CITY OF MILPITAS

455 EAST CALAVERAS BOULEVARD, MILPITAS, CALIFORNIA 95035-5479
GENERAL INFORMATION: 408-586-3000, TDD: 586-3013, www.ci.milpitas.ca.gov

DRAFT MITIGATED NEGATIVE DECLARATION
ENVIRONMENTAL IMPACT ASSESSMENT NO. EA13-0005

A NOTICE, PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT OF 1970, AS AMENDED (PUBLIC RESOURCES CODE 21,000 ET SEQ.), THAT KLA TENCOR FLOOR AREA RATIO (FAR) INCREASE PROJECT, WHEN IMPLEMENTED WITH THE REQUIRED MITIGATIONS, WILL NOT HAVE A SIGNIFICANT IMPACT ON THE ENVIRONMENT.

Project Title: KLA Tencor Floor Area Ratio Increase

Project Description: The project proposal is a request for a conditional use permit to allow an increase in floor area ratio to a maximum of 50% to accommodate a future expansion of the KLA Tencor Campus. The 50% FAR would allow approximately 128,000 square feet of additional building square footage to the existing site that currently provides approximately 730,070 square foot of industrial space. The existing FAR on site is 42.6%. The project does not include any new construction at this time.

Project Location: 1, 3, 5, 7 Technology Drive, Milpitas, CA 95035 (APN 86-43-026, -029, -030 and -031)

Project Proponent: Mike Rizzo for KLA Tencor, 1 Technology Drive. Milpitas, CA 95035

Finding of No Significant Effect: The City of Milpitas has reviewed the Environmental Impact Assessment for the above project based on the information contained in the Initial Study and finds that the project will have no significant impact upon the environment with the implementation of the following mitigation measures, as recommended in the EIA.

Required Mitigation Measures:

1. AES-1: Detailed architectural plans shall be submitted to the Planning Department for early review and consultation.
2. AES-2: Design of buildings and structures shall be consistent with the scale and form of existing development and design on site.
3. AES-3: No blank, or windowless walls or sides of buildings shall be allowed to face the exterior of the site or be visible from State Route 237, Technology Drive, or South McCarthy Boulevard.
4. AIR-1: The following measures shall be implemented during all construction activities:
    a. Water all active construction areas and exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) at least two times per day.

b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard.
c. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
d. Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites.
e. Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
f. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
g. 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.
h. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations).

5. AIR-2: Clear signage shall be provided for construction workers at all access points.
6. AIR-3: 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.
7. AIR-4: Post a publicly visible sign with the telephone number and person to contact at the City of Milpitas regarding dust complaints. This person shall respond and take corrective action within 48 hours. The phone number of the Bay Area Air Quality Management District shall also be visible to ensure compliance with applicable regulations.
8. AIR-5: To reduce construction related greenhouse gas impacts, the following measures are required:
    a. At least 15 percent of the construction vehicles/equipment shall be fueled by an alternative source such as biodiesel and/or electric.
    b. At least 10 percent of all building materials shall be local (within 100 miles); and
    c. At least 50 percent of construction and demolition materials shall be recycled.
9. GHG-1: Reduce construction related greenhouse gas impacts by incorporating the following measures are required:
    a. At least 15 percent of the construction vehicles/equipment shall be fueled by an alternative source such as biodiesel and/or electric.
    b. At least 10 percent of all building materials shall be local (within 100 miles); and
    c. At least 50 percent of construction and demolition materials shall be recycled.
10. GHG-2: Require bicycle parking for 10% of total required parking spots and bicycle support facilities.
11. GHG-3: Provide public transit information in the employee break room and post information such as Santa Clara Valley Transportation Authority bus and light rail schedules, maps, and fares.
12. GHG-4: Facilitate ride sharing by providing sign-up sheets or other measures to allow interested employees to identify carpooling opportunities.
13. GHG-5: Provide bicycling information and post information such as bicycle route maps and information

14. GHG-6: Pre-wire stalls for electric vehicle charging stations for 2% of new parking capacity.
15. GHG-7: Expand existing rideshare programs to require mandatory inclusion of ridesharing in employer TDM programs and preferential parking for rideshare vehicles.
16. TRANS-1: Provide public transit information in the employee break room and post information such as Santa Clara Valley Transportation Authority bus and light rail schedules, maps, and fares.
17. TRANS-2: Facilitate ride sharing by providing sign-up sheets or other measures to allow interested employees to identify carpooling opportunities.
18. TRANS-3: Provide bicycling information and post information such as bicycle route maps and information
19. TRANS-4: Pre-wire stalls for electric vehicle charging stations for 2% of new parking capacity.
20. TRANS-5: Expand existing rideshare programs to require mandatory inclusion of ridesharing in employer TDM programs and preferential parking for rideshare vehicles.

Copies of the E.I.A. may be obtained at the Milpitas Planning Department, 455 E. Calaveras Boulevard, Milpitas, CA 95035.

By:_____
Project Planner

City of Milpitas Initial Study

1. Project title: KLA Tencor Campus Floor Area Ratio (FAR) Increase

2. Lead agency name and address: City of Milpitas Planning and Neighborhood Services Department, 455 E. Calaveras Blvd., Milpitas, CA 95035

3. Contact person and phone number: Cindy Hom, Assistant Planner, 408-586-3284

4. Project location: 1, 3, 5, 7 Technology Drive (APN 86-43-026, -029, -030 and -031)

5. Project sponsor's name and address: KLA Tencor, 1 Technology Drive, Milpitas, CA 95035

6. General Plan: Designation: Highway Services (HWS)

7. Zoning: Industrial Park with Site and Architectural Overlay (M1-S)

8. Description of project:

The project proposal is a request for a conditional use permit to allow an increase in floor area ratio to a maximum of 50% to accommodate a future expansion of the KLA Tencor Campus. The 50% FAR would allow approximately 128,000 square feet of additional building square footage to the existing site that currently provides approximately 730,070 square foot of industrial space. The existing FAR on site is 42.6%. The project does not include any new construction at this time.

9. Surrounding land uses and setting:

The project is located on an approximate 39.4-acre site consisting of four parcels located at the northwest corner of the South McCarthy Boulevard and Technology Drive intersection. The project site is currently developed as the KLA Tencor Corporate and Manufacturing Campus which contains six buildings, surface parking, and mature landscaping.

