# SUNNYVALE EAST AND WEST CHANNELS FLOOD PROTECTION PROJECT

## Second Addendum to the Final Environmental Impact Report

State Clearinghouse No. 2013012041

**April 20, 2023**

**Prepared by:**

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**Copy of Addendum No. 1 can be found at:**
https://scvwd.legistar.com/View.ashx?M=F&ID=10539291&GUID=A2E013D9-8507-42A0-ABDA-53B575F2AB84
**Copy of DEIR and FEIR can be found at:**
https://www.valleywater.org/project-updates/e2-sunnyvale-east-and-sunnyvale-west-channels-flood-protection

# A. Project Background and Purpose of Addendum

The Sunnyvale East and West Channels are artificial channels that drain the area between Stevens and Calabazas creeks in the City of Sunnyvale (City). Historically, land subsidence in this area disrupted natural drainage patterns and caused localized ponding of storm and flood waters. To improve drainage and reduce flood hazards, the Santa Clara Valley Water District (Valley Water) constructed the East and West Channels between 1956 and 1979. Both channels were constructed as local storm drains, are wholly artificial, and neither channel was built at the location of a natural channel or pre-existing creek. The channels have about a 10-year level of flood protection, a typical design standard for storm drain design, and lack capacity for the one percent annual flow (i.e., flood with recurrence interval [RI] of 100 years), thereby exposing nearby areas to flood hazards in the event of flows that exceed the level of flood protection currently provided.

To reduce flood hazards, Valley Water has developed plans to improve approximately 6.5 miles of the East Channel and approximately 3.0 miles of the West Channel. Improvements would increase the flow conveyance capacity of the two channels such that the one percent flow would be accommodated without flooding adjacent areas. Valley Water prepared a Draft Environmental Impact Report[1] (EIR) for the Sunnyvale East and West Channels Flood Protection Project (Flood Protection Project) in October 2013 and certified the Final EIR[2] for the Flood Protection Project on September 9, 2014 (Flood Protection Project EIR). After certifying the Flood Protection Project EIR, Valley Water began pursuing necessary approvals from regulatory agencies to construct the Flood Protection Project.

A portion of the Flood Protection Project is located on the east and west banks of the West Channel adjacent to and immediately east of 1212 Bordeaux Drive, and adjacent to and immediately west of 1265 Borregas Avenue in the City. Google LLC (Google) is the owner of this certain real property, Assessor Parcel Nos. 110-25-040 and 110-35-031 (Google Property), adjacent to and on both sides of Valley Water property, Assessor Parcel No. 110-25-059 (Valley Water Property). Google proposes minor modifications to the approved Flood Protection Project, and this Second Addendum has been prepared to evaluate the potential environmental impacts associated with Google Project described below. The modifications to the approved Flood Protection Project proposed as part of the Google Project are collectively referred to as the modified Flood Protection Project or proposed modifications.

# B. Description of Project Modifications

In 2021, Google began conversations with Valley Water and the City regarding a proposal to modify the design of the Flood Protection Project along an approximately 450 linear foot segment of the West Channel (inclusive of approximately 450 linear feet of floodwall on the west side of the channel and approximately 214 linear feet of floodwall on the east side of the channel), referred to herein as the Google Project Reach. The Google Project Reach is located approximately between the terminus of the floodwall constructed as part of the Moffett Place Development Channel Improvement Project to the south and the 1212 Bordeaux Drive property to the north and represents approximately less than one percent of the total Flood Protection Project length. Google proposes to modify the Flood Protection Project's floodwalls in order to

[1] Draft Environmental Impact Report. Sunnyvale East and West Channels Flood Protection Project. October 2013. Prepared by Horizon Water and Environment, LLC.

[2] Final Environmental Impact Report. Sunnyvale East and West Channels Flood Protection Project. State Clearinghouse No. 2013012041. August 2014. Prepared by Horizon Water and Environment, LLC.

construct a bridge for use by pedestrians and bicyclists and trail improvements within the Google Project Reach as part of the Google Project described below, which would provide the same level of flood protection as the approved Flood Protection Project's design. The modified Flood Protection Project would still achieve a 100-year level of flood protection using the modified floodwall design in the Google Project Reach.

***Google Project Description***

Google proposes to make certain improvements (Google Project) on Valley Water Property and Google Property, including the installation of (i) the Google Trails (defined below); (ii) a new bridge crossing the West Channel on Valley Water Property for use by pedestrians and bicyclists (Channel Bridge), including associated headwalls (Channel Bridge Headwalls); (iii) a new raised floodwall on the west bank of the West Channel between the Channel Bridge and the existing floodwall constructed as part of the Moffett Place Development Channel Improvement Project (West Bank Floodwall) for a span of approximately 450 feet and a new floodwall on the east bank of the West Channel for a span of approximately 214 feet (East Bank Floodwall), including construction of inboard in-situ walls to negate the need for in-channel work; (iv) native plantings and an associated irrigation system adjacent to the Channel Bridge; and (v) lighting[3] and other appurtenant improvements in the general location shown and as schematically depicted on "Google Project Reach and Google Project Improvements", attached hereto as **Figure 1**.

The Google Trails would be publicly accessible multi-use trails for use by pedestrians and bicyclists (i) on both sides of and perpendicular to the West Channel, including associated stairs and ramps, which would connect to the Channel Bridge and existing Green Link (defined below) pathways and (ii) on the top of the west bank of the West Channel in the same general location as the top-of-levee trail (West Bank Levee Trail) proposed as part of the Flood Protection Project, which would connect to the Channel Bridge and the asphalt pathway at the Moffett Place Campus. The West Bank Levee Trail may be used by Valley Water and Google maintenance vehicles. The Google Project would have a horizontal (east-west) width of approximately 500 feet given the addition of Google Trails perpendicular to the West Channel, whereas the Flood Protection Project would be approximately 80-feet wide, which is the width of the Valley Water Property. With regard to the length (north-south) of the Google Project, there would be no change from the Flood Protection Project.

The Google Project is a component of Google's Moffett Park Green Link project (Green Link), which consists of a series of connected pathways intended for cycling and walking throughout the City. The proposed Google Trails and Channel Bridge would connect existing Green Link pathways on 1212 Bordeaux Drive and 1265 Borregas Avenue in the City.

No work would take place below the top of either the east or west banks of the West Channel as part of the Google Project.

[3] New pedestrian lighting on the Channel Bridge and Google Trails would be designed in coordination with H.T. Harvey & Associates wildlife biologists and would be directed downward and away from the West Channel and surrounding vegetation to minimize the effect of lighting. (Biological Resources Report for the Google Project. February 2023. Prepared by H.T. Harvey & Associates.)

### *Google Project Reach Modifications*

The Google Project would result in Flood Protection Project modifications in the Google Project Reach, which would change the design of the approved Flood Protection Project analyzed in the Flood Protection Project EIR by:

- Constructing the Channel Bridge, a bridge for use by pedestrians and bicyclists over the West Channel. The bridge would be approximately 18-feet wide net clearance and approximately 42-feet long, and would clear span the West Channel with no element of the bridge below top of bank.

- Constructing the East Bank and West Bank Floodwalls with minor changes to the originally proposed design. The floodwalls themselves would not encroach into the channel. Specifically, the West Bank Floodwall would move approximately four-feet west away from the West Channel and the East Bank Floodwall would move approximately one-foot east away from the West Channel to negate any in-channel work. In addition, an in-situ wall would be constructed inboard of both the East Bank and West Bank Floodwalls to negate the need for in-channel work. These walls would be buried prior to construction completion. As explained in **Table 1** below, the Google Project would result in the net addition of approximately 135 cubic yards of earth movement to construct the modified floodwalls, which is equivalent to an approximate 12-percent increase in earth movement. As explained in Section D (Environmental Analysis) below, this negligible increase in earth movement would not substantially increase the severity of any impacts beyond those identified in the Flood Protection Project EIR and no new mitigation measures would be required. In addition, by negating the need for in-channel work, the proposed Google Project would further minimize potential biological impacts, as discussed in Section D(3), below.

- Constructing a portion of the Google Trails on Valley Water Property, including in the same general location as the existing West Bank Levee Trail, and associated ramps, stairs, and retaining walls.

- Planting native plants adjacent to the Channel Bridge, including on Valley Water Property, if approved by Valley Water.

**Figure 1** shows the proposed modifications to the Google Project Reach. **Table 1** compares the proposed modifications to the Flood Protection Project's approved design in the Google Project Reach. Applicable mitigation measures, Best Management Practices (BMPs), and applicable City Municipal Code requirements and City policies are described in more detail in the *Environmental Analysis* section of this Addendum.

**Table 1. Comparison of Design Changes Between Original and Modified Flood Protection Project in Google Project Reach**

| Design Feature | Original Project | Modified Project |
|---|---|---|
| East Bank and West Bank Floodwalls | 6-foot-high concrete inboard floodwalls along existing west and east levee banks. | The floodwalls would be approximately the same height, but the West Bank Floodwall would shift approximately four-feet west and the East Bank Floodwall would shift approximately one-foot east to avoid any in-channel work. |
| In-Situ Walls | N/A | In-situ walls would be installed inboard of the East Bank and West Bank Floodwalls to ensure no in-channel work is necessary. These walls would be buried prior to the construction completion.. |
| Earth moved to install East Bank and West Bank Floodwalls (approximate) | 1,135 cubic yards[4] (CYs) (based on 4 foot deep and 7.5-foot wide excavation to install floodwall foundation) | 1,270 CYs (based on 4.5-foot deep by 7-foot wide excavation to install the flood wall foundation) |
| West Bank Levee Trail (Google Trail) | Maintenance road along the westerly side of the West Channel would be paved to create a 14-foot wide road that would be open to the public pursuant to the JUA. | A trail open to the public pursuant to the JUA in the same general location as the trail proposed as part of the Flood Protection Project would be created using concrete and asphalt and would be 14 feet wide, which would also be available for use by Valley Water and Google maintenance vehicles. |

[4] This was calculated based on the foundation excavation area shown on sheet S-02 of the 100% Preliminary Construction Documents for the Flood Protection Project dated April 2022, as revised by Valley Water in September 2022.

| Design Feature | Original Project | Modified Project |
|---|---|---|
| Other Google Trails | N/A | Trails open to the public pursuant to the JUA on both sides of and perpendicular to the West Channel, including associated stairs, ramps, and retaining walls, which would connect to the Channel Bridge and existing Green Link pathways. These ramps and stairs would be supported by retaining walls where necessary and would be lit for safety. |
| Channel Bridge and Channel Bridge Headwalls | N/A | One pedestrian/cyclist-only bridge (the Channel Bridge defined above)<br><br>The Channel Bridge Headwalls are required for FEMA flood certification and would be constructed as part of the Channel Bridge. They would be approximately 43 feet in length for a total overall length of approximately 86 feet. |

***Google Project Construction***

Construction of the Google Project is expected to take approximately six months. During Google Project construction, Google would incorporate a range of BMPs to avoid and minimize undesired effects on the environment and sensitive habitats within the West Channel. BMPs are designed to address the potential effects of certain work activities on particular types of resources.

