Palo Alto Airport are over the North Bayshore area. (See Hazards above). With respect to aircraft over flights, noise complaints are usually more closely related to development patterns than to the volume of aircraft operations that is one reason why the City is requesting aviation easements for the Palo Alto Airport to be required. Since noise has become a heightened issue in recent years following the roll out of the FAA's NextGen program and other increased air taxi over flights on the Peninsula, Mountain View should consider seeking an advisory review from the Airport Land Use Commission for requirements for the types of development proposals just outside the AIA. The potential impacts of aviation noise source on development within the planning area should be evaluated both in point source and cumulative noise analysis. Mitigation should be added to require each new development to include an evaluation of noise and vibration impacts from the Palo Alto Airport over flights and these should be addressed in the required aviation easement.

Public Services

10. The DEIR notes that the amended North Bayshore Precise Plan would not result in an increase in demand for fire protection services sufficient to require expanding or constructing new fire facilities (Pg. 395). The City of Palo Alto would note that the cities of Palo Alto and Mountain View have both Automatic Aid and Boundary Drop Agreements that send the closest fire unit to a call no matter what the jurisdiction and location of the call. These services include emergency medical and rescue assistance, assistance to suppress fires, as well as assistance to mitigate other types of emergencies. Given this agreement, Palo Alto service could be affected and additional public safety impacts could be created by the increase in resident and daytime population in the North Bayshore area. In addition, since the agreement includes response times, the significant unavoidable impacts identified in the traffic section of this DEIR could create inequities in the ability of the Palo Alto Fire Department to meet the acceptable response

performance standards into the City of Mountain View. This issue should be addressed in the DEIR and mitigations should be added to address the impacts identified.

Land Use

11. In addressing the analysis in which the North Bayshore Precise Plan creates conflicts with other applicable plans, policies and regulations, it is concluded that with the standards and guidelines to minimize environmental impacts the future development in the North Bayshore Precise Plan area would be consistent with the General Plan policies (Pg. 352). However, the parking ratio used for residential development in the General Plan and proposed for the North Bayshore Area are significantly different (1.2 spaces per dwelling unit in the General Plan compared to 0.6 spaces for the Bayshore area). The rationale for the significant reduction in parking from that required by the city standard should be examined, given the proposed parking standard in the Bayshore area and the projected number of single occupancy vehicle commute trips out of the North Bayshore area attributed to the added housing.
12. Height standards for planned development range from a maximum of 140 feet (8 stories) for non-residential uses to 160 feet (15 stories) for residential uses. It is noted in the DEIR that the tallest buildings will be near US-101 and Shoreline Boulevard. Although it is not stated in the report that the visual impact would be less than significant, the report does state that the location of these taller buildings would change the visual environment from general office park to 'more urban development'. This can be seen as a significant visual impact for those traveling on US-101. The impact of the change in land use, height and mass on the character of views from US-101 should be evaluated for significance and mitigations considered.

Biological Resources

13. A number of provisions are described to protect nesting and migratory birds that occupy or are transient through the North Bayshore area. The described measures include bird safe structural design (Pg. 194), special provisions to be considered in bridge design (Pg.16) and regulating the height of buildings near sensitive areas (Pg. 193). However, the analysis does not address why the impact of this new development on nesting and migratory birds is less than significant. The potential negative impacts should be identified more specifically and appropriate mitigations required to reduce the impacts to less than significant, if appropriate, should be identified and incorporated as regulatory requirements for development in the Bayshore area.

Cumulative Analysis

14. This analysis documents that, with the build out of this project, traffic signals will need to be added at Page Mill Road and Arastradero Road. Mitigation should be added to have Mountain View join with the other jurisdictions already working on signalization and intersection operations in this area.
15. The cumulative analysis addresses 'impacts on several transit corridors' but still does not include specific information on either the short term or long term impacts on Caltrain capacity and service (Pg. 538). Impacts and possible mitigations for addressing cumulative impacts on Caltrain capacity and service should be addressed.

16. Significant and unavoidable impacts on 40 intersections are described in the cumulative traffic analysis (Pg. 538). Twelve of these intersections are in Palo Alto strung along San Antonio Road, Charleston Road, and Embarcadero Road generally between US-101 and as far west as Alma and El Camino Real (Pg. 509-511). Mitigation to include incorporation of key Palo Alto locations into the trip cap program, coordinated TDM programs with Palo Alto to improve these impacted intersections, and shared funding where appropriate for possible improvements and maintenance overtime should be addressed.

Thank you again for giving Palo Alto the opportunity to comment on the DEIR for the Amendment to the North Bayshore Precise Plan and for your support in providing much needed local housing options. If you have any questions regarding our comments, please contact Jonathan Lait, Assistant Director of Planning and Community Environment at Jonathan.Lait@cityofpaloalto.org.

Sincerely,



Hillary Gitelman
Director of Planning and Community Environment

Cc: Palo Alto Planning and Transportation Commission
James Keene, City Manager
Margaret Monroe, Management Specialist, Planning and Community Environment

Superintendent
Dr. Ayindé Rudolph

**Associate Superintendent/
Chief Business Officer**
Dr. Robert Clark

**Assistant Superintendent,
Educational Services**
Cathy Baur

**Assistant Superintendent,
Administrative Services**
Karen Robinson



Board of Trustees

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Ellen Wheeler

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April 17, 2017

Martin Alkire, Principal Planner
City of Mountain View
Community Development Department
500 Castro Street
Mountain View, CA 94039-7540

Dear Mr. Alkire:

This document serves as the Mountain View Whisman School District (MVWSD) response to the Amended North Bayshore Precise Plan (NBPP), Draft Environmental Impact Report. We have reviewed the report and provide the following with regard to the adequacy of the findings as related to direct and indirect impacts on the Mountain View Whisman School District. We understand that the passage of SB50 limits the levying of developer fees for direct impacts on school districts. However, nothing precludes the City, Developer and School District from entering into a mitigation agreement to address those direct and indirect impacts on the school district.

BACKGROUND

A MVWSD demographic study by DecisionInsite was completed on November 30, 2016. According to this study, the Districtwide projection of the buildout of currently approved projects will increase student enrollment by 445 students in the next 5 years. These projected students will precede the impact of students generated by the North Bayshore Precise Plan (NBPP) and it is anticipated that no capacity will be available when students are generated by the NBPP. In addition, while both Monta Loma Elementary school and Crittenden Middle School are in the proximity of the NBPP, there will be no capacity available when the NBPP project is developed.

All district capital funding sources are encumbered for other facility needs and are not available for mitigating the impact of the NBPP project. The District has two sites where schools have not been constructed. These two school sites are not adequate to provide housing for the students generated from the NBPP. The first site is a ten acre property in the southern end of the District. The District does not provide student transportation and the transporting of students from the NBPP project would add to an already serious and significant transportation problem that is defined as “significant unavoidable impact.” The other site is a District/City joint use green area near the District office. Changing the use of that common area to a school site may not be an acceptable alternative to its current use. The District does not have land currently available to construct a school to serve students from the NBPP project.

DIRECT IMPACT OF THE NBPP PROJECT ON THE MVWSD

The 2014 NBPP provided for very few residential units. That plan designated 2.1 acres for residential development which included 362 residential units. The current amended NBPP designates 105.1 acres for residential development and includes 9,850 residential units, an increase of 9,488 residential units from 2014 to present. This significant amendment to the NBPP will create challenges to the District with regard to funding the construction of new schools, land for those schools, and other indirect impacts.

The current amended NBPP includes the following breakdown of the 9,850 units:

| Table 3.3-1: Proposed Dwelling Unit Distribution Goal | | |
|--|----------------------------|---|
| Unit Type | Percentage of Units | Approximate Number of Units per Type |
| Micro-Unit/Studio | 40% | 3,940 |
| One-bedroom | 30% | 2,955 |
| Two-bedroom | 20% | 1,970 |
| Three-bedroom | 10% | 985 |
| | 100% | 9,850 |

(Source: NBPP)

There are three neighborhoods: Joaquin, Shorebird, and Pear. The additional units will be distributed as follows:

| Table 3.3-4: Targets for Complete Neighborhood Areas | | | |
|---|-----------------------------|-------------------------------|--------------------------|
| | Joaquin Neighborhood | Shorebird Neighborhood | Pear Neighborhood |
| Size in Acres | 68 acres | 43 acres | 43 acres |
| Residential Units | 3,950 units | 2,950 units | 2,950 units |
| Affordable Housing Units¹ | 790 units | 590 units | 590 units |

(Source: NBPP)

The stated goal of the housing element of the NBPP:

It is the City's goal to provide housing in North Bayshore that is affordable to a diverse workforce at all income levels. The Precise Plan includes a goal of a minimum of 20 percent affordable housing units within the North Bayshore district. The City's key strategies for creating affordable housing in North Bayshore are, in priority order: 1) incentivizing land donation for affordable housing development; 2) including affordable units within market-rate developments; and 3) collecting rental housing impact fees from market-rate housing development. (Draft Subsequent EIR, page 106)

The projected student impact, which includes a 20% affordable component, is as follows:

Table A

| Mountain View Whisman Elementary | | | | | |
|---|------------|---|----------------|---|-----------------|
| Grade | SGR | | Units | | Students |
| K-5 | 0.1 | x | 7,880 (80%) | = | 788 |
| 6-8 | 0.04 | x | 7,880 (80%) | = | 315 |
| | | | | | 1,103 |
| Affordable | | | | | |
| K-5 | 0.409 | x | 1,970 | = | 806 |

| | | | | | |
|---------------|-------|---|-------|---|--------------|
| 6-8 | 0.228 | x | 1,970 | = | 449 |
| | | | | | 1,255 |
| Total: | | | | | 2,358 |

(Sources: Schoolhouse Planning, and Jack Schreder & Associates)

The number of projected students is 979 more than the DEIR indicates as the DEIR did not include an affordable component for the MVWSD. The student yield included in our calculations was based on the affordable housing student yield from the 2014 MVWSD Demographic Study:

Affordable Housing Units

The MVWSD also has numerous affordable housing complexes located within the District boundaries. Jack Schreder & Associates calculated the affordable housing student generation rates for this type of housing. Cities now require development projects to provide for some affordable housing within the development. Therefore, it is imperative the District remain aware of this generation factor.

Table 5. Student Generation Factors: Affordable Housing Units

| Housing Type | # of Units Surveyed | Total Students | Student Generation Factor (TK-8) | TK-5 | 6-8 |
|--------------------|---------------------|----------------|----------------------------------|-------|-------|
| Affordable Housing | 215 | 137 | 0.637 | 0.409 | 0.228 |

(Source: Jack Schreder & Associates)

COST TO HOUSE STUDENTS GENERATED FROM NBPP

Construction costs in the Bay Area have escalated dramatically in the last 8 years. The State per pupil grant does not reflect this escalation and therefore the gap between what the State allows and provides for school construction is significantly less than the actual cost of school construction. These cost differences are reflected in the shortfall described in these calculations.

The actual cost to house students generated by NBPP, (excluding land):

Table B

| Grade | Students | | Cost to house per pupil | | Total |
|-------|----------|---|-------------------------|---|----------------------|
| K-5 | 1,594 | x | \$69,667 | = | \$111,049,198 |
| 6-8 | 764 | x | \$71,428 | = | \$54,570,992 |
| | | | | | \$165,620,190 |

(Source: Greystone West)

The anticipated funding through levying local school fees and the State School Facilities funding Program (excluding land):

Table C

| State School Facilities Funding | | | | | |
|---------------------------------|----------|---|-------------------------|---|---------------------|
| Grade | Students | | State Grant Per Student | | Total |
| K-5 | 1,594 | x | \$11,104 | = | \$17,699,776 |
| 6-8 | 764 | x | \$11,744 | = | \$8,972,416 |
| | | | | | \$26,672,192 |

(Source: Office of Public School Construction)

Table D

| MVWSD collects \$2.32/Sq.Ft. of Level I Developer Fees | | | | | | | | | |
|--|------------|---|-------------|---|-----------|---|--------|---|-------------|
| Units | # of Units | | Avg. Sq.Ft. | = | Sq.Ft. | | Fees | = | Total |
| Micro/Studio | 3,940 | x | 450 | = | 1,773,000 | x | \$2.32 | = | \$4,113,360 |
| 1-Bedroom | 2,955 | x | 715 | = | 2,112,825 | x | \$2.32 | = | \$4,901,754 |
| 2-Bedroom | 1,970 | x | 1,025 | = | 2,019,250 | x | \$2.32 | = | \$4,684,660 |
| 3-Bedroom | 985 | x | 1,250 | = | 1,231,250 | x | \$2.32 | = | \$2,856,500 |
| \$16,556,274 | | | | | | | | | |

(Source: City of Mountain View, and Jack Schreder & Associates)

Total State Funding and Developer Fees (excluding land): **\$43,228,466**

The shortfall between the actual cost to house K-8 students and funds from State grants and developer fees:

| | |
|--------------------------|----------------------|
| Actual: | \$165,620,190 |
| State and Local Funding: | <u>\$43,228,466</u> |
| Shortfall: | \$122,391,724 |

LAND

In addition to dramatic escalation in construction costs in the Bay Area, land costs have increased as well. The State of California will provide 50% of the cost of land for eligible school construction. However, the remaining 50% of the land cost is the responsibility of the local school district. These substantial increases in land costs make it difficult to build schools in accordance with the Department of Education school site guidelines. The land cost escalation issues were anticipated when SB50 was drafted and Government Code section 65998 allows the cities to “reserve or designate” real property for a school site.

GOVERNMENT CODE - GOV

TITLE 7. PLANNING AND LAND USE [65000 - 66499.58] (*Heading of Title 7 amended by Stats. 1974, Ch. 1536.*)

DIVISION 1. PLANNING AND ZONING [65000 - 66103] (*Heading of Division 1 added by Stats. 1974, Ch. 1536.*)

CHAPTER 4.9. Payment of Fees, Charges, Dedications, or Other Requirements Against a Development Project [65995 - 65998] (*Chapter 4.9 added by Stats. 1986, Ch. 887, Sec. 11.*)

65998. (a) Nothing in this chapter or in Section 17620 of the Education Code shall be interpreted to limit or prohibit the authority of a local agency to reserve or designate real property for a schoolsite.

(b) Nothing in this chapter or in Section 17620 of the Education Code shall be interpreted to limit or prohibit the ability of a local agency to mitigate the impacts of a land use approval involving, but not limited to, the planning, use, or development of real property other than on the need for school facilities.

(Added by Stats. 1998, Ch. 407, Sec. 25. Effective August 27, 1998. Operative November 4, 1998 (Prop. 1A was adopted Nov. 3) by Sec. 31 of Ch. 407. Note: Pursuant to Education Code Section 101122 (subd. (d)), which was added Nov. 8, 2016, by Prop. 51, Chapter 4.9 (Sections 65995 to 65998) as it read on Jan. 1, 2015, continues in effect until Dec. 31, 2020, or earlier date prescribed. Thereafter, Chapter 4.9 may be amended.)

As a condition of approval of the NBPP project, and prior to the certification of the DEIR, we request that the City designate and reserve school sites for MVWSD as follows:

Table E

| | Grade | Students | Acres (Student Guidelines) |
|---------------|--------------|-----------------|---------------------------------------|
| Site 1 | K-5 | 600 | 10.7 |
| Site 2 | K-5 | 600 | 10.7 |
| Site 3 | K-5 | 394 | 8.1 |
| Site 4 | 6-8 | 764 | 20.9 |

(Source: California Department of Education)

The availability of land for school construction in Mountain View is extremely limited. The District is amenable to creative efforts to utilize all real property options and is willing to discuss these options with the Developer. The school site requirements provided in Table E are based on California Department of Education guidelines.

INDIRECT IMPACTS

Chawanakee Unified School District V. County of Madera

In this appellate court case, the court concluded that the phrase in SB50 “impacts on school facilities” does not cover all possible environmental impacts. While the NBPP does consider noise, emissions, traffic, and other indirect impacts, it does not specifically identify those indirect impacts in the operation of a school district. For example, the eighteen “significant unavoidable impacts” created by transportation and traffic may have an indirect impact on transporting students to school if the school is not in the proximity of the NBPP project. In addition, the buildout of 9,850 units is in a plan that covers a period through 2030. The approximate 10-year buildout of the NBPP project would mean an absorption rate of 980 units per year. This construction period would require the MVWSD to provide interim housing over a period of time and is considered an “indirect impact.” This issue is not addressed in the DEIR.

CLOSING COMMENTS

Our comments regarding the DEIR should not be construed to indicate our opposition to the amended NBPP. It is critical that all interested parties understand that 9,850 new dwelling units are of such magnitude that school mitigation measures for the project exceed the District’s ability to absorb the 2,358 students projected from this project. We look forward to the cooperation of the City and proponents of the project to meet with MVWSD and resolve the challenges that are apparent in proceeding forward in the process of developing a successful project. We suggest that the District, City, and proponents of the project meet during the 45-day period and attempt to provide creative viable measures to meet the needs of MVWSD and all stakeholders.

Sincerely,



Ayindé Rudolph, Ed.D
Superintendent

cc: Dan Rich, City Manager

April 17, 2017

Martin Alkire, Principal Planner
City of Mountain View
Community Development Department
500 Castro Street
Mountain View, CA 94039-7540

Dear Mr. Alkire:

This document serves as the Mountain View Los Altos Union High School District (MVLA) response to the Amended North Bayshore Precise Plan (NBPP), Draft Environmental Impact Report. We have reviewed the report and provide the following with regard to the adequacy of the findings as related to direct and indirect impacts on the Mountain View Los Altos High School District. We understand that the passage of SB50 limits the levying of developer fees for direct impacts on school districts. However, nothing precludes the City, Developer and School District from entering into a mitigation agreement to address those direct and indirect impacts on the school district.

BACKGROUND

The MVLA Demographic Study by Jack Schreder & Associates (JSA) was revised April 3, 2017. The enrollment in MVLA is projected to increase from the current 4,073 to 4,576 by 2021-22. The Demographic Study recommended the following to accommodate the increase in projected enrollment prior to the consideration of including an additional 9,850 dwelling units as proposed in the Amended North Bayshore Precise Plan.

- It is recommended the District add facility capacity in order to accommodate the projected significant enrollment growth, most of which will occur over the next six years.
- It is recommended the District correspondingly expand core ancillary facilities as new classrooms are constructed. While adding classrooms will provide housing for additional students, it will also overburden existing ancillary facilities such as libraries, cafeterias, administrative space, gymnasiums, etc.



- It is recommended the District increase staffing and programs correspondingly as facility capacity expands and student enrollments increase.
- Until new facilities are constructed, it is recommended the District consider revising the current intra-district transfer policy to alleviate overcrowding.
- It is recommended the District consider federal, state, and local sources of funding, including a local school bond to assist in constructing new facilities for housing current and future students.

Currently, the MVLA is adding three portables at Los Altos High School to accommodate the immediate impacts by projected growth. The addition of 9,850 new dwelling units, generating 1,108 students, will be in addition to current student housing needs.

The MVLA is currently preparing a Facility Master Plan to accommodate student enrollment in the future. Additional student housing measures will be included in that study.

DIRECT IMPACT OF THE NBPP PROJECT ON THE MVLA

The 2014 NBPP provided for very few residential units. That plan designated 2.1 acres for residential development which included 362 residential units. The current amended NBPP designates 105.1 acres for residential development and includes 9,850 residential units, an increase of 9,488 residential units from 2014 to present. This significant amendment to the NBPP will create challenges to the District with regard to funding the construction of new schools, land for those schools, and other indirect impacts.

