

**THE CITY OF MOUNTAIN VIEW'S FINDINGS FOR THE  
MOUNTAIN VIEW PUBLIC SAFETY BUILDING  
REQUIRED UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT  
(Public Resources Code, Section 21000, et seq.)**

## **I INTRODUCTION**

The City of Mountain View (the "City") prepared a Draft and a Final Environmental Impact Report (collectively, the "EIR") for the Mountain View Public Safety Building (the "project").

The EIR addresses the potential environmental effects associated with the project. The findings set forth below (the "Findings") are adopted by this City of Mountain View City Council ("City Council") as the City's findings under the California Environmental Quality Act ("CEQA") (Public Resources Code, Section 21000 et seq.), and the CEQA Guidelines (California Code of Regulations, Title 14, Section 15000 et seq.) relating to the project based on substantial evidence in the whole record of this proceeding (administrative record). The Findings provide the written analysis and conclusions of this City Council regarding the project's environmental impacts, mitigation measures, and alternatives to the project.

## **II GENERAL FINDINGS**

### **Procedural Background**

Pursuant to CEQA and the CEQA Guidelines, the City determined that an EIR would be required for the project. On December 10, 2024, the City issued a Notice of Preparation ("NOP") for the EIR, which was circulated to responsible agencies, interested groups, and individuals and to the State Clearinghouse for review and comment. Comments were received by the City during the NOP scoping period, which were taken into account during the preparation of the Draft EIR. A copy of the NOP is included in Appendix A of the *Mountain View Public Safety Building Draft Environmental Impact Report* ("Draft EIR").

The Draft EIR was published for public review and comment on July 1, 2025, and was filed with the State Office of Planning & Research under State Clearinghouse No. 2024120444. The Draft EIR was made available for review and comment by interested persons and public agencies from July 1, 2025, to August 15, 2025.

No comments were received on the Draft EIR during the public review period. The City prepared the *Mountain View Public Safety Building Final Environmental Impact Report* ("Final EIR") with revisions to the Draft EIR and a Mitigation Monitoring and Reporting Program (MMRP). The Final EIR was made available for public review in October 2025.

On November 4, 2025, the City Council will hold a public hearing to consider the project and associated EIR, CEQA Findings of Fact, Statement of Overriding Considerations, and MMRP.

### **Record of Proceedings and Custodian of Record**

The record upon which all findings and determinations related to the approval of the project are based includes the following:

1. The EIR and all documents referenced in or relied upon by the EIR.
2. All information (including written evidence and testimony) provided by City staff to

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the City Council relating to the EIR, the approvals, and the project

3. All information (including written evidence and testimony) presented to City Council by environmental consultants who prepared the EIR or incorporated into reports presented to the City Council.
4. All information (including written evidence and testimony) presented to the City from other public agencies related to the project or the EIR.
5. All applications, letters, testimony and presentations relating to the project.
6. All information (including written evidence and testimony) presented at any public City hearing or City workshop related to the project and the EIR.
7. All City-adopted or City-prepared land use plans, ordinances, including without limitation general plans, specific plans, and ordinances, together with environmental review documents, findings, mitigation monitoring programs, and other documents relevant to land use within the area.
8. The Mitigation Monitoring and Reporting Program ("MMRP") for the project.
9. All other documents composing the record pursuant to Public Resources Code section 21167.6(e).

The custodian of the documents and other materials that constitute the record of the proceedings upon which the City's decisions are based is David Printy, Public Works Department, or his designee. Such documents and other material are located at City of Mountain View, Public Works Department, 500 Castro Street, First Floor, Mountain View, CA 94041.

### **Consideration and Certification of the EIR**

In accordance with CEQA, the City Council certifies that the EIR has been completed in compliance with CEQA. The City Council has independently reviewed the record and the EIR prior to certifying the EIR and approving the project. By these findings, the City Council confirms, ratifies, and adopts the findings and conclusions of the EIR as supplemented and modified by these findings. The EIR and these findings represent the independent judgment and analysis of the City and the City Council. The City Council recognizes the EIR may contain clerical errors. The City Council reviewed the entirety of the EIR and bases its determination on the substance of the information it contains. The City Council certifies that the EIR is adequate to support the City's decisions regarding the project.

The City Council certifies that the EIR is adequate to support approval of the project described in the EIR.

### **No Significant New Information**

The City Council recognizes that the Final EIR incorporates information obtained and produced after the Draft EIR was completed, and that the Final EIR contains additions, corrections, and modifications that clarify or amplify the analysis included in the Draft EIR. The City Council has reviewed and considered the Final EIR and all of this information, and it finds that the information added in the Final EIR clarifies and makes insignificant changes to an adequate Draft EIR. The new information added to the EIR does not involve a new significant environmental impact, a substantial increase in the severity of a previously identified significant environmental impact, or a feasible mitigation measure or alternative considerably different from others previously analyzed that the project applicant declines to adopt and that would

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clearly lessen the significant environmental impacts of the project. No information indicates that the Draft EIR was inadequate or conclusory or that the public was deprived of a meaningful opportunity to review and comment on the EIR. Therefore, the Final EIR does not include any changes or add any new significant information to the Draft EIR that would require recirculation of the EIR under CEQA.

