



**CALIFORNIA ENVIRONMENTAL QUALITY
ACT INITIAL STUDY**
Court of Appeal, New Sixth Appellate District

April 5, 2024

Prepared for:
Judicial Council of California

Prepared by:
Stantec Consulting Services Inc.

Project Number:
185806291

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Acronyms / Abbreviations

ACM	Asbestos Containing Material
AB	Assembly Bill
AIA	Airport Influence Area
BAAQMD	Bay Area Air Quality Management District
BERs	business environmental risks
BMP	Best Management Practice
CalFIRE	California Department of Forestry and Fire Protection
CGS	California Geological Survey
CHRIS	California Historical Resources Information System
CLUP	Comprehensive Land Use Plan
CNDDDB	California Natural Diversity Database
CRECs	controlled recognized environmental conditions
CRHR	California Register of Historic Resources
CA-SR	California State Route
DOC	Department of Conservation
ECR-PF	El Camino Real – Public Facilities
ECRSP	El Camino Real Specific Plan
EMT	Emergency Medical Technician
FHSZ	Fire Hazard Severity Zone
GHG	Greenhouse Gases
HRECs	historical recognized environmental conditions
Judicial Council	Judicial Council of California
IS	Initial Study
LBP	Lead-Based Paint
LOS	level of service
NPDES	National Pollutant Discharge Elimination System
NRCS	Natural Resource Conservation Service
PG&E	Pacific Gas and Electric
NWIC	Northwest Information Center
RECs	recognized environmental conditions
RWQCB	Regional Water Quality Control Board
Site	605 W. El Camino Real, Sunnyvale California 94087
SMC	Sunnyvale Municipal Code
SF	square foot
SWPPP	Storm Water Pollution Prevention Plan
US	United States

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USDA	United States Department of Agriculture
USGS	United States Geological Survey
VMT	vehicle miles traveled
VTA	Valley Transportation Authority
WPCP	Water Pollution Control Plant
WSS	Web Soil Survey

1 Introduction

This Initial Study (IS) is an informational document intended to inform the Lead Agency, other responsible or interested agencies and the general public of potential environmental effects of the proposed Project. The environmental review process enables public agencies to evaluate potential environmental consequences and to examine and implement methods of eliminating or reducing potentially significant adverse impacts.

1. Project Title

New Sixth Appellate District Courthouse (Proposed Project)

2. Lead Agency (name/address)

Judicial Council of California
2860 Gateway Oaks Drive, Ste 400
Sacramento, CA 95833

Since the Judicial Council of California (“Judicial Council”) is the lead agency for the proposed Project, and is acting for the State of California, local government land use planning and zoning regulations do not apply to the proposed Project. However, the Judicial Council considers county and/or city policies and guidelines, as appropriate, to determine whether the proposed Project would be consistent with the site’s character and surroundings.

The Judicial Council is responsible for certifying the California Environmental Quality Act (CEQA) document and approving the proposed Project.

3. Contact Person (name/phone number)

Mitch Vaccari
(916) 643-6959

4. Project Location

605 West El Camino Real, Sunnyvale, California, 94087
APN 165-02-004

5. Project Sponsor (name/address)

Judicial Council of California Project Manager: Hilda Iorga
Hilda.iorga@jud.ca.gov
(916) 263-1541

California Environmental Quality Act Initial Study
1 Introduction

6. General Plan Designation

El Camino Real Specific Plan (ECRSP): Public Facilities – Four percent of the ECRSP Area has a Public Facilities land use designation. This area is occupied by the Sunnyvale Civic Center, which has been a prominent part of this commercial corridor.

7. Zoning

Since the Judicial Council is the lead agency for the proposed Project, and is acting for the State of California, local government land use planning and zoning regulations do not apply to the proposed Project. However, the Judicial Council considers county and/or city policies and guidelines, as appropriate to determine whether the proposed Project would be consistent with the site's character and surroundings. The Project Site is in the El Camino Real – Public Facilities (ECR-PF) District. The ECR-PF zoning district is reserved for the construction, use and occupancy of governmental, public utility and educational buildings and facilities, and other uses compatible with the public character of the district and does not permit residential development.

8. Description of Project

The Project consists of the demolition of an existing building and the construction of a new Courthouse with additional parking for the Sixth Appellate District of the Court of Appeal in a more practical and accessible infill location. Since it was established in 1984, the Sixth Appellate District of the Court of Appeal (Sixth Appellate District), has operated out of 43,758 square feet (SF) of the Comerica Bank Building, located at 333 West Santa Clara Street within downtown San Jose pursuant to a lease. In 2006, the Sixth Appellate District's lease that was managed by the California Department of General Services was assigned to the Judicial Council. The current lease expires in January 2029 and has a final extension option through January 2034 (Moore, Ruble, Yudel, May 18, 2022).

The Sixth Appellate District's current space on the 10th and 11th floors of the Comerica Bank Building includes one courtroom with support spaces, justice chambers, attorney offices, mediation operations, clerk operations, a law library, and court administration. This space is not contiguous and is distributed between the two floors. Additionally, there is no on-site parking available for any court user including the public and court staff. Only a small number of spaces are available for the justices and the court executive officer. Parking for the public and court staff is accommodated offsite through public pay lots and very limited street parking. Approximately 60 parking spaces is estimated to be needed for the public and court staff, which cannot be achieved at the current leased property.

The Judicial Council is proposing to build a new Sixth Appellate District Courthouse (Courthouse, proposed Project), at 605 W. El Camino Real, Sunnyvale California 94087 (the Site). The location selected was previously used by the Superior Court of Santa Clara County for trial court operations (Figure 1 – Site Location). The State of California, on behalf of the Judicial Council retains ownership of the Site.

The Site is situated on W. El Camino Real between Mathilda Avenue and Pastoria Avenue. This property is within the El Camino Real Public Facilities zoning district.

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1 Introduction

The Site is 2.03 acres (APN 165-02-004) with an existing 19,994 SF, single-story building with a partial basement which was constructed in 1967. The Site has onsite parking and is located within the City of Sunnyvale's Civic Center with easy access to public transit and vehicle freeway infrastructure, making it a more appropriate location for the Sixth Appellate District. The Master Plan for the Civic Center was approved in September of 2018, and features the construction of three new facilities: City Hall, Public Safety Emergency Operations Center Addition, and a Library. These buildings would be situated on the northern half of the Civic Center (Figure 2 – Civic Center Facilities).

Site preparation would require the demolition of the existing 19,994 SF one-story building and approximately 45,000 SF of existing parking and surfacing to build a new Courthouse within the 2.03-acre Site. The parking lot contains an unused structure that will be demolished and resurfaced for additional parking space. (Figure 3 – Proposed Demolition).

This location was selected based on objectives and needs, as well as a feasibility study completed in May 2022, which determined that the existing Superior Court building has surpassed its useful life and the renovation that would be necessary for reuse is cost prohibitive. The study states that “the land value is higher than that of renovating the existing improvements and concluding that the “highest and best use” of this property is for new development” (New Courthouse Feasibility Study, May 2022).