Installation of stormwater pollution prevention BMPs around the perimeter of the work area would commence before earth disturbance. This would include a reinforced silt fence along the top edge of the West Channel levee above the top of the bank. The silt fence would be placed to catch any soil or debris that could otherwise migrate down the face of the West Channel bank during construction of the East Bank and West Bank Floodwalls and in-situ protection walls. Unlike the

Flood Protection Project, the Google Project would include no dewatering, or permanent or temporary construction work in the West Channel. Tidal flows would not be altered.

Before excavating for floodwall footings, a concrete protection in-situ wall would be placed outside of the West Channel. The in-situ wall is a construction means and method that allows the safe construction of the East Bank and West Bank Floodwalls, Channel Bridge, and associated foundations without the need to enter the West Channel or dewater the channel. It reinforces and protects the levee so it can still contain water while construction activities occur. All footings for the in-situ and floodwalls would be spread footings with a maximum depth of eight feet, whereas the Flood Protection Project includes a mix of spread footings and drilled piers with a maximum depth of 18.5 feet. Upon completion of the in-situ walls, Channel Bridge abutments and East Bank and West Bank Floodwalls would be constructed. Formwork for bridge abutments and floodwalls would be pre-assembled offsite, or in the adjacent parking lot and lifted into place. This would minimize construction dust or debris next to the West Channel. Upon completion of the bridge abutments and floodwalls, distributed areas would be backfilled.

The Channel Bridge would be clear span and designed to completely span the West Channel without the need to impact the channel bed and banks. Before installation of the Channel Bridge, netting would be installed above the West Channel to prevent any debris from falling into the channel. A pair of bridge beams would be pre-assembled off-site with metal decking fastened on top and lifted into place. The sequence would be repeated until all beams are placed. Next, metal cladding would be lifted in sections and clipped to the structure. Finally, the deck would be poured in place followed by the concrete barrier with the use of a concrete pump. The concrete pump would be set up in the adjacent parking lot.

Hardscape construction on top of the levees or beyond them would be installed after the Channel Bridge. Aggregate base for hardscapes would be placed with trucks, skip loaders, and various smooth drum rollers. Concrete would be placed with concrete mixer trucks and pumped to areas trucks cannot access.

After construction completion the stormwater pollution prevention BMPs would be removed.

A summary of equipment expected to be used includes the following:

- Excavators
- Skip loader
- Roller – both smooth and pad foot
- Trucks
- Front end loader
- Possibly material belt truck, pending access
- Jumping Jacks (hand operated compaction equipment)
- Mobile Crane
- Concrete Pump
- JLG Lifts
- Backhoe

- MIni-Ex
- Water Truck
- Dump Truck

***Google Project Approvals***

The Google Project would be subject to the following approvals:

- Joint Use Agreement Amendment. The Valley Water Property is subject to a 2022 Joint Use Agreement (JUA) between Valley Water and the City, which pertains to the East Channel and West Channel. The JUA grants a license to the City to construct, operate, maintain, repair, replace, and remove improvements along the West Channel including, but not limited to, asphalt concrete surfaced pedestrian and bicycle trails, pedestrian bridges, fencing, and fixtures (trash receptacles, benches, etc.) for recreational purposes including non-motorized bicycling, walking, jogging and hiking activities. The JUA would need to be amended by the City and Valley Water to, among other things, modify the conditions precedent under Section 2 of the JUA to allow for implementation of the rights and obligations of the parties therein within the Google Project Reach, which would be triggered upon issuance by Valley Water of a permit for construction of improvements for the Google Project.

- City Approvals. A City Miscellaneous Plan Permit (MPP) with conditions of approval for the Google Project pursuant to City Planning Application No. 2022-7354 would be required, which would require a public access easement on Google Property on the east side of the West Channel. City approval of a building permit would also be required. The City and Google would also separately enter into a Voluntary Improvement, Operation and Maintenance Agreement for certain Improvements (defined therein) proposed as part of the Google Project, which would apply to the portion of the Valley Water Property that is subject to the JUA and authorizes Google to construct the Channel Bridge and Google Trails and, among other things, would require Google to perform the City's related maintenance and operation obligations under the JUA.

- Valley Water Approvals. In addition to the JUA amendment described above, a Construction and Maintenance Agreement, Operation and Maintenance Agreement, and Encroachment Permit for the portions of the Google Project that would be constructed on Valley Water Property would be required. A cost-sharing agreement is also proposed for Valley Water to contribute funds towards Google's construction of the East Bank and West Bank Floodwalls proposed as part of the Flood Protection Project.

- United States Army Corps of Engineers (USACE) Approval. A Nationwide Permit 14 non-reporting for construction of the Channel Bridge over the West Channel would be required.

- Coast Guard Approval. An Advance Approval is required for construction of the bridge over the West Channel.

- California Department of Fish and Wildlife (CDFW) Approval. It is possible that a Lake and Streambed Alteration Agreement (LSAA) would be required by CDFW. The West Channel is considered a river or stream regulated by the CDFW under California Fish and Game Code Section 1603 and therefore, any work in this channel would require a LSAA from CDFW. Though the Google Project would not include any in-channel work, CDFW has preliminarily indicated that a LSAA may be required due to the potential for dust and debris

to enter the West Channel during project construction. In order to prevent dust and debris from entering the West Channel, Google would install a reinforced silt fence at top of bank, which would catch any soil or debris that could otherwise migrate down the face of the West Channel bank during construction of the East Bank and West Bank Floodwalls and in-situ protection walls. In addition, prior to construction of the Channel Bridge and Channel Bridge Headwalls, netting would also be placed over the West Channel work area to ensure no materials enter the West Channel. The Channel Bridge abutments would be constructed completely outside the top-of-bank and no work would take place inside the West Channel or below the top-of-bank. In areas where the top of levee path ramps up to reach the Channel Bridge deck elevation, floodwalls installed on the channel-side of the levee path would also function as retaining walls. All proposed pathway and floodwall work would take place outside of the channel's top-of-bank, and would be done in coordination with Valley Water as the Google Project includes construction of floodwalls that are also proposed as part of Valley Water's Flood Protection Project (the East Bank and West Bank Floodwalls).

# C. CEQA Requirements

When there are changes to a project and the lead agency would take further discretionary action, CEQA[5] provides various levels of documentation which the lead agency may prepare to evaluate project changes in the context of environmental impacts. The City, in coordination with Valley Water, has prepared this EIR Addendum in compliance with Section 15164(a) of the CEQA Guidelines, which states:

> "The lead or responsible agency shall prepare an addendum to a previously certified EIR if some additions or changes are necessary, but none of the conditions described in Section 15162 calling for preparation of a subsequent EIR exist."

Section 15162(a) of the CEQA Guidelines states:

> "When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for the project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:
>
> (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
>
> (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
>
> (3) New information of substantial importance which was not known or could not have been know with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

[5] Public Resources Code Section 21000 et seq. and California Code of Regulations Section 15000 et seq.

(A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

(B) Significant effects will be substantially more severe than discussed in the previous EIR;

(C) Mitigation measures or alternatives found to not be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

(D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the measure or alternative."

The analysis below demonstrates that implementation of the modified Flood Protection Project would not result in any of the conditions described in CEQA Guidelines Section 15162(a) requiring preparation of a subsequent EIR and thus preparation of an Addendum is the appropriate level of environmental review necessary to comply with CEQA before approving the Google Project. City and Valley Water decisionmakers would consider this Addendum along with the Flood Protection Project EIR before taking action on the Google Project.

# D. Environmental Analysis

The following analysis evaluates potential environmental impacts of the modified Flood Protection Project relative to the environmental impacts disclosed in the Flood Protection Project EIR. Where more than two impact areas are discussed under an environmental topic, those impact areas are called out separately.

Applicable BMPs and mitigation measures that would be implemented during construction and operation of the modified Flood Protection Project are also described. Only those environmental resources that have the potential to be affected by the modified Flood Protection Project are discussed below. The nature and level of impact from the modified Flood Protection Project on the following environmental resources would remain the same as those impacts disclosed in the Flood Protection Project EIR:

Agricultural Resources
Geology and Soils
Land Use and Planning
Mineral Resources
Population and Housing
Public Services
Recreation

To summarize:

- No agricultural resources are present within or in the immediate vicinity of the West Channel and as such, no potential impacts to these resources would result from the proposed modifications, similar to the approved Flood Protection Project as discussed in the Flood Protection Project EIR.

- Because the activities associated with construction of the modified Flood Protection Project would be substantially similar to the activities associated with the approved Flood

Protection Project, the potential impacts to geology and soils would remain less than significant as concluded in Flood Protection EIR.

