



March 30, 2022

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Community Development Department
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Re: Notice of Preparation for the Draft Subsequent Environmental Impact Report for the North Bayshore Master Plan Project

Dear Ms. Pancholi,

The Sierra Club Loma Prieta Chapter, the Santa Clara Valley Audubon Society and the California Native Plant Society Santa Clara Valley Chapters are local environmental organizations with inherent interest in biodiversity, native plants and wildlife, ecosystems and natural resources in open space and in urban landscapes. We have reviewed the Notice of Preparation for the North Bayshore Master Plan Project (Project) and submit the following scoping comments to be considered in your preparation of the Draft Subsequent Environmental Impact Report for the Project.

1. Project Description

1.1. The NOP states, "The purpose of the Master Plan is to implement the General Plan and Precise Plan vision for North Bayshore as a vibrant mixed-use district with new residential neighborhoods, open spaces, and mobility options." It does not mention sustainability or habitat. However, the Vision for North Bayshore is described on page 5 of the North Bayshore Precise Plan¹ (NBPP) and includes "innovation and sustainability" as well as "the protection of habitat." All elements of the North Bayshore vision should be reflected in the Project Description section.

1.2. The NOP states, "The proposed Master Plan is largely consistent with the development assumptions in the Precise Plan and certified 2017 SEIR".

- Please include a table that describes and explains each inconsistency.
- Please explain the benefits of inconsistencies and analyze any additional impacts, or reduction of impacts, that are associated with the inconsistencies.

¹ North Bayshore Precise Plan
<https://www.mountainview.gov/civicax/filebank/blobdload.aspx?BlobID=29702>

- In this letter, we ask for some changes to the requirements of the NBPP which we believe will reduce environmental impacts but may introduce new inconsistencies to be analyzed (for example, #6 Artificial Light at Night below) in the SEIR.

2. Sustainability

While electrification reduces carbon emissions, energy use from any source (including solar and wind) has environmental impacts. These often include direct mortality of birds and bats, loss of habitat, transmission infrastructure, mining activities and more. The responsible way to address these impacts is to reduce consumption of energy, thus, the Project should strive to reduce the use of energy. Please consider the following:

Buildings Window-to-Wall Ratio and passive design

The most recent codes published by the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) aim to save energy and reduce energy costs of residence and operations into the future. These standards are different from LEED standards in the analysis of energy use in buildings with large glass facades.

ASHRAE Standard 90.1: Energy Standard for Buildings Except Low-Rise Residential Buildings includes codes that address the design of energy-efficient buildings. Some requirements in ASHRAE 90.1 (2019 update) are often overlooked², including the prescriptive Window-to-Wall Ratio (40% in ASHRAE 90.1-2013, Section 5.5.4.2.1).

- Please discuss the impacts on operational energy use of the materials expected to be used for the residential and office buildings. Also, provide standards for window-to-wall ratios that are consistent with ASHRAE Standard 90.1³ to mitigate energy loss through glass.
- Please discuss the advantages of “passive design”⁴ for both the commercial and residential buildings. Provide guidelines for building design such that solar heat gain in winter months, using controlled glazing and thermal mass, and shading in summer months with natural cooling patterns has a significant impact on the energy use and energy efficiency of buildings. Energy efficiency, embodied carbon and the health and comfort of occupants are critical elements for architecture at this time.

3. Artificial Light At Night (ALAN)

The impacts of ALAN on the natural environment are pervasive and unregulated by state or federal law. ALAN is emerging as a significant disruptor to ecosystems because it impairs biological function in individuals, disrupts daily and seasonal ecological function and decouples critical interactions within and among species. Attraction to light by insects is a driver of the insect “apocalypse”⁵ and disrupts pollination even during the day. Attraction to light is also affecting

² <https://www.csemag.com/articles/top-ten-overlooked-ashrae-90-1-2013-requirements/>

³ <https://www.ashrae.org/technical-resources/bookstore/standard-90-1-document-history#2013>

⁴ https://en.wikipedia.org/wiki/Passive_solar_building_design

⁵ <https://www.smithsonianmag.com/smart-news/light-pollution-contributes-insect-apocalypse-180973642>

migration behavior in birds.⁶ Increasing scientific evidence also shows links between ALAN (indoor and outdoor) and many common diseases as well as impacts to mental health.⁷ The blue light component of the spectrum emitted by LED fixtures has been shown to be especially harmful to all living organisms and to ecosystems.