The site is bound by the Coyote Creek Trail and State Route SR-237 to the north, S. McCarthy Boulevard to the east, Technology Drive to the south, and Coyote Creek to the west. Surrounding land uses include State Route 237 Highway facility with industrial and commercial land uses beyond to the north; Coyote Creek and creek trail to the west; Multi-family Residential uses to the southwest; industrial buildings and uses to the south; and commercial services including a gas service station, bank, and hotel to the east. A Regional Location Map, Aerial Photo, and Zoning Map, for site and land use context are provided in Exhibit 1-3 below:

Exhibit 1: Regional Location Map

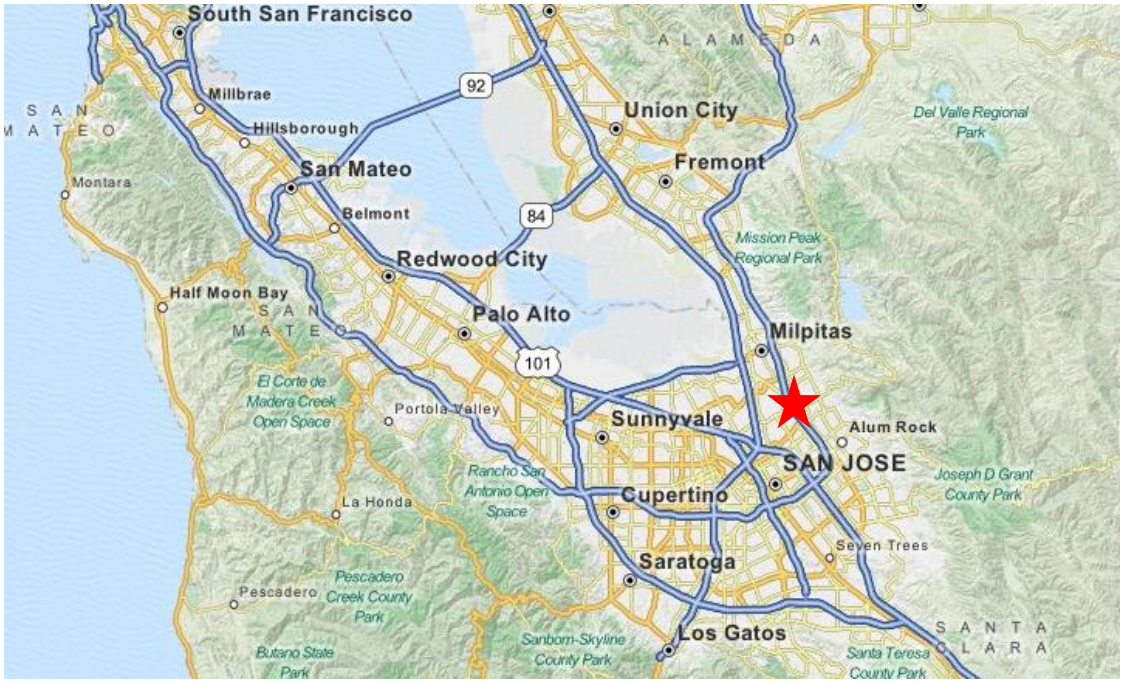
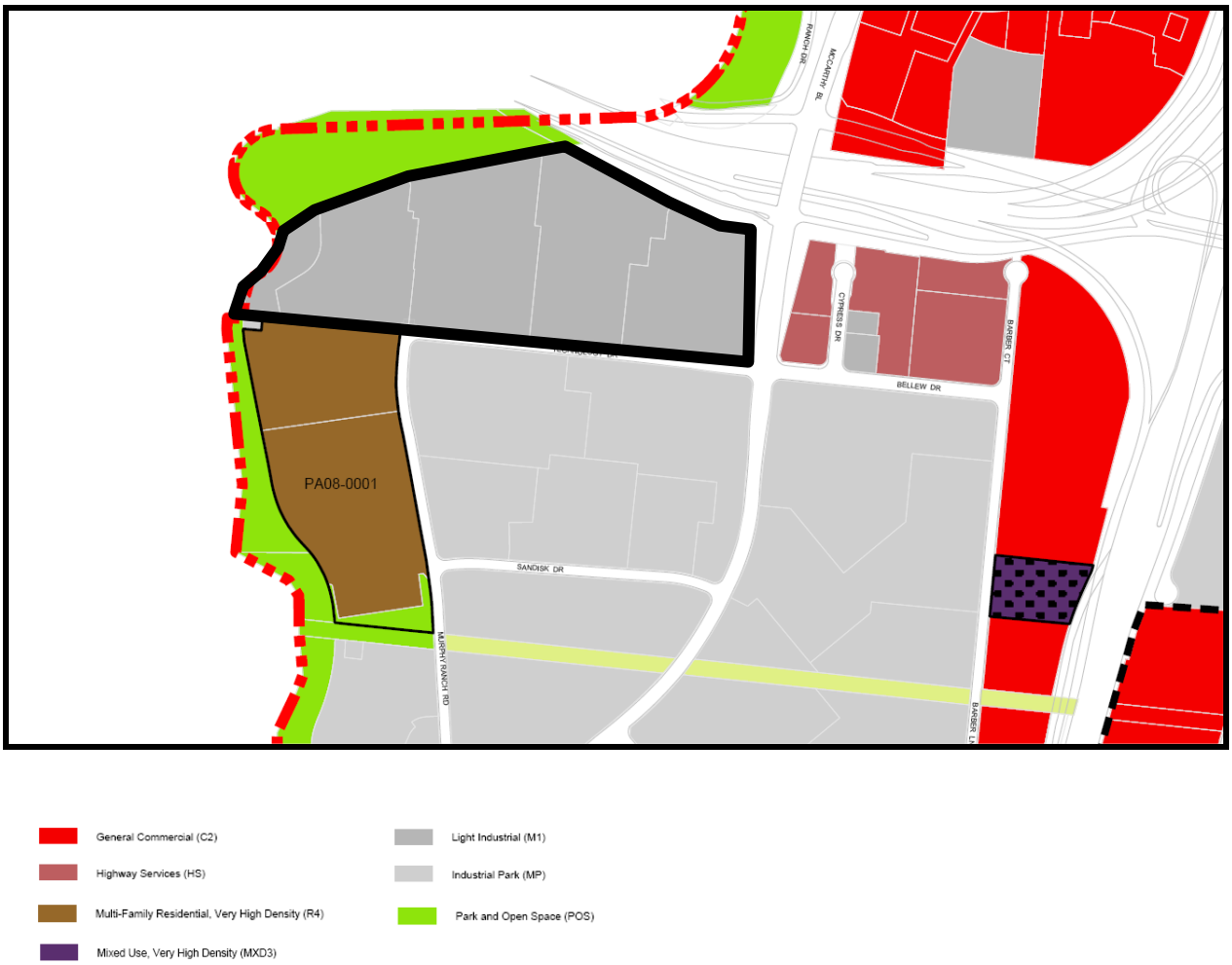


Exhibit 2: Aerial Photo

Exhibit 3: Zoning Map



10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)

None

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:
The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

☐	Aesthetics	☐	Agriculture and Forestry Resources	☐	Air Quality
☐	Biological Resources	☐	Cultural Resources	☐	Geology /Soils
☐	Greenhouse Gas Emissions	☐	Hazards & Hazardous Materials	☐	Hydrology / Water Quality
☐	Land Use / Planning	☐	Mineral Resources	☐	Noise
☐	Population / Housing	☐	Public Services	☐	Recreation
☐	Transportation/Traffic	☐	Utilities / Service Systems	☐	Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)
On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☑ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

_____ _____
Signature Date

_____
Printed Name For

ISSUES

I. AESTHETICS					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒	1, 4
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒	
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☒	☐	☐	1, 4
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒	1, 4

Environmental Setting:
The project is located on an existing industrial campus developed with six industrial buildings, parking lots and various site improvements. The project is located in a developed portion of the City's valley floor in western Milpitas. The project site is not located near any designated scenic vistas or scenic resources. However, the site is highly visible from surrounding properties and roadways.

