Attachment E1

Initial Study

Cupertino Civic Center Master Plan

May 2015

Prepared by:

CUPERTINO

In Consultation with:

DAVID J. POWERS & ASSOCIATES, INC.
ENVIRONMENTAL CONSULTANTS & PLANNERS

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SECTION 1.0 INTRODUCTION AND PURPOSE

1.1 PURPOSE OF THE INITIAL STUDY

This Initial Study of environmental impacts has been prepared to conform to the requirements of the California Environmental Quality Act (CEQA), the CEQA Guidelines (California Code of Regulations 15000 et. seq.), and the regulations and policies of the City of Cupertino. The City of Cupertino is the Lead Agency under CEQA and has prepared this Initial Study to address the impacts of implementing the proposed Civic Center Master Plan project.

The project proposes to replace the existing City Hall building with a new City Hall building and an underground parking garage, and expand the library to include a Program Room.

1.2 PUBLIC REVIEW PERIOD

Publication of this Initial Study marks the beginning of a 20-day public review and comment period. During this period, the Initial Study will be available to local, state, and federal agencies and to interested organizations and individuals for review. Written comments concerning the environmental review contained in this Initial Study during the 20-day public review period should be sent to:

Carmen Lynaugh
City of Cupertino
Public Works Department
10300 Torre Avenue
Cupertino, CA 95014
(408) 777-3215
CarmenL@cupertino.org

1.3 CONSIDERATION OF THE INITIAL STUDY AND PROJECT

The Initial Study/Mitigated Negative Declaration (MND) analyzes the maximum environmental impacts of the proposed project. Following the adoption of the MND, the City may choose to construct a reduced-size City Hall and/or a reduced-size Library expansion. The impacts of this reduced-size alternative would be less than the impacts analyzed in this MND and, therefore, would not require additional environmental review.

Similarly, the project includes an option to construct an additional 68 parking spaces in the existing turf field. The impacts associated with the construction of these spaces are the same as the currently proposed project except as noted in this Initial Study.

Following the conclusion of the public review period, the City will consider the adoption of the MND for the project at a regularly scheduled City Council meeting. The City shall consider the MND together with any comments received during the public review process. Upon adoption of the MND, the City may proceed with project approval actions.

1.4 NOTICE OF DETERMINATION

If the project is approved, the City will file a Notice of Determination (NOD), which will be available for public inspection and posted within 24 hours of receipt at the County Clerk's Office for 30 days. The filing of the NOD starts a 30-day statute of limitations on court challenges to the approval under CEQA (CEQA Guidelines Section 15075(g)).

SECTION 2.0 PROJECT INFORMATION

2.1 PROJECT TITLE

Cupertino Civic Center Master Plan

2.2 PROJECT LOCATION

The Cupertino Civic Center is located in the City of Cupertino on an approximately 10-acre site that is bounded by Rodrigues Avenue to the north, Torre Avenue to the west, Pacifica Drive to the south, and Regnart Creek to the east. The Civic Center site is currently developed with three buildings (the Cupertino City Hall, Cupertino Community Hall, and Cupertino Library), a public courtyard and Memorial Grove, landscaping, and an approximately three-acre turf field. Regional and vicinity maps of the Civic Center site are shown on Figures 2.2-1 and 2.2-2, respectively. An aerial photograph showing surrounding land uses is shown on Figure 2.2-3.

2.3 LEAD AGENCY/PROPERTY OWNER/PROJECT APPLICANT CONTACT

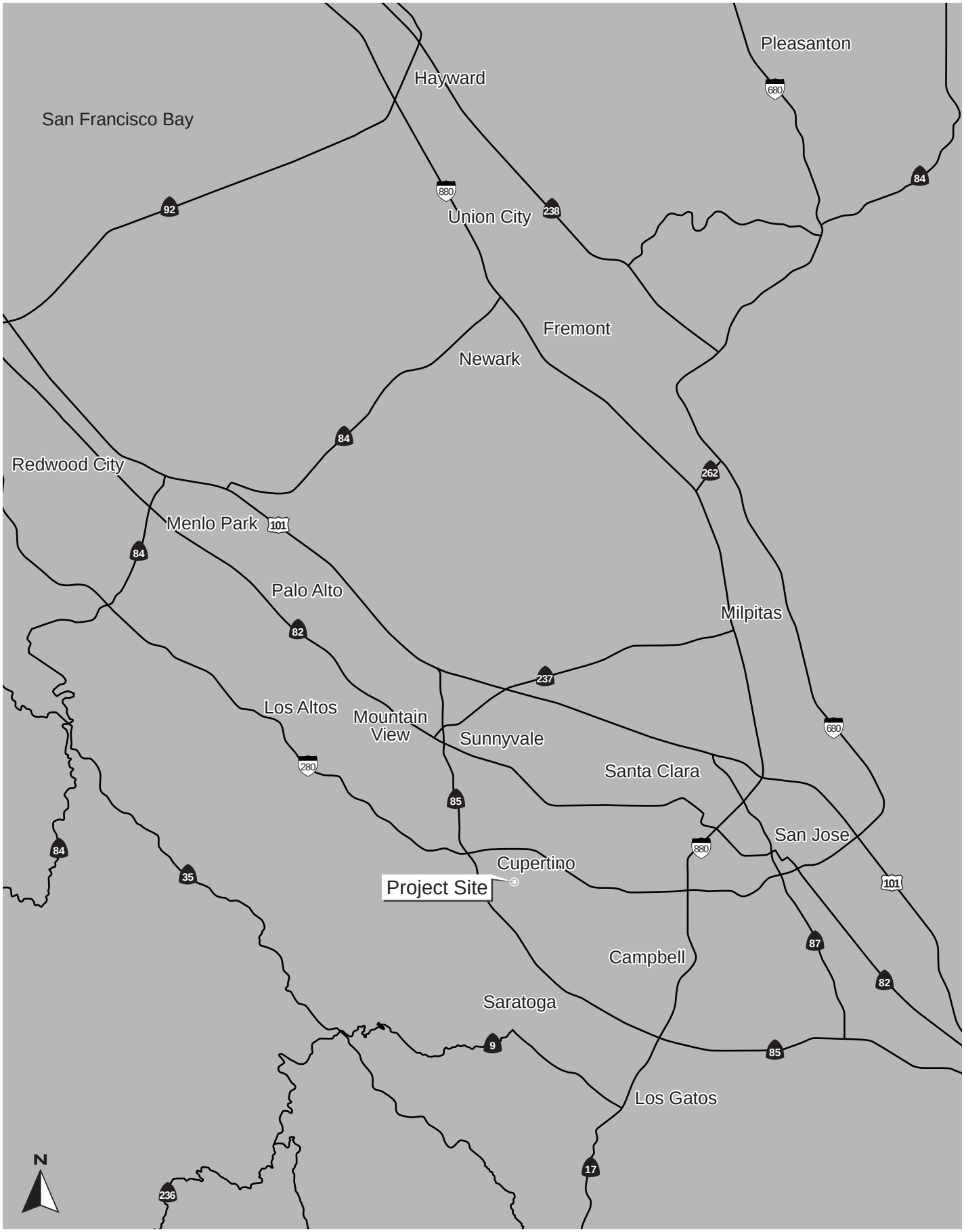
Carmen Lynaugh
City of Cupertino
Public Works Department
10300 Torre Avenue
Cupertino, CA 95014
(408) 777-3215
CarmenL@cupertino.org

2.4 ASSESSOR'S PARCEL NUMBER

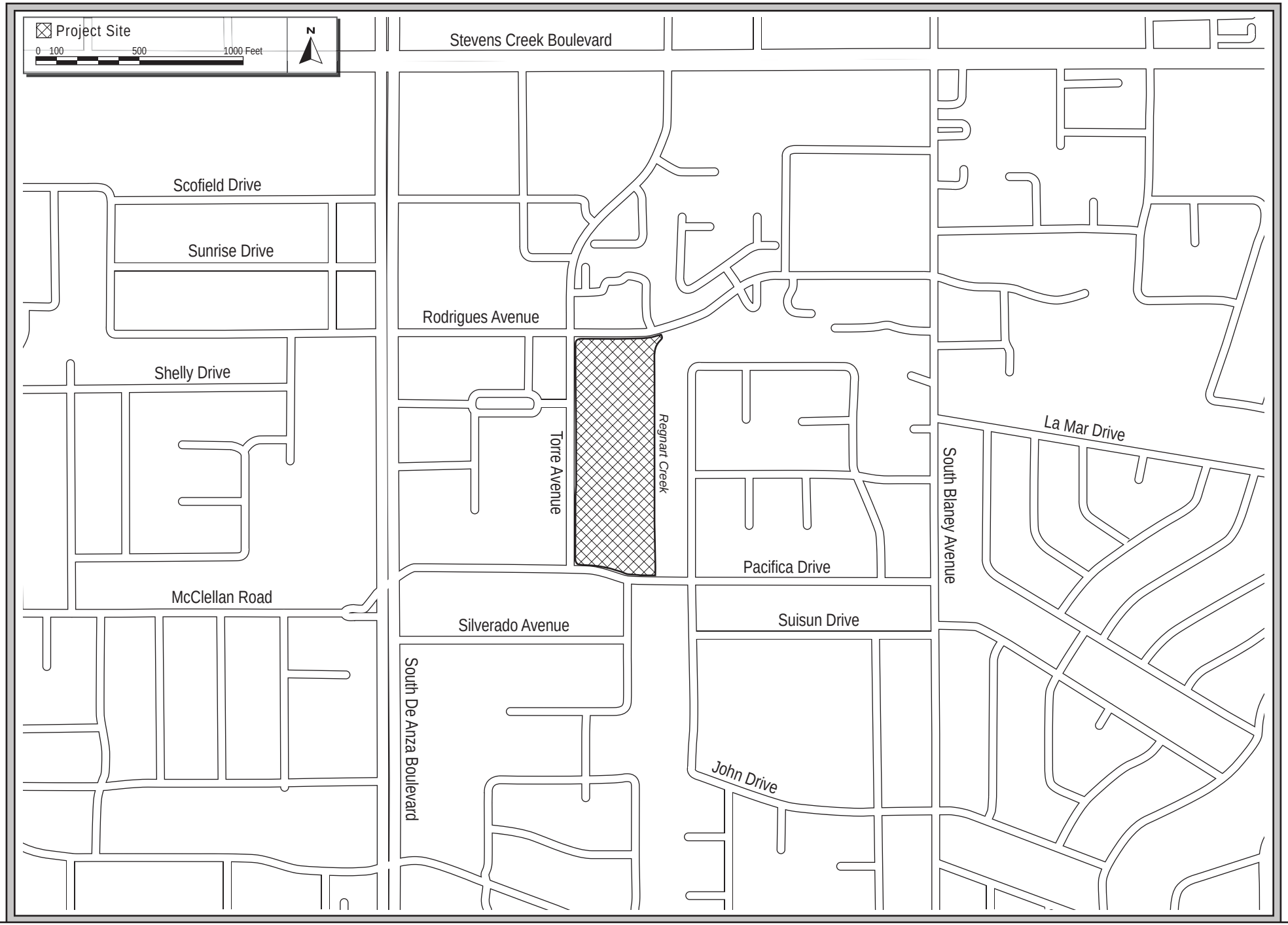
369-31-033

2.5 ZONING DISTRICT AND GENERAL PLAN DESIGNATIONS

Zoning District: *P (BA) Planned zoning district for public buildings*
General Plan Designation: *Public Facilities*



REGIONAL MAP FIGURE 2.2-1



VICINITY MAP

FIGURE 2.2-2

AERIAL PHOTOGRAPH AND SURROUNDING LAND USES FIGURE 2.2-3

SECTION 3.0 PROJECT DESCRIPTION

3.1 BACKGROUND INFORMATION

The Cupertino Civic Center is located in the Heart of the City Specific Plan (HOC) area. The HOC was enacted by the City Council on January 17, 2012 to provide specific development guidance along Stevens Creek Boulevard in the City of Cupertino. The overall goal of the HOC is to develop the plan area with a collection of pedestrian-inclusive gathering places that would create a greater sense of place and community identity for residents and visitors alike in the City of Cupertino. The HOC includes a policy framework, streetscape design and concepts, development standards and design guidelines, an infrastructure plan, and an implementation plan.

The Civic Center site is currently developed with three buildings (the Cupertino City Hall, Community Hall, and Library), a public plaza, landscaping, surface parking, and an approximately three-acre turf field.

The existing City Hall has a total floor area of approximately 24,260 square feet, with a building footprint of approximately 11,760 square feet. It is a two-story building with a ground floor and a basement floor. The City Hall includes work space for city staff performing various administrative functions and provides direct service to citizens and business entities. The existing City Hall accommodates a staff of approximately 92 persons. Although the existing City Hall building has a space for an Emergency Operations Center (EOC), the space does not meet the structural criteria required of an EOC. Therefore, a new space which meets the EOC structural requirements is proposed in the new City Hall building.

The existing library is a two-story structure and has approximately 54,300 square feet of floor space with both the ground floor and second story each providing approximately 27,000 square feet of floor area. It is the sole library within the City of Cupertino. The library currently includes a Story Room that seats approximately 30 people in chairs with a total occupancy of 36 people. Events held in the library that require more seating space than allowed in the Story Room are currently held at the Civic Center Community Hall, which is a single-story, multi-purpose room that is used for a variety of public community events, such as City Council meetings, and private events, such as banquets. . The use of the Community Hall for Library programs and events, however, limited the availability of the space for other users and uses. Therefore, the project proposes to construct a Library Program Room to expand the existing Library, and allow the Community Hall to be used for other purposes.

3.2 PROJECT OVERVIEW

The proposed Civic Center Master Plan includes replacing the existing City Hall building with a new 40,000-square-foot City Hall building and expanding the existing library to include a new Program Room, as shown on Figure 3.3-1. The new City Hall building would be located on the northwest portion of the Civic Center site in the same general location of the existing City Hall building. The library would be expanded to the south onto an existing grass area. The existing Civic Center Community Hall building and turf field would remain unchanged. Each of the project components are discussed in further detail below.

Civic Center Boundary

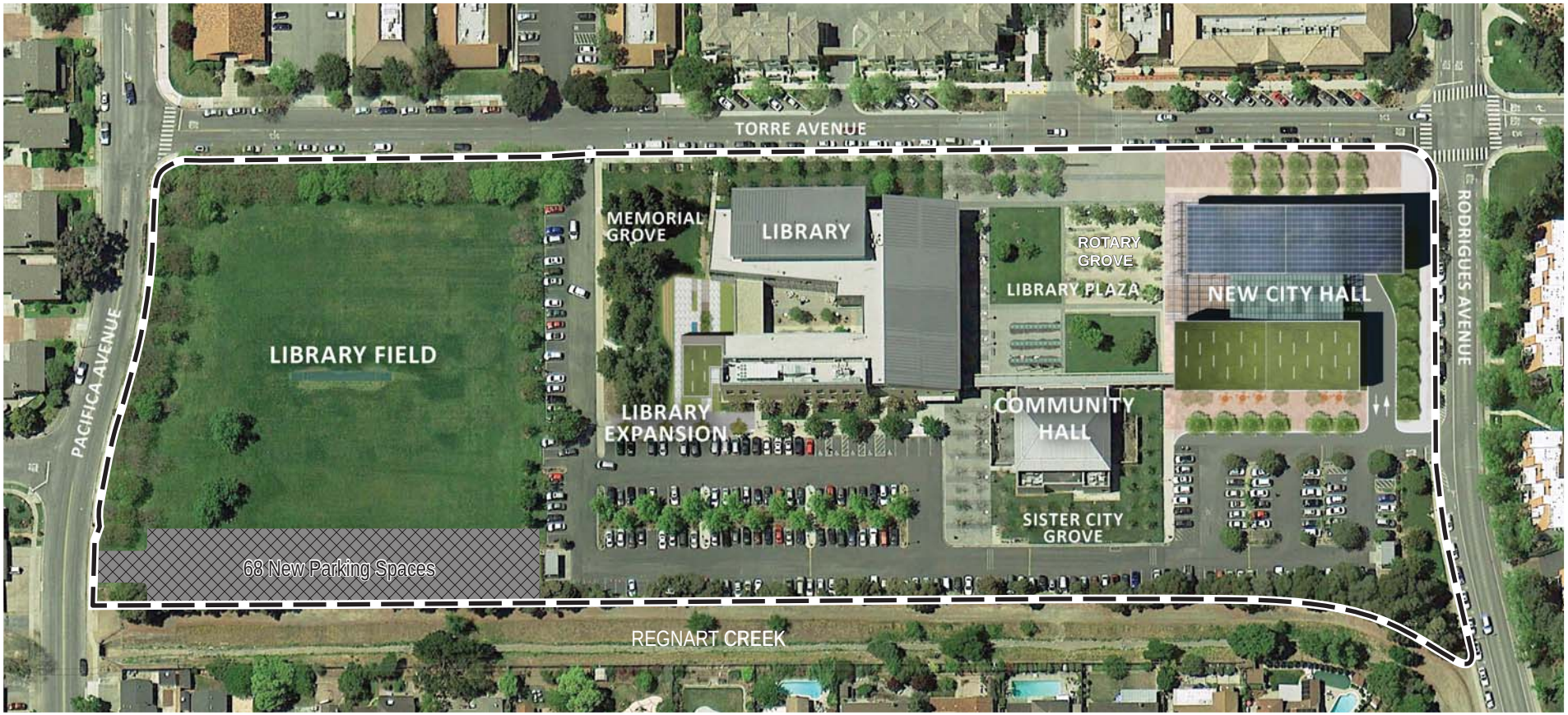
N

0 50 100 200 400 Feet

Source: Perkins + Will, Jan. 21, 2015.

CONCEPTUAL SITE PLAN

FIGURE 3.3-1



Civic Center Boundary

Optional Parking

N

0 50 100 200 400 Feet

Source: Perkins + Will, Jan. 21, 2015.

CONCEPTUAL SITE PLAN WITH PARKING OPTION

FIGURE 3.3-2

3.3 PROJECT COMPONENTS

3.3.1 City Hall

The project proposes to demolish the existing City Hall building and construct a new City Hall building in the same general location of the existing City Hall. The new City Hall building would be two stories tall and approximately 40,000 square feet in size, with both the ground floor and second floor each providing approximately 20,000 square feet of floor area. The City Hall building would be built atop one level of below grade parking. The below grade parking garage would measure approximately 47,000 square feet in size and would provide up to 118 parking spaces. The maximum height of the new City Hall building would be approximately 45 feet. The conceptual site plan is shown on Figure 3.3-1.

The proposed City Hall building would accommodate a staff of approximately 102 persons, allowing for approximately 11 percent future growth. The building would include city offices, work spaces, meeting rooms, and all related support facilities and spaces, including public service counters to provide direct service to citizens, business entities, and community representatives and groups.

It is anticipated that the proposed City Hall would be utilized in accordance with the following space utilization plan:

- 55 percent of building space would be used for city staff offices and support spaces (Monday through Friday from 7:00 AM to 5:30 PM);
- 10 percent of building space would be used for reception and lobby areas and public counter/business interactions (Monday through Friday from 7:00 AM to 5:30 PM);
- 22 percent of building space would be used for city staff/public meeting rooms (Monday through Friday from 7:00 AM to 5:30 PM for city staff, and Monday through Friday from 5:30 PM to 10:00 PM and Saturday and Sunday from 7:00 AM to 10:00 PM for the public); and
- 13 percent of building space would be used for public meeting and event spaces (Monday through Sunday from 7:00 AM to 10:00 PM).

The new City Hall would be designed and constructed to meet LEED Silver criteria.

3.3.2 Library Expansion

The project proposes to expand the ground floor of the existing library by approximately 2,000 square feet to accommodate additional seating for events and ancillary facilities such as restrooms and a small lobby. This would be accomplished by constructing a new Program Room addition to the existing building that can seat up to 130 people. The proposed expansion would occur on the south side of the Library (refer to Figure 3.3-1).

As an alternative to the Program Room, the existing Story Room would be expanded to increase the room seating capacity from the current 30 to accommodate up to 100 people seated. The modified area of the existing library building and the new expanded area would be designed and constructed to meet LEED Certified criteria.

3.3.3 Landscaping

There are currently approximately 412 trees located on the project site. Implementation of the proposed project may require the removal of up to 80 existing trees on the Civic Center site. Most of the trees to be removed are located around the perimeter of the existing City Hall building. No trees that will be impacted or removed by the project are Heritage Trees, as defined in the Municipal Code Chapter 14.18. The trees in the Library Plaza (the Rotary Grove) and the Sister City Grove would not be impacted. It is possible that up to three trees on the northern side of the Memorial Grove may be impacted by the expansion of the Library.

A detailed plan for tree replacement and other landscape plantings will be prepared as part of the project's final design. Landscaping to be planted would be low-water demand species. Irrigation would be installed that could be adapted to use graywater from the proposed City Hall building in the future.

3.3.4 Site Access and Parking

Two existing driveways; one on Torres Avenue and one on Rodrigues Avenue, currently provide vehicular ingress/egress to the Civic Center. The existing ingress and egress would be maintained; no additional driveways are proposed by the project.

The existing surface parking on the Civic Center site, which currently provides 232 spaces, would remain unchanged with the proposed project. In addition, one level of below grade parking would be constructed beneath the new City Hall building. The below grade parking garage would measure approximately 47,000 square feet in size and would provide up to 118 parking spaces, which would increase the total number of available parking spaces on-site. Entry to and exit from the proposed parking garage would be from the existing parking lot located in the northeast corner of the Civic Center site near the Rodrigues Avenue entry.

As an option, 68 additional surface parking spaces and an access driveway may be constructed in the southeastern portion of the project site, as shown on Figure 3.3-2. This optional surface parking would allow the Library expansion to be implemented before the proposed basement parking garage in the new City Hall. It would also facilitate traffic circulation on-site during the construction of the new City Hall and its basement parking. A portion of the turf field would be removed to construct the surface parking and it could be restored after the basement parking garage is built. If the parking were to remain it would serve users of the field. Stabilized gravel paving surface treatment would allow easy stormwater infiltration in this expanded surface parking area. These additional spaces would be accessible from Pacifica Drive and would connect to the existing surface parking spaces in the northeastern portion of the site.