The current amended NBPP includes the following breakdown of the 9,850 units:

| Table 3.3-1: Proposed Dwelling Unit Distribution Goal | | |
|--|----------------------------|---|
| Unit Type | Percentage of Units | Approximate Number of Units per Type |
| Micro-Unit/Studio | 40% | 3,940 |
| One-bedroom | 30% | 2,955 |
| Two-bedroom | 20% | 1,970 |
| Three-bedroom | 10% | 985 |
| | 100% | 9,850 |

(Source: NBPP)



There are three neighborhoods: Joaquin, Shorebird, and Pear. The additional units will be distributed as follows:

| | Joaquin Neighborhood | Shorebird Neighborhood | Pear Neighborhood |
|---|-------------------------|---------------------------|----------------------|
| Size in Acres | 68 acres | 43 acres | 43 acres |
| Residential Units | 3,950 units | 2,950 units | 2,950 units |
| Affordable Housing Units¹ | 790 units | 590 units | 590 units |

(Source: NBPP)

The stated goal of the housing element of the NBPP:

It is the City's goal to provide housing in North Bayshore that is affordable to a diverse workforce at all income levels. The Precise Plan includes a goal of a minimum of 20 percent affordable housing units within the North Bayshore district. The City's key strategies for creating affordable housing in North Bayshore are, in priority order: 1) incentivizing land donation for affordable housing development; 2) including affordable units within market-rate developments; and 3) collecting rental housing impact fees from market-rate housing development. (Draft Subsequent EIR, page 106)

The projected student impact, which includes a 20% affordable component, is as follows:

Table A

| Mountain View Los Altos High School District | | | | | |
|---|--------------------------|---|------------|---|-----------------|
| Total Units: 9,850 | | | | | |
| Grade | Market Rate Units | | SGR | | Students |
| 9-12 | 7,880 | x | 0.046 | = | 363 |
| | Affordable | | | | |
| 9-12 | 1,970 | x | 0.378 | = | 745 |
| Total: | | | | | 1,108 |

(Sources: Schoolhouse Planning, and Jack Schreder & Associates)

These additional 1,108 9-12 students are in addition to the projected increase in the JSA Demographic Study of 503 additional students to be generated by 2021-22.

Affordable Housing Units

A total of 164 affordable, multi-family housing in Mountain View were surveyed in March 2017. These 164 units generated 62 9-12 students for a Student Generation Rate (SGR) of 0.378.



| Housing Type | # of Units Surveyed | Total Students | Student Generation Factor (9-12) |
|--------------------|---------------------|----------------|----------------------------------|
| Affordable Housing | 164 | 62 | 0.378 |

(Source: Jack Schreder & Associates)

COST TO HOUSE STUDENTS GENERATED FROM NBPP

Construction costs in the Bay Area have escalated dramatically in the last 8 years. The State per pupil grant does not reflect this escalation and therefore the gap between what the State allows and provides for school construction is significantly less than the actual cost of school construction. These cost differences are reflected in the shortfall described in these calculations.

The actual cost to house students generated by NBPP, (excluding land):

Table B

| Grade | Students | | Cost to house per pupil | | Total |
|-------|----------|---|-------------------------|---|--------------|
| 9-12 | 1,108 | X | \$83,000 | = | \$91,964,000 |

(Source: LPA Architects)

The anticipated funding through levying local school fees and the State School Facilities Funding Program (excluding land) is listed below. Please note that these figures are based on continuation of the current state funding model for school facility construction, appropriate eligibility and adequate state revenue to fund the school construction necessary to house the additional students generated by the NBPP project.

Table C

| State School Facilities Funding | | | | | |
|---------------------------------|----------|---|-------------------------|---|--------------|
| Grade | Students | | State Grant Per Student | | Total |
| 9-12 | 1,108 | X | \$14,944 | = | \$16,557,952 |

(Source: Office of Public School Construction)

Table D

| MVLA collects \$1.16/Sq.Ft. of Level I Developer Fees | | | | | | | | | |
|---|------------|---|-------------|---|-----------|---|--------|---|--------------------|
| Units | # of Units | | Avg. Sq.Ft. | | Sq.Ft. | | Fees | | Total |
| Micro/Studio | 3,940 | x | 450 | = | 1,773,000 | x | \$1.16 | = | \$2,056,680 |
| 1-Bedroom | 2,955 | x | 715 | = | 2,112,825 | x | \$1.16 | = | \$2,450,877 |
| 2-Bedroom | 1,970 | x | 1,025 | = | 2,019,250 | x | \$1.16 | = | \$2,342,330 |
| 3-Bedroom | 985 | x | 1,250 | = | 1,231,250 | x | \$1.16 | = | \$1,428,250 |
| | | | | | | | | | \$8,278,137 |

(Source: City of Mountain View, and Jack Schreder & Associates)

Total State Funding and Developer Fees (excluding land): \$24,836,089



GREEN BUSINESS

1299 Bryant Avenue, Mountain View, California 94040-4599

Phone: (650)940-4650

The shortfall between the actual cost to house 9-12 students and funds from State grants and developer fees:

| | |
|--------------------------|--------------|
| Actual: | \$91,964,000 |
| State and Local Funding: | \$24,836,089 |
| Shortfall: | \$67,127,911 |

LAND

In addition to dramatic escalation in construction costs in the Bay Area, land costs have increased as well. The State of California will provide 50% of the cost of land for eligible school construction. However, the remaining 50% of the land cost is the responsibility of the local school district. These substantial increases in land costs make it difficult to build schools in accordance with the Department of Education school site guidelines. The land cost escalation issues were anticipated when SB50 was drafted and Government Code section 65998 allows the cities to "reserve or designate" real property for a school site.

GOVERNMENT CODE - GOV

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DIVISION 1. PLANNING AND ZONING [65000 - 66103] (*Heading of Division 1 added by Stats. 1974, Ch. 1536.)*

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(Added by Stats. 1998, Ch. 407, Sec. 25. Effective August 27, 1998. Operative November 4, 1998 (Prop. 1A was adopted Nov. 3) by Sec. 31 of Ch. 407. Note: Pursuant to Education Code Section 101122 (subd. (d)), which was added Nov. 8, 2016, by Prop. 51, Chapter 4.9 (Sections 65995 to 65998) as it read on Jan. 1, 2015, continues in effect until Dec. 31, 2020, or earlier date prescribed. Thereafter, Chapter 4.9 may be amended.)

Standards for new school construction in California

Based on guidelines provided by the California Department of Education (see Table E below), 33.5 acres of land are recommended to house an additional 1,108 students.

Table E

| | Grade | Students | Acres (Student Guidelines) |
|---------------|--------------|-----------------|---------------------------------------|
| Site 1 | 9-12 | 1,108 | 33.5 |

(Source: California Department of Education)



The availability of land for school construction in Mountain View is extremely limited. Therefore, as a condition of approval of the NBPP project, and prior to the certification of the DEIR, we request that the City designate and reserve an adequate amount of land for MVLA to accommodate the additional 1,108 students generated as a result of this project.

The District is amenable to creative efforts to utilize all real property options and is willing to discuss these options with the Developer.

INDIRECT IMPACTS

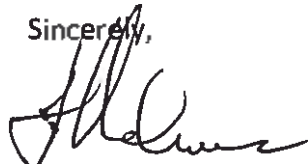
Chawanakee Unified School District V. County of Madera

In this appellate court case, the court concluded that the phrase in SB50 "impacts on school facilities" does not cover all possible environmental impacts. While the NBPP does consider noise, emissions, traffic, and other indirect impacts, it does not specifically identify those indirect impacts in the operation of a school district. For example, the eighteen "significant unavoidable impacts" created by transportation and traffic may have an indirect impact on transporting students to school if the school is not in the proximity of the NBPP project. In addition, the buildout of 9,850 units is in a plan that covers a period through 2030. The approximate 10-year buildout of the NBPP project would mean an absorption rate of 980 units per year. This construction period would require the MVLA to provide interim housing over a period of time and is considered an "indirect impact". This issue is not addressed in the DEIR.

CLOSING COMMENTS

Our comments regarding the DEIR should not be construed to indicate our opposition to the amended NBPP. It is critical that all interested parties understand that 9,850 new dwelling units are of such magnitude that school mitigation measures for the project exceed the District's ability to absorb the 1,108 students projected from this project. We look forward to the cooperation of the City and proponents of the project to meet with MVLA and resolve the challenges that are apparent in proceeding forward in the process of developing a successful project. We suggest that the District, City, and proponents of the project meet during the 45-day period and attempt to provide creative viable measures to meet the needs of all stakeholders.

Sincerely,



Jeff Harding
Superintendent

cc: Dan Rich, City Manager



County of Santa Clara

Roads and Airports Department

101 Skyport Drive
San Jose, California 95110-1302
1-408-573-2400



April 17, 2017

Martin Alkire
Principal Planner
Community Development Department
City of Mountain View
500 Castro Street
Mountain View, CA 94041

**SUBJECT: Notice of Availability of a Draft Subsequent Environmental Impact Report (DSEIR)
North Bayshore Precise Plan**

Dear Mr. Alkire:

The County of Santa Clara Roads and Airports Department appreciates the opportunity to review the DSEIR and is submitting the following comments.

1. For Intersections #20 Rengstorff Avenue and Central Expressway and #49 Moffett Boulevard-Castro Street and Central Expressway, the DSEIR has findings of "Significant and Unavoidable Impact"; however, in the DSEIR, the City also renews its commitment to provide and pursue funding for a grade separation at Intersection #20 and modifications to Intersection #49 which will mitigate the impacts. The County supports these two projects and will work with the City in seeking funding and implementation.
2. The DSEIR states that the project will create a significant and unavoidable impact at the following two intersections:
 - Intersection #24: Springer Road-Magdalena Avenue and Foothill Expressway
 - Intersection #67: Page Mill Road and I-280 Southbound Off-Ramp-Arastradero Road

However, feasible mitigation measures have been identified and listed in the Comprehensive County Expressway Planning Study 2040 (EP 2040). The overall cost for mitigating Intersection #24 is relatively low and the mitigation for Intersection #67 is a Tier 1 Expressway Project eligible for 2016 Measure B funding. Therefore, these mitigation measures are likely to be implemented. The County requests that the project commit to provide a fair-share contribution to both mitigation projects in the DSEIR.

3. The DSEIR states that the project will create a significant and unavoidable impact at the following intersections:
 - Intersection #42: Shoreline Boulevard and Central Expressway (East)
 - Intersection #50: Central Expressway and State Route 85 Ramps
 - Intersection #52: Whisman Station Road and Central Expressway

- Intersection #54: Ferguson Drive and Central Expressway
- Intersection #56: Mary Avenue and Central Expressway
- Intersection #64: Oregon Expressway and Middlefield Road
- Intersection #66: Arastradero Road and Foothill Expressway

The DSEIR states that no feasible mitigation measures are available at these locations. The EP 2040 does identify improvements for some of these locations that would mitigate the impacts; however, the County acknowledges that these particular EP 2040 improvements are high cost and not likely to be implemented in the near future. Therefore, the County requests that alternative mitigation measures be considered and included in the City's multimodal improvement plan. If you have any questions or concerns about these comments, please contact me at (408) 573-2465 or dawn.cameron@rda.sccgov.org.

Sincerely,



for Dawn S. Cameron
Deputy Director, Infrastructure Development

cc: MA, AP, AB



SANTA CLARA VALLEY
HABITAT AGENCY

April 17, 2017

Martin Alkire - Principal Planner
City of Mountain View
Planning Division
City Hall, 1st Floor
500 Castro Street
Mountain View, CA 94041

Subject: North Bayshore Precise Plan Subsequent Draft Environmental Impact Report

Dear Mr. Alkire:

Thank you for the opportunity to review the North Bayshore Precise Plan (Plan) Subsequent Draft Environmental Impact Report (DEIR). The Santa Clara Valley Habitat Agency appreciates the City's vision for long term sustainability in the region to be achieved, in part, through the proposed amended Plan. The amended Plan would now allow development potential for nearly 10,000 new residential dwelling units, with a corresponding reduction in future square footage allocated to research & development, industrial building use and office space. These changes in allowable land use will help to correct the jobs/housing imbalance in the area. As noted in the DEIR, it will also result in a reduction in area traffic and a commensurate reduction in traffic generated air emissions. To the extent that development must occur in the region, the Habitat Agency supports the type of infill development envisioned by the amended Plan. Mixed use, which tends to localize traffic and reduce work commute distances, is perhaps the most benign form of infill development, in terms of limiting new emissions of airborne nitrogen and other constituents of concern.

As stated in DEIR Section 4.3.5.7 – *Cumulative Impacts of Indirect Nitrogen Deposition*, the amended Plan will generate air emissions that will contribute to the nitrogen deposition already occurring throughout the county. The Plan details, consistent with the Santa Clara Valley Habitat Plan (Habitat Plan) findings, that nitrogen deposition is a chief threat and impediment to the recovery of state and federally protected species of plants and animals relying on serpentine soils in the Santa Clara Valley. Additionally, because the nitrogen becomes an artificial fertilizer, it's deposition across the landscape facilitates the growth of non-native forbs and grasses in the valley's oak woodland, which chokes out native plants and contributes to an increased fire risk due to an unnatural accumulation of vegetation in these habitats which are historically prone to wildfires. Nitrogen deposition has a similar effect on the Valley's aquatic resources, encouraging algae growth beyond what has historically occurred in those

landscapes. Because the effects of nitrogen deposition are realized in an array of landscapes, the Plan impacts should not be considered to affect serpentine soils exclusively.

The Plan will result in an increase of vehicle miles traveled (VMT) of 65 percent above the existing area traffic. These new emissions will exacerbate the existing rate of nitrogen deposition and its anticipated effects on the environment. Section 4.3.5.7 concludes that, because 17 percent of the nitrogen deposition within the Habitat Plan area comes from locations in Santa Clara County that are outside the Habitat Plan, and because the North Bayshore area is but a small portion of this 17 percent, then the cumulative impacts of indirect nitrogen deposition would be less than significant.

The Habitat Agency respectfully disagrees with the conclusion that the Plan's cumulative contributions to nitrogen deposition are less than significant. Nitrogen deposition across the landscape is a cumulative impact. Small-scale, individual projects may be considered less than significant contributors to cumulative impacts. However, a precise plan, which will facilitate the development of 9,850 new residential units, 5.5 million square feet of office space and 130,000 square feet of restaurant/retail space cannot be considered to result in a less than significant contribution to nitrogen deposition when the air emissions of this development and its associated new VMT are dispersed across the Santa Clara Valley.

As stated in the DEIR, approximately 50 percent of the total nitrogen deposition that occurs on the land within the Habitat Plan is generated by anthropogenic sources outside the Habitat Plan. As adopted, the Habitat Plan provides sufficient mitigation to reduce nitrogen deposition on land within the Habitat Plan which is generated only by covered projects within the Habitat Plan boundary. However, there is no mitigation established for projects surrounding the Habitat Plan area that result in nitrogen emissions which contribute to the growing impacts within the Habitat Plan area.

The notion that all nitrogen deposition impacts in the Santa Clara Valley are entirely mitigated through the collection of land cover fees from projects that are covered by the Habitat Plan is one that has been perpetuated by the City of Mountain View in its most previous CEQA documents. Yet this is not true. As mentioned above, the Habitat Plan only mitigates for 50 percent of the total nitrogen deposition impacts, because it will only collect 50 percent of the funds required to manage the land for nitrogen impacts. Land management activities funded by the collection of nitrogen deposition fees include removal/treatment of invasive plant species, mowing and grazing of landscapes to slow the growth of invasive species and encourage native plant propagation and restoration activities. To arrive at a figure for the nitrogen deposition fee, the Habitat Plan first determined the combined effects of nitrogen deposition to land cover within the Habitat Plan area that would be generated by all sources. It then determined that, because only 50 percent of these impacts would result from projects within the Habitat Plan, a mitigation fee to fund management of the land impacted by nitrogen deposition should be established at 50 percent of the total cost of the management. This is because projects within the Habitat Plan cannot be expected to mitigate for impacts they are not directly responsible for, but are instead the effects of projects outside the Habitat Plan. Therefore, Santa Clara Valley projects that are outside the Habitat Plan collectively contribute to 50 percent of the impact, but provide no mandatory mitigation for these impacts.

Based on the analysis in the Habitat Plan EIR/EIS, the actual cost to mitigate the effects of nitrogen deposition on land within the Habitat Plan by all projects (within and outside the Habitat Plan) is known and quantified. The fee is clearly posted on the Habitat Agency website and provides a figure for new residential units or new average daily trips. Accordingly, if all new projects that are outside the Habitat Plan area, but are inside Santa Clara Valley paid the same fee that projects within the Habitat Plan

currently pay, then the unfunded 50 percent of land management costs required to fully mitigate the impacts of nitrogen deposition would become funded and appropriate mitigation for these impacts would be realized.

Section 4.3.4.1 of the DEIR states that the Plan would result in a significant impact if the project would “conflict with the provisions of an adopted Habitat Conservation Plan”. This is a CEQA threshold of significance. If the DEIR is adopted as proposed, with merely the opportunity for a voluntary project-level contribution to the nitrogen deposition fund, a contribution that is not likely to manifest, the Habitat Agency would consider the DEIR to be in conflict with the provisions of the Habitat Plan. Indeed, to allow for the avoidance of payment of these fees should a project proponent elect to not pay them, would directly affect the Habitat Plan’s ability to appropriately mitigate the effects of nitrogen deposition that would be generated by the Plan.

The Habitat Agency recommends the DEIR to be revised, making the voluntary project-level contribution to nitrogen deposition a mandatory mitigation measure for the purpose of adequately addressing the project’s true cumulative impacts to nitrogen deposition in the Santa Clara Valley. As noted above, the fee is already established and would be adequate to reduce the cumulative effects of Plan implementation. The Habitat Agency would consider the project-level payment of fees as sufficient mitigation to reduce the Plan impacts to nitrogen deposition to a less than significant level. Alternatively, the DEIR should propose other mitigation to address the program-level cumulative nitrogen emissions.

The DEIR conclusion that cumulative nitrogen emissions resulting from the Plan are less than significant is primarily based on a comparison of the scale of the Plan in respect to the remainder of the nitrogen sources in the area. However, this discussion avoids a deeper analysis of the Transportation Demand Management (TDM) program and whether or not it can realistically achieve the air emissions reductions necessary to ensure the impacts are less than significant. If the standards and guidelines identified in the TDM are not all enforceable, then potential air emissions, including airborne nitrogen, may actually be higher than predicted. What assurances can be made that the TDM program will result in lower nitrogen emissions as opposed to the emissions generated by a precise plan without such a program?

Sincerely,

A handwritten signature in blue ink, appearing to read "Edmund Sullivan".

Edmund Sullivan
Executive Officer Santa Clara Valley Habitat Agency

File: 22556
Stevens Creek

April 17, 2017

City of Mountain View
Community Development Department
Attn: Mr. Martin Alkire, Principal Planner
500 Castro Street
Mountain View, CA 94039

Subject: Draft Subsequent Environment Impact Report (SEIR) – North Bayshore Precise Plan

Dear Mr. Alkire:

The Santa Clara Valley Water District (District) staff reviewed the subject document received on March 2, 2017. The proposed Draft SEIR amends the P(39) North Bayshore Precise Plan to allow 9,850 residential units in addition to office and commercial uses within the project site bounded by the Shoreline at Mountain View Regional Park and the San Francisco Bay to the north, U.S. Highway 101 to the south, the City of Palo Alto to the west, and NASA/Ames Research Center to the east. The following are our comments:

The District has fee and easement right of way over the two District facilities, Permanente Creek and Stevens Creek located within the North Bayshore Precise Plan Area. In accordance with the District's Water Resources Protection Ordinance, any work within the District right of way (fee and easement) requires an encroachment permit. The last sentence on Page 121 incorrectly describes the role of the District; please revise to reflect the above statement.

The SEIR includes a potential new bridge crossing(s) over Stevens Creek that would service vehicles, pedestrians, and bicycles. Efforts must be made to eliminate the bridge crossing(s) as they can adversely impact the District operations and maintenance of the creek, riparian corridor and fish and wildlife habitat. Detailed comments will be provided at such time when the project level EIR is developed and further details are provided.

Water Supply Comments

The SEIR states (p. 556): "Based on the City's 2015 UWMP and the project's estimated future water demand (2,518 AFY), water supply shortfalls can be expected in single dry years and multiple dry years. Single dry year shortfalls would be 11 to 18 percent from 2020 to 2040 and multiple dry year shortfalls would be 13 to 20 percent from 2020 to 2040." It further states, "With the addition of future development projects as part of the amended North Bayshore Precise Plan, the City of Mountain View would have sufficient water supply for the proposed project in normal rainfall years. The City of Mountain View has considered potential water shortages in dry years, and has developed a water shortage contingency plan (WSCP) that provides measures to reduce demand to match available supply."

Mandatory water use restrictions will likely have an environmental and economic cost to the community. Furthermore, the impact may be considered significant as it causes the whole community to make

mandatory water use reductions because of increased growth in the North Bayshore area. Without the extra growth considered in this SEIR, the 2015 UWMP indicates shortages of up to only 4%, which would not result in mandatory actions or restrictions by the community. To meet the increased demand created by this project in dry years, the City's WSCP would require mandatory water use restrictions on the whole community. District staff suggest that improved demand analysis that considers water use efficiency, combined with additional active water conservation programs, would considerably reduce shortages such that mandated restrictions may not be needed and the water supply impact can be avoided.

