



To: State Agencies
Responsible Agencies
Local and Public Agencies
Trustee Agencies
Interested Parties

From: Lindsay Hagan, Deputy Zoning Administrator
City of Mountain View
Community Development Department
500 Castro Street, P.O. Box 7540
Mountain View, CA 94039-7540

Subject: Notice of Preparation of a Draft Focused Environmental Impact Report for the Middlefield Park Master Plan Project

The City of Mountain View will be the Lead Agency and will prepare a Focused Environmental Impact Report (EIR) for the above referenced project. We would like to get your input regarding the scope and content of the environmental information to be addressed in the EIR. The project location, description, and potential environmental effects are attached.

A **public scoping meeting will be held on October 14, 2021 at 4 p.m.** to take comments regarding the scope and content of the Draft Focused EIR. Due to the current COVID-19 restrictions, the scoping meeting will be held virtually via Zoom webinar. Members of the public and public agencies may participate remotely. All interested persons may participate by joining the video conference at <https://mountainview.zoom.us/j/89464226682>, at www.zoom.com with Webinar ID: 894 6422 6682, by calling into the meeting at: US: +1 669 900 9128 or +1 253 215 8782 or +1 301 715 8592 or +1 312 626 6799 or +1 646 558 8656 or 833 548 0276 (Toll Free) or 833 548 0282 (Toll Free) or 877 853 5257 (Toll Free) or 888 475 4499 (Toll Free) and enter the Webinar ID.

According to state law, the deadline for your response is 30 days after receipt of this notice; however, we would appreciate an earlier response, if possible. Written comments will be accepted until November 1, 2021 at 5:00 p.m.

Additional project information is available at www.mountainview.gov/googlemiddlefieldpark. Please identify a contact person and send your response to:

City of Mountain View
Community Development Department
Attention: Lindsay Hagan, Deputy Zoning Administrator
500 Castro Street, P.O. Box 7540
Mountain View, CA 94039-7540
Lindsay.Hagan@mountainview.gov

Lindsay Hagan, Deputy Zoning Administrator
Community Development Department

Date: 9-30-21

Notice of Preparation of a Draft Focused Environmental Impact Report for the Middlefield Park Master Plan Project

I. INTRODUCTION

Notice is hereby given that the City of Mountain View, as the Lead Agency, will prepare an Environmental Impact Report (EIR) for the Middlefield Park Master Plan project (hereinafter referred to as the “MPMP” or “project”). This Notice of Preparation (NOP) has been prepared in compliance with California Environmental Quality Act (CEQA) Guidelines Section 15082. The purpose of this NOP is to solicit comments from the public and public agencies on the scope and content of the EIR for the project.

The purpose of an EIR is to inform decision makers and the general public of the environmental effects of a proposed project. The EIR process is intended to provide environmental information sufficient to evaluate a proposed project and its potential for significant impacts on the environment; to examine methods of reducing adverse environmental impacts; and to consider alternatives to the project.

The City of Mountain View has determined analysis of the project’s environmental effects is best provided through the preparation of a Focused Subsequent EIR (SEIR), tiered from the certified 2019 East Whisman Precise Plan EIR (SCH# 2017082051). The SEIR for the project will be prepared and processed in accordance with CEQA, and will include:

- A summary of the proposed actions and its consequences,
- A project description,
- A description of the existing environmental setting,
- A discussion of potential environmental impacts (including cumulative and growth-inducing impacts) and mitigation measures to minimize significant effects, and
- A discussion of alternatives to the proposed project.

Upon finding the EIR is complete and in compliance with CEQA, the Mountain View City Council will consider certification of the EIR at a public hearing and may take action on the proposed MPMP. Certification of an EIR does not constitute project approval.

II. PROJECT LOCATION

The proposed MPMP area is located to the northeast of the Ellis Street and East Middlefield Road intersection, within the Mixed-Use Character Area of the East Whisman Precise Plan (EWPP). The EWPP is intended to guide the transition of the East Whisman Change Area from suburban industrial and office campuses to a mixed-use district, with new residential neighborhoods, open spaces, office uses, retail services, and mobility options. The EWPP calls for the development of up to: two million square feet of office, 100,000 square feet of retail uses, 200 hotel rooms, and 5,000 residential units. The MPMP would implement a large portion of the development envisioned by the EWPP.

The MPMP project area totals approximately 40 acres and consists of 14 parcels (Assessor's Parcel Numbers [APNs]: 160-58-001, 160-58-016, 160-58-017, 160-57-004, 160-57-006, 160-57-007, 160-57-008, 160-57-009, 160-57-010, 160-57-011, 160-57-012, 160-57-013, 160-59-005, and 160-59-006). The MPMP area is not all contiguous and is generally bounded by the property of the City and County of San Francisco (often referred to as the San Francisco Public Utilities Commission [SFPUC] right-of-way) to the north, East Middlefield Road to the south, Ellis Street to the west, and the Sunnyvale Municipal Golf Course and State Route (SR) 237 to the east.

The MPMP area is currently developed with 23 office and light industrial buildings totaling approximately 684,646 square feet, as well as landscaping and surface parking lots, located immediately adjacent to the Valley Transportation Authority's (VTA) Middlefield Light Rail Station. The City's Hetch Hetchy Whisman Transit Oriented Development (TOD) trail is located approximately 65 feet west of the project site, across Ellis Street. A regional map and a vicinity map of the MPMP area are shown on Figure 1 and Figure 2, and an aerial photograph of the MPMP area and surrounding land uses is shown on Figure 3.

Additional construction staging and parking for the project would occur on two adjacent parcels (APNs: 160-57-016 and 160-55-036) located at 405 Clyde Avenue and 580 Clyde Avenue, respectively.

