

City of Los Altos

MITIGATED NEGATIVE DECLARATION

New Office Building and Public Plaza, 101-151 First Street

The City Council of the City of Los Altos has considered the project identified below and has adopted the following Mitigated Negative Declaration pursuant to the California Environmental Quality Act:

Proposed Project: New Office Building and Public Park/Plaza

Location: 101-151 First Street, Los Altos, County of Santa Clara.

Finding: The proposed project will not have a significant effect on the environment.

Reasons Supporting the Finding:

- An Initial Study of Environmental Effects has been prepared that identified potentially significant impacts, but for which mitigations have been developed to reduce them to a less than significant level.
- The proposed project conforms to the City's General Plan and Zoning Ordinance.
- Because of its in-fill location, new public services and utilities are not required.
- The project will not adversely impact fish and wildlife resources or their habitats.

Mitigation Measures Included in the Project: The following mitigation measures are included in the project to avoid potentially significant effects.

- **Air Quality**
MM AQ-1.1: The project applicant shall utilize Interim Tier 4 off-road equipment or all Tier 0, Tier 1, Tier 2, or Tier 3 off-road equipment used for construction of the project shall be equipped with Level 3 Diesel Particulate Filters.
- **Biological Resources**
MM BIO-1.1: Prior to the commencement of any demolition or tree removal activities on the site, a qualified biologist shall conduct a survey to determine if and how bats are using buildings or trees on or adjacent to the site.

- If a bat roost is observed, a qualified biologist shall determine the species of bats present and the type of roost (i.e., day roost, night roost, maternity roost, hibernation site).
- If the bats are identified as common species, and the roost is not being used as a maternity roost or hibernation site, the bats may be evicted from their roost site using methods developed by a qualified biologist experienced in developing and implementing bat mitigation and exclusion plans.
- If special-status bat species are found to be present or if the roost is determined to be a maternity roost or hibernation site for any species of bat, then a qualified biologist experienced in developing bat mitigation and exclusion plans shall develop a mitigation plan to compensate for the lost roost site. Special-status bats or a maternity roost/hibernation site shall not be disturbed until CDFW approves the mitigation plan.

MM BIO-2.1: If possible, future construction activities should occur outside the bird nesting season (February 1 through August 31). If construction activities during the nesting season cannot be avoided, a qualified biologist should conduct a preconstruction survey of all suitable nesting habitat (i.e., buildings, trees, shrubs) within 250 feet of the project site (where accessible) no more than 7 days prior to the start of work. If the survey indicates the presence of nesting birds, protective buffer zones should be established around the nests, by a qualified biologist in consultation with the California Department of Fish and Wildlife, to avoid impacts to nesting birds. In some cases, the qualified biologist may increase or decrease these buffers depending on the bird species and the level of disturbance that will occur near the nest.

▪ **Cultural Resources**

MM CUL-1.1: A qualified archaeologist will be on-site to monitor the initial excavation of native soil once all pavement and engineered soil is removed from the project site. After monitoring the initial excavation, the archaeologist will make recommendations for further monitoring if it is determined that the site has cultural resources. If the archaeologist determines that no resources are likely to be found on site, no additional monitoring will be required.

MM CUL-1.2: In the event that prehistoric or historic resources are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped, the Director of Community Development will be notified, and the archaeologist will examine the find and make appropriate recommendations prior to commencement of construction. Recommendations could include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery during monitoring would be submitted to the Director of Community Development.

MM CUL-1.3: In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped. The Santa Clara County Coroner will be notified and shall make a determination as to whether the remains are of Native American origin. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once NAHC identifies the most likely

descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.

▪ **Noise**

MM NOI-1.1: Prior to the use of amplifiers, the system shall be set up early enough to enable alignment and orientation to be optimized to minimize noise disturbance. A sound test prior to each event shall be conducted to ascertain the maximum level that can be set in order to meet the Noise Ordinance standards.

MM NOI-1.2: During the first three events that utilize amplified speakers and are representative of typical future events, noise monitoring shall be conducted at adjacent receptor locations such that compliance with the noise ordinance be determined and verified. If it is discovered that noise level impacts exceed the City's exterior noise level requirements of the noise ordinance (55 dBA Leq), additional noise reduction would be recommended by an acoustical engineer, which may include, but shall not limited to, speaker noise level restriction and/or additional or expanded noise barriers.

MM NOI-1.3: All amplified sound shall be prohibited between the hours of 10:00 p.m. and 8:00 a.m., as any amplified music on the site could be audible at adjacent properties.

MM NO-2.1: Equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturers' standards. Equipment should also utilize the best available noise control techniques (e.g., use of intake silencers, ducts, engine enclosures and acoustically-attenuating shields or shrouds, wherever feasible).

MM NOI-2.2: Place all stationary construction equipment so that emitted noise is directed away from sensitive receptors nearest the active project site.

MM NOI-2.3: Locate equipment staging in areas that would create the greatest possible distance between construction-related noise sources and noise-sensitive receptors nearest the active project site during all project construction.

MM NOI-2.4: Install temporary noise barriers around stationary noise sources (such as compressors) and locate stationary noise sources as far from adjacent or nearby sensitive receptors as possible.

MM NOI-2.5: Prohibit extended idling time of internal combustion engines.

MM NOI-2.6: All noise producing construction activities shall be limited to the hours of 7:00 a.m. and 7:00 p.m. Monday through Friday and between the hours of 9:00 a.m. and 6:00 p.m. on Saturday. No construction activity shall be allowed on Sundays and holidays.

MM NOI-2.7: Designate a "disturbance coordinator" who would be responsible for responding to any local complaints about construction noise. The disturbance coordinator would determine the cause of the noise complaint (e.g., starting too early,

bad muffler) and would determine and implement reasonable measures warranted to correct the problem.

Initial Study Prepared by: City of Los Altos

I, Zachary Dahl, hereby certify that this Mitigated Negative Declaration was prepared in accordance with the provisions of the California Environmental Quality Act of 1970, as amended, and all applicable State and City Guidelines.

By:

Zachary Dahl, AICP
Planning Services Manager – Current Planning

Date: _____

DRAFT