The proposed new Courthouse would be constructed as a 50,000 SF up to three-story facility. The facility would be equipped with one courtroom with support spaces, justice chambers, administrative and operations areas, a law library, mediation area, lobby, public entry, and building support within the same general footprint.

A designated parking zone with seventeen (17) secured parking spaces for justices with solar power generation capability and approximately sixty (60) surface parking spaces for the public and the staff. Construction is planned to begin December of 2025 through September of 2028. Construction laydown yards and temporary workspaces are proposed to be contained within the existing footprint of the Site.

The Site includes mature trees located at the perimeter of the property where a 25-foot vehicle setback naturally occurs. Trees line the west side of the Site, providing shade and privacy. On the east side of the property, two groups of three trees are centered with the building. The building is fronted on El Camino Real, where asymmetrical tree groupings frame the existing courthouse entrance (Figure 4 – Proposed Courthouse Layouts).

Access to the new Courthouse parking area would be within the existing footprint. The existing vehicle entrance to the parking area is established off El Camino Real. The Site is well served by Valley Transportation Authority (VTA) bus stops. The Sunnyvale Transit Center is situated seven blocks to the northeast and contains bus stops with connections to CALTRAIN. The Site is less than 2.5 miles east of the California State Route 85 (CA-SR-85) and southeast of CA-SR-237. The United States (US) 101 and US-237 highways are also located within three miles of the Site. This nearby public transportation and roadway infrastructure connects the property to the surrounding facilities and neighborhood, thereby ensuring public accessibility to the Courthouse.

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Objective and Need

Santa Clara County is part of the greater Silicon Valley and the epicenter of computer technology and development in the United States. It serves high-technology-oriented companies, such as Apple, Google, Facebook, IBM, Microsoft, Zoom, and Intel Corporation, as well as aerospace industries such as Lockheed and Martin Aerospace. Over the last years, rental rates have increased while vacancy rates have decreased, suggesting that the Appellate District may have difficulty negotiating a new lease at their current location and will need to pay more with limited options for a new location.

Existing operations have been confined to the dictated leased-space floor plate such that adjacencies required for effective operations have not been fully realized, space shortfall exists, and anticipated future growth cannot be accommodated. The current Sixth Appellate District Court location also has security vulnerabilities.

The following was determined in the New Courthouse Feasibility Study.

“The current lease, last executed in May 2012, has utilized multiple lease extension options over the years. It has one final option for a five-year extension through January 2034. However, there is no guarantee that a new lease can be negotiated or even available thereafter. Should it be determined that the Sixth Appellate District is unable to continue leasing at this current location beyond January 2034, an alternative leased space would need to be identified, negotiated, and tenant improvements completed prior to the current lease expiration.”

Historically, the uncertainty of having to continue leasing space for its operations and remain reliant on the availability of affordable private property office space within its operating budget has been very challenging. As a public agency having had to compete in a consistently high-demand rental market with private companies with resources for paying top dollar for lease space is and has been an ongoing concern. Without a permanent state-owned facility to operate in, the Sixth Appellate District will continue to be vulnerable to rental market conditions and escalating costs. These factors impact its ability to ensure its operations can continue in an appropriate location and space that provides public access to justice.

An available asset for the permanent home of the Courthouse is in the city of Sunnyvale on the Site of the former Sunnyvale Courthouse, which is no longer operated by the Superior Court of Santa Clara County. This property is state owned and is centrally located with good access to public transportation and adjacent to other public facilities within the City of Sunnyvale Civic Center, making its reuse advantageous, promoting environmental protection through infill development consistent with existing development patterns.

New Courthouse on state-owned property will provide:

- *Permanent home for the Sixth Appellate District.*
- *Eliminate lease uncertainties and ongoing expensive and escalating lease costs.*
- *5-year project duration from date of appropriation.*
- *Connect with existing the Sunnyvale Civic Center and surrounding neighborhood.”*

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9. Surrounding Land Uses and Setting

Surrounding land is predominantly zoned for Commercial use and is moderately to densely developed with shopping centers, hotels, office buildings, and supporting commercial services. Residential uses are located nearby on secondary streets. This neighborhood and its infrastructure are suburban. Additional plans for surrounding land uses include the development of new civic plazas, an outdoor amphitheater, and pedestrian and bicycle enhancements to Olive and Mathilda Avenues.

10. Other public agencies whose approval is required

Agency	Permits and Other Approvals	Environmental Review/Consultation Requirements
FEDERAL		
—	N/A	N/A
STATE		
San Francisco Regional Water Control Board	Clean Water Act (CWA) and National Pollutant Discharge Elimination System (NPDES) General Construction Permit/ Stormwater Pollution Prevention Plan (SWPPP)	Approximately one month agency review
LOCAL		
—	N/A	N/A

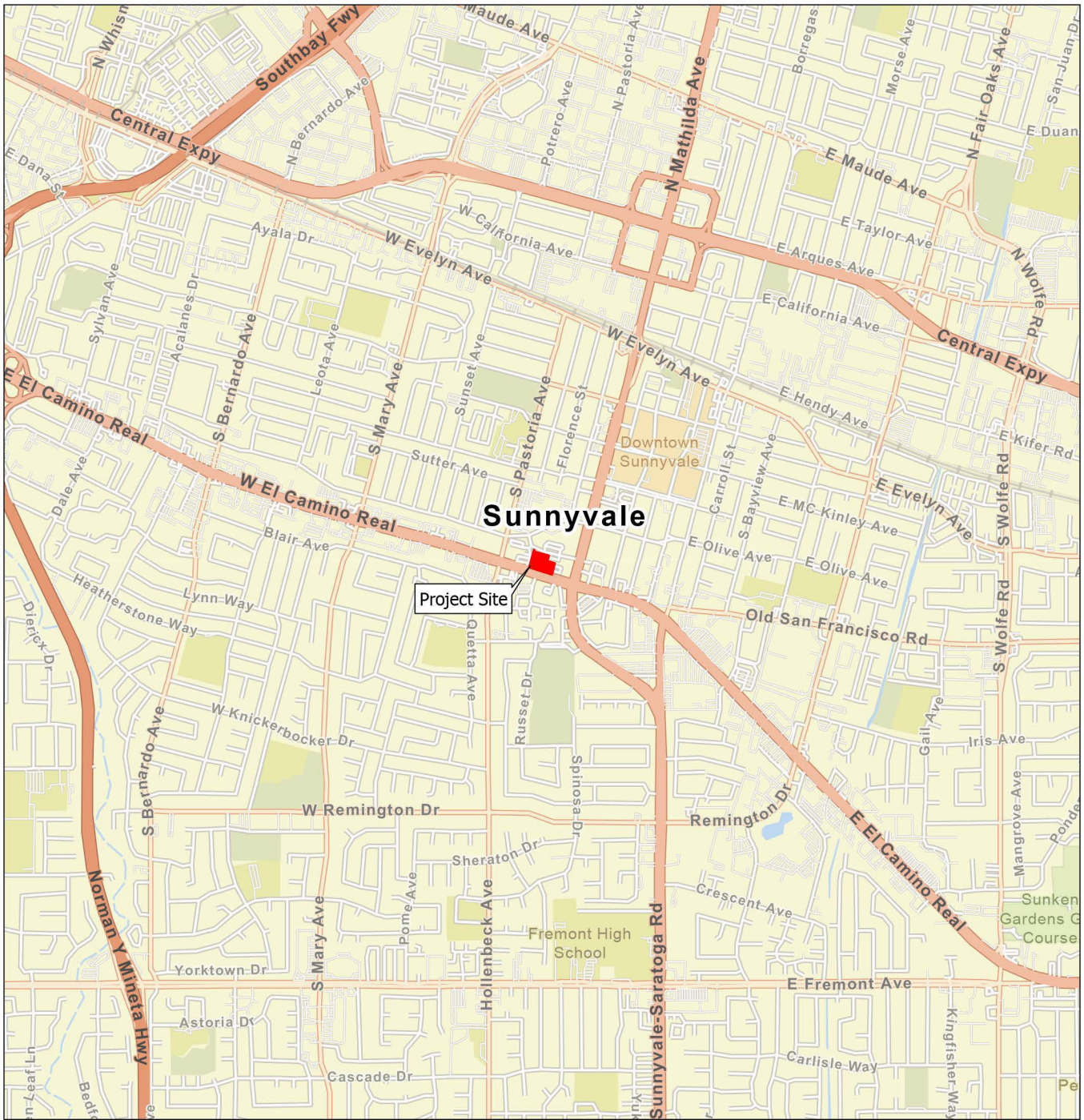
Responsible agencies that may have discretionary approval authority over the Project, and trustee agencies having jurisdiction over natural resources affected by the Project which are held in trust for the people of the State of California, will have the opportunity to review and provide comments during the review period. Other agencies and the public may also provide comments.