- As explained above, the Google Project would require approvals from both Valley Water and the City. With these approvals, Google would be in compliance with the plans and regulations of both the City and Valley Water. Therefore, the severity of impact LU-1 (Project Property Acquisitions Conflicts with Applicable Land Use Plans or Policies) and Impact LU-2 (Project Tree Removal Conflicts with Applicable Land Use Plans or Policies) would not change and would remain less than significant as a result of the proposed modifications.

- No mineral resources are present within or in the immediate vicinity of the West Channel and as such, no potential impacts to these resources would result from the proposed modifications, similar to the approved Flood Protection Project as discussed in the Flood Protection Project EIR.

- The Flood Protection Project EIR dismissed the impacts on population and housing and public services from further analysis because the Flood Protection Project would not result in impacts in these areas. Similarly, the proposed modifications would not result in impacts in these areas because they would not induce substantial population growth or displace substantial numbers of existing businesses or residents, or require additional public service causing significant environmental impacts.

- The proposed Google Trails and Channel Bridge would connect existing Green Link pathways on 1212 Bordeaux Drive and 1265 Borregas Avenue in the City, thereby improving available public recreational opportunities. Construction of the Google Project would not affect any existing recreational opportunities. Therefore, the severity of Impact REC-1 (Temporary Disturbance of Recreational Areas during Project Construction Resulting in a Loss or Deterioration of Recreational Opportunities) and Impact REC-2 (Permanent Loss or Deterioration of Public Opportunities Resulting from the Proposed Project) would not change and would remain less than significant as a result of the proposed modifications

As a result of the project modifications, potential impacts for the following resources are potentially different from those disclosed in the Flood Protection Project EIR:

Aesthetics
Air Quality
Biological Resources
Cultural Resources
Greenhouse Gas Emissions
Hazards and Hazardous Materials
Hydrology and Water Quality
Noise and Vibration
Transportation and Traffic
Utilities and Service Systems

The analysis below discusses the changed impact, if any, on each of these identified resources due to the modified Flood Protection Project.

## 1. Aesthetics

As explained in the Flood Protection Project EIR, there are no BMPs that are directly related to aesthetic resources. However, the following BMPs indirectly relate to aesthetic resources: BMPs

BI-10 (Minimize Impacts to Vegetation Whenever Clearing (or Trimming) is Necessary), BI-11 (Minimize Root Impacts to Woody Vegetation), BI-13 (Plant Local Ecotypes of Native Plants and Choose Appropriate Erosion-Control Seed Mixes), AQ-1 (Use Basic Dust Control Measures for All Construction Sites), and AQ-2 (Use Enhanced Dust Control Measures for Sites Greater Than Four Acres in Size).

As explained in the Flood Protection Project EIR, the entire length of the West Channel associated with the Flood Protection Project south of Caribbean Drive (including the Google Project Reach) is commercial, which is referred to in the EIR as the Commercial Zone. The Google Project Reach is less than four acres and more than 2,000 feet from any residential uses, and more than 3,400 feet from the Baylands and as such, is not visible from such areas.

*Impact AES-1: Temporary Visual Impacts Resulting from Construction Activities*

The Flood Protection Project EIR concluded that Impact AES-1 would be less than significant with the implementation of mitigation measures that apply outside of the Google Project Reach in the Open Space Baylands and Residential Zones: Mitigation Measures AES-1 (Provide Visual Screening for Construction Staging Areas in Open Space Baylands and Residential Zones) and AES-2 (Minimize Fugitive Light from Portable Sources of Light Used for Construction within Residential Zones). As explained in the EIR, although there are no BMPs that directly relate to aesthetic resources, there are BMPs that would indirectly improve aesthetics during construction activities: BMPs BI-10, BI-11, BI-13, AQ-1, and AQ-2. Implementation of those BMPs would reduce short-term visual impacts of disturbed ground surfaces by minimizing cutting of woody vegetation, pruning woody vegetation so that no post-construction impacts accrue, ensuring the root systems remain intake, and re-planting with native plants if necessary.

Therefore, the severity of Impact AES-1 would not change and would remain less than significant as a result of the proposed modifications with implementation of Mitigation Measures AES-1 and AES-2 and all of the aforementioned BMPs by Valley Water outside of the Google Project Reach. Implementation of the BMPs BI-10, BI-11, BI-13, and AQ-1 would be required within the Google Project Reach.[6] No new mitigation measures would be required.

*AES-2: Permanent Alteration of the Visual Character or Quality of the Project Area, Including Scenic Vistas from Floodwalls*

The Flood Protection Project EIR concluded that Impact AES-2 would be less than significant. As explained in the EIR, although there are no BMPs that directly relate to aesthetic resources, there are BMPs that indirectly relate to aesthetic resources that if applied before and during construction would aid in lessening visual impacts associated with the built Flood Protection Project in this context: BMPs BI-10, BI-11, and B-13.

As explained in the EIR, affected viewer groups in the Commercial Zone primarily include workers and motorists and the existing visual quality of the Commercial Zone is moderate to moderately low. The modified East Bank and West Bank Floodwalls would only require a minor increase in proposed height (less than a one foot difference for the areas approximately 100 feet upstream and downstream of the Channel Bridge), which would not alter that conclusion. Therefore, the severity of Impact AES-2 would not change and would remain less than significant as a result of the proposed modifications and implementation of BMPs BI-10, BI-11, and B-13 would be required. No new mitigation measures would be required.

[6] BMP AQ-2 (BAAQMD's Enhanced Dust Control Measures) only applies to sites greater than four acres.

*AES-3: Permanent Alteration of the Visual Character or Quality of the Project Area, Including Scenic Vistas, from Project Components other than Floodwalls*

The Flood Protection Project EIR concluded that Impact AES-3 would be less than significant. As explained in the EIR, although there are no BMPs that directly relate to aesthetic resources, there are BMPs that indirectly relate to aesthetic resources that if applied before and during construction would aid in lessening visual impacts associated with the built Flood Protection Project in this context: BMPs BI-10, BI-11, and B-13. As explained in the EIR, in the Commercial Zone, the proposed larger bridge structures, new sidewalks, new driveway cuts, and raised headwalls proposed as part of the Flood Protection Project would not result in a substantial alteration to the existing visual quality or character of the Flood Protection Project area because these components would maintain existing visual conditions and would not introduce unfamiliar visual elements or greatly alter the scale of the existing bridges/culverts.

The Channel Bridge would also not introduce unfamiliar visual elements because there are existing bridges over the West Channel and the portion of the West Channel within the Google Project Reach does not currently include publicly accessible trails so there would be no change to perceive, other than by existing workers and motorists and as explained above, the visual qualify of the Commercial Zone is moderate to moderately low. The modified Flood Protection Project would enhance the aesthetic quality within the Google Project Reach by introducing new landscaping and public amenities designed to be compatible with the surrounding area. Therefore, the severity of Impact AES-2 would not substantially increase and would remain less than significant as a result of the proposed modifications and implementation of BMPs BI-10, BI-11, and B-13 would be required. No new mitigation measures would be required.

*AES-4: Creation of a New Source of Light or Glare*

The Flood Protection Project EIR concluded that Impact AES-4 would be less than significant. As explained in the EIR, although there are no BMPs that directly relate to aesthetic resources and glare reduction, there are BMPs that indirectly relate to aesthetic resources that if applied before and during construction, which would aid in lessening visual impacts associated with glare: BMPs BI-10 and BI-11. New pedestrian lighting on the Channel Bridge and Google Trails would be designed in coordination with H.T. Harvey & Associates wildlife biologists and would be directed downward and away from the West Channel and surrounding vegetation to minimize the effect of lighting.[7] Therefore, the severity of Impact AES-4 would not substantially increase as a result of project modifications and would remain less than significant and implementation of BMPs BI-10 and BI-11 would be required. No new mitigation measures would be required.

*Conclusion*

Based on the foregoing, the modified Flood Protection Project would not result in new significant impacts or substantially increase the severity of aesthetic impacts beyond those identified in the Flood Protection Project EIR and no new mitigation measures would be required.

## 2. Air Quality

*Impact AIR-1: Conflict with or Impair Implementation of Applicable Air Quality Plans*

[7] Biological Resources Report for the Google Project. February 2023. Prepared by H.T. Harvey & Associates.

The Flood Protection Project EIR concluded that Impact AIR-1 would be less than significant. Construction and operation of the modified Flood Protection Project would also not conflict with or impair implementation of the current BAAQMD Clean Air Plan. Therefore, the severity of Impact AIR-1 would not change as a result of project modifications and would remain less than significant. No new mitigation measures would be required.

*Impact AIR-2: Exceed Any Air Quality Standard by Failing to Adhere to Assumptions Used in the Preparation of any Air Quality Plans*

The Flood Protection Project EIR concluded that Impact AIR-2 would be less than significant. As explained in the EIR, (i) the Flood Protection Project would only be considered to have a significant impact related to exceedance of air quality standards if it failed to adhere to assumptions used in the preparation of air quality plans; (ii) as described under Impact AIR-1, the Flood Protection Project would conform to all applicable air quality plans; and (iii) as described below under Impact AIR-3, the Flood Protection Project would not contribute to the exceedance of air quality standards. The proposed modifications would not alter those conclusions. Therefore, the severity of Impact AIR-Q would not change as a result of the proposed modifications and would remain less than significant. No new mitigation measures would be required.

*Impact AIR-3: Result in a Cumulatively Considerable Net Increase of any Criteria Pollutant for Which the Project Region is Non-Attainment*

The Flood Protection Project EIR identified a significant and unavoidable air quality impact that would occur as a result of emission of nitrogen oxides (NOx) above the Bay Area Air Quality Management District's (BAAQMD) recommended significance threshold during construction.[8] Specifically, average daily emissions of NOx were estimated to be between 78.5 and 104.4 pounds per day and the BAAQMD threshold of significance for daily emission of NOx is 54 pounds per day. This impact was found to remain significant with implementation of Mitigation Measures AQ-1 (Restrict Construction Equipment Idling Times), AQ-2 (Construction Equipment Maintenance) and AQ-3 (Use of Efficient Construction Equipment) and BMPs AQ-1 (Use Basic Dust Control Measures for All Construction Sites), AQ-2 (Use Enhanced Dust Control Measures for Sites Greater than Four Acres in Size) and AQ-3 (Incorporate Additional Dust Control Measures, As Appropriate).