The proposed underground parking beneath the new City Hall building would be designed and constructed to meet LEED Silver criteria.

3.3.5 Stormwater Drainage

Stormwater treatment measures to be implemented would be consistent with the Santa Clara Valley Stormwater Municipal Permit's C.3 provisions and handbook and the City's Climate Action Plan. These would include:

- Installing self-treating and self-retaining areas in bio-treatment areas such as bioretention and rain garden landscaped areas;
- Reducing impervious surfaces by utilizing green roofs or permeable/pervious/porous pavements;

Construction of the new City Hall building and Library Program Room would require approximately 2,230 square feet of stormwater treatment area to offset the new altered areas. A green roof is proposed on top of the new City Hall building to reduce the amount of impervious surfaces on-site. All stormwater runoff generated from the roof would be directed into planters located in the surrounding plaza that would detain and filter the water before being released into the city storm drainage system. In addition, the proposed Library Program Room addition would also include a green roof to capture and filter stormwater. Permeable paving and planters would also be used in the south entry courtyard to further reduce the amount of impervious surfaces on-site.

If constructed, the additional 68 surface parking spaces in the southeastern portion of the Civic Center Site would be constructed of permeable pavement, such as gravel-filled interlocking cell blocks, that allow stormwater to infiltrate into the soils sub-grade. Implementation of the proposed project (with the optional parking spaces) would slightly increase the amount of pervious surfaces on-site from 247,411 square feet to 247,423 square feet; the percentage of pervious surfaces on the Civic Center site would remain at 58 percent.

Construction-Related Measures

In conformance with the City of Cupertino's Municipal Code Chapter 9.18, the project includes the following standard measures:

- The project shall implement construction BMPs to avoid impacts to surface water quality during construction, to the satisfaction of the Director of Public Works. Construction BMPs would include, but would not be limited to the following measures:
  - Preclude non-stormwater discharges to the stormwater system.
  - Incorporate site-specific Best Management Practices for erosion and sediment control during the construction period consistent with the NPDES permit.
  - Cover soil, equipment, and supplies that could contribute to non-visible pollution prior to rainfall events or monitor runoff.
  - Perform monitoring of discharges to the stormwater system to ensure that stormwater runoff during construction is contained prior to discharge to allow sediment to settle out and filtered, if necessary to ensure that only clear water is discharged to the storm system.

Post-Construction Measures

In conformance with the City of Cupertino's Municipal Code Chapter 9.18, the project includes the following standard measures:

- The project shall comply with Provision C.3 of NPDES Permit Number CAS612008, which provides enhanced performance standards for the management of stormwater for new development.

  Prior to issuance of building and grading permits, each phase of development shall include provision for post-construction structural controls in the project design in compliance with the NPDES C.3 permit provisions, and shall include BMPs for reducing contamination in stormwater runoff as permanent features of the project. The project includes the incorporation of vegetated swales, rain gardens, and flow-through planters to treat and reduce the amount of runoff from the site.

  The specific BMPs to be used in each phase of development shall be determined based on design and site-specific considerations and will be determined prior to issuance of building and grading permits.

- To protect groundwater from pollutant loading of urban runoff, BMPs which are primarily infiltration devices (such as infiltration trenches and infiltration basins) must meet, at a minimum, the following conditions:
  - Pollution prevention and source control BMPs shall be implemented to protect groundwater;
  - Use of infiltration BMPs cannot cause or contribute to degradation of groundwater;
  - Infiltration BMPs must be adequately maintained;
  - Vertical distance from the base of any infiltration device to the seasonal high groundwater mark must be at least 10 feet. In areas of highly porous soils and/or high groundwater table, BMPs shall be subject to a higher level of analysis (considering potential for pollutants such as on-site chemical use, level of pretreatment, similar factors); and

- Best Management Practices (BMPs) shall be selected and designed to the satisfaction of the Director of Public Works in accordance with the requirements contained in the most recent versions of the following documents:
  - City of Cupertino Post-Construction BMP Section Matrix;
  - SCVURPPP "Guidance for Implementing Storm Water Regulations for New and Redevelopment Projects;"
  - NPDES Municipal Stormwater Discharge Permit issued to the City of Cupertino by the California Regional Water Quality Control Board, San Francisco Bay Region;
  - California BMP Handbooks;
  - Bay Area Stormwater Management Agencies Association (BASMAA) "Start at the Source" Design Guidance Manual;
  - BASMAA "Using Site Design Standards to Meet Development Standards for Stormwater Quality – A Companion Document to Start at the Source;" and

– City of Cupertino Planning Procedures Performance Standard.

- To maintain effectiveness, all stormwater treatment facilities shall include long-term maintenance programs.

- Pest resistant plants shall be planted to minimize pesticide use. Plant selection will be reflected in the landscape plans.

3.3.6 Construction

Demolition and Site Preparation

In compliance with the City's construction and demolition ordinance, building materials would be separated and recycled at a minimum of 60 percent during the demolition of the existing City Hall building. A Construction and Demolition Waste Management Plan would also be prepared along with a Construction Recycling Report. Concrete and asphalt material may be reprocessed on-site as backfill material (e.g., Class II Aggregate Base) or delivered to an approved off-site facility. The site would also need to be cleared and grubbed to accommodate the new building facilities.

Demolition equipment anticipated to be used include:

- Large High Reach Excavator, similar to Cat C336 (2)
- Dozer similar to Cat D6
- Backhoe/Front End Loader, similar to Cat 420 (2)
- Rubber Wheeled Dump Trucks (~5)

Grading and Excavation

Grading and excavation would be limited to the location of the new City Hall with its associated basement parking and the excavation for the library expansion foundation. The volume of earth expected to be excavated is approximately:

- 20,000 cubic yards for the new City Hall; and
- 240 cubic yards for the library expansion

A total of approximately 20,000 cubic yards of soil would be excavated to construct the proposed project. Construction of the 68 optional parking spaces, if implemented, would also require additional grading, excavation, and site preparation work.

Assuming a single-axel dump truck of seven cubic yards capacity, this excavation would result in approximately 2,860 truck trips. In case of a double-axel dump truck that can handle 15 cubic yards, 1,333 truck trips would be expected. Approximate duration for excavation is 30 days if one excavator is used; 15 if two excavators are used. Excavation equipment anticipated to be used include:

- Shoring and Excavation – Large Excavator similar to a Cat C13 (2)

- Off-haul – Backhoe/Front End Loader Similar to Cat 420 (2) and Rubber Wheeled Dump Trucks (~10)

Building Exterior and Paving

Construction of the City Hall and Library Program Room building exteriors would require approximately 200 work days to complete. Construction equipment anticipated to be used during this phase of construction include:

- Cranes (1)
- Welders (4)
- Forklifts (2)
- Tractors/Loaders/Backhoes (2)
- Generator Sets (4)
- Cement and Mortar Mixers (2)
- Pavers (1)

Air Quality Control Measures

Consistent with BAAQMD's Basic Construction Measures, the proposed project would include the following Best Management Practices to be implemented by the construction contractor to reduce air pollutant emissions to avoid any significant impacts to local air quality:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.

2. All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.

4. All vehicle speeds on unpaved roads shall be limited to 15 mph.

5. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible and feasible. Building pads shall be laid as soon as possible and feasible after grading unless seeding or soil binders are used.

6. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

7. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

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

The Contractor shall also implement the following measures, consistent with BAAQMD's Additional Construction Mitigation Measures Recommended for Projects with Construction Emissions Above the Threshold:

1. All exposed surfaces shall be watered at a frequency adequate to maintain minimum soil moisture of 12 percent. Moisture content can be verified by lab samples or moisture probe.

2. All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.

3. Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction. Wind breaks should have at maximum 50 percent air porosity.

4. Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.

5. The simultaneous occurrence of excavation, grading, and ground-disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.

6. All trucks and equipment, including their tires, shall be washed off prior to leaving the site.

7. Site accesses to a distance of 100 feet from the paved road shall be treated with a 6 to 12 inch compacted layer of wood chips, mulch, or gravel.

8. Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent.

9. Minimizing the idling time of diesel powered construction equipment to two minutes.

10. The project shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent NOX reduction and 45 percent PM reduction compared to the most recent ARB fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available.

11. Use low VOC (i.e., ROG) coatings beyond the local requirements (i.e., Regulation 8, Rule 3: Architectural Coatings).

12. Requiring that all construction equipment, diesel trucks, and generators be equipped with Best Available Control Technology for emission reductions of NOx and PM.

13. Requiring all contractors use equipment that meets CARB's most recent certification standard for off-road heavy duty diesel engines.

Additional measures are included to reduce localized construction equipment exhaust emissions:

1. All mobile diesel-powered off-road equipment larger than 50 horsepower and operating on the site for more than two days continuously shall meet U.S. EPA particulate matter emissions standards for Tier 2 engines or equivalent;

2. All portable diesel-powered off-road equipment (e.g., air compressors) operating on the site for more than two days continuously shall meet U.S. EPA particulate matter emissions standards for Tier 4 engines or equivalent; and

Note that the construction contractor could use other measures to minimize construction period DPM emissions. Such measures may be the use of alternative powered equipment (e.g., LPG-powered lifts), alternative fuels (e.g., biofuels), added exhaust devices, or a combination of measures.

3.3.7 Construction Schedule

It is anticipated that the project would be constructed over an approximately 16-month period, beginning in 2016. As discussed in *Section 3.3.5*, the grading and excavation activities would take approximately 30 days to complete if one excavator is used, and 15 days if two excavators are used. Construction of the proposed City Hall and Library Program Room buildings would take approximately 200 work days to complete. Construction equipment storage and staging would occur on-site.

3.3.8 Green Building Components

The project would be constructed in compliance with the 2013 California Green Building Standards Code (Title 24) which requires efficient windows, insulation, lighting, ventilation systems, and other features that reduce water and energy consumption, as well as the Cupertino Municipal Code (Chapter 16.58: Green Building Standards). Consistent with the City's Climate Action Plan and General Plan policies, the project proposes to achieve LEED Certified or Silver status and would include various sustainability measures including, but not limited to:

- Resource efficient performance measures within the building, (efficient building skin to minimize heat gain in warm seasons and heat loss in cool seasons, efficient heating/cooling systems, auto shut-off water valves and lights, natural lighting, efficient light fixtures);
- Dual plumbing for the use of graywater for suitable applications, such as landscape irrigation;
- Green-roof to reduce stormwater runoff and heat island impacts;
- Permeable/pervious/porous paving to allow stormwater infiltration on-site;
- Bicycle storage and changing room facilities to encourage and accommodate cycling; and
- Electric vehicle charging stations.

SECTION 4.0 SETTING, ENVIRONMENTAL CHECKLIST, AND IMPACTS

This section describes the existing environmental conditions on and near the project area, as well as environmental impacts associated with the proposed project. The environmental checklist, as recommended in the California Environmental Quality Act (CEQA) Guidelines, identifies environmental impacts that could occur if the proposed project is implemented.

The right-hand column in the checklist lists the source(s) for the answer to each question. The sources cited are identified at the end of this section. Mitigation measures are identified for all significant project impacts. "Mitigation Measures" are measures that will minimize, avoid, or eliminate a significant impact (CEQA Guidelines §15370). Standard measures that are included in the project to further reduce or avoid already less than significant impacts are categorized as "Standard Project Conditions."

4.1 AESTHETICS

4.1.1 Setting

4.1.1.1 *Visual Character*

The approximately 10-acre City of Cupertino Civic Center site is located in an urbanized area developed primarily with a mix of uses, including one- to two-story single-family homes, townhouses, and commercial office and retail establishments. The northern portion of the site includes a one-story neutral colored building with red-tiled roof that contains the City Hall. The central area of the site is dominated by the Cupertino Library, which is a two-story, neutral colored building with a gray roof that includes an interior courtyard, and a single-story neutral colored Community Hall building. The southern portion of the site is dominated by the turf field, which is a grass field utilized for sports. The eastern portion of the site is located adjacent to the Regnart Creek, which is a man-made, engineered earthen channel in the project area. Surface parking lots are located east of the existing buildings on-site.

There are a number of mature and young trees located throughout the project site, several of which are planted in designated "groves," including the Rotary Heritage Grove, the Sister City Grove, and the Memorial Grove. The perimeter of the project site is planted with trees and lines of sight into the site are not generally available from the surrounding streets. Access to the site is provided via Torre Avenue and Rodrigues Avenue. Photos of the Civic Center site are provided in Photos 1-6 on the following pages.

4.1.1.2 *Scenic Views*

The Montebello foothills at the south and west boundaries of the valley floor provide a scenic backdrop to the City of Cupertino. The project site is flat and views of the foothills from the site and adjacent roadways are obscured by existing buildings and/or trees.

PHOTO 1: View of the existing City Hall building, Rodrigues Avenue, and the Rodrigues Avenue driveway from Rodrigues Avenue looking south.

PHOTO 2: View of the existing City Hall building and landscaping on-site from the parking lot looking west.

PHOTO 3: View of the Rodrigues Avenue driveway, sidewalk, and nearby residential development from the parking lot looking north.

PHOTO 4: View of the turf field and a portion of Regnart Creek (on the left) from the parking lot near the library looking south.

PHOTO 5: View of the southeast corner of the Library, Memorial Grove, and the parking lot from the turf field looking northwest.

PHOTO 6: View of the existing City Hall building, Library Plaza, and surrounding development from the second floor of the Library looking north.

4.1.2 Environmental Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
1. Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐	1
2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒	1,2
3. Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	☒	☐	1
4. Create a new source of substantial light or glare which will adversely affect day or nighttime views in the area?	☐	☐	☒	☐	1

Aesthetic values are, by nature, very subjective. Opinions as to what constitutes a degradation of visual character will differ among individuals. One of the best available means for assessing what constitutes a visually acceptable standard for new buildings are the City's design standards and implementation of those standards through the City's design process. The following discussion addresses the proposed changes to the visual setting of the project area and factors that are part of the community's assessment of the aesthetic values of a project's design.

4.1.2.1 *Impacts to Scenic Views or Scenic Resources*

The Civic Center site is located within a developed area on the floor of the Santa Clara Valley. The site does not include scenic resources and is not located along a state scenic highway. For these reasons, replacing the existing single-story City Hall with a new two-story City Hall (approximately 45 feet high), and adding a Program Room of about 2,000 square feet to the ground floor of the existing Library would not have a direct adverse effect on a scenic vista or damage scenic resources.

Scenic views from the immediate project vicinity are limited. The Montebello foothills to the south of the site are largely obscured by existing development and trees. Implementation of the proposed project would not substantially block scenic views and is not anticipated to have a substantial effect on a scenic vista. **(Less Than Significant Impact)**

4.1.2.2 *Changes in Visual Character*

The project proposes to replace the existing single-story City Hall building with a new two-story City Hall building (approximately 45 feet high), and add a Program Room of about 2,000 square feet to the ground floor of the existing Library. Although the new City Hall building would be one story taller than the existing City Hall, existing development in the area is similar in height and the new building would not be substantially taller than existing buildings in the area. Implementation of the

proposed project may require the removal of up to 80 trees along the perimeter of the project site. The project proposes to plant replacement trees to soften views of the new development and preserve the existing character of the Civic Center site.

Construction of the proposed Library Program Room would constitute a minor addition to the existing Library building. The Program Room would be attached to the ground floor of the existing Library. Construction of the Program Room would require the removal of trees located immediately adjacent to the existing southeast Library wall. The existing two-story library and trees adjacent to the library would shield most views of the proposed Library Program room.

The option of providing an additional 68 parking spaces would result in the loss of turf field at the southeastern portion of the site. Only one additional tree would be removed and this parking would be consistent with the existing development on-site.

For these reasons and those stated above, construction of the new City Hall building and Library Program Room would have a less than significant impact on the visual character of the surrounding area. **(Less Than Significant Impact)**

4.1.2.3 *Light and Glare Impacts*

The proposed City Hall building and Library Program Room would have windows and lighting similar to that of existing development on-site and in the surrounding area. In addition, the proposed project would be similar in height to surrounding development and would not result in substantial light or glare impacts that could adversely affect residences or other surrounding land uses. **(Less Than Significant Impact)**

4.1.3 Conclusion

Implementation of the proposed project would not result in significant visual or aesthetic impacts. **(Less Than Significant Impact)**

4.2 AGRICULTURAL AND FOREST RESOURCES

4.2.1 Setting

4.2.1.1 *Agricultural Resources*

The Santa Clara County Important Farmland 2012 map designates the Civic Center as *Urban and Built-Up Land*. *Urban and Built-Up Land* is defined as residential land with a density of at least six units per 10-acre parcel, as well as land used for industrial and commercial purposes, golf courses, landfills, airports, sewage treatment, and water control structures.

The project site is not zoned or used for agricultural purposes, nor is it the subject of a Williamson Act contract.[1] The site is located within an urban area of Cupertino; there are no agricultural uses in the project area.

4.2.1.2 *Forest Resources*

The existing Civic Center site is not forest land or timberland. There is no forest land or timberland located in the project area.

4.2.2 Environmental Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒	4
2. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒	5
3. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒	2
4. Result in a loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒	2

[1] California Department of Conservation, Division of Land Resource Protection. *Santa Clara County Williamson Act FY 2013/2014.* 2013.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
5. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒	1,2

4.2.2.1 *Agricultural Resources Impact*

The existing Civic Center is not designated, zoned, or used as farmland or for agricultural purposes. There are no agricultural uses in the project area. For these reasons, the proposed project would not convert farmland to non-agricultural use, or otherwise result in impacts to agricultural resources. **(No Impact)**

4.2.2.2 *Forest Resources Impact*

There are no forest resources on the Civic Center site or surrounding area. Therefore, the proposed project would not impact forest resources. **(No Impact)**

4.2.3 <u>Conclusion</u>

Implementation of the proposed project would not result in significant impacts to agriculture or forestry resources. **(No Impact)**

4.3 AIR QUALITY

The following section is based in part on a Community Risk Assessment prepared by *Illingworth & Rodkin* in February 2015. A copy of this report is provided in Appendix A of this Initial Study.

4.3.1 Setting

Clean air is a natural resource of vital importance. Pollutants in the air can cause health problems, especially for children, the elderly, and people with heart or lung problems. Healthy adults may experience symptoms during periods of intense exercise. Pollutants can also cause damage to vegetation, animals, and property.

4.3.1.1 *Climate and Topography*

The City of Cupertino is located in the Santa Clara Valley within the San Francisco Bay Area Air Basin. The City is located in proximity to both the Pacific Ocean and the San Francisco Bay, which has a moderating influence on the climate. This portion of the Santa Clara Valley is bounded to the north by the San Francisco Bay and the Santa Cruz Mountains to the southwest. The surrounding terrain greatly influences winds in the valley, resulting in a prevailing wind that follows along the northwest-southeast axis of the valley.

4.3.1.2 *Regional and Local Criteria Pollutants*

Major criteria pollutants listed in "criteria" documents by the U.S. Environmental Protection Agency (USEPA) and the California Air Resources Board (CARB) include ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, and suspended particulate matter (PM). These pollutants can have health effects such as respiratory impairment and heart/lung disease symptoms.

The Bay Area is currently designated as an "attainment area," meaning the area meets the relevant standards for carbon monoxide, nitrogen dioxide, and sulfur dioxide. The region is classified as a "nonattainment area" for both the federal and state ozone standards, although a request for reclassification to "attainment" of the federal standard is currently being considered by the USEPA. The area does not meet the state standards for particulate matter (PM_{10} and $PM_{2.5}$).

4.3.1.3 *Local Community Risks/Toxic Air Contaminants and Fine Particulate Matter*

Besides criteria air pollutants, there is another group of substances found in ambient air referred to as Toxic Air Contaminants (TACs). These contaminants tend to be localized and are found in relatively low concentrations in ambient air; however, exposure to low concentrations over long periods can result in adverse chronic health effects.

Fine Particulate Matter ($PM_{2.5}$) is a complex mixture of substances that includes elements such as carbon and metals; compounds such as nitrates, organics, and sulfates; and complex mixtures such as diesel exhaust and wood smoke. Long-term and short-term exposure to $PM_{2.5}$ can cause a wide range of health effects.

Common stationary source types of TACs and $PM_{2.5}$ include gasoline stations, dry cleaners, and diesel backup generators which are subject to permit requirements. The other, often more significant, common source is motor vehicles on freeways and roads.

2.2.1.1 *Regulatory Framework*

Clean Air Plan

The City of Cupertino (including the project site) is under the jurisdiction of the San Francisco Bay Area Air Quality Management District (BAAQMD). BAAQMD is the agency primarily responsible for assuring that the federal and state ambient air quality standards are maintained in the San Francisco Bay Area. Air quality standards are set by the federal government (the 1970 Clean Air Act and its subsequent amendments) and the state (California Clean Air Act of 1988 and its subsequent amendments).

Regional air quality management districts such as BAAQMD must prepare air quality plans specifying how state standards would be met. The most recent Clean Air Plan is the *Bay Area 2010 Clean Air Plan* (2010 CAP) that was adopted by BAAQMD in September 2010. This plan includes a comprehensive strategy to reduce emissions from stationary, area, and mobile sources. The 2010 CAP provides an updated comprehensive plan to improve Bay Area air quality and protect public health, taking into account future growth projects to 2035. Some of these measures or programs rely on local governments for implementation. The 2010 CAP also includes measures designed to reduce greenhouse gas emissions.

2.2.1.2 *Sensitive Receptors*

BAAQMD defines sensitive receptors as facilities where sensitive receptor population groups (e.g., children, the elderly, and the acutely and chronically ill) are likely to be located. These land uses include residences, school playgrounds, child-care centers, retirement homes, convalescent homes, hospitals, and medical clinics. Sensitive receptors near the project site include the residential uses surrounding the site (refer to Figure 2.2-3: Aerial Map).