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3?

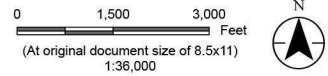
If so, has consultation begun?

Consultation will be conducted as part of the Environmental Impact Report.

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 Project Site



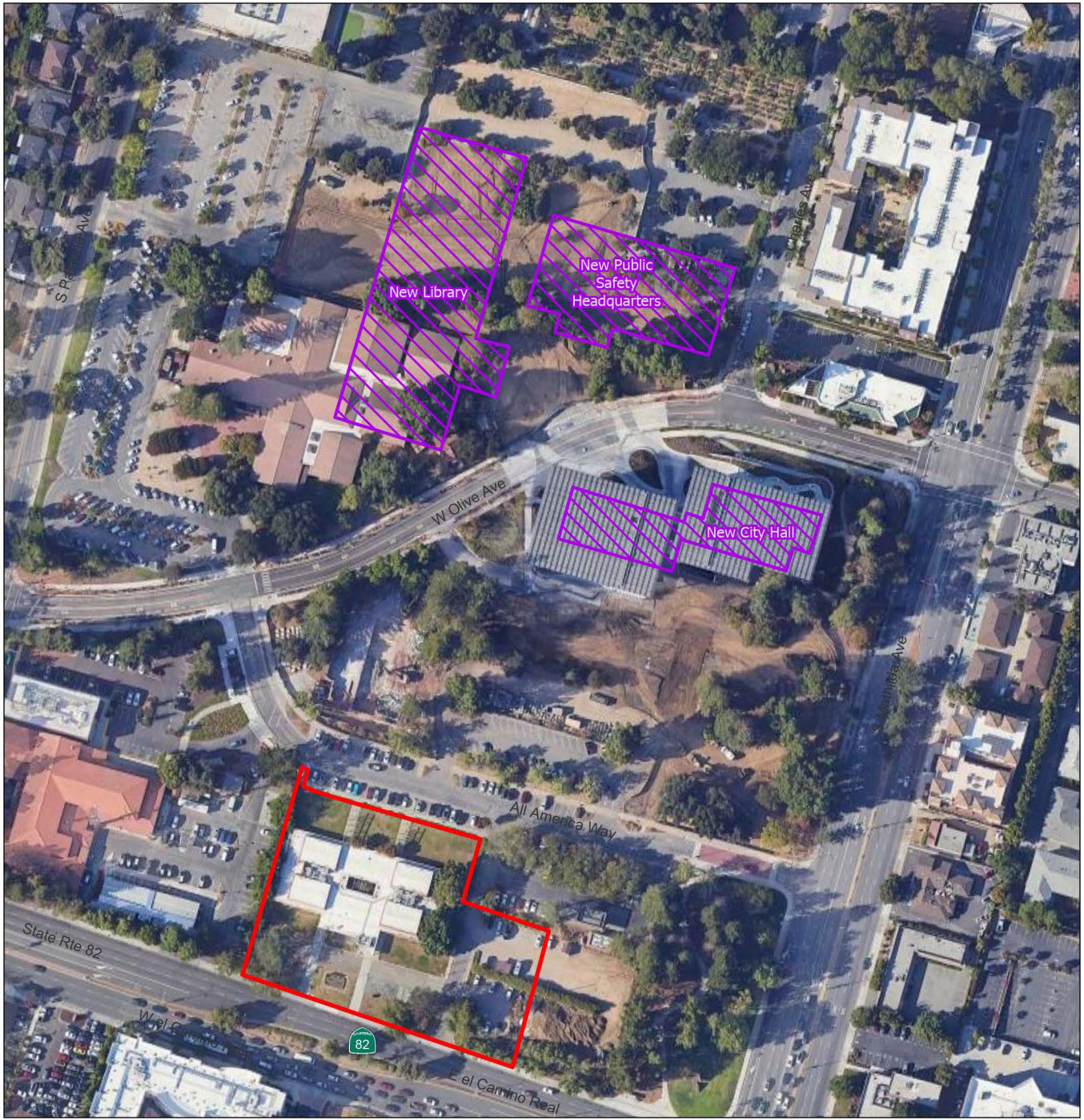
Project Location: City of Sunnyvale, Santa Clara County, California
Prepared by MMD on 2023-12-20, TR by SET on 2023-12-20, IR by LM on 2023-12-21
Client/Project: 185806291

Notes
1. Coordinate System: NAD 1983 StatePlane California III FIPS 0403 Feet
2. Data Sources: Stantec 2023.
3. Background: World Ocean Reference: Esri, Garmin, FAO, NOAA, USGS, EPA
World Street Map: County of Santa Clara, California State Parks, Esri, HERE, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, Bureau of Land Management, EPA, NPS, US Census Bureau, USDA
World Ocean Base: Esri, GEBCO, Garmin, NaturalVue

Judicial Council of California
Court of Appeals New Sixth Appellate District
Figure No. 1
Title: Site Location

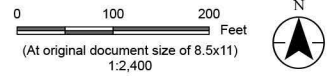
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-  Project Site
-  New Civic Center Facilities

Aerial basemap from Google (8/30/2023), Retrieved March 22nd, 2024.