The modified Flood Protection Project would utilize similar construction equipment to what was originally considered in the Flood Protection Project EIR and only a minimal net increase in construction activity is expected due to the construction of the proposed Channel Bridge and ramps and retaining walls associated with the Google Trails.

Mitigation Measures AQ-1 through AQ-3 would respectively limit unnecessary idling of construction equipment, require construction equipment to be maintained to manufacturer's specifications, and require use of efficient construction equipment to the extent practical. Furthermore, BMPs AQ-1 and AQ-3 would be implemented, which, as applicable to the Google Project Reach, respectively require implementation of the BAAQMD Basic Control measures for all construction sites and BAAQMD's Optional Control Measures, as appropriate.[9] Any net new

[8] Air quality modeling completed for the Flood Protection Project EIR used the California Air Resource Board's Emission Factor 2011 (EMFAC2011) and the OFFROAD 2007 and OFFROAD 2011 models to estimate emissions from on-road vehicles and off- road construction equipment, respectively. Improved engine efficiency, widespread adoption of hybrid and electric vehicle technology, and more stringent regulation of air quality emission from mobile sources have occurred subsequent to the original air quality modeling. Although not quantified in this Addendum, these factors would have the overall effect of reducing emission of air quality pollutants associated with the modified project.

[9] BMP AQ-2 (BAAQMD's Enhanced Dust Control Measures) only applies to sites greater than four acres.

emissions related to the construction of the Channel Bridge, Channel Bridge Headwalls, and Google Trails would be spread over the anticipated construction period of the Google Project (6 months) and would not substantially increase the amount of emissions per day when compared to the Flood Protection Project, which would be constructed over a period of 10 to 14 months. Construction in the Google Project Reach is not anticipated to occur simultaneously with construction elsewhere in the Flood Protection Project area.

Although Impact AIR-3 would remain significant and unavoidable, implementation of (i) Mitigation Measures AQ-1 and BMPs AQ-1 and AQ-3 in the Google Project Reach[10] and (ii) Mitigation Measures AQ-1 and AQ-2 and all of the aforementioned BMPs by Valley Water outside of the Google Project Reach would ensure that any net increase in emissions due to the proposed modifications would not be substantial. Therefore, the severity of Impact AIR-3 would not substantially increase as a result of the proposed modifications. No new mitigation measures would be required.

*Impact AIR-4: Expose Sensitive Receptors to Substantial Pollutant Concentrations*

The Flood Protection Project EIR concluded that Impact AIR-4 would be less than significant. The proposed modifications would not alter the Flood Protection Project's potential to expose sensitive receptors to pollutants. No sensitive receptors are present within 1,000 feet of the Google Project Reach. Therefore, the severity of Impact AIR-4 would not change and would remain less than significant as a result of the proposed modifications. No new mitigation measures would be required.

*Impact AIR-5: Create Objectionable Odors Affecting a Substantial Number of People*

The Flood Protection Project EIR concluded that Impact AIR-5 would be less than significant with implementation of BMP AQ-4 (Avoid Stockpiling Potentially Odorous Materials), which would ensure minimal exposure of residents to odorous soil by avoiding stockpiles within 1,000 feet of residences. The proposed modifications would not alter the Flood Protection Project's potential to expose a substantial number of people to objectionable odors. No residences are present within 1,000 feet of the Google Project Reach. Therefore, the severity of Impact AIR-5 would not change and would remain less than significant as a result of the proposed modifications. No new mitigation measures would be required.

*Conclusion*

Based on the foregoing, the modified Flood Protection Project would not result in new significant impacts or substantially increase the severity of air quality impacts beyond those identified in the Flood Protection Project EIR and no new mitigation measures would be required.

## 3. Biological Resources

***Impacts to Wetlands and Other Waters***

The Flood Protection Project EIR identified a significant impact related to the loss or temporary disturbance of wetlands and other waters supporting aquatic communities (Impact BIO-1), which would be reduced to a less-than-significant level with implementation of Mitigation Measure BIO-1 (Implement Compensatory Mitigation for Temporal Loss of Vegetated Wetlands and Permanent

[10] Id.

Loss of Vegetated and Unvegetated Wetlands and Other Waters) by Valley Water outside of the Google Project Reach. No work would take place below the top of either the east or west banks of the West Channel as part of the Google Project so there would be no loss or temporary disturbance to wetlands or other waters. Therefore, the modified Flood Protection Project would not change the severity of Impact BIO-1 and no new mitigation measures would be required.

***Impacts to Aquatic and Terrestrial Wildlife***

The Flood Protection EIR identified impacts to aquatic and terrestrial wildlife that would be less than significant and less than significant with implementation of specified mitigation measures. The following analysis of potential impacts is organized in that order.

Less-than-Significant Impacts

*Impact BIO-3: Non-Special-Status Fish and Amphibians*

The Flood Protection Project EIR concluded that species of non-special-status amphibians, such as the western toad and Pacific chorus frog, and non-special-status fish, such as the California roach and Sacramento sucker, are present in the West Channel and therefore, instream activities requiring dewatering would impact these species. However, because these species are relatively abundant and widespread, with the exception of the Chinook salmon, which is not native to South San Francisco Bay streams, the Flood Protection Project EIR concluded that the Flood Protection Project would not result in a substantial effect on regional populations of these species. The EIR concluded that while the Chinook salmon may forage in the channels in tidally influenced areas downstream of Mathilda Avenue along the West Channel, (i) these stray individuals are expected to occur irregularly and in extremely low numbers and (ii) genetic analysis has confirmed that Chinook salmon in South Bay streams are all derived from hatchery stock and therefore do not represent a native run in the South Bay.

The Flood Protection Project EIR identified numerous BMPs that would be implemented by Valley Water outside of the Google Project Reach to minimize changes to water quality by reducing erosion, controlling sediment and preventing spills, which would be adequate to ensure that the impact on Chinook salmon and non-special-status amphibians and fish would be less than significant. (See Flood Protection Project EIR pages 3.3.58-59).

No work would take place below top of bank as part of the Google Project and no dewatering would be required. Therefore, the modified Flood Protection Project would not change the severity of Impact BIO-3 and no new mitigation measures would be required.

*Impact BIO-4: Essential Fish Habitat*

The Flood Protection Project EIR concluded that the loss of essential fish habitat for species such as the Chinook salmon would be less than significant because of the very limited extent of impacts to tidal waters that could serve as essential fish habitat, and the limited extent of permanent impacts. Furthermore, aquatic and wetland habitat that would be disturbed as part of the excavation of the West Channel outside of the Google Project Reach (between Carl Road and Caribbean Drive) as part of the Flood Protection Project is expected to re-establish following the completion of construction activities.

The Flood Protection Project EIR identified numerous BMPs that would be implemented by Valley Water outside of the Google Project Reach to minimize changes to water quality by reducing

erosion, controlling sediment and preventing spills, which would further reduce impacts on essential fish habitat and associated fish considerably. Therefore, the Flood Protection Project would only affect a small portion of essential fish habitat and associated species in the South San Francisco Bay, and would not have a significant impact on these resources. Therefore, impacts on essential fish habitat would be less than significant. (See Flood Protection Project EIR pages 3.3.60-62).

No work would take place below top of bank as part of the Google Project and no dewatering would be required. Therefore, the modified Flood Protection Project would not change the severity of Impact BIO-4 and no new mitigation measures would be required.

*Impact BIO-6: Ridgway's Rail[11] and California Black Rail*

The Flood Protection Project EIR concluded that because the Flood Protection Project is not expected to adversely affect the habitat of, or the health of, individual Ridgway's rails or California black rails, the impact on those species would be less than significant. These species are associated with salt/brackish marsh habitats and the only areas with any potential for use by these species on the West Channel are the lowermost reaches at the confluence with Moffett Channel, where Flood Protection Project activities would not occur in-channel. The Flood Protection Project EIR concluded that occurrence by these species at that location is extremely unlikely given the marginal quality of habitat, and would be limited to non-breeding individuals. Moreover, existing disturbance exists in the form of extensive human recreational use of maintenance roads along the levees, further reducing the likelihood that these species would occur at that location. The Flood Protection Project EIR concluded that there is no reasonable expectation that these species would be present in areas where they could be disturbed by construction of the Flood Protection Project.

The Flood Protection Project EIR identified numerous BMPs that would be implemented by Valley Water outside of the Google Project Reach to minimize changes to water quality by reducing erosion, controlling sediment and preventing spills, which would further minimize the potential for any adverse impacts to these species. (See Flood Protection Project EIR pages 3.3.68-70.)

As with the Flood Protection Project, there is no reasonable expectation that these species would be present in areas where they could be disturbed by construction of the modified Flood Protection Project, nor would the project affect downstream water quality.[12] Furthermore, channel habitat in the Google Project Reach is extremely poor-quality habitat and therefore, it is highly unlikely that either species would occur.[13] Therefore, the modified Flood Protection Project would not change the severity of Impact BIO-6 and no new mitigation measures would be required.

*Impact BIO-13: Other Non-Special-Status Species*

The Flood Protection Project EIR concluded that impacts on habitats in the Flood Protection Project area due to the development of upland habitats (i.e., undeveloped lands) would result in impacts on common (non-special-status) invertebrate, reptilian, and mammalian species that occur there, such as California ground squirrels and Botta's pocket gophers. However, the EIR concluded that those species are regionally abundant and many are urban-adapted and therefore, the Flood Protection Project would only impact a small portion of their regional populations. Such

[11] Formerly known as the California Clapper Rail.

