



MITIGATED NEGATIVE DECLARATION

CIRCULATION PERIOD	4/10/2020 to 5/11/2020
PROJECT NAME	3215 Porter Drive
PROJECT LOCATION	The project site is located at 3215 Porter Drive, in the City of Palo Alto. The site is located at the southwest corner of Porter Drive/Hanover Street and Hillview Avenue.
PROJECT PROPONENT	City of Palo Alto Planning and Development Services
CITY CONTACT	Garrett Sauls, Associate Planner City of Palo Alto, 250 Hamilton Avenue, Fifth Floor Palo Alto, CA 94301 Fax: 650.329.2240, Email: planner@cityofpaloalto.org

PROJECT DESCRIPTION

The project proposes to construct a two-story office building with an underground garage parking area. The building would be 40 feet high at its tallest point. In addition to office space, the first floor would contain a 1,100-square-foot amenity space that would likely include a café or other accessory use. The total square footage of the proposed building would be 21,933 square feet. The overall floor area ratio for the site would be 0.30 and the lot coverage would be approximately 16.2 percent. The project proposes a 50-foot setback from Porter Drive.

DETERMINATION

In accordance with the City of Palo Alto's procedures for compliance with the California Environmental Quality Act (CEQA), the City has conducted an Initial Study to determine whether the proposed project could have a significant effect on the environment. On the basis of that study, the City makes the following determination:

- The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION is hereby adopted.
- Although the project, as proposed, could have a significant effect on the environment, there will not be a significant effect on the environment in this case because mitigation measures have been added to the project and, therefore, a MITIGATED NEGATIVE DECLARATION is hereby adopted.

The attached initial study incorporates all relevant information regarding the potential environmental effects of the project and confirms the determination that an EIR is not required for the project. In addition, the following mitigation measures have been incorporated into the project:

Biological Resources

MM BIO-1.1 The project owner or designee shall schedule demolition and construction activities to avoid the nesting season. The nesting season for most birds, including most raptors in the San Francisco Bay area extends from February 1st through August 31st.

If it is not possible to schedule demolition and construction between September 1st and January 31st to avoid the nesting season, pre-construction surveys for nesting raptors and other migratory nesting birds shall be conducted by a qualified ornithologist, as approved by the City of Palo Alto, to identify active nests that may be disturbed during project implementation on-site and within 250 feet of the site. Projects that commence demolition and/or construction activities between February 1st and August 31st shall conduct a pre-construction survey for nesting birds no more than 14 days prior to initiation of construction, demolition activities, or tree removal.

If an active nest is found in or close enough to the project area to be disturbed by construction activities, a qualified ornithologist shall determine the extent of a construction-free buffer zone (typically 250 feet for raptors and 100 feet for other birds) around the nest, to ensure that raptor or migratory bird nests would not be disturbed during ground disturbing activities. California Department of Fish and Wildlife will be notified, as appropriate. The construction-free buffer zones shall be maintained until after the nesting season has ended and/or the ornithologist has determined that the nest is no longer active.

The ornithologist shall submit a report indicating the results of the survey and any designated buffer zones to the satisfaction of the City of Palo Alto prior to any grading, demolition, and/or building permit.

Cultural Resources

MM CUL-1.1 In the event any significant cultural materials are encountered during construction grading or excavation, construction within a radius of 50 feet of the find would be halted, the Director of Planning shall be notified, and a qualified archaeologist shall examine the find and make appropriate recommendations regarding the significance of the find and the appropriate treatment of the resource. Recommendations could include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data

recovered during monitoring shall be submitted to the Director of Planning.

MM CUL-1.2

Pursuant to Section 7050.5 of the Health and Safety Code, and Section 5097.94 of the Public Resources Code of the State of California in the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission (NAHC) who shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this state law, then the landowner shall reinter the human remains, and items associated with Native American burials on the property in a location not subject to further subsurface disturbance. If the Director of Planning finds that the archaeological find is not a significant resource, work would resume only after the submittal of a preliminary archaeological report and after provisions for reburial and ongoing monitoring are accepted.

Geology and Soils

MM GEO-1.1

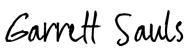
Should a unique paleontological resource or site or unique geological feature be identified at the project site during any phase of construction, all ground disturbing activities within 25 feet shall cease and the City's Planning Director notified immediately. A qualified paleontologist shall evaluate the find and prescribe mitigation measures to reduce impacts to a less than significant level. Work may proceed on other parts of the project site while mitigation for paleontological resources or geologic features is implemented. Upon completion of the paleontological assessment, a report shall be submitted to the City and, if paleontological materials are recovered, a paleontological repository, such as the University of California Museum of Paleontology.

Hazardous Materials

MM HAZ-1.1:


Prior to conducting earthwork activities at the Site, a Site Management Plan (SMP) and Health and Safety Plan (HSP) shall be prepared. The purpose of these documents will be to establish appropriate management practices for handling and disposal of impacted soil, soil vapor and groundwater that may be encountered during construction activities. Based on the history of the site, areas of impacted soil, soil vapor and/or groundwater likely will be encountered during construction activities, which may require special monitoring, handling and/or disposal. The SMP shall also outline the specific plan for the on-site groundwater treatment system, including monitoring wells and associated conveyance piping. These features shall be protected during project activities or properly removed with a permit from the Santa Clara Valley Water District.

The SMP and HSP shall be submitted to the Planning Director and DTSC for review. DTSC approval shall be obtained prior to commencing ground disturbing activities at the site.

DocuSigned by:

5907CC0EABDF4E4...

Signature (Project Planner) Associate Planner 4/7/2020

Signature (Project Planner) *Title* *Date*

DocuSigned by:

293CF322E1294F6...

Adopted by Director of Planning + Development Services (signed after MND has been approved) Director of Planning 5/19/2020

Adopted by Director of Planning + Development Services (signed after MND has been approved) *Title* *Date*

WE, THE UNDERSIGNED, HEREBY ATTEST THAT WE HAVE REVIEWED THE MITIGATION MEASURES LISTED ABOVE AND AGREE TO IMPLEMENT SAID MEASURES.

DocuSigned by:

88CBEB8E912A432...

Signature (Project Applicant) Tiffany Griego 4/8/2020

Signature (Project Applicant) *Printed Name* *Date*