Project Location: City of Sunnyvale, Santa Clara County, California
 Prepared by MMD on 2024-03-22
 TR by SET on 2024-03-22
 IR by LM on 2024-03-22
 Client/Project: 185806291

Judicial Council of California
Court of Appeals New Sixth Appellate District

Figure No. 2

Title
Civic Center Facilities

Notes

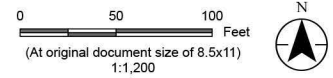
1. Coordinate System: NAD 1983 StatePlane California III FIPS 0403 Feet
2. Data Sources: Stantec 2023. City of Sunnyvale, 2023.
3. Background: World Ocean Reference: Esri, TomTom, Garmin, FAO, NOAA, USGS, EPA, USFWS

Tiled service layer: © OpenStreetMap (and) contributors, CC-BY-SA
 World Ocean Base: Esri, GEBCO, Garmin, NaturalVue

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 Project Site
 Proposed Demolition



Project Location City of Sunnyvale, Santa Clara County, California
 Prepared by MMD on 2023-12-20
 TR by SET on 2023-12-20
 IR by LM on 2023-12-21
Client/Project 185806291

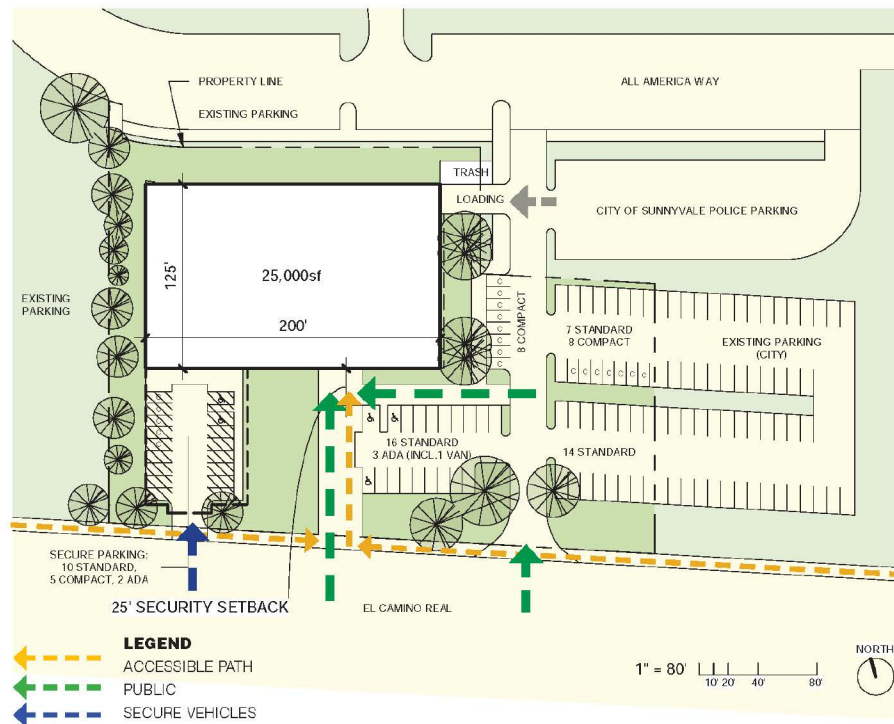
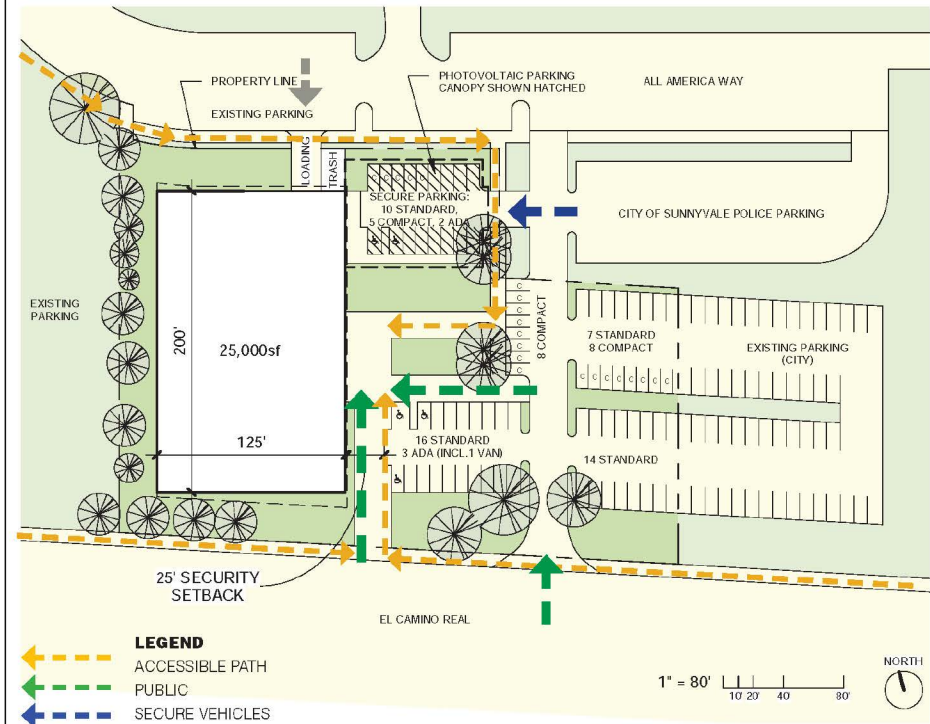
Judicial Council of California
 Court of Appeals New Sixth Appellate District

Figure No.
3

Title
Proposed Demolition

Notes
 1. Coordinate System: NAD 1983 StatePlane California III FIPS 0403 Feet
 2. Data Sources: Stantec 2023. City of Sunnyvale, 2023.
 3. Background: World Ocean Reference: Esri, Garmin, FAO, NOAA, USGS, EPA
 World Imagery: Maxar, Microsoft
 World Ocean Base: Esri, GEBCO, Garmin, NaturalVue

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Notes
 1. New Courthouse Feasibility Study (Final), Moore Ruble Yudell Architects, May 18, 2022.



Project Location
 City of Sunnyvale
 Santa Clara County, California

Client/Project
 185806291

Prepared by MMD on 2023-12-20
TR by SET on 2023-12-20
IR by LM on 2023-12-21

Judicial Council of California
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Figure No.

4

Title

Proposed Courthouse Layouts

2 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.

X	Aesthetics
	Agriculture and Forestry Resources
X	Air Quality
X	Biological Resources
X	Cultural Resources
	Energy
X	Geology and Soils
X	Greenhouse Gas
X	Hazards and Hazardous Materials
X	Hydrology and Water Quality
	Land Use / Planning

	Mineral Resources
X	Noise
	Population / Housing
	Public Services
	Recreation
X	Transportation
X	Tribal Cultural Resources
	Utilities / Service Systems
	Wildfire
X	Mandatory Findings of Significance

A detailed analysis of environmental impacts will be presented for each resource area (listed above) utilizing the model Environmental Checklist Form found in Appendix G of the CEQA Guidelines Section 15063(f). Impacts to the environment from construction and operation of the Project will be assessed and described, and the level of significance of impacts will be measured against criteria that have been established by regulation, accepted standards, or other definable criteria.