III. PROJECT DESCRIPTION

The MPMP project would implement a large portion of the development envisioned by the EWPP. Implementation of the proposed MPMP would allow for the demolition of the existing improvements (i.e., approximately 684,646 square feet of office uses, related surface parking areas, and landscaping) on-site and development of:

- Five office buildings totaling 1,317,000 square feet of office uses and resulting in 632,355 square feet of net new office square footage;
- Two affordable residential buildings and five residential mixed-use buildings with a total of up to 1,900 residential units (including up to 380 affordable units), up to 30,000 square feet of ground floor retail space, and 20,000 square feet of community/civic uses;
- Two stand-alone parking structures and integrated parking at all office and residential buildings for shared district parking within MPMP;
- Dedication of land to the City for three new future public parks totaling approximately 7.28-acres and construction of a 2.87-acre privately owned and publicly accessible park developed by the applicant, providing in total, up to 10.15 acres of park open space within the MPMP;
- New vehicular circulation, including up to five private streets and a modification to Logue Avenue (a public street), new on-street and off-street bicycle and pedestrian improvements, and new landscaping and trees; and
- As an option, the project could include a private district utilities system on-site with underground utility lines to serve some buildings within the MPMP with water, wastewater treatment, recycled water, geothermal energy (heating and cooling), and electric power. The private district utilities system, if provided, would include an approximately 45,000-square-foot Central Utility Plant (CUP), temporary air sourced heat pump, district distribution system,

and microgrid system that would include rooftop photovoltaic panels and on-site storage batteries.

The proposed buildings and parking structures would range from 4 to 11 stories tall with maximum building heights ranging from 60 to 123 feet. The project would also include back-up diesel emergency generators on-site. Parking for all of the office and residential buildings would be provided in surface, above ground, and/or below ground parking facilities. Private open space and landscaping (including new trees) are also proposed. A pedestrian/bicycle bridge overcrossing the VTA light rail line is contemplated north of the existing Middlefield light rail station and would be designed at a future date.

Utility improvements, such as connections to existing infrastructure, extension of underground electrical lines and circuits, placement of above ground utilities below ground, and relocation of existing gas lines, could be required.

In addition to the improvements identified, the project includes a Vesting Tentative Map to create up to 18 lots, up to 1,900 condominium lots, and up to 98 vertical lots within the MPMP, as well as a Development Agreement to grant implementation of entitlements over a 20-year period. Other aspects of the MPMP include green building and emissions reduction features; construction activities; heritage tree removals and landscaping; site access, circulation, and parking; and a Transportation Demand Management (TDM) plan.

IV. PROBABLE ENVIRONMENTAL EFFECTS OF THE PROJECT

The SEIR will address potential environmental effect of the project in the following areas:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Utilities and Service Systems

The SEIR will also evaluate cumulative impacts, growth-inducing impacts, and alternatives to the MPMP project in light of the EWPP and in accordance with the requirements of CEQA.

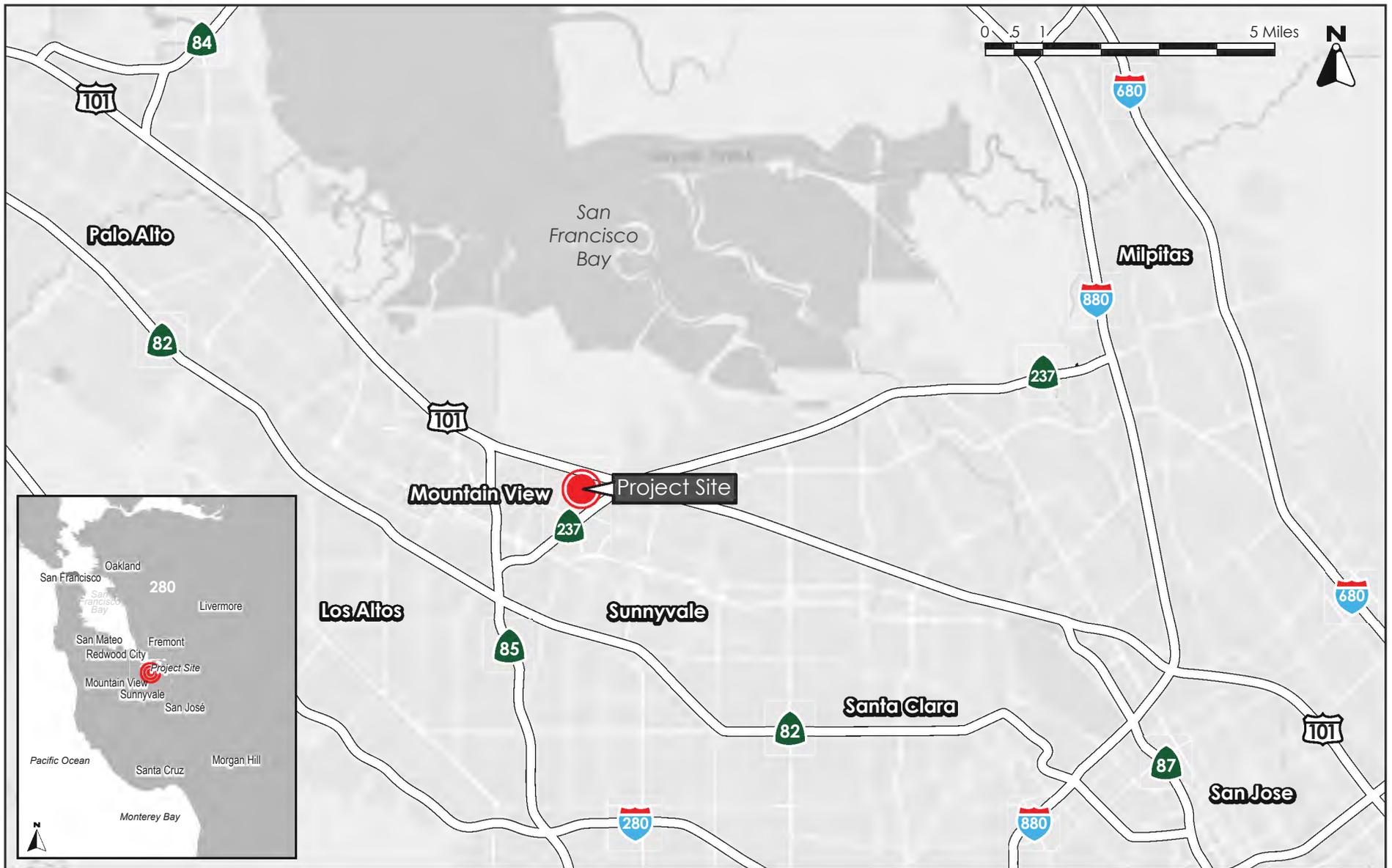
V. SCOPING COMMENTS

We are requesting your input on the scope and content of the environmental information appropriate to your agency's statutory responsibilities or of interest to you or your organization; specifically, we are requesting the following:

1. Identify significant environmental effects and mitigation measures that you believe need to be explored in the EIR with supporting discussion of why you believe these effects may be significant.
2. Describe special studies and other information that you believe are necessary for the City to analyze the significant environmental effects, alternatives, and mitigation measures you have identified.
3. For public agencies that provide infrastructure and public services, identify any facilities or improvements that will be required to provide services to the proposed project;
4. Indicate whether staff from your agency would like to meet with City staff to discuss the scope and content of the EIR's environmental information;
5. Provide the name, title, telephone number, postal, and email addresses of the contact person from your agency or organization that we can contact regarding your comments; and
6. Identify alternatives that you believe need to be explored in further detail in the SEIR.

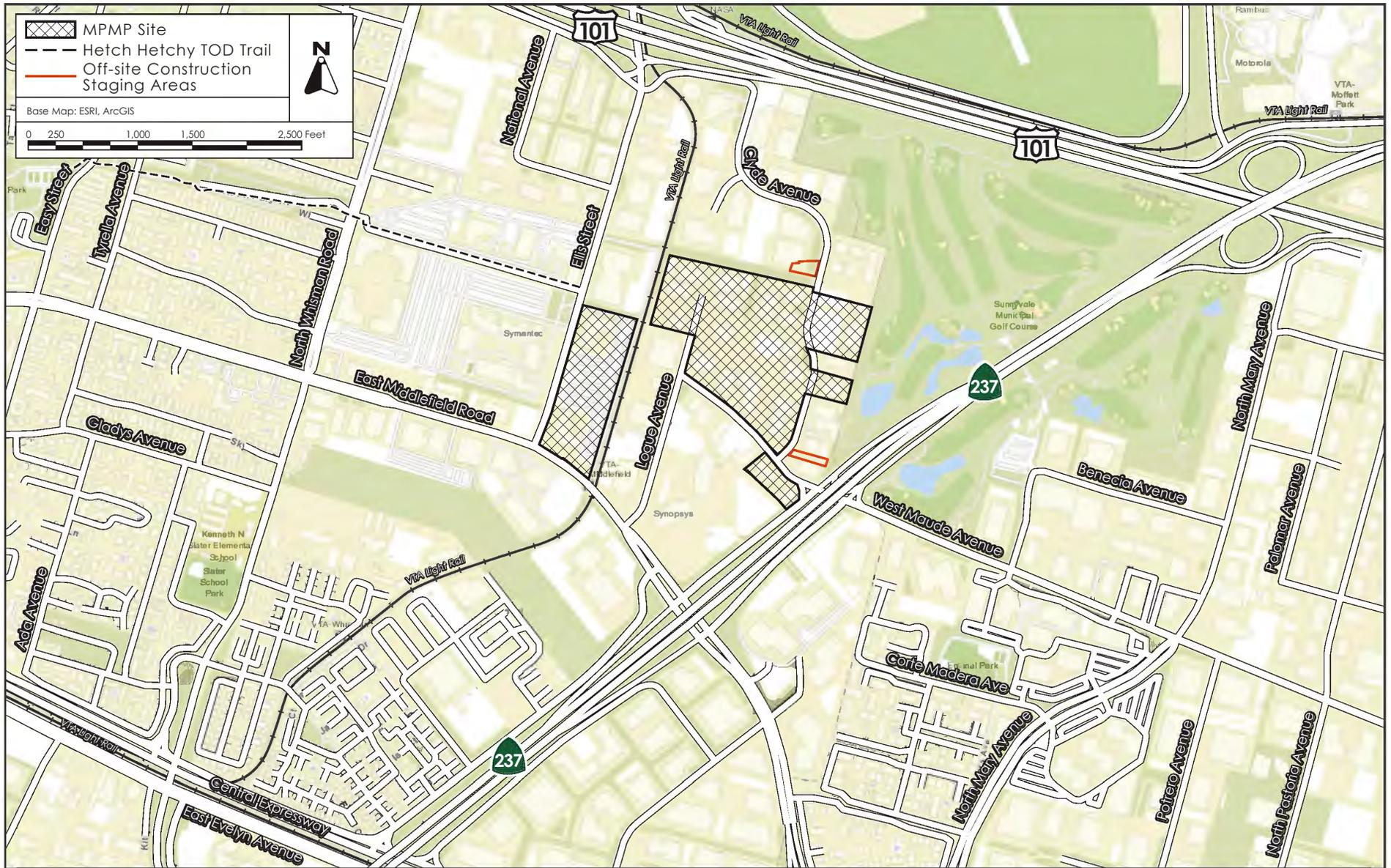
Comments may be sent to:

City of Mountain View
Community Development Department
Attention: Lindsay Hagan, Deputy Zoning Administrator
500 Castro Street, P.O. Box 7540
Mountain View, CA 94039-7540
Lindsay.Hagan@mountainview.gov



REGIONAL MAP

FIGURE 1



VICINITY MAP

FIGURE 2



AERIAL PHOTOGRAPH OF THE MPMP SITE AND SURROUNDING AREA

FIGURE 3

NATIVE AMERICAN HERITAGE COMMISSION

October 6, 2021

Governor's Office of Planning & Research

Oct 07 2021

STATE CLEARINGHOUSE

Lindsay Hagan
City of Mountain View
500 Castro Street, PO Box 7540
Mountain View, CA 94039-7540

Re: 2021100026, Middlefield Park Master Plan Project, Santa Clara County

Dear Ms. Hagan:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b))). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1))). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.



CHAIRPERSON
Laura Miranda
Luiseño

VICE CHAIRPERSON
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Chumash

SECRETARY
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AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - a.** A brief description of the project.
 - b.** The lead agency contact information.
 - c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subs. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1 (b)).
 - a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a.** Alternatives to the project.
 - b.** Recommended mitigation measures.
 - c.** Significant effects. (Pub. Resources Code §21080.3.2 (a)).

- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:
 - a.** Type of environmental review necessary.
 - b.** Significance of the tribal cultural resources.
 - c.** Significance of the project's impacts on tribal cultural resources.
 - d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
 - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i.** Protecting the cultural character and integrity of the resource.
 - ii.** Protecting the traditional use of the resource.
 - iii.** Protecting the confidentiality of the resource.
 - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

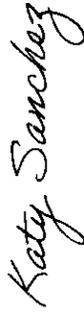
1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:

- a.** A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b.** A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
- 4.** Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
- a.** Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, § 15064.5(f) (CEQA Guidelines § 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b.** Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c.** Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code § 7050.5, Public Resources Code § 5097.98, and Cal. Code Regs., tit. 14, § 15064.5, subdivisions (d) and (e) (CEQA Guidelines § 15064.5, subs. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:
Katy.Sanchez@nahc.ca.gov.

Sincerely,



Katy Sanchez
Associate Environmental Planner

cc: State Clearinghouse

Hagan, Lindsay

From: Wilson, Joanne <jwilson@sflower.org>
Sent: Wednesday, October 27, 2021 8:49 PM
To: Hagan, Lindsay
Cc: Natesan, Ellen; Russell, Rosanna S; Feng, Stacie; Rando, Casey; Rodgers, Heather; Wong, Christopher J; Read, Emily; Leung, Tracy
Subject: RE: Response to SFPUC Comments on NOP for Google Middlefield Park Master Plan

CAUTION: EXTERNAL EMAIL - Ensure you trust this email before clicking on any links or attachments.

Hi Lindsay: Thank you for your response below to the SFPUC's earlier comments on the City Council study session for the above-referenced project. In your email below, you stated: *No use of the Property of the City and County of SF is proposed whatsoever in the current Google Middlefield Park Master Plan.* Given this statement, the SFPUC has no further comments at this time.

Thank you,

Joanne Wilson

Joanne Wilson
Senior Land and Resources Planner
Natural Resources and Lands Management Division
Water Enterprise
1657 Rollins Road
Burlingame, CA 94010

Please consider the environment before printing this email.

Hetch Hetchy Regional Water System
Operated by San Francisco Water, Power and Sewer | Services of the San Francisco Public Utilities
Commission



California Department of Transportation

DISTRICT 4
OFFICE OF TRANSIT AND COMMUNITY PLANNING
P.O. BOX 23660, MS-10D | OAKLAND, CA 94623-0660
www.dot.ca.gov



October 28, 2021

SCH #: 2021100026
GTS #: 04-SCL-2021-00956
GTS ID: 24370
Co/Rt/Pm: SCL/237/1.82

Lindsay Hagan, Deputy Zoning Administrator
City of Mountain View
500 Castro Street
Mountain View, CA 94039

Re: Middlefield Park Master Plan Project Notice of Preparation (NOP) for Draft Environmental Impact Report (DEIR)

Dear Lindsay Hagan:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Middlefield Park Master Plan Project. We are committed to ensuring that impacts to the State's multimodal transportation system and to our natural environment are identified and mitigated to support a safe, sustainable, integrated and efficient transportation system. The following comments are based on our review of the September 2021 NOP.

Project Understanding

The project is located in Mountain View and is adjacent to State Route (SR)-237 and US-101. The proposed plan would allow for the demolition of existing onsite facilities and the construction of five office buildings, two affordable residential buildings, five residential mixed-use buildings, and two stand-alone parking structures. The plan would also provide for the dedication of land to the City for three future public parks and would adopt new vehicular circulation within the project area.

Travel Demand Analysis

With the enactment of Senate Bill (SB) 743, Caltrans is focused on maximizing efficient development patterns, innovative travel demand reduction strategies, and multimodal improvements. For more information on how Caltrans assesses Transportation Impact Studies, please review Caltrans' Transportation Impact Study Guide ([link](#)).

If the project meets the screening criteria established in the City's adopted Vehicle Miles Traveled (VMT) policy to be presumed to have a less-than-significant VMT impact and exempt from detailed VMT analysis, please provide justification to support the exempt status in align with the City's VMT policy. Projects that do not meet the screening criteria should include a detailed VMT analysis in the DEIR, which should include the following:

- VMT analysis pursuant to the City's guidelines. Projects that result in automobile VMT per capita above the threshold of significance for existing (i.e. baseline) city-wide or regional values for similar land use types may indicate a significant impact. If necessary, mitigation for increasing VMT should be identified. Mitigation should support the use of transit and active transportation modes. Potential mitigation measures that include the requirements of other agencies such as Caltrans are fully enforceable through permit conditions, agreements, or other legally-binding instruments under the control of the City.
- A schematic illustration of walking, biking and auto conditions at the project site and study area roadways. Potential traffic safety issues to the State Transportation Network (STN) may be assessed by Caltrans via the Interim Safety Guidance.
- The project's primary and secondary effects on pedestrians, bicycles, travelers with disabilities and transit performance should be evaluated, including countermeasures and trade-offs resulting from mitigating VMT increases. Access to pedestrians, bicycle, and transit facilities must be maintained.

Transportation Impact Fees and Fair Share Contributions

Please identify project-generated travel demand and estimate the costs of transit and active transportation improvements necessitated by the proposed project; viable funding sources such as development and/or transportation impact fees should also be identified. We encourage a sufficient allocation of fair share contributions toward multi-modal and regional transit improvements to fully mitigate cumulative impacts to regional transportation. We also strongly support measures to increase sustainable mode shares, thereby reducing VMT.

Please consider the following project for fair share contributions:

- Plan Bay Area 2050 – Corridor and Interchange Improvements US-101 Santa Clara County

Lead Agency

As the Lead Agency, the City of Mountain View is responsible for all project mitigation, including any needed improvements to the State Transportation Network (STN). The project's fair share contribution, financing, scheduling, implementation responsibilities and lead agency monitoring should be fully discussed for all proposed mitigation measures.

Thank you again for including Caltrans in the environmental review process. Should you have any questions regarding this letter, please contact Llisel Ayon at Llisel.Ayon@dot.ca.gov. Additionally, for future notifications and requests for review of new projects, please email LDIGR-D4@dot.ca.gov.