4.3.2 Environmental Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
1. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐	1,6
2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	☒	☐	1,2,6

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
3. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard including releasing emissions which exceed quantitative thresholds for ozone precursors?	☐	☐	☒	☐	1,6
4. Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐	1,6
5. Create objectionable odors affecting a substantial number of people?	☐	☐	☒	☐	1

4.3.2.1 *Project-Level Significance Thresholds*

The thresholds of significance for criteria air pollutants are a net increase of 54 pounds or more per day of reactive organic gas (ROG), nitrous oxide (NO_X), and/or $PM_{2.5}$; or 82 pounds or more a day of PM_{10}. These thresholds are based on thresholds identified by BAAQMD in 2011.[2]

The BAAQMD *CEQA Air Quality Guidelines* recommend that projects be evaluated for community risk when they are located within 1,000 feet of freeways, high traffic volume roadways (10,000 average annual daily trips or more), and/or stationary permitted sources of TACs. The thresholds for TACs are an increased cancer risk of greater than 10.0 in one million, increased non-cancer risk of greater than 1.0 on the hazard index (chronic or acute), or a $PM_{2.5}$ increase of 0.3 $\mu g/m^3$.

[2] As discussed in CEQA Guidelines Section 15064(b), the determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the Lead Agency and must be based to the extent possible on scientific and factual data. The City of Cupertino and other Lead Agencies in the San Francisco Bay Area Air Basin often utilize the thresholds and methodology for assessing air emissions and/or health effects adopted by BAAQMD based upon the scientific and other factual data prepared by BAAQMD in developing those thresholds.

In December 2010, the California Building Industry Association (BIA) filed a lawsuit in Alameda County Superior Court challenging toxic air contaminant (TAC) and $PM_{2.5}$ thresholds adopted by BAAQMD in its CEQA Air Quality Guidelines (*California Building Industry Association v. Bay Area Air Quality Management District*, Alameda County Superior Court Case No. RG10548693). One of the identified concerns is inhibiting infill and smart growth in the urbanized Bay Area. On March 5, 2012, the Alameda County Superior Court issued a judgment that BAAQMD had failed to comply with CEQA when it adopted its thresholds. The Court issued a writ of mandate ordering the District to set aside the thresholds and cease disseminating them until the District fully complies with CEQA. The BAAQMD appealed this ruling, and the Appellate Court overturned that decision finding that adopting the thresholds did not amount to a project under CEQA (*California Building Industry Association v. Bay Area Air Quality Management District*, First Appellate District, A135335 & A136212, August 13, 2013). The Appellate Court's decision was subsequently appealed to the California Supreme Court, which granted limited review and before whom the matter is still pending as of March 2015.

The City has carefully considered the thresholds prepared by BAAQMD and the recent court ruling, and regards the thresholds to be based on the best information available for the San Francisco Bay Area Air Basin and conservative in terms of the assessment of health effects associated with TACs and $PM_{2.5}$. Therefore, the analysis in this Initial Study is based upon the methodologies and thresholds in the BAAQMD CEQA Air Quality Guidelines.

4.3.2.2 *Clean Air Plan Consistency*

Determining consistency with the 2010 CAP involves assessing whether applicable control measures contained in the 2010 CAP are implemented. Implementation of control measures improve air quality and protect public health. These control measures are organized into five categories: Stationary Source Measures, Mobile Source Measures, Transportation Control Measures (TCMs), Land Use and Local Impact Measures, and Energy and Climate Measures. Applicable control measures and the project's consistency with them are summarized in Table 4.3-1, below.

The project supports the primary goals of the CAP in that it does not exceed the BAAQMD thresholds for operational air pollutant emissions and is infill development. The project would not hinder the implementation of the CAP control measures and would not conflict with or obstruct implementation of the 2010 CAP. The proposed project is generally consistent with the control measures and the 2010 CAP.

Table 4.3-1: Bay Area 2010 Clean Air Plan Applicable Control Measures

Control Measures	Description	Project Consistency
Transportation Control Measures		
Improve Bicycle Access and Facilities	Expand bicycle facilities serving transit hubs, employment sites, educational and cultural facilities, residential areas, shopping districts, and other activity centers.	Class II bicycle lanes exist on De Anza Boulevard, Stevens Creek Boulevard, Blaney Avenue, and Rodrigues Avenue between De Anza Boulevard and Blaney Avenue. An on-street bicycle lane is proposed for McClellan Road and a bicycle route is proposed for Torre Avenue. The proposed project includes bicycle parking facilities on-site.
Improve Pedestrian Access and Facilities	Improve pedestrian access to transit, employment, and major activity centers.	Pedestrian facilities are comprised of sidewalks, crosswalks, and pedestrian signals at all nearby intersections. Near the site, sidewalks are located along Stevens Creek Boulevard, De Anza Boulevard, Rodrigues Avenue, Torre Avenue and Pacifica Drive. Signalized crossings are provided on De Anza Boulevard at Rodrigues Avenue and at McClellan Road/Pacifica Drive.
Support Local Land Use Strategies	Promote land use patterns, policies, and infrastructure investments that support mixed-use, transit-oriented development that reduce motor vehicle dependence and facilitate walking, bicycling, and transit use.	The project is consistent with the existing General Plan land use designation and is served by existing transit, bicycle, and pedestrian facilities.
Energy and Climate Measures		
Energy Efficiency	Increase efficiency and conservation to decrease fossil fuel use in the Bay Area.	The proposed City Hall building, although larger than the existing City Hall building, will be consistent with Title 24 standards and will not increase demand on electrical or gas service. The proposed City Hall building and Library Program Room would contain efficient building skins to

Table 4.3-1: Bay Area 2010 Clean Air Plan Applicable Control Measures		
Control Measures	**Description**	**Project Consistency**
		minimize heat gain in warm seasons and heat loss in cool seasons, in addition to efficient heating and cooling systems. The project would be designed to maximize natural lighting and minimize the need for artificial lighting. The project site is also located near Valley Transportation Agency bus routes 53 and 55, and served by pedestrian and bicycle facilities. Electric vehicle charging stations will also be installed.
Urban Heat Island Mitigation	Mitigate the "urban heat island" effect by promoting the implementation of cool roofing, cool paving, and other strategies.	The project proposes green roofs on the new City Hall building and Library Program Room. In addition, trees would be planted around the City Hall building and Library to provide shade and reduce the "urban heat island" effect.
Tree-Planting	Promote planting of low-VOC-emitting shade trees to reduce urban heat island effects, save energy, and absorb CO_2 and other air pollutants.	This project proposes to plant new low VOC trees around the new City Hall building and Library Program Room.

4.3.2.3 *Short-Term Construction-Related Impacts*

Construction activities would affect local air quality during the construction period. Construction activities such as earthmoving, construction vehicle traffic, and wind blowing over exposed earth would generate exhaust emissions and fugitive particulate matter emissions that affect local and regional air quality. Construction activities are also a source of organic gas emissions. Solvents in adhesives, non-water based paints, thinners, some insulating materials, and caulking materials would evaporate into the atmosphere and contribute to the photochemical reaction that creates urban ozone. Asphalt used in paving is also a source of organic gases for a short time after its application.

Construction Dust Emissions

Construction dust could affect local air quality at various times during construction of the project. The dry, windy climate of the area during the summer months creates a high potential for dust generation when and if underlying soils are exposed to the atmosphere. Construction activities, particularly during demolition, site preparation, grading, and excavation, would temporarily generate fugitive dust in the form of PM_{10} and $PM_{2.5}$. Sources of fugitive dust would include disturbed soils at the construction site and trucks carrying uncovered loads of soil. Unless properly controlled, vehicles leaving the site would deposit mud on local streets, which could be an additional source of airborne dust after it dries. Fugitive dust emissions would vary from day to day, depending on the nature and magnitude of construction activity and local weather and soil conditions. If not controlled, construction dust could result in a significant air quality impact.

As discussed in *Section 3.0 Project Description*, the project would implement measures consistent with the BAAQMD Basic and Additional Construction Mitigation Measures to reduce air pollutant and construction equipment exhaust emissions and avoid any significant impacts to local air quality. **(Less Than Significant Impact)**

Construction TAC and $PM_{2.5}$ Health Risks

Construction equipment and heavy-duty truck traffic generates diesel exhaust, which is a known TAC. Diesel exhaust poses both a health and nuisance impact to nearby receptors. A health risk assessment of the project construction activities was conducted that evaluated potential health effects of sensitive receptors from construction emissions of DPM.[3] A dispersion model was used to predict the off-site DPM concentrations resulting from project construction at sensitive receptors so that lifetime cancer risks could be predicted. The closest off-site sensitive receptors are residences located across Rodrigues Avenue, north of the City Hall construction area. Additional residences are located at farther distances from the City Hall and Library construction areas in all directions from the project site.

Results of the assessment indicate that the maximum residential child cancer risk from project construction is 9.4 in one million and the maximum residential adult cancer risk is 0.5 in one million; This increased cancer risk would be lower than the BAAQMD significance threshold of a cancer risk of 10 in one million or great and, therefore, considered a less than significant impact.

The maximum modeled annual $PM_{2.5}$ concentration was 0.09 $\mu g/m^3$ occurring at the same location where the maximum cancer risk would occur. This $PM_{2.5}$ concentration is considered below the BAAQMD significance threshold of 0.3 $\mu g/m^3$ used to judge the significance of health impacts from $PM_{2.5}$ and, therefore, is not significant.

Potential non-cancer health effects due to chronic exposure to DPM were also evaluated. Non-cancer health hazards from TAC exposure are expressed in terms of a hazard index, which is the ratio of the TAC concentration to a reference exposure level (REL). California's Office of Environmental Health and Hazard Assessment (OEHHA) has defined acceptable concentration levels for contaminants that pose non-cancer health hazards. TAC concentrations below the REL are not expected to cause adverse health impacts, even for sensitive individuals. The chronic inhalation REL for DPM is five $\mu g/m^3$. The maximum modeled annual residential DPM concentration was 0.075 $\mu g/m^3$, which is much lower than the REL. The maximum computed hazard index based on this DPM concentration is 0.015 which is lower than the BAAQMD significance criterion of a hazard index greater than 1.0. This is considered a less than significant impact. **(Less Than Significant Impact)**

<u>Optional Parking Spaces</u>

If implemented, additional construction activities would be required to build the 68 optional parking spaces proposed in the southeastern portion of the project site on the exiting turf field. Fugitive $PM_{2.5}$ dust emissions were calculated by the dispersion model as 17 pounds for the overall construction period. The maximum residential child cancer risk would be 9.9 in one million and the

[3] Diesel Particulate Matter is identified by California as a toxic air contaminant due to its potential to cause cancer.

maximum residential adult cancer risk would be 0.5 in one million. The maximum modeled $PM_{2.5}$ concentration is 0.10 $\mu g/m^3$ at the same location where the maximum cancer risk would occur. The non-cancer hazard index would be 0.2. These community risk levels would be below the respective significance thresholds and, therefore, the project (with the optional parking spaces) would have a less than significant impact. **(Less Than Significant Impact)**

4.3.2.4 *Operational-Related Impacts from the Project*

The 2011 BAAQMD *CEQA Air Quality Guidelines* contain a screening table that lists a minimum square footage for government civic centers and libraries; if a project meets the listed screening criteria, the project would not result in the generation of operational-related criteria air pollutants and/or precursors that exceed the threshold of significance. The screening sizes for library and government civic center projects are 78,000 square feet and 149,000 square feet, respectively. The project proposes to construct a new Library Program Room (2,000 square feet) and a new City Hall (net increase of 13,760 square feet). The project components do not exceed the screening criteria in their respective categories. Therefore, operation of the proposed project would not result in a significant impact to air quality from criteria air pollutant and precursor emissions. **(Less Than Significant Impact)**

4.3.2.5 *Odors*

The project does not propose a use that would generate objectionable odors. **(Less Than Significant Impact)**

4.3.3 <u>Conclusion</u>

Implementation of the proposed project would not result in significant air quality impacts. **(Less Than Significant Impact)**

4.4 BIOLOGICAL RESOURCES

The following discussion is based, in part, on a tree survey completed by *Deborah Ellis, Consulting Arborist* in January 2015. A copy of the tree survey is included in Appendix B of this Initial Study.

4.4.1 Setting

4.4.1.1 *Regulatory Framework*

Special Status Species

A summary of applicable special status species regulations are provided below.

Threatened and Endangered Species

State and federal "endangered species" legislation has provided CDFW and the U.S. Fish and Wildlife Service (USFWS) with a mechanism for conserving and protecting plant and animal species of limited distribution and/or low or declining populations. Species listed as threatened or endangered under provisions of the state and federal Endangered Species Acts (ESAs), candidate species for such listing, state species of special concern, and some plants listed as endangered by the California Native Plant Society (CNPS) are collectively referred to as "species of special status."

Permits may be required from both the CDFW and USFWS if activities associated with a proposed project will result in the take of a listed species. To "take" a listed species, as defined by the state of California, is "to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture or kill" said species (California Fish and Game Code, Section 86). "Take" is more broadly defined by the federal Endangered Species Act to include "harm" of a listed species (16 USC, Section 1532(19), 50 CFR, Section 17.3).

Migratory Birds

State and federal laws protect most bird species. The Federal Migratory Bird Treaty Act (FMBTA: 16 U.S.C., scc. 703, Supp. I, 1989) prohibits killing, possessing, or trading in migratory birds, except in accordance with regulations prescribed by the Secretary of the Interior. This act encompasses whole birds, parts of birds, and bird nests and eggs.

Birds of Prey

Birds of prey, such as owls and hawks, are protected in California under provisions of the State Fish and Game Code, Section 3503.5, (1992), which states that it is "unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Construction disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered a "taking" by the CDFW.

Trees

Trees located on the Civic Center site are subject to Cupertino Municipal Code Chapter 14.12 (Park Trees) and Section 14.18.070 Heritage Tree Designation of the City Municipal Code, Chapter 14.18 (Trees).

4.4.1.2 *On-Site Conditions*

The Cupertino Civic Center is located in an urban area; development on-site consists of three buildings (City Hall, Community Hall, and the Library), a central plaza, a turf field, paved parking lots, and landscaping plants and trees. A man-made, engineered segment of Regnart Creek runs along the eastern boundary of the Civic Center. Habitats in developed urban areas are relatively low in species diversity. Species that use this habitat are urban and suburban adapted birds, such as rock dove, mourning dove, house sparrow, scrub jay, and starling. Based upon the developed habitats found on the site, no special-status plant or animal species are expected to be present on the Civic Center site, with the possible exception of tree nesting raptors or other nesting birds.

A recent tree survey identified 412 trees on the site. The most common species are Chinese pistache, black acacia, honey locust, coast redwood, and deciduous flowering pear. Native trees on-site include four coast live oak, four California sycamores, and two black walnuts. No Heritage trees or groves are located on-site.

4.4.2 <u>Environmental Checklist and Discussion of Impacts</u>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
1. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	☐	☒	☐	☐	1
2. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?	☐	☐	☒	☐	1
3. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒	1

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
4. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, impede the use of native wildlife nursery sites?	☐	☐	☐	☒	1
5. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐	3,7
6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒	1

The project site is not located within an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. There are no wetlands located on or adjacent to the Civic Center site. Therefore, the thresholds listed above for these biological resources are not discussed further.

4.4.2.1 *Impacts to Special-Status Species*

Special-Status Plant Species

The Cupertino Civic Center is a developed urban property. Developed sites in urban areas typically do not support special-status plant species. For this reason, the proposed project would not result in significant impacts to special-status plant species. **(No Impact)**

Special-Status Animal Species and
Species Protected Under the Migratory Bird Treaty Act

Given the existing development on the site and lack of suitable habitat for many special-status animal species, the project is not anticipated to result in impacts to special-status animal species with the possible exception of tree nesting raptors or other nesting birds. Implementation of the proposed project could result in the removal of up to 80 trees, some of which may contain nesting raptors or migratory birds. Tree nesting raptors, along with all migratory birds, are protected under the Migratory Bird Treaty Act and disturbance to nests which results in nest abandonment or death would be in violation of state and federal law.

Impact BIO-1: The development of the proposed project could result in direct impacts to nesting birds, if present on the site at the time of construction. **(Significant Impact)**

Mitigation Measures: The proposed project shall implement the following measures to reduce impacts to nesting birds to a less than significant level:

MM BIO-1.1: Removal of trees on the project site will be scheduled between September and December (inclusive) to avoid the nesting season for birds and so that no additional surveys would be required.

MM BIO-1.2: If removal of the trees on-site is planned to take place between January and August (inclusive), a pre-construction survey for nesting birds shall be conducted by a qualified ornithologist to identify active nesting raptor or other bird nests that may be disturbed during project implementation. Between January and April (inclusive), pre-construction surveys shall be conducted no more than 14 days prior to the initiation of construction activities or tree relocation or removal. Between May and August (inclusive), pre-construction surveys shall be conducted no more than thirty (30) days prior to the initiation of these activities. The surveying ornithologist shall inspect all trees in and immediately adjacent to the construction area for nests. If an active raptor nest is found in or close enough to the construction area to be disturbed by these activities, the ornithologist shall, in consultation with the State of California, Department of Fish & Wildlife (CDFW), designate a construction-free buffer zone around the nest until the end of the nesting activity. Buffers for other birds shall be determined by the ornithologist.

MM BIO-1.3: A report summarizing the results of the pre-construction survey and any designated buffer zones or protection measures for tree nesting birds shall be submitted to the Public Works Director prior to the start of grading or tree removal.

4.4.2.2 *Impacts to Riparian Habitat*

A man-made, engineered segment of Regnart Creek runs along the eastern boundary of the Civic Center site. Construction of the 68 optional parking spaces would result in the removal of up to four trees adjacent to Regnart Creek; however, these trees are not riparian or native species and, therefore, implementation of the optional parking spaces would not have a significant impact on any riparian habitat or native riparian species in the project area. **(Less Than Significant Impact)**

4.4.2.2 *Impacts to Trees*

Up to 80 trees would be removed as a result of implementation of the proposed project. No trees that would impacted or removed by the project are “Protected Trees” or “Heritage Trees” under the Municipal Code Chapter 14.18. The trees in the Rotary Grove of Library Plaza and the Sister City Grove would not be impacted. It is possible that up to three trees on the northern side of the Memorial Grove may be impacted by the expansion of the Library. If the optional parking spaces are constructed along the southeastern boundary of the project site, four additional trees located on the edge of the turf field could be removed. The project would not impact trees outside of these construction areas.

Tree replacement is not required under Municipal Code 14.12. The trees to be removed are urban landscape trees that are not considered sensitive habitat. The project proposes to install landscape

improvements and trees in the immediate vicinity of the new City Hall building and Library Program Room and in the disturbed parking lots. A plan for tree replacement and other landscape plantings will be included in the project for approval by the Director of Public Works and will be presented to City Council for approval, prior to construction of the proposed project. **(Less Than Significant Impact)**

4.4.3 Conclusion

The project would not impact a local habitat conservation plan. Implementation of the proposed project would have a less than significant impact on riparian habitat, riparian species, and trees. **(Less Than Significant Impact)**

Impact BIO-1: The construction of the proposed project, with the implementation of mitigation measures MM BIO-1.1 through MM BIO-1.3, would not result in significant impacts to nesting birds. **(Less Than Significant Impact with Mitigation Incorporated)**

4.5 CULTURAL RESOURCES

4.5.1 Setting

Cultural resources are evidence of past human occupation and activity and include both historical and archaeological resources. These resources may be located above ground, underground, or underwater and have significance in history, prehistory,[4] architecture or culture of the nation, State of California or local or tribal communities. Cultural resources are generally identified in historic or cultural resources inventories maintained by the county or local cities or towns, and also on the California Register of Historical Resources (California Register) and the National Register of Historic Places (National Register). There are no designated historic resources on the project site; however, the Civic Center is designated a Community Landmark in the Cupertino General Plan. Soils on the site were previously disturbed during construction of the existing Civic Center and no cultural resources were encountered. For these reasons, the presence of belowground cultural resources at the site is unlikely.

Heritage trees are considered cultural resources in the City of Cupertino and are recognized as a cultural resource in the General Plan. As defined in the Protected Trees Ordinance (Section 14.18.020), a Heritage tree is any tree or grove of trees which, because of factors including, but not limited to, its historic value, unique quality, girth, height or species, has been found by the Planning Commission to have a special significance to the community. There are no Heritage trees on the Civic Center site.

Paleontological resources are fossils; the remains or traces of prehistoric life preserved in the geological record. They range from well-known and well publicized fossils (such as mammoth and dinosaur bones) to scientifically important fossils (such as paleobotanical remains, trace fossils, and microfossils). Potentially sensitive areas with fossil bearing sediments near the ground surface in areas of Santa Clara County are generally in or adjacent to foothill areas rather than the younger Holocene age deposits on the valley floor. Geologic units of the Holocene age are generally not considered sensitive for paleontological resources, because biological remains younger than 10,000 years are not usually considered fossils. The project site is located on the valley floor and most likely contains geologic units of Holocene age; therefore, it is highly unlikely that the site contains any paleontological resources.

[4] Events of the past prior to written records are considered prehistory.

4.5.2 Environmental Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
1. Cause a substantial adverse change in the significance of an historical resource as defined in §15064.5?	☐	☐	☐	☒	1,2
2. Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?	☐	☒	☐	☐	1
3. Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	☐	☒	☐	☐	1
4. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐	1

4.5.2.1 *Prehistoric, Historic, and Paleontological Resources*

There are no historic structures located on the site or in the project area. Construction of the proposed project would not result in an impact to a historical resource or a site recognized in the Cupertino General Plan as a Historic Site or Commemorative Site; however, the Civic Center site is considered a Community Landmark in the General Plan. The project proposes to replace the existing City Hall building and construct a new Library Program Room. Implementation of the proposed project would not change the overall character and use of the Civic Center site in a manner that would affect the Community Landmark designation. Therefore, implementation of the proposed project would have no impact to historic or cultural resources in the City of Cupertino. **(No Impact)**

As previously discussed, soils on the site were previously disturbed during construction of the existing Civic Center and no cultural resources were encountered. For these reasons, it is unlikely that belowground cultural resources would be encountered during site grading and/or excavation. However, while unlikely, buried prehistoric or historic deposits which could provide information on prehistory or the history of this site, its inhabitants, and the role it played in the development of the City could be encountered during construction activities.