Impact: Less than significant with mitigation

Mitigation:
1. AES-1: Detailed architectural plans shall be submitted to the Planning Department for early review and consultation.
2. AES-2: Design of buildings and structures shall be consistent with the scale and form of existing development and design on site.
3. AES-3: No blank, or windowless walls or sides of buildings shall be allowed to face the exterior of the site or be visible from State Route 237, Technology Drive, or South McCarthy Boulevard.

Discussion/Conclusion/Mitigation:

a-b) The project will not substantially impact any scenic vistas, damage scenic resources, degrade the existing visual quality or create a new source of substantial light or glare because the project site is located on the valley floor within a developed industrial area, on a developed

industrial site. The project is not adjacent or near any identified scenic vistas, resources, or scenic highways or roadways. The project proposes a conditional use permit to allow for an increased Floor Area Ratio for the existing industrial campus for future expansion.

c) The project is not anticipated to degrade the existing visual character or quality of the site and its surroundings. However, the project is in a highly visible location, and although identified scenic resources are not near the site, future construction could result in minor impacts to aesthetics. Therefore, the project will be required to provide mitigation to potential aesthetic impacts through the following measures:

- Detailed architectural plans shall be submitted to the Planning Department for early review and consultation.
- Design of buildings and structures shall be consistent with the scale and form of existing development and design on site.
- No blank, or windowless walls or sides of buildings shall be allowed to face the exterior of the site or be visible from State Route 237, Technology Drive, or South McCarthy Boulevard.

d) The project will not introduce a new source of substantial light or glare that would impact surrounding properties. Future lighting is anticipated for security and parking lot purposes only and will be required to meet City of Milpitas lighting standards. The City of Milpitas prohibits lighting from shining or glaring onto adjacent properties. Therefore, impacts are not anticipated.

II. AGRICULTURAL AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒	1,2,4,9
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒	1,2,4,9

II. AGRICULTURAL AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined by Public Resources Code section 4526)?	☐	☐	☐	☒	1,2,4,9
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒	1,2,4,9
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒	1,2,4,9

Environmental Setting:
The project is located on an existing industrial campus developed with six industrial buildings, parking lots and various site improvements. The Santa Clara County Important Farmland 2010 Map designates the project site as *Urban and Built-Up Land* which is defined as land occupied by structures with a building density of at least one unit to a 1.5 acre parcel, or approximately six structures to a ten-acre parcel. The site is not subject to a Williamson Act contract.

Impact: No Impact

Mitigation: None

Discussion/Conclusion/Mitigation:
a-e) The project site is located in an urbanized, industrial area. The site is currently developed as an industrial campus and occupied by KLA Tencor, a semiconductor company. Abutting uses includes the Coyote Creek and Trail to the west, State Route 237 to the north, McCarthy Boulevard and various commercial buildings to the east, industrial and Multi-family Residential buildings to the south. The project site is not used for agricultural purposes and is not zoned or designated as farmland or forest land of any type or would conflict with a Williamson Act

Contract. The project at its proposed location will not result in any conversion of farmland or forest land to non-agricultural use or non-forest use.

III. AIR QUALITY

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒	1,10
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☒	☐	☐	1,10
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard including releasing emissions which exceed quantitative thresholds for ozone precursors?	☐	☐	☒	☐	1,10
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☐	☒	1,10
e) Create objectionable odors affecting a substantial number of people?	☐	☐	☐	☒	1,10

Environmental Setting:
The project is located on an existing industrial campus developed with six industrial buildings, parking lots and various site improvements. Existing air emissions include employee, customer, and delivery trips to and from the project.

Impact: Less than significant with mitigation

Mitigation:

1. AIR-1: The following measures shall be implemented during all construction activities:
    - Water all active construction areas and exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) at least two times per day.
    - Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard.
    - Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
    - Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites.
    - Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
    - All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
    - 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 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations).
2. AIR-2: Clear signage shall be provided for construction workers at all access points.
3. AIR-3: 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.
4. AIR-4: Post a publicly visible sign with the telephone number and person to contact at the City of Milpitas regarding dust complaints. This person shall respond and take corrective action within 48 hours. The phone number of the Bay Area Air Quality Management District shall also be visible to ensure compliance with applicable regulations.
5. AIR-5: To reduce construction related greenhouse gas impacts, the following measures are required:
    - At least 15 percent of the construction vehicles/equipment shall be fueled by an alternative source such as biodiesel and/or electric.
    - At least 10 percent of all building materials shall be local (within 100 miles); and
    - At least 50 percent of construction and demolition materials shall be recycled.

Discussion/Conclusion/Mitigation:
a-c) The project proposal is for a conditional use permit to allow a 0.50 FAR for a future expansion of the KLA Tencor campus. The project does not propose any new construction at this time.

The Bay Area Air Quality Management District (BAAQMD) has adopted a threshold of 54lbs/day for the air pollutants that include: carbon monoxide (CO), nitrogen oxides (NOx), and reactive organic gas (ROG) as the threshold for projects that would substantial contribute to air quality violations. According the BAAQMD, projects that do not exceed 2,000 vehicle trips would not exceed this threshold. The proposed 0.50 FAR would allow for a future expansion of approximately 128,000 square feet of additional manufacturing and office space. The additional square footage would generate approximately additional 489 daily trips, 93 AM peak hour trips and 95 PM peak hour tips which would not result in a cumulatively considerable net increase for any criteria pollutants.

The future construction activity could result in minor short term impacts to air quality. Therefore, the project will be required to follow the Bay Area Air Quality Management District (BAAQMD) best practices and incorporate the follow mitigation measures:

- Water all active construction areas and exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) at least two times per day.
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard.
- Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
- Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites.
- Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
- 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 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of 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.
- Post a publicly visible sign with the telephone number and person to contact at the City of Milpitas regarding dust complaints. This person shall respond and take corrective action within 48 hours. The phone number of the Bay Area Air Quality Management District shall also be visible to ensure compliance with applicable regulations.
- Require at least 15 percent of the construction vehicles/equipment shall be fueled by an alternative source such as biodiesel and/or electric, at least 10 percent of all building materials shall be local (within 100 miles); and at least 50 percent of construction and demolition materials shall be recycled.

d-e) The existing use includes the design, manufacturing, and marketing of process control and yield management solutions for the semiconductor and related nanoelectronics industries. The project proposes no changes to the existing operations. Although residential uses are located

within 1/8 of mile, the project will not expose sensitive receptors to substantial pollutants concentrations or create any objectionable odors.