Sincerely,

A handwritten signature in black ink that reads "Mark Leong". The signature is fluid and cursive, with a long horizontal stroke at the end.

MARK LEONG
District Branch Chief
Local Development - Intergovernmental Review

c: State Clearinghouse



CARPENTERS LOCAL UNION 405

SERVING SANTA CLARA & SAN BENITO COUNTIES

October 29 2021

Lindsay Hagan
Deputy Zoning Administrator
City of Mountain View
Community Development Department
500 Castro St., PO Box 7540
Mountain View, CA 94039-7540
VIA EMAIL: Lindsay.hagan@mountainview.gov

Re: Draft Comment on Notice of Preparation of EIR for the Middlefield Park Master Plan Project

Dear Ms. Hagan:

Please accept these comments on behalf of the members of Carpenters Local 405, representing thousands of construction workers in Mountain View and Santa Clara County. Local 405 is presenting this comment to request that the City add mandatory local hire and apprenticeship language to the Middlefield Park Master Plan Project and the Environmental Impact Report.

The Middlefield Park Master Plan Should Bar Issuance of Building Permits Unless Each Future Development over 20,000 Square Feet has a Viable Apprenticeship Program and Strict Local Hiring Requirements.

The Carpenters propose the following additions to the Municipal Code of the City of Mountain View for all projects larger than 20,000 square feet subject to the Middlefield Park Master Plan and the Certified Environmental Impact Report.

Permitting requirements in the Municipal Code of the City of Mountain View

A person, firm, corporation, or other entity applying for a building permit under the relevant section of the Municipal Code of the City of Mountain View, California shall be required to comply with the apprenticeship and local hire requirements of the Middlefield Park Master Plan. Failure to comply with the requirements set forth in this section shall be deemed a violation of this article.

Apprenticeship:

For every apprenticeable craft, each general contractor and each subcontractor (at every tier for the project) will sign a certified statement under penalty of perjury that it participates in a Joint Apprenticeship Program Approved by the State of California, Division of Apprenticeship Standards **OR** in an apprenticeship program approved by the State of California Division of Apprenticeship Standards that has

a graduation rate of 50% or higher and has graduated at least thirty (30) apprentices each consecutive year for the five (5) years immediately preceding submission of the pre-qualification documents. The contractor or subcontractor will also maintain at least the ratio of apprentices required by California Labor Code section 1777.5.

Local Hire Policy:

Contractor will be required to provide documentation that the contractor will hire a minimum of twenty-five percent (25%) of staff for any job classification with more than four (4) employees employed whose primary residence, which is not a post office box, is, and has been, within the Counties of Santa Clara or San Mateo within 180 days of the expected date of issuance of the Notice to Proceed for the project.

While there has been a remarkable economic expansion in Mountain View since 2010, the jobs-housing imbalance adds to the City's affordability crisis and threatens to undermine the region's strong economy. The Mountain View General Plan calls for a greenhouse gas reduction program and sustainable development. The East Whisman Precise Plan (of which the Middlefield Park Master Plan will be a part of) calls for a jobs/housing linkage to encourage office and residential growth to occur in tandem as well as efforts to minimize vehicle trips. Policies that require the utilization of apprentices and a local construction workforce, in tandem with programs currently operational by Local 405 outlined below, will help right that imbalance and help the City meet the goals of the Precise Plan and Mountain View General Plan.

Local 405 has implemented many programs that will enable the City to meet the General Plan and Precise Plan goals that will be a part of the Middlefield Park Master Plan. These programs include a robust Joint Apprenticeship Training Committee, vigorous utilization of apprentices in Mountain View, healthcare coverage for all members and their families, and innovation within the construction industry.

Joint Apprenticeship Training Committees (JATC's), such as the Carpenters Training Committee for Northern California (CTCNC), are a proven method of career training built around a strong partnership between employers, training programs and the government. This tripartite system is financially beneficial not only for the apprentice, but is a major benefit for the employer and the overall economy of Mountain View. The CTCNC monitors current market conditions and adjusts the workflow of apprentices to meet the needs of the community, heading off any shortage of skilled workers. History has demonstrated that strong utilization of apprentices throughout the private sector helped California builders produce millions of units of housing.

CTCNC recruitment strategies include robust diversity and inclusionary outreach programs, such as pre-apprenticeship, with proven results in representative workplaces and strong local economies. It is imperative that our underserved populations have supportive and effective pathways to viable construction careers, while ensuring that employers are able to find and develop the best and brightest talent needed to thrive in a competitive economy.

Employer-paid health insurance plans for our members and their families provides preventative services to stay healthy and prevent serious illness. Timely care reduces the fiscal burden for our members and their families, and significantly reduces the utilization of safety-net programs administered by Mountain View and Santa Clara County.

Embracing new technologies and delivery systems will have a significant impact on the construction industry, particularly the residential sector. Increasing housing delivery methods reduces project durations and provides Mountain View residents housing sooner. Local 405 is at the forefront of ensuring that new construction technologies deliver those benefits while also creating work opportunities for those already in the trades as well as those looking to begin a construction career. These technologies could help the City meet its jobs/housing linkage goals within the Middlefield Park Master Plan.

Local 405 urges the City of Mountain View to adopt the Mandatory local hire and apprenticeship requirements proposed. Mandatory local hire and apprenticeship requirement would help the City use the Middlefield Park Master Plan to meet the goals of the East Whisman Precise Plan and the Mountain View General Plan. A local hire policy is a critical part of sustainable building and development, while also minimizing vehicle trips and reducing greenhouse gas emissions. Apprenticeship utilization will ensure an adequate skilled workforce to meet the housing goals of the Master Plan and comply with the proposed jobs/housing linkage.

Carpenters Local 405 looks forward to working with the City and its staff as you consider and implement the Middlefield Park Master Plan. Please contact me if you have any questions or concerns or need any additional information.