### **Mitigation Monitoring And Reporting Program**

The mitigation measures set forth in the MMRP are specific and enforceable and are capable of being fully implemented by the efforts of the City of Mountain View and/or other identified public agencies of responsibility. As appropriate, some mitigation measures define performance standards to ensure no significant environmental impacts will result. The MMRP adequately describes implementation procedures and monitoring responsibility in order to ensure that the project complies with necessary mitigation measures.

The City Council will impose conditions of approval and adopt mitigation measures as set forth in the MMRP as enforceable conditions of approval. As discussed in detail in Sections III and IV below, the City has adopted measures to substantially lessen or eliminate all significant effects to the extent feasible.

The conditions of approval and mitigation measures incorporated into and imposed upon the project approval will not themselves have new significant environmental impacts or cause a substantial increase in the severity of a previously identified significant environmental impact that were not analyzed in the EIR. In the event a mitigation measure recommended in the EIR has been inadvertently omitted from the conditions of approval or the MMRP, that mitigation measure is adopted and incorporated from the EIR into the MMRP by reference and adopted as a condition of approval.

### **Severability**

If any term, provision, or portion of these Findings or the application of these Findings to a particular situation is held by a court of competent jurisdiction to be invalid, void or unenforceable, the remaining provisions of these Findings, or their application to other actions related to the project, shall continue in full force and effect unless amended or modified by the City.

## **III FINDINGS REGARDING SIGNIFICANT AND UNAVOIDABLE IMPACTS**

As indicated in the EIR, the project would result in one significant and unavoidable impact that cannot be avoided or reduced to a less-than-significant level through implementation of mitigation measures recommended in the EIR.

### **Cultural and Tribal Cultural Resources**

**Impact CUL-1: The proposed project would remove the historical resource on the project site that is eligible for listing in the California Register under Criterion 3 as a significant example of the work of master architect Goodwin Steinberg.**

**Mitigation Measure CUL-1.1:** The City shall have Historic American Building Survey Level II documentation completed for the Mountain View Police Services - Fire Administration building and its setting. To ensure public access, the City shall submit copies of the documentation to Mountain View History Center in the Mountain View Library and the California Historical Resources Information System Northwest Information Center. This documentation shall include drawings, photographs, and a historical narrative:

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- **Drawings:** Existing historic drawings of the historical resource shall be photographed with large-format negatives or photographically reproduced on Mylar. In the absence of existing drawings, full-measured drawings of the building's plan and exterior elevations shall be prepared prior to demolition.
- **Photographs:** Photo-documentation of the historical resource shall be prepared to Historic American Building Survey standards for archival photography, prior to demolition. Historic American Building Survey standards require large-format black-and-white photography, with the original negatives having a minimum size of four inches by five inches. Digital photography, roll film, film packs, and electronic manipulation of images are not acceptable. All film prints, a minimum of four inches by five inches, must be hand-processed according to the manufacturer's specifications and printed on fiber-base, single-weight paper and dried to a full gloss finish. A minimum of 12 photographs shall be taken, detailing the site, building exterior, building interior, and character-defining features. Photographs must be identified and labeled using Historic American Building Survey standards.
- **Historical Overview:** A professional meeting the Secretary of the Interior's Professional Qualification Standards in Architectural History or History shall assemble historical background information relevant to the historical resource.

The City of Mountain View shall verify compliance with this mitigation measure prior to the initiation of any site or building demolition or construction activities.

**Mitigation Measure CUL-1.2:** The City shall incorporate an exhibit or display of the Mountain View Police Services - Fire Administration building and a description of its historical significance into a publicly accessible portion of the proposed Public Safety Building. The display shall be developed with the assistance of one or more professionals experienced in creating such historical exhibits or displays.

*Findings*

Due to the inherent design of the proposed project, implementation of the proposed project would remove the Mountain View Police Services - Fire Administration building. While Mitigation Measure CUL-1.1 and Mitigation Measure CUL-1.2 would offset this impact to the extent feasible, they would not prevent removal of this historical resource. Therefore, this impact would be significant and unavoidable. The City finds that Mitigation Measure CUL-1.1 and Mitigation Measure CUL-1.2 are feasible, and are hereby adopted and incorporated into the project to mitigate significant effects from Impact CUL-1 to the extent feasible, although this impact would remain significant and unavoidable.

**IV FINDINGS REGARDING SIGNIFICANT IMPACTS WHICH ARE MITIGATED TO A LESS-THAN-SIGNIFICANT LEVEL**

As indicated in the EIR, the project would result in significant impacts that can be avoided or reduced to a less-than-significant level through implementation of mitigation measures recommended in the EIR. By adopting and incorporating these mitigation measures into the project, it is hereby determined that the following significant impacts will be avoided or substantially lessened to a less-than-significant level.

## Air Quality

**Impact AIR-1: Without mitigation, construction activities for the proposed project could generate fugitive dust that exceeds State standards.**

**Mitigation Measure AIR-1:** The project contractor shall comply with the Bay Area Air District's basic best management practices for reducing construction-related emissions of uncontrolled fugitive dust (coarse inhalable particulate matter [PM<sub>10</sub>] and fine inhalable particulate matter [PM<sub>2.5</sub>]):

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt trackout onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measures Title 13, Section 2485, of the California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
- All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
- Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6- to 12-inch layer of compacted layer of wood chips, mulch, or gravel.
- Publicly visible signs shall be posted with the telephone number and name of the person to contact at the City regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's General Air Pollution Complaints number shall also be visible to ensure compliance with applicable regulations.