The SEIR states the City has developed a water shortage contingency plan that provides measures to reduce demand to match available supply. However, if those measures do not reduce demand as expected, the City may rely more heavily on alternative sources, such as increased groundwater pumping. For instance, in 2014, Mountain View doubled its use of groundwater compared to 2013 (751 AF compared to 361 AF, which was more than the 20-year average of 563 AF). If significant and unanticipated groundwater pumping is used for a prolonged basis during multiple dry years, it could negatively affect groundwater conditions in the Santa Clara groundwater subbasin and prompt action under the district's water shortage contingency plan, which could include calls for water use restrictions throughout northern Santa Clara County. Again, increased focus on water use efficiency and proactive water conservation may help to avoid the need for mandated community restrictions during droughts.

Appendix K – Water Supply Assessment (WSA) for North Bayshore Precise Plan March 2017

The District appreciates the City's desire to incorporate LEED and CALGreen requirements into the new building requirements for the North Bayshore project (project), and to utilize recycled water to reduce potable water demand. Water use efficiency and recycled water use are sustainable approaches and useful in all-weather years. These components are also major parts of the District's overall water supply reliability strategies. Additional water demand reductions could also be achieved if the highest level of LEED requirements or optional CALGreen requirements were required for the project. The highest level of efficiencies could be gained by also incorporating the requirements in the Draft Ordinance for Water Use Efficiency in New Developments and the Model Water Efficiency Landscape Ordinance (MWELo).

WSA Water Demand Comments

The WSA states that the increased project demand (total project demand minus existing project area demand) is 1,414 AFY. This is essentially the net increase in demand due to the project. However, in Tables 11-13, the total project demand is listed (2,518 AFY), not the net increase. Therefore, it appears the WSA is adding the total project demand (2,518 AFY), instead of the net project demand (1,414 AFY), to the total city demand. This may have resulted in an overestimation of the Total Demand in Tables 11-13.

Page 15 of the WSA refers to an additional demand beyond the City's 2015 Urban Water Management Plan (UWMP) and the beyond the WSA North Bayshore revised demand. It states that Table 14 represents projects identified in August 2016 that were not considered in the 2015 UWMP and are in addition to North Bayshore demands. This additional demand is 1,670 AFY. When added to the increase in project demand, the demand is 3,084 AFY above the 2015 UWMP base scenario. Please clarify whether this added demand is inclusive of, or in addition to, projected growth rates already assumed by the UWMP or in the regional projections used in the UWMP demand. If this added

Mr. Martin Alkire
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April 17, 2017

demand is above the growth assumptions in the UWMP, it may be appropriate to consider this additional growth in the cumulative impact analyses in the EIR Section 4.15.4.1. It would also be appropriate for the WSA supply and demand analysis to consider that the North Bayshore project demands are in addition to the 2015 demand assumptions and the additional demand in Table 14. Tables 11- 13 documenting the supply and demand analysis did not include this additional demand.

The WSA and EIR make multiple statements or conclusions regarding additional active water conservation and water use efficiencies that would reduce the project demand and total demand. Since the additional demand of the project results in considerable dry year water supply shortages, District staff recommends that the demand analyses use reasonable estimates of efficiencies that are expected. Conducting this analysis could show that the costs and benefits of active water conservation programs may outweigh the costs and impacts from mandatory water use restrictions.

Supply Reliability Comments

The following District comments are intended to provide suggestions that could be helpful in clarifying or documenting available reliable water supplies for the project.

The WSA (page 15) states that "...additional water demand (3,084 AFY) can be compared to the 'higher-growth' alternative water demand planned to 2040, which is 17,442 AFY." It should be noted that this growth scenario would result in up to 26 percent supply shortages in some dry years.

This comparison appears to infer that since it was considered in the 2015 UWMP, that it meets the intent of the WSA. Due to the significant shortage projected, and because it was not the proposed demand in the 2015 UWMP, the comparison may be misleading.

Thank you for the opportunity to review the subject document and I look forward to receiving a copy of the Final SEIR and a response to our comments. Please contact me either by phone at (408) 630-2731 or by email at uchatwani@valleywater.org with any further questions.

Sincerely,



Usha Chatwani, P.E.
Associate Civil Engineer
Community Projects Review Unit

cc: G. Hall, V. Gin, S. Tippets, G. De La Piedra, C. Tulloch, T. Hemmeter, D. Mody,
R. Van Den Berg, M. Martin, U. Chatwani, File



April 17, 2017

City of Mountain View
Community Development Department
500 Castro Street
Mountain View, CA 94039

Attention: Martin Alkire

Subject: North Bayshore Precise Plan

Dear Mr. Alkire,

Santa Clara Valley Transportation Authority (VTA) staff have reviewed the Draft SEIR for the addition of up to 9,850 multi-family residential units in the North Bayshore Precise Plan area, and the potential addition of up to two bridge connections across the Stevens Creek. We have the following comments.

Land Use

VTA continues to support the proposed land use intensification and mix of uses in this area. While not in an established core or station area, the development of high density residential in this area which has been historically dominated by employment uses will help balance out the mix of land uses and create opportunities for employees to live closer to work. This could lead to a reduction in automobile trips and vehicle miles traveled (VMT) within North Bayshore, on a per-capita or per-service population basis. The creation of a mixed-use district within the North Bayshore Precise Plan (NBPP) area will allow many residents to fulfill their daily needs without having to access services or jobs at other locations in the City or beyond.

VTA supports the City's overall efforts to achieve a better balance of jobs and housing within the North Bayshore area, while acknowledging that the proposed Project would cause impacts on the gateways into North Bayshore and would also negatively impact transit travel times. Considering these factors, VTA encourages the City to fully explore the Increased Gateway Capacity alternative (Section 1.4.3) which would allow the targeted 9,850 residential units but lessen the burden on the existing gateways by creating new gateway capacity – such as new bridge crossing(s) over the Stevens Creek. VTA also supports further consideration of the Reduced Residential Alternative (Section 1.4.2) to identify whether the number of residential units that fit within the gateway capacity could be increased beyond 3,000 through the addition of more aggressive parking policies (e.g., parking maximums) and other TDM policies.

Roadway Connectivity / Stevens Creek Bridges

The DSEIR includes program-level review of a potential new bridge crossing(s) over Stevens Creek at either La Avenida Avenue or Charleston Road that could prioritize auto travel over other modes. The analysis presented in the DSEIR (p. 494) states that options for the Stevens Creek Bridge were presented in a separate memo, dated March 18, 2016. The information provided by the TIA as a general guide to discuss the impacts of both potential locations (p. 494) is not detailed enough to analyze whether the

crossing(s) would result in increases or decreases to automobile congestion, VMT, transit/shuttle travel times and alternative mode shares. VTA encourages the City to include a policy in the updated NBPP supporting a new bridge crossing over Stevens Creek into North Bayshore. VTA also recommends that the City begin further analysis to fully assess the effects of a Stevens Creek Bridge connection. This analysis should include the effects on all modes of travel (including single-occupancy vehicles as well as alternative modes).

VTA is currently working with Google on the North Bayshore Transportation Study, which will likely include recommendations to further study a new bridge crossing of Stevens Creek at Charleston Road for private vehicle and/or mass transit. VTA suggests additional coordination between City and VTA staff regarding a potential Stevens Creek crossing. We look forward working with City staff to share the conclusions of VTA's study and coordinating on the additional analysis to assess effects of the potential crossing.

Congestion Analysis on Transit Travel Times

VTA commends the City for including analysis of congestion impacts on transit operations in the DSEIR. The DSEIR identified significant and unavoidable impacts to transit operations. VTA notes that the current NBPP policies encourage alternate modes of transportation to decrease dependence on motor vehicles. The existing NBPP also includes many infrastructure improvements to accommodate transit vehicles. VTA notes that the DSEIR projects an anticipated increase of up to 2,400 to 2,800 transit riders and projects that 45 to 75 transit vehicles would be needed to accommodate this growth (Appendix J TIA, pp. x-xi). VTA requests further clarification on the City's expectation for how this increase in transit service would be accommodated – i.e., would this be mainly corporate shuttles, TMA-operated shuttles, or VTA buses, and in what proportions? VTA notes that the recommended draft Next Network service plan currently being considered by VTA Board Committees includes new direct VTA bus service between North Bayshore and the Mountain View Transit Center, at a 30-minute frequency on weekdays. Any increase in service beyond this draft proposal would need to be considered within the framework of VTA's Board-adopted Transit Sustainability Policy/Service Design Guidelines. VTA looks forward to working with the City to address the anticipated increase of transit riders and working with the City to help implement the transit measures in the NBPP.

Transportation Demand Management / Trip Reduction

VTA again recommends that residential developments in North Bayshore be required to join the Mountain View Transportation Management Association (TMA) to coordinate TDM strategies with other developments and employers in the area. VTA seeks additional clarification of whether residential developments will be required to participate in the TMA. VTA also supports efforts by the City to incentivize the development of retail and services in North Bayshore, and to reduce school-related auto trips into and out of North Bayshore.

Additional effective TDM programs that may be applicable to the project include:

- * Elimination of parking minimums, and implementation of parking maximums
- * Unbundling of parking costs from residential rents/costs

- * Public-private partnerships or developer contributions to improved transit service to the area (for example, to extend the hours and coverage of the MVgo shuttles or VTA connections to Caltrain and light rail)
- * Transit fare incentives such as free or discounted transit passes, or Clipper Cash
- * Bicycle lockers and bicycle racks
- * Parking for car-sharing vehicles

The DSEIR also documents a Mixed-Use Reduction of trip generation (Appendix J, TIA, p. vii). It notes that the adopted NBPP documents a 9% reduction (approximately 1,680 trips) in the morning peak while the proposed NBPP with Residential scenario proposed in the DSEIR doubles to about 18% (from 1,680 trips to 4,440 trips.) These estimates¹ are based on local trip generation surveys in North Bayshore, from several other developments in Silicon Valley, and the California Household Travel Survey. VTA commends the City for thoroughly documenting justification the proposed trip reductions in Appendix J, including providing cases that represent local context as presented in the Mixed-Use Reduction analysis. This approach is consistent with the Peer/Study-Based Trip Reduction approach outlined in Section 8.2.3 of VTA's Transportation Impact Analysis (TIA) Guidelines.

VTA notes that the Peer/Study-Based Trip Reduction approach, which is one of the three accepted approaches to documenting auto trip reductions in a TIA report for Congestion Management Program (CMP) purposes, also requires the Lead Agency to commit to periodic monitoring of trip generation as well as to commit to sharing summary level monitoring data with VTA. While VTA is aware of the monitoring framework for the trip cap across the gateways in the current NBPP, it is unclear from our review of the DSEIR whether the City is committing to monitoring trip generation from the residential developments in North Bayshore. VTA requests clarification of the City's monitoring and data sharing approach.

Freeway Impacts and Mitigation Measures

The SDIER identifies significant impacts to 74 freeway segments in the AM peak hour and 85 freeway segments in the PM peak hours under Existing with Project Conditions (p. 69). Freeway segments of SR 85, SR 237, I-880, US 101, I-280, SR 17 and SR87 were all analyzed for the purposes of this study. The SDIER states that the implementation of the "project would result in significant impacts to freeway segments" (p. 493) and notes that a "fair share contribution toward freeway improvement costs could be considered as a mitigation measure."

Additional mitigation measures proposed in the DSEIR include significant efforts to reduce single occupant vehicle trips by implementing a comprehensive Transportation Demand Management (TDM) Program, a morning period trip cap and potential TDM measures in VTA's Immediate Implementation Action List. VTA recommends updating the reference to this list in the Final DSEIR and replacing it with items listed in VTA's TIA Guidelines Appendix J "CMP Multimodal Improvement Plan Action List".

While VTA recommends implementing additional the strategies outlined above (TDM/Trip Reduction and multimodal measures), these stated measures alone will not reduce freeway impacts to a less than

¹ Memo dated February 8, 2017, *North Bayshore Precise Plan with Residential –Project Trip Generations Estimates*, page 1468, Appendix J

significant level. VTA reiterates that certain cities in Santa Clara County have identified contributions to regional transportation improvements as mitigation measures for development that causes significant freeway impacts. Referred to in the SDIER as a "fair share contribution," VTA again recommends that the City include voluntary contributions to projects in VTP 2040 as a mitigation measure in the DSEIR. Projects in the VTP that provide congestion relief and additional transportation options along the impacted corridors, identifies freeway express lanes (VTA VTP 2040 Project #H1, H2, H3, and H5), and freeway auxiliary lane projects.

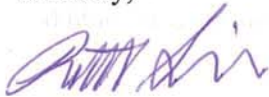
CMP Facilities and Analysis

The DSEIR indicates significant impacts to 18 intersections (p. 471), however it is not documented which of these intersections are CMP intersections. VTA requests that table 4.14-12 in the Final DSEIR clarify which intersections are CMP facilities.

VTA also notes that the City of Mountain View is in the process of preparing a city-wide Multimodal Improvement Plan (previously "Deficiency Plan") to help address the anticipated congestion impacts to CMP roadway facilities associated with the Mountain View 2030 General Plan and the current North Bayshore Precise Plan. The California CMP legislation requires Member Agencies to prepare Deficiency Plans/Multimodal Improvement Plans for CMP facilities located within their jurisdictions that exceed, or are expected to exceed in the future, the CMP traffic LOS standard. The preparation of a Multimodal Improvement Plan can be an opportunity to implement multimodal (non-automotive) transportation improvements as offsetting measures, when mitigations to meet the LOS standard are either infeasible or undesirable. VTA encourages the City to continue to pursue aggressive TDM and multimodal measures through the MIP process. VTA also recommends that the City consider how the proposed NBPP amendments would be addressed within the MIP framework. VTA staff would be happy to discuss these matters with City staff.

Thank you for the opportunity to review this project. If you have any questions, please call me at (408) 321-5949.

Sincerely,



Robert Swierk, AICP
Principal Transportation Planner

cc: Patricia Maurice, Caltrans
Brian Ashurst, Caltrans

Sent: Sunday, April 16, 2017 8:54 PM
To: Alkire, Martin
Subject: North Bayshore (Draft SEIR) Public Comment - section 4.13.3.4

Dear Martin

I wanted to provide public comments on the Draft SEIR (residential addition to North Bayshore Precise Plan) and in particular to the impact on schools (4.13.3.4)

The following figure shows that the impact on our local school districts (Mountain View Whisman and MVLA High School Districts) will be very significant.

| Type of School | Student Generation Rates (Multi-Family) | Estimated Number of Students from Project¹ | |
|---|--|--|-----|
| Elementary School Students | 0.1 | 985 | |
| Middle School Students | 0.04 | 394 | |
| High School Students ² Standard Units (80%/100%) | 0.046 | 363 | 453 |
| High School Students ² Affordable Units (20%/0%) | 0.378 | 745 | 0 |
| ¹ Based on 9,850 multi-family units. | | | |
| ² Range of potential affordable units, from 0% up to 20% of 9,850 units. | | | |

The EIR concludes that because of school impact fees paid by residential developments (as explained in section 4.13.1.1 School Impact Fees California Government Code Section 65995-65998), there will be a less than significant impact to schools.

I would like to dispute that conclusion:

- While it is true that school impact fees would be paid, there is no discussion of their adequacy. School Districts are severely limited by the State in setting these fees. In practice, these fees are barely sufficient to add portables to existing school sites, not to expand common services (library, multi-activities room, playground...) at an existing site, let alone procuring new school sites (as would likely be required by adding over a couple thousands students). At a minimum, the EIR should provide a matrix comparing projected impact fees and what a school district could build with these fees. If as expected the impact fees come up short, the EIR should contemplate other mitigation measures (school site dedication/carve-out, Transfer of Development Rights for school, public benefits...)

- The EIR also ignores the costs associated with running our schools. It is clear that education a few thousands more students will increase the personnel costs for our school districts. Because both our school districts are

"basic aid", most of their revenue comes from local property taxes. Usually, property taxes increase with new development and that increase could cover the costs associated with additional students. However, the EIR ignores the fact that North Bayshore is a special tax district where property tax increments are captured and don't flow to the districts. Thus, the increase in cost (more students) will not be compensated by an increase in revenue (property tax increment captured by the North Bayshore district). The EIR should identify that unique impact and propose an appropriate mitigation (disband the tax district, revisit the sharing formula, let school money follow to the schools...).

Sincerely,

Serge Bonte



Mountain View Coalition for Sustainable Planning
817 Montgomery Street
Mountain View, CA 94041

April 17, 2017

Martin Alkire
Community Development Department
City of Mountain View
500 Castro Street
Mountain View, CA 94041

Dear Mr. Alkire:

Below are the formal comments from the Mountain View Coalition for Sustainable Planning (MVCSP) on the *North Bayshore Precise Plan, Draft Subsequent Environmental Impact Report (2017 NBPP DSEIR)*. The members of MVCSP would again like to thank you for setting up the April 7, 2017 meeting with representatives from Fehr & Peers, Nelson/Nygaard, David J. Powers, and MVCSP members that provided important dialogue and clarification of potential questions and comments that we had on the 2017 NBPP DSEIR. The meeting has enabled us to provide more informed comments on the 2017 NBPP DSEIR as presented below.

We would also like to thank the City of Mountain View and its consultants for the extraordinary analysis and sensitivity testing for trip generation and household characteristics conducted for the Transportation Impact Analysis. Such detailed sensitivity testing provides the basis for informed public discussion on many of the findings of the 2017 NBPP DSEIR.

As a broad introduction to this comment letter, MVCSP members have been involved with the redevelopment of North Bayshore for almost nine years now. We were involved in public outreach efforts in the 2008 Environmental Sustainability Task Force, 2012 General Plan, 2014 North Bayshore Precise Plan (2014 NBPP), and the Draft 2016 North Bayshore Precise Plan (2016 Draft NBPP). In general, MVCSP is extremely supportive of the 2016 Draft NBPP -- it provides a vision to transform a traditional auto-centric suburban business park into a vibrant mixed-use major activity center in the heart of Silicon Valley, with a robust mix of uses, including office, market-rate and affordable residential, and retail. It includes a new mobility paradigm that encourages walking, biking, and public and private transit, and discourages the use of single-occupant private automobiles (SOV) whenever feasible. MVCSP feels that the policies and standards in the 2016 Draft NBPP are very forward-thinking and innovative, and they provide the public policy framework to achieve the vision that we have been advocating for these last nine years.

We would like responses to our following comments in the Final EIR.

1. There is a need for an easy-to-read general public summary of the 2017 NBPP DSEIR.

The 2017 NBPP DSEIR is very voluminous by any standard with about 2,500 pages in just the main body of the DSEIR and Appendix J alone. The details of the transportation analysis are extremely complex and technical, and these cannot be easily understood by even the most informed members of MVCSP. It is virtually impossible for the community at large to engage with the City on such a document. There is a need for a summary that the general public can read that provides a short digest on the background, methodology, key assumptions, key findings, and the sensitivity of the key assumptions that a layperson can easily understand.

There were a number of important decisions made on assumptions driving key findings of the 2017 NBPP DSEIR that are opaque to concerned community members. For instance, the community deserves an explanation about why the standard 1.2 parking spaces per residential unit was chosen for the proposed project when the 2016 Draft NBPP has a blended parking rate standard of approximately 0.6 parking spaces per unit (about half of what is included in the analysis). Another important assumption is that 27% of North Bayshore residents will live and work in North Bayshore. The general public summary should explain the importance of the key assumptions, the rationale for the assumptions, and the sensitivity of the assumptions relative to outcome and the key finding of the analysis. (We address our concerns around both of these assumptions in separate comments below.)

2. There needs to more treatment and analysis of SB 743 and the implications on the outcome of the EIR findings and conclusions.

On page 453 of the EIR, there is a very brief explanatory note on SB 743. When fully implemented, SB 743 means vehicle level of service (LOS) will no longer be used as a determinant of significant impacts, and an analysis of vehicle miles traveled (VMT) will be required instead. It is our understanding that the City of Mountain View is waiting for the final guidance from the California Office of Planning and Research (OPR) before utilizing VMT as a determinant of significant impacts, even though other nearby cities are already using VMT as the standard for significant impacts. And critically, Mountain View's own 2012 General Plan utilized VMT comparisons for different alternatives in the EIR. Using LOS in this analysis is discordant with the general plan vision for the future of our city and mismatched with the upcoming laws of our state.