Sincerely,


Samuel Munoz
Senior Field Representative



Sunnyvale

October 29, 2021

Lindsay Hagan, Deputy Zoning Administrator
City of Mountain View
Community Development Department
500 Castro Street, P.O. Box 7540
Mountain View, CA 94039-7540
E-Mail: Lindsay.Hagan@mountainview.gov

Re: Comments on the Notice of Preparation for the Middlefield Park Master Plan

Dear Ms. Hagan:

Thank you for the opportunity to comment on the Notice of Preparation for the proposed Middlefield Park Master Plan (project or Master Plan) in Mountain View. This letter includes all City of Sunnyvale comments.

General Questions and Comments:

1. The project is in proximity of the City of Sunnyvale's adopted Peery Park Specific Plan Area. The Peery Park Plan Area is undergoing significant changes with many projects under construction and additional pending development applications in the pipeline. Please contact the City of Sunnyvale to obtain a list of development projects and their status to be included in the Master Plan's cumulative impacts analysis.
2. As discussed in our July 2021 meeting, the City of Sunnyvale does not support a pedestrian/bike connection through the existing golf course; however, we are supportive of pedestrian/bike connections on existing City streets.

Traffic and Transportation Input for the Notice of Preparation:

If you have questions on the following traffic related items, please contact Lillian Tsang, Principal Transportation Engineer, Dept. of Public Works, ltsang@sunnyvale.ca.gov or (408) 730-7556.

1. Although no longer a CEQA issue, but necessary to comply with CMP regulations, the City of Sunnyvale uses criteria found within the VTA *Transportation Impact Analysis (TIA) Guidelines* as a basis for determining study intersections. Accordingly, municipal and CMP intersections with ten

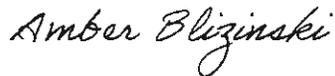
- or more project trips per lane added to any intersection movement should be analyzed. Considering the project size and location, it is expected that project trips would travel to and from the west through intersections located within the City of Sunnyvale, which are likely to trigger the need for intersection analysis along Maude Avenue. Traffic conditions at the study intersections are typically conducted for the AM and PM peak hours under existing, background and cumulative analysis scenarios. At a minimum the following intersections should be considered for analysis:
- a. W. Maude Avenue and SR 237 Ramps
 - b. W. Maude Avenue and LinkedIn Campus Driveway (future signalized intersection)
 - c. W. Maude Avenue and Macara Avenue
 - d. W. Maude Avenue and Mary Avenue
 - e. W. Maude Avenue and Pastoria Avenue
 - f. W. Maude Avenue and Mathilda Avenue
2. According to the VTA CMP Guidelines, the TIA must include an analysis of bicycle and pedestrian facilities in terms of their availability, project effects on future bike/pedestrian plans, and improvements proposed by the project. Maps and information on existing and planned bicycle facilities within City of Sunnyvale can be supplied upon request.
 3. The project site is located near the City of Sunnyvale's western border. Relevant approved projects within Sunnyvale and other neighboring jurisdictions need to be included in the study estimates of the Background traffic volumes and Cumulative traffic volumes. This is consistent with the VTA TIA Guidelines. Please contact the City of Sunnyvale to get a list of approved projects to include in the study.
 4. Besides identifying the existing, background and cumulative project impacts along with associated feasible improvements to bring the intersection operations back to No Project conditions, the project will be responsible for its full/pro-rata share contributions towards the implementation of the identified improvements.
 5. The Valley Transportation Plan (VTP) on the VTA web site contains a list of regional improvements which shall be included in the cumulative conditions. Similarly, local improvements within the City of Sunnyvale that are already identified in the City's Capital Improvement Program (CIP) and/or in the Sunnyvale Traffic Impact Fee Study shall be included in the cumulative analysis. When utilizing regional and local road improvements as potential improvements to address the project's adverse effects on roadways, please clarify construction schedule of these improvements relative to the schedule of the development completion.
 6. Truck routes and construction-related activity impacts on the City of Sunnyvale and regional corridors need to be investigated and mitigated if necessary.
 7. The proposed project is significant in size and is expected to affect the Sunnyvale roadway network. Following to the CMP guidelines, the City of

Sunnyvale is requesting to review the draft TIA report and proposed improvements to address adverse effects caused by the project.

8. Include any potential Transportation Demand Management (TDM) measures planned to be deployed by the project.

The City of Sunnyvale appreciates your consideration of the requested study elements described above. Please contact Amber Blizinski, Principal Planner, at ablizinski@sunnyvale.ca.gov or (408) 730-2723 if you have any questions or concerns about items discussed in this letter.

Sincerely,



Amber Blizinski
Principal Planner, Community Development Department

cc: Trudi Ryan, Director, CDD
Andrew Miner, Assistant Director, CDD
Chip Taylor, Director, Public Works
Dennis Ng, Transportation/Traffic Manager
Jennifer Ng, Assistant Director, Public Works
Lillian Tsang, Principal Transportation Engineer



File: 34560
Stevens Creek

November 1, 2021

City of Mountain View
Community Development Department
Attention: Lindsay Hagan, Deputy Zoning Administrator
500 Castro Street, P.O. Box 7540
Mountain View, CA 94039-7540

Subject: Notice of Preparation of a Draft Focused Environmental Impact Report for the Middlefield Park Master Plan Project

Dear Ms. Hagan:

The Santa Clara Valley Water District (Valley Water) has reviewed the Notice of Preparation of a Draft Focused Environmental Impact Report (EIR) for the Middlefield Park Master Plan Project, received on September 30, 2021.

Valley Water requests that the follow concerns be addressed in the EIR to address potential project impacts to the water supply in Santa Clara County.

The proposal would allow a substantial net increase in water demand, therefore, a Water Supply Assessment (WSA) is required to be prepared by the City and incorporated into the EIR. Valley Water requests the opportunity to review the draft WSA to comment on the consistency with countywide water supply planning efforts; especially if future growth will be relying on the groundwater basin, which is managed by Valley Water.

Re-development of the site provides opportunities to minimize water and associated energy use by using recycled water, incorporating on-site reuse for both storm and graywater, and requiring water conservation measures above State standards (i.e. CALGreen). To reduce or avoid adverse impacts to water supply, the City and applicant should consider the following:

- Require landscaping that exceeds the requirements of the City's water efficient landscape regulations;
- Weather- or soil-based irrigation controllers;
- Dedicated landscape meters;
- The installation of dual plumbing to facilitate and maximize the use of alternative water sources for irrigation, toilet flushing, cooling towers, and other non-potable water uses should recycled water lines be adjacent to the site or potentially extended in the future to serve the site. In addition, onsite reuse of water may be appropriate now or in the future.