Impact CUL-1: Development of the proposed project could result in significant impacts to buried cultural resources, if encountered. **(Significant Impact)**

Mitigation Measures: As a condition of approval, the proposed project shall implement the following mitigation measures to reduce impacts to cultural resources to a less than significant level:

MM CUL-1.1: In the event of the discovery of prehistoric or historic archaeological deposits or paleontological deposits, work shall be halted within 50 feet of the discovery and a qualified professional archaeologist (or paleontologist, as applicable) shall examine the find and make appropriate recommendations regarding the significance of the find and the appropriate mitigation. The recommendation shall be implemented and

could include collection, recordation, and analysis of any significant cultural materials.

MM CUL-1.2: Pursuant to Section 7050.5 of the Health and Safety Code and Section 5097.94 of the Public Resources Code of the State of California:

- In the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the land owner shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.

MM CUL-1.3: If cultural resources are encountered, a final report summarizing the discovery of cultural materials shall be submitted to the Director of Public Works prior to issuance of building permits. This report shall contain a description of the mitigation program that was implemented (e.g., monitoring and testing program), a list of the resources found, a summary of the resources analysis methodology and conclusion, and a description of the disposition/curation of the resources. The report shall verify completion of the mitigation program to the satisfaction of the Director Public Works.

4.5.3 Conclusion

Implementation of the proposed project would not impact historic resources. **(No Impact)**

Impact CUL-1: The proposed project, with the implementation of the mitigation measures MM CUL-1.1, MM CUL-1.2, and MM CUL-1.3 would not result in significant impacts to subsurface cultural or paleontological resources. **(Less Than Significant Impact with Mitigation Incorporated)**

4.6 GEOLOGY AND SOILS

4.6.1 Setting

Geology and Soils

The City of Cupertino is located in the western portion of the Santa Clara Valley and lower portion of the Santa Cruz Mountain foothills. The Santa Clara Valley is located within the Coast Ranges geomorphic province of California; an area characterized by northwest-trending ridges and valleys, underlain by strongly deformed sedimentary and metamorphic rocks of the Franciscan Complex. Overlying these rocks are sediments deposited during recent geologic times. The Santa Clara Valley consists of a large structural basin containing alluvial deposits derived from the Diablo Range to the east and the Santa Cruz Mountains to the west. Valley sediments were deposited as a series of coalescing alluvial fans by streams that drain the adjacent mountains. These alluvial sediments make up the groundwater aquifers of the area. Soil types at the project site include clay, similar to other low-lying areas of the City. Soil on-site has a moderate to high potential for expansion.[5]

Seismicity and Seismic Hazards

The project site is located within the San Francisco Bay Area, which is classified as Zone 4, the most seismically active zone in the United States. The Monta Vista and San Andreas Faults are located approximately 1.75 and 14 miles southwest of the site, respectively. In accordance with the 2013 California Building Code, and based on soil conditions, proximity to known seismic faults, and the Risk Category of an individual structure, the Civic Center site would be assigned as Seismic Design Category D.

Hazards associated with seismic activity along regional and local faults include fault rupture, ground shaking, liquefaction, differential settlement, landslides, and waves in bodies of water. The project site is not located within a geologic hazard zone.[6]

Liquefaction

Liquefaction is the result of seismic activity and is characterized as the transformation of loose water-saturated soils from a solid state to a liquid state after ground shaking. There are many variables that contribute to liquefaction, including the age of the soil, soil type, soil cohesion, soil density, and groundwater level.

The project site is not located within a designated State of California Liquefaction Hazard Zone or a Santa Clara County Liquefaction Hazard Zone.[7]

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[5] Natural Resources Conservation Service. Web Soil Survey. Accessed February 18, 2015. Available at: <http://websoilsurvey.sc.egov.usda.gov/App/HomePage.htm>
[6] County of Santa Clara. Geologic Hazards Zones Map 18. Accessed February 3, 2015. Available at: http://www.sccgov.org/sites/planning/GIS/GeoHazardZones/Documents/GeohazardMapsATLAS2.pdf
[7] Ibid.

Lateral Spreading

Lateral spreading typically occurs as a form of horizontal displacement of relatively flat-lying alluvial material toward an open or "free" face such as an open body of water, channel, or excavation. There are no open faces on or near the project site.

Landsliding

Landslides occur when the stability of a slope changes from a stable to unstable condition. In general, steep slopes are less stable than more gently inclined ones. Landslides can also be triggered by seismic shaking. The project site is not located within a State of California Landslide zone.[8] The City's General Plan also maps geologic and seismic hazards and the site is within a valley area, an area with relatively low levels of geologic hazards.

4.6.2 Environmental Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
1. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
a. Rupture of a known earthquake fault, as described on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	☐	☐	☒	☐	1,8
b. Strong seismic ground shaking?	☐	☐	☒	☐	1,8
c. Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐	1,8
d. Landslides?	☐	☐	☒	☐	1,8
2. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐	1
3. Be located on a geologic unit or soil that is unstable, or that will become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐	1,8

[8] County of Santa Clara. Geologic Hazards Zones Map 18. Accessed February 3, 2015. Available at: http://www.sccgov.org/sites/planning/GIS/GeoHazardZones/Documents/GeohazardMapsATLAS2.pdf

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
4. Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property?	☐	☒	☐	☐	1
5. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒	1

The project does not propose to use septic tanks or alternative waste water disposal systems; therefore, impacts related to the use of these systems are not applicable to the proposed project and not discussed further.

4.6.2.1 *Soils Impacts*

The proposed project would not be exposed to substantial slope instability, erosion, or landslide-related hazards due to the flat topography of the site. Soil on the project site, however, has a moderate to high expansion potential. The presence of expansive soil could damage future buildings and improvements on-site, which could represent a significant impact unless avoided by incorporating appropriate engineering into grading and foundation designs.

Impact GEO-1: The presence of expansive soils on-site would damage future buildings and improvements on-site unless mitigations are incorporated. **(Significant Impact)**

Mitigation Measure: The project proposes to be constructed in accordance with standard practices in the California Building Code, as adopted by the City of Cupertino, to reduce expansive soil impacts to a less than significant level.

4.6.2.2 *Seismic and Seismic-Related Impacts*

The project is located in a seismically active region and, therefore, strong ground shaking would be expected during the lifetime of the proposed project. While no active faults are known to cross the project site, and the site does not lie within an Alquist-Priolo zone, ground shaking on the site could damage the proposed City Hall building and Library Program Room and/or expose people to injury in the event of an earthquake. The site is not within a liquefaction hazard zone and there is no potential for lateral spreading on the site. Incorporation of standard construction measures in conformance with the 2013 California Building Code would reduce seismic hazards and impacts to a less than significant level. **(Less Than Significant Impact)**

4.6.3 Conclusion

The project would result in less than significant seismic shaking, soil erosion, and expansive soil impacts. **(Less Than Significant Impact)**

Impact GEO-1: Construction of the proposed project in accordance with the California Building Code would reduce potential impacts from expansive soils to a less than significant level. **(Less Than Significant Impact with Mitigation Incorporated)**

4.7 GREENHOUSE GAS EMISSIONS

4.7.1 Setting

4.7.1.1 *Background Information*

Unlike emissions of criteria and toxic air pollutants, which are discussed in *Section 4.3 Air Quality* and have local or regional impacts, emissions of greenhouse gases have a broader, global impact. Global warming associated with the "greenhouse effect" is a process where greenhouse gases accumulating in the atmosphere contribute to an increase in the temperature of the earth's atmosphere over time. The principle greenhouse gases contributing to global warming and associated climate change are carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), and fluorinated compounds. Greenhouse gas emissions contributing to global climate change are attributable in large part to human activities associated with the transportation, industrial/manufacturing, utility, residential, commercial, and agricultural sectors.

4.7.1.2 *Regulatory Framework*

State of California

AB 32 and Related Executive Orders and Regulations

The Global Warming Solutions Act (also known as "Assembly Bill (AB) 32") sets the State of California's 2020 greenhouse gas emissions reduction goal into law. The Act requires that the greenhouse gas emissions in California be reduced to 1990 levels by 2020. Prior to adoption of AB 32, the Governor of California also signed Executive Order S-3-05 which identified CalEPA as the lead coordinating State agency for establishing climate change emission reduction targets in California. Under Executive Order S-3-05, the state plans to reduce greenhouse gas emissions to 80 percent below 1990 levels by 2050. Additional state law and regulations related to the reduction of greenhouse gas emissions includes SB 375, the Sustainable Communities and Climate Protection Act (see discussion below), the State's Renewables Portfolio Standard for Energy Standard (Senate Bill 2X) and fleet-wide passenger car standards (Pavley Regulations).

In December 2008, the California Air Resources Board (CARB) approved the Climate Change Scoping Plan, which proposes a comprehensive set of actions designed to reduce California's dependence on oil, diversify energy sources, save energy, and enhance public health, among other goals. Per AB 32, the Scoping Plan must be updated every five years to evaluate the mix of AB 32 policies to ensure that California is on track to achieve the 2020 greenhouse gas reduction goal. On May 22, 2014, the First Update to the Scoping Plan was approved by the CARB. The First Update identifies opportunities to leverage existing and new funds to further reduce greenhouse gas emissions through strategic planning and targeted low carbon investments. In addition, the First Update defines climate change priorities for CARB for the next five years and sets the groundwork to achieve long-term goals set forth in Executive Orders S-3-05 and B-16-2012.[9]

[9] California Air Resources Board. "First Update to AB 32 Scoping Plan." May 27, 2014. Accessed February 4, 2015. Available at: <http://www.arb.ca.gov/cc/scopingplan/document/updatedscopingplan2013.htm>

CEQA

As required under state law (Public Resources Code Section 21083.05), the California Natural Resources Agency has amended the state CEQA Guidelines to address the analysis and mitigation of greenhouse gas emissions. Under these sections of the CEQA Guidelines (§15064.4), lead agencies, such as the City of Cupertino, retain discretion to determine the significance of impacts from greenhouse gas emissions based upon individual circumstances. Neither CEQA nor the CEQA Guidelines provide a specific methodology for analysis of greenhouse gases and under the amendments to the CEQA Guidelines, a lead agency may describe, calculate or estimate greenhouse gas emissions resulting from a project and use a model and/or qualitative analysis or performance based standards to assess impacts. The CEQA Guidelines (§15183.5) also outline the required components of a "Greenhouse Gas Reduction Strategy." Projects consistent with such a Strategy or Plan would reduce their contribution to cumulative greenhouse gas impacts to a less than significant level.

Senate Bill 375 – Sustainable Communities Strategy

Senate Bill 375 (SB 375), known as the Sustainable Communities Strategy and Climate Protection Act, was signed into law in September 2008. It builds on AB 32 by requiring CARB to develop regional greenhouse gas reduction targets to be achieved from the automobile and light truck sectors for 2020 and 2035 when compared to emissions in 2005. The per capita reduction targets for passenger vehicles in the San Francisco Bay Area include a seven percent reduction by 2020 and a 15 percent reduction by 2035.[10] The four major requirements of SB 375 are:

1. Metropolitan Planning Organizations (MPOs) must meet greenhouse gas emission reduction targets for automobiles and light trucks through land use and transportation strategies.
2. MPOs must create a Sustainable Communities Strategy (SCS), to provide an integrated land use/transportation plan for meeting regional targets, consistent with the Regional Transportation Plan (RTP).
3. Regional housing elements and transportation plans must be synchronized on eight-year schedules, with Regional Housing Needs Assessment (RHNA) allocation numbers conforming to the SCS.
4. MPOs must use transportation and air emissions modeling techniques consistent with guidelines prepared by the California Transportation Commission (CTC).

MTC and ABAG adopted *Plan Bay Area* in July 2013. The strategies in the plan are intended to promote compact, mixed-use development close to public transit, jobs, schools, shopping, parks, recreation, and other amenities, particularly within Priority Development Areas (PDAs) identified by local jurisdictions. The project site is not located in a PDA.

[10] The emission reduction targets are for those associated with land use and transportation strategies, only. Emission reductions due to the California Low Carbon Fuel Standards or Pavley emission control standards are not included in the targets.

Regional and Local Plans

Bay Area 2010 Clean Air Plan

The Bay Area 2010 Clean Air Plan (CAP) is a multi-pollutant plan that addresses greenhouse gas emissions along with other air emissions in the San Francisco Bay Area Air Basin. One of the key objectives in the 2010 CAP is climate protection. The 2010 CAP includes emission control measures in five categories: Stationary Source Measures, Mobile Source Measures, Transportation Control Measures, Land Use and Local Impact Measures, and Energy and Climate Measures. Consistency of a project with current control measures is one measure of its consistency with the CAP. The current CAP also includes performance objectives, consistent with the state's climate protection goals under AB 32 and SB 375, designed to reduce emissions of greenhouse gases to 1990 levels by 2020 and 40 percent below 1990 levels by 2035.

City of Cupertino General Plan

The Cupertino General Plan includes an Environmental Resources/Sustainability Section, with policies that call for energy efficiency, alternative transportation planning, and green building. These policies and the City's Green Building and Green Business Programs include measures designed to reduce energy and water use and associated direct and indirect greenhouse gas emissions.

The City also has adopted a construction and debris (C&D) recycling program ordinance that requires applicants seeking building or demolition permits for projects greater than 3,000 square feet to recycle at least 60 percent of project discards. Recycling can indirectly reduce greenhouse gas emissions by reducing the need to manufacture or mine new products or materials.

Cupertino Climate Action Plan

The City of Cupertino Climate Action Plan seeks to identify emission reduction strategies that are informed by the goals, values, and priorities of the community. The Climate Action Plan describes the City's current emissions inventory and establishes future reduction targets. In addition, community-wide reduction measures and actions that can be implemented to help achieve future emission targets are described.

4.7.1.3 *Existing Conditions*

The Civic Center site is currently developed with three buildings (the Cupertino City Hall, Community Hall, and Library), a public courtyard and Memorial Grove, landscaping, surface parking, and an approximately three-acre turf field.

The existing City Hall has a total floor area of approximately 24,260 square feet, with a building footprint of approximately 11,760 square feet. It is a two-story building with a ground floor and a basement floor. The City Hall includes work space for city staff performing various administrative functions and provides direct service to citizens and business entities. The existing City Hall accommodates a staff of approximately 92 persons.

The existing library is a two-story structure and has approximately 54,300 square feet of floor space with both the ground floor and second story each providing approximately 27,000 square feet of floor area. It is the sole library within the City of Cupertino. The library currently includes a Story Room that seats approximately 30 people in chairs with a total occupancy of 36 people. Events held in the library that require more seating space than allowed in the Story Room are currently held at the Civic Center Community Hall.

Greenhouse gas emissions from the existing Civic Center site are mostly the result of vehicle trips to and from the site. Greenhouse gas emissions associated with the site are also the result of heating, cooling, building lighting, building maintenance, and landscape maintenance.

4.7.2 Environmental Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐	1
2. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐	1,9

GHG emissions worldwide cumulatively contribute to the significant adverse environmental impacts of global climate change. No single land use project could generate sufficient GHG emissions on its own to noticeably change the global average temperature. The combination of GHG emissions from past, present, and future projects in the City of Cupertino, the entire state of California, across the nation, and around the world, contribute cumulatively to the phenomenon of global climate change and its associated environmental impacts.

4.7.2.1 *Greenhouse Gas Emissions Threshold*

As discussed in CEQA Guidelines Section 15064(b), the determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the Lead Agency and must be based to the extent possible on scientific and factual data. The first checklist question is assessed using quantitative thresholds for GHG emissions identified by the Bay Area Air Quality Management District (BAAQMD) in 2009. Using a methodology that models how new land use development in the San Francisco Bay area can meet Statewide AB 32 GHG reduction goals, BAAQMD identified a significance threshold of 1,100 metric tons of CO_2e per year.[11]

[11] In addition to this bright-line threshold, an "efficiency" threshold was identified for urban high density, transit-oriented development projects that are intended to reduce vehicle trips but that may still result in overall emissions greater than 1,100 metric tons per year. This efficiency threshold is 4.6 metric tons of CO_2e per service population (e.g., residents and employees) per year.

The City has carefully considered the thresholds prepared by BAAQMD and regards the quantitative thresholds to be based on the best information available for development in the San Francisco Bay Area Air Basin. Evidence supporting these thresholds has been presented in the following documents:

- BAAQMD. 2009. *CEQA Thresholds Options and Justification Report*.
- BAAQMD. 2011. *California Environmental Quality Act Air Quality Guidelines.* (Appendix D).
- CARB. 2008. Climate Change Scoping Plan. (Statewide GHG Emission Targets)

BAAQMD has not identified a threshold of significance for construction-related GHG emissions.

4.7.2.2 *Greenhouse Gas Emission Impacts from the Project*

The BAAQMD 2011 *CEQA Air Quality Guidelines* contain a screening threshold of 15,000 square feet for library projects and 27,000 square feet for government (civic center) projects for operational-related impacts due to greenhouse gas emissions. The screening criteria provide lead agencies with a conservation indication of whether a project could result in a significant greenhouse gas emissions impacts (e.g., annual operational emissions over 1,100 metric tons per year).

The project proposes to replace the existing City Hall with a new City Hall building, and construct a new Library Program Room. The existing City Hall is 26,240 square feet and the proposed City Hall would be approximately 40,000 square feet; the new City Hall would represent a net increase of approximately 13,760 square feet. The proposed Library Program Room would be approximately 2,000 square feet. Greenhouse gas emissions from the proposed project would consist of emissions from the construction and operation of the proposed buildings:

- Mobile emissions (e.g., emissions from combustion of fossil fuels for vehicle trips to and from the site);
- Emissions from the generation of electricity to operate lighting, appliances, and HVAC on the site, and to convey water to the site;
- Construction emissions; and
- Emissions from the manufacture and transport of building materials.

Construction-related GHG emissions vary depending on the level of activity, length of the construction period, specific construction operations, types of equipment, and number of personnel. Neither the District nor BAAQMD has established a quantitative threshold or standard for determining whether a project's construction-related GHG emissions are significant. Because project construction would be a temporary condition (approximately 16 months) and would not result in a permanent increase in emissions that would interfere with the implementation of AB 32, the increase in emissions would be less than significant. The project would be built in accordance with the California Green Building Code and comply with the City’s construction and demolition ordinance to further reduce greenhouse gas emissions from the project. **(Less Than Significant Impact)**

4.7.2.3 *Consistency with Adopted Plans and Policies*

As discussed in *Section 4.7.1.2 Regulatory Framework*, the State of California has adopted a Climate Change Scoping Plan. Greenhouse gas emissions are also addressed in the adopted 2010 CAP and Plan Bay Area and the City of Cupertino Climate Action Plan.

Comparison of Project Features to State of California Climate Change Scoping Plan Measures

The CARB-approved Climate Change Scoping Plan outlines a comprehensive set of actions intended to reduce overall greenhouse gas emissions in California, improve the environment, reduce dependence on oil, diversify California's energy sources, save energy, create new jobs, and enhance public health. The Scoping Plan includes 39 Recommended Actions for reducing greenhouse gas emissions. While the Scoping Plan focuses on measures and regulations at a statewide level, implementation of measures at the local level are also important. Recommended Actions/measures that pertain to the project are noted in Table 4.7-1.

Under the Scoping Plan, local governments are expected to reduce greenhouse gas emissions by five million metric tons (statewide) through transportation and land use changes. In addition, local governments play a key role in implementing many of the strategies contained in the Scoping Plan, such as energy efficient building codes, local renewable energy generation, and recycling programs. As discussed in *Section 4.7.2.1* and listed in Table 4.7-1, the project includes energy efficiency, land use and transportation, and water conservation features consistent with several recommended actions in the Scoping Plan and would not conflict with implementation of recommended actions in the Scoping Plan intended to reduce greenhouse gas emissions by the year 2020.

Table 4.7-1: Climate Change Scoping Plan – Applicable Recommended Actions Compared to Project Features

Measure	Description	Applicable Feature
Transportation		
T-3	Regional Transportation-Related Greenhouse Gas Targets	Land use and transportation measures included in the project that help reduce vehicle travel include proximity to transit, jobs, services, and residences.
Energy Efficiency/Electricity and Natural Gas		
E-1	Energy Efficiency, including more stringent building standards	CalGreen Building Codes will apply.
E-4	Million Solar Roofs/Solar Initiative	Not currently proposed.
CR-1	Energy Efficiency – Utility, Building and Appliance Standards	CalGreen Building Codes will apply.
CR-2	Solar Water Heating	Not currently proposed.
Green Buildings		
GB-1	Green Buildings	CalGreen Building Codes will apply.
Water		

Table 4.7-1: Climate Change Scoping Plan – Applicable Recommended Actions Compared to Project Features		
Measure	**Description**	**Applicable Feature**
W-1	Water Use Efficiency	Project will use low flow plumbing fixtures. The City's Landscape Ordinance will apply, which requires low water use landscaping and reduction of turf (lawn) area.
W-4	Reuse Urban Runoff	On-site reuse is not proposed.
Recycling and Waste Management		
RW-3	High Recycling/Zero Waste (including Commercial Recycling)	Future employees and visitors would participate in City recycling and waste reduction programs, as applicable.

Sustainable Communities Strategy

Plan Bay Area, which includes a Sustainable Communities Strategy that links transportation and land use planning, grew out of California's 2008 Senate Bill 375 (Steinberg), which requires each of the state's 18 metropolitan areas to reduce greenhouse gas emissions from cars and light trucks. Plan Bay Area promotes compact, mixed-use commercial and residential development focused in Priority Development Areas that is walkable and bikeable and close to mass transit, jobs, schools, shopping, parks, recreation, and other amenities.

Although the project is not in a designated PDA, the Civic Center site is located in an area that is walkable and bikeable and close to transit, jobs, schools, shopping, parks, recreation, and other amenities. The project proposes to replace the existing City Hall building and add a Library Program Room; no new uses would be introduced to the Civic Center site. For these reasons, the project would not conflict with the Sustainable Communities Strategy.