The community needs to know: if the analysis had utilized VMT as the determinant of significant impacts, how would the major conclusions of the NBPP EIR potentially change, including the environmentally preferred alternative? At a minimum, could you provide a comparison of the VMT change of the Proposed Project compared to the 2014 NBPP as well as the final alternatives selected for Final EIR analysis? If there were 9,850 housing units built in North Bayshore, some percentage of existing employees would move from outside of North Bayshore into North Bayshore. It is true that other residents would live in North Bayshore and commute out of North Bayshore, but the VMT per employee may be lower due to increased access to jobs and shorter commutes. The analysis needs to capture these benefits of the new internal trips and the shorter commute trips and therefore less total VMT.

3. The standard parking ratio of 1.2 parking spaces per unit is too high, as the 2016 Draft NBPP parking maximums average about 0.6 parking spaces per unit. We believe that the Proposed Project should be consistent with the average parking maximums in the 2016 Draft NBPP.

The standard parking of 1.2 parking spaces per unit is not reflective of the new mobility paradigm for North Bayshore that envisions car-light, walkable, and bikeable complete neighborhoods. We request that the Proposed Project reflect the mix of units in the 2016 Draft NBPP and parking maximums in the 2016 NBPP (since they were known as of November 2016), which is an average of 0.6 parking spaces per residential unit.

For residential uses, the parking ratio maximums on page 185 of the 2016 Draft NBPP range are:

- 1.0 spaces per unit for three bedroom units
- 1.0 spaces per unit for two bedroom units
- 0.5 spaces per unit for one bedroom units
- 0.25 spaces per unit for a micro-unit up to 450 square feet

The 2016 NBPP has a housing unit mix goal of 40% micro-units/studios, 30% 1-bedroom units, 20% 2-bedroom units, and 10% 3-bedroom units. According to our understanding of the discussion at the April 7 meeting, the blended rate is approximately 0.6 parking spaces per unit.

The 2017 NBPP DSEIR has a standard parking rate of 1.2 spaces per unit (standard parking rate). According to the April 7 meeting, the standard parking rate was selected to be conservative and because the 2016 NBPP parking standards were not known when the EIR analysis commenced. But they are known now.

The Fehr & Peers sensitivity analysis in Appendix J's Transportation Impact Analysis clearly shows the importance of smaller residential units and reduced parking on the trip generation rates. When applied to the transportation model, they could improve the level of service at key intersections, reducing the number traffic related unavoidable significant impacts.

Appendix J has a series of tables on trip generation from Table 6A to Table 9B that provide excellent sensitivity analysis on the importance of smaller units and reduced parking. These tables also highlight the mixed-use reduction of person trips with smaller residential units and reduced parking. For example, for 3,000 housing units, with smaller residential units and reduced parking, there is a 22.8% mixed-use reduction in person trips during the AM peak hour and a 20.9% mixed reduction in PM peak hours compared to existing office-only development. It is not known from the 2017 NBPP DSEIR what the person trip reduction would be *if* the 2016 Draft NBPP blended parking spaces per unit of 0.6 parking spaces per unit were applied for all 9,850 residential units.

4. The assumed mode share of North Bayshore for residents leaving North Bayshore is 77% single occupant vehicles. We request that the Proposed Project include a goal of approximately 60% SOV for residential trips leaving North Bayshore, and that this be incorporated in the transportation modelling for the Proposed Project.

Of the 73% of future North Bayshore residents who are presumed to work outside of North Bayshore, it is assumed that 77% of the residents commuting to jobs outside North Bayshore will drive alone, a very similar figure to the existing average for all Mountain View residents today. This figure is not reflective of the 2016 Draft NBPP vision of a car-light environment, nor does it reflect mode shift potential to transit, bicycling, and walking by residents based on the proposed significant transit and active transportation investments planned for North Bayshore.

The vision for the 2016 Draft NBPP is to have less driving and more alternative transportation use by both residents and employees of North Bayshore. To this end, the 2016 Draft NBPP requires a 45% single occupant vehicle (SOV) goal, and this is captured in the transportation modelling. There are requirements for aggressive residential TDM that would have a goal of substantially less SOV use than the average residential commuter in Mountain View. While no goal for residential SOV use has been established for resident commuting outside of North Bayshore, the North Bayshore vision assumes less driving, and this should be reflected in this key assumption for the Proposed Project.

From the April 7th discussion, we were told that many of the transit improvements being designed or proposed were included in the EIR analysis. However, we are unsure if this includes some or all of: the electrification of Caltrain, reversible dedicated bus lane on Shoreline, light rail extension to North Bayshore, and Automated

Guideway system between Caltrain and North Bayshore. This will provide significant public transportation alternatives for North Bayshore residents. *Please specifically document what transportation improvements are included in the transportation modelling.*

For the office commute trips, the achievement and sustainability of the 45% SOV goal is very dependent on the existing private transit network provided in North Bayshore. This network will very likely be available for residents commuting out of North Bayshore as well as office commuters into North Bayshore. If not, this could be an important mitigation measure. We are assuming that currently the 2017 NB DSEIR does not reflect the availability of private transit leaving North Bayshore. We are requesting that both the substantial investment in private and public transportation be considered for the mode share assumption for North Bayshore residential work trips outside of North Bayshore in the transportation modelling.

We are therefore requesting that at least a 60% SOV goal (or a goal adopted by the City Council) for residential driving be utilized in transportation modelling for residential commute trips leaving North Bayshore as part of the Proposed Project. This is a reasonable assumption reflective of the vision for the North Bayshore.

5. Increase the internalization rate for trips within North Bayshore from 27% to at least 35% in the Proposed Project.

As reported in the 2017 NBPP DSEIR, there is a 27% internalization rate provided, and this is backed up by excellent research of existing communities and the California Household Travel Survey. However, there is a degree of uncertainty as to the range of the potential outcomes if 9,850 housing units are built.

The existing analysis does not show the sensitivity of this important assumption. Similar to the extensive and excellent sensitivity done for trip generation, there needs to be a better understanding of how the internalization rate affects the trip distribution and mode choice assumptions in the transportation model. The range of assumptions will ultimately affect the number of significant unavoidable impacts in the traffic analysis, and we request that this be documented. There are a number of policy interventions that could be implemented to achieve a higher internalization rate. This includes a potential policy directing that a percentage of residential housing units built in North Bayshore have a preference for employees working in North Bayshore.

We are requesting that additional sensitivity testing be conducted for the internalization rate. The vision for the 2016 Draft NBPP is to provide mixed-use development in order to provide increased opportunity for living and working in North Bayshore. With such housing development in the campus of a major Silicon Valley employer, the goal of a 35% is not unreasonable, and we are requesting that such a goal be included in the Proposed Project.

In summary of comments 3,4, and 5 above, MVCSP is requesting that the following changes in key assumptions to the Proposed Project be made to better reflect the vision for North Bayshore:

- Standard parking rate assumption of 1.2 parking spaces is changed to 0.6 parking spaces per unit.
- The residential commute mode share assumption is changed from 77% to 65% SOV drivers.
- The internalization rate is increased from 27% to 35%.

If these reasonable changes in assumptions were run in the transportation model for the Proposed Project with the 9,850 housing units, there could be a significant decrease in the number of vehicle trips during the AM and PM peak periods. It is not known if the number of vehicle trips would exceed the gateway capacity in North Bayshore, but there would be significant improvement compared to the current 2017 NBPP DSEIR.

6. Please include a “maximize housing alternative” that provides a minimum of 7,000 residential housing units in North Bayshore within the gateway capacity.

If the decision is made not to change the above assumptions for the Proposed Project, there is a need to include an EIR alternative that maximizes the amount of housing in North Bayshore, a key goal of the 2016 Draft NBPP. Overall, the goal of MVCSP in requesting is to have sufficient residential units in order to have a viable mixed use community. There should be sufficient residents for the three complete neighborhoods proposed in the 2016 Draft NBPP. North Bayshore should be a walkable community with sufficient residents to justify dedicated parks and have financially viable retail outlets including a potential grocery store. We will let economic development experts determine the number of residential units that are necessary for a thriving community, but 7,000 to 9,850 residential units seems to be a reasonable range.

As carefully explained on page 576 of the 2017 NBPP DSEIR, the range of alternatives selected for analysis is governed by the CEQA “rule of reason”. As further explained, the intent of the alternatives is to “encourage both meaningful public participation and informed decision-making.” In alternatives considered but rejected is the “Design Alternative,” an alternative to the proposed project that would “adjust (reduce) the parking supply.” The discussion above points to the importance of parking standards to trip generation and mixed-use reduction. The changes to the mode share for residential external commute trips and increasing the internalization rate are also very important assumptions in the analysis. It is the contention of MVCSP that aligning key assumptions in the EIR analysis with the vision and standards of 2016 Draft NBPP will come close to enabling sufficient housing for a viable community. The current alternative of 3,000 housing units is too low.

Currently, all alternatives assume all 3.4 million square feet is developed regardless of the alternative. We would like to request an alternative be included with a minimum of 7,000 housing units (but up to the 9,850) with the goal of being within the gateway capacity. The alternative would include the 0.6 parking rate standard, but could also consider one or more of the many reasonable policy alternatives to achieve maximum housing in North Bayshore such as:

- Preference of up to 50% of housing units for local employees
- Establishing a modal goal for external residential auto trips leaving North Bayshore in the morning, similar to the 45% SOV goal for commute trips
- Expanding the gateway capacity by including a transit, bike, and pedestrian bridge across Stevens Creek, and HOV/bike/pedestrian tunnel or other high capacity treatment as Charleston enters North Bayshore
- Lowering the 3.4 million square feet of development to a number that would enable a minimum of 7,000 housing units, but hopefully all 9,850 housing units

It is our understanding that some of these ideas will be discussed with the City Council on April 25, 2017, and City Council direction could guide how this alternative is designed.

7. Determine the impact of mixed-use development colocation with major planned transit improvements in North Bayshore.

The proposed transit investments are summarized above. They should be included in the 2017 NBPP DSEIR.

There is no discussion in the 2017 NBPP DSEIR that we are aware of that discusses the impact of the innovative mixed-use land use plan in combination with these major infrastructure improvements. What affect do these improvements have on mode choice and trip assignment in the transportation model?

In closing, MVCSP would like to thank the City of Mountain View for considering the comments we have made on the 2017 NBPP DSEIR. As stated earlier, we are very supportive of the vision and standards included in the 2016 Draft NBPP. Our comments are made in order to match the key assumptions in the 2017 NBPP DSEIR with vision and standards in the 2016 Draft NBPP. Additionally, a general public summary of this voluminous EIR would provide a better basis for public input and discussion.

Sincerely,

A handwritten signature in black ink, appearing to read "Cliff Chambers". The signature is fluid and cursive, with a long horizontal stroke at the end.

Cliff Chambers

On behalf of Mountain View Coalition for Sustainable Planning

cc:

Lorrie Brewer, City Clerk

About Mountain View Coalition for Sustainable Planning

The Mountain View Coalition for Sustainable Planning is a group of local volunteers dedicated to making Mountain View as beautiful, economically healthy, transit, bicycle, and pedestrian accessible, and affordable as possible. MVCSP member interest and expertise covers areas such as housing, transportation, the environment, the economy, and beyond!

For more information, see <http://www.mvcsp.org>.

To contact us, send email to mvcsp.info@gmail.com.



FRIENDS OF CALTRAIN

Date: April 17, 2017

Re: Comments on Draft SEIR, North Bayshore Precise Plan

Attn: Martin Alkire, Principal Planner, City of Mountain View

Email: martin.alkire@mountainview.gov

Dear Mr. Alkire,

Thank you for the opportunity to comment on the Draft Supplemental Environmental Impact Report for the North Bayshore Precise Plan.

Friends of Caltrain is a 501c3 nonprofit supporting a modernized Caltrain service in the context of an integrated system of sustainable transportation and supportive policies on the Peninsula Corridor.

The Environmental Impact Report clearly shows the contrast between new and old metrics for assessing the environmental impact of transportation. By adding housing and services near jobs, the North Bayshore area would reduce vehicle miles travelled per person by about 7%, according to the analysis in the new Environmental Impact Report.

The study in Mountain View joins recent EIRs in Menlo Park (which chose to allow up to 5,500 units of housing near Facebook) and Brisbane (considering a major development at the Baylands near Bayshore Caltrain) showing that adding homes and services near jobs results in less per-person driving; and the EIR for the San Francisco Central SOMA which shows that infill development with housing, offices, and services further reduces VMT.

<http://www.greencaltrain.com/2017/03/moving-away-from-environmental-reviews-that-favor-driving-san-francisco-mountain-view-menlo-park/>

However, because Mountain View has not yet adopted the new VMT metric (cities will have up to two years to transition following the formal adoption of the new rules by the state), the North Bayshore SEIR reaches the formal conclusion using the obsolescent LOS metric that maintaining commercial-focused land use is the “environmentally preferred alternative” because adding more housing would have greater impacts on vehicle delay at intersections.

The analysis using the new VMT metric is more closely in line with the city’s current policies to foster increased use of sustainable transportation and to add infill housing to address the housing crisis which is having severe impacts on Mountain View and the region. The VMT/service population metric is closely correlated with greenhouse gas emissions and other pollutants as well.

One of the key goals of the California Environmental Quality Act is public disclosure that gives community members information to comment and policymakers information to make decisions. The information in the EIR reveals a number of important levers that affect the environmental impacts of the project.

Summary for community members and policymaker showing key metrics and policy levers

Therefore, it would be very helpful to have a summary written to be understandable by community members disclosing the connections between policy levers and key environmental metrics, especially the incoming new transportation impact metric, VMT/service population.

In addition, while gateway capacity is not a required CEQA metric, it is a critical local policy threshold that is covered in the EIR. Therefore, the community-focused summary would also benefit by clearly showing the policy levers and how they affect the ability to support gateway capacity.

Explanation of the transition from LOS to VMT

The materials from the State of California regarding SB743 have clear and compelling explanations for the reasons for the transition from LOS to VMT as the new CEQA metric. The materials explain how the use of LOS tends to discourage mixed use infill development, favor greenfield development, and disadvantage walking, bicycling, and transit. It would be helpful to include such explanations for community members and policymakers to see the connection between the new metric and the current policies of the City of Mountain View and State of California. https://www.opr.ca.gov/s_sb743.php

Transportation demand management requirements for residential uses

In the draft EIR, the assumed mode share of North Bayshore for residents leaving North Bayshore is 77% single occupant vehicles. This figure does not reflect the city's policies to create a car-light community in North Bayshore, including design requirements for pedestrian and bicycle access, and plans to improve transit access.

The North Bayshore Precise Plan includes strong TDM requirements with mode share and trip cap requirements for employers. It is also reasonable to institute TDM requirements for residential developments as well. The City of San Mateo currently imposes TDM requirements for residential developments in its Rail Corridor Plan, with increasing requirements phased in over time. All residential projects in the San Mateo Rail Corridor Plan Area are currently in compliance with their requirements.

Therefore, we request that the Proposed Project include a goal of approximately 60% SOV for residential trips leaving North Bayshore, and that this be incorporated in the transportation modelling for the Proposed Project.

Phased implementation of reduced parking

Parking ratios are an important lever affecting VMT/person, and should be covered in the high-level summary. However, low parking ratios are difficult to sustain with the current level of services.

Therefore, the EIR should study phased implementation with parking ratios that are incrementally lowered as additional housing, services, and transportation options are provided, with a goal of migrating to the current goal of .6 parking spaces per unit over time.

Policy tools to facilitate the transition over time include providing parking for residential developments that is unbundled from the apartment lease or condo price, and designing parking that is designed to be shared over time with other uses. These policy tools will allow the amount of parking used to decrease as services and transportation options improve.

More robust study of gateway capacity expansion options

The current study has a high-level analysis of several opportunities to expand gateway capacity, including including a transit/carpool/bike/ped bridge across Stevens Creek, and an HOV/bike/ped tunnel or other high capacity treatment for the Charleston access to North Bayshore.

We recommend more robust study of these options, showing the effect of these options on gateway capacity, and providing a summary of how these options would affect the number of housing units that could be provided within the gateway capacity.

Study a higher commute internalization scenario

The current study uses a 27% commute internalization assumption, in line with Mountain View's current internalization rate. The study shows comparables of highly dense, walkable, transit-rich center city environments with internalization rates around 40%, and much more car-centric housing developments adjacent to car-centric office parks in the Bay Area, in areas that do not have enough housing to support robust services, with internalization rates well under 20%. North Bayshore is being designed to support car-light lifestyles, and has the opportunity for housing policies that favor (but do not require) residents to work locally.

Therefore we recommend study of an option with a commute internalization rate of 35%, assuming policies that favor local workers and sufficient density to support more services and less household driving, and providing a summary of how these options would affect the number of housing units that could be provided within the gateway capacity, and effect on VMT/service population.

Study a "robust housing" alternative with at least 7,000 housing units

The various parameters - parking ratios, TDM policies, commute internalization, amount of housing to support services including a grocery store, gateway expansion, all affect the amount of housing that can be provided in North Bayshore within the city's gateway capacity policy, and the VMT impacts.

We would request that the city study a "robust housing" alternative which was a key goal of the draft 2016 North Bayshore Precise Plan. This alternative would have at least 7,000 and up to 9,850 housing units. The alternative analysis should show the policy choices that could be used to enable the "robust housing" alternative, and the transportation impacts of the alternative including VMT/service population.

Thank you for the opportunity to provide these comments for the North Bayshore SEIR.

We strongly support the city's assertive policies supporting and requiring increased use of sustainable transportation in the North Bayshore area. One of the biggest causes of transportation challenges in the Bay Area is the lack of housing near jobs, requiring more employees to commute long distances. While households will continue to make location choices for a variety of reasons, giving more people the option to live near work has the potential to alleviate transportation challenges in addition to the major social challenges driven by the housing shortage.

We also strongly support the state's transition to the use of VMT as a metric for transportation impact, and urge cities to make use of the new metric as much and as soon as practical, since this metric is more strongly correlated to GHG emissions and other pollutants, and tends to foster infill mixed use development and sustainable transportation, in line with the policies of the city and state.

We urge the city to provide decisionmakers with clear information about the policy choices for North Bayshore, showing how these choices affect the incoming VMT metric and the amount of housing that can be provided to address the city's environmental and social policy goals.

Thank you for your consideration,

A handwritten signature in black ink, appearing to be 'Adina Levin', written over a horizontal line.

Adina Levin
Friends of Caltrain
<http://greencaltrain.com>
650-646-4344

Silicon Valley RISING

City of Mountain View
Community Development Department
Attention: Martin Alkire, Principal Planner
500 Castro Street
Mountain View, CA 94039

Dear Mr. Alkire,

Subject: Draft Subsequent Environmental Impact Report (SEIR) for the North Bayshore Precise Plan Update – Residential Study

The following comments on the Draft SEIR for North Bayshore Precise Plan Update – Residential Study are submitted on behalf of Silicon Valley Rising, a coalition of labor, faith leaders, community-based organizations, and tech service workers who live and work in and around Mountain View. Members of our coalition include UNITE HERE Local 19, SEIU USWW, Teamsters, Affordable Housing Network, Latinos United for a New America, NAACP San Jose Chapter, and more.

Tech giants like Google, Microsoft, LinkedIn and Intuit depend on the work of many thousands of cafeteria workers, janitors, security guards, shuttle drivers, groundskeepers, laundry attendants, massage therapists, and other service workers. According to a study by the Bay Area Council Economic Institute, the tech industry generates approximately 4.3 jobs in local goods and services for each additional direct tech job, and has the largest jobs multiplier of any industry.¹ This means that for every direct tech job in the North Bayshore, four service jobs are created such as restaurant employees, janitors, ride-share drivers, hotel workers, doctors, nurses etc. We want to ensure that the perspectives of the thousands of tech service workers in North Bayshore are accounted for in this development process. North Bayshore’s tech service workers stand to be impacted by this plan as local employees, commuters, and residents. We believe that the amended North Bayshore Precise Plan (NBPP) can be improved to achieve superior environmental impact mitigation through increased trip internalization and create neighborhoods which are inclusive and diverse.

We appreciate the plan’s efforts to address regional jobs-housing imbalance, which results in longer commutes, increases traffic congestion and causes other transportation-related environmental impacts.² As leading advocates for tech service workers, we are concerned that the amended NBPP will not create enough housing that is affordable to North Bayshore’s thousands of low-wage service workers, thereby undermining the plan’s goal of trip internalization. Low-wage workers like tech service workers are more likely to travel longer distances because of the housing affordability

¹ “Technology Works: High-Tech Employment and Wages in the United States” Technology Works: Hi-Tech Employment and Wages in the United States, 2012, p. 5, available at <http://documents.bayareacouncil.org/TechReport.pdf>.