[12] Biological Resources Report for the Google Project. February 2023. Prepared by H.T. Harvey & Associates.

[13] Id.

loss of regional abundance of common wildlife species does not achieve the threshold of a substantial reduction in the regional habitat of these species, and thus the EIR considered these impacts to be less than significant.

The Flood Protection Project EIR concluded that reductions in the numbers of California ground squirrels and other small mammals in the Flood Protection Project area would not impact a substantial proportion of prey available to predators of these species regionally. Therefore, that impact is not expected to affect populations of predator species in the region and the impact is considered less than significant.

The modified Flood Protection Project would not change the severity of Impact BIO-13 because any net new development of upland habitats would be minimal and would not change the conclusion in the Flood Protection Project EIR that only a small portion of the regionally abundant populations of these non-special-status species would be affected. No new mitigation measures would be required.

*Impact BIO-14: Wildlife Movement Corridors*

The Flood Protection Project EIR concluded that while Flood Protection Project activities would impact wildlife movement both along and across the channels, for the reasons stated therein, the Flood Protection Project is not expected to interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors. Wildlife movement would still occur along the channels much as it currently does, and in the areas north of Caribbean Drive, where some level of wildlife movement perpendicular to the channels currently occurs on more than a very local scale, road crossings of the channels would coincide with gaps in the floodwalls, thus allowing terrestrial animals that currently cross these channels to be able to continue crossing where there are gaps in the floodwalls. The Flood Protection Project EIR thus concluded that impacts to wildlife movement are considered less than significant.

The Google Project Reach is located south of Caribbean Drive. Therefore, the modified Flood Protection Project would not change the severity of Impact BIO-14 and no new mitigation measures would be required.

<u>Less-Than-Significant Impacts with Mitigation</u>

The Flood Protection Project EIR concluded that the following impacts would be significant but that implementation of required mitigation measures would reduce these impacts to a level of less than significant.

- Impacts on green sturgeon, steelhead, and longfin smelt (Impact BIO-2)
- Impacts on western pond turtles (Impact BIO-5)
- Impacts on the white-tailed kite, loggerhead shrike, and Bryant's savannah sparrow (Impact BIO-7)
- Impacts on burrowing owls (Impact BIO-8)
- Impacts on the Alameda song sparrow and San Francisco common yellowthroat (Impact BIO-9)
- Impacts on non-special -status birds (Impact BIO-10)
- Impact on salt marsh harvest mouse and salt marsh wandering shrew (Impact BIO-11).
- Impacts on bats (Impact BIO-12)

As discussed in more detail below, the proposed modifications would not substantially change the nature of proposed construction activities or operational outcomes of the Flood Protection Project such that there would be a substantial increase in the severity of potential impacts to these individual species. Applicable biological resource mitigation measures and applicable BMPs from the Flood Protection Project EIR would be implemented during construction of the modified Flood Protection Project to avoid, minimize, or mitigate potential impacts to these biological resources.

*Impact BIO-2: Green Sturgeon, Steelhead, and Longfin Smelt*

The Flood Protection Project EIR concluded that these species could potentially occur in the tidal reaches of the West Channel infrequently and/or in low numbers in the tidally influenced areas, which occur on the West Channel downstream of Mathilda Avenue. The proposed modifications would include construction of a Channel Bridge and associated ramps and retaining walls. However, no additional habitat capable of supporting these species would be disturbed by the modified Flood Protection Project as no work would occur within the West Channel or below top-of-bank and therefore, no dewatering activities would occur. Therefore, there would be no instream work in the West Channel or direct impacts to channel waters or banks and the modified Flood Protection Project would not change the severity of Impact BIO-2, which would remain less than significant with implementation of the BMPs listed under BIO-1, Mitigation Measure BIO-1 (see above) and Mitigation Measure BIO-2 (Conduct Fish Removal during Project Site Dewatering Activities) by Valley Water outside of the Google Project Reach. No new mitigation measures would be required.

*Impact BIO-5: Western Pond Turtle*

The Flood Protection Project EIR identified numerous BMPs that would be implemented by Valley Water when performing any type of Flood Protection Project activity that necessitates work within or adjacent to the West Channel, which would minimize potential harm to western pond turtles. (See Flood Protection Project EIR pages 3.3.64-65) However, the Flood Protection Project EIR concluded that BMP BIO-2 (Avoid and Minimize Impacts on Native Aquatic Vertebrates) would not be sufficient to reduce potential impacts to less than significant, as explained therein. Therefore, implementation of Mitigation Measure BIO-3 (Conduct Pre-Construction Surveys for Western Pond Turtles) is required, which would require pre-construction surveys for western pond turtles, relocation of any western pond turtles found, and implementation of appropriate construction buffers if nesting western pond turtles are identified in the area.

No western pond turtles were observed in the Google Project Reach during a focused survey for the species conducted in 2012.[14] Because urbanization likely precludes the maintenance of a viable population in the upper portions of the West Channel, western pond turtles are expected to occur in the West Channel infrequently and in low numbers.[15] Furthermore, western pond turtles are only expected to be typically present inside channel banks where water is present and no Google Project activities are proposed in such areas. Therefore, the modified Flood Protection Project would not change the severity of Impact BIO-5, which would remain less than significant with implementation of applicable BMPs and Mitigation Measure BIO-3 and no new mitigation measures would be required.

[14] Biological Resources Report for the Google Project. January 2023. Prepared by H.T. Harvey & Associates.

[15] Id.

*Impact BIO-7, Impact BIO-9 and Impact BIO-10: White-tailed kite, loggerhead shrike, Bryant's savannah sparrow, Alameda song sparrow, San Francisco common yellowthroat, and non-special-status birds*

None of these species are expected to nest in the Google Project Reach due to the lack of suitable habitat, but in the unlikely event that any of these species do nest on or near the Google Project Reach, implementation of the BMPs and mitigation measures below would reduce potential impacts to less than significant.[16]

BMPs BIO-8 (Avoid Impacts to Nesting Migratory Birds), BIO-9 (Use Exclusion Devices to Prevent Migratory Bird Nesting), and BIO-17 (Minimize Predator-attraction Effects on Wildlife) would apply. However, the Flood Protection Project EIR determined that implementation of these BMPs would not reduce potential impacts to these species to less than significant. Therefore, implementation of Mitigation Measure BIO-4 (Pre-Construction Surveys for Nesting Birds) and Mitigation Measure BIO-5 (Implement Buffer Zones for Nesting Birds) would be required, which would respectively require pre-construction surveys for nesting birds and implementation of appropriate construction buffers if nesting birds are identified in the area. Therefore, the modified Flood Protection Project would not substantially increase the severity of Impacts BIO-7, BIO-9 and BIO-10, which would remain less than significant with implementation of BMPs BIO-8, BIO-9 and BIO-17 and Mitigation Measures BIO-4 and BIO-5 and no new mitigation measures would be required. These measures comply with Federal (the Migratory Bird Treaty Act) and State (The California Department of Fish and Game) laws.[17]

*Impact BIO-8: Burrowing Owls*

The Flood Protection Project EIR identified two BMPs that would be implemented by Valley Water to reduce harm to individual burrowing owls: BMP BIO-8 (Avoid Impacts to Nesting Migratory Birds) and BMP BIO-17 (Minimize Predator-attraction Effects on Wildlife). However, the Flood Protection Project EIR concluded that these BMPs would not be sufficient to reduce potential impacts to less than significant because the loss of active nests could still occur. Therefore, implementation of Mitigation Measures BIO-6 (Conduct Pre-Construction Surveys for Burrowing Owls), BIO-7 (Implement Buffer Zones for Burrowing Owls), BIO-8 (Monitor Burrowing Owls During Construction) and BIO-9 (Passively Relocate Burrowing Owls) is required to reduce impacts to less than significant, which would respectively require (i) pre-construction surveys for burrowing owls; (ii) implementation of appropriate construction buffers for any occupied burrows and any occupied nests; (iii), if applicable, an avoidance, minimization and monitoring plan; and (iv) if applicable, passive relocation.

Furthermore, Mitigation Measure BIO-10 (Restoration of Temporary Impact Areas) would apply to the extent that any upland ruderal/grassland habitat is temporarily impacted by construction staging activities, which requires any such areas to be restored following completion of construction by seeding any such areas with a native grassland/forb seed mix to allow for the resumption of conditions suitable for use by California ground squirrels and burrowing owls. Finally, in the unlikely event that direct impacts of occupied breeding habitat cannot be avoided (see Mitigation Measure BIO-8), Mitigation Measure BIO-11 (Compensatory Mitigation for Burrowing Owls) would require compensatory mitigation to be provided in the form of habitat preservation and/or management at a ratio of 2:1, on an acreage basis.

[16] Id.
[17] Id.

Although the proposed modifications would require more extensive ground disturbance in the Google Project Reach, suitable habitat for burrowing owls is not present in the vicinity due to limited habitat areas surrounded by dense development, large trees and buildings that provide perches for predatory raptors.[18] Nevertheless, burrowing owls are known to use extremely small areas of ruderal habitat in the South Bay, and it is possible that owls could occasionally roost along the West Channel in developed areas.[19] Implementation of Mitigation Measures BIO-6, BIO-7, BIO-8 and BIO-9 would be required, along with Mitigation Measures BIO-10 and BIO-11, if applicable. Therefore, the modified Flood Protection Project would not substantially increase the severity of Impact BIO-8, which would remain less than significant with implementation of the aforementioned mitigation measures and no new mitigation measures would be required.