Each environmental resource area is reviewed by analyzing a series of questions (i.e., Initial Study Checklist) regarding the level of impact posed by the Project. Substantiation is provided to justify each determination. One of four following conclusions is then provided as a determination of the analysis for each of the major environmental factors:

- **No Impact.** A finding of no impact is made when it is clear from the analysis that the project would not affect the environment.
- **Less than Significant Impact.** A finding of a less than significant impact is made when it is clear from the analysis that a project would cause no substantial adverse change in the environment and no mitigation is required.
- **Less than Significant Impact with Mitigation Incorporated.** A finding of a less than significant impact with mitigation incorporated is made when it is clear from the analysis that a project would cause no substantial adverse change in the environment when mitigation measures are

California Environmental Quality Act Initial Study Environmental Factors Potentially Affected

successfully implemented by the project proponent. In this case, the project proponent would be responsible for implementing measures identified in a Mitigation Monitoring Program.

- **Potentially Significant Impact.** A finding of a potentially significant impact is made when the analysis concludes that the proposed project could have a substantially adverse change in the environment for one or more of the environmental resources assessed in the checklist. In this case, overriding consideration would be required for the project to advance.

It is understood that analyzing potential mitigation measures are an essential component of CEQA, aimed at minimizing or eliminating adverse environmental impacts identified within environmental documents. While the Initial Study doesn't include mitigation, the potential impacts identified within the Initial Study will be further analyzed and the EIR will identify applicable mitigation measures and include them to the extent feasible. These measures will be designed to address a wide range of resource areas. The goal of mitigation under CEQA is to ensure that proposed projects are developed in a manner that protects the environment and enhances the quality of life for present and future generations.

The EIR will also include analysis of project alternatives as required by CEQA. The analysis will evaluate a range of feasible alternatives to the proposed Project, which may include alternative locations, designs, and methods of operation, that could feasibly attain most of the basic objectives of the Project but with reduced impacts on the environment. If an alternative is determined to be infeasible, the Judicial Council will explain why it is infeasible and consistent with applicable law will not fully analyze the alternative in the EIR. The alternatives being considered for the proposed Project include:

- (1) **No Project Alternative:** This alternative proposes retaining the current leased space located at 333 West Santa Clara Street within downtown San Jose. The current lease expires in January 2029 and has a final extension option through January 2034. Under this alternative, there would be no demolition or new construction; instead, the Judicial Council would continue operating from its current location by signing a new lease for the existing building on the 10th and 11th floors of the Comerica Bank Building.
- (2) **Lease of Another Location Alternative:** This alternative proposes entering a new long-term lease at a different location when the current lease expires in January 2029. Under this alternative, the Judicial Council would secure a new lease in a different building that meets the requirements of necessary square footage and court space configuration, ensuring operations can continue without interruption.
- (3) **Existing Courthouse Rehabilitation Alternative:** This alternative involves renovating or retrofitting the existing courthouse located at 605 W. El Camino Real, Sunnyvale California 94087. The Site consists of a 19,994 SF one-story building and approximately 45,000 SF of existing parking and surfacing. While the outside structure would remain intact, aside from structural improvements as necessary, the interior would be renovated or retrofitted to accommodate a new interior layout and comply with the requirements of a modern courthouse.

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Environmental Factors Potentially Affected**

- (4) **Reduced Scope of Existing Courthouse Alternative:** This alternative involves scaling down the project's scope. This could involve renovating only parts of the Sunnyvale courthouse that require immediate attention, deferring certain upgrades or expansions, or implementing more modest design elements.
- (5) **Alternative Site Location:** This alternative involves building a new courthouse on a different site. This could include other currently owned state property or purchasing new land and constructing a new courthouse to meet the Judicial Council's needs. This option would require thorough analysis of potential sites, including considerations for accessibility, cost, and environmental impact.
- (6) **Adaptive Reuse Alternative:** This alternative involves repurposing an existing building or structure for the courthouse on a different site, instead of constructing a new one on a different site. This option would require thorough analysis of potential sites, including considerations for accessibility, cost, and environmental impact.

The EIR aims to identify alternatives that could mitigate significant environmental effects, avoid or minimize impacts, and promote the efficient use of resources. This analysis will provide decision-makers and the public with information to assess the environmental consequences of the proposed Project and alternatives, ultimately guiding the selection of a project that best meets the Judicial Council's needs while minimizing environmental impacts.

As stated above, since the Judicial Council is the lead agency for the proposed Project, and is acting for the State of California, local government land use planning and zoning regulations do not apply to the proposed Project. However, the Judicial Council considers county and/or city policies and guidelines, as appropriate, to determine whether the proposed Project would be consistent with the site's character and surroundings. The following impact analysis takes this consideration into account.

3 Evaluation of Environmental Impacts

3.1 Aesthetics

Would the project:

a. Have a substantial adverse effect on a scenic vista?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

Scenic vistas are generally described in two ways: panoramic views (i.e., visual access to a large geographic area for which the field of view can be wide and extend into the distance), and focal views (i.e., visual access to a particular object, scene, or feature of interest). The Project Site is within the El Camino Real – Public Facilities (ECR-PF) Zoning District, at 605 West El Camino Real, Sunnyvale, California, 94087, between Mathilda Avenue and Pastoria Avenue. The Site has a flat topography with an existing single-story courthouse building with a partial basement. The proposed new Courthouse would be constructed as a 50,000 SF up to three-story facility. The facility would be equipped with one courtroom with support spaces, justice chambers, administrative and operations areas, law library, mediation, lobby, and public entry, and building support within the same general footprint. The proposed Project would be compatible with the existing public character of the district. Therefore, there would be no impact on a scenic vista. This issue will not be further evaluated in the EIR, consistent with CEQA Guidelines Section 15063 (c)(3).

b. Substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

According to the Caltrans “California Scenic Highway Mapping System,” there are no state scenic highways located adjacent to, or within view of, the Project Site. The Project Site is currently developed and contains no unique geologic features.

However, protected mature trees which are considered a scenic resource exist along the perimeter of the property. Existing mature trees are generally located at the perimeter of the State-owned property, where a 25-foot vehicle setback would naturally occur. Additionally, a line of trees on the west and two groups of trees on the east would be retained to provide shade, privacy, and frame the courthouse entrance.