These measures shall be noted on grading plans prepared by the applicant submitted to the City of Mountain View Building Division. The construction contractor shall implement these measures during ground disturbing activities. The City shall verify compliance that these measures have been implemented during normal construction site inspections.

### *Findings*

Mitigation Measure AIR-1 contains the Bay Area Air District's basic best management practices in the bullet points listed above, which are recommended by the Air District to ensure construction fugitive

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dust emissions and fine inhalable particulate matter are less than significant. As such, this impact would be reduced to a less-than-significant level with implementation of Mitigation Measure AIR-1. The City finds that Mitigation Measure AIR-1 is feasible and is hereby adopted and incorporated into the project to mitigate significant effects from Impact AIR-1 to a less-than-significant level.

**Impact AIR-2: Construction activities for the proposed project could generate cancer risks above acceptable levels for the maximally exposed residential receptor.**

**Mitigation Measure AIR-2:** The City of Mountain View shall specify in the construction bid that the project construction contractor(s) and subcontractor(s) comply with the following requirements for all off-road equipment used over the entire duration of the construction activities at the site:

- Use engines that meet either US EPA or California Air Resources Board (CARB) Tier 4 Final emission standards for engines that are greater than 25 horsepower. Ensure that all construction plans submitted to the City of Mountain View Building Division clearly show the selected emission reduction strategy for construction equipment over 25 horsepower.
- If Tier 4 Final equipment is not available for use for the project for a specific piece of off-road construction equipment, documentation shall be provided to the City of Mountain View demonstrating that such equipment is not available for the project. If Tier 4 Final equipment is not available, the construction contractor(s) and subcontractor(s) affected shall use Tier 4 Interim equipment instead. If Tier 4 Interim equipment is not available for use for the project for a specific piece of off-road construction equipment, documentation shall be provided to the City demonstrating that such equipment is not available for the project. If Tier 4 Interim equipment is not available, the construction contractor(s) and subcontractor(s) affected shall use Tier 3 equipment outfitted with a level 3 diesel particulate filter instead.
- Prohibit the use of generators except for electric alternatives. The City shall ensure that all construction plans submitted to the City of Mountain View Building Division clearly show the requirement to use power storage equipment or electric generators in lieu of fossil fuel powered generators.
- Maintain a list of all operating equipment in use on the project site for verification by the City or their designee. The construction equipment list shall state the makes, models, fuel type, and number of construction equipment on-site. All equipment shall be properly serviced and maintained in accordance with the manufacturer's recommendations.
- Communicate with all sub-contractors in contracts and construction documents that all non-essential idling of construction equipment is restricted to 5 minutes or less in compliance with California Air Resources Board Rule 2449 and is responsible for ensuring that this requirement is met.

*Findings*

As shown in Table 4.1-7, *Construction Health Risk Assessment Result – Mitigated*, of the EIR, implementation of Mitigation Measure AIR-2 would reduce emissions for sensitive receptors to a less-than-significant level. The City finds that Mitigation Measure AIR-2 is feasible and is hereby adopted and incorporated into the project to mitigate significant effects from Impact AIR-2 to a less-than-significant level.

## Biological Resources

**Impact BIO-1: Tree removal and demolition activities during site clearance could destroy active nests, and/or otherwise interfere with nesting of birds protected under federal and State law.**

**Mitigation Measure BIO-1:** Nests of raptors and other birds shall be protected when in active use, as required by the federal Migratory Bird Treaty Act and the California Fish and Game Code. The construction contractor shall indicate the following on all construction plans, if construction activities and any required tree removal occur during the breeding season (February 1 and August 31).

Preconstruction surveys shall:

- Be conducted by a qualified biologist prior to tree removal or grading, demolition, or construction activities. Note that preconstruction surveys are not required for tree removal or construction, grading, or demolition activities outside the nesting period.
- Be conducted no more than 14 days prior to the start of tree removal or construction.
- Be repeated at 14-day intervals until construction has been initiated in the area after which surveys can be stopped.
- Document locations of active nests containing viable eggs or young birds.

Protective measures for active nests containing viable eggs or young birds shall be implemented under the direction of the qualified biologist until the nests no longer contain eggs or young birds. Protective measures shall include:

- Establishment of clearly delineated exclusion zones (i.e., demarcated by identifiable fencing, such as orange construction fencing or equivalent) around each nest location as determined by the qualified biologist, taking into account the species of birds nesting, their tolerance for disturbance and proximity to existing development. In general, exclusion zones shall be a minimum of 300 feet for raptors and 75 feet for passerines and other birds.
- Monitoring active nests within an exclusion zone on a weekly basis throughout the nesting season to identify signs of disturbance and confirm nesting status.
- An increase in the radius of an exclusion zone by the qualified biologist if project activities are determined to be adversely affecting the nesting birds. Exclusion zones may be reduced by the qualified biologist only in consultation with California Department of Fish and Wildlife.
- The protection measures shall remain in effect until the young have left the nest and are foraging independently or the nest is no longer active.

### *Findings*

Mitigation Measure BIO-1 requires a qualified biologist to conduct a preconstruction survey for nesting birds, followed by avoidance efforts if nests are found. The survey, as well as any subsequent protective measures, would ensure that project implementation would avoid any significant impact on nesting birds that may be on the project site at the time of tree removal or demolition activities. The City finds that Mitigation Measure BIO-1 is feasible and is hereby adopted and incorporated into the project to mitigate significant effects from Impact BIO-1 to a less-than-significant level.