Also see “The New Geography of Jobs”, Enrico Moretti. First Mariner Books. 2013.

² City of Mountain View Housing Element, 2014. 4.2.3 Jobs-Housing Balance pg. 58

crisis spreading across Silicon Valley.³ A majority of tech service workers we surveyed have families with children.⁴ A study by UC Santa Cruz's Everett Program researchers on contracted workers in Silicon Valley found that 22% of Silicon Valley's contract industry workers live in households with multiple unrelated families because of the lack of affordable housing.⁵ We estimated in a 2016 report that the majority of tech's blue collar workers were Black or Latino⁶, whereas tech's engineers and leadership are majority white and overwhelmingly male. Google's tech employees are 1% Black and 3% Hispanic.⁷

The best way to address the jobs-housing imbalance is to create affordable housing that is carefully targeted toward the diverse mix of workers in North Bayshore. Because of the lack of clarity in the affordable housing plan, and of the lack of attention to low-wage workers' potential impacts on transportation and traffic, the DSEIR fails to comply with CEQA's mandate to provide complete and accurate information about foreseeable environmental impacts of the project.

Our comments are as follows:

1. The DSEIR's discussion of Transportation/Traffic and its Transportation Impact Analysis (TIA)'s are incomplete without more clarity on the type and level of affordable housing.

The amended plan's affordable housing strategy lacks clarity. The amended NBPP includes a goal of a minimum of 20% affordable housing units.⁸ The minimum affordable housing required of developers is 10% affordable units or in-lieu/rental housing impact fees, following the City's standard affordable housing requirements (Mountain View's BMR Ordinance). The city's BMR ordinance targets affordability levels of 80-100% of AMI for ownership units and 50-80% AMI for rental units. A residential developer may also opt to receive a density bonus of up to 3.5 or 4.2 FAR in the "Gateway" and "Core" areas in exchange for 15% or 20% percent of affordable units respectively. In the description of its "Complete Neighborhoods" plan, the DSEIR assumes that 20% affordability will be achieved, which would only happen if every developer chose to maximize its density bonus.⁹ In another section of the DSEIR, the affordability goal is stated as "20% or more" affordable units,¹⁰ while in DSEIR's "Schools Impact" section, the "range of potential affordable

³ "The highly paid technical and business services workers who live in Silicon Valley have relatively short commute times, since they typically work nearby. It's middle- and lower-income workers — teachers and firefighters, security guards at tech campuses, waiters at restaurants — who have been priced out of the Peninsula and are spending much more time in traffic" <https://ww2.kqed.org/news/2016/04/07/in-search-of-cheaper-housing-silicon-valley-workers-face-long-commutes/>

⁴ In two surveys of cafeteria workers at Intel and Cisco conducted by UNITE HERE found that 53% and 70% of surveyed cafeteria workers had families with children. Survey conducted in January and October 2016 respectively.

⁵ See Silicon Valley Technology Industries Contract Workforce Assessment. Chris Benner and Kyle Neering. University of California Santa Cruz. March 29, 2016. Available at <http://www.everettprogram.org/main/wp-content/uploads/Contract-Workforce-Assessment.pdf>

⁶ See Tech's Invisible Workforce. A report by Working Partnerships USA and Silicon Valley Rising. March 2016. Available at <http://www.wpusa.org/Publication/TechsInvisibleWorkforce.pdf>

⁷ <https://www.google.com/diversity/>

⁸ NBPP Public Draft 2016. Pg. 80

⁹ DSEIR 3.3.4.1: Complete Neighborhoods, pg. 100, assumes that 20% of units built in each of the three neighborhoods will be affordable units.

¹⁰ DSEIR, 3.4: Project Goals and Objectives, pg. 119

units” is described as “from 0% and 20% of 9,850 units”.¹¹ The DSEIR’s Schools Impact analysis is also likely to be impacted by the levels and type of affordability.¹² Neither the amended NBPP nor the EIR define which income levels of affordability are acceptable to satisfy the density bonus plan (except that 5% of units will be reserved for very-low income earners earning <50% of AMI for developments which opt to receive the density bonus). The amended plan also does not stipulate which types of housing will receive affordable designation (rental or owned, micro-units or two-bedrooms, on-site or off-site). The types of housing that receive affordable designation will impact tech service workers. Micro-units will not serve working families. Rentals are more likely to be obtainable than ownership units for low-wage workers, absent down-payment assistance. During the November 2016 City Council study session on the amended NBPP, planning staff stated that they would be releasing “Affordable Housing Administrative Guidelines” with affordable housing income levels and other details. These guidelines were not released to the public prior to the release of the DSEIR and appear not to have informed the creation of the DSEIR.

The amended plan’s affordable housing strategy is not likely to meet the housing needs of North Bayshore’s thousands of low-wage service workers. The DSEIR does not provide a breakdown of the types of employment or income levels of workers in North Bayshore. Based on estimates from our member unions, we estimate that Google, LinkedIn, Microsoft, and Intuit depend on between 4,000 and 5,000 subcontracted cafeteria workers, janitors, security guards, shuttle drivers, and other facilities workers based in the North Bayshore, which account for 16% to 20% of the current North Bayshore workforce.¹³ This estimate does not include other service workers providing the numerous other amenities or services, many made available by Google and other employers, such as massage therapists, hair stylists, laundry attendants, Uber/Lyft drivers, fitness instructors, gym attendants, etc., and other induced goods and service jobs created by tech’s jobs multiplier.¹⁴ The amended plan’s mix of housing types also skews sharply away from family housing, with a goal of 70% of units as one-bedroom or micro-units of 300-350 square feet.¹⁵ We predict that this mix grossly mismatches the family housing needs of low-income workers in North Bayshore. This emphasis on one bedroom or less combined with minimal affordability requirements risks overcrowding.¹⁶

We recommend requiring 15% of units to be affordable to households earning <50% AMI and 15% of units affordable to 50-80% of AMI. Mountain View workers should get first priority in accessing affordable units. We estimate that the bulk of North Bayshore’s service workers are likely to fall into both the <50% of AMI range and the 50%-80% of AMI range, classified as very-

¹¹ DSEIR 4.13.3.4: School Impacts, pg. 397

¹² Because the Schools Impact Analysis uses different student per housing unit multiples for affordable or market-rate units. DSEIR 4.13.3.4. pg. 397

¹³Our estimate is based on internal estimates provided by UNITE HERE Local 19, SEIU USWW, and Teamsters Local 853.

DESEIR, 4.12.2.2: Population and Housing, pg. 382 estimates the current NB employment at 24,850.

¹⁴ DSEIR 4.12.3.2 Population and Housing Growth Assumptions, pg. 384 projects that the North Bayshore employment increase from 24,840 today to 38,910 in 2030 under project conditions.

¹⁵ DSEIR Table 3.3-1: Proposed Unit Distribution Goal, pg. 93

¹⁶ “A lack of affordable housing can result in overcrowded households. The U.S. Census defines “overcrowding” as more than one person per room, excluding bathrooms and kitchens. Units with more than 1.5 persons per room are considered to be severely overcrowded.” See Mountain View Housing Element pg. 73

low-income and low-income workers.¹⁷ Even many directly-employed tech workers are having trouble affording market-rate housing, therefore the plan’s transportation mitigation could benefit from setting aside affordable units for moderate-income workers as well.¹⁸ Family size and situation of low-income tech workers will vary, including both single-earner and dual-earner households, and both large-family, and single-individual households. The mix of affordable unit allocations should reflect that diversity. The affordable housing strategy should include a provision to ensure that a percentage of each type of unit is set aside for low-income households, ideally with a better mix of family housing (for example: 20% micro-units, 30% one-bedrooms, 50% two-bedrooms). We also strongly recommend adding a provision which gives first priority to households who work in Mountain View when evaluating potential tenants for the area’s affordable housing, in order to ensure increased trip internalization. These preferences are allowable under HUD rules if they do not have a discriminatory effect. Mountain View already has such a priority in its BMR program.¹⁹ To be clear, we are not in favor of a broad prioritization of North Bayshore workers for the housing units allowed under the amended plan, unless adequate affordable housing is required, per our proposal.

The DSEIR does not address induced employment growth caused by the tech’s service sector multiplier. As previously mentioned, the tech industry creates approximately 4.3 goods and services jobs for each direct tech job. According to economist and multiplier expert Enrico Moretti: “With only a fraction of the jobs, the innovation sector generates a disproportionate number of additional local jobs and therefore profoundly shapes the local economy”. Moretti uses Apple in Cupertino as an example, “Incredibly, this means that the main effect of Apple on the region’s employment is on jobs outside of high tech.”²⁰ Studies of jobs multipliers distinguish between “tradable” and “non-tradable” sectors. Tech is in the “tradable” sector because it sells goods in regions other than where they are produced. According to the Bay Area Council Economic Institute Report, one new tech job creates approximately 4.3 jobs in local “non-tradable” sectors, meaning sectors whose goods or services are consumed in the same region as where they are produced. These 4.3 “non-tradable” jobs include localized services like restaurants, hotels, healthcare and personal service etc.²¹ Moretti estimates that for every five jobs that are created, two will be for professional jobs such as doctors, nurses and lawyers, while three will be for unskilled occupations like restaurant and hotel workers or retail clerks etc. The DSEIR predicts that employment in the North Bayshore area will increase from 24,850 currently to 38,910 in 2030 under proposed project

¹⁷ Based on internal estimates provided by member unions. To our knowledge, most contracted tech service workers (food service, janitorial, security, other facilities) in North Bayshore earn between \$13 and \$18 per hour, about \$15-16 per hour average. Most of these workers fall into the <50% AMI basket for single-income households (1 to 6 or more persons) and the 50-80% AMI basket for dual-income households (3 to 5 persons). Union shuttle drivers earn between \$24.75 and \$28 an hour. Drivers are likely to earn 50%-80% of AMI for one-income households, and 80%-120% of AMI for two income households.

AMI source: <http://www.mountainview.gov/civicax/filebank/blobdload.aspx?BlobID=20045>

¹⁸ <https://www.theguardian.com/technology/2017/feb/27/silicon-aa-cost-of-living-crisis-has-americas-highest-paid-feeling-poor>

¹⁹ Mountain View’s fourth priority for BMR units is for “Households who work in Mountain View for at least two years.”

<http://www.mountainview.gov/depts/comdev/preservation/homebuying/bmrhousing/default.asp>

²⁰ “The New Geography of Jobs” Enrico Moretti. First Mariner Press. 2013.

²¹ BACEI Report pg. 25

conditions, an increase of 14,060 employees.²² If 70% of these employees are direct tech employees, then in the long term, tech's multiplier effect will create 42,321 induced jobs in the non-tradable sector. Of those 42,321 jobs, 25,392 will be non-professional, presumably low-wage jobs. Without access to local affordable housing, many of these 25,392 low-wage workers will have to drive long distances to serve tech workers in the North Bayshore. We urge the City to consider the environmental impacts of these tens of thousands of potentially-induced low-wage jobs.

The TIA's internal trip generation estimates will be impacted by the type and level of affordable housing. The DSEIR states that "one of the primary effects of the addition of housing to the North Bayshore area is to reduce vehicle trips due to an increased proportion of internalized person trips".²³ The DSEIR refers to trip internalization estimates made in Appendix G of the TIA.²⁴ The TIA estimates that 18% of trips will be internalized, up from 9% in the adopted 2014 NBPP, and that "these results support the concept that providing housing near jobs increases the likelihood that trips can remain within a local area, thus shortening travel distances and increasing residents' ability to accomplish some travel needs by walking, cycling, or using short-distance transit."²⁵ Internal trip generation, a foundational concept of the amended plan, could vary significantly based the details of affordable housing plan, and how well the plan's housing affordability strategy accommodates the North Bayshore workforce. Any low-wage service workers shut out of North Bayshore housing are likely to drive and to drive long distances. Low wage workers who do not live in the North Bayshore area are likely to have longer commutes than their median- to high-wage counterparts who are more likely to be able to afford market rate options in other parts of Mountain View or closer to work. The bulk of the amended NBPP's transportation strategy ("infrastructure and programs to improve the safety and comfort of other travel modes such as transit, carpooling, walking and biking")²⁶ are likely to be moot for low-wage service workers without affordable housing on site. Many tech service workers live too far away to benefit from any potential transit improvements. The DSEIR and TIA do not state whether a North Bayshore employer's TDM programs are required to address transportation impacts of subcontractors. Many tech service workers live in neighborhoods or cities that, to our knowledge, are not served by Google buses, like East San Jose, East Palo Alto, Gilroy, or Modesto. The TIA's internal trip generation estimates also "assume that the NBPP policy of a 45 percent SOV rate for non-residential developments is achieved in all future scenarios", which assumes a goal which the Mountain View Environmental Planning Commission called "difficult to achieve" in a comment on the NBPP.^{27 28} In the trip generation surveys conducted by Fehr & Peers, "Survey records were filtered to match the household size, household income, residential type, and potential parking supply expected in North Bayshore."²⁹ It's hard to know what household income or residential type could be expected in North Bayshore when the amended plan is affordability details and the current or projected workforce income breakdown. The TIA's "Appendix G: Project Trip Generation Estimates" never once mentions affordable housing. In fact, affordable housing is not mentioned once in the 1,936-page TIA.

²² DSEIR Table 4.12-5 Employment: 2030 General Plan Estimates. Pg. 384

²³ DSEIR 4.14.3.3, pg. 460.

²⁴ DSEIR: TIA, Appendix G: Project Trip Generation Estimates pg. 1467 of pdf

²⁵ DSEIR 4.14.3.3, pg. 460.

²⁶ NBPP Public Draft 2016, pg. 124

²⁷ TIA pg. 1472

²⁸ EPC comment from planning department slide during NBPP City Council Study Session, November 29, 2016.

²⁹ TIA pg. 1472

The limited nature of the amended plan's affordability requirements highlight the unfairness of other aspects of the amended plan. The DSEIR states that if the employer TDM program requirement and trip cap do not reduce the number of vehicle trips to less than the established AM peak period vehicle trip cap, the City may implement a congestion pricing system.³⁰ Without a robust affordable housing plan, burden of congestion pricing would hit North Bayshore's low-wage workers the hardest, who already bear the brunt of the housing crisis.³¹ In addition, The DSEIR's TIA states that the amended plan may be accompanied by a new Precise Plan policy that would establish preferential occupancy of North Bayshore dwelling units for local employees.³² This potential plan would be impossible to implement fairly without robust and clear affordability requirements and a preferential occupancy provision specifically for those affordable units.

Alternatively, more affordable housing can increase internal trips generated. The more that the housing produced is affordable and accessible to all North Bayshore workers, the more likely that they will choose to live in the project area, and to walk, bike or take transit to work (increasing internal trips). Increased housing affordability will increase motivation for North Bayshore workers of both low and moderate income levels to live where they work. Increasing trip internalization for North Bayshore's low-wage workers will be better for the physical environment than the trip internalization of their tech employee counterparts because low-wage workers are otherwise more likely to drive and drive longer distances.

Google has already indicated its ability to produce higher levels of affordability. North Bayshore's largest employer, landowner and developer, and one of the most cash-rich companies based in the U.S., has already expressed its desire to develop affordable housing in North Bayshore.³³ In its' 2015 Bonus FAR Request, Google proposed the following affordability mix: 15% BMR units for low-income households earning 50-80% of AMI, 50% BMR units for median-income households earning 80-100% of AMI and 35% market rate units or 65% affordable units.

2. The NBPP's affordable housing strategy does not address the RHNA mandated by the state's housing element law

California's housing element law requires local governments to consider projected housing needs by income level to guide planning decisions. The Association of Bay Area Governments (ABAG) identified the following housing needs: 1,833 affordable housing units in Mountain View (2014-2022). 63% of the housing needs identified by ABAG's Regional Housing Needs Assessment (RHNA) in Mountain View are for affordable units (28% very-low income units, 17% low-income units, 18% moderate-income units).³⁴ The North Bayshore Precise Plan's affordable housing strategy differs significantly from the distribution of housing needs identified by ABAG. The plan also may not meet the RHNA's affordable housing needs outright (814 very-low income units, 492 low-income units, 527 moderate-income units). To achieve these outright RHNA-identified needs,

³⁰ DSEIR, 3.3.5.4 Mobility – Traffic and Transportation, pg. 115

³¹ According the Silicon Valley Rising's study of contracted workers, Blue-collar potential contracted workers are much more likely to be paying unaffordable rents (59% of workers) compared to direct tech employees (25%). See Tech's Invisible Workforce, page 6.

³² TIA pg. 1469

³³ Google Inc.'s North Bayshore Bonus FAR Request for four sites submitted in May 2015. Project Development and Design Summary, pg. 14.

³⁴ ABAG Final Regional Housing Need Plan, San Francisco Bay Area 2014-2022, pg. 26

the plan would have to require a minimum of 18% affordable units, and build all 10,000 units by 2022, a requirement which we believe still wouldn't go far enough to meet the needs of tech service workers in the North Bayshore. According to ABAG's progress report, from 2007-2014 Mountain View has met 42% of RHNA housing needs for very-low income people (0-50% AMI), 7% of its RHNA for low income people (50-80% AMI), and 1% of its RHNA for moderate income people (80-120% AMI).³⁵ Mountain View has already met 207% of RHNA identified housing needs for market rate units (120%+ AMI). A discussion of how the NBPP's affordable housing strategy responds to Mountain View's RHNA would add additional clarity to the amended plan.

Mountain View and the large tech employers in the North Bayshore area have an opportunity to support sustainable jobs with sustainable housing for the thousands of subcontracted workers who contribute to Mountain View's success. We hope the City will take the time to address the issues raised here and improve the NBPP and its EIR so that it addresses the needs all of local workers on tech campuses and thereby better mitigates its environmental impacts.

Sincerely,



Derecka Mehrens
Executive Director
Working Partnerships USA
on behalf of Silicon Valley Rising

³⁵ San Francisco Bay Area Progress in Meeting 2007-2014 Regional Housing Need Allocation (RHNA)



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April 17, 2017

City of Mountain View
Community Development Department
Attention: Martin Alkire, Principal Planner
500 Castro Street
Mountain View, CA 94039
Martin.Alkire@mountainview.gov

Re: North Bayshore Precise Plan (Residential Uses) Draft Subsequent EIR

Dear Mr. Alkire:

On behalf of Google, we appreciate the opportunity to provide comments on the North Bayshore Precise Plan (Residential Uses) Draft Subsequent Environmental Impact Report ("DSEIR").

We remain committed to working with the City regarding the North Bayshore Precise Plan and the incorporation of residential uses into North Bayshore. We appreciate the City's work on the DSEIR and we submit the following comments for your review and consideration.

Some of our main points discussed in more detail below include the following.

- Google supports City Council approval of the 9,850 housing units in North Bayshore. However, if the Council is concerned regarding the transportation/traffic impacts associated with the 9,850 housing units, Google suggests a phased approach, which would allow the development of housing units in phases (e.g., approx. 3,000 units per phase). An applicant could build-out phase 1 and demonstrate through transportation/traffic studies that due to an increased mixed-use reduction rate, transportation improvements, etc. that there is additional trip capacity available for the following residential phases.
- Applicants should have the flexibility to implement a range of certain housing priorities, design standards (e.g., small units, reduced parking, car-shares, delivery systems), transportation measures, etc., as part of their future residential projects to demonstrate a higher mixed-use reduction, thus increasing the trip capacity for residential units in North Bayshore.
- The DSEIR's Level of Service ("LOS") analysis, and even its Vehicle Miles of Travel ("VMT") information, indicate that all of the residential vehicle trips will be new vehicle trips to the region. However, this does not account for the likelihood that many people who currently live in the region, but commute long distances to their employment in Mountain View or the surrounding area, will likely move to the new residential units in



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North Bayshore to reduce their commute. Therefore, creating new housing in North Bayshore should result in a reduction in total VMT, not an increase in VMT.

Consequently, we believe that the traffic impacts will be less than those impacts analyzed in the DSEIR.

1) Section 3.3: Project Description

a) 3.3.1: Project Description Summary

The DSEIR, states that the North Bayshore Precise Plan approval in 2014 ("2014 Precise Plan") allowed an increase in office and commercial uses up to approximately 3.4 million square feet of net new development. (p. 85.) The amended North Bayshore Precise Plan, October 2016 Public Draft, ("Amended Precise Plan") does not propose a change to the total non-residential square footage allowed under the adopted 2014 Precise Plan. However, the Amended Precise Plan includes an increase in retail and supporting services over the 2014 Precise Plan. (p. 94.)