Bay Area 2010 Clean Air Plan

The 2010 CAP includes performance objectives, consistent with the state's climate protection goals under AB 32 and SB 375, designed to reduce emissions of greenhouse gases to 1990 levels by 2020 and 40 percent below 1990 levels by 2035. The 2010 CAP identifies a range of Transportation Control Measures, Land Use and Local Impacts Measures, and Energy and Climate Measures that make up the CAP's control strategy for emissions, including greenhouse gas emissions. As discussed in *Section 4.3 Air Quality*, the project is generally consistent with applicable control measures and the development of the project would not interfere with implementation of the 2010 CAP.

Cupertino Climate Action Plan

Consistent with the 2013 California Green Building Code and in compliance with the City's Climate Action Plan, the project proposes to achieve LEED Certified or Silver status and would include various sustainability measures including graywater plumbing, green roofs, low water-demand landscape, drip irrigation, electric vehicle charging stations, and bicycle parking facilities, among

other elements. Rain and stormwater would be captured and filtered on the green roofs and planters proposed on the new City Hall and Library Program Room.

The location (i.e., urban infill), land use, and measures included in the project to reduce greenhouse gas emissions would not conflict with plans, policies, or regulations for reducing greenhouse gas emissions adopted by the California legislature, CARB, BAAQMD, or City of Cupertino. **(Less Than Significant Impact)**

4.7.3 Conclusion

Implementation of the proposed project would not result in significant greenhouse gas emission impacts and would be consistent with adopted plans and policies related to the reduction of greenhouse gas emissions. **(Less Than Significant Impact)**

4.8 HAZARDS AND HAZARDOUS MATERIALS

4.8.1 Setting

4.8.1.1 *Overview*

Hazardous materials encompass a wide range of substances, some of which are naturally-occurring and some of which are man-made. Examples include motor oil and fuel, metals (e.g., lead, mercury, and arsenic), asbestos, pesticides, herbicides, and chemical compounds used in manufacturing and other uses. A substance may be considered hazardous if, due to its chemical and/or physical properties, it poses a substantial hazard when it is improperly treated, stored, transported, disposed of, or released into the atmosphere in the event of an accident. Determining if such substances are present on or near project sites is important because exposure to hazardous materials above regulatory thresholds can result in adverse health effects on humans.

4.8.1.2 *Regulatory Framework*

Hazardous waste generators and users in the City are required to comply with regulations enforced by several federal, state, and county agencies. The regulations are designed to reduce the risk associated with the human exposure to hazardous materials and minimize adverse environmental effects. The Santa Clara County Fire Department coordinates with the County's Hazardous Materials Compliance Division to implement the Santa Clara County Hazardous Materials Management Plan and to ensure that commercial and residential activities involving classified hazardous substances are properly handled, contained, and disposed.

Federal, state, and local requirements govern the removal of asbestos or suspected asbestos-containing materials, including the demolition of structures where asbestos is present. Typically, a certified asbestos contractor must remove all asbestos-containing materials prior to demolition activities. Federal and state regulations also govern the demolition of structures where lead or material containing lead is present. During demolition, lead-based paint that is securely adhering to wood or metal may be disposed of as demolition debris, which is a non-hazardous waste. Loose and peeling paint must be disposed of as a California and/or federal hazardous waste if the concentration of lead exceeds applicable waste thresholds. Other hazardous materials encountered during demolition must be handled and disposed of in accordance with hazardous waste laws and regulations. State and federal construction worker health and safety regulations require protective measures during construction activities where workers may be exposed to asbestos, lead, and/or other hazardous materials.

4.8.2 Existing Setting

4.8.2.1 *Site Conditions*

The Civic Center site is currently developed with three buildings (the Cupertino City Hall, Community Hall, and Library), a public courtyard, landscaping, surface parking, and an approximately three-acre turf field.

4.8.2.2 *Potential On-Site Sources of Contamination*

Hazardous Building Materials

Up to 1979, building materials containing lead-based paint and/or asbestos were commonly used. Florescent light ballasts manufactured prior to 1980 may contain polychlorinated biphenyls (PCBs). All three of these substances can pose a threat to human health. The existing City Hall building was constructed prior to 1979 and, therefore, likely contains one or more of these materials.

Government Code Section 65962.5 (Cortese List)

The Hazardous Waste and Substances Sites (Cortese) List is a planning document used by the state, local agencies, and developers to comply with the California Environmental Quality Act requirements in providing information about the location of hazardous materials release sites. Government Code section 65962.5 requires the California Environmental Protection Agency to develop at least annually an updated Cortese List. The Cortese List includes lists maintained by the Department of Toxic Substances Control (DTSC), the State Water Resources Control Board (SWRCB), and the California Integrated Waste Management Board (CIWMB)[12]. The project site is not listed by the DTSC, SWRCB, or CIWMB as a hazardous materials site.

4.8.2.3 *Potential Off-Site Sources of Contamination*

Based upon review of the GeoTracker database, there are no known hazardous material contamination sites located in the vicinity of the Cupertino Civic Center that could potentially impact the project site.

The Civic Center site is located approximately six miles southwest from Mineta San Jose International Airport, and there are no private airstrips located in the site vicinity. Safety zones and airport influence areas for airports are identified in Comprehensive Land Use Plans (CLUPs) for the public airports in Santa Clara County, and do not extend to the City of Cupertino.[13] The project site is not located within a wildfire hazard zone.[14]

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[12] The DTSC, SWRCB, and CIWMB hazardous material sites lists are available online at http://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm, http://www.ciwmb.ca.gov/Swis/search.aspx, and http://geotracker.waterboards.ca.gov/, respectively.

[13] County of Santa Clara, Planning Office. "Airport Land-Use Commission". Accessed January 29, 2015. Available at: <http://www.sccgov.org/sites/planning/PlansPrograms/ALUC/Pages/ALUC.aspx>.

[14] CalFire. "Santa Clara County FHSZ Maps" Accessed January 29, 2015. Available at: <http://www.fire.ca.gov/fire_prevention/fhsz_maps_santaclara.php>

4.8.3 Environmental Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒	1
2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐	1
3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒	1
4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, will it create a significant hazard to the public or the environment?	☐	☐	☐	☒	1
5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, will the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒	1,10
6. For a project within the vicinity of a private airstrip, will the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒	1
7. Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐	1
8. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒	1,11

4.8.4 Hazard and Hazardous Materials Impacts

4.8.4.1 *Impacts from Hazardous Building Materials*

As previously described, the existing City Hall building was constructed prior to 1979 and, therefore, likely contains lead-based paint, asbestos, and /or PCBs.

Demolition of the existing City Hall structure would be completed in accordance with OSHA and EPA standards that protect workers and persons off-site from exposure to asbestos, lead-based paint, and polychlorinated biphenyls. Building materials classified as hazardous materials would be disposed of in accordance with federal, state, and local laws and regulations.

Impact HAZ-1: Demolition of the existing City Hall building could expose construction workers, surrounding residences, and/or the environment to asbestos, lead-based paint and/or polychlorinated biphenyls. **(Significant Impact)**

Mitigation Measures: The proposed project shall implement the following mitigation measures to reduce hazardous materials impacts related to asbestos-containing materials (ACMs), lead-based paint, PCBs, and other hazardous building materials to a less than significant level:

MM HAZ-2.1 In conformance with local, state, and federal laws, an asbestos building survey and a lead-based paint survey shall be completed by a qualified professional to determine the presence of ACMs and/or lead-based paint on the structures prior to demolition.

MM HAZ-2.2 A registered asbestos abatement contractor shall be retained to remove and dispose of all potentially friable asbestos-containing materials, in accordance with the National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines, prior to building demolition or renovation that may disturb the materials. All demolition activities shall be undertaken in accordance with Cal/OSHA standards, contained in Title 8 of the California Code of Regulations (CCR), Section 1529, to protect workers from exposure to asbestos. Materials containing more than one percent asbestos are also subject to Bay Area Air Quality Management District (BAAQMD) regulations.

MM HAZ-2.3 During demolition activities, all building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Construction Standard, Title 8, CCR 1532.1, including employee training, employee air monitoring and dust control. Any debris or soil containing lead-based paint or coatings shall be disposed of at landfills that meet acceptance criteria for the waste being disposed.

MM HAZ-2.4 Hazardous waste shall be appropriately managed, labeled, transported, and disposed of in accordance with local, state, and/or federal requirements by trained workers.

4.8.4.2 *Other Hazards and Hazardous Materials Impacts*

The Cupertino Civic Center is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and there are no listed hazardous material sites that could affect future occupants of the proposed project.

The Cupertino Civic Center is not located within an airport land use plan, wildfire hazard zone, or in the vicinity of a private airstrip. The project proposes to replace the existing City Hall Building and add a Program Room to the existing Library; construction of the proposed project would not interfere with an adopted emergency response plan or emergency evacuation plan. For these reasons, implementation of the proposed project would not result in significant hazardous material impacts related to these issues. **(Less Than Significant Impact)**

4.8.5 Conclusion

Implementation of the proposed project, in accordance with federal, state, and local laws and regulations, would not result in a significant hazardous materials impact. **(Less than Significant Impact)**

Impact HAZ-1: Demolition of the existing on-site structures could expose construction workers, surrounding residences, and/or the environment to asbestos, lead-based paint and/or polychlorinated biphenyls. Implementation of mitigation measures MM HAZ-2.1, MM HAZ-2.2, MM HAZ-2.3, and MM HAZ-2.4 would reduce hazardous materials impacts related to ACMs, lead-based paint, polychlorinated biphenals, and other hazardous building materials to a less than significant level. **(Less than Significant Impact with Mitigation)**

4.9 HYDROLOGY AND WATER QUALITY

4.9.1 Setting

4.9.1.1 *Regulatory Framework*

National Flood Insurance Program

In 1968, Congress created the National Flood Insurance Program (NFIP) in response to the rising cost of taxpayer funded disaster relief for flood victims and the increasing amount of damage caused by floods. The NFIP makes federally-backed flood insurance available for communities that agree to adopt and enforce floodplain management ordinances to reduce future flood damage.

The Federal Emergency Management Agency (FEMA) manages the NFIP and creates Flood Insurance Rate Maps (FIRMs) that designate 100-year floodplain zones and delineate other flood hazard areas. A 100-year floodplain zone is the area that has a one in 100 (one percent) chance of being flooded in any one year based on historical data. As discussed in more detail in *Section 4.9.1.2* below, the project site is not located in a 100-year floodplain.

Water Quality (Nonpoint Source Pollution Program)

The federal Clean Water Act and California's Porter-Cologne Water Quality Control Act are the primary laws related to water quality. Regulations set forth by the U.S. Environmental Protection Agency (USEPA) and the State Water Resources Control Board have been developed to fulfill the requirements of this legislation. USEPA's regulations include the National Pollutant Discharge Elimination System (NPDES) permit program, which controls sources that discharge pollutants into the waters of the United States (e.g., streams, lakes, bays, etc.). These regulations are implemented at the regional level by the water quality control boards, which for the Cupertino area is the San Francisco Regional Water Quality Control Board (RWQCB).

Statewide Construction General Permit

The State Water Resources Control Board has implemented a NPDES General Construction Permit for the State of California. For projects disturbing one acre or more of soil, a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) must be prepared prior to commencement of construction.

Municipal Regional Stormwater NPDES Permit (MRP)/C.3 Requirements

The San Francisco Bay RWQCB also has issued a Municipal Regional Stormwater NPDES Permit (Permit Number CAS612008) (MRP). In an effort to standardize stormwater management requirements throughout the region, this permit replaces the formerly separate countywide municipal stormwater permits with a regional permit for 77 Bay Area municipalities, including the City of Cupertino. Under provisions of the NPDES Municipal Permit, redevelopment projects that add and/or replace more than 10,000 square feet of impervious surface, or 5,000 square feet of uncovered parking area, are required to design and construct stormwater treatment controls to treat post-construction stormwater runoff. Amendments to the MRP require all of the post-construction runoff

to be treated by using Low Impact Development (LID) treatment controls, such as infiltration, evaporation, harvesting, or biotreatment facilities, where feasible.

The MRP also identifies subwatershed and catchment areas subject to hydromodification management controls. Projects that add or replace one acre of impervious surfaces are subject to the hydromodification standard and associated requirements in the MRP.[15]

City of Cupertino Municipal Code

Chapter 16.52 *Prevention of Flood Damage* of the City of Cupertino Municipal Code governs construction in Special Flood Hazard Areas (Zone A, AO, or A1-30 on FIRM maps) having special flood or flood-related erosion hazards. Under this regulation, the Director of Public Works reviews all development permits to determine that the permit requirements of this chapter have been satisfied, and that building sites are reasonably safe from flooding.

Chapter 9.18 *Stormwater Pollution Prevention and Watershed Protection* of the City of Cupertino Municipal Code outlines the City's minimum requirements designed to control the discharge of pollutants into the City of Cupertino's storm drain system and to assure that discharges from the City of Cupertino storm drain system comply with applicable provisions of the Federal Clean Water Act and NPDES Permit.

4.9.1.2 *Existing Conditions*

Hydrology and Drainage

The project site is located within the West Valley Watershed. Each watershed is made up of one or more main creeks, as well as many smaller tributaries, each with its own sub-watershed. Creeks in the West Valley Watershed include portions of the Sunnyvale East Channel and Calabazas Creek, and Regnart Creek.[16] Watershed elements include not only these tributaries but groundwater. Cupertino is located within the Santa Clara Valley Groundwater Basin and includes the McClellan groundwater recharge facility.

Much of the project site consists of impervious surfaces, with the exception of the turf field and landscaping. Impervious surfaces within the site consist of parking lots, access roads, and pathways. Runoff from the site flows directly into Regnart Creek via surface flow and the on-site storm drain system.

Groundwater

The project site is located in the Santa Clara Valley Groundwater Basin between the Diablo Mountains to the east and the Santa Cruz Mountains to the west. The City of Cupertino is located in

[15] Santa Clara Valley Urban Runoff Pollution Prevention Program. *Hydromodification Management (HM) Applicability Map City of Cupertino.* November 2010. Available at: <http://www.scvurppp-w2k.com/HMP_app_maps/Cupertino_HMP_Map.pdf>

[16] Santa Clara Valley Water District. "West Valley Watershed." Accessed April 30, 2014. Available at: < http://www.valleywater.org/uploadedImages/Services/HealthyCreeksEcoSystems/WatershedInformation/WestValley/WestValley2005Mapxl.jpg?n=1070 aspx>.

the Santa Clara Plain Groundwater Recharge Area.[17] Groundwater in the project area has been measured at approximately 120 feet below ground surface.[18] Fluctuations in the level of subsurface water can occur due to variations in rainfall, temperature, and other factors.

Water Quality

The water quality of streams, creeks, ponds, and other surface water bodies can be greatly affected by pollution carried in contaminated surface runoff. Pollutants from unidentified sources, known as non-point source pollutants, are washed from streets, construction sites, parking lots, and other exposed surfaces into storm drains. The runoff often contains contaminants such as oil, grease, plant and animal debris (e.g., leaves, dust, animal feces, etc.), pesticides, litter, and heavy metals. In sufficient concentration, these pollutants have been found to adversely affect the aquatic habitat of waterways such as Regnart Creek, which eventually drains into Calabazas Creek and eventually into San Francisco Bay.

Flooding and Other Inundation Hazards

According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), the project site is not located within a 100-year flood hazard area. The site is located within a Zone X flood zone.[19] Areas within Zone X are moderate risk areas within the 0.2-percent-annual-chance floodplain, areas of 1-percent-annual-chance flooding where average depths are less than 1 foot, areas of 1-percent-annual-chance flooding where the contributing drainage area is less than 1 square mile, and areas protected from the 1-percent-annual-chance flood by a levee.

The project site is not subject to flooding due to dam failure, seiches, or tsunamis.[20]

4.9.2 Environmental Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
1. Violate any water quality standards or waste discharge requirements?	☐	☐	☒	☐	1

[17] Santa Clara Valley Water District. 2012 Groundwater Management Plan.
[18] Delta Environmental Consultants. Shell Service Station (19990 Stevens Creek Boulevard): Quarterly Monitoring Report – First Quarter 2005. March 4, 2005. Available at: http://geotracker.waterboards.ca.gov/esi/uploads/geo_report/6681821525/T0608514737.pdf
[19] Federal Emergency Management Agency, *Flood Insurance Rate Map, Santa Clara County, California*, Community-Panel Number 06085C0209H, May 18, 2009.
[20] Association of Bay Area Governments. *Interactive Flooding Map*. Accessed February 18, 2015. Available at: http://gis.abag.ca.gov/website/Hazards/?hlyr=femaZones

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
2. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there will be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells will drop to a level which will not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☒	☐	1,13
3. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which will result in substantial erosion or siltation on-or off-site?	☐	☐	☒	☐	1
4. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which will result in flooding on-or off-site?	☐	☐	☒	☐	1
5. Create or contribute runoff water which will exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☒	☐	1
6. Otherwise substantially degrade water quality?	☐	☐	☒	☐	1
7. Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒	1,14
8. Place within a 100-year flood hazard area structures which will impede or redirect flood flows?	☐	☐	☐	☒	1,14
9. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒	1
10. Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒	1

4.9.2.1 *Hydrology and Drainage Impacts*

The Civic Center site is currently developed with three buildings (the Cupertino City Hall, Community Hall, and Library), a public courtyard, landscaping, surface parking, and an approximately three-acre turf field. There are no waterways on the project site. Regnart Creek is located along the eastern boundary of the Civic Center site. Construction of the new City Hall building and Library Program Room would not affect Regnart Creek. Therefore, redevelopment of the project site would not alter the course of a stream or river.

Construction of the new City Hall building and Library Program Room would add/replace more than 10,000 square feet of impervious surfaces. Consistent with the MRP requirements, 100 percent of the runoff generated by the project would be treated using new LID stormwater controls where feasible. As seen in Figure 4.9-1 on the following page, the project proposes to install green roofs and planters on the new City Hall building and Library Program Room, and plant trees and additional landscaping around the proposed buildings. Implementation of the proposed project, consistent with the MRP requirements, would reduce the rate and volume of runoff from the Civic Center site to levels occurring under existing conditions, avoiding associated hydrology and water quality impacts such as flooding and sedimentation. Implementation of the proposed project would slightly increase the amount of pervious surfaces on-site from 247,411 square feet to 247,423 square feet; the percentage of pervious surfaces on-site would remain the same at 58 percent.

As an option, 68 new surface parking spaces may be constructed along the eastern border of the project site. Construction of these new parking spaces would displace a portion of the turf field; however, this parking area would be constructed of permeable pavement that would allow stormwater to infiltrate into the soils underneath. This permeable pavement would provide 100 percent surface permeability and filter stormwater flowing through. No new impervious surfaces would be created as a result of the optional parking spaces. **(Less Than Significant Impact)**

4.9.2.2 *Groundwater*

Construction of the new underground parking garage beneath City Hall requires excavation to a maximum depth of 14 feet. Excavation of the project site could encounter groundwater and, as a result, dewatering could be required. Minor construction dewatering would be covered under the statewide Construction General Permit. If substantial construction dewatering is required, a Report of Waste Discharge (ROWD) must be filed with the RWQCB to obtain a Waste Discharge Requirement (WDR). The WDR would describe the specific treatment (e.g., desedimentation, filtration, flocculation, and others) and discharge (e.g., maximum rate and volume of discharge) requirements, as needed, to ensure discharges do not cause or contribute to water quality degradation.

The City of Cupertino is located within the Santa Clara Plain Recharge Area. As previously discussed, implementation of the proposed project would slightly increase the total amount of impervious surfaces on-site. The proposed City Hall building and Library Program Room would not use groundwater from the project site. For these reasons, implementation of the proposed project would not substantially deplete groundwater resources or interfere with groundwater recharge. **(Less Than Significant Impact)**

Civic Center Boundary

N

0 50 100 200 400 Feet

Source: Perkins + Will, Jan. 21, 2015.

CONCEPTUAL STORMWATER TREATMENT AREAS

FIGURE 4.9-1

4.9.2.3 *Water Quality Impacts*

Construction-Related Impacts

Construction of the new City Hall building and Program Room, including grading and excavation activities, may result in temporary impacts to surface water quality. Project grading and construction activities would affect the water quality of stormwater surface runoff. Construction of the proposed project would also result in a disturbance to the underlying soils, thereby increasing the potential for sedimentation and erosion. When disturbance to underlying soils occurs, the surface runoff that flows across the site may contain sediments that are ultimately discharged into the storm drainage system.

Implementation of standard measures, as discussed in *Section 3.0 Project Description*, ensure that the project would not result in significant construction-related water quality impacts. **(Less Than Significant Impact)**

Post-Construction Impacts

Runoff from the project site would contain pollution from the parking lots and pavement. Implementation of the project would also increase traffic and human activity on and around the site, generating pollutants and increasing dust, litter, and other contaminants that could be washed into the storm drain system. Runoff from the project site may contain increased oil and grease from parked vehicles, as well as sediment and chemicals (i.e., fertilizers and pesticides) from the landscaped areas.

Implementation of standard measures, as discussed in *Section 3.0 Project Description*, ensure that the project would not result in significant post-construction water quality impacts. **(Less Than Significant Impact)**

4.9.2.4 *Flood Impacts and Other Inundation Hazards*

As discussed previously, the project site is not within the 100-year, or one percent flood zone. In addition, the project does not propose to build housing on-site. The project, therefore, would not place housing within a 100-year flood hazard area or impede or redirect flood flows within a 100-year flood hazard area. The project is not located in an area subject to inundation hazards from dam failure, projected sea level rise, or earthquake-induced waves or mudflows. **(No Impact)**

4.9.3 <u>Conclusion</u>

Implementation of the proposed project would not result in significant hydrology or water quality impacts. **(Less Than Significant Impact)**

4.10 LAND USE

4.10.1 Setting

4.10.1.1 *Regulatory Framework*

General Plan and Zoning Ordinance

The project site has a General Plan land use designation of *City Center Sub-Area* and a zoning designation of *Public Building* in the City's Heart of the City Specific Plan (HOC). Primary uses within the *City Center Sub-Area* include office, residential, hotel, public facilities, commercial, retail, and mixed uses. The *Public Building* zoning designation is applied to land used, or planned to be used, by a government entity for a public purpose.