**California Environmental Quality Act Initial Study
Evaluation of Environmental Impacts**

Therefore, with retention of the mature trees, no impact would occur to the scenic resources. This issue will not be further evaluated in the EIR, consistent with CEQA Guidelines Section 15063 (c)(3).

c. In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input checked="" type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Less than Significant Impact

The Project Site is within a heavily urbanized area and involves the replacement of the current single-story Sunnyvale Courthouse building that has surpassed its useful life with a new up to three-story Sixth Appellate District Courthouse. While the taller structure would be introducing new visual elements, the construction of the Project complements the beautification and modernization goals of the Sunnyvale Civic Center Master Plan. One such goal includes replacing outdated one-story structures connected with outdoor circulation with efficient, multi-story, sustainably designed new facilities. Though the Judicial Council is not required to abide by local zoning ordinance, the proposed Project is considered a Public Facility which would be consistent with the City of Sunnyvale’s zoning code. The public nature of the building requires it to be readily accessible, easy to identify, attractive and representative of the communities’ values and aspirations. The Project is consistent with applicable local policies guiding the City’s overall visual resources and aesthetics as outlined in the Community Character and Land Use Transportation chapters of the City of Sunnyvale’s General Plan. Additionally, the ECRSP identifies the Project Site as located in the ‘Civic Center Node’ and within the Land Use Classification of El Camino Real Public Facility. Land uses within this area include civic centers and governmental uses which are consistent with the Project type (Sunnyvale 2022). Therefore, the impacts would be less than significant, and the issue will not be further evaluated in the EIR.

d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			
<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Potentially Significant Impact

The Project site is located within a well-lit urban portion of the City of Sunnyvale with surrounding ambient lighting sources. The Sunnyvale Civic Center Redevelopment would create new Civic Plazas, Outdoor Amphitheater, and Pedestrian and Bicycle enhancements to Olive and Mathilda Avenues. The construction and operation of the new Sixth Appellate District Courthouse would create new sources of light and glare. The new source of light and glare may create potentially significant impacts on day and

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nighttime views in the area and will be further evaluated in the EIR. Applicable mitigation measures will be identified and included to the extent feasible.

3.2 Agriculture and Forestry Resources

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?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

The California Department of Conservation, Farmland Mapping, and Monitoring Program compiles Important Farmland maps pursuant to the provisions of Section 65570 of the California Government Code. These maps utilize data from the United States Department of Agriculture (USDA), Natural Resource Conservation Service (NRCS) soil survey, and current land use information using eight (8) mapping categories and represent an inventory of agricultural resources within Santa Clara County. The maps depict currently urbanized lands and a qualitative sequence of agricultural designations. Maps and statistics are produced using a process that integrates aerial photo interpretation, field mapping, a computerized mapping system, and public review. Mapping of farmland categories is conducted every two years.

Based on the above-noted desktop resources, there is no existing prime farmland, unique farmland, or farmland of statewide importance within or adjacent to the Project Site and no agricultural activities take place on the Project Site. The proposed Project Site is surrounded by land developed for commercial, public, and residential uses. Therefore, no impacts would occur. This issue will not be further evaluated in the EIR.

b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

Williamson Act contracts restrict land development of contract lands. The contracts typically limit land use in contract lands to agriculture, recreation, and open space, unless otherwise stated in the contract. Per the ECRSP zoning map, the proposed Project Site has a zoning designation of P-F (Public Facilities), which is not set aside for agricultural uses. According to the city of Sunnyvale’s zoning map, there are no lands with agricultural zoning designations within the city’s limits (Sunnyvale 2023). According to the county of Santa Clara’s map of Williamson Act properties, there are no lands under the Williams Act contract in the vicinity of the Project Site (SCC Planning 2023). Because the Project Site is not part of a

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Williamson Act contract, no impacts associated with this issue would occur with development of the Project. This issue will not be further evaluated in the EIR.

c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

According to the city of Sunnyvale’s zoning map, there is no existing zoning of forest land or timberland in the city of Sunnyvale (Sunnyvale 2023). Therefore, no impacts to these resources would occur as a result of the Project. This issue will not be further evaluated in the EIR.

d. Result in the loss of forest land or conversion of forest land to non-forest use?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

There is no existing zoning of forest land within the city of Sunnyvale. No forest land would be converted to non-forest use under the Project. Therefore, no impacts would occur as a result of the Project. This issue will not be further evaluated in the EIR.

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?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

There is no farmland in the vicinity of or on the Project Site. The Project would not result in conversion of farmland to non-agricultural uses. No impacts are expected to occur as a result of this Project. This issue will not be further evaluated in the EIR.

3.3 Air Quality

Would the project:

a. Conflict with or obstruct implementation of the applicable air quality plan?			
<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Potentially Significant Impact

The Project would result in air pollutant emissions generated during demolition and construction activities that, if not mitigated, would have the potential to conflict with or obstruct implementation of the Bay Area Air Quality Management District (BAAQMD) air quality plan. Therefore, the Project may have a potentially significant impact. The construction air emissions associated with the Project will be further evaluated in the EIR. Applicable mitigation measures will be identified and included to the extent feasible.

b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			
<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Potentially Significant Impact

The Project would result in air pollutant emissions generated during demolition and construction activities, that, if not mitigated, may violate an air quality standard, or significantly contribute to an existing or projected air quality violation. While the operational impacts may not be potentially significant, due to the size of the Project (approximately two-acres), and the potential for pollutant generation the Project may have a potentially significant impact during construction. These issues will be further evaluated in the EIR. Applicable mitigation measures will be identified and included to the extent feasible.

c. Expose sensitive receptors to substantial pollutant concentrations?			
<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Potentially Significant Impact

The BAAQMD defines sensitive receptors as facilities that house or attract children, the elderly, people with illnesses or others who are especially sensitive to the effects of air pollutants. Hospitals, schools,

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convalescent facilities, and residential areas are examples of sensitive receptors. The Project is in a Public Facilities zone; however, nearby residential receptors and the public accessing the adjacent Civic Center have the potential to be exposed to pollutant concentrations during construction. Therefore, the Project may have a potentially significant impact and this issue will be further evaluated in the EIR. Applicable mitigation measures will be identified and included to the extent feasible.

d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			
<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Potentially Significant Impact

Construction would include the demolition of the existing courthouse as well as the unused structure in the current parking lot. Resurfacing the parking facility would require the application of asphalt and constructing the new courthouse would involve the application of architectural coatings. These materials have the potential to result in odors. Therefore, the Project may have a potentially significant impact and this issue will be further evaluated in the EIR. Applicable mitigation measures will be identified and included to the extent feasible.

3.4 Biological Resources

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 Wildlife or U.S. Fish and Wildlife Service?			
<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Potentially Significant Impact

The Project Site is located within a heavily urbanized area on land currently developed with a single-story building and associated parking. Based on available aerial imagery, the Project Site contains paved walkways and parking lots, manicured lawns, and ornamental trees and vegetation. The Project Site contains no habitat that would be capable of supporting sensitive plant or wildlife species. Lands adjacent to the Project Site have been equally developed and there is no connectivity among the Project Site to areas of natural habitat for sensitive plant or wildlife species. A review of the California Department of Fish and Wildlife’s California Natural Diversity Database (CNDDDB) identified several occurrence records of sensitive plant and wildlife species within ten miles of the Project. However, no CNDDDB records of sensitive plant or wildlife species are located within or adjacent to the Project Site. Construction of the proposed Project will result in similar land use to that for which it is currently utilized and so would not result in substantial habitat modifications. Protected mature trees exist along the perimeter of the property. Existing mature trees are generally located at the perimeter of the State-owned property, where a 25-foot vehicle setback would naturally occur. Additionally, there are a line of trees on the west and two groups of trees on the east of the existing structure. Due to the current level of disturbance at the Project Site and surrounding area, impacts to sensitive habitats or species are unlikely to result from Project implementation. However, a survey of the Project Site will be required to confirm the absence of sensitive habitats and species. If construction is planned within the nesting bird season (generally February to August), a survey for nesting native birds, which are protected by the federal Migratory Bird Treaty Act, will also be required. This issue will be further evaluated in the EIR. Applicable mitigation measures will be identified and included to the extent feasible.