Given the statements above, we request clarification regarding Table 3.3-2, which seems to indicate an increase in office square footage from the 2014 Precise Plan to the Amended Precise Plan and a decrease in research & development square footage from the 2014 Precise Plan to the Amended Precise Plan. (p. 94.) Please see our related comments below regarding Section 4.14.3.2 and Table 4.14-8. (p. 455.)

2) Section 4.1 Aesthetics

a) 4.1.1.2 Existing Conditions

To be consistent with the end of the second paragraph on page 128, which describes Photo 4 as the 18 -acre Charleston East site, we recommend that the description for Photo 4 on page 131 be revised to be 18 -acres (rather than 10 -acres) and should specify that this is the site known as Charleston East.

3) Section 4.3.4: Biological Resources Impacts

a) 4.3.4.2 Habitat Overlay Zones

On Figure 4.3-2, we suggest using a different color to illustrate the Open Water, Creeks, and Storm Drain Facilities Residential Boundary. The blue used for this boundary is very similar to the blue used for the Open Water, Creeks, and Storm Drain Facilities Boundary. (p. 190.)

We also suggest that Section 4.b on page 193 regarding the building placement in the open water, creeks, and storm drain facilities HOZ include a distinction between placement of new residential construction and new non-residential construction, as the DSEIR does for the other HOZ area on page 192.

b) 4.3.5.3 Impacts on Biological Resources from Bridge Construction



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For the potential Stevens Creek Bridge Crossing, Google appreciates all of the City's work to determine the program-level mitigation measures to avoid and minimize impacts to biological resources. (pgs. 212-221.) As discussed below under the Transportation analysis, Google supports the Stevens Creek Bridge Crossing at Charleston Road.

4) Section 4.10: Land Use and Planning

a) 4.10.1.1 General Plan

The base Floor Area Ratio ("FAR") for non-residential uses in the Core, General, and Edge Areas of North Bayshore in the 2014 Precise Plan is 0.45. Please clarify whether the General Plan should reflect this base FAR of 0.45. (p. 341.) The FAR ratios are accurately stated in Table 3.3-5 on page 104 of the DSEIR.

b) 4.10.2.1 Existing Land Uses in the Precise Plan Area

Please include Charleston East in the last sentence in this section as indicated with underlining below. "These projects include an approved office development at 1625 Plymouth Street and an approved office development at Charleston East (2000 North Shoreline Boulevard)." (p. 346.)

c) Section 4.10.3.2 General Plan Amendment

The North Bayshore Mixed-Use General Plan designation, which we believe relates to the Core Area, should be revised to have an intensity for office of 0.45 FAR to 1.50 FAR and an intensity for residential of 1.0 FAR to 4.20 FAR. (p. 349.)

The Mixed Use Center General Plan designation, which we believe relates to the Gateway Area, accurately reflects the office intensity (p. 349) but should be amended to reflect the upper range of the residential intensity – 1.0 FAR to 4.20 FAR. (p. 350.)

The FAR ratios are accurately stated in Table 3.3-5 on page 104 of the DSEIR.

5) Section 4.14.3: Transportation/Traffic Impacts

a) 4.14.3.1: Thresholds of Significance (VMT)

The DSEIR notes that after SB 743 is implemented, VMT will be used to determine level of significance for transportation/traffic impacts, rather than the current threshold, LOS. (p. 453.)

Even without the formal adoption of VMT as a threshold of significance, we appreciate that the City has completed a VMT analysis for informational purposes. Fehr & Peers' December 15, 2016 North Bayshore Precise Plan with Residential – Vehicle Miles Traveled Estimates Memorandum ("VMT Memorandum") appears to assume that all of the approximately 18,000 residential vehicle trips are new trips dropped into the region that did not exist before.



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Therefore, the VMT Memorandum concludes that VMT will increase with the addition of the residential units in North Bayshore.

However, the VMT Memorandum does not account for the likelihood that many people who currently live in the region, but commute long distances to their employment in Mountain View or the surrounding area, will likely move to the new residential units in North Bayshore to reduce their commute. Thus, it is our understanding that these North Bayshore residential vehicle trips will not all be new vehicle trips to the region. Rather, current residents in the region will be shifting their vehicle trips closer to their source of employment, thereby reducing VMT. Therefore, creating new housing in North Bayshore should result in a reduction in total VMT, not an increase in VMT as described in the VMT Memorandum.

Furthermore, the North Bayshore Precise Plan Draft Subsequent Environmental Impact Report ("DSEIR") uses Level of Service ("LOS") as the threshold of significance, which also assumes that the residential vehicle trips are all new trips to the region. Consequently, the DSEIR's transportation/traffic impacts are also higher than we anticipate.

b) 4.14.3.2: Proposed Precise Plan Project Assumptions (Table 4.14-8)

Related to our comments regarding Table 3.3-2, the discussion on page 454 regarding additional office space and a reduction in research & development space seems inconsistent with the allocation of non-residential square footage under the 2014 Precise Plan and Amended Precise Plan.

Furthermore, it is our understanding that the non-residential net new square footage can be used for office and/or research & development uses. Table 4.14-8 on page 455 appears to support this understanding by grouping the total employment uses (non-residential uses) together and not distinguishing between office and research & development uses.

Please clarify the statements on page 454 regarding a reduction in research & development space.

c) 4.14.3.3: Existing with Project Conditions: Project Traffic Volumes (Affiliation and Mixed-Use Reduction)

The DSEIR states that the mixed-use reduction from all land use types will be about 18 percent. (p. 460.) Based on the size of the units, residential parking requirements, and employment uses, we believe that the mixed-use reduction will be much higher than 18 percent.

Applicants should have the flexibility to implement a range of certain housing priorities, design standards (e.g., small units, reduced parking, car-shares, delivery systems), transportation measures, etc., as part of their future residential projects to demonstrate a higher mixed-use reduction than the mixed-use reduction stated in the DSEIR, thus increasing the trip capacity for residential units in North Bayshore.



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d) 4.14.3.8: Stevens Creek Bridge Crossing

Google supports a Stevens Creek bridge crossing and, in particular, supports the Charleston Road crossing location. Google agrees with the analysis in the DSEIR regarding the benefits of the Charleston Road crossing location. For example, using the Charleston Road bridge crossing would allow vehicles to get to their destinations without using the congested sections of Shoreline Boulevard or the new north-south street. Thus, unlike the La Avenida Avenue crossing location, the Charleston Road crossing could reduce the number of vehicles along Shoreline Boulevard and the new north-south street. Additionally, the Charleston Road crossing location would provide a direct connection to the Charleston Road transit boulevard west of Shoreline Boulevard, thus allowing for improved transit circulation and travel times. (pgs. 494-495.)

To further improve circulation and access, in addition to the Stevens Creek bridge serving transit vehicles, shuttles, bicycles, and pedestrians, Google would like the bridge to also serve emergency vehicles and service vehicles.

6) Section 8.0: Alternatives to the Proposed Project

a) 8.2.2. Reduced Residential Alternative (Approx. 3,000 units)

Google does not believe that the Reduced Residential Alternative is the best alternative. (p. 583.) We believe that there is an opportunity to implement transportation mitigation measures above what was assumed in the transportation/traffic analysis, allowing for the full build out of up to 9,850 residential units over time.

Google supports City Council approval of the 9,850 housing units in North Bayshore. However, if traffic impacts are a concern regarding approving the 9,850 residential units, after the development of the first approximately 3,000 residential units, applicants could be required, on a project-by-project basis, to demonstrate that the traffic from their proposed project would be less than anticipated in the DSEIR (e.g., through a higher mixed-use reduction rate, TDM measures, or other improvements), resulting in additional trip capacity for residential uses.

Alternatively, the residential units could be phased in over time, starting with approximately 3,000 residential units. Once the traffic analysis, gateway impacts, and mixed-use reduction resulting from the first 3,000 units is demonstrated to be better than anticipated, another 3,000 units could be released for development, with later phases released up to the total 9,850 residential units. To create a clear path forward for residential project applicants, each phase should have clear targets regarding vehicle trips and transportation performance that allow the release of the next phase of residential units.

b) 8.2.4.2 Design Alternative (Reduced Residential Parking Ratio)

The DSEIR states that a reduction in the residential parking ratio below the standard ratio of 1.2 spaces per unit was not considered feasible at this time given the currently limited multi-modal



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infrastructure and services available in the area. (p. 587.) However, the DSEIR notes that the Amended Precise Plan's goals, policies, and actions will continue to guide more innovative and sustainable development, which could include parking standards below 1.2 spaces per unit and a vehicle trip performance standard, and through project design characteristics, TDM strategies, shared parking, and other strategies. (p. 587.)

Google supports allowing reduced residential parking through programs proposed and implemented by applicants, such as TDM strategies and shared parking.

Google also supports a phased residential parking reduction program where the required residential parking ratio is reduced as more multi-modal infrastructure and commercial services become available in North Bayshore.

Very truly yours,

A handwritten signature in blue ink, appearing to read "John Igoe", is written over the typed name and title.

John Igoe
Director, Real Estate and Workplace Services
Google Inc.



April 17, 2017

via email

Mr. Martin Alkire
Principal Planner
Community Development Department
City of Mountain View

RE: Supplemental Draft Environmental Impact Report for the North Bayshore Precise Plan in Mountain View (State Clearinghouse #2013082088)

Dear Mr. Alkire,

The Santa Clara Valley Audubon Society (SCVAS) and Sierra Club Loma Prieta Chapter (SCLP) appreciate the opportunity to comment on the Supplemental Draft Environmental Impact Report (SDEIR) for the North Bayshore Precise Plan (Project). SCVAS is one of the largest Audubon chapters in California. SCVAS' mission is to promote the enjoyment, understanding, and protection of birds and other wildlife by engaging people of all ages in birding, education, and conservation. SCVAS members in Mountain View and Santa Clara County frequent Shoreline at Mountain View Regional Park (Shoreline Park), as well as the wetland of the Retention Basin, the egret rookery of Shorebird Way and both Permanente and Stevens Creek Trails to observe and enjoy birds. The Sierra Club Loma Prieta Chapter (SCLP) has more than 16,000 members in San Mateo, Santa Clara, and San Benito counties. SCLP members enjoy, explore, and protect the planet. SCLP has long championed the creation and stewardship of parks and open space in Santa Clara County for the many benefits parks provide to residents, as well as their role in preserving our natural environment. Our organizations are concerned because the introduction of thousands of residents into North Bayshore, and human activity there day and night, is likely to impact birding hotspots and the birds that can be observed there.

The SDEIR fails to adequately analyze impacts to parklands and recreational spaces

In the 2014 EIR, the City estimated that the Precise Plan could result in an increase of 13,346 employees, thereby increasing the use and demand for park facilities in the Precise Plan area (*see* August 2014 DEIR, Page 309). With the addition of more than 20,000 new residents in North Bayshore, impacts to existing parkland and recreational facilities in the region are inevitable, and the SDEIR should provide a full analysis of park impacts to include the cumulative use of 35,000 people on the parklands and trails within the Project Area and neighboring communities.

While the SDEIR states residential land uses included in the amended Precise Plan are expected to increase human activity, domestic pet activity, and visits to Shoreline Park (Impact BIO-2), the document concludes that the Project would not substantially affect the provision of parks and open space (Impact PS-4), and that payment of Park Land Fees reduces any impact to a less than significant level. We disagree.

The SDEIR does not offer analysis of how the current, daytime population of North Bayshore uses parks, trails and recreation facilities in Mountain View, as well as surrounding communities and facilities (for example, Palo Alto, the Bay Trail and the Don Edwards National Wildlife Refuge). The SDEIR also does not analyze the expected increase in usage of park and recreation facilities at Shoreline Park and in neighboring communities, as thousands of new residents are present day and night. The SDEIR finds no Significant impact to recreation facilities based on the availability of land at Shoreline Park, assuming that payment of Park Land Fees will allow development of facilities there in the future. However, the timing of development of new facilities may not harmonize with the timing of the impact on parks and recreation facilities. Furthermore, Shoreline Park is built on a landfill, and has areas dedicated to the preservation of burrowing owls and other species. The SDEIR offers no analysis that shows that land is available at Shoreline Park to satisfy the requirements of the Quimby Act.

The final SEIR should also analyze the expected increase in usage of Shoreline Park, the Bay Trail and park and recreation facilities in neighboring communities when thousands of new residents use them day and night. Without a baseline or analysis, the SDEIR lacks the substantial evidence that is needed to support the finding that there is no significant, unavoidable impact to parks and recreation facilities. Especially, impacts to recreation facilities that do not benefit from Mountain View Park Land Fees should be analyzed and mitigated.

Because the residential development of North Bayshore is likely to occur before parks and recreation facilities are offered, residents are likely to use parks and recreation facilities in neighboring Palo Alto, including heightened use of Mitchell Park, Ramos Park, Byxbee Park, the Palo Alto Baylands Nature Preserve and the Lucy Evans Baylands Nature Interpretive Center. Please provide a complete and comprehensive analysis and mitigation for the Project's potential impacts to neighboring parklands and facilities.

The SDEIR fails to fully analyze or mitigate the impacts of increased human and pet activity and disturbance on biological resources outside of the project footprint

The Mountain View 2030 General plan includes in its vision, "*In 2030, sensitive species of Shoreline at Mountain View Regional Park remain and thrive*". We believe that further analysis and mitigation is needed to ensure that the many sensitive species of Shoreline Park remain and thrive. Comprehensive analysis and mitigations are also needed to ameliorate the regional biological impacts that may result from increased use of Shoreline Park, Palo Alto Baylands, Bay trail and trails in the Don Edwards National Wildlife Refuge by new employees and new residents of North Bayshore.

Local studies indicate significant response to trail use from migratory waterfowl.¹ Dr. Trullio and Ms. Sokale's research indicates that trail use reduces the foraging area available to **migratory waterfowl**. Since each type of waterfowl has specific foraging needs, and given that the research focused on areas that have historically had high waterfowl counts, it is reasonable to conclude that increased trail use by the public may have a significant impacts to avian species. Local studies by Dr. Lynne Trullio and Jana Sokale show that trail walkers disrupted nesting **snowy plovers**, causing them to leave their nests. The plovers returned to their nest fairly quickly, but even a short disturbance can have an impact on nest success by exposing eggs or chicks to the elements, or catch the attention of predators. Faster movement on the trail was more impactful than slow movement, and with thousands of commuters and residents walking, jogging and biking on the trails along creeks and baylands, the disturbance should be considered significant, potentially unavoidable. In recent years, snowy plovers nested at a Moffett Field salt panne near the bay trail², and impacts to this species should be evaluated and mitigated.

A breeding population of **Ridgeway Rail** has been observed in Charleston Slough and the Palo Alto Baylands.³ Charleston Slough and the Palo Alto Baylands are connected to the North Bayshore of Mountain View by the Bay Trail and Adobe Creek Loop Trail. Increased use of these trails by new employees and residents in North Bayshore may cause disturbance to this population. The final SEIR should evaluate this issue and provide mitigation.

Impact BIO-2 and various sections of the SDEIR discuss the increased use of Shoreline Park and nearby creeks and habitat areas, and the expected increase in disturbance by humans and pets, for example:

- *“Residential land uses may potentially have greater impacts on sensitive biological resources than commercial or office land uses, due to higher number of people and pets present at night and throughout the week” (Page 191)*
- *“Residential land uses are expected to result in greater human use of Shoreline Park, which may include an increase in dogs and cats within Shoreline Park. Although dogs are not allowed within Shoreline Park, even on-leash, and human activities are supposed to be restricted to existing trails, infringement on these regulations would likely increase with residential uses in the Precise Plan area. Increased human activity, dog activity, and visits by pet cats to Shoreline Park is expected to result in increased disturbance of and possible predation of burrowing owls in the park. Over time, such impacts would likely result in a decline in burrowing owl populations in the park.” (Page 199)*
- *“In general, the closer residential development is to a given sensitive biological resource area, the greater the number of visits to that area by humans, pets, or predatory/nuisance wildlife and, therefore, the greater the potential for impact on the biological resource.” (Page 200)*

¹ Personal communication regarding Dr. Trullio and Ms. Sokale's research of human disturbance impacts from trail use on wildlife, prepared for the South Bay Salt Pond Restoration Project (Bay Delta Conference):

<http://www.southbayrestoration.org/documents/technical/Final%20Snowy%20Plover%20Study%20Report.pdf>

<http://www.southbayrestoration.org/science/2011symposium/presentatin-poster/SBSP%20Trullio%20Feb2011%20v2.ppt.pdf>

<http://www.baytrail.org/wildlifestudy.htm>

²http://www.valleywater.org/uploadedFiles/Services/FloodProtection/Projects/SunnyvaleEastandWestChannelsFloodProtectionProject/ReportsandDocuments/Appendix_N_Bio_WildlifeSpecies_092013.pdf?n=2580

³http://www.valleywater.org/uploadedFiles/Services/FloodProtection/Projects/SunnyvaleEastandWestChannelsFloodProtectionProject/ReportsandDocuments/Appendix_N_Bio_WildlifeSpecies_092013.pdf?n=2580

³ Liu, L., J. Wood, N. Nur, L. Salas, and D. Jongsomjit. 2012. *California Clapper Rail (Rallus longirostris obsoletus) Population monitoring: 2005-2011*. PRBO Technical Report to the California Department of Fish and Game.

- *“...an increase in the number of people using the Precise Plan area is expected to result in increased human presence along Permanente and Stevens Creeks downstream from the Precise Plan area...” (Page 202)*
- *“Aquatic, stream, riparian, and wetland habitat located along Stevens Creek, Permanente Creek, and the Charleston Retention Basin may be degraded over time by off-trail user trampling, and wildlife using those areas could receive more direct disturbance by humans and pets than is expected to occur without residential development. Over time, this may result in a reduction in habitat that supports certain sensitive species and the number of species that can be supported by the habitat.” (Page 205)*

Disturbance can be expected to degrade habitat for additional sensitive species at Shoreline Park. Several special-status avian species are known to forage, nest, or breed in the Precise Plan. However, the SDEIR lacks a full analysis of potential impacts to all of these species and their habitats. We have included maps generated by eBird to show the prevalence of certain avian species that are not included in the SDEIR’s discussion of impacts to biological resources area (Appendix 1). In particular, Bald Eagles, Least Terns, Tricolored Blackbirds, Yellow Warblers, and Golden Eagles frequent the Bayshore of Mountain View, and may be directly impacted by an increase of human activity. Potential disturbance of foraging, breeding, and nesting habitats for all special status avian species caused by heightened human activity should be analyzed, discussed, and fully mitigated for in the final SEIR. To achieve the vision of the Mountain View General Plan 2030, mitigations should more than compensate for the impacts to sensitive species.

While some of the disturbance is due to lawful use of trails (as discussed above), residential use will expand the disturbance – the current activity is focused on commute hours and lunchtime (with the exception of events). With residents at North Bayshore, activity can be expected to occur at all times of day, late into the night. The SDEIR dismisses this increase in use, and proper analysis is needed.

Furthermore, it is reasonable to expect that some people will veer off designated trails, bring dogs into areas where dogs are not permitted, trample creeks and riparian vegetation, encroach into designated burrowing owl habitat, and otherwise disrespect rules and signage. It is also reasonable to expect people to use Shoreline Park and recreational trails in the area after sunset and after closing hours. Clearly, this anticipated disturbance could impose a significant impact to the sensitive species of Shoreline Park (especially burrowing owls) as well as to the sensitive species of Stevens Creek, Charleston Slough and the Don Edwards National Wildlife Refuge.

Because activity – lawful and unlawful – can be expected to increase and to expand to all hours of the day and night, monitoring and mitigation must be required. We ask for an ongoing monitoring program, and the allocation of at least two rangers to be deployed at all time (day and night) to Shoreline Park and to trails along Stevens Creek, the Bay Trail and the Palo Alto Baylands.

The Egret Rookery of Shorebird Way

Observations of the Egret Rookery by Audubon Staff and volunteers in recent years show that fledglings use the redwood trees across Shorebird Way from the London Plane Trees in which

the egrets nest. The fledgling egrets roost in these redwoods in late June into September, as they become independent from their parents. It seems that these trees are critical to the function of the rookery, and we ask for this to be acknowledged in the final SEIR.

Bird-Safe Design

The SDEIR relaxes the requirements for Bird Safe Design for most residential buildings (only new residential construction within 300-feet of the Charleston Retention Basin is required to adhere to implement the guidelines). Unfortunately, birds' collision with glass surfaces is not limited to non-residential construction. Please consider prohibition of glass-curtain buildings for residential development.