Heart of the City Specific Plan

The HOC provides specific development guidance for the most important commercial corridor in the City of Cupertino. The purpose of the plan is to guide future development and redevelopment on the Stevens Creek Corridor in a manner that creates a greater sense of place and community identity in the City of Cupertino while maintaining high-quality architecture and streetscapes.

Cupertino Civic Center Master Plan

The Cupertino Civic Center Master Plan Framework takes a broad and long-term view of the Civic Center, reinforcing its role as a multifaceted place of government, culture, education, recreation, celebration and leadership in a healthy, sustainable community. It focuses on potential new ways of serving the community; improved public access and circulation, including improved pedestrian and bicycle connections; and enhanced parking facilities. The Master Plan recognizes that potential improvements should be achievable on a phased and incremental basis, and it outlines priorities for action.

4.10.1.2 *Existing Conditions*

The Civic Center site includes buildings, plazas, parking areas, turf fields, and urban landscaping. There are a number of mature and young trees located around the perimeter of the site and throughout the project site. Many important community facilities, including City Hall, Community Hall, and the Cupertino Library, are arranged in a formal pattern around Library Plaza which includes a fountain, seating, pathways and the Rotary Heritage Grove. Two other groves are also located on the site. Memorial Grove is located adjacent to the south side of the library and the Sister City Grove is located on the east side of Community Hall. The southern end of the site consists of a turf field, which is used as a play area for soccer, cricket, and volleyball. Approximately 224 parking spaces are located on the Civic Center site. An additional 104 on-street parking spaces line the northern, southern, and western perimeter of the Civic Center site on Rodrigues, Torres, and Pacifica Avenues.

Surrounding Land Uses

The project site is located in an urban, developed area. It is bounded by Rodrigues Avenue to the north, Torre Avenue to the west, Pacifica Avenue to the south, and Regnart Creek to the east. Surrounding land uses include single-family residential uses to the east and south, multi-family residences to the north and west, and commercial uses to the west.

4.10.2 Environmental Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
1. Physically divide an established community?	☐	☐	☒	☐	1
2. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐	1,2
3. Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☒	☐	1

4.10.2.1 *Consistency with General Plan and Zoning Ordinance*

The project proposes to replace the existing City Hall building with a new City Hall building and add a new Program Room to the existing Library. As previously discussed, primary uses within the *City Center Sub-Area* include office, residential, hotel, public facilities, commercial, retail, and mixed uses. Moreover, the *Public Building* zoning designation is applied to land used, or planned to be used, by a government entity for a public purpose. The project proposes to construct new government buildings to serve the City of Cupertino, and is consistent with the current public uses on the Civic Center site. The project is, therefore, consistent with the General Plan land use and zoning designations on the site. **(Less Than Significant Impact)**

4.10.2.2 *Land Use Compatibility*

The project is a component of the HOC and the Cupertino Civic Center Master Plan, and would be developed in accordance with the design guidelines outlined in the HOC. Replacing the existing City Hall building and adding a new Library Program Room to the existing Library would be consistent with existing uses on the project site and in the project area. The proposed project would be of similar height and mass as the surrounding development. The proposed project would not physically divide an established community. The project site is not located within a habitat conservation plan or natural community conservation plan area. **(Less Than Significant Impact)**

4.10.3 Conclusion

Implementation of the proposed project would not physically divide an established community or conflict with applicable plans, policies, or regulations adopted for the purpose of avoiding an environmental impact. **(Less Than Significant Impact)**

4.11 MINERAL RESOURCES

4.11.1 Setting

Mineral resources found and extracted in Santa Clara County include construction aggregate deposits such as sand, gravel, and crushed stone. There are several areas in the City of Cupertino that are designated by the State Mining and Geology Board under the Surface Mining and Reclamation Act of 1975 (SMARA) as containing mineral deposits which are of regional significance; however, the City's General Plan indicates that these areas are either depleted or unavailable due to existing development. The project site is not within one of the areas of Cupertino designated as containing mineral deposits of importance.

4.11.2 Environmental Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
1. Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?	☐	☐	☐	☒	1
2. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒	1,2

4.11.2.1 *Impacts to Mineral Resources*

The project would not result in the loss of availability of a known mineral resource. **(No Impact)**

4.11.3 Conclusion

Implementation of the proposed project would not result in the loss of availability of a known mineral resources. **(No Impact)**

4.12 NOISE

The following is based in part on a Construction Noise and Vibration Assessment prepared by *Illingworth & Rodkin* in February 2015. A copy of this report is provided in Appendix C of this Initial Study.

4.12.1 Setting

4.12.1.1 *Background Information*

Noise

Noise is defined as unwanted sound. Noise can be disturbing or annoying because of its pitch or loudness. Pitch refers to relative frequency of vibrations; higher pitch signals sound louder to people.

A decibel (dB) is measured based on the relative amplitude of a sound. Ten on the decibel scale marks the lowest sound level that a healthy, unimpaired human ear can detect. Sound levels in decibels are calculated on a logarithmic basis such that each 10 decibel increase is perceived as a doubling of loudness. The California A-weighted sound level, or dBA, gives greater weight to sounds to which the human ear is most sensitive.

Sensitivity to noise increases during the evening and at night because excessive noise interferes with the ability to sleep. Twenty-four hour descriptors have been developed that emphasize quiet-time noise events. The Day/Night Average Sound Level, L_{dn}, is a measure of the cumulative noise exposure in a community. It includes a 10 dB addition or "penalty" to noise levels from 10:00 PM to 7:00 AM to account for human sensitivity to night noise.

Vibration

Ground vibration consists of rapidly fluctuating motions or waves with an average motion of zero. Several different methods are typically used to quantify vibration amplitude. One is the Peak Particle Velocity (PPV) and another is the Root Mean Square (RMS) velocity. The PPV is defined as the maximum instantaneous positive or negative peak of the vibration wave. The RMS velocity is defined as the average of the squared amplitude of the signal. The PPV and RMS vibration velocity amplitudes are used to evaluate human response to vibration. In this report, a PPV descriptor with units of millimeters per second (mm/sec) or inches per second (in/sec) is used to evaluate construction generated vibration for building damage and human complaints.

Low-level vibrations frequently cause irritating secondary vibration, such as a slight rattling of windows, doors, or stacked dishes. The rattling sound can give rise to exaggerated vibration complaints, even though there is very little risk of actual structural damage. Construction activities can cause vibration that varies in intensity depending on several factors. The use of pile driving and vibratory compaction equipment typically generates the highest construction related ground-borne vibration levels. The PPV descriptor is routinely used to measure and assess ground-borne vibration and almost exclusively used to assess the potential of vibration to induce structural damage and the degree of annoyance for humans.

The two primary concerns with construction-induced vibration, the potential to damage a structure, and the potential to interfere with the enjoyment of life, are evaluated against different vibration limits. Studies have shown that the threshold of perception for average persons is in the range of 0.008 to 0.012 in/sec PPV.[21] Human perception to vibration varies with the individual and is a function of physical setting and the type of vibration. Persons exposed to elevated ambient vibration levels, such as people in an urban environment, may tolerate a higher vibration level.

Additional information on the fundamentals of noise and vibration are included in Appendix E.

4.12.1.2 *Regulatory Framework*

Noise

General Plan

The City of Cupertino General Plan provides a policy framework for guiding future land use and urban design decisions and contains a system of control and abatement measures to protect residents from exposure to excessive or unacceptable noise levels. A land use compatibility table showing normally acceptable, conditionally acceptable, normally unacceptable, and clearly unacceptable noise levels for various land uses is included in Appendix C. Noise levels of up to 70 dB are normally acceptable for library and office uses.

Municipal Code

The City of Cupertino regulates noise within the community in Chapter 10.48 (Community Noise Control) of the Municipal Code. Noise from grading, construction, and demolition is limited as follows:

A. Grading, construction and demolition activities shall be allowed to exceed the noise limits of Section 10.48.040 during daytime hours (7:00 AM to 8:00 PM on weekdays, and 9:00 AM to 6:00 PM on weekends) provided, that the equipment utilized has high-quality noise muffler and abatement devices installed and in good condition, and the activity meets one of the following two criteria:

    1. No individual device produces a noise level more than 87 dBA at a distance of 25 feet (7.5 meters); or

    2. The noise level on any nearby property does not exceed 80 dBA.

B. Notwithstanding Section 10.48.053A, it is a violation of this chapter to engage in any grading, street construction, demolition or underground utility work within seven hundred fifty feet of a residential area on Saturdays, Sundays and holidays, and during the nighttime period, except as provided in Section 10.48.030.

C. Construction, other than street construction, is prohibited on holidays, except as provided in Sections 10.48.029 and 10.48.030

[21] Illingworth & Rodkin. *Construction Noise and Vibration Assessment*. February 9, 2015.

D. Construction, other than street construction, is prohibited during nighttime periods unless it meets the nighttime standards of Section 10.48.040.

E. The use of helicopters as a part of a construction and/or demolition activity shall be restricted to between the hours of 9:00 AM and 6:30 PM. Monday through Friday only, and prohibited on the weekends and holidays. The notice shall be given at least 24 hours in advance of said usage. In cases of emergency, the 24 hour period may be waived. (Ord. 1871, (part), 2001)

Vibration

The California Department of Transportation recommends a vibration limit of 0.5 in/sec PPV for buildings that are structurally sound and designed to modern engineering standards, 0.3 in/sec PPV for buildings that are found to be structurally sound but where structural damage is a major concern, and a conservative limit of 0.08 in/sec PPV for historic buildings or buildings that are documented to be structurally weakened. No historic buildings or buildings that are documented to be structurally weakened are known to adjoin the project site. Groundborne vibration levels exceeding 0.3 in/sec PPV at the nearest receptors would have the potential to result in a significant vibration impact.

4.12.1.3 *Existing Conditions*

The Civic Center project site is currently developed with the City Hall, Community Hall, and Library. The existing noise environment at the site and in the vicinity results primarily from traffic on surrounding roadways: Pacifica Drive, Torre Avenue, and Rodrigues Avenue. According to the City of Cupertino General Plan Noise Contour Map, noise levels on the surrounding roadways were measured at approximately 60 dB.

The project site is not located within two miles of an airport or private airstrip, or within an airport land use plan area.

4.12.2 Environmental Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project result in:					
1. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐	1-3
2. Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐	1-3
3. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☒	☐	1

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project result in:					
4. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☒	☐	☐	1,15
5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, will the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐	1,10
6. For a project within the vicinity of a private airstrip, will the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐	1

CEQA does not define what noise level increase would be considered substantial. Typically, project-generated noise level increases of three dBA CNEL or greater would be considered significant where exterior noise levels would exceed the normally acceptable noise level standard. Where noise levels would remain at or below the normally acceptable noise level standard with the project, noise level increases of three dBA CNEL or greater would be considered significant. A substantial temporary noise level increase would occur where noise from construction activities exceeds 80 dBA L_{eq} and the ambient noise environment by at least three dBA L_{eq} at noise-sensitive uses in the project vicinity for a period of one year or more.[22]

4.12.2.1 *Noise Impacts to the Project*

Future Exterior Noise Environment

Traffic along Pacifica Drive, Torre Avenue and Rodrigues Avenue would continue to be the predominant source of noise affecting the noise environment of the Civic Center site. As previously discussed, noise on the surrounding roadways were measured at approximately 60 dBA. The new City Hall and Library Program Room are not anticipated to substantially increase traffic on roadways in the immediate vicinity of the Civic Center site. According to the General Plan, exterior noise levels for office buildings and libraries are considered "normally acceptable" up to 70 dBA. Implementation of the proposed project would not substantially increase traffic noise on the surrounding roadways nor introduce a new land use into the Civic Center site; for these reasons, implementation of the proposed project is not anticipated to result in a significant exterior noise impact. **(Less Than Significant Impact)**

[22] One year is considered a reasonable duration that allows most construction projects to be built, recognizing that noise from construction activities will be short-term and there is a definitive end date to the construction activities.

Future Interior Noise Environment

As previously discussed, the replacement of the existing City Hall and construction of a new Library Program Room are not anticipated to substantially increase traffic and traffic noise on surrounding roadways. Since the exterior noise environment is currently considered "normally acceptable" and implementation of the proposed project would not result in a substantial increase of the surrounding noise environment, the project would not result in significant interior noise impacts. **(Less Than Significant Impact)**

4.12.2.2 *Noise and Vibration Impacts From the Project*

Construction-Related Impacts

Construction Noise

Construction activities can generate high noise levels, especially during the construction of project infrastructure when heavy equipment is used. Noise impacts resulting from construction depend on the noise generated by various pieces of construction equipment, the timing and duration of noise generating activities, and the distance between construction noise sources and noise sensitive receptors. Construction noise impacts primarily occur when construction activities take place during noise-sensitive times of the day (early morning, evening, or nighttime hours), the construction occurs in areas immediately adjoining noise sensitive land uses, or when construction durations last over extended periods of time.

The nearest residences are located 75 feet north and 225 feet east of the project site on Rodriguez Avenue and Farallone Drive, respectively. Calculated noise levels at the Rodriguez Avenue residences during project construction would range between 77 dBA L_{eq} during trenching to 84 dBA L_{eq} during (exterior) building construction, and would exceed the 80 dBA L_{eq} noise limit described in the Municipal Code. This would be considered a significant impact. Construction generated noise levels drop off at a rate of about six dBA per doubling of distance between the source and receptor. Therefore, construction noise levels at the residences along Farallone Drive are expected to be approximately 10 dBA less than noise levels along Rodriguez Avenue (i.e., between 67 dBA L_{eq} and 74 dBA L_{eq}), which is below the significance threshold.

The optional parking spaces, if implemented, would be located approximately 75 feet from the nearest residences located on Farallone Drive. Impacts at these residences would also be significant; however, implementation of the mitigation measures described below would reduce potential noise impacts to a less than significant level. In addition, an existing eight-foot tall fence along the east side of Regnart Creek would provide some shielding, resulting in reduced construction noise levels.

Impact NOI-1: Construction of the proposed project would result in a significant temporary noise impact. **(Significant Impact)**

Mitigation Measures: The project proposes to implement the following mitigation measure to minimize the disruption and annoyance of construction to adjacent uses and reduce construction noise impacts by five (5) to 10 dBA. With the implementation of these controls, as well as the

Municipal Code limits on allowable construction hours, construction noise impacts resulting from the project would be reduced to a less than significant level:

MM NOI-1.1: Develop a construction noise mitigation plan including, but not limited to, the following controls:

- All equipment driven by internal combustion engines shall be equipped with mufflers, which are in good condition and appropriate for the equipment.
- The construction contractor shall utilize "quiet" models of air compressors and other stationary noise sources where technology exists.
- Unnecessary idling of internal combustion engines shall be prohibited.
- Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.
- Locate stationary noise sources as far from sensitive receptors as feasible. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) will be used. Any enclosure openings or venting will face away from sensitive receptors.
- Locate material stockpiles as well as maintenance/equipment staging and parking areas as far as feasible from residential receptors.
- Neighbors located adjacent to the construction site shall be notified of the construction schedule in writing.
- Designate a project liaison that will be responsible for responding to noise complaints during the construction phase. The name and phone number of the liaison will be conspicuously posted at construction areas and on all advanced notifications. This person will take steps to resolve complaints, including periodic noise monitoring, if necessary. Results of noise monitoring will be presented at regular project meetings with the project contractor, and the liaison will coordinate with the contractor to modify any construction activities that generated excessive noise levels to the extent feasible.
- Require a reporting program that documents complaints received, actions taken to resolve problems, and effectiveness of these actions.
- Hold a preconstruction meeting with the job inspectors and the general contractor/on-site project manager to confirm that noise mitigation and practices (including construction hours, construction schedule, and noise coordinator) are completed.

<u>Construction Vibration</u>

The construction of the project may generate perceptible vibration in the immediate vicinity of the project site when heavy equipment or impact tools are used. Groundborne vibration levels would be highest during the demolition, site preparation, and grading/excavation phases when heavy equipment is used.

Table 4.12-1 below presents typical vibration levels that could be expected from construction equipment at a distance of 25 feet. As indicated in Table 4.12-1, vibratory rollers and large bulldozers typically generate vibration levels ranging from of 0.089 to 0.210 inches per second PPV at a distance of 25 feet. Vibration levels would vary depending on soil conditions, construction methods, and equipment used; vibration impacts are generally confined to the immediate vicinity of the project site. Based on the data contained in Table 4.12-1, vibration levels would be less than 0.3 inches per second PPV at a distance of 25 feet.

TABLE 4.12-1: Vibration Source Levels for Construction Equipment

Equipment		PPV at 25 ft. (in/sec)
Clam shovel drop		0.202
Hydromill (slurry wall)	in soil	0.008
	in rock	0.017
Vibratory Roller		0.210
Hoe Ram		0.089
Large bulldozer		0.089
Caisson drilling		0.089
Loaded trucks		0.076
Jackhammer		0.035
Small bulldozer		0.003

Source: Transit Noise and Vibration Impact Assessment, United States Department of Transportation, Federal Transit Agency, Office of Planning and Environment, May 2006.

The nearest structures to the project are located more than 75 feet from the nearest on-site construction activity. The potential for greatest vibration would be during heavy equipment movement, which would generate vibration levels between 0.210 and 0.170 inches per second PPV, respectively, at 25 feet from the source. These vibration levels at 75 feet would decrease to 0.027 and 0.063 inches per second PPV, respectively, and would be well below the 0.3 inches per second PPV impact threshold for sound structures. They would also be below the 0.08 inches per second PPV applicable to structurally weakened structures. Most construction activity would occur well beyond these distances from the nearest receivers and, therefore, construction of the proposed project would not have a significant impact on existing structures in the project vicinity.

People can also be adversely affected by excessive vibration levels. The level at which humans begin to perceive vibration is 0.015 inches per second. Vibrations at 0.2 inches per second are considered bothersome to most people, while continuous exposure to long-term PPV is considered unacceptable at 0.12 inches per second. At a distance of 75 feet, the greatest vibration from the nearest construction activity would decrease to between 0.027 and 0.063 inches per second PPV. Although vibration may at times be perceptible and/or annoying to occupants of nearby buildings, this would not be considered a significant impact due to the short duration and relative infrequency of events, and because vibration levels would be substantially less than what is considered unacceptable for long-term exposure. Vibrations would only be perceptible during the demolition, grading, and excavation phases of construction. Project construction activities would, therefore, not expose persons to excessive vibration levels.

Construction of the new City Hall and Library Program Room would not result in significant construction-related vibration impacts. **(Less Than Significant Impact)**

Project-Generated Traffic

The project proposes to demolish the existing City Hall building and construct a new City Hall building that could accommodate approximately 10 additional employees (compared to the existing City Hall), and construct a Library Program Room that could accommodate up to 130 persons. The project is estimated to generate an average of 320 net new daily trips to the Civic Center site (refer to *Section 4.16 Transportation*). Vehicle trips to the Civic Center would, however, be spread throughout the day and would not all occur around the same time period. In addition, it is not anticipated that the proposed Program Room would be used at full capacity every day. Implementation of the proposed project would result a relatively small increase in vehicular traffic, compared to existing conditions. The minor increase in traffic is not anticipated to result in a substantial increase in traffic-generated noise. For these reasons, implementation of the proposed project would not result in a significant traffic-related noise impact. **(Less Than Significant Impact)**

4.12.3 Conclusion

The project would result in less than significant operational noise, vibration, and traffic impacts, following the completion of construction activities. **(Less Than Significant Impact)**

Impact NOI-1: The proposed project, with the implementation of MM NOI-1.1 and applicable City regulations and policies, would not result in significant construction-related noise impacts. **(Less Than Significant Impact with Mitigation Incorporated)**

4.13 POPULATION AND HOUSING

4.13.1 Setting

Based on information from the California Department of Finance, the City of Cupertino population was estimated to be approximately 60,189 in 2013.[23] The average number of persons per household in Cupertino in 2010 was 2.87.[24]

Approximately 31,060 jobs were provided within the City of Cupertino's Sphere of Influence in 2005, and the Association of Bay Area Governments (ABAG) Projections 2009 shows a projected increase to 33,340 jobs by the year 2020.

The project site is developed with the existing Cupertino Civic Center. Housing is not located on the site.

4.13.2 Environmental Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
1. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒	1
2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	1
3. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	1

4.13.2.1 *Growth Inducement Impacts*

The project site is located within the City of Cupertino. Replacing the City Hall building and addition of a Program Room to the Library would not result in an expansion of urban services or the pressure to expand beyond the City's Sphere of Influence. The project does not propose the construction of new homes or businesses, and would not construct utilities or infrastructure beyond what is required to serve the proposed project. The proposed project is intended to better serve and

[23] United States Census Bureau. "State and County QuickFacts." *Cupertino (city), California*. Accessed December 23, 2014. Available at: < http://quickfacts.census.gov/qfd/states/06/0617610.html>

[24] U.S. Census Bureau. "American Fact Finder". *Profile of General Population and Housing Characteristics: 2010, for the City of Cupertino.* Accessed January 22, 2015. Available at: <http://factfinder2.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=DEC_10_AIAN_AIANDP1&prodType=table>

accommodate the existing residents and businesses within the City of Cupertino. The proposed project would not induce unplanned growth in the City. **(No Impact)**

4.13.2.2 *Housing Displacement Impacts*

Housing is not located on the project site. Therefore, the proposed project would not displace people or housing. **(No Impact)**

4.13.3 Conclusion

Implementation of the proposed project would not result in growth inducement impacts or impacts to existing housing supply. **(No Impact)**

4.14 PUBLIC SERVICES

4.14.1 Setting

4.14.1.1 *Fire Protection Service*

Fire safety and protection is provided to the City of Cupertino by the Santa Clara County Fire Department, which also serves unincorporated Santa Clara County and the communities of Campbell, Los Altos, Los Altos Hills, Los Gatos, Monte Sereno, Morgan Hill and Saratoga.