**Impact BIO-2: The proposed development would result in removal of trees protected under City's Municipal Code.**

**Mitigation Measure BIO-2:** The proposed project shall comply with the City of Mountain View's Municipal Code requirements for the provision of the removal of heritage trees in Chapter 32, Trees, Shrubs and Plants, Article II, Protection of The Urban Forest. A tree removal permit shall be obtained for the removal of any "heritage" tree, and replacement plantings shall be provided as approved by the City. If permitted, any replacement trees be placed off-site or an appropriate in-lieu tree replacement fee may be paid to the City of Mountain View as compensation for "heritage" trees removed by the proposed project, where sufficient land area is not available on-site for adequate replacement and when approved by the City.

In addition, a Tree Protection and Replacement Program (Program) shall be developed by a Certified Arborist prior to project approval and implemented during project construction to provide for adequate protection and replacement of "heritage" trees, as defined by the City's Municipal Code. The Program shall include, but is not limited to, the following provisions:

- Adequate measures shall be defined to protect all trees to be preserved. These measures should include the establishment of a tree protection zone (TPZ) around each tree to be preserved, in which no disturbance is permitted. For design purposes, the TPZ shall be located at the dripline of the tree or 10 feet, whichever is greater. If necessary, the TPZ for construction-tolerant species (i.e., coast live oaks) may be reduced to 7 feet.
- Temporary construction fencing shall be installed at the perimeter of TPZs prior to demolition, grubbing, or grading. Fences shall be 6-foot chain link or equivalent, as approved by the City of Mountain View. Fences shall remain until all construction is completed. Fences shall not be relocated or removed without permission from the consulting arborist.
- No grading, excavation, or storage of materials shall be permitted within TPZs. Construction trailers, traffic, and storage areas shall remain outside fenced areas at all times. No excess soil, chemicals, debris, equipment, or other materials shall be dumped or stored within the TPZ.
- Underground services including utilities, sub-drains, water or sewer shall be routed around the TPZ. Where encroachment cannot be avoided, special construction techniques such as hand digging or tunneling under roots shall be employed where necessary to minimize root injury. Irrigation systems must be designed so that no trenching will occur within the TPZ.
- Construction activities associated with structures and underground features to be removed within the TPZ shall use the smallest equipment and operate from outside the TPZ. The consulting arborist shall be on-site during all operations within the TPZ to monitor demolition activity.
- All grading, improvement plans, and construction plans shall clearly indicate trees proposed to be removed, altered, or otherwise affected by development construction. The tree information on grading and development plans should indicate the number, size, species, assigned tree number, and location of the dripline of all trees that are to be retained/preserved. All plans shall also include tree preservation guidelines prepared by the consulting arborist.
- The demolition contractor shall meet with the consulting arborist before beginning work to discuss work procedures and tree protection. Prior to beginning work, the contractor(s) working in the

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vicinity of trees to be preserved shall be required to meet with the consulting arborist at the site to review all work procedures, access routes, storage areas, and tree protection measures.

- All contractors shall conduct operations in a manner that will prevent damage to trees to be preserved. Any grading, construction, demolition or other work that is expected to encounter tree roots shall be monitored by the consulting arborist. If injury should occur to any tree during construction, it should be evaluated as soon as possible by the consulting arborist so that appropriate treatments can be applied.
- Any plan changes affecting trees shall be reviewed by the consulting arborist with regard to tree impacts. These include, but are not limited to, site improvement plans, utility and drainage plans, grading plans, landscape and irrigation plans, and demolition plans.
- Trees to be preserved may require pruning to provide construction clearance. All pruning shall be completed by a State of California Licensed Tree Contractor (C61/D49). All pruning shall be done by Certified Arborist or Certified Tree Worker in accordance with the current Best Management Practices for Pruning published by the International Society of Arboriculture, and adhere to the current editions of the American National Standard for Tree Care Operations (Section Z133.1) and Pruning (Section A300).
- Any root pruning required for construction purposes shall receive the prior approval of and be supervised by the consulting arborist.
- Any demolition or excavation, such as grading, pad preparation, excavation, and trenching, within the dripline or other work that is expected to encounter tree roots should be approved and monitored by the consulting arborist. Any root pruning required for construction purposes shall receive prior approval of, and be supervised by, the consulting arborist. Roots shall be cut by manually digging a trench and cutting exposed roots with a sharp saw.
- Tree(s) to be removed that have branches extending into the canopy of tree(s) to remain must be removed by a qualified arborist and not by construction contractors. The qualified arborist shall remove the tree in a manner that causes no damage to the tree(s) and understory to remain. Tree stumps shall be ground 12 inches below ground surface.
- All tree work shall comply with the Migratory Bird Treaty Act as well as California Fish and Game Code Sections 3503 through 3513 to not disturb nesting birds. To the extent feasible, tree pruning, and removal shall be scheduled outside of the breeding season. Breeding bird surveys shall be conducted prior to tree work. Qualified biologists shall be involved in establishing work buffers for active nests. (See Mitigation Measure BIO-1.)
- The vertical and horizontal locations of all the trees identified for preservation shall be established and plotted on all plans. These plans shall be forwarded to the consulting arborist for review and comment.
- Foundations, footings, and pavements on expansive soils near trees shall be designed to withstand differential displacement to protect the soil surrounding the tree roots.
- Any liming within 50 feet of any tree shall be prohibited, as lime is toxic to tree roots. Any herbicides placed under paving materials shall be safe for use under trees and labeled for that use.