Burrowing Owl HOZ

The SDEIR proposes, "*Raptor perch deterrents adjacent to burrowing owl habitat. For new construction in the HOZ, raptor perch deterrents shall be placed on the edges of building roofs or other structures (e.g., light poles or electrical towers) facing the burrowing owl habitat and with a clear view of burrowing owls.*" However, any new construction that has a view into burrowing owl habitat, not only in HOZ, should be designed to avoid provision of perches to raptors.

Stevens Creek Bridges

The SDEIR acknowledges that the construction of a Charleston Road and/or La Avenida Avenue bridge could result in bird strikes from avian collision with bridge structures, and is therefore a significant impact. We disagree with the finding that the installation of Bird Flight Diverters would minimize this impact to a less than significant level. The City fails to provide substantial evidence that Bird Flight Diverters have proven to be effective in preventing bird collisions with bridge suspension cables, especially for bridges constructed along riparian corridors. The SDEIR proposes that impacts of Stevens Creek Crossings have been evaluated in a previous 2012 CEQA Document. That document was heavily criticized by many, and was never adopted by Council. We attach some public comment letters that were submitted at that time, as they are still pertinent. We believe it is premature to find that any of the environmental impacts associated with the construction and operation of one or two Stevens Creek crossings could be less than significant prior to project-level review.

Alternatives

We continue to believe that inviting over 20,000 residents into Mountain View's North Bayshore will not achieve the Precise Plans vision of supporting and enhancing wildlife, trees, and habitat areas. Rather, an increase in human activity will inevitably result in impacts to biological resources, and may irreparably alter the regions ecology. To lessen the adverse impacts, we ask that the City study alternatives that distance residential development from the Egret rookery, the Retention Basin, and especially from Shoreline Park. For example, residential development along Highway 101 (in the area where LinkedIn once proposed office development) and further

from sensitive habitats can help lessen the impacts of human activity on sensitive species and thus, the contradiction with the vision of the General Plan.

Impact of increased nutrient flow into the San Francisco Bay

The Regional Water Quality Control Plant serving Mountain View (Palo Alto RWQCP) is not designed to remove nitrogen or phosphorus from effluents it releases into the Bay. These nutrients are known to cause algal blooms, which can release toxins and deplete oxygen when they die off. The San Francisco Regional Water Quality Control Board (SFRWQCB) recognizes this problem, and is currently working to develop to develop nutrient numeric endpoints (NNE) for the San Francisco Bay Estuary.⁴ These NNEs will create new limitations on nitrogen and phosphorus releases into San Francisco Bay. Population growth will increase the amount of these nutrients flowing to the Bay, and the SDEIR should analyze and offer mitigation for this impact.

Thank you for your time and consideration. Please do not hesitate to contact us should you have any questions.

Sincerely,



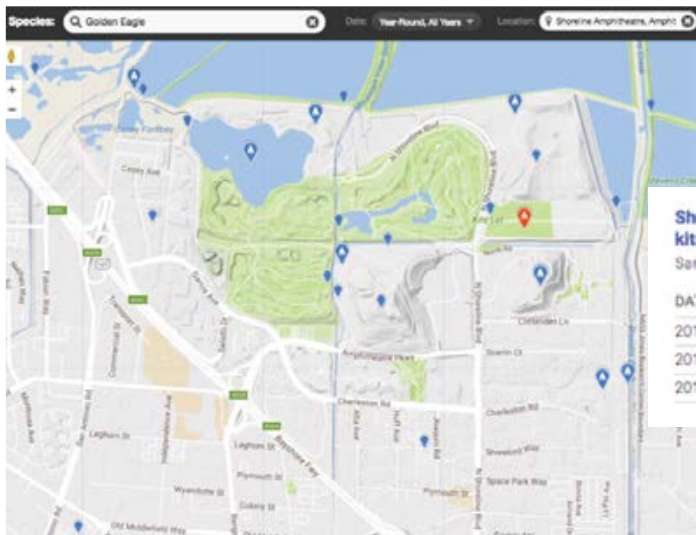
Mackenzie Mossing
Environmental Advocacy Associate
Santa Clara Valley Audubon
22221 McClellan Road
Cupertino, CA 95014



Michael Ferreira
Chapter Conservation Chair
Sierra Club-Loma Prieta Chapter
3921 East Bayshore Road, Suite 204
Palo Alto, CA 94303

⁴http://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/planningtmdls/amendments/estuaryenne.shtml

Appendix 1: Observations of sensitive birds species

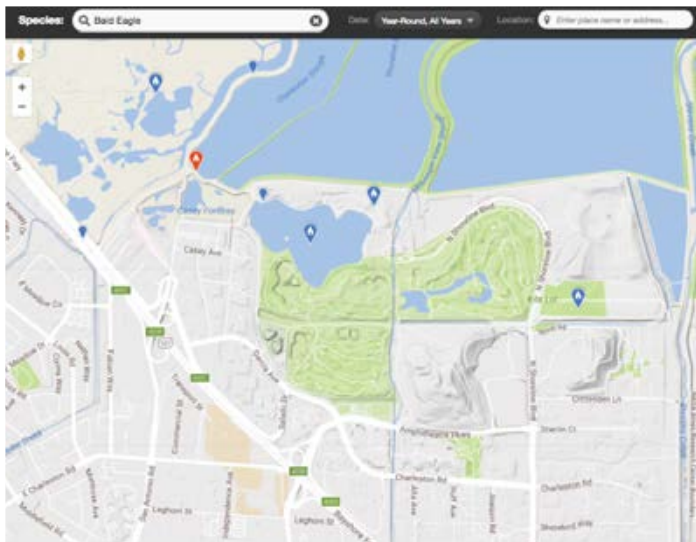


eBird sightings of Golden Eagles (*left*) and last observation of Golden Eagles reported to eBird (April 16th, 2017) (*right*)

Shoreline at Mountain View Park -- kite flying area
Santa Clara, US-CA

EXPLORE HOTSPOT

| DATE | # | OBSERVER | |
|------------|---|-------------------|-----------|
| 2017-04-16 | 1 | Dmitry Pavlov | Checklist |
| 2016-01-29 | 1 | Diane Bates | Checklist |
| 2013-12-30 | 2 | Anonymous eBirder | Checklist |

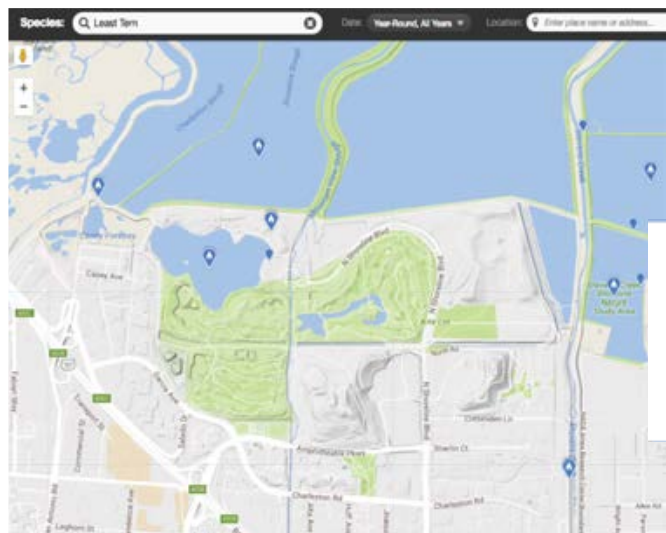


eBird sightings of Bald Eagles (*left*) and last observation of Bald Eagles reported to eBird (April 12th, 2017) (*right*)

Charleston Slough/Coast Casey Forebay
Santa Clara, US-CA

EXPLORE HOTSPOT

| DATE | # | OBSERVER | |
|------------|---|------------------|-----------|
| 2017-04-12 | 1 | Garrett Lau | Checklist |
| 2017-03-03 | 1 | Matthew Dodder | Checklist |
| 2017-03-03 | 1 | Eve Meier | Checklist |
| 2017-03-02 | 1 | Margaret Parkes | Checklist |
| 2017-01-06 | 1 | Margaret Parkes | Checklist |
| 2016-02-24 | 1 | Matt Rossetta | Checklist |
| 2015-11-10 | 1 | Sally Cedarblade | Checklist |
| 2015-11-10 | 1 | marianne clough | Checklist |
| 2011-06-10 | 1 | Mary Krentz | Checklist |



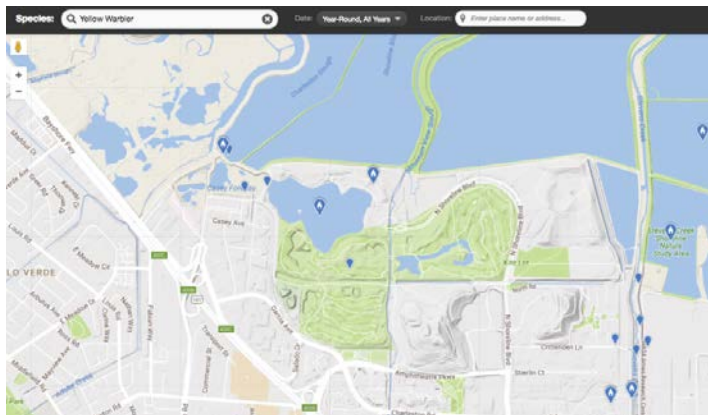
eBird sightings of Least Terns (*left*) and last observation of Least Terns reported to eBird (August 14th, 2016) (*right*)

Shoreline Lake
Santa Clara, US-CA

EXPLORE HOTSPOT

| DATE | # | OBSERVER | |
|------------|---|----------------|-----------|
| 2016-08-14 | 3 | Robert Shields | Checklist |
| 2013-04-18 | 2 | Stanley Senner | Checklist |

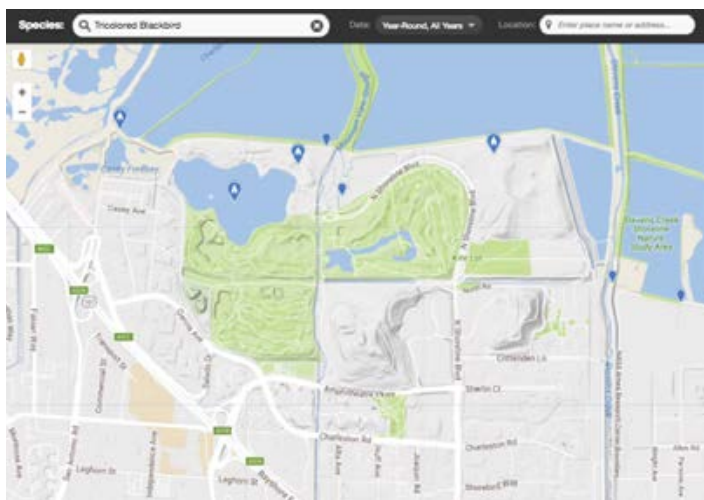
eBird sightings of Yellow Warblers (*left*) and last observation of Yellow Warblers reported to eBird (September 24th, 2016) (*right*)



Stevens Creek Trail
Santa Clara, US-CA

EXPLORE HOTSPOT

| DATE | # | OBSERVER | |
|------------|---|------------------|-----------|
| 2016-09-24 | 1 | Adam Dudley | Checklist |
| 2016-09-10 | 5 | Michael Rogers | Checklist |
| 2016-09-07 | 3 | Chris Johnson | Checklist |
| 2016-09-05 | 7 | Michael Rogers | Checklist |
| 2015-09-08 | 6 | Caroline Lambert | Checklist |
| 2015-08-29 | 5 | Caroline Lambert | Checklist |
| 2015-08-29 | 5 | Brocke Miller | Checklist |
| 2014-10-07 | 4 | Caroline Lambert | Checklist |
| 2014-09-07 | 3 | Caroline Lambert | Checklist |
| 2014-09-04 | 3 | Caroline Lambert | Checklist |
| 2013-10-13 | 1 | Caroline Lambert | Checklist |
| 2013-10-04 | 4 | Gena Zolotar | Checklist |
| 2013-09-28 | 6 | Logan Rosenberg | Checklist |
| 2013-09-03 | 2 | Caroline Lambert | Checklist |
| 2012-09-29 | 1 | Donald Pendleton | Checklist |
| 2012-09-24 | 1 | Logan Rosenberg | Checklist |
| 2012-09-20 | 3 | Gena Zolotar | Checklist |
| 2012-09-02 | 2 | Reh Dunn | Checklist |



eBird sightings of Tricolored Blackbirds (*left*) and last observation of Tricolored Blackbirds reported to eBird (September 14th, 2016) (*right*)

Charleston Slough/Coast Casey Forebay
Santa Clara, US-CA

EXPLORE HOTSPOT

| DATE | # | OBSERVER | |
|------------|---|-----------------|-----------|
| 2016-09-14 | 1 | William Telfair | Checklist |

To
Randal Tsuda, Community Development Director
City of Mountain View
Community Development Department
500 Castro Road, 1st Floor
Mountain View, CA 94041
randy.tsuda@mountainview.gov



Dr. Ann Clarke, Environmental Management Division Chief
NASA Ames Research Center
Mail Stop 237-14, Bldg. 237, Room 103
Moffett Field, CA 94035-0001
Ann.Clarke@nasa.gov (650) 604-2350

**Comments on Draft Initial Study/ Environmental assessment
of the Stevens Creek Crossings Project
Loma Prieta Chapter of the Sierra Club**

Thank you for the opportunity to comment on the Draft Initial Study/
Environmental assessment of the Stevens Creek Crossings Project

Sierra Club Loma Prieta Chapter comprises 17,000 members on the peninsula
and San Jose area, and we appreciate the importance of this project.

We should say, at the outset, that we are not at all convinced that it is a project
that is to the great benefit of the residents of the Peninsula and the County of
Santa Clara.

We have the following reasoning:

**1. Our Creeks are
sensitive ecological
watersheds**

Our Creeks are sensitive ecological watersheds and traffic and people are the
greatest enemy of the biological resources and ecology of our watersheds.

We are not convinced that ANY crossing over Stevens Creek can be undertaken
without a complete EIR. The Crittenden bridge is planned to land on wetlands
and into the buffer zone. This is not acceptable. In addition, how traffic pollution
and runoff will be handled and whether it can be contained has not been studied
as yet.

Where damage is probable, the better approach is to avoid the possibility of
damage.

**2. Private bridges
raises questions of
who benefits**

If we allow private interests to build bridges over public creeks, there has to be
an overwhelming demonstrated need as to why these private bridges are a
benefit to the public. We are not at all convinced that the two bridges provide
sufficient benefit to all parties when all the stakeholders are considered,
including the wildlife and ecology of the creek and adjacent wetland buffer
zones.

| | |
|---|--|
| | <p>Will the City be setting a precedent for other private creek crossings, over sensitive creek beds, elsewhere when convenient to private traffic interests?</p> |
| <p>3. Why two bridges?</p> | <p>The report states that two bridges are required to provide a circular pattern for shuttles. This seems entirely unjustified. The capacity of a single two lane bridge far exceeds the total proposed daily traffic. Even with a roll-thru transponder, the proposed traffic does not come close to the actual capacity of a 2 lane bridge. Therefore to disrupt the creek with two crossings seems totally gratuitous.</p> |
| <p>4. Possible future public access to bridges</p> | <p>Once the bridges are built, it should be assumed that over time, the bridges will face increasing pressure to be open to the public for general use. 101 is becoming increasingly congested and it will be difficult to restrict the one creek crossing to one private user along with the public buses. This eventuality should be studied for its environmental impact</p> |
| <p>5. One bridge option at Crittenden is the wrong choice</p> | <p>If only one bridge were to be considered, Charleston is the better choice of locations for a vehicular bridge</p> <ol style="list-style-type: none"> a. A bridge at Crittenden crosses the creek where the creek has widened out and includes riparian and wetlands habitats. This is not surprising as the site is contiguous to the wetlands buffer zone. This slow regeneration of wetlands, up the creek, is to be encouraged rather than negatively impacted by building roadways at this sensitive point. b. A creek crossing at Charleston is less ecologically damaging c. The huge, high, imposing long-span bridge is visually intrusive. It will be less intrusive at Charleston, farther from the open spaces across the wetlands. d. A bridge at Charleston is more useful for vehicles like shuttles that serve the public and companies other than Google, as they won't need to go all the way north, thru Google Campus, to get across the Creek e. Charleston, 2 blocks to the south, is a much better choice from an urban design point of view, as it funnels off traffic earlier and keeps traffic from penetrating all the way to Crittenden f. Charleston is already designed as a major intersection at North Shoreline Boulevard |
| <p>6. Bike bridge location should not be arbitrarily moved</p> | <p>According to the bicycle plan, the bike bridge crossing has been planned to be at L'Avenida, closer to the freeway. We believe that there are definite advantages to keeping the bike bridge in this location rather than trying to combine bike traffic and vehicular traffic to cross at the same location at Charleston. We did not see any of the reasoning behind the proposal to move the bike bridge to Charleston.</p> <p>Pedestrians move at 3-5 m.ph. Bicycles at 10-15 m.p.h. Autos and buses on minor roads at 25-30m.p.h.</p> <p>Therefore it is not an insignificant decision to move a bike bridge $\frac{3}{4}$ (three-quarter) miles north of its proposed location and closer to another existing bike</p> |

bridge.

7. Aesthetics

We disagree that the aesthetic impact of adding two bridges, or even one bridge, is minor.

The view when on Stevens creek trail is of the experience of a BIG SKY area, where ones horizon opens up to the entire Bay with views of the expansive space over the bay. The PG&E towers, while not an aesthetic addition to this experience as never the less relatively fragile giants in this space.

The proposed bridges are huge in order to clear span right over the trail and they need to extend a 1/8th of a mile beyond the levies in order to make landfall. The trail view and big sky experience is subordinated to the view of the large bridge.

This is not conducive to the experience of open space along a trail near wetlands but rather to traffic connections. See excerpt from artist's view of bridge, below.



Stevens Creek Trail today Figure 4.2 from study



Vehicular bridge over trail and bike bridge at trail level Figure 4.16-1 (excerpt)

8. South Bay Salt Pond Restoration

Since 2002, the South bay shore has been undergoing an extensive restoration process. The South Bay Salt Pond Restoration Project is a massive restoration

Project has changed bay edge conditions in the South Bay since the Moffett Field study done in 2002

project, over a period of 50 years, second only to the extensive restoration project of the Everglades in Florida, being undertaken by the Corps of Engineers. The EIR for the Moffett Field area, done in 2002, is out-of-date in several areas and needs to be updated to take the changes that are being brought about by this project into account.

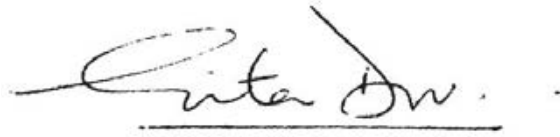
Summary

- Sierra Club Loma Prieta Chapter believes that Stevens Creek bridge crossings should probably require an full EIR
- No more than one bridge should be considered should the City decide that it may be beneficial to have a vehicular bridge north of highway 101
- Charleston is a preferred location for a bridge than Crittenden

Conclusions

1. **We believe that the present study should be rejected and set aside**
2. **Instead, we would propose the following should be studied:**
 - a. **Only one 2-lane vehicular bridge – at Charleston**
 - b. **Should a bike-pedestrian bridge be built at L’Avenida or moved north to Charleston**
 - c. **Keep existing bike-pedestrian bridge at Crittenden as is and improve ADA access**
 - d. **Study what happens if, over time, public auto access is desired across Charleston vehicular bridge?**

Respectfully submitted:



Gita Dev, FAIA

Member, Sustainable Land Use Committee

Loma Prieta Chapter of Sierra Club



March 13, 2012

Via email

Mr. Randy Tsuda, Community Development Director
City of Mountain View
Dr. Ann Clarke, Environmental Manager Division Chief
NASA Ames Research Center

Re: Stevens Creek Crossings Project - Draft IS/EA

Dear Mr. Tsuda and Dr. Clarke:

The Santa Clara Valley Audubon Society (SCVAS) has reviewed the Initial Study/ Environmental Assessment (IS/EA) and Mitigated Negative Declaration (MND) for the Stevens Creek Crossing Project (Project). For over 85 years, SCVAS our mission has been to preserve, to enjoy, to restore and to foster public awareness of native birds and their ecosystems, mainly in Santa Clara County. The Project area is frequented by our members, who assign great value to its landscape, birds and the wildlife.