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 Wildlife or U.S. Fish and Wildlife Service?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

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No Impact

The Project Site and surrounding area do not contain any riparian habitat or other sensitive natural communities identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or the U.S. Fish and Wildlife Service (USFWS). Therefore, the Project would not impact a riparian habitat or other sensitive natural communities. This issue will not be further evaluated in the EIR.

c. Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

There are no wetlands located within or in the vicinity of the Project Site. A review of the National Wetlands Inventory Wetlands Mapper and National Hydrography Dataset indicated no wetlands have been previously documented on or adjacent to the Project Site. Therefore, the Project would not impact federally protected wetlands as defined by Section 404 of the Clean Water Act. This issue will not be further evaluated in the EIR.

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, or impede the use of native wildlife nursery sites?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

The Project Site contains an existing building, maintained lawns and ornamental vegetation, and paved parking areas and walkways and is surrounded by similar urban uses. There are no wildlife corridors or wildlife nursery sites present on the Project Site and wildlife species are unlikely to use the Project Site as a migratory corridor due to the urban nature of the surrounding areas. There are no rivers, creeks, or other waterways capable of supporting fish species present on the Project Site. As a result, the Project would have no impact on the movement of any resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors. Therefore, this issue will not be further evaluated in the EIR.

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e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input checked="" type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Less than Significant Impact

The Project would occur on developed land with poor quality habitat to support biological resources. Mature trees exist within the Project site along the perimeter of the property, as well as a line of trees on the west and two groups of trees on the east of the existing courthouse entrance. Chapter 13.16 of the city of Sunnyvale Municipal Code (SMC) requires a permit for maintenance or removal of trees on streets and property within public rights-of-way, and on other property under the ownership and control of the city (with the exception of parks and golf courses). Chapter 19.94 of the SMC requires a protected tree removal permit prior to removal of any protected tree from private property in any zoning district, or from any city owned golf course or park. As the Project site is currently zoned as Public Facilities and is not a city owned golf course or park, it would not fall under this tree preservation ordinance. Although the Judicial Council is not subject to the SMC, project design will take these trees into consideration and would be consistent with the SMC. Under the ECRSP Mitigation Monitoring and Reporting Program, if ground disturbing activities and vegetation removal occur within the nesting bird season (generally February to August) a pre-construction clearance survey for nesting birds is required and appropriate buffers are to be established if active nests are found. As noted above, a survey for nesting native birds will be conducted if construction will occur during the nesting season, and consistent with the ECRSP the Judicial Council will follow appropriate avoidance and mitigation protocols. The Project would have a less than significant impact. This issue will not be further evaluated in the EIR.

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?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

There is no habitat conservation plan or natural community conservation plan in the city of Sunnyvale. Therefore, implementation of the Project would not conflict with any habitat conservation or natural community conservation plans. This issue will not be further evaluated in the EIR.

3.5 Cultural Resources

Would the project:

a. Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?			
<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Potentially Significant Impact

The Community Character chapter of the City of Sunnyvale’s General Plan establishes the criteria for identifying local cultural resources within the City. The City delineates local cultural resources by relating them to their heritage value. The City of Sunnyvale maintains an official Heritage Resources Inventory containing landmarks, trees, residential and commercial districts, and individual structures. According to the Sunnyvale Heritage Resources Inventory Map, no City designated Heritage Resources or Heritage Trees are located within or adjacent to the Project Site (Sunnyvale 2020). According to the ECRSP Land Use Policy LU-P26: “buildings greater than 50 years old shall be subject to a historic resource evaluation prior to undertaking any modifications or demolitions”. Since the existing Sunnyvale Courthouse was originally built in 1967 and is over 50 years old, it would be subject to this local policy. However, because the Judicial Council is the lead agency the Project is not subject to the City of Sunnyvale's General Plan or the requirement that the existing Sunnyvale Courthouse be evaluated as a historic property.

To preserve historic resources, the California State Historic Resources Committee conducts the Historic Resources Inventory and maintains the California Register of Historic Resources (CRHR) identifying historic landmarks and points of interest. The statewide Historic Resources Inventory database is included in the California Historical Resources Information System (CHRIS) and is maintained by the Office of Historic Preservation. The CHRIS Northwest Information Center (NWIC) maintains records for Santa Clara County. The potential to encounter historic resources on the Project Site is low given the Site has been previously disturbed and altered by the construction of the existing Sunnyvale Courthouse. However, a search of the CHRIS/NWIC database will be needed to confirm whether the Project Site has listed historic resources in the Historic Resources Inventory and therefore if there is potential to significantly impact historical resources. This issue will be further evaluated in the EIR. Mitigation measures will be identified if applicable and included to the extent feasible.

b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?			
<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

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Potentially Significant Impact

Similar to the above historical resource discussion, the potential to encounter archaeological resources is very low because the Project Site was previously disturbed and altered by construction of the existing Sunnyvale Courthouse. However, a review of the CHRIS/NWIC database and further field investigation is needed to confirm the absence of archaeological resources on the Project Site. This issue will be further evaluated in the EIR. Mitigation measures will be identified if applicable and included to the extent feasible.

c. Disturb any human remains, including those interred outside of dedicated cemeteries?			
<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Potentially Significant Impact

There is no indication or evidence to suggest the Project Site has been used for human burials in the recent or distant past. Project implementation would involve demolition and other potential earthmoving activities. Human remains are unlikely to be encountered; however, in the event that ground-disturbing activities uncover human remains, they could be inadvertently damaged. A review of the CHRIS/NWIC database and further field investigation is needed to confirm the absence of human remains on the Project Site. This issue will be further evaluated in the EIR. Mitigation measures will be identified if applicable and included to the extent feasible.

3.6 Energy

Would the project:

a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input checked="" type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Less than Significant Impact

Energy use associated with a project typically includes fuel (e.g., gasoline and diesel), electricity, and natural gas. Sources of this use include construction-related vehicle and equipment energy use, transportation energy use from people traveling to and from the Project area during operation and operational facility energy use.

Energy use during construction would occur within two general categories: fuel use by vehicles and other equipment to conduct construction activities and fuel use from vehicles used by workers commuting to and from the construction site. There are no known conditions in the proposed Project area that would require nonstandard equipment or construction practices that would increase fuel-energy consumption above typical equipment fuel consumption rates. Construction activities would be temporary and would adhere to all construction Best Management Practices (BMPs). Furthermore, the Judicial Council intends to conform the Project, to the greatest reasonable extent, with state law requiring new state buildings larger than 10,000 gross square feet to be Leadership in Energy and Environmental Design (LEED) Silver certified; LEED provides a rating system and symbol for sustainable and environmentally sound buildings and projects that reduce energy use.

Operational energy consumption would be associated with electricity to run various appliances and equipment, including space and water heaters, air conditioners, ventilation equipment, lights, and numerous other electronic devices. The Project area is served by Pacific Gas & Electricity (PG&E). PG&E provides natural gas and electric service to approximately 16 million people throughout a 70,000-square-mile service area in northern and central California. The Project's electricity demand would be nominal compared to overall demand in the service area. Therefore, the projected electrical demand would not significantly impact PG&E's level of service.