Scientific studies clearly indicate that society must minimize lighting. North Bayshore could become a “dark-sky” area where after midnight, the stars and milky way are visible.

Due to the impacts of lighting on the environment, the Mountain View City Council directed staff to work with Google to see how reduced lighting standards for North Bayshore may be incorporated. The Council also expressed an interest in studying a Dark Sky ordinance as a potential work item in the Strategic Work Plan for FY 2023-2025.⁸

We propose the following mitigations to reduce the impacts of ALAN on the environment:

3.1. Outdoor Lighting (including parking, street lighting)

- a. We ask for the Project to provide flexibility by eliminating minimum requirements for lighting. Lighting for all human needs can be achieved without setting minimums.
- b. The EIR should include as mitigations all the best practices that the International Dark-sky Association includes in its Board Policy on the Application of the Lighting Principles document⁹ (June 24, 2021). This policy provides guidance for implementing the Five Principles for Responsible Outdoor Lighting¹⁰ that are offered by the International Dark Sky Association as mitigation for the significant impacts of ALAN on the environment.

3.2. Light emitted from buildings

Tall buildings that emit light at night can divert bird migration patterns and increase bird collisions.¹¹ Any buildings that face ecologically sensitive areas should include window coverings that can be drawn to reduce light that spills into the environment at night. We are especially concerned with the lighting of parking garages, particularly the proposed garage on Amphitheater Parkway.

4. The Egret Rookery

Shorebird Way is home to the largest egret and heron rookery in the South Bay. Other birds have also nested onsite (including Red-shouldered hawk and White-tailed kite). The rookery is recognized in the NBPP which states, “This rookery is regionally significant as one of the largest egret colonies in the South Bay, and is an important natural resource.”

⁶ High-intensity urban light installation dramatically alters nocturnal bird migration
<https://www.pnas.org/content/early/2017/09/26/1708574114>

⁷ <https://time.com/5033099/light-pollution-health/>

⁸ Mountain View City Council February 22, 2022, Agenda Item 6.1

⁹ <https://www.darksky.org/wp-content/uploads/bsk-pdf-manager/2021/08/BOARD-policy-application-of-light-FINAL-June-24-2021.docx.pdf>

¹⁰ <https://www.darksky.org/our-work/lighting/lighting-principles/>

¹¹ <https://esajournals.onlinelibrary.wiley.com/doi/abs/10.1002/fee.2029?af=R> and
<https://www.pnas.org/doi/full/10.1073/pnas.2101666118>

The Project proposes a park (Shorebird Wilds) at the rookery, with ±4.5 acres of passive open space and native gardens surrounding the existing egret rookery. To facilitate Shorebird Wilds, a portion of the Shorebird Way right-of-way will be vacated, replaced with acres of regenerated landscape of native flower meadow, and a mix of passive and active outdoor programming.

- The NBPP provides a Habitat Overlay Zone (HOZ) and provides standards to be adhered to within the HOZ. Please analyze the compliance of the Project with the NBPP standards in chapter 5.1 Habitat Overlay Zone
- The rookery boundaries have expanded in recent years. Please implement the NBPP standards for the HOZ, and in addition consult with the City's biologist and with the California Department of Fish and Wildlife to ensure that mitigations for nesting birds are adequate.
- Please define “passive” and “active” outdoor programming. What is included in each?
- Please prepare a Nesting Preservation Plan that includes standards and guidelines for permitted and unpermitted recreational and maintenance activities in this park, and a process for review of proposed activities in the future. Recreational activities should be limited to those that do not disrupt birds from nesting or roosting in the proposed park. Light or noise-generating sport activities, balls being tossed, drones and model airplanes, BBQs, large group gatherings near the rookery and other potentially disruptive activities should be avoided.
- Please require that the London plane trees and the redwood trees that comprise the Shorebird Egret Colony be retained and maintained in good health. This is important for the egrets to continue nesting there.
 - Please analyze and ensure that water used for irrigation in the rookery area is of low salt content. Irrigation of redwoods in North Bayshore with recycled water of high salt content has led to a rapid decline in the health of the trees. London Plane trees are more resistant to salinity, but fertilization by egret droppings augmented by irrigation with water of high salinity may impact the health of these trees adversely.