IV. BIOLOGICAL RESOURCES					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒	1,4
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒	1,4
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒	1,4
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, impede the use of native wildlife nursery sites?	☐	☐	☐	☒	1,4

IV. BIOLOGICAL RESOURCES					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒	1, 4, 8
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒	1,4

Environmental Setting:
The project is located on an existing industrial campus developed with six industrial buildings, parking lots and various site improvements. The project is located within an existing developed urban area consisting of existing multi-family residential development to the west, industrial buildings to the south and southeast, various commercial and hotel use to the east, and State Route 237 to the north.

Impact: No Impact

Mitigation: None

Discussion/Conclusion/Mitigation:
a-d) The project would not result in an additional or substantial effect on plant or animal habitat and/or on wildlife species since the project is an already developed site and currently operates as an industrial campus. The project includes a conditional use permit that allows for up to a 0.50 FAR for future expansion. No new construction is proposed at this time with this project request.

e) The project does not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance because the project does not proposed any demolition or construction activities that would affect any existing biological resources and/or on-site trees.

f) The project does not fall within an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan and proposes no site modifications.

V. CULTURAL RESOURCES					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project: a) Cause a substantial adverse change in the significance of an historical resource as defined in §15064.5?	☐	☐	☐	☒	1,4
b) Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?	☐	☐	☐	☒	1,4
c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	☐	☐	☐	☒	1,4
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☐	☒	1,4

Environmental Setting:
The project is located on an existing industrial campus developed with six industrial buildings, parking lots and various site improvements. The project includes a conditional use permit to allow for a 0.50 FAR for future expansion. This site is not identified as having a designated or listed historic, cultural or archaeological resource.

Impact: No Impact

Mitigation: None

Discussion/Conclusion/Mitigation:
a-d) The project site is within an urbanized area and does not contain any known significant cultural or historical resources.

VI. GEOLOGY AND SOILS					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known earthquake fault, as described on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	☐	☐	☒	☐	1,11,12,13
ii) Strong seismic ground shaking?	☐	☐	☒	☐	1,11,12,13
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐	1,11,12,13
iv) Landslides?	☐	☐	☒	☐	1,11,12,13
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐	1,11,12,13
c) Be located on a geologic unit or soil that is unstable, or that will become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐	1,11,12,13
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	☐	☒	1,11,12,13
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒	1,11,12,13

Environmental Setting:
The project site is located approximately eight miles from the shoreline of San Francisco Bay. The project area is located within the Valley Floor subarea. Based on the Milpitas General Plan, the valley floor is relatively flat and is underlain by alluvial soil of Quaternary age. This soil consists of interlayered, poorly sorted gravel, sand, silt, and clay deposited by water. The thickness of the alluvial soil increases westward from zero at the base of the hills to 1,000 feet or more at the western edge of the City. The alluvial soil in Milpitas was deposited in and adjacent to stream channels, in low-lying basins between streams, and on the floor of the Bay when the shoreline was east of its present position. The composition and consistency of alluvial soils varies laterally and vertically over small distances and depths. Most of the alluvial soil in Milpitas is expansive and susceptible to liquefaction, and alluvial areas along creeks may be susceptible to lateral spreading. Local areas have compressible soils, poorly drained soils, shallow ground water, or are susceptible to lateral spreading. Because soil composition varies vertically as well as laterally, several soil types may underlie a particular site.

Seismicity
The San Francisco Bay Area is one of the most seismically active regions in the United States. Santa Clara County is classified as Zone 4, the most seismically active zone. An earthquake of moderate to high magnitude generated within the San Francisco Bay region could cause considerable ground shaking at the project site. The degree of shaking is dependent on the magnitude of the event, the distance to its zone of rupture and local geologic conditions.

Several active faults have the potential to cause widespread damage to the City of Milpitas. The California State Mining and Geology Board classify active faults as faults that have had surface displacement within Holocene time (within the last 11,000 years). The primary active faults in the region are the Hayward, Calaveras, and San Andreas faults. The Hayward Fault trends northwest approximately 3 miles northeast of the project site. The Calaveras Fault treads approximately 6.5 miles to the northeast. The San Andreas Fault trends northwest through the Santa Cruz Mountains approximately 14 miles to the southwest. The Hayward Fault was identified by the USGS Working Group on California Earthquake Probabilities as the most likely (27 percent chance) to experience a 6.7 or higher magnitude earthquake by 2032. Also of particular importance to the City of Milpitas is the Calaveras Fault, which trends northwest through Calaveras Reservoir approximately 4 miles east of the project site.

Liquefaction
Soil liquefaction is a condition where saturated granular soils near the ground surface undergo a substantial loss of strength during seismic events. Loose, water-saturated soils are transformed from a solid to a liquid state during ground shaking. Liquefaction can result in significant deformations. Soils most susceptible to liquefaction are loose, uniformly graded, saturated, fine-grained sands that lie close to the ground surface. The project site is located within a State of California Seismic Hazard Zone for liquefaction and will be required to meet State Building Code standards for construction within seismically active and liquefaction areas.[1] No further mitigation is required.

Lateral Spreading
Lateral spreading is a type of ground failure related to liquefaction. It consists of the horizontal displacement of flat-lying alluvial material toward an open area, such as a steep bank of a stream channel. The site is directly adjacent to the Coyote Creek channel. The project will be

[1] http://www.abag.ca.gov/bayarea/eqmaps/liquefac/liquefac.html April 23, 2008

required to meet State Building Code standards for construction within seismically active areas. No further mitigation is required.

Impact: Less than significant

Mitigation: None

Discussion/Conclusion/Mitigation:

a-e) The project area is located on the Valley Floor, in a mapped liquefaction hazard zone with soils that have a moderate potential for expansion. The project site is not located within a fault rupture zone or landslide hazard zone. The project area is located in a seismically active region and could experience strong seismic ground shaking and related effects in the event of an earthquake on one of the identified active or potentially active faults in the region. The project includes a request for a conditional use permit to allow for a 0.50 FAR for an existing industrial campus that will allow for future expansion. Future construction will be required to meet State Building Code standards. The project will not general any geological, geotechnical, or seismicity impacts beyond what was previously analyzed when the project site was originally approved. Therefore, further mitigation is not required.

VII. GREENHOUSE GAS EMISSIONS					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐	1,2,16
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐	1,2,16

Environmental Setting:
The project is located on an existing industrial campus developed with six industrial buildings, parking lots and various site improvements. Existing air emissions include employee, customer, and delivery trips to and from the project, as well as operation of the existing buildings.