*Impact BIO-11: Salt Marsh Harvest Mouse and Wandering Shrew*

As explained in the Flood Protection Project EIR, these species are associated with tidal marsh habitats. The Flood Protection Project EIR concluded that implementation of BMPs BIO-16 (Avoid Animal Entry and Entrapment), BIO-17 (Minimize Predator-attraction Effects on Wildlife) and BMP WQ-42 (Prevent Sedimentation of Aquatic Habitats During Construction) would reduce potential harm to these species, but would not reduce potential impacts to less than significant due to installation of a silt fence by Valley Water along the south bank of the East Channel, which is outside of the Google Project Reach. Therefore, Valley Water would be required to implement Mitigation Measure BIO-12 (Maintain Buffer During Construction Adjacent to Salt Marsh Harvest Mouse and Salt Marsh Wandering Shrew Habitat) outside of the Google Project Reach to reduce impacts to these species to less than significant.

Suitable habitat for the salt marsh harvest mouse and salt marsh wandering shrew is not present in the vicinity of the Google Project Reach.[20] Therefore, the modified Flood Projection Project would not change the severity of Impact BIO-11, which would remain less than significant with implementation of the aforementioned BMPs and Mitigation Measure BIO-12 by Valley Water outside of the Google Project Reach. No new mitigation measures would be required.

*Impact BIO-12: Bats*

The Flood Protection Project EIR concluded that only two special-status bats have any potential to occur within the Flood Protection Project area: the pallid bat and the western red bat. However, pallid bats are not expected to roost in the Flood Protection Project area, as this species has been extirpated from urban areas so close to the Bay, and few, if any, western red bats are expected to be present in areas where they could be disturbed by Flood Protection Project activities. Other, non-special-status bat species are expected to occur more regularly and in higher numbers, including yuma bats and Mexican free-tailed bats, but only one location (on the East Channel) could potentially support a large colony of bats (the Highway 237 bridge). The Flood Protection Project EIR concluded that impacts to bat species would be less than significant with implementation of BMP BIO-17 (Minimize Predator-attraction Effects on Wildlife) and Mitigation Measure BIO-13 (Avoid Construction During Bat Maternity Season) by Valley Water, which apply to a specific section of the Flood Protection Project on the East Channel, which is outside of the Google Project Reach.

[18] Id.

[19] Id.

[20] As explained in the Flood Protection Project EIR, suitable pickleweed-dominated salt marsh habitat for these species is absent from the Google Project Reach.

Therefore, since the Google Project Reach is limited to a small portion of the West Channel, the modified Flood Protection Project would not change the severity of Impact BIO-12, which would remain less than significant with implementation of BMP BIO-17 and Mitigation Measure BIO-13 by Valley Water outside of the Google Project Reach. No new mitigation measures would be required.

*Conclusion*

Based on the foregoing, the modified Flood Protection Project would not result in new significant impacts or substantially increase the severity of impacts to biological resources beyond those identified in the Flood Protection Project EIR and no new mitigation measures would be required.

## 4. Cultural Resources

The Flood Protection Project EIR identified less than significant impacts related to adverse effects on unknown historic and archeological resources (Impact CUL-1) and paleontological resources (Impact CUL-2).

The proposed modifications would not substantially change the nature of ground disturbing activities, thereby not affecting the potential for unanticipated discovery of historic, archeological, or paleontological resources. In the event of an unanticipated discovery, BMPs CU-2 (Stop Work and Report Archeological, Historic or Paleontological Artifacts) and CU-3 (Stop Work and Report Burial Finds) would require work to be stopped and the find to be reported to personnel qualified to ensure implementation of appropriate resource protection measures. The proposed modifications would require excavation beyond what was originally proposed in the Google Project Reach due to the construction of the Channel Bridge, Channel Bridge Headwalls, in-situ walls, and ramps and retaining walls associated with the Google Trails. However, known cultural resources are not present in the proposed areas of disturbance. In the event of an unanticipated discovery of historic, archeological, or paleontological resources, City General Plan Land Use and Transportation (LUTE) Policy LT-1.10f would apply, which would require stoppage of work and implementation of appropriate resource protection measures. This LUTE policy is consistent with BMP CU-3. Specifically, that LUTE policy requires (i) all ground disturbing activities to be halted when unusual amounts of shell or bone, isolated artifacts, or other similar features are discovered; (ii) an archaeologist to be retained determine the significance of the discovery; and (iii) mitigation of discovered significant cultural resources to be consistent with Public Resources Code Section 21083.2 to ensure protection of the resource. Therefore, Impacts CUL-1 and CUL-2 would remain less than significant under the modified Flood Protection Project.

Based on the foregoing, the modified Flood Protection Project would not result in new significant impacts or substantially increase the severity of impacts to cultural resources beyond those identified in the Flood Protection Project EIR and no new mitigation measures would be required.

## 5. Greenhouse Gas Emissions

The Flood Protection Project EIR identified less than significant impacts related to emissions of greenhouse gasses (GHGs) during construction (Impact GHG-1) and conflicts with an applicable GHG reduction plan, policy, or regulation (Impact GHG-2).

The modified Flood Protection Project would utilize similar construction techniques and equipment. However, the proposed modifications may increase the number of haul truck trips and amount of equipment required during construction, which could result in net new GHG

emissions relative to the Flood Protection Project. As described in the Flood Protection Project EIR, there is no adopted threshold for significance from the BAAQMD or the City for construction period GHG emissions. However, mitigation measures and BMPs that would be implemented to address air quality impacts (as described in the Air Quality section) would also reduce GHG emissions by minimizing idling times and requiring use of efficient equipment. Emissions would remain negligible during operation of the modified Flood Protection Project and would only be generated by occasional maintenance activities requiring use of vehicles or equipment. Therefore, the severity of Impact GHG-1 would not substantially increase and would remain less than significant as a result of the proposed modifications. No new mitigation measures would be required.

The modified Flood Protection Project would remain consistent with applicable plans, policies, and regulations, including the City's Climate Action Plan and adopted state GHG emission targets. GHG emissions would largely be limited to Flood Protection Project construction and as such, the work in the Google Project Reach would not create a long-term, substantial new source of GHG emissions. Therefore, the severity of Impact GHG-2 would not change and would remain less than significant as a result of the proposed modifications. No new mitigation measures would be required.

Based on the foregoing, the modified Flood Protection Project would not result in new significant impacts or substantially increase the severity of impacts related to GHG emissions beyond those identified in the Flood Protection Project EIR and no new mitigation measures would be required.

## 6. Hazards and Hazardous Materials

As discussed below, the Flood Protection Project EIR identified significant impacts associated with the potential release of existing contaminants in soil and groundwater (Impact HM-1) and emission or handling of hazardous materials in proximity to schools (Impact HM-3). The Flood Protection Project EIR concluded that implementation of BMPs HM-12 (Assure Proper Hazardous Materials Management), HM-15 (Avoid Exposing Soils with High Mercury Levels), WQ-11 (Use Coffer Dams for Tidal Work Areas), WQ-12 (Divert/Bypass Water at Non-tidal Sites), WQ-15 (Manage Groundwater at Work Sites), and WQ-16 (Avoid Erosion When Restoring Flows) would reduce potential impacts. To summarize, BMPs WQ-11, WQ-12, WQ-15, and WQ-16 require in-channel work sites to be dewatered before construction begins in the channel and BMPs HM-12 and HM-15 would reduce potential exposure to contaminated soils. However, the Flood Protection Project EIR concluded that with implementation of these BMPs, there would be a small potential that contaminated soil and/or groundwater discovered during construction activities could be mishandled, resulting in exposure to people or release to the environment. Therefore, implementation of Mitigation Measure HM-1 (Conduct Phase I and Phase II Environmental Site Assessments and Implement Site Remediation Actions Prior to Construction) is required to reduce these potential impacts to a less-than-significant level.

*Impact HM-1: Potential Release of Existing Contaminated Soil and Groundwater Discovered during Project Construction Activities and Resulting Exposure to Construction Workers, the Public, or the Environment*

According to the Flood Protection Project EIR, existing hazardous materials contamination was not identified directly within the Flood Protection Project work area (i.e., areas subject to ground disturbance). However, known contamination is present in the immediate vicinity and previously unknown contamination could be encountered during Flood Protection Project implementation.

The proposed modifications would not substantially change the potential for release of existing contaminants as only minor additional ground disturbance would occur in areas beyond what the Flood Protection Project EIR considered due to the construction of the Channel Bridge, Channel Bridge Headwalls, in-situ walls, and ramps and retaining walls associated with the Google Trails. Implementation of Mitigation Measure HM-1 would require completion of Phase I and Phase II Environmental Site Assessments (ESAs) for excavation sites prior to start of construction and subsequent implementation of measures recommended by the ESAs during construction. Furthermore, implementation of BMPs HM-12 and HM-15 would reduce risks associated with any existing contamination.[21]

Any contaminated soil excavated during construction in the Google Project Reach would be removed and disposed of off-site at an appropriate landfill facility in accordance with the requirements of Chapter 20.10.030 of the City Municipal Code. This would ensure that no release of contaminants would occur during construction in the Google Project Reach. Therefore, the severity of Impact HM-1 would not substantially increase and would remain less than significant with implementation of the BMPs that apply to the Google Project (BMPs HM-12 and HM-15) and Mitigation Measure HM-1 as a result of the proposed modifications. No new mitigation measures would be required.

*Impact HM-2: Creation of Hazards Potentially Affecting the Public or the Environment from the Use of Oil, Gasoline, or Other Hazardous Materials during Construction Activities*

The Flood Protection Project EIR also identified a less-than-significant impact due the use of oil, gasoline, and other hazardous materials during construction. BMPs HM-9 through HM-14 (see below) would be implemented and compliance with applicable provisions of the City Municipal Code would also be required, which would ensure proper handling of any hazardous materials. The proposed modifications would not affect the potential for such materials to impact the public or environment. Therefore, the severity of Impact HM-2 would not change and would remain less than significant as a result of the proposed modifications with implementation of the aforementioned BMPs. No new mitigation measures would be required.