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- Brush from pruning and trees removal operations shall be chipped and spread beneath the trees within the TPZ. Mulch shall be between 2 inches and 4 inches in depth and kept at a minimum of 3 feet from the base of the trees.
- All recommendations for tree preservation made by the applicant's consulting arborist shall be followed.

*Findings*

Mitigation Measure BIO-2 requires development and adherence to a Tree Protection and Replacement Program. The program would ensure the replacement of heritage trees and the implementation of a number of tree protection measures during project construction. The program, and its protective measures, would reduce this impact to a less-than-significant level. The City finds that Mitigation Measure BIO-2 is feasible and is hereby adopted and incorporated into the project to mitigate significant effects from Impact BIO-2 to a less-than-significant level.

**Cultural and Tribal Cultural Resources**

**Impact CUL-2: Construction activities for the proposed project have the potential to cause a substantial adverse change in the significance of an archaeological resource pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15064.5.**

**Mitigation Measure CUL-2:** Project supervisors, contractors, and equipment operators shall participate in an Archaeological Resource Awareness Training, conducted by a Secretary of Interior-qualified archaeologist, to become familiar with the type of artifacts and features that could be encountered during project-related ground disturbing activities, as well as the procedures to follow if archaeological resources are unearthed during construction. If indigenous, prehistoric or historic-period cultural materials are unearthed during ground-disturbing activities, all work within 100 feet of the find shall halt until a qualified archaeologist and Native American representative can assess the significance of the find. The City and a qualified archaeologist, defined as one meeting the U.S. Secretary of the Interior's Professional Qualifications Standards for Archaeology, and a Native American representative shall be immediately informed of the discovery. Prehistoric and indigenous materials might include obsidian and chert-flaked stone tools (e.g., projectile points, knives, scrapers) or tool-making debris; culturally darkened soil ["midden"] containing heat-affected rocks and artifacts; stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered-stone tools, such as hammerstones and pitted stones. Historic-period materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse. If the find is determined to be potentially significant, the archaeologist, in consultation with the Native American representative, shall develop a treatment plan that could include site avoidance, capping, or data recovery. If avoidance is not feasible, project impacts shall be mitigated in accordance with the recommendations of the archeologist, in coordination with the City, Native American representative, and pursuant to CEQA Guidelines Section 15126.4 (b)(3)(C), which requires implementation of a data recovery plan. Once the recovery plan has been reviewed and approved by the City, implemented, and any appropriate resource recovery completed, project construction activity within the area of the find may resume.

*Findings*

Mitigation Measure CUL-2 requires appropriate procedures to minimize potential impacts to previously undiscovered archaeological resources during ground-disturbing activities; as such, impacts to

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archaeological resources would be reduced to less-than-significant levels. The City finds that Mitigation Measure CUL-2 is feasible and is hereby adopted and incorporated into the project to mitigate significant effects from Impact CUL-2 to a less-than-significant level.

**Impact CUL-3: Construction activities for the proposed project have the potential to result in unanticipated discovery of human remains interred outside of dedicated cemeteries.**

**Mitigation Measure CUL-3:** In the event of the discovery of human remains during demolition, excavation, or construction, there shall be no further excavation or disturbance of the site within a 50-foot radius of the location of such discovery, or any nearby area reasonably suspected to overlie adjacent remains, and the area shall be secured to prevent further disturbance. The City and the Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to their authority, the Coroner shall notify the Native American Heritage Commission within 24 hours, which shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the landowner, in consultation with a qualified archaeologist, shall formulate an appropriate treatment plan for the find, which might include, but not be limited to, respectful scientific recording and removal, being left in place, removal and reburial on-site, or elsewhere. Associated grave goods are to be treated in the same manner. A final report shall be submitted to the City's Community Development Director prior to release of a Certificate of Occupancy. This report shall contain a description of the mitigation programs and its results, including a description of the monitoring and testing resources analysis methodology and conclusions, and a description of the disposition/curation of the resources. The report shall verify completion of the mitigation program to the satisfaction of the City's Community Development Director.

*Findings*

Mitigation Measure CUL-3 requires appropriate procedures to be followed in the event that human remains are discovered during construction activities; as such, impacts to human remains would be reduced to less-than-significant levels. The City finds that Mitigation Measure CUL-3 is feasible and is hereby adopted and incorporated into the project to mitigate significant effects from Impact CUL-3 to a less-than-significant level.

**Impact CUL-4: Construction activities for the proposed project have the potential to cause a significant impact to an unknown tribal cultural resource as defined in Public Resources Code 21074.**

**Mitigation Measure CUL-4:** Implement Mitigation Measures CUL-2 and CUL-3.

*Findings*

Mitigation Measure CUL-4 requires implementation of Mitigation Measures CUL-2 and CUL-3, which require appropriate procedures to be followed in the event that previously undiscovered archaeological resources and human remains are discovered during construction activities; as such, impacts to tribal cultural resources would be reduced to less-than-significant levels. The City finds that Mitigation Measures CUL-2 and CUL-3 is feasible and is hereby adopted and incorporated into the project to mitigate significant effects from Impact CUL-4 to a less-than-significant level.