5. Charleston Retention Basin and the proposed Eco Gem

Previous Google improvements expanded habitat at the Charleston Retention Basin, which was enhanced and expanded in 2019 as part of a public-private partnership between the City and Google. The Charleston Retention Basin is an important natural asset in North Bayshore providing both habitat for wildlife (including habitat for nesting San Francisco common yellowthroat, a California Species of Special Concern)) and access to nature for residents, employees and visitors.

The Project proposes to expand the retention basin with the addition of the Eco Gem, a ±10.8-acre area that will be dedicated to the City. The Eco Gem is intended to be restored as a riparian area, with the opportunity for an urban ecology educational facility. This

transformation will remove extensive existing hardscape, including office buildings and ±3.6 acres of surface parking. Plans for the Eco Gem are not finalized. The proposed Eco Gem has the potential to expand the habitat of the Charleston Retention basin and provide ecological benefits to migratory and resident bird species. At the same time, increased use of the retention basin by residents, employees and pets can harm the species that nest there.

The EIR should consider the following potential impacts of the project, especially due to the great increase in number of potential visitors.

- Urban ecology educational facility: Provide a description, including dimensions, materiality, lighting and parking requirements, for the proposed ecology educational facility within the Eco Gem. Provide mitigation for construction and operations impacts.
- Analyze impacts of human and pet activities and access of nuisance animals to the Eco Gem and provide mitigation measures.
 - Consider measures that restrict access at night.
 - Provide a plan for management of pets and nuisance animal species.
- Please clarify how the Eco Gem will be forever protected as an ecological space to avoid future transformation to other park / recreation uses. Please consider using tools such as deed restriction, conservation easement, etc.
- Please analyze impacts of the Project to the hydrology of the Charleston Retention Basin, and ensure that the wetland is not deprived of water.

6. Shoreline Park

Shoreline Park is a regionally important wildlife area and a critical resource for many migratory bird species. The increase in day and night-time population in the project area will increase the number of visitors to the park, with potentially significant impacts to migratory and nesting birds. Increased human activities can potentially disrupt individuals and impact populations of special status species and migratory birds within the plan area at Shoreline Park, and along creekside levees and trails¹².

- Please consider fencing all along Shoreline Park to limit access during park closure as well as access with pets.
- Please consider adding rangers to Shoreline Park to better monitor and enforce park rules and wildlife protection measures.

7. Creeks and Bay Trails

Please analyze impacts to migratory birds resulting from the inevitable increase in human and pet activity on levees and trails along creeks, ponds and baylands, wetlands, and stormwater features.

¹² MROSD Recreation Study of impacts of recreation on natural resources
https://www.openspace.org/sites/default/files/20211208_ScienceAdvisoryPanelFindings_R-21-158.pdf.
Graph on pdf page 27/68 shows that impacts are not linear, and increase greatly with increased human activity.

8. Parks and Open Space

The project should provide adequate open space:

- We are opposed to using in-lieu fees for parks and open space in North Bayshore. As we know, at this time, open space cannot be purchased for almost any price. With the envisioned high density of residential and office use, and as the COVID experience has shown, open space is precious for livability and should not be diminished or exchanged.
- Park development costs should be included in the master plan.
- The proposed school site should not be considered open space, as it is likely to be built-out.

9. Loss of trees and canopy

Under “Native Species and Canopy Replacement Strategy” Google proposes that “All removed trees will be replaced at a minimum level of 100 percent.”¹³ Please clarify what that 100% refers to - is it the number of trees? Canopy coverage?

- Please analyze the loss of trees and of canopy in the context of North Bayshore and that of the Mountain View Community Forest and provide feasible and meaningful mitigation for the loss of trees and canopy.
- Please analyze whether the proposal will meet the City goal for Urban canopy. On September 15, 2015, Mountain View’s first ever comprehensive **Community Tree Master Plan** (CTMP) was formally adopted by the City Council. Goals include increasing canopy cover by five percentage points from 17.7 to 22.7%
- Please analyze and mitigate Heat Island Impacts¹⁴ of the project.
- Redwoods have been an important aesthetic resource in North Bayshore for decades, and they are important to the community. Please designate at least one redwood grove for preservation.