Consistency with Adopt Plans:
The City of Milpitas has adopted a Climate Action Plan (CAP) which serves as a strategic planning document. While achieving Greenhouse Gas (GHG) reductions, the CAP also implements objectives of numerous local planning documents and statewide regulations. The CAP is a stand-alone policy and implementation item coordinated with the adopted General Plan.

Lead agencies may use adopted plans consistent with State CEQA Guidelines Section 15183.5 to analyze and mitigate the significant effects of greenhouse gases under CEQA at a programmatic level by adopting a plan for the reduction of GHG emissions. Later, as individual projects are proposed, project-specific environmental documents may tier from and/or incorporate by reference that existing programmatic review in their cumulative impacts analysis. Project-specific environmental documents prepared for projects consistent with the General Plan and the CAP may rely on the programmatic analysis of greenhouse gases contained in the CAP.

Impact: Less than significant with mitigation

Mitigation:

1. GHG-1: Reduce construction related greenhouse gas impacts by incorporating the following measures are required:
    - At least 15 percent of the construction vehicles/equipment shall be fueled by an alternative source such as biodiesel and/or electric.
    - At least 10 percent of all building materials shall be local (within 100 miles); and
    - At least 50 percent of construction and demolition materials shall be recycled.
2. GHG-2: Require bicycle parking for 10% of total required parking spots and bicycle support facilities.
3. GHG-3: Provide public transit information in the employee break room and post information such as Santa Clara Valley Transportation Authority bus and light rail schedules, maps, and fares.
4. GHG-4: Facilitate ride sharing by providing sign-up sheets or other measures to allow interested employees to identify carpooling opportunities.
5. GHG-5: Provide bicycling information and post information such as bicycle route maps and information
6. GHG-6: Pre-wire stalls for electric vehicle charging stations for 2% of new parking capacity.
7. GHG-7: Expand existing rideshare programs to require mandatory inclusion of ridesharing in employer TDM programs and preferential parking for rideshare vehicles.

Discussion/Conclusion/Mitigation:

a-b) The project would allow a 0.50 or 50% FAR that would accommodate a future expansion of 128,000 square foot of industrial space. The additional vehicle trips and construction activities will generate emission of greenhouse gases above it current baseline. However, the GHG emissions can be reduced by complying with the State and Milpitas Green Building Codes, the Milpitas Climate Action Plan and Transportation Demand Management (TDM) measures that include the following:

- Reduce construction related greenhouse gas impacts by incorporating the following measures are required:
    - At least 15 percent of the construction vehicles/equipment shall be fueled by an alternative source such as biodiesel and/or electric.
    - At least 10 percent of all building materials shall be local (within 100 miles); and
    - At least 50 percent of construction and demolition materials shall be recycled.
- Require bicycle parking for 10% of total required parking spots and bicycle support facilities.

- Provide public transit information in the employee break room and post information such as Santa Clara Valley Transportation Authority bus and light rail schedules, maps, and fares.
- Facilitate ride sharing by providing sign-up sheets or other measures to allow interested employees to identify carpooling opportunities.
- Provide bicycling information and post information such as bicycle route maps and information
- Pre-wire stalls for electric vehicle charging stations for 2% of new parking capacity.
- Expand existing rideshare programs to require mandatory inclusion of ridesharing in employer TDM programs and preferential parking for rideshare vehicles.

VIII. HAZARDS AND HAZARDOUS MATERIALS					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐	1,15
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐	1,15
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐	1,15
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒	1,15

VIII. HAZARDS AND HAZARDOUS MATERIALS					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒	1,15
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	☒	1,15
g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒	1,15
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	☐	☒	1,15

Environmental Setting:
The project is located on an existing industrial campus developed with six industrial buildings, parking lots and various site improvements. The project proposes a conditional use permit to allow for a .50 FAR that would accommodate future expansion of the existing industrial campus.

Potential On-Site Sources of Contamination
The existing use is a design, manufacturing, and marketing of process control and yield management solutions for the semiconductor and related nanoelectronics industries. The applicant has an existing Hazardous Material Business Plan registered with the Milpitas Fire Department for storage and use of diesel fuel, compressed gases, and flammable liquids and gases. The land use and use of hazardous materials is consistent with the Light Industrial Zoning District and Highway Service General Plan designation.

Other Hazards
The project site is not within the Santa Clara County Airport Land Use Commission (ALUC) jurisdiction, nor is it on a City designated evacuation route. The site is not located in a fire threatened community.

Impact: Less than significant

Mitigation: None

Discussion/Conclusion/Mitigation:
a-c) The project is an industrial use that stores or uses diesel fuel, compressed gases, and flammable liquids and gases with 1/8 miles of residential uses. The proposed project involves a conditional use permit to allow an increase in the allowable FAR that would accommodate a future expansion. The existing operations and quantities of hazardous materials remain the same as previously approved. The existing facility also has an Emergency Contingency Plan that reduces the risk and impact of an accidental release. The potential impacts are also minimized because of current industry practices, standards, and regulations that provide safeguards to reduce the impacts to a level of less than significant. Therefore, mitigation is not required.

d) The project is not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and does not require mitigation.

e-f, h) The project is not located within an airport land use plan, within two miles of a public airport or public use airport, within the vicinity of a private airstrip or within a fire threatened community.

g) The project will not impair the implementation or physically interfere with an emergency response or evacuation in that the project is an existing facility and meets all applicable building and fire code requirements. Future expansion will also be subject to the same requirements, and therefore does not require mitigation.

IX. HYDROLOGY AND WATER QUALITY					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
1) Violate any water quality standards or waste discharge requirements?	☐	☐	☐	☒	1,5,14,15

IX. HYDROLOGY AND WATER QUALITY					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
2) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	☐	☒	1,5,14,15
3) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on-or off-site?	☐	☐	☐	☒	1,5,14,15
a) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-or off-site?	☐	☐	☐	☒	1,5,14,15
b) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	☐	☒	1,5,14,15
c) Otherwise substantially degrade water quality?	☐	☐	☐	☒	1,5,14,15

IX. HYDROLOGY AND WATER QUALITY					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
d) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	☒	1,5,14,15
e) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	☐	☐	☐	☒	1,5,14,15
f) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	☒	1,5,14,15
g) Be subject to inundation by seiche, tsunami, or mudflow?	☐	☐	☐	☒	1,5,14,15

Environmental Setting:
Drainage in Milpitas generally flows westward. There are six intermittent streams that flow out of the foothills and across the flatlands. According the General Plan Figure 5-3, portions of the project area are within the 500-year and 100-year flood zones. Properties west of the Southern Pacific Railroad lie within the 100-year flood. All land east of I-680 is part of the 500-year flood zone.

Storm Drainage
The City of Milpitas owns and maintains the municipal storm drainage system in the vicinity of the project and also implements the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) as required by the State. Any new development that creates or replaces 10,000 or more square feet of impervious surface is required to implement stormwater quality control measures. The amount and type of stormwater control is project specific and will be reviewed for conformance with the SCVURPPP program when an application for development is submitted.