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November 1, 2021
Ms. Lindsay Hagan

- Maximize the use of alternative water sources for non-potable uses including stormwater, rainwater, and graywater.
- Installation of separate submeters to each residential unit and individual spaces within commercial buildings to encourage efficient water use.

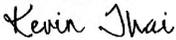
To address the potential for encountering shallow groundwater when excavating underground parking and/or structures with deep basements. Valley Water recommends that a detailed analysis of construction and operational dewatering be conducted, including estimating dewatering volumes/durations evaluation of impacts to groundwater quantity and quality, and identification of measures to reduce related impacts.

Valley Water records show 25 wells on the various project sites; however, it is always possible that a well exists that is not in Valley Water records. Abandoned or unused wells can provide a vertical conduit for contaminants to pollute groundwater. The EIR should discuss the disposition of those wells in relation to the proposed development. To avoid impacts to groundwater quality to any wells found on-site that will be used must be properly destroyed in accordance with Ordinance 90-1, which requires issuance of a well destruction permit or registered with Valley Water and protected during construction. Property owners or their representatives should call the Wells and Water Measurement Unit at (408) 630-2660 for more information regarding well permits and registration for the destruction of wells.

If you have any questions, please contact me at (408) 630-3157 or kthai@valleywater.org. Please reference Valley Water File No. 34560 on any future correspondence.

Sincerely,

DocuSigned by:



786F93119889448...

Kevin Thai, CFM

Associate Engineer

Community Projects Review Unit

cc: U. Chatwani, Y. Arroyo, V. De La Piedra, M. Richert, M. Martin, M. Duffy, K. Thai, File



November 1, 2021

City of Mountain View
Community Development Department
Attention: Lindsay Hagan, Deputy Zoning Administrator
500 Castro Street, P.O. Box 7540
Mountain View, CA 94039-7540

Dear Lindsay,

VTA appreciates the opportunity to comment on the Notice of Preparation of a Draft Focused Environmental Impact Report (EIR) for the Middlefield Park Master Plan project. VTA has reviewed the document and has the following comments:

Land Use

VTA supports the proposed land use intensification and mix of land uses that the Middlefield Park Master Plan project would bring to the East Whisman Precise Plan Area, close to the Middlefield Light Rail Station. This project represents a prime opportunity to implement shared City-VTA goals to intensify land use near transit and improve sustainable travel options.

Vehicle Miles Traveled (VMT) Analysis

VTA recognizes that the DEIR being prepared for the Middlefield Park Master Plan will be a Focused DEIR that builds on the program-level EIR prepared for the East Whisman Precise Plan in 2019. VTA notes that the prior EIR included a VMT analysis for the entire Precise Plan area, but that analysis was prepared before the City formally adopted its policy and thresholds for VMT analysis pursuant to Senate Bill 743. Therefore, VTA recommends that the City provide an update or supplement to the previous analysis to discuss how the proposed Middlefield Park Master Plan project would perform in relation to the City's June 2020 VMT policy.

Transportation Demand Management

VTA recommends that the DEIR for the Middlefield Park Master Plan include a discussion of how the proposed project would implement the broad TDM requirements set forth in the East Whisman Precise Plan, such as the Office TDM Requirements, and Gateways for Establishing Trip Caps (outlined in Precise Plan Chapter 2, Table 4 and Figure 11). This Focused DEIR should include a discussion of specific measures that the applicant and the City will take, since adhering to the Office TDM Requirements in the Precise Plan will be critical for the Middlefield Park Master Plan development to meet VMT and Greenhouse Gas (GHG) reduction goals. VTA notes that Target-Based Trip Reduction programs are most effective when they include third-party monitoring and an enforcement framework, as discussed in Chapter 8 of VTA's Transportation Impact Analysis (TIA) Guidelines document.

Safety Analysis

VTA notes that the City must analyze potential hazards and safety issues per the 2019 CEQA Guidelines, Appendix G checklist, Section XVII. Pursuant to this requirement, VTA offers the following comments regarding safety analysis for the Focused DEIR for the Middlefield Park Master Plan:

Analysis of Signalized Intersections for Queuing and Potential Signal Pre-emption

The DEIR will need to include a localized traffic operations analysis to determine the extent of queuing from nearby signalized intersections and if these queues will conflict with the light rail crossing at Middlefield Road. Under California law and other regulatory requirements, traffic signal pre-emption is a requirement when a traffic signal is within 200 feet of a railroad crossing, and its purpose is to minimize the possibility of any vehicles being on the trackway when a train is approaching a crossing. Although the Logue Avenue intersection (228 feet away) and Ellis Street intersection (445 feet away) are more than 200 feet away from the crossing, the large size of this development may increase the queuing from these signalized intersections and possibly lead to hazards at the Middlefield Road light rail crossing.

Specifically, the DEIR should include an operations and queuing analysis (such as with Vistro or Synchro) to evaluate queuing under Background With Project and Cumulative With Project conditions to determine whether queue spill-back across the light rail tracks is likely. This analysis should include the following study intersections:

- Middlefield Road/Bernardo Avenue
- Middlefield Road/Eastbound SR 237 On & Off-Ramp
- Middlefield Road/Westbound SR 237 On & Off-Ramp
- Middlefield Road/Ferguson Drive
- Middlefield Road/Logue Avenue
- Middlefield Road/Ellis Street

If the analysis indicates that queue spill-back across the tracks is likely, the City should work with the applicant to implement modifications to the crossing and traffic signals to provide transit signal pre-emption. The City should consult with VTA regarding the findings of this analysis.