*Impact HM-3: Emission or Handling of Hazardous Materials in Proximity to Schools*

The Flood Protection Project EIR determined that there are nine schools within approximately 0.25-mile of the Flood Protection Project area. The Flood Protection Project EIR concluded that implementation of BMP HM-9 (Clean Vehicles and Equipment), BMP HM-10 (Assure Property Vehicle and Equipment Fueling), BMP H-11 (Assure Proper Vehicle and Equipment Maintenance), BMP HM-12 (Assure Proper Hazardous Materials Maintenance), BMP HM-13 (Prevent Spills) and BMP HM-14 (Know the Spill Kit Location) would reduce potential impacts related to emission or handling of hazardous materials in proximity to schools to less than significant. None of the aforementioned schools are located near the Google Project Reach. Therefore, the severity of Impact HM-3 would not change as a result of the proposed modifications and would remain less than significant with implementation of the aforementioned BMPs by Valley Water outside of the Google Project Reach. No new mitigation measures would be required.

[21] BMPs WQ-11, WQ-12, WQ-15 and WQ-16 apply to in-channel work and would be implemented by Valley Water outside of the Google Project Reach.

*Conclusion*

Based on the foregoing, the modified Flood Protection Project would not result in new significant impacts or substantially increase the severity of impacts related to hazards and hazardous materials beyond those identified in the Flood Protection Project EIR and no new mitigation measures would be required.

## 7. Hydrology, Geomorphology, and Water Quality

*Impact HYD/WQ-1: Effects on Erosion, Sedimentation, or Stream Instability from the Proposed Project*

The Flood Protection Project EIR concluded that Impact HYD/WQ-1 would be less than significant. As explained in the EIR, the Flood Protection Project improvements, including floodwalls, levee enlargements, bridge/culvert modifications, and sediment removal, are not anticipated to cause erosion, sedimentation, or stream instability. That conclusion would not change with the modified Flood Protection Project, in part because no in-channel work is proposed. Therefore, the severity of Impact HYD/WQ-1 would not change and would remain less than significant as a result of the proposed modifications. No new mitigation measures would be required.

*Impact HYD/WQ-2: Changes in Surface Runoff from New Impervious Surfaces for Maintenance Road Improvements*

The Flood Protection Project EIR concluded that Impact HYD/WQ-2 would be less than significant. As explained in the EIR, although paving of the maintenance roads along the channels as part of the Flood Protection Project would introduce new impervious surfaces and generate storm runoff, because the paved surface area would be nominal in comparison to the surrounding impervious area in the watershed, and the maintenance roads currently provide little infiltration functioning, any changes in runoff and associated effects on erosion or sedimentation in the channels are expected to be minimal.

The modified Flood Protection Project would not change that conclusion. The proposed modifications would only entail minor changes in the amount of impervious surface compared to that evaluated in the Flood Protection Project EIR. Within the Google Project Reach, the Google Trails would be composed of asphalt and concrete, which are not permeable. The Flood Protection Project proposed use of asphalt for the trail on the west levee, but did not include the additional trails to the west of the channel that are proposed as part of the Google Project. As such, a minor change to runoff patterns in the Flood Protection Project area would occur. However, even with the net new paved surface area, the amount of impervious surface area would remain nominal in comparison to the surrounding impervious area and all runoff would be managed on site as part of the Google Project as required by National Pollution Discharge Elimination System (NPDES) Provision C.3 requirements. Runoff would be directed to and managed on properties to the west and east of the West Channel, as applicable. The City would ensure compliance with runoff requirements through the building permit process. Therefore, the severity of Impact HYD/WQ-2 would not substantially increase and would remain less than significant as a result of the proposed modifications. No new mitigation measures would be required.

*Impact HYD/WQ-3: Changes in Surface Runoff from New Impervious Surfaces for Maintenance Road Improvements*

The Flood Protection Project EIR concluded that Impact HYD/WQ-3 would be less than significant with implementation of Mitigation Measure HM-1 (Conduct a Phase I and Phase II Environmental Site Assessments and Implement Site Remediation Actions Prior to Construction) and various BMPs that would reduce potentially significant impacts on water quality resulting from the Flood Protection Project construction activities. (See Flood Protection Draft EIR pages 3.8-51-52, as modified pursuant to Final EIR pages 3.33-3.34.) To summarize, BMPs WQ-11, WQ-12, WQ-15, and WQ-16 are channel dewatering procedures to protect water quality in tidal and non-tidal work areas. BMPs WQ-1, WQ-2, WQ-4, WQ-5, WQ-6, WQ-19, WQ-20, WQ-24, WQ-25, WQ-27, WQ-28, WQ-29, WQ-40, and WQ-41 are measures to avoid and minimize water quality impacts due to ground disturbing activities, including handling of soil and discharges of water from the construction site. BMP WQ-30 describes the procedures for discharging project construction water to the sanitary sewer for treatment and discharge to the City's wastewater treatment plant. BMPs HM-9, HM-10, HM-11, HM-12, HM-13, and HM-14 are measures to prevent accidental discharge of hazardous materials associated with construction equipment. These BMPs also include procedures for proper clean up and reporting if an accidental spill occurs. BMP WQ-10 is a measure to ensure concrete pouring activities do not impact water bodies.

However, the Flood Protection Project EIR concluded that these BMPs would not reduce potential water quality impacts due to handling and discharge of contaminated soil and groundwater encountered during construction to less than significant. Therefore, implementation of Mitigation Measure HM-1 is required to reduce potential impacts to less than significant.

As discussed in *Section 6: Hazards and Hazardous Materials*, contamination is known to be present in the Flood Protection Project vicinity and there is a potential that previously unknown contamination may be encountered during ground disturbing activities. Activities under the modified Flood Protection Project would be similar in nature to those originally proposed and would not substantially alter the potential for the Flood Protection Project to impact water quality. Mitigation Measure HM-1 would require Phase I and Phase II ESAs, which would identify the extent of any existing soil and/or groundwater contamination and provide recommendations to avoid impacting water quality.

The severity of Impact HYD/WQ 3 would not substantially increase as a result of the proposed modifications, and would remain less than significant with implementation of Mitigation Measure HM-1 and BMPs WQ-5, WQ-6, WQ-10, WQ-19, WQ-20, WQ-27, WQ-28, WQ-29, WQ-40, WQ-41,HM-9, HM-10, HM-11, HM-12, HM-13, and HM-14. No new mitigation measures would be required.

*Conclusion*

Based on the foregoing, the modified Flood Protection Project would not result in new significant impacts or substantially increase the severity of impacts related to hydrology, geomorphology, and water quality beyond those identified in the Flood Protection Project EIR and no new mitigation measures would be required.

## 8. Noise and Vibration

*Impact NO-1: Temporary Generation of Construction Noise in the Project Area in Excess of Applicable Standards and*

The Flood Protection Project EIR concluded that Impact NO-1 would be less than significant. The nearest noise-sensitive receptor is located approximately 2,000 feet from the Google Project

Reach, a distance at which any potential net increase in ambient noise would be negligible. Furthermore, all construction activities associated with the modified Flood Protection Project would only occur during allowable construction hours established by the City (7AM to 7PM on weekdays and 8AM to 5PM on Saturdays). Therefore, the severity of Impact NO-1 would not change and would remain less than significant as a result of the proposed modifications. No new mitigation measures would be required.

*Impact NO-2: Temporary Groundborne Vibration Resulting in Building Damage or Annoyance in the Project Area*

The Flood Protection Project EIR identified a significant impact related to temporary groundborne vibration during Flood Protection Project construction, which was found to remain significant and unavoidable after implementation of Mitigation Measure NO-1 (Implement Measures to Minimize Construction Vibration) and BMPs to comply with the City's noise ordinance and to minimize noise generation during construction: BMP NO-1 (Minimize Noise Pollution) and BMP NO-2 (minimize Disturbances to Residential Neighbors Due to Noise).

Similar to the Flood Protection Project, the proposed modifications would require use of trucks, excavators, and vibratory rollers, which have the potential to generate excessive groundborne vibration. As explained in the Flood Protection Project EIR, there are no vibration-sensitive buildings within 75 feet of the West Channel, including within the Google Project Reach.[22] Therefore, the severity of Impact NO-2 would not change as a result of the proposed modifications with implementation of the aforementioned BMPs and Mitigation Measure NO-1 by Valley Water outside of the Google Project Reach. No new mitigation measures would be required.

*Impact NO-3: Temporary Increase in Ambient Noise Levels of the Project Area*

The Flood Protection Project EIR concluded that Impact NO-3 would be less than significant. As described above, (i) the nearest noise-sensitive receptor is located approximately 2,000 feet from the Google Project Reach, a distance at which any potential net increase in ambient noise would be negligible and (ii) all construction activities associated with the modified Flood Protection Project would only occur during allowable construction hours established by the City (7AM to 7PM on weekdays and 8AM to 5PM on Saturdays). Therefore, the severity of Impact NO-3 would not change and would remain less than significant as a result of the proposed modifications. No new mitigation measures are required.

*Impact NO-4: Permanent Alteration of Ambient Noise Levels from Project Floodwall and Headwall Components*

The Flood Protection Project EIR concluded that Impact NO-4 would be less than significant. As described above, no noise sensitive receptors are located in the vicinity of the Google Project Reach. Increases in ambient noise levels due to construction would be temporary. Therefore, the severity of Impact NO-4 would not change and would remain less than significant as a result of the proposed modifications. No new mitigation measures would be required.

[22] For informational purposes, along the East Channel, it was determined that buildings located between 25 to 75 feet away may experience temporary periods of vibration that could result in annoyance, but not building damage. Implementation of Mitigation Measure NO-1, which would require avoidance of vibratory equipment use in residential areas where feasible, would reduce vibration impacts to extent practical. Nonetheless, because groundborne vibrations would still have the potential to cause annoyance to persons in residences within 75 feet of the East Channel during the use of the vibratory equipment this temporary vibration impact would remain significant and unavoidable.

*Conclusion*

Based on the foregoing, the modified Flood Protection Project would not result in new significant impacts or substantially increase the severity of impacts related to noise beyond those identified in the Flood Protection Project EIR and no new mitigation measures would be required.