The Santa Clara County Fire Department serves a total area of approximately 100 square miles and a population of over 226,000 persons. The Santa Clara County Fire Department has 17 fire stations, an administrative headquarters, a maintenance facility, five support facilities, and more than 100 vehicles. The Department employs 283 personnel to provide fire suppression, emergency medical, and fire marshal services, hazardous materials regulation and response, rescue and extrication, public education, and fire investigation services. The Department's suppression force is also augmented by volunteer firefighters.[25]

There are three fire stations located in the City of Cupertino: 1) Cupertino Fire Station No. 1 is located at 20215 Stevens Creek Boulevard, 2) Monta Vista Fire Station No. 7 is located at 22620 Stevens Creek Boulevard, and 3) Seven Springs Fire Station No. 2 is located at 21000 Seven Springs Parkway. The closest fire station, Cupertino Fire Station No. 1, is located approximately 0.3 miles north of the project site and would be the first to respond to any emergencies.

4.14.1.2 *Police Protection Service*

Public safety services are provided by the Santa Clara County Sheriff's Office. The Santa Clara County Sheriff's Office serves the communities of Cupertino, Los Altos Hills, Saratoga, and the unincorporated areas of Santa Clara County. The Sheriff's Office serves a population of approximately 197,700 persons and has 1,429 sworn personnel. There are twenty-eight deputies allocated to the City of Cupertino.[26]

The Santa Clara County Sheriff's West Valley Division, which is located at 1601 South De Anza Boulevard, provides law enforcement services to the residents of Cupertino.

4.14.1.3 *Schools*

The project site is located within the Cupertino Union School District and the Fremont Union High School District. Students in the project area may attend Eaton Elementary School, Lawson Middle School, and Cupertino High School.

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[25] City of Cupertino. "Fire: Santa Clara County Fire Department About County Fire". Accessed December 23, 2014. Available at: < http://www.cupertino.org/index.aspx?page=365>

[26] City of Cupertino. "Sheriff's Office West Valley Division". Accessed December 23, 2014. Available at: <http://www.cupertino.org/index.aspx?page=364>

4.14.1.4 *Parks*

Residents of Cupertino are served by regional and community park facilities, including regional open space, community and neighborhood parks, playing fields, and trails. Examples of regional facilities include Rancho San Antonio and Stevens Creek County Parks and Fremont Older Open Space Preserve managed by the Midpeninsula Open Space District.

The City of Cupertino's neighborhood parks system serves the active and passive recreational needs of its residents. The City of Cupertino's parkland is comprised of 12 neighborhood parks and four special purpose parks (Memorial Park, McClellan Ranch Park, Blackberry Farm, and Creekside Park). The closest parks are Wilson Park, located approximately 0.6 mile east of the project site, and Jollyman Park, located approximately 1.0 mile southwest of the project site. The southern portion of the project site also contains a turf field used for outdoor recreational activities such as soccer and cricket.

4.14.2 <u>Environmental Checklist and Discussion of Impacts</u>

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
1. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
Fire Protection?	☐	☐	☒	☐	1
Police Protection?	☐	☐	☒	☐	1
Schools?	☐	☐	☐	☒	1
Parks?	☐	☐	☒	☐	1
Other Public Facilities?	☐	☐	☐	☒	1

41.14.2.1 *Impacts to Fire and Police Protection Services*

The project site is located within an urbanized area of Cupertino that is currently served by the Santa Clara County Fire Department and the Santa Clara County Sheriff's Office. The proposed City Hall building and Library Program Room would be constructed in conformance with the appropriate Fire and Building Codes to reduce fire risk. Implementation of the proposed project would increase the total capacities of City Hall and the Library compared to existing conditions, which may incrementally increase the number of calls for fire and police services, including medical calls. However, additional service demands generated by the proposed project would not require the construction of additional fire or police facilities; therefore, the project would have a less than significant impact on fire and police protection services. **(Less Than Significant Impact)**

4.14.2.2 *Impacts to Schools, Parks, and Other Public Facilities*

Replacement of the City Hall building and the addition of a Program Room to the existing Library would not generate residents that would attend local schools or increase demand upon parks and other public facilities. Implementation of the 68 optional parking spaces in the southeastern portion of the project site, however, would replace part of the existing turf field. Although the resulting turf field would be smaller compared to its existing size, the field would still adequately accommodate a cricket pitch or youth soccer field. For this reason, implementation of the proposed project, with the construction of the optional parking spaces, would not result in a significant impact to schools, parks, and other public facilities. **(Less Than Significant Impact)**

4.14.3 Conclusion

Implementation of the proposed project would have a less than significant impact on fire and police protection services, schools, parks, and other public facilities in the City of Cupertino. **(Less Than Significant Impact)**

4.15 RECREATION

4.15.1 Setting

The Department of Recreation and Community Services is responsible for park planning and development, and a comprehensive leisure program for the City. The City of Cupertino is served by approximately 214 acres of parkland, including neighborhood parks, community parks, and school playing fields. Leisure services facilities within the City include the Quinlan Community Center, Cupertino Sports Center, Monta Vista Recreation Center, Cupertino Senior Center, and Blackberry Farm.

Wilson Park is located approximately 0.6 miles east of the project site and Jollyman Park is located approximately 1.0 mile southwest of the project site. In addition, the southern portion of the project site contains a turf field used for outdoor recreation.

4.15.2 Environmental Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
1. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?	☐	☐	☒	☐	1
2. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐	1

4.15.2.1 *Impacts to Parks and Recreational Facilities*

Replacing the City Hall building and adding the Program Room to the existing Library would not generate residents that would increase demand upon parks and recreational facilities. While new employees at City Hall or Library visitors may use surrounding parks or recreational facilities, the incremental increase in use of these facilities would not result in substantial, or accelerated, physical deterioration of these facilities.

As discussed in *Section 4.14 Public Services*, construction of the optional parking spaces would replace part of the existing turf field. Although the resulting turf field would be smaller compared to its existing size, the field would still be able to adequately accommodate a cricket pitch or youth soccer field. Implementation of the proposed project would not require the construction or expansion of new recreational facilities. Therefore, implementation of the proposed project, with the construction of the optional parking spaces, would not result in significant impacts to parks and recreational facilities. **(Less Than Significant Impact)**

4.15.3 Conclusion

Implementation of the proposed project would have a less than significant impact on recreational facilities in the City of Cupertino. **(Less Than Significant Impact)**

4.16 TRANSPORTATION

The following is based in part on the Transportation Impact Analysis prepared for the project by *Fehr & Peers* in February 2015. A copy of report is provided in Appendix D of this Initial Study.

4.16.1 Setting

4.16.1.1 *Existing Transportation Network*

Roadway Network

The Civic Center site is bounded by Rodrigues Avenue to the north, Torre Avenue to the west, and Pacifica Avenue to the south. Regional access to the project site is provided by Interstate-280 (I-280) and State Route 85 (SR 85). Local access is provided by Stevens Creek Boulevard and De Anza Boulevard. Stevens Creek Boulevard is a six-lane, east-west arterial roadway that extends from the western boundary of the City of Cupertino to Interstate 880 (I-880) in San Jose. De Anza Boulevard is a six- to eight-lane divided arterial that extends south from Homestead Road in Sunnyvale to Prospect Road in Cupertino. Direct access to the site is provided by Torre Avenue, Pacifica Drive, and Rodrigues Avenue.

The two vehicular entrances to the site are located on Torre Avenue and Rodrigues Avenue. Both driveways are unsignalized and provide full access to the site. The site's internal circulation system consists of a two-lane road from one entrance to the other that connects the parking areas, as shown on Figure 2.2-3 (aerial photograph).

Pedestrian and Bicycle Facilities

Pedestrian facilities are comprised of sidewalks and pedestrian signals at intersections. Near the site, sidewalks are located along Stevens Creek Boulevard, De Anza Boulevard, Rodrigues Avenue, Torre Avenue, and Pacifica Drive. Signalized crossings are provided on De Anza Boulevard at Rodrigues Avenue and at McClellan Road/Pacifica Drive, and on Stevens Creek Boulevard at Torre Avenue.

Class II bicycle lanes exist on De Anza Boulevard, Stevens Creek Boulevard, Blaney Avenue, and Rodrigues Avenue between De Anza Boulevard and Blaney Avenue, and on Torre Avenue between Rodrigues Avenue and Stevens Creek Boulevard. Class II bicycle lanes are generally located adjacent to the outer vehicle travel lane and have special lane markings, pavement legends, and signage.

Transit Services

Three Santa Clara Valley Transportation Authority (VTA) bus routes circulate near the Civic Center. VTA bus Routes 53 and 55 run along De Anza Boulevard. VTA Route 55 has stops at De Anza Boulevard/Pacifica Drive and De Anza Boulevard/Rodrigues Avenue. VTA bus Route 23 runs along Stevens Creek Boulevard.

Parking

The Civic Center site currently provides 232 parking spaces in the shared surface parking areas. The parking areas include seven American with Disabilities Act (ADA) spaces: two next to City Hall and five next to the Library. There are four, four-minute short-term parking spaces next to the library entrance. Electric-vehicle (EV) parking stations (with chargers) are provided on Rodrigues Avenue. Four additional EV charging stations will also be installed at the Library parking lot at existing parking spaces.

A total of 67 on-street parking spaces are provided on select parts of the streets adjacent to the Civic Center site. There are 19 delineated parking spaces on Rodrigues Avenue and 36 delineated parking spaces on Torre Avenue. Delineated parking spaces are defined by posted parking signs and/or pavement markings. Additional parking spaces are located on the block of Pacifica Drive adjacent to the turf field, 12 of which are marked spaces for permit parking during day hours.

The existing latent demand for parking was determined as part of the traffic study. Latent demand captures those vehicles that would access the project site, but cannot since there are no available parking spaces, especially during the afternoon peak use of the library. Based on observations of the site during these hours, it is estimated that there is currently a latent demand for approximately 20 parking spaces during the PM peak period.

4.16.1.2 *Study Methodology*

Traffic conditions at the study intersection were evaluated using level of service (LOS).[27] LOS is a qualitative description of operation conditions raging from LOS A, free-flow conditions with little or no delay, to LOS F, or jammed conditions with excessive delays.

Signalized Intersections

The LOS study methodology was prepared in accordance with VTA TIA Guidelines (as adopted by the City of Cupertino) and with Chapter 16 of the *2000 Highway Capacity Manual*, which analyzes the operation of signalized intersections based on average control delay per vehicle. Control delay includes the initial deceleration delay, queue move-up time, stopped delay, and final acceleration delay. The average control delay for signalized intersections is calculated using TRAFFIX analysis software and is correlated to a LOS designation as shown in Table 4.16-1, below.

[27] In December 2014 Cupertino's City Council adopted its *Community Vision 2040*, which amended the City's General Plan. In response to Senate Bill (SB) 743, which requires alternatives to automobile LOS for evaluating transportation impacts, the updated General Plan no longer includes a LOS standard for intersection operations. Rather, the Mobility Element of the *Community Vision 2040* includes guidance to balance the needs of all modes of transportation through measures such as vehicles miles traveled (VMT) and multi-modal analysis methods. Although SB 743 has been adopted at the State level, the Office of Planning and Research (OPR) does not anticipate releasing guidelines on how to implement it until late 2015 or early 2016; therefore the City is applying an approach that maintains the previous level of service standard thresholds for City intersections, while also considering the pedestrian, bicycle, and transit facility impacts of the project.

Table 4.16-1: Level of Service Standards		
Level of Service	**Description**	**Average Control Delay Per Vehicle (seconds)**
A	Signal progression is extremely favorable. Most vehicles arrive during the green phase and do not stop at all. Short cycle lengths may also contribute to the very low vehicle delay	10.0 or less
B+ B B-	Operations characterized by good signal progression and/or short cycle lengths. More vehicles stop compared to LOS A, causing high levels of average vehicle delay.	10.1 to 12.0 12.1to 18.0 18.1 to 20.0
C+ C C-	Higher delays may result from fair signal progression and/or longer cycle lengths. Individual cycle failures may begin to appear at this level. The number of vehicles stopping is significant, though may still pass through the intersection without stopping.	20.1 to 23.0 23.1 to 32.0 32.1 to 35.0
D+ D D-	The influence of congestion becomes more noticeable. Longer delays may result from some combination of unfavorable signal progression, long cycle lengths, or high volume-to-capacity (V/C) ratios. Many vehicles stop and individual cycle failures are noticeable.	35.1 to 39.0 39.1 to 51.0 51.1 to 55.0
E+ E E-	This is considered to be the limit of acceptable delay. These high delay values generally indicate poor signal progression, long cycle lengths, and high V/C ratios. Individual cycle failures occur frequently.	55.1 to 60.0 60.1 to 75.0 75.1 to 80.0
F	This level of delay is considered unacceptable by most drivers. This condition often occurs with oversaturation, that is, when arrival flow rates exceed the capacity of the intersection. Poor progression and long cycle lengths may also be major contributing causes of such delay levels	Greater than 80.0

Unsignalized Intersection

The operations of the unsignalized intersections were evaluated using the method described in Chapter 17 of the Federal *2000 Highway Capacity Manual*. In addition, the City of Cupertino applies the *2014 California Manual on Uniform Traffic Control Devices* peak-hour volume signal warrant to evaluate operations at unsignalized intersections.

LOS ratings for stop-sign-controlled intersections are based on the average control delay expressed in seconds per vehicle. For all-way stop-controlled intersections, the average control delay is calculated for the intersection as a whole.

At two-way or side-street controlled intersections, the average control delay is calculated for each stopped movement, not for the intersection as a whole. For approaches composed of a single lane, the control delay is computed as the average of all movements in that lane. Table 4.16-2 below summarizes the relationship between delay and LOS for unsignalized intersections.

Table 4.16-2: Unsignalized Intersection Level of Service Standards		
Level of Service	**Description**	**Average Control Delay Per Vehicle** (seconds)
A	Little or no traffic delay	10.0 or less
B	Short traffic delays	10.1 to 15.0
C	Average traffic delays	15.1 to 25.0
D	Long traffic delays	25.1 to 35.0
E	Very long traffic delays	35.1 to 50.0
F	Extreme traffic delays	Greater than 50.0

Study Intersections

The traffic analysis evaluated the impacts of the proposed Civic Center project on four key intersections, listed below. Figure 4.16-1 shows the locations of the four intersections.

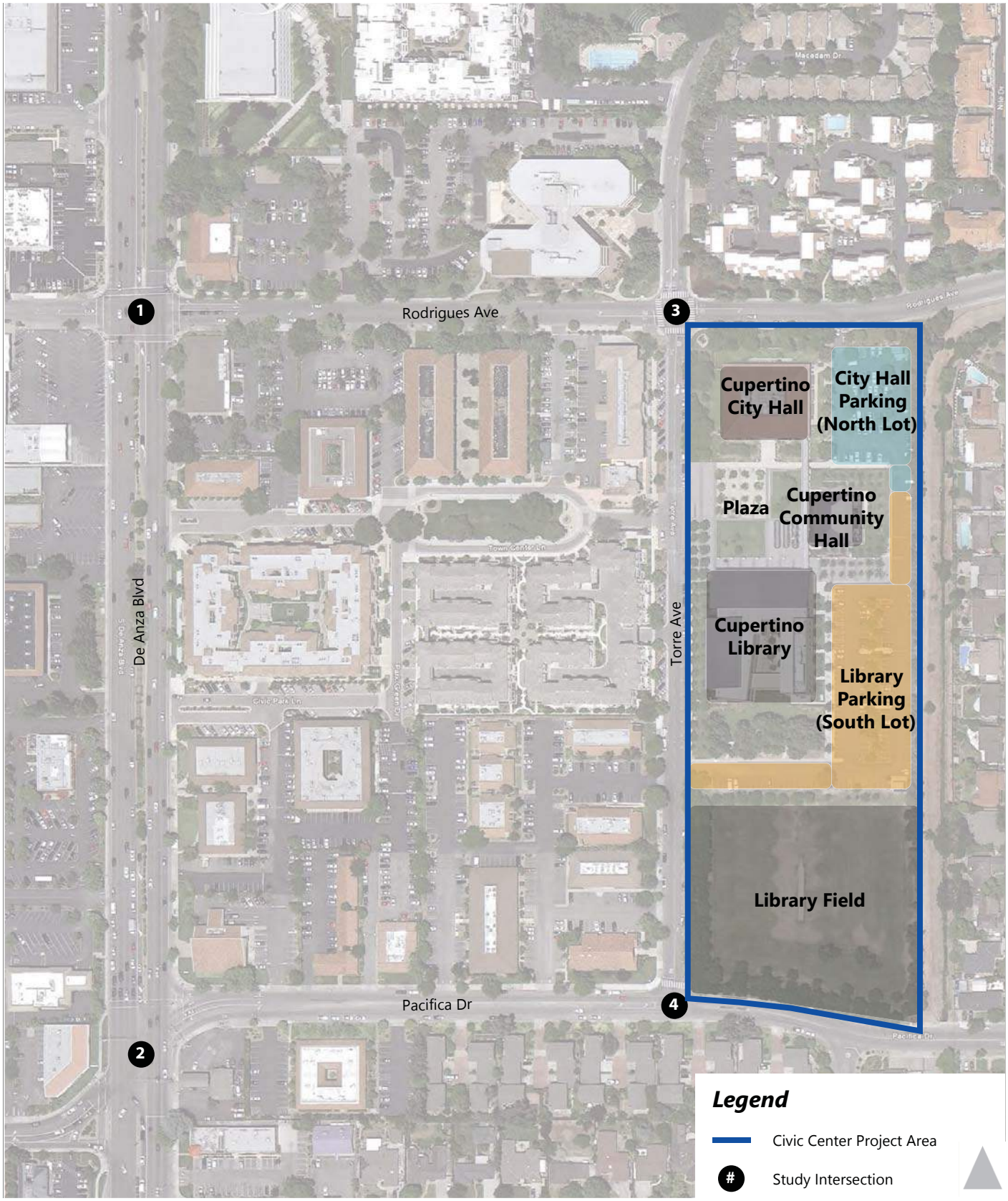
1. De Anza Boulevard and Rodrigues Avenue
2. De Anza Boulevard and Pacifica Drive
3. Torre Avenue and Rodrigues Avenue
4. Torre Avenue and Pacifica Drive

The listed intersections were selected in consultation with City of Cupertino staff and generally determined based on VTA's 10 trip per lane guideline, which indicates that intersections should be included if the proposed project adds 10 or more peak hour vehicles per lane to any intersection movement.

Study Scenarios

Traffic conditions were evaluated for four scenarios: existing conditions, existing plus project conditions, background conditions, and background plus project conditions. Table 4.16-3, below, describes each scenario.

Table 4.16-3: Traffic Study Scenarios	
Scenario	**Description**
Existing Conditions	Existing conditions are represented by existing peak hour traffic volumes on the existing roadway network.
Existing Plus Project Conditions	Existing plus project peak hour traffic volumes were estimated by adding to existing traffic volumes the traffic generated by the project. This scenario is analyzed to determine the effects the project would have on existing traffic conditions.
Background Conditions	Background conditions represents the projected traffic conditions just prior to the completion of the proposed project. Traffic volumes in this scenario comprise of existing traffic volumes plus traffic generated by other approved but not yet completed developments in the vicinity.
Background Plus Project Conditions	This scenario represents the projected traffic conditions when the project is complete. Background plus project conditions are evaluated relative to background conditions in order to determine the project impacts. This traffic scenario represents a more congested traffic condition than the existing plus project scenario since it includes traffic generated by approved, but not yet completed projects in the area.



STUDY INTERSECTIONS

FIGURE 4.16-1

4.16.1.3 *Existing Conditions*

Existing intersection lane configurations, signal timings, and peak-hour turning movement volumes were used to calculate the LOS for the key intersections during each peak hour. The results of the LOS analysis using the TRAFFIX software program for Existing Conditions are presented in Table 4.16-4, below. The results indicate that all study intersections operate at acceptable service levels (LOS D or better during the AM and PM peak hours), except for the De Anza Boulevard and Pacifica Drive intersection, which operates at LOS E during the PM peak hour.

Table 4.16-4: Existing Intersection Level of Service

	Intersection	Intersection Control Type	Peak Hour	Delay (sec.)[1]	LOS
1	De Anza Boulevard & Rodrigues Avenue	Signal	AM PM	19.1 25.7	B- C
2	De Anza Boulevard & Pacifica Drive	Signal	AM PM	31.6 76.7	C E-
3	Torre Avenue & Rodrigues Avenue	All-Way Stop-Controlled	AM PM	9.3 9.8	A A
4	Torre Avenue & Pacifica Drive	Side-Street Stop-Controlled	AM PM	10.6 11.8	B B

Note:
[1] Whole intersection weighted average control delay expressed in seconds per vehicle for signalized and all-way stop-controlled intersections. Total control delay for the worst movement is presented for side-street stop-control intersections.

4.16.1.4 *Background Conditions*

Background conditions are the traffic conditions just prior to the completion of the proposed Civic Center project. Traffic volumes in this scenario comprise of volumes from existing traffic plus traffic generated by other approved, but not yet built and/or occupied, development in the vicinity. Background trips for the proposed project includes trips from the Apple Campus 2 project, which is currently under construction. One new roadway improvement was identified for the study intersections under the background scenario, which includes changing the DeAnza Boulevard/Rodrigues Avenue intersection (Study Intersection 1) to an eight-phase signal.

The signal change would change the east-west phasing on Rodrigues Avenue from a permitted phasing (where left turns yield to the opposing through movement) to protected phasing (where opposing through movements and left-turns have separate green phases). The signal upgrade would not result in any geometry changes at this intersection. The background roadway network was updated to reflect the signal upgrade. All other intersections were assumed to have the same geometries and intersection controls as under Existing Conditions. Table 4.16-5, below, compares existing and background levels of service.