## Geology and Soils

**Impact GEO-1: The construction activities, increased site occupancy, and development of new structures under the proposed project could exacerbate an existing hazard associated with liquefaction due to seismic events.**

**Mitigation Measure GEO-1:** Prior to the issuance of building permits, the project sponsor shall retain the services of a certified engineering geologist and/or geotechnical engineer to prepare a site-specific geotechnical study based on the most recent draft of the conceptual site plans. The geotechnical study shall address, but is not limited to, the effects of seismically induced liquefaction, and include recommendations to ensure any potential hazards related to the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction would not occur. The geotechnical study shall be approved by the City of Mountain View's Building Inspection Department prior to the issuance of building permits.

### *Findings*

Mitigation Measure GEO-1 requires the development of a site-specific geotechnical study to be approved the City's Building Inspection Department prior to the issuance of building permits. With adherence to the final design-level geotechnical report, the proposed building would be constructed in a way that eliminates significant effects associated with seismically induced liquefaction. The City finds that Mitigation Measures GEO-1 is feasible and is hereby adopted and incorporated into the project to mitigate significant effects from Impact GEO-1 to a less-than-significant level.

**Impact GEO-2 The construction activities, development, and increased site occupancy involved in the proposed project could exacerbate an existing hazard associated with unstable soils due to seismically induced liquefaction.**

**Mitigation Measure GEO-2:** Implement Mitigation Measure GEO-1.

### *Findings*

Mitigation Measure GEO-2 requires implementation of Mitigation Measure GEO-1, which requires a site-specific geotechnical study to be approved the City's Building Inspection Department prior to the issuance of building permits; as such, the proposed building would be constructed in a way that eliminates significant effects associated with unstable soils due to seismically induced liquefaction. The City finds that Mitigation Measures GEO-1 and is hereby adopted and incorporated into the project to mitigate significant effects from Impact GEO-2 to a less-than-significant level.

## Hazards and Hazardous Materials

**Impact HAZ-1: The proposed project could create a hazard to future site occupants due to the release of hazardous materials originating from off-site land uses.**

**Mitigation Measure HAZ-1:** Prior to issuance of demolition or grading permits, shallow soil samples and groundwater samples shall be taken in the near surface soil and tested for tetrachloroethylene to determine if contaminants from previous operations on the former Fremont Laundry or Evelyn Avenue parking lot sites are present at concentrations above established regulatory construction worker safety and commercial environmental screening levels. The results of the soil sampling and testing must be provided to the City of Mountain View Community Development Department.

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If contaminated soils or groundwater are found in concentrations above the appropriate regulatory environmental screening levels for the proposed project, the project sponsor shall obtain regulatory oversight from the Santa Clara County Department of Environmental Health, Department of Toxic Substances Control, or Regional Water Quality Control Board to mitigate the contamination found. A Site Management Plan (SMP), Removal Action Plan (RAP), or equivalent document must be prepared by a qualified hazardous materials consultant. The plan must establish remedial measures and/or soil management practices to ensure construction worker safety and the health of future workers and visitors to the project site during operation of the proposed project. Evidence of regulatory oversight and a regulatory approved plan shall be provided to the City of Mountain View Community Development Department.

In the event that vapor encroachment is discovered, the proposed project shall develop a vapor management plan. The vapor management plan shall be prepared in consultation with applicable regulatory agencies, including the Department of Toxic Substances Control and the Regional Water Quality Control Board, and shall be reviewed and accepted by the City of Mountain View prior to the issuance of demolition and grading permits.

*Findings*

Mitigation Measure HAZ-1 requires site testing and appropriate agency oversight and management in the event that concentrations exceed environmental screening levels. With agency oversight, remedial measures, and management practices, potential hazards would be reduced to a less-than-significant level. The City finds that Mitigation Measures HAZ-1 is feasible and is hereby adopted and incorporated into the project to mitigate significant effects from Impact HAZ-1 to a less-than-significant level.

**Noise**

**Impact NOI-1: The proposed project would generate a substantial temporary increase in ambient noise levels during construction.**

**Mitigation Measure NOI-1:** The project sponsor shall incorporate the following practices into the construction contract specifications to be implemented by the construction contractor during the entire construction phase of the project. The project sponsor and contractors shall prepare a Construction Noise Control Plan that includes the following measures:

- Limit construction to the hours of 8:00 a.m. to 6:00 p.m., Monday through Friday, and between 9:00 a.m. to 5:00 p.m. on weekends.
- Construct temporary noise barriers, where feasible, to screen receptors to the west, south, and east from the construction area. Temporary noise barrier fences would provide a 5 dBA noise reduction if the noise barrier interrupts the line-of-sight between the noise source and receptor and if the barrier is constructed in a manner that eliminates any cracks or gaps.
- At least 21 days prior to the start of construction activities, property owners within a 500-foot radius of the project site shall be notified of the planned construction. The notification shall include a brief description of the project, a description of the construction phases to occur, the construction hours noted above, and the overall construction duration. The notification shall include the telephone

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numbers of the City's and contractor's authorized representatives that are assigned to respond in the event of a noise or vibration complaint.