## 9. Transportation and Traffic

As discussed below, the Flood Protection Project EIR identified significant impacts related to temporary construction traffic generation in exceedance of level of service (LOS) standards (Impact TR-1), increases in safety hazards (Impact TR-2), increases in emergency response times (Impact TR-3), and conflicts with alternative transportation (Impact TR-5). These impacts would be reduced to a less-than-significant level with implementation of Mitigation Measure TR-1 (Develop and Implement a Site-Specific Traffic Control Plan).

*Impact TR-1: Temporary Construction Traffic Generation in Exceedance of Roadway LOS Standards or Substantial Increase in Traffic*

The proposed modifications would result in a minor increase in construction trips required within the Google Project Reach as a result of a minor increase in project scope discussed previously, potentially resulting in a minor net increase in overall construction period traffic and impacting roadway LOS in the vicinity. However, construction in the Google Project Reach is not anticipated to occur simultaneously with construction elsewhere in the Flood Protection Project area.

Following the passing of Senate Bill 743, automobile delay, as measured by LOS and similar metrics, no longer constitutes a significant impact under CEQA. Therefore, it is not necessary to further analyze Impact TR-1 for the proposed modifications. Nonetheless, implementation of Mitigation Measure TR-1, which requires development of a site-specific traffic control plan, would avoid and minimize the effects of construction activities on transportation facilities under the modified Flood Protection Project. BMP TR-1 to maintain public safety during construction would also be implemented. Therefore, the severity of Impact TR-1 would not substantially increase and would remain less than significant with implementation of Mitigation Measure TR-1 as a result of the proposed modifications. No new mitigation measures would be required.

*Impact TR-2: Temporary Substantial Increase in Safety Hazards*

*Impact TR-3: Temporary Increases in Emergency Response Times*

*Impact TR-5: Temporary Conflicts with Alternative Transportation*

The Flood Protection Project EIR concluded that Impacts TR-2, TR-3, and TR-5 would be less than significant with implementation of Mitigation Measure TR-1. Any increased traffic-related impacts would be limited to the vicinity of the Google Project Reach and construction in the Google Project Reach is not anticipated to occur simultaneously with construction elsewhere in the Flood Protection Project area. The site-specific traffic control plan developed in accordance with Mitigation Measure TR-1 would include recommendations to minimize safety hazards, increase in emergency response times, and conflicts with pedestrian and bicycle facilities, such as the San Francisco Bay Trail. Therefore, the severity of Impacts TR- 2, TR-3, and TR-5 would not substantially increase and would remain less than significant with implementation of Mitigation Measure TR-1 as a result of the proposed modifications. No new mitigation measures would be required.

*Impact TR-4: Temporary Reduction in Parking Capacity*

The Flood Protection Project EIR concluded that Impact TR-4 would be less than significant. As with the Flood Protection Project, the modified Flood Protection Project would not utilize local roadways for parking or staging of construction equipment or worker vehicles. Equipment and vehicles utilized for work within the Google Project Reach would be staged on the adjacent property owned by Google. Therefore, the severity of Impact TR-4 would not change and would remain less than significant as a result of the proposed modifications. No new mitigation measures would be required.

*Conclusion*

Based on the foregoing, the modified Flood Protection Project would not result in new significant impacts or substantially increase the severity of impacts related to transportation and traffic beyond those identified in the Flood Protection Project EIR and no new mitigation measures would be required.

## 10. Utilities and Service Systems

*Impact UTL-1: Temporary Disruptions to Water, Wastewater, Stormwater, Power Systems and Other Utility Systems during Project Construction Activities*

The Flood Protection Project EIR concluded that Impact UTL-1 would be less than significant with implementation of Mitigation Measure UTL-1 (Existing Utilities will be Identified and Coordination would be Conducted with Utility Owners before Construction), Mitigation Measure UTL-2 (Existing Utilities will be Protected during Construction), Mitigation Measure UTL-3 (Utility Customers will be Notified before Construction Activities Commence) and Mitigation Measure UTL-4 (A Safety and Health Program will be Prepared and Implemented). The EIR concluded that while the Flood Protection Project has the potential to affect unknown utilities traversing the Flood Protection Project area, implementation of the aforementioned mitigation measures would reduce potential damage to existing utilities and service disruptions to a less-than-significant level.

There are no known existing utilities on Valley Water Property within the Google Project Reach and the existing utility lines on Google Property would be relocated as part of the modified Flood Protection Project. Therefore, the severity of impact UTL-1 would not change as a result of the proposed modifications and would remain less than significant with implementation of (i) Mitigation Measure UTL-4 in the Google Project Reach and (ii) Mitigation Measures UTL-2, UTL-3, and UTL-4 by Valley Water outside of the Google Project Reach. No new mitigation measures would be required.

*Impact UTL-2: Adequate Landfill Capacity to Accommodate Solid Waste from Construction*

The Flood Protection Project EIR concluded that Impact UTL-2 would be less than significant with implementation of BMP UT-2 (Solid Waste Management Plan). As explained in the EIR, there is adequate landfill capacity to accommodate solid waste from construction of the Flood Protection Project and that conclusion would not change with the proposed modifications. Construction of the modified Flood Protection Project would also comply with the City's Zero Waste Policy, which requires diversion of 70 to 90 percent of waste from landfills. Therefore, the severity of Impact UTL-1 would not change and would remain less than significant as a result of the proposed modifications with implementation of BMP UT-2. No new mitigation measures would be required.

*Impact UTL-3: Temporary Effects on Operational Vehicle Access to the City of Sunnyvale SMaRT Station and Water Pollution Control Plant (and Associated Facilities)*

The Flood Protection Project EIR concluded that Impact UTL-3 would be less than significant. As explained in the EIR, the City's operation of facilities associated with the Water Pollution Control Plant and landfill facilities would not be interrupted by the Flood Protection Project. The modified Flood Protection Project would not change that conclusion. Therefore, the severity of Impact UTL-3 would not change and would remain less than significant as a result of the proposed modifications. No new mitigation measures would be required.

*Conclusion*

Based on the foregoing, the severity of Impacts UTL-1, UTL-2 and UTL-3 would not change and would remain less than significant as a result of the proposed modifications. No new mitigation measures would be required.

# E. Conclusion

The analysis above demonstrates that implementation of the modified Flood Protection Project would not result in any of the conditions described in CEQA Guidelines Section 15162(a) requiring preparation of a subsequent EIR and thus preparation of an Addendum is the appropriate level of environmental review necessary to comply with CEQA before approving the modified Flood Protection Project. As applicable to the modified Flood Protection Project, this Addendum confirms that no substantial changes are proposed in the Flood Protection Project that would require major revisions of the Flood Protection Project EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

Refer to **Table 2** for a summary of environmental impacts identified in the Flood Protection Project EIR, the level of impact identified in the EIR, any change in the level of impact due to the modified Flood Protection Project. As shown below, the proposed modifications would not result in new significant environmental effects beyond those described in the Flood Protection Project EIR or substantially increase the severity of significant environmental effects included in the Flood Protection Project EIR.

**Table 2. Comparison of Environmental Impacts**

| Impact | EIR Level of Impact | Change in Level of Impact with Project Modifications | Level of Impact with Project Modifications |
|---|---|---|---|
| **AES-1 and 2** | LTSM | No change | LTSM |
| **AES-3 and 4** | LTS | No substantial increase | LTS |
| **AIR-1 and 2** | LTS | No change | LTS |
| **AIR-3** | SU | No substantial increase | SU |
| **AIR-4** | LTS | No change | LTS |
| **AIR-5** | LTS | No change | LTS |
| **BIO-1** | LTSM | N/A[23] | LTSM |

[23] This pertains to "Loss or Temporary Disturbance of Wetlands and Other Waters" which does not apply to the Google Project.

| Impact | EIR Level of Impact | Change in Level of Impact with Project Modifications | Level of Impact with Project Modifications |
|---|---|---|---|
| **BIO-2** | LTSM | No change | LTSM |
| **BIO-3 and 4** | LTS | No change | LTS |
| **BIO 5** | LTSM | No change | LTSM |
| **BIO-6** | LTS | No change | LTS |
| **BIO 7, 9, and 10** | LTSM | No substantial increase | LTSM |
| **BIO-8** | LTSM | No substantial increase | LTSM |
| **BIO-11** | LTSM | No change | LTSM |
| **BIO-12** | LTSM | No change | LTSM |
| **BIO-13, 14** | LTS | No change | LTS |
| **CUL-1** | LTS | No substantial increase | LTS |
| **CUL-2** | LTS | No substantial increase | LTS |
| **GHG-1** | LTS | No substantial increase | LTS |
| **GHG-2** | LTS | No change | LTS |
| **HM-1** | LTSM | No substantial increase | LTSM |
| **HM-2** | LTS | No change | LTS |
| **HM-3** | LTSM | No change | LTSM |
| **HYD/WQ-1** | LTS | No change | LTS |
| **HYD/WQ-2** | LTS | No substantial increase | LTS |
| **HYD/WQ-3** | LTSM | No substantial increase | LTSM |
| **NO-1** | LTS | No change | LTS |
| **NO-2** | SU | No change | SU |
| **NO-3** | LTS | No change | LTS |
| **NO-4** | LTS | No change | LTS |
| **TR-1** | LTSM | No substantial increase | LTSM |
| **TR-2** | LTSM | No substantial increase | LTSM |
| **TR-3** | LTSM | No substantial increase | LTSM |
| **TR-4** | LTS | No change | LTS |
| **TR-5** | LTSM | No substantial increase | LTSM |
| **UTL-1** | LTSM | No change | LTSM |
| **UTL-2** | LTS | No change | LTS |
| **UTL-3** | LTS | No change | LTS |

LTS: Less than significant
LTSM: Less than significant with mitigation
SU: Significant and Unavoidable

**Attachment**

**Figure 1** – Google Project Reach and Google Project Improvements