While we appreciate the importance of having leading companies such as Google in our neighborhood, we are concerned with significant and unavoidable impacts of the proposed bridges on aesthetic, biological and hydrological resources and on our recreational activities. We believe that the IS/EA is inadequate as it does not describe nor mitigate the full environmental effects that this project may impose the environment. We believe that one bridge at Charleston Road would best fulfill the project's goals, and that no new bridge should be built at Crittenden Lane.

We encourage Google and the City of Mountain View to set this IS/EA aside and instead engage in a comprehensive environmental evaluation to produce an Environmental Impact Report (EIR/EIS) that would explore the full spectrum of environmental impacts of the project. We propose that one bridge at Charleston Road should be identified and studied as the Preferred Alternative for CEQA and NEPA purpose. We ask that the analysis to consider biological impacts beyond the Project's study area, and in the context of the Specific Plan for the North Bayshore area, and the upcoming Bayview Campus Project.

1. Organization of the CEQA/NEPA document

We found the organization of the document to be confusing and had to repeatedly leaf back and forth through sections 3 and 4, match statements and information, and reconcile

“Environmental Commitments” with “Effects” and “Discussion”. Please reorganize the document so that for every topic, the relevant information, analysis, mitigation and findings are provided in one section.

2. Purpose of the project

The proposed project would connect the North Bayshore area to Moffett Field by the construction of three bridges over Stevens Creek: 2 two-way vehicle bridges and one bike/pedestrian bridge. The vehicle bridges would also allow bike and pedestrian crossings. These 3 bridges would be an addition to two existing bike/footbridges, all within less than a mile along the creek.

Purpose and need (2.4.1. page 2-2): As stated by City Staff at the City Council Study Session earlier this year, there is no need for two vehicle bridges from an emergency service and response perspective. Moreover, there is no need for more than one bridge that would accommodate vehicles, bikes and pedestrians.

Goals and objectives (2.4.2. page 2-3): The stated goals and objectives are inherently conflicted. The goals related to improving connectivity and service can be achieved by the construction of only one bridge. Access to Stevens Creek Trail and the Bay Trail is readily available already, and would not be improved by an additional bridge at Crittenden. But an additional bridge at Crittenden would inherently conflict with the goals of “supporting preservation of open space” and “avoiding adverse impacts on Stevens Creek and the Western Diked Marsh”. To fulfill all of the expressed goals and objectives, and to minimize unnecessary environmental harm, we recommend that Google build only one bridge at Charleston Road as the preferred alternative for the project.

3. Project Description: Segmentation/Piecemealing

CEQA Guidelines section 15378 require a study of “the whole of an action” which has the potential to result in a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. A public agency is not permitted to subdivide a single project into smaller individual sub-projects in order to avoid the responsibility of considering the environmental impact of the project as a whole. NEPA also prohibits segmentation of projects.

The proposed Project would construct two bridges over Stevens Creek to allow a loop route through a future Google Campus development at the Bayview area of Moffett Field. The design of the new campus as related to the environmental setting and the loop route has not been presented to the public. It is not clear why a loop route is needed to serve the new campus. While a programmatic EIS is available for this development, a project level review has not been provided. Thus, the IS/EA segregates review of the proposed bridges from the review of a project level NEPA document.

We believe that the IS/EA also segregates CEQA environmental review. The city of Mountain View is currently completing its General Plan (GP) and Environmental Review for the GP. The city is already working on a Precise Plan for the North Bayshore area,

which includes active discussion and public input regarding transportation and mobility in that neighborhood. In addition, to inform the Precise Plan development process, the City is in the process of engaging consultants to conduct a Transportation Study for the area. The Specific Plan should be the document that specifies the number and location of Creek Crossing, so that the overall environmental impacts are coordinated and reduced.

We maintain that Environmental Review of the proposed bridges is a part of the evaluation of the North Bayshore Precise Plan, and the Bayview campus plan, and that an EIR/EIS should be prepared for “the whole of the action”, so that Government Agencies and the public can provide comments. This would allow decision makers to evaluate alternatives, consider cumulative impacts, and make an informed decision

4. Environmental Impacts: Aesthetics

Incomplete analysis

We also ask for analysis of the bridges together with the proposed new Bayview campus (and associated roads) on the land leased by Google from NASA. Aesthetic analysis of the bridges without visual context of the new campus segregates the visual impacts of the entire project, and does not provide the public with a the complete visual setting of the future of one of the last open spaces parcels along Stevens Creek. Without a complete analysis, the findings of No-Significant Impact (NEPA) or Less-than significant impacts (CEQA) cannot be made.

The analysis provided (4.1, starts on page 4-3) is deficient in that it did not include views points from the trails north, northeast and northwest of the project looking back towards the bridges (including views the Stevens Creek Trail and the Bay Trail.) We expect that the proposed Bridges would become prominent landmarks, potentially visible from across the bay, Shoreline Park, Palo Alto Byxbee Park and the Bay Trail and levees, as well as the Don Edwards National Wildlife Refuge.

We ask for a complete analysis. Please include views of access roads from levees on the Moffett side of Stevens Creek (including the elevated road that is proposed to be constructed on piers through the buffer zone south of Crittenden bridge). The view from the levees overlooking the Western Diked Marsh by the existing Crittenden Bridge should also be included. Please include realistic visual depictions of vehicles and traffic volume in the analysis.

Visual impacts are significant, irreversible, and cannot be mitigated

Mountain View Land Use and Design policies (LUD-16) propose to preserve views and open space. The proposed bridges (especially the Crittenden Bridge) would impose a prominent landscape feature as well as signage and lighting, and elevated access roads. Moreover, the bridges would necessitate the elevation of power pylons by 15-30 feet.

SCVAS community of birders frequently uses the Stevens Creek Trail and the Bay Trail, and watches birds in the riparian vegetation, the marshes and the wetlands along the trails. Birders are visually oriented people, and should be considered a highly sensitive

viewer group. For our community, the determination that the adverse impact of the bridges is less-than-significant because “users are accustomed to the existing, urban setting“ is not supported and misrepresents our community’s sensitivity to an incremental degradation of the views that we value. Furthermore, we consider the viewshed of the marshes south of Crittenden Bridge an important visual transition from the urban to the natural landscape, and maintain that the proposed bridge at that site, and its associated roads, would heavily impact this transition area. From our point of view, the bridges and associated development and activities (including traffic consisting of 560 one-way shuttle trips per day) would significantly, irreversibly and unmitigably degrade the visual character of the project area and far beyond. We request an EIR to fully analyze this impact, and the City of Mountain View to recognize the impact and make the required determination of overriding considerations if the Council seeks to approve the proposed Crittenden Bridge.

5. Biological Resources: Impact to Egret Colony at Shorebird Way

The east terminus to the Charleston Bridge is proposed next to the first in a line of nine City of Mountain View Sycamore trees on Shorebird Drive that host an established, thriving Egret nesting colony. Volunteers with the San Francisco Bay Bird Observatory and Santa Clara Valley Audubon Society have been monitoring this colony since 2005 when there were 21 Great Egret nests present. In 2011, there were 40 Great Egret nests and 5 Snowy Egret nests present, and it was the largest Great Egret colony in the South Bay. At least 24 chicks were produced at the colony last year (Caitlin Nielsen, SFBBO).

The egret colony is an important natural resource for the City of Mountain View and North Bayshore and, as a source of Great and Snowy Egrets, to the entire region. Intentional or accidental eviction of this colony would not be acceptable to the birding community of our region.

CEQA requires that project impacts be studied beyond the project site, and all impacts of the project be studied, reported, and mitigated. The failure of the IS/EA to consider impacts of the project on an established egret colony is a fatal flaw in the analysis, and it highlights the inadequacy of a Mitigated Negative Declaration to assess and mitigate environmental impacts of a project of this scope.

Risk of collision with powerlines, bridge cables

A wealth of scientific and anecdotal information alerts us to the potential of bird collision with man made structures, including cables and powerlines. Large birds such as egrets are especially vulnerable, and when powerlines separate a nesting colony from foraging and nest material collection grounds, mortality risks increase.

The bridge structures are proposed to stand high (please specify maximum height), and have a light, reflective color of vertical cables (the cables are almost invisible in the figures provided in the Aesthetics chapter). Therefore, the bridges – and especially the cables - are likely to pose a risk to birds flying over the creek channel.

Building the proposed bridges require that PG&E transmission towers and powerlines be elevated by 15-30 feet to allow clearance. Because of the proximity of the nesting colony to the powerlines, the risk of collision must be analyzed. Elevating of powerlines near an Egret nesting colony can potentially result in direct “take” of adults flying back and forth between their nest and foraging grounds in the creek and the marshes, or “take” of inexperienced young birds in their first flying period. It can also impact indirect “take” of orphaned chicks if a parent is killed. Thus, bird collision with elevated powerlines at the two bridge locations should be considered a potentially significant impact of the project.

For mitigation to be effective, we ask for an EIR that would adequately study and document the specific patterns of bird movement related to the nesting colony on Shorebird drive during an entire nesting season and during all activity hours (buildings of nests, raising chicks, fledging period). Movement of other avian species should also be analyzed. The study should analyze potential impacts of elevated powerlines and of bridge cables for each proposed bridge locations.

Construction and traffic

Nesting birds are sensitive to activities near their nest, and may abandon a nest if disturbed. Thus, mitigation measures should have the goal of keeping the colony safe and allowing it to continue to exist well into the future. We recommend that mitigations include prohibition of construction during the nesting season (March 15 – July), and permanent routing of shuttle and bike traffic away from Shorebird way during the nesting season. Planting mature Sycamores in appropriate areas (protected from wind, low traffic, close to the creek and the marshes but away from burrowing owl habitat) can potentially help mitigate the impact, but should not be proposed to justify the eviction of the existing colony).

6. Biological Resources: Impacts to burrowing owls and their habitat (Effect Bio-3 p.4-50, Effect Bio-4 p. 4-51)

The IS/EA acknowledges that burrowing owl, a California Species of Special Concern, is known to occur in the grasslands and ruderal habitats in close vicinity to the project site. The document provides Figure 4.4.2 and relies on CNDDDB information to create a distribution map for the burrowing owls in the project vicinity. This is inappropriate, given that both leading agencies (NASA and the City of Mountain View) have long-term burrowing owls monitoring programs and reports with accurate location data. The result of this flawed methodology is an inaccurate map (Figure 4.4.2) that omits recent observations of burrowing owls on Vista Slope, various locations on the Mountain View golf course, various locations on the North East Meadowlands, E-Lot, Crittenden Hill and a disked field on the corner of Shoreline Blvd. and Amphitheater Way. We ask that an EIR/EIR use at least 5 years of monthly and annual reports from burrowing owl monitoring efforts at Shoreline and at Moffett Field/NASA to document owl distribution.

The IS/EA proposes that burrowing owls have the potential to occur within the grassland habitat within the study area, but claims, “the degree of disturbance and thatch accumulation in habitat along Stevens Creek and west reduce the likelihood for this species to occur within the study area.” But CEQA requires substantial evidence, based

on facts, expert opinion based on facts, or reasonable assumptions predicated upon facts – and the opinion that burrowing owls are less likely to occur on the project area is not based on substantial evidence. In fact, SCVAS volunteers have observed burrowing owls as they forage on disturbed areas at Shoreline, including areas with dense thatch or brush as well as areas of riparian vegetation.

The IS/EA explains that burrowing owls can potentially occur and forage on the project site and on the Bayview land that Google leases from NASA ARC. The document identifies potential mortality or disturbance of foraging habitat as a significant impact. However, the IS/EA suggests that the loss of suitable foraging habitat within the study area is considered minor under NEPA and less-than-significant under CEQA because of an “abundance of similar habitat east and northwest of the study area and on portions of the open space and preserved areas within NASA ARC”. Such justifications for loss of burrowing owl habitat are at the root of the owl’s decline in the region. In fact, the Project and the Bayshore areas are the closest upland habitat near Stevens Creek and Shoreline Park, and the loss of this habitat would exacerbate fragmentation and result in increasing risks to the remnant owl population of the area.

NASA ARC / Moffett Field and Shoreline Park currently support the largest remnant population of burrowing owls in the Bay Area. The population of burrowing owls in the South Bay is in decline, and there is no doubt that the primary cause for the decline was, and continues to be, the incremental loss of habitat. This trend has been established in the Santa Clara Valley Habitat Plan (HCP/NCCP), which incorporates a Federal Habitat Conservation Plan and a California Natural Communities Conservation Plan (<http://www.scv-habitatplan.org>).

The IS/EA’s “Environmental Commitments” include pre-construction surveys in compliance with the 1993 Burrowing Owl Consortium Protocol and the potential installation of one-way exclusion doors in the entrance of active burrows have not been acceptable in Santa Clara County since the development of the specific Conservation Strategy for Burrowing Owls in the HCP/NCCP.

The HCP/NCCP Conservation Strategy is the most detailed and comprehensive evaluation of burrowing owl status in the region. Because of this, it applies to the entire county, and it is appropriate to use it in CEQA and NEPA as the standard against which to gauge impacts and mitigations. The general strategy in the plan should be followed, to the maximum extent feasible, even by entities outside the plan, because it is the only plan that does look at the local picture and propose a solution for the area as a whole. This means that impacts to potentially useable burrowing owl habitat should be considered by all local Lead Agencies. It also means that the mitigations proposed in the 2002 EIS for the Bayview area are outdated, and a supplemental EIS should be prepared to reflect Fish and Wildlife Service changes to burrowing owl conservation and mitigation for loss of habitat requirements in the County.

To conclude, SCVAS argues that the IS/EA fail to adequately protect burrowing owls and their burrows during project development and beyond, and provides no mitigation for

loss of habitat. The MND cannot support the findings of “no significant impact” based on the inadequate analysis and without mitigations. In addition, it is inappropriate to dismiss the Santa Clara Valley HCP/NCCP (Page E-8), since that plan identifies the owl populations of Shoreline Park and the Moffett Field area as a critical part of the conservation strategy for burrowing owls. We maintain that the lack of compensation for the loss of burrowing owl habitat, and the fragmentation of existing habitat, would result in a potentially significant impact remaining unrecognized and unmitigated.

7. Biological Impacts: Traffic, Noise and Light

The IS/EA asserts that by spanning the creek width, and avoiding work in the creek channel, the project imposes no effects on migrating anadromous fish species. It reports of the existence of a cliff swallow nesting colony and a bat roost (please identify the bat species) under the existing Crittenden Bridge, but provides no analysis for the impacts on these animals.

Bridges over creeks, as well as roads over marshes and wetlands are known to have significant impact on animal movement and connectivity – as opportunities for enhancing animal movement as well as impediments to movement or the facilitation of predator movement into sensitive habitats. Bridges additionally provide nesting and roosting sites for insects, birds and bats (as does the existing Crittenden Bridge). The impacts associated with roads and bridges are not limited to design and construction, but include traffic, noise, odors and lights (including traffic headlights).

The proposed Stevens Creek Crossings expects 280 round-trips, or 560 crossings over Stevens Creek per day during a 9h 15min commute period (555 minutes). This sums up to approximately one shuttle per minute over one bridge, or a shuttle every 2 minutes for two bridges during commute hours - morning (7:30AM – 10:30Am) afternoon and night (3:45PM – 10PM). The impact of this level of activity on fish and wildlife movement in and across the creek’s habitats (including wildlife movement at the existing Crittenden Bridge) should be studied in detail. Impacts on adjacent habitats (Shoreline park boundary at Crittenden Lane, Shorebird Way) should also be evaluated.

CEQA requires that Lead Agencies evaluate potential environmental effects based to the fullest extent possible on scientific and factual data. In the absence of defined thresholds, significance conclusions must be based on substantial evidence, which includes facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts (CEQA Guidelines §15064). The IS/EA offers no data on animal movement, and the analysis provided in the document is speculative and is not supported by fact. We ask for comprehensive surveys to create a true baseline to determine the impacts on wildlife movement. Surveys should monitor fish and wildlife movements in the creek and its riparian ecosystem and across the existing Crittenden Bridge and to determine seasonal and diurnal behavioral patterns. This baseline information can be used to evaluate the impacts of lights, noise and traffic that would result from an additional bridge at the Crittenden site and the proposed bridges at Charleston road. The analysis should be used to propose mitigation measures and monitoring protocols.

In addition, we ask for a complete analysis of the potential impacts of increased traffic and associated noise and light (headlights) on wildlife crossings, nesting and roosting at the existing Crittenden Bridge. Similarly, impacts of increased traffic on burrowing owls at Shoreline Park along Crittenden road, and on Egrets at Shorebird Way (by the Egret nesting colony) should be evaluated, as well as impacts of traffic on species of the Western Diked Marsh. Impacts of traffic and noise on recreational use should also be evaluated.

8. Integrity

The environmental impacts of building an elevated road through most of the mitigation area (200-ft buffer) between the Google campus and the salt marshes should be studied and disclosed, with special consideration of hydrology and water quality, biological resources, and aesthetics.

Building a road over a large portion of the bufferlands that were set in 2002 as mitigation to protect water quality and wildlife from urban encroachment defeats the purpose of the buffer zone. The proposal that this mitigation can be ignored because the words “avoid construction” do not “prohibit” construction in the buffer area puts in doubt the sincerity of Google and NASA in proposing “environmental commitments” for the protection of all environmental resources identified in the IS/EA for the Stevens Creek Crossings project.

9. Cumulative Impacts

Section 15355 of the CEQA Guidelines states: "Cumulative impacts" refers to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. Cumulative Impacts assessment requires a broad view of current and future projects beyond the footprint of the specific project under evaluation. This means that impacts of foreseeable development at North Bayshore and Moffett field, as well as the Salt Pond Restoration Project and the Shoreline Study should be discussed. We find the analysis of cumulative impacts inadequate, as it neglects to consider a multitude of local and regional projects that can be expected to cumulatively impact biological resources (most significantly burrowing owls), air quality, water quality and hydrology, traffic, light pollution and noise. The dissociation of the proposed project from its regional context is inadequate.

10. Alternative Analysis

The Conceptual Alternative Analysis (Table 3-1) shows that a one-bridge analysis would meet all Project Objectives, whether the bridge crosses Stevens Creek at Charleston Road or Crittenden Lane. The proposed Crittenden site was selected for further NEPA analysis because of an assumption that this bridge would impose lesser environmental harm (due mainly to visual impacts of the existing bridge at the site.)

We maintain that to minimize environmental impacts, no more than one bridge should be considered for analysis. Furthermore, we maintain that the Crittenden site would impose significant and unmitigable environmental impacts on biological resources, hydrology, open space and recreation.

The California Supreme Court has stated that an EIR is required to resolve, “uncertainty created by conflicting assertions” and to “substitute some degree of factual uncertainty for tentative opinion and speculation” [No Oil, Inc. V. City of Los Angeles (1975) 13 Cal.3d 68, 85.] An EIR is also required in order to analyze a full spectrum of alternatives, and identify and study environmental effects of all feasible alternatives.

Conclusion

SCVAS expects a comprehensive environmental review for a project of the magnitude proposed (three bridges over Stevens Creek) and the sensitive location of the bridges next to a steelhead creek, riparian vegetation, protected wetlands and salt marshes of San Francisco Bay. Based on our review of the IS/EA and supporting documents, we conclude that the document does not comply with the basic requirements of CEQA. In sum, the IS/EA fails to identify a proper baseline and disclose, analyze and mitigate the Project’s impacts on aesthetics, biological resources, and cumulative impacts. Thus, the IS/EA does not fulfill its function as an informational and decision-making document and the CEQA and NEPA findings that the project would not have a significant effect on the environment cannot be made.

CEQA requires a lead agency to prepare an Environmental Impact Report (EIR) whenever substantial evidence in light of the entire record supports a “fair argument” that the project may have a significant adverse impact on the environment. We believe that we can fairly argue, based on substantial evidence, and in light of the whole record, that this project may potentially impose significant and unmitigable environmental effects on aesthetic, biological resources and cumulative impacts, and that an EIS/EIR must be prepared for the project.

Since project objectives can be achieved by the development of only one creek crossing, we ask that an EIR/EIS be prepared to evaluate alternatives of only one bridge at Charleston road and none at Crittenden. We believe that such an alternative would have a more benign impact on the environment, and it should be evaluated in an EIR/EIS as the Preferred Alternative.

We encourage Google to manage its shuttle fleet in ways that would minimize or eliminate the need to cross Stevens Creek.

Thank you for your consideration, I’m happy to discuss any of our comments with you at any time.



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