- At least 10 days prior to the start of construction activities, a sign shall be posted at the entrance(s) to the job site, clearly visible to the public, that includes permitted construction days and hours, as well as the telephone numbers of the City's and contractor's authorized representatives that are assigned to respond in the event of a noise or vibration complaint. If the authorized contractor's representative receives a complaint, they shall investigate, take appropriate corrective action, and report the action to the City.
- Prior to the start of construction, the project sponsor shall retain a qualified acoustical consultant to conduct construction noise monitoring during the major phases of project construction at select locations in the surrounding neighborhood. The number and location of monitoring positions, and the construction phases during which monitoring shall occur, shall be determined by City staff in consultation with the acoustical consultant. All sound level meters used during monitoring shall satisfy the American National Standards Institute (ANSI) standard of Type 1 instrumentation. All measurements shall be at least 5 feet above the ground and away from reflective surfaces. The noise monitoring data and results shall be submitted in a memorandum to the City on a weekly basis during the construction phases requiring monitoring, along with comparison to the 80 dBA Leq (8-hr) construction noise limit. If exceedances of the construction noise limit are found, the applicant's construction contractor shall modify construction techniques and equipment to reduce the construction noise below the 80 dBA Leq (8-hr) limit.
- Signs shall be posted at the job site entrance(s), within the on-site construction zones, and along queueing lanes (if any) to reinforce the prohibition of unnecessary engine idling. The signs shall note that all other equipment shall be turned off if not in use for more than 5 minutes. The construction manager shall be responsible for enforcing these noise reduction requirements.
- Construction trucks and equipment shall utilize the best available noise control techniques including improved mufflers, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds, wherever feasible.
- The contractor shall use impact tools that are hydraulically or electrically powered wherever possible. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used along with external noise jackets on the tools.
- Stationary noise sources (e.g., generators and air compressors) shall be located as far from sensitive receptors as possible, and they shall be muffled and enclosed within temporary sheds, insulation barriers, or other measures to reduce noise levels to the extent feasible.
- Stockpiling of materials shall be located as far as feasible from nearby noise-sensitive receptors.
- During the entire active construction period, the use of noise-producing signals—including horns, whistles, alarms, and bells—shall be for safety warning purposes only. The construction manager shall require the use of smart back-up alarms on equipment. (These devices automatically adjust the alarm level based on the background noise level.) Alternately, equipment back-up alarms may be turned off and replaced with human spotters in compliance with all safety requirements and laws.

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*Findings*

With implementation of Mitigation Measure NOI-1, particularly the use of equipment silencers and mufflers, construction noise would not represent a substantial increase over ambient noise levels at surrounding noise sensitive uses. Therefore, with implementation of Mitigation Measure NOI-1, his impact would be less than significant. The City finds that Mitigation Measures NOI-1 is feasible and is hereby adopted and incorporated into the project to mitigate significant effects from Impact NOI-1 to a less-than-significant level.

**V FINDINGS REGARDING SIGNIFICANT IRREVERSIBLE CHANGES**

Section 21100(b)(2)(B) of CEQA requires that an EIR identify any significant effect on the environment that would be irreversible if the project were implemented. Section 15126.2(c) of the CEQA Guidelines identifies irreversible environmental changes as those involving a large commitment of nonrenewable resources, secondary impacts that would commit future generations, or irreversible damage resulting from environmental accidents.

The project's significant and irreversible changes are discussed in the Draft EIR beginning at page 6-4. The Draft EIR explains that, based on the analysis in Chapter 4 of the Draft EIR, the project would not result in land use changes that would commit future generations, or result in irreversible damage from environmental accidents. In addition, although the construction and operation of the proposed redevelopment project would involve the use of nonrenewable resources, through the inclusion of energy-conserving project features and compliance with applicable standards and regulations, the Draft EIR finds that the proposed project would not represent a large commitment of nonrenewable resources.

**VI FINDINGS REGARDING GROWTH-INDUCING IMPACTS**

Section 15126.2(d) of the CEQA Guidelines states that an EIR should discuss "...the ways in which the project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment." Growth can be induced in a number of ways, including through elimination of obstacles to growth, through the stimulation of economic activity within the region, or through precedent-setting action.

The project's potential growth-inducing impacts are discussed in the Draft EIR beginning at page 6-5. The Draft EIR explains that the proposed project would replace the existing Mountain View Police Services - Fire Administration building with a new Public Safety Building with the same local community-serving use and purpose for the residents of Mountain View. Accordingly, the construction and operation of the project would not directly or indirectly induce growth.

**VII PROJECT ALTERNATIVES**

**Background - Legal Requirements**

CEQA requires that EIRs assess feasible alternatives or mitigation measures that may substantially lessen the significant effects of projects prior to approval (Public Resources Code Section 21002). With the exception of the "no project" alternative, the specific alternatives or types of alternatives that must be assessed are not specified. CEQA "establishes no categorical legal imperative as to the scope of alternatives to be analyzed in an EIR. Each case must be evaluated on its own facts, which in turn must be reviewed in light of the statutory purpose (Citizens of Goleta Valley v. Board of Supervisors (1990) 52

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Cal.3d. 553, 556). The legislative purpose of CEQA is to protect public health, welfare and the environment from significant impacts associated with all types of development, by ensuring that agencies regulate activities so that major consideration is given to preventing environmental damage while providing a decent home and satisfying living environment for every Californian (Public Resources Code Section 21000). In short, the objective of CEQA is to avoid or mitigate environmental damage associated with development.

### Identification of Project Objectives

The CEQA Guidelines state that the “range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic purposes of the project and could avoid or substantially lessen one or more of the significant effects” of the project (CEQA Guidelines Section 15126(d)(2)). Thus, an evaluation of the project objectives is key to determining which alternatives should be assessed in the EIR.