Flood Control
Flood control is provided by a by federal, state, and local agencies and is not anticipated to impact the site. The project will be required to implement common requirements for flood protection as required by the California Building Code. Therefore, no further mitigation is required.

Impact: No Impact

Mitigation: None

Discussion/Conclusion/Mitigation:
a-g)The proposed project would not result in any additional substantial adverse flooding or drainage impacts beyond what was analyzed in previous environmental document for the KLA Tencor Campus. The proposed project is request for a conditional use permit to allow for an increased FAR to accommodate a future expansion and does not involved large amounts of new impervious surface area. However, any new or replaced impervious surface area will be required to implement stormwater quality control as required.

The project as proposed will not violate any water quality standards, affect groundwater supplies or interfere with groundwater recharge, alter existing drainage patterns, contribute runoff water that would exceed capacity of existing or stormwater systems, or increase the amount surface runoff. The project will not place housing within a 100-year flood hazard area or expose people and structures to significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam. Therefore, mitigation is not required.

X. LAND USE					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
a) Physically divide an established community?	☐	☐	☐	☒	1, 2
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒	1, 2
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	☒	1, 2, 4

Environmental Setting:
The project is located on an existing industrial campus developed with six industrial buildings, parking lots and various site improvements. Surrounding uses includes multi-family residential homes to the southeast and industrial buildings to the south and southeast, and commercial buildings and shopping center to east.

The project is located within the Milpitas General Plan's planning area and is consistent in terms of land use for the Light Industrial Zoning District and Highway Service Designation.

Impact: No Impact

Mitigation: None

Discussion/Conclusion/Mitigation:
a-c) The project will not result in a physical divide of an established community since project is a conditional use permit to exceed the allowable FAR for the Industrial Park Zoning District. The project will not conflict with any applicable land use plan, policy, or regulation in that the industrial manufacturing and office use is a permitted use and consistent with the purpose and intent of the zoning district. The project does not fall within any applicable habitat conversation plan or natural community conservation plan. Therefore, mitigation is not required.

XI. MINERAL RESOURCES					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project: a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒	1, 4
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒	1, 4

Environmental Setting:
The project is located on an existing industrial campus developed with six industrial buildings, parking lots and various site improvements. The site is in located in an urban, built up area that has been developed with residential, commercial, and industrial buildings. The project site does not contain any known or designated mineral resources.

Impact: No Impact

Mitigation: None

Discussion/Conclusion/Mitigation:
a-b) Based on the Milpitas General Plan, the project is not within an area with mineral resources. Those areas are located in the foothills, outside of the city limits. Therefore, no mineral resource impacts are anticipated for this project and mitigation is not required.

XII. NOISE					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project result in:					
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☐	☒	1, 6
b) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒	1, 6
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒	1, 6
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	☐	☒	1, 6
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒	1, 6
d) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒	1, 6

Environmental Setting:
The project is located on an existing industrial campus developed with six industrial buildings, parking lots and various site improvements. The surrounding parcels are comprised of existing industrial used for R&D, manufacturing, and offices as well as multi-family residential housing. There are no sensitive receptors nearby. The major noise source affecting the project site is

contributable to traffic noise from State Route 237 that is located approximately 287 feet north and northeast of the project site.

The project is a request for a conditional use permit to permit an increased FAR of 0.50 to accommodate a future expansion of the existing campus. New construction is not proposed at this time, nor uses that generate significant noise sources. Therefore, the future expansion is not anticipated to generate increased noise levels that would be considered an impact.

The State of California and the City of Milpitas have established guidelines, regulations, and policies designed to limit noise exposure at noise sensitive land uses. The State of California Building Code regulates indoor noise and contains standards for the indoor noise environment that will be required.

Impact: No Impact

Mitigation: None

Discussion/Conclusion/Mitigation:
The project does not anticipate any additional substantial noise impacts beyond what was addressed in the previous environmental documents for the KLA Tencor Campus. Since the project operations are not proposed to change and all activities are conducted within enclosed buildings, the project will not generate any additional noise beyond existing conditions. The project area is not located within an airport land use plan, two miles of a public airport, public use airport, or within the vicinity of a private airstrip.

XIII. POPULATION AND HOUSING					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒	1, 2, 8
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	1
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	1

Environmental Setting:
The project is located on an existing industrial campus developed with six industrial buildings, parking lots and various site improvements. The project site is located within an urban area of city.

Impact: No Impact

Mitigation: None

Discussion/Conclusion/Mitigation:
The project does not propose any housing and therefore will not substantial increase population growth or demand on infrastructure; displace homes and/or substantial number of people that would require housing elsewhere. Therefore, mitigation is not required.

XIV. PUBLIC SERVICES					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project: a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
Fire Protection?	☐	☐	☐	☒	1
Police Protection?	☐	☐	☐	☒	1
Schools?	☐	☐	☐	☒	1
Parks?	☐	☐	☐	☒	1
Other Public Facilities?	☐	☐	☐	☒	1

Environmental Setting:
The project is located on an existing industrial campus developed with six industrial buildings, parking lots and various site improvements. The project site is served by:

Fire: Fire protection is provided by the City of Milpitas Fire Department, which provides structural fire suppression, rescue, hazardous materials control and public education services. There are four Fire stations located within the city at the various locations below:

Fire Station # 1: 777 South Main St.
Fire Station # 2: 1263 Yosemite Dr.
Fire Station # 3: 45 Midwick Dr.

Fire Station # 4: 775 Barber Ln.

Police Protection: The City of Milpitas Police Department provides police protection.

Schools: Educational facilities are provided by the Milpitas Unified School District that operates kindergarten through high school services within the community. Schools that would serve the project include Milpitas High School (grades 9-12), two middle schools (grades 7-8) and nine elementary schools (grades K-6).

Maintenance: The City of Milpitas Public Works Department provides public works maintenance of public utilities for water, sewer, and stormwater.

Parks: The City of Milpitas has approximately 190 acres of city owned parks and recreational facilities.

Impact: No Impact

Mitigation: None

Discussion/Conclusion/Mitigation:
The project is adequately served by public services and will not have an impact considering it is an existing development already receiving services in an urbanized area within the City of Milpitas.

XV. RECREATION					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒	1, 4, 8
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒	1, 4, 8

Environmental Setting:
The project is located on an existing industrial campus developed with six industrial buildings, parking lots and various site improvements. The project is a conditional use permit to increase

the allowable FAR for the Light Industrial District to accommodate a future expansion of the campus. The future expansion is anticipated to add jobs to help with the job/housing balance for the City of Milpitas. The nearest recreation facility is the Coyote Creek Trail.

Impact: No Impact

Mitigation: None

Discussion/Conclusion/Mitigation:
The project does not propose any new housing or generate a need a for additional recreation facilities. It will not increase the use of existing facilities nor the physical deterioration of existing recreational facilities. Therefore, mitigation is not required.