10. Traffic

The North Bayshore Circulation Studies indicate that traffic in the North Bayshore area as a whole is anticipated to increase substantially and the area could continue towards a car-centric neighborhood.

Slow, safe and green streets¹⁵ that prioritize pedestrians and micro mobility are being recognized world-wide as a more effective use of the 30-40% of city real estate that is invested in City rights-of-way (roads). Google has proposed streetscape changes to alter all the streets as noted in their “North Bayshore Framework Master Plan.” However, we recommend stronger design standards for reducing auto dominance and focusing on pedestrian priority and safety. To accomplish this, we recommend the following mitigation measures:

¹³ North Bayshore Framework Master Plan Google Submittal 2021

<https://www.mountainview.gov/civicax/filebank/blobdload.aspx?BlobID=36233>

¹⁴ <https://www.epa.gov/heatislands/heat-island-impacts>

¹⁵ <https://www.deeproot.com/blog/blog-entries/slow-streets-the-key-to-greener-safer-cities/>

- All the new private streets should be designed for shared, mixed mode, slow streets, curved (not straight), with narrow auto lanes (maximum 10'), to ensure pedestrian safety, with very slow traffic. Pedestrians, children and micro mobility devices should have higher priority. Please analyze the impact of reducing pedestrian deaths and injuries from such a strategy given the immense increase in residential commercial and retail population.
- Existing secondary streets should be slowed down significantly, with narrower traffic lanes, widened sidewalks and protected bike lanes. Please analyze the impacts as outlined above.
- Green street infrastructure: All streets should include green infrastructure for storm drainage and flood reduction and include large, shade-providing, habitat-supporting tree canopy.

11. Parking (and Traffic)

The North Bayshore Circulation Studies indicate that traffic in the North Bayshore area as a whole is anticipated to increase substantially and the area could continue towards a car-centric neighborhood. This is contrary to the North Bayshore Specific Plan goals for a neighborhood that is less auto-centric and should be designed to prioritize pedestrian and bicycle movement.

Currently, annual traffic studies at the Gateways to North Bayshore indicate that two of the gateways were already at capacity and that the third was almost at capacity. Since that time, several additional large garages have received the go-ahead and will be adding automobiles to these gateways. These include Google's Landings and Huff Garages, Microsoft's garage, Intuit's garage, and the proposed enlargement of the parking garage at the Amphitheater. These are already approved.

Proposals to increase gateway capacity appear to only result in modest increases to the gateways capacity. Therefore:

- Please analyze how the proposed additional parking and garages, in each of the proposed buildings, as well as the stand-alone garage structure, will be possible given the Specific Plan's directive to increase auto traffic into North Bayshore only with a corresponding increase in capacity at the gateways.

12. Sea Level Rise and groundwater

In North Bayshore, sea level rise is a real threat, as is evident in the City's \$122 million Sea Level Rise Protection Plan. The SEIR should study, analyze and monitor project related impacts that exacerbate community vulnerability to sea level rise, such as more impermeable surfaces creating greater burden on stormwater/flood infrastructure or expansion of subsurface infrastructure putting more public assets at risk of disruption due to groundwater

rise. The SEIR should also identify potential project related constraints on the City's ability and flexibility to mitigate sea level rise impacts, both within and outside of the Project boundary. This includes sea level rise impacts on:

- Flooding and flood control measures
- Saltwater intrusion and its impacts to infrastructure and trees. Please develop standards for saltwater in ground water in mitigation and monitoring plans.
- Rising groundwater projections and ground water studies in the plan area
- Mobilization of contaminants of any kind due to rising groundwater
- The Monitoring and Mitigation Plan should include a mitigation measure that requires periodic updates that parallel the sea level rise 5-year updates in the City's CIP.

13. Alternatives

Reduced Auto Dependence Alternative to meet NBSP transportation study guidelines:

Please include one alternative scenario with reduced parking that will meet the North Bayshore Specific Plan's proposed infrastructure improvements and proposed increased capacity. This alternative should allow decision-makers and the public to assess whether the goal of North Bayshore to stay within its capacity for auto-access can be met. This alternative should also analyze the impact of mitigation strategies that increase the pedestrian, micro-mobility and bicycle capacity, including using Green Streets potentially within the entire North Bayshore Precise Plan area.

We thank you for the opportunity to provide scoping comments. Please do not hesitate to reach out to us if you have questions.

Respectfully,

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