The project’s objectives include the following:

- **General Plan Consistency.** Provide for the development of the site consistent with City’s General Plan.
- **Enhance Public Safety Infrastructure.** Construct a modern, state-of-the-art Public Safety Building that meets the operational needs of the Mountain View Police Department (MVPD) and other public safety personnel.
- **Improve Operational Efficiency.** Provide upgraded facilities, including offices, an auditorium, sleep quarters, lockers, and fitness areas, to enhance the functionality and efficiency of police and fire department operations.
- **Increase Parking Capacity.** Develop a three-story parking garage and reconfigure surface parking to accommodate approximately 244 parking spaces, improving access for personnel and visitors.
- **Enhance Site Access and Circulation.** Improve vehicular and pedestrian access with designated secured and public entry points from Oak Street and Franklin Street while maintaining connectivity to major transportation routes.
- **Preserve Flexibility for Future City Uses.** Reserve 0.6 acres of the project site for potential future municipal development to accommodate evolving community needs.
- **Site Reuse.** Utilize the site that currently houses the Mountain View Police Services - Fire Administration building at 1000 Villa Street due to its central location and parcel size that allows for the size and mix of facilities envisioned for the proposed project.

### Alternatives Analyzed in EIR:

The CEQA Guidelines state that the “range of potential alternatives to the proposed project shall include those that could feasibly accomplish most of the basic purposes of the project and could avoid or substantially lessen one or more of the significant effects” of the project. The EIR analyzed two alternatives, examining the environmental impacts and feasibility of each alternative, as well as the ability of the alternatives to meet project objectives summarized above. Each of the alternatives are described in detail starting on page 5-4 of the Draft EIR. Summaries of the alternatives are provided below, and a brief discussion of the Environmentally Superior Alternative follows the summaries of the

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alternatives. The findings in this Section are based on the EIR, the discussion and analysis of which are hereby incorporated in full by this reference.

**Alternative A: No Project Alternative**

Under the No Project Alternative, the proposed project would not be approved. No development activities would occur on the project site, which would remain in its existing condition. The project site is currently occupied by the Mountain View Police Services - Fire Administration building; a 42-stall public parking lot; a 110-stall, restricted-access parking lot; a pump station; and a K-9 training area. Under this alternative, these facilities would remain on the project site, and no changes in the use or occupancy of the project site would occur. Unlike under the proposed project, under the No Project Alternative environmental health staff would not be relocated to the project site.

*Findings*

Alternative A: No Project Alternative would result in similar impacts related to GHG emissions and transportation. All other impacts (air quality, biological resources, cultural and tribal cultural resources, geology and soils, hazards and hazardous materials, and noise) would be reduced when compared to the proposed project.

The No Project Alternative would meet the objective to be consistent with the General Plan. It would partially meet the objective to reuse the project site because it would utilize the project site but would not allow for the size and mix of facilities envisioned for the proposed project. The No Project Alternative would not meet any additional project objectives.

The City finds Alternative A infeasible as it would fail to meet nearly all of the project objectives.

**Alternative B: Historic Preservation Alternative**

Under the Historic Preservation Alternative, the existing, 44,914-square-foot building would not be demolished and the proposed project would occur within the existing Mountain View Police Services - Fire Administration building. This alternative assumes that the existing parking garage would be reconfigured and/or expanded, or that new structured parking would be built, to accommodate the increased parking supply included in the proposed project. While parking areas would be reconfigured or expanded to accommodate more vehicles, the overall site access would not be changed.

Because the building size would not increase from existing conditions, it is assumed that this alternative would include interior renovations to upgrade existing facilities but would not include any notable expansions to existing facilities, amenities, or offices for Mountain View Police Department staff. In addition, unlike under the proposed project, under this alternative environmental health staff would not be relocated to the proposed project.

*Findings*

Alternative B: Historic Preservation Alternative would result in reduced impacts related to air quality and cultural and tribal cultural resources. All other impacts (biological resources, geology and soils, GHG emissions, hazards and hazardous materials, noise, and transportation) would be similar when compared to the proposed project.

The Historic Preservation Alternative would meet or partially meet most of the project objectives because it would be consistent with the General Plan, allow for some on-site enhancements (through interior renovations), increase the project site's parking supply, and be located on the project site. The

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Historic Preservation Alternative would not provide a state-of-the art building, fully meet operational needs and efficiencies, enhance site access, provide an on-site reserve area for future City use, or allow for the size and mix of facilities envisioned for the proposed project.

The City finds Alternative B infeasible as it would not meet the operational needs of the proposed project or allow for the size and mix of facilities envisioned for the proposed project.

**Environmentally Superior Alternative**

*Findings*

As shown in Table 5-1, *Comparison of Project Alternative Impacts*, of the Draft EIR, the No Project Alternative would reduce impacts for nearly all environmental topics (six out of eight) when compared to the proposed project. The next environmentally superior alternative would be the Historic Preservation Alternative, which would reduce impacts for two topic areas.

**VIII INCORPORATION BY REFERENCE**

These findings incorporate the text of the EIR for the project, including the Mitigation Monitoring Program in the Final EIR, City staff reports relating to the project and other documents relating to public hearings on the project, by reference, in their entirety. Without limitation, this incorporation is intended to elaborate on the scope and nature of mitigation measures, project and cumulative impacts, the basis for determining the significance of impacts, the comparison of the alternatives to the project, the determination of the environmentally superior alternative, and the reasons for approving the project.