Safety at Bus Stops

VTA Local Route 21 and the MVGo shuttle operate through the Master Plan area. Their routes and stop locations may be impacted by construction, which will need to be coordinated with the transportation providers for any route detours, stop closures or relocation. Per the East Whisman Precise Plan, Middlefield Road, Logue Avenue and Clyde Avenue are slated to have buffered bike lanes with bus boarding islands added, separated from the sidewalk by bike lanes. VTA supports these improvements, and notes that design of boarding islands needs to consider access and circulation for patrons with disabilities along with bus ramp deployment, and potential impacts to following traffic (i.e., waiting vehicles behind a stopped bus encroaching on the opposing lane to go around). Railings may be needed to separate bus patrons from the bike lanes. Please refer to VTA's *Design Guidance for Bike Lanes and Cycle Tracks at Bus Stops* for in-lane stopping and cycle track configurations at bus stops.

Safety Along Light Rail Right-of-Way

Currently the light rail Right-of-Way (ROW) has fencing protecting the ROW from unauthorized intrusion. Given the land use intensification and the linear open space proposed along the corridor, the development design should include clear and direct pedestrian paths and wayfinding to the station platform to prevent trespassing on the trackway. Whenever possible, pedestrian travel between the two sides of the trackway must be channeled towards the authorized crossings. The fencing along the western side of the light rail ROW may need to be raised if ball courts or other recreational uses are included in the linear park. A pathway should be included for emergency vehicles and maintenance personnel along the light rail ROW, and authorized gate access to the trackway and

other VTA equipment must be preserved. If there is parking alongside the fence line, bollards or other solid barriers need to be installed to prevent vehicles from impacting the fence into the trackway. If trees are to be located outside the light rail ROW fencing, the City and applicant should consult with VTA to select species that are manageable for debris removal and to ensure that their mature canopy does not come within 10 feet of the Overhead Contact System (OCS).

Pedestrian Safety near Middlefield Light Rail Station and Grade Crossing

The DEIR should include an analysis of pedestrian safety in and around the Middlefield Light Rail Station, taking into account modifications that are proposed or being considered, including the linear open space, and the possibility of a mid-block pedestrian crossing of Middlefield Road parallel to the light rail tracks. It is likely that the pedestrian crossings of the tracks at the north end of the Middlefield station platform will need to have additional safety features (such as automatic swing gates and warning devices) added due to the increased volume of pedestrians generated by the development. The potential addition of a mid-block crossing of Middlefield Road would require a thorough safety analysis and potential addition of new gates, channelization, and warning devices. At both locations, any modifications to grade crossings would require authorization through the California Public Utilities Commission (CPUC) General Order 88-B process, which VTA would be closely involved in.

Other Safety and Security Considerations

The DEIR and Master Plan development should take into account the following other safety considerations:

- Any utilities that are being proposed and any nearby excavation need to consider the safety of the track bed, traction power and railroad signals from improper shoring, localized flooding, stray electrical currents and signals.
- The design of the future pedestrian-bicycle overcrossing must preserve emergency and maintenance access to the light rail crossover switches, be high enough to clear the OCS, and prevent objects from being thrown down the trackway.
- The design of the development should utilize Crime Prevention Through Environmental Design (CPTED) principles to make the area defensible and give users a sense of safety and security.

Analysis of Congestion Management Program (CMP) Facilities

While VTA fully supports the City's use of VMT as the primary as metric for CEQA Transportation analysis in conformance with SB 743, and accompanying efforts to reduce VMT through land use mix and TDM requirements, the City is still required to analyze the project's impacts on regional CMP facilities in relation to the CMP Level of Service (LOS) standard. Therefore, the City's transportation analysis should include an analysis and discussion of how the Middlefield Park Master Plan development would affect CMP facilities, building from the CMP analysis conducted in the East Whisman Precise Plan EIR.

The East Whisman Precise Plan EIR disclosed that the buildout of the Precise Plan area would lead to significant and unavoidable impacts to numerous freeway segments near the plan area, as well as some CMP and local intersections. Therefore, VTA recommends that the project should provide voluntary, fair share contributions to nearby projects on the regional/CMP transportation system, as discussed in Attachment B to the East Whisman Precise Plan FEIR. Contributions could help implement modifications to the SR 237/Maude/Middlefield ramps (which would include pedestrian and bicycle safety improvements at the ramp intersections), and/or

improvements along SR 237 between US 101 and Mathilda Avenue which would help relieve a bottleneck affecting the Express Lanes segments east of Mathilda.

VTA also notes that the East Whisman Precise Plan EIR did not include an analysis of queuing and the potential need for metering on the ramp from Eastbound SR 237 to Southbound US 101. This Focused DEIR should include such an analysis and recommend improvements if queue spill-back to mainline SR 237 is found.

Park/Open Space Design and Public Life

VTA supports the creation of the linear Ellis Park with retail and active frontages facing Middlefield Station, and offers the following recommendations for design to enhance public life:

- Create places in Ellis Park where people can linger, dwell, and spend time with family, friends, children, or co-workers; do not have the park turn its back to transit in this location, but embrace it. The park should be designed for active transportation, and transit, biking, walking, or rolling should be the easiest choice.
- Locate pedestrian-oriented uses along the park to promote safety and visibility; uses should include retail, food, social and community services, living or activity spaces.
- Allow for varied programming and a mix of uses such as festivals, markets, gatherings, and recreation.
- Create community identity using local design elements that are context sensitive; neighborhood identity gives residents pride and provides cues for visitors alike.
- Design public spaces to Universal Design standards to create places that benefit the community holistically.

Affordable Housing

VTA commends the applicant for integrating affordable housing of different types into Middlefield Park Master Plan. Per the April 21, 2021, Development Review Committee Meeting presentation, potential affordable housing sites R6 and R4a are located significantly further from access to light rail. While these sites do have accessible local bus service and active transportation options on Logue Avenue and W. Maude Avenue, convenient light rail access provides the ability to connect to larger mobility hubs and travel longer distances to jobs. VTA recommends studying the potential for including affordable units in the proposed Phase 1 parcels R1 and R2, since providing the similar access for all people would create a more balanced and equitable place to live.

Thank you again for the opportunity to review this project. VTA would like to meet with City staff to discuss the recommendations in this letter. Please do not hesitate to contact me at 408-321-5949 or robert.swierk@vta.org to schedule a meeting, or to discuss any questions you may have on this letter.

Sincerely,

Robert Swierk

Robert Swierk, AICP
Principal Transportation Planner