XVI. TRANSPORTATION/TRAFFIC					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
a) Exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system, including but limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☒	☐	☐	1, 3, 16
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐	1, 3, 16
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	☒	1, 3, 16

XVI. TRANSPORTATION/TRAFFIC					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	☐	☐	☐	☒	1, 3, 16
e) Result in inadequate emergency access?	☐	☐	☐	☒	1, 3, 16
f) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	☐	☐	☐	☒	1, 3, 16

Environmental Setting:
The project is located on an existing industrial campus developed with six industrial buildings, parking lots and various site improvements.
Impact: No Impact

Mitigation:

1. TRANS-1: Provide public transit information in the employee break room and post information such as Santa Clara Valley Transportation Authority bus and light rail schedules, maps, and fares.
2. TRANS-2: Facilitate ride sharing by providing sign-up sheets or other measures to allow interested employees to identify carpooling opportunities.
3. TRANS-3: Provide bicycling information and post information such as bicycle route maps and information
4. TRANS-4: Pre-wire stalls for electric vehicle charging stations for 2% of new parking capacity.
5. TRANS-5: Expand existing rideshare programs to require mandatory inclusion of ridesharing in employer TDM programs and preferential parking for rideshare vehicles.

Discussion/Conclusion/Mitigation:
a-f) The project involves a request for Conditional Use Permit to increase the allowable Floor Area Ratio (FAR) on the project site. The forty acre site is developed with approximately 730,000 square feet of industrial and manufacturing space at an FAR of 42.6%. The applicant, KLA-Tencor, has requested an increase in FAR up to 0.50, or 50%. The increase in FAR by 7.4 percent would allow approximately 128,000 additional square feet of industrial and manufacturing space. KLA-Tencor designs and manufactures highly advanced precision components for the semi-conductor equipment industry. The project location is in an existing urbanized location with full access and circulation appropriate for emergency vehicles. It does involve any change to air traffic patterns or propose any hazardous design features, nor does is it conflict with adopted programs supporting alternative transportation.

According to the ITE Trip Generation Rates, 7th edition, under the ITE code 140, manufacturing facilities generate up to 3.82 daily trips, 0.73 AM peak hour trips, and 0.74 PM peak hour trips per 1,000 square feet of floor. Based on these rates for an increase of manufacturing and related space of approximately 128,000 square feet, the project is expected to generate 489 daily trips, 93 AM peak hour trips and 95 PM peak hour trips.

The project site is highly accessible and located along McCarthy Boulevard south of Highway 237 in western Milpitas. Intersections in the vicinity of the project site include: 1) McCarthy Boulevard and westbound 237 on-off ramps; 2) McCarthy Boulevard and eastbound 237 on-off ramps; 3) McCarthy Boulevard and Bellew Drive; 4) McCarthy Boulevard and Alder Drive; and, 5) McCarthy Boulevard and Tasman Drive.

Recent traffic data for the area indicates that these nearby intersections operate at acceptable level of service (LOS) standards, all currently at or well below LOS D. The following summarizes this information:

Intersection	Peak Hour	Delay in Seconds	LOS
McCarthy Blvd/WB 237 Ramps	AM (7-9)	19.3	B-
	PM (4-6)	16.5	B
McCarthy Blvd/EB 237 Ramps	AM	17.1	B
	PM	18.1	B-
McCarthy/Bellew Drive	AM	21.7	C+
	PM	45.6	D
McCarthy/Alder Drive	AM	13.2	B
	PM	19.3	B-
McCarthy/Tasman Drive	AM	33.9	C-
	PM	35.1	D+

Source: Draft Pacific Mall Silicon Valley Traffic Impact Analysis, Fehr & Peers, March 2013.

The McCarthy Boulevard/237 intersections both operate at acceptable level of service during the AM and PM peak hour with LOS B. The addition of 93 and 95 trips, respectively, will not degrade conditions to LOS D or worse given these intersections have ample capacity. The remaining intersections along McCarthy also operate at acceptable level of service during the AM and PM peak hours. The AM peak hour in particular all operate at LOS C or better indicating sufficient capacity at these locations. The PM peak hour operation are somewhat slower but still within the acceptable level of service standards per City of Milpitas and Santa Clara County acceptable thresholds of significance for intersection operations. The addition of project traffic during the PM peak hour through these five intersections, if distributed equally, would result in an additional 21 trips per intersection, and 10.5 trips per hour, and less than two trips every ten minutes. The small increase in traffic from the proposed project will not cause an adverse impact to the existing level of service operation at these intersections.

Considering the project location and land use, the impacts can be further mitigated to a less than significant level with the following mitigation measures:

- Provide public transit information in the employee break room and post information such as Santa Clara Valley Transportation Authority bus and light rail schedules, maps, and fares.
- Facilitate ride sharing by providing sign-up sheets or other measures to allow interested employees to identify carpooling opportunities.

- Provide bicycling information and post information such as bicycle route maps and information
- Pre-wire stalls for electric vehicle charging stations for 2% of new parking capacity.
- Expand existing rideshare programs to require mandatory inclusion of ridesharing in employer TDM programs and preferential parking for rideshare vehicles.

XVII. UTILITIES AND SERVICE SYSTEMS					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project:					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	☐	☒	1,2
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒	1,2
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	☐	☒	1,2
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	☐	☒	1,2
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒	1,2
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	☐	☒	1,2

XVII. UTILITIES AND SERVICE SYSTEMS					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)
Would the project: g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	☐	☒	1,2

Environmental Setting:
The project is located on an existing industrial campus developed with six industrial buildings, parking lots and various site improvements.
Impact: No Impact

Mitigation: None

Discussion/Conclusion/Mitigation:
a-g) The following utility service providers serve the project site:

- Electrical and natural gas power: Pacific Gas and Electric Company
- Communications: AT&T
- Water supply: Provided by the City of Milpitas with the wholesale providers being either the San Francisco Water Department or the Santa Clara Valley Water District.
- Recycled water: South Bay Water Recycling Program
- Sewage treatment: Provided by the City of Milpitas and treated at the San Jose /Santa Clara Water Pollution Plant in San Jose.
- Storm drainage: City of Milpitas
- Solid waste disposal: Disposal is at the Newby Islands Landfill, operated by BFI
- Cable Television: Comcast

The project includes an existing industrial and manufacturing business which receives and will continue to receive service for water, sewer, storm water, and solid waste. No service changes or potential impacts are anticipated. The City of Milpitas currently operates a commercial recycling program that complies with state-mandated waste reduction goals specified in the Public Resources Code Section 40500. This project will not generate any significant impacts in regards to utilities and utility services.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE					
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Source(s)

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☐	☐	☒	1-15, A
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐	1-15, A
c) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	☐	☐	☒	☐	1-15, A
d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☐	☒	1-15, A

Environmental Setting:
The project is located on an existing industrial campus developed with six industrial buildings, parking lots and various site improvements. The site is currently developed with approximately 730,000 square feet of industrial space and proposes a conditional use permit to allow for a .50 FAR that would allow for a future expansion of approximately 128,000 square feet of building square foot to an existing industrial campus.