Table 4.16-5: Existing and Background Intersection Levels of Service							
	Study Intersection	Intersection Control Type	Peak Hour	Existing Conditions		Background Conditions	
				Delay (sec.) [1]	LOS	Delay (sec.) [1]	LOS
1	De Anza Boulevard & Rodrigues Avenue	Signal	AM PM	19.1 25.7	B- C	25.7 32.8	C C-
2	De Anza Boulevard & Pacifica Drive	Signal	AM PM	31.6 76.7	C E-	33.2 102.2	C- F
3	Torre Avenue & Rodrigues Avenue	All-Way Stop-Controlled	AM PM	9.3 9.8	A A	9.7 11.0	A B
4	Torre Avenue & Pacifica Drive	Side-Street Stop-Controlled	AM PM	10.6 11.8	B B	10.8 12.6	B B

Note: [1] Whole intersection weighted average control delay expressed in seconds per vehicle for signalized and all-way stop-controlled intersections. Total control delay for the worst movement is presented for side-street stop-control intersections.

4.16.2 Environmental Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
1. Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	☒	☐	1,2,20
2. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐	20
3. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒	1,10

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
4. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	☐	☐	☒	☐	1,20
5. Result in inadequate emergency access?	☐	☐	☒	☐	1
6. Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	☒	☐	1,20

4.16.2.1 *Thresholds of Significance*

Signalized Intersections

For the purposes of this Initial Study, the criteria used to determine significant impacts on signalized intersections are based on the City of Cupertino's LOS impact criteria. The LOS standard for City of Cupertino intersections is generally LOS D; except for a few specific intersections that have a LOS E+ (60 seconds) threshold. The two signalized intersections evaluated in this Initial Study have an LOS D standard. According to the VTA TIA Guidelines (2009), a significant traffic impact would occur if the addition of traffic associated with implementation of the proposed Civic Center project causes

1. Intersection operations to deteriorate from an acceptable level (LOS D or better) to an unacceptable level (LOS E or F);

2. Exacerbation of unacceptable operations by increasing the average critical delay by more than four seconds and increasing the critical volume-to-capacity (V/C) ratio by 0.01 or more at an intersection operating at LOS E or F; or

3. The V/C ratio to increase by 0.01 or more at an intersection with unacceptable operations (LOS E or F) when the change in critical delay is negative (i.e., decreases). This can occur if the critical movements change.

Unsignalized Intersections

Level of service analyses at unsignalized intersections are generally used to determine the need for modification in type of intersection control (i.e., all-way stop or signalization). As part of this evaluation, traffic volumes, delays, and traffic signal warrants are evaluated to determine if the existing intersection control is appropriate.

The City of Cupertino does not have officially adopted significance criteria for unsignalized intersections. Based on previous studies, significant impacts are defined to occur when the addition of project traffic causes the average intersection delay for all-way stop-controlled intersection or the

worst movement/approach for side-street stop-controlled intersections to degrade to LOS F and the intersection satisfies any traffic signal warrant from the *Manual on Uniform Traffic Control Devices*.

Pedestrian and Bicycle Impact Criteria

Pedestrian and bicycle impacts are considered significant if the project would potentially disrupt existing pedestrian and bicycle facilities, interfere with planned pedestrian and bicycle facilities, or would conflict or create inconsistencies with adopted pedestrian and bicycle system plans, guidelines, policies, or standards.

Transit Impact Criteria

Transit impacts are considered significant if the proposed project conflicts with existing or planned transit facilities, generates potential transit trips in excess of available capacity, or does not provide adequate facilities for pedestrians and bicyclists to access transit routes and stops.

4.16.2.2 *Project Trip Estimates*

Trip Generation

Trip generation estimates for the existing and proposed uses were generally estimated based on data published in *the Institute of Transportation Engineers' (ITE) Trip Generation Manual 9th Edition*. Driveway counts were also collected in June 2014 to validate the use of the ITE rates. These driveway counts were collected during the summer and were increased by ten percent to normalize the data to account for standard operating conditions when schools are in session. The project trip generation was also incrementally increased to account for the limited on-site parking during the PM peak-hour (i.e., people drive to the library, but park offsite due to limited on-site parking). Construction of the new City Hall and Library Program Room is anticipated to generate 320 net new daily trips: nine net new AM peak-hour vehicle trips (seven inbound and two outbound), and 50 net new PM peak-hour vehicle trips (23 inbound and 27 outbound).

<u>Trip Distribution Pattern and Trip Assignment</u>

The distribution of traffic generated by the project onto the roadway system was based on turning movement counts collected at the two Civic Center driveways, the location of complimentary land uses, prevailing travel patterns, and input from the City of Cupertino.

Project trips were assigned to the roadway network based on the trip distribution patterns discussed above. Refer to Appendix D for more information regarding the trip distribution and assignment of the proposed project.

4.16.2.3 *Existing Plus Project Condition*

The project trips were added to existing traffic volumes to obtain existing plus project traffic volumes. The results of the intersection LOS analysis under existing plus project conditions show that, measured against City of Cupertino LOS standards, all of the study intersections would operate

at an acceptable LOS during both the AM and PM peak hours of traffic. Except for the De Anza Boulevard and Pacifica Drive intersection, all study intersections would operate at LOS D or better.

The De Anza Boulevard and Pacific Drive intersection currently operates at LOS E- under existing conditions, and would continue to operate at LOS E- under existing plus project conditions. Though the project exacerbates unacceptable operations at this intersection, the project does not meet the impact threshold of increasing the average critical delay by more than four seconds or increasing the critical (V/C) ratio by 0.01 or more for intersections already operating at an unacceptable level of service (refer to Table 4.16-6, below).

Table 4.16-6: Existing and Existing Plus Project Conditions LOS Summary

	Study Intersection	Peak Hour	Change in Critical (V/C) Ratio	Existing Conditions		Existing Plus Project Conditions	
				Delay (sec.) [1]	LOS	Delay (sec.) [1]	LOS
1	De Anza Boulevard & Rodrigues Avenue	AM	0.002	19.1	B-	19.3	B-
		PM	0.010	25.7	C	26.1	C
2	De Anza Boulevard & Pacifica Drive	AM	0.000	31.6	C	31.6	C
		PM	0.001	76.7	E-	77.0	E-
3	Torre Avenue & Rodrigues Avenue	AM	n/a	9.3	A	9.3	A
		PM		9.8	A	10.1	B
4	Torre Avenue & Pacifica Drive	AM	n/a	10.6	B	10.6	B
		PM		11.8	B	11.9	B

Note: [1] Whole intersection weighted average control delay expressed in seconds per vehicle for signalized and all-way stop-controlled intersections. Total control delay for the worst movement is presented for side-street stop-control intersections.

4.16.2.4 *Background Plus Project Conditions*

The background plus project conditions are the near-term traffic conditions that would most likely occur when construction of the new City Hall and Library Program Room is complete. The peak hour trips generated by the project were added to the background traffic volumes to obtain the background plus project traffic volumes. The results of the intersection level of service analysis under background plus project conditions show that, measured against City of Cupertino LOS standards, all of the study intersections would operate at an acceptable level of service during both the AM and PM peak hours of traffic, except for the De Anza Boulevard and Pacifica Drive intersection. Under background conditions, the De Anza Boulevard and Pacific Drive intersection would operate at LOS F, and would continue to operate at LOS F under background plus project conditions. Though the project exacerbates unacceptable operations at this intersection, the project does not meet the impact threshold of increasing the average critical delay by more than four seconds or increasing the critical (V/C) ratio by 0.01 or more for intersections already operating at an unacceptable level of service (refer to Table 4.16-7 below).

Implementation of the proposed project would not cause surrounding roadways and intersections to operate at an unacceptable LOS; therefore, the project would have a less than significant impact on surrounding roadways. **(Less Than Significant Impact)**

Table 4.16-7: Background and Background Plus Project Conditions LOS Summary

	Study Intersection	Peak Hour	Change in Critical (V/C) Ratio	Background Conditions		Background Plus Project Conditions	
				Delay (sec.) [1]	LOS	Delay (sec.) [1]	LOS
1	De Anza Boulevard & Rodrigues Avenue	AM	0.002	25.7	C	25.7	C
		PM	0.010	32.8	C-	33.1	C-
2	De Anza Boulevard & Pacifica Drive	AM	0.000	33.4	C	33.2	C-
		PM	0.001	101.9	F	102.2	F
3	Torre Avenue & Rodrigues Avenue	AM	n/a	9.7	A	9.7	A
		PM		10.8	B	11.0	B
4	Torre Avenue & Pacifica Drive	AM	n/a	10.8	B	10.8	B
		PM		12.5	B	12.6	B

Note: [1] Whole intersection weighted average control delay expressed in seconds per vehicle for signalized and all-way stop-controlled intersections. Total control delay for the worst movement is presented for side-street stop-control intersections.

4.16.2.5 *Impacts to Pedestrian, Bicycle, and Transit Facilities*

Replacement of the new City Hall building and construction of a new Library Program Room would not conflict with any policies of the City of Cupertino or other agencies (e.g., the Valley Transportation Authority) regarding pedestrian, bicycle, and transit facilities, nor would it interfere with any existing or planned facilities. The project would, therefore have a less than significant impact on pedestrian, bicycle, and transit facilities. **(Less Than Significant Impact)**

4.16.2.6 *Other Transportation Issues*

Parking

The project proposes to construct a new City Hall that would accommodate approximately 10 additional employees (compared to the existing City Hall), and expand the Library to be able to accommodate up to 130 more persons. Implementation of the proposed project would add 63 additional parking spaces to the Civic Center site.

The new City Hall would include meeting rooms that would be used by city staff on weekdays, and the public in the evenings and on weekends. The evening and weekend use of these rooms would not coincide with regular daytime uses of City Hall and would occur during off-peak hours. Parking

demand during weekday evenings and weekends is anticipated to be lower than during the daytime on weekdays and would, therefore, not affect the overall parking needs of the Civic Center.

The current Story Room at the library is very active during the week starting at 10:00 AM and in the early afternoon. It is assumed that the new Story Room (i.e. Program Room) would have similar utilization characteristics. It is possible that the new Program Room could occasionally be used during the evening peak period between 4:00 PM and 6:00 PM; however, it is anticipated that with the construction of the proposed underground parking garage, there would be adequate parking at the Civic Center site.

As an option, 68 additional surface parking spaces may be constructed along the east border of the project site in the southeastern portion of the project site. This optional surface parking would allow the Library expansion to be implemented before the proposed basement parking garage in the new City Hall. It would also facilitate traffic circulation on-site during the construction of the new City Hall and its basement parking. A portion of the turf field would be removed to construct the surface parking and it could be restored after the basement parking garage is built. If the parking were to remain it would serve users of the field and meet parking demands for non-typical programming at the Civic Center, such as special events. These events are not anticipated to generate vehicle trips during normal weekday AM and PM peak hours as parking spaces do not generate new vehicle trips, in and of itself. The optional parking spaces are not required to meet the parking needs of the Civic Center site but would provide additional parking during special events. **(Less Than Significant Impact)**

Air Traffic Patterns

As discussed in *Section 4.8 Hazards and Hazardous Materials, t*he Cupertino Civic Center is not located within an airport land use plan or in the vicinity of a private airstrip. Construction of the new City Hall and Library Program Room would not impact local air traffic patterns. **(No Impact)**

Site Access and Hazards

With the implementation of the proposed project vehicles would still be able to access the Civic Center site through the existing driveways on Torre Avenue and Rodrigues Avenue. The proposed underground parking garage would be accessed via the parking lot closest to the Rodrigues Avenue driveway (refer to Figure 3.3-1: Conceptual Site Plan). The new entrance to the underground parking garage would incorporate design elements to ensure that pedestrians can safely cross the new driveway and access the Civic Center site. The project does not include other components that could otherwise increase site hazards, adversely impact site access, or result in inadequate emergency access.

As an option, 68 additional surface parking spaces may be constructed along the east border of the project site in the southeastern portion of the project site. If constructed, these additional spaces would be accessible from Pacifica Drive and would connect to the existing surface parking spaces in the northeastern portion of the site. This would not result in significant impacts to site access or create a traffic hazard. **(Less Than Significant Impact)**

4.16.3 Conclusion

Implementation of the proposed project would not result in significant transportation impacts. **(Less Than Significant Impact)**

4.17 UTILITIES AND SERVICE SYSTEMS

4.17.1 Setting

4.17.1.1 *Water*

Water service to the project site is supplied by the San José Water Company (SJWC), which also maintains the water system. SJWC serves approximately 139 square miles of the Santa Clara Valley, including most of San Jose, most of Cupertino, the entire cities of Campbell, Monte Sereno, Saratoga, the Town of Los Gatos, and parts of unincorporated Santa Clara County. SJWC relies on groundwater, imported treated water, and local surface water for its potable water supply. In 2010, SJWC received approximately 39 percent of its water supply from groundwater, 50 percent from imported treated water, and 11 percent from local surface water.[28] In 2010, SJWC delivered 133,066 acre-feet of water per year (AFY) which is expected to increase to 159,479 by 2035.

The project site is served by existing water lines located in the surrounding roadways.

4.17.1.2 *Storm Drainage*

As discussed in *Section 4.9 Hydrology and Water Quality*, the project site is located within the West Valley Watershed. Runoff from the project site drains into Regnart Creek through direct surface flow from on-site storm drain collection and street drainage. Regnart2 Creek runs along the eastern border of the project site.

4.17.1.3 *Wastewater/Sanitary Sewer System*

The Cupertino Sanitary District (District) provides sanitary sewer service to the project site. The Cupertino Sanitary District collects and transports wastewater to the San José/Santa Clara Regional Wastewater Facility (RWF) located in north San José. The District purchases 7.85 million gallons per day of water treatment capacity from the RWF.[29] Approximately five million gallons of wastewater a day is generated within the Cupertino Sanitary District and conveyed to the RWF.[30]

The project site is served by existing sewer lines located in the surrounding roadways.

4.16.1.4 *Solid Waste*

Garbage and recycling collection services in the City of Cupertino are provided by Recology. Solid waste collected from the City is delivered to Newby Island Sanitary Landfill (NISL). Many types of recyclable materials are also delivered to the Sunnyvale Materials Recovery Station (SMART Station) for recycling. Currently, NISL had approximately 20 million cubic yards of capacity remaining.[31]

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[28] San José Water Company. *2010 Urban Water Management Plan.* April 2011.
[29] City of Milpitas. "Agreement for Treatment Plant Capacity Transfer". 2009. Accessed: December 24, 2014. Available at: <http://www.ci.milpitas.ca.gov/_pdfs/council/2009/010609/item_17.pdf>
[30] Cupertino Sanitary District. 2014 Annual Report. 2014.
[31] McGourty, Scott. Personal communications with Environmental Manager at NISL. May, 2014.

The City has a contract with NISL until the year 2023 or until the cumulative tonnage delivered equals 2.05 million tons. The City has delivered a total of approximately 1.4 million tons of waste to the landfill. The City generates approximately 31,500 tons of solid waste a year.[32]

4.17.2 Environmental Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
Would the project:					
1. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☒	☐	1
2. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐	1
3. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☒	☐	1
4. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☒	☐	1
5. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐	1
6. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☒	☐	1
7. Comply with federal, state and local statutes and regulations related to solid waste?	☐	☐	☒	☐	1

4.17.2.1 *Water Service and Supply*

Based on the 2010 Urban Water Management Plan adopted by San José Water Company, water demand in their service area is expected to increase by approximately 20 percent. The project proposes to replace the existing City Hall with a new City Hall building, and construct a new Library Program Room; no new residential uses or water-intensive uses (e.g., manufacturing or industrial) are proposed on the Civic Center site. Implementation of the proposed project would not result in a

[32] The estimate annual tonnage of solid waste generated by the City is based on an average of 2009-2011. Source: King, Rick. Personal communications with NISL General Manager. February 2012.

substantial increase in people using the Civic Center site. The project would, therefore, not substantially increase water demand to the extent that new entitlements and sources of water would be required. **(Less Than Significant Impact)**

4.17.2.2 *Storm Drainage*

As discussed in *Section 4.9 Hydrology and Water Quality*, Construction of the new City Hall building and Library Program Room would add/replace more than 10,000 square feet of impervious surfaces. Consistent with the MRP requirements, 100 percent of the runoff generated by the project would be treated using new LID stormwater controls where feasible. The project proposes to install green roofs and planters on the new City Hall building and Library Program Room, and plant trees and additional landscaping around the proposed buildings. Implementation of the proposed project, consistent with the MRP requirements, would reduce the rate and volume of runoff from the Civic Center site to levels occurring under existing conditions, avoiding associated hydrology and water quality impacts such as flooding and sedimentation. Implementation of the proposed project would slightly increase the amount of pervious surfaces on-site from 247,411 square feet to 247,423 square feet; the percentage of pervious surfaces on-site would remain the same at 58 percent.

As an option, 68 new surface parking spaces may be constructed along the eastern border of the project site. Construction of these new parking spaces would displace a portion of the turf field; however, this parking area would be constructed of permeable pavement that would allow stormwater to infiltrate into the soils underneath. This permeable pavement would provide 100 percent surface permeability and filter stormwater flowing through. No new impervious surfaces would be created as a result of the optional parking spaces

Implementation of the proposed project, with the green roofs and landscaping, would not increase the amount of impervious surfaces and would improve the overall stormwater treatment on the Civic Center site, when compared to the existing condition. Since the Civic Center site is adequately served by existing stormwater infrastructure, implementation of the proposed project would not require the construction of new stormwater drainage facilities. **(Less Than Significant Impact)**

4.17.2.3 *Wastewater/Sanitary Sewer System*

The project proposes to replace the existing City Hall with a new City Hall and construct a new Library Program Room. Construction of the proposed project would not substantially increase the amount of wastewater generated on-site and would, therefore, not require the construction of new wastewater treatment facilities or infrastructure to serve the proposed project. Consistent with General Plan Measure M-F-7, Action E (Install Graywater and Rainwater Catchment Systems in New Construction and Major Retrofit Projects), the project proposes to construct implement a graywater pumping system in the new City Hall building to help conserve overall water usage. The graywater would be used for suitable applications, such as landscape irrigation, on the Civic Center site. **(Less Than Significant Impact)**

4.17.2.4 *Solid Waste*

The project proposes to replace the existing City Hall with a new City Hall and construct a new Library Program Room. The proposed City Hall would accommodate approximately 10 addition

employees compared to the existing City Hall. The Library Program Room would be used intermittently during scheduled programs or activities, and would not result in a substantial increase in waste generated. The proposed project would be adequately served by existing solid waste facilities. **(Less Than Significant Impact)**

4.17.3 Conclusion

Implementation of the proposed project would not result in a significant impact to utilities and service systems. **(Less Than Significant Impact)**

4.18 MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐	p. 1-103
2. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐	p. 1-103
3. Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	☐	☐	☒	☐	p. 1-103
4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐	p. 1-103

4.18.1 Project Impacts

The proposed project, with the implementation of the mitigation measures identified in *Section 4.0* of this Initial Study, would not significantly degrade or impact the quality of the environment. As discussed in *Section 4.4 Biological Resources*, the project would not impact sensitive habitat or wildlife. As discussed in *Section 4.5 Cultural Resources*, the project would not have a significant impact on cultural resources with the incorporation of the described mitigation measures. **(Less Than Significant Impact with Mitigation Incorporated)**

4.18.2 Cumulative Impacts

Cumulative impacts refer to two or more individual effects which, when considered together are considerable or which compound or increase other environmental impacts. The project would not result in impacts to agricultural and forest resources or mineral resources and, therefore, would not contribute to the cumulative impacts of those resources. The project would result in the removal of existing trees, but the project would plant replacement trees; therefore, the project would not have a considerable contribution to a significant cumulative impact on trees.

There are no planned or proposed developments in the project area that could contribute to cumulative aesthetic, air quality (including construction-related impacts), hydrology and water quality, noise, population and housing, recreation, or utilities and service system impacts. The project's archaeological resources and geology and soils impacts are specific to the project site and would not contribute to cumulative impacts elsewhere. The project is small and would not contribute toward a significant impact at the De Anza/Pacifica Avenue intersection, as discussed in *Section 4.16 Transportation*.

The project's cumulative impacts to greenhouse gas emissions is discussed in *Section 4.7* and it was concluded that the project would have a less than significant (cumulative) impact on greenhouse gas emissions.

Based on the discussion above, the project would not have cumulatively considerable impacts. **(Less Than Significant Impact)**

4.18.3 Short-term Environmental Goals vs. Long-term Environmental Goals

The project proposes to replace the existing City Hall building with a new City Hall building and construct a new Library Program Room on the existing Civic Center site. The project would not result in the conversion of a greenfield site to urban uses or otherwise commit resources in a wasteful or inefficient manner. The construction phase would require the use of nonrenewable construction material, such as concrete, metals, and plastics. Nonrenewable resources and energy would also be consumed during the manufacturing and transportation of buildings materials, preparation of the site, and construction of the buildings.

The operational phase would consume energy for multiple purposes including, building heating and cooling, lighting, and electronics. Energy, in the form of fossil fuels, would be used to fuel vehicles traveling to and from the Civic Center site. The project would result in an increase in demand upon nonrenewable resources; however, the proposed City Hall building and Library Program Room would include green building measures, consistent with the 2013 California Green Building Code, and, therefore, are not anticipated to increase the overall amount of energy use. In addition, the project would comply with the most current requirements of the California Green Building Code.

The project would not induce substantial job or population growth (refer to *Section 4.13*) or result in a large or irretrievable commitment of resources. For these reasons, the project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals. **(Less Than Significant Impact)**

4.18.4 Direct or Indirect Adverse Effects on Human Beings

Based on the analysis completed in *Section 4.0* of this Initial Study, the project would not result in direct or indirect adverse effects on human beings. **(Less Than Significant Impact)**

Checklist Sources

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18. City of Cupertino. "Fire: Santa Clara County Fire Department About County Fire". Accessed December 23, 2014. Available at: <http://www.cupertino.org/index.aspx?page=365>

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20. Fehr & Peers. *Transportation Impact Analysis*. February 6, 2015. (Appendix D of this Initial Study)

21. San José Water Company. 2010 Urban Water Management Plan. April 2011.

22. City of Milpitas. "Agreement for Treatment Plant Capacity Transfer". 2009. Accessed: December 24, 2014. Available at: http://www.ci.milpitas.ca.gov/_pdfs/council/2009/010609/item_17.pdf

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24. McGourty, Scott. Personal communications with Environmental Manager at NISL. May, 2014.

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SECTION 6.0 AUTHORS AND CONSULTANTS

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