Impact: Less than Significant

Mitigation: None

Discussion/Conclusion/Mitigation:
The project is a request to increase the allowable FAR to accommodate a future expansion of the industrial campus. The forty acre site is developed with approximately 730,000 square feet of industrial and manufacturing space at an FAR of 42.6%. The applicant, KLA-Tencor, has

requested an increase in FAR up to 0.50, or 50%. The increase in FAR by 7.4 percent would allow approximately 128,000 additional square feet of industrial and manufacturing space. The project does not propose any new construction at this time.

The project is not anticipated to have any environmental impacts on biological resources, hazardous material, hydrology, land use, public, noise, recreation services, and utilities given the land use and site conditions will remain the same as existing.

New development allowed by approval of the Conditional Use Permit, and a 0.50 FAR, would permit up to 128,000 square feet of additional development on site. The project is anticipated to generate 489 daily trips, 93 AM peak hour trips and 95 PM peak hour trips based on the rates for an increase of manufacturing and related space of approximately 128,000 square feet. The addition trips will not significantly degrade conditions to LOS D or worse given the nearby intersections discussed in the Transportation section, have ample capacity. The remaining intersections along McCarthy also operate at acceptable level of service during the AM and PM peak hours. The AM peak hour in particular all operate at LOS C or better indicating sufficient capacity at these locations. The PM peak hour operations are somewhat slower but still within the acceptable level of service standards per City of Milpitas and Santa Clara County acceptable thresholds of significance for intersection operations. The addition of project traffic during the PM peak hour through these five intersections, if distributed equally, would result in an additional 21 trips per intersection, and 10.5 trips per hour, and less than two trips every ten minutes. The small increase in traffic from the proposed project will not cause an adverse impact to the existing level of service operation at these intersections. As such the project is anticipated to have a less than significant impact on traffic.

SUMMARY OF MITIGATION

1. AES-1: Detailed architectural plans shall be submitted to the Planning Department for early review and consultation.
2. AES-2: Design of buildings and structures shall be consistent with the scale and form of existing development and design on site.
3. AES-3: No blank, or windowless walls or sides of buildings shall be allowed to face the exterior of the site or be visible from State Route 237, Technology Drive, or South McCarthy Boulevard.
4. AIR-1: The following measures shall be implemented during all construction activities:
    a. Water all active construction areas and exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) at least two times per day.
    b. Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard.
    c. Pave, apply water three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
    d. Sweep daily (with water sweepers) all paved access roads, parking areas, and staging areas at construction sites.
    e. Sweep streets daily (with water sweepers) if visible soil material is carried onto adjacent public streets.
    f. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
    g. 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.

   h. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations).
5. AIR-2: Clear signage shall be provided for construction workers at all access points.
6. AIR-3: 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.
7. AIR-4: Post a publicly visible sign with the telephone number and person to contact at the City of Milpitas regarding dust complaints. This person shall respond and take corrective action within 48 hours. The phone number of the Bay Area Air Quality Management District shall also be visible to ensure compliance with applicable regulations.
8. AIR-5: To reduce construction related greenhouse gas impacts, the following measures are required:
   a. At least 15 percent of the construction vehicles/equipment shall be fueled by an alternative source such as biodiesel and/or electric.
   b. At least 10 percent of all building materials shall be local (within 100 miles); and
   c. At least 50 percent of construction and demolition materials shall be recycled.
9. GHG-1: Reduce construction related greenhouse gas impacts by incorporating the following measures are required:
   a. At least 15 percent of the construction vehicles/equipment shall be fueled by an alternative source such as biodiesel and/or electric.
   b. At least 10 percent of all building materials shall be local (within 100 miles); and
   c. At least 50 percent of construction and demolition materials shall be recycled.
10. GHG-2: Require bicycle parking for 10% of total required parking spots and bicycle support facilities.
11. GHG-3: Provide public transit information in the employee break room and post information such as Santa Clara Valley Transportation Authority bus and light rail schedules, maps, and fares.
12. GHG-4: Facilitate ride sharing by providing sign-up sheets or other measures to allow interested employees to identify carpooling opportunities.
13. GHG-5: Provide bicycling information and post information such as bicycle route maps and information
14. GHG-6: Pre-wire stalls for electric vehicle charging stations for 2% of new parking capacity.
15. GHG-7: Expand existing rideshare programs to require mandatory inclusion of ridesharing in employer TDM programs and preferential parking for rideshare vehicles.
16. TRANS-1: Provide public transit information in the employee break room and post information such as Santa Clara Valley Transportation Authority bus and light rail schedules, maps, and fares.
17. TRANS-2: Facilitate ride sharing by providing sign-up sheets or other measures to allow interested employees to identify carpooling opportunities.
18. TRANS-3: Provide bicycling information and post information such as bicycle route maps and information
19. TRANS-4: Pre-wire stalls for electric vehicle charging stations for 2% of new parking capacity.
20. TRANS-5: Expand existing rideshare programs to require mandatory inclusion of ridesharing in employer TDM programs and preferential parking for rideshare vehicles.

SOURCES
General Sources:

1. CEQA Guidelines - Environmental Thresholds (Professional judgment and expertise and review of project plans)
2. City of Milpitas General Plan (Land Use Chapter)
3. City of Milpitas General Plan (Circulation Chapter)
4. City of Milpitas General Plan (Open Space & Environmental Conservation Chapter)
5. City of Milpitas General Plan (Seismic and Safety Chapter)
6. City of Milpitas General Plan (Noise Chapter)
7. City of Milpitas General Plan (Housing Chapter)
8. City of Milpitas Zoning (Title XI)
9. California Department of Conservation, *Santa Clara County Important Farmland 2006,* Map. June 2011
10. Bay Area Air Quality Management District, CEQA Guidelines, June 2010
11. County of Santa Clara Department of Public Works, *Soil Map Sheet 19,* 1964
12. United States Department of Agriculture, Soil Conservation Service, *Soils of Santa Clara County*, 1968
13. California Department of Conservation, *Geologic Map of the San Francisco-San José Quadrangle*, 1990
14. Federal Emergency Management Agency, *Flood Insurance Rate Map, Community Panel Nos. 06085CIND0A, 06085C0058H, 06085C0059H, 06085C0066H, 06085C0067H, 06085C0068H, 06085C0069H.06085C0080H, 06085C0086H, and 06085C0087H*
15. Environmental Assessment No. 657
16. Pacific Mall Project EIR, SCH # 20130220006, May 2013
16. Climate Action Plan, May 2013

Project Related Sources:

A. Project application and plans

Note: Authority cited: Sections 21083, 21083.05, Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21080, 21083.05, 21095, Pub. Resources Code; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th 357; *Protect the Historic Amador Waterways v. Amador Water Agency* (2004) 116 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.