Project construction and operation would not result in the wasteful, inefficient, or unnecessary consumption of energy resources, and impacts would be less than significant. This issue will not be further evaluated in the EIR.

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b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input checked="" type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Less than Significant Impact

The applicable state plans that address renewable energy and energy efficiency include CALGreen which is found in the California Energy Code (Title 24, Part 11 of the California Code of Regulations). CALGreen is the first in the nation state-mandated green building code. The code places emphasis on energy efficiency. The Project would be required to meet the mandatory energy requirements of 2022 CALGreen and the 2022 California Energy Code and would benefit from the efficiencies associated with these regulations as they relate to building heating, ventilating, and air conditioning mechanical systems, water-heating systems, and lighting.

The City of Sunnyvale Climate Action Plan describes renewable and efficient energy initiatives in its Climate Action Playbook. One strategy includes electrifying municipal buildings upon rebuild or significant remodel in the Civic Center. Additionally, the “Energy Code for the City of Sunnyvale” (Ord. 3168-20 § 1) requires that a building constructed after January 1, 2021, is required to comply with the All-Electric Building standard. The All-Electric Building standard helps achieve the local all-electric movement with the update of municipal buildings and facilities.

The proposed Project would be required to meet the mandatory energy requirements of 2022 CALGreen and the 2022 California Energy Code. Additionally, the proposed Project would be consistent with the City of Sunnyvale Climate Action Plan. Therefore, the proposed Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency, and impacts would be less than significant. This issue will not be further evaluated in the EIR.

3.7 Geology and Soils

Would the project:

a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:			
i. Rupture of a known earthquake fault, as delineated 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.			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

The Alquist-Priolo Earthquake Fault Zoning Act (Act) mitigates fault rupture hazards by prohibiting the location of structures for human occupancy across the trace of an active fault. The Act requires the State Geologist to delineate "Earthquake Fault Zones" along faults that are "sufficiently active" and "well defined." The boundary of an "Earthquake Fault Zone" is generally 500 feet from major active faults and from 200 to 300 feet from well-defined minor faults. These maps are distributed to all affected cities, counties, and State agencies for their use in developing planning policies and controlling renovation or new construction. The Project Site is not identified as being within an Alquist-Priolo Earthquake Fault Zone (DOC 2021). The nearest Alquist-Priolo Earthquake Fault Zone is the Mindego Hill Fault Zone and San Andreas Fault both located approximately eight miles to the southwest of the Project Site. As such, no fault rupture impact would result from the implementation of this Project. This issue will not be further evaluated in the EIR.

ii. Strong seismic ground shaking?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input checked="" type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Less than Significant Impact

Like all of Northern California, the Project Site has and would continue to be subject to ground shaking generated from activity on local and regional-faults. As identified above, the Project Site is not within an earthquake fault zone. The Project Site has the potential to be subject to seismic ground shaking and failure during a major earthquake along the San Andreas Fault, located eight miles to the southwest (DOC 2021). The intensity of the ground shaking would depend on the distance to the epicenter and the geology of the areas between the epicenter and the Project area.

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In accordance with the California Building Code (California Code of Regulations, Title 24), seismic structure design requirements would be based on the Seismic Design Category (SDC) for the proposed structures, which is based on the Occupancy Category for the structure and on the level of expected soil modified seismic ground motion. Compliance with the seismic design requirements specified by the California Building Code would reduce the potential impacts from seismic ground shaking and ground failure on building occupants and structures to a less than significant level. This issue will not be further evaluated in the EIR.

iii. Seismic-related ground failure, including liquefaction?			
<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Potentially Significant Impact

Liquefaction occurs when loose, unconsolidated, water-laden soils are subject to shaking, causing the soils to lose cohesion. According to the California Earthquake Hazards Zone Application Map (2021), the Project Site is not located within a liquefaction zone. The nearest liquefaction zone is the Mountain View Quadrangle, located 0.6 mile to the north of the Project Site. Although the Project Site is not located within a liquefaction zone and given its proximity to the Mountain View Quadrangle, local geological, geotechnical, and groundwater conditions could indicate a potential for permanent ground displacements such that mitigation as defined in Public Resources Code Section 2693(c) would be required. Therefore, the Project may have a potentially significant impact. This issue will be further evaluated in the EIR. Applicable mitigation measures will be identified and included to the extent feasible.

iv. Landslides?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input checked="" type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Less than Significant Impact

According to the United States Geological Survey Map, the area contains no major landforms, is relatively flat, and contains no potential for landslides (USGS 2023). The nearest landform is the Rancho San Antonio County Parks and Open Space area located approximately 3.9 miles to the southwest. Additionally, a review of the State of California Seismic Hazards Zones (2021) – Cupertino Quadrangle Map indicates that the Project area is not located within an “Earthquake-Induced Landslides” zone, which is defined as an area where previous occurrence of landslide movement or local topographic, geological, geotechnical, and subsurface water conditions indicate a potential for permanent ground displacement such that mitigation as defined in Public Resources Code Section 2693(c) would be required. The nearest Earthquake-Induced Landslide zone is located approximately 3.8 miles to the southwest. Impacts associated with landslides are anticipated to be less than significant. This issue will not be further evaluated in the EIR.

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b. Result in substantial soil erosion or the loss of topsoil?			
<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Potentially Significant Impact

During construction of the Project, there may be potential changes to the soil, due to excavation, grading, and filling. These changes may have the potential to result in soil erosion and/or loss of top soil. Construction may temporarily expose the soil to wind and/or water erosion. In addition, grading and excavation could potentially result in substantial soil erosion or loss of top soil. Therefore, the Project may have a potentially significant impact. This issue will be further evaluated in the EIR. Mitigation measures will be identified if applicable and included to the extent feasible.

c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			
<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Potentially Significant Impact

The Project has the potential to be located on a geologic unit that could be geologically unstable and potentially result in lateral spreading, subsidence, liquefaction or collapse. Therefore, the Project may have a potentially significant impact. This issue will be further evaluated in the EIR. Mitigation measures will be identified if applicable and included to the extent feasible.

d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			
<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Potentially Significant Impact

Expansive soils generally have a significant amount of clay particles which can give up water (shrink) or take on water (swell). The change in volume exerts stress on buildings and other loads placed on these soils. The extent of shrink/swell is influenced by the amount and kind of clay in the soil. The occurrence of these soils is often associated with geologic units having marginal stability. The distribution of expansive soils can be widely dispersed, and they can occur in hillside areas as well as low-lying alluvial basins. A Natural Resource Conservation Service (NRCS) Web Soil Survey (WSS) search was conducted for the

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Project Site. The WSS search identified the Project Site is underlain by Urban land-Elpaloalto complex, which is predominately comprised alluvial sediments, specifically clay loam sediments (NRCS 2023). A Geotechnical Investigation has not been conducted for the Project Site to characterize subsurface conditions. Therefore, the Project may have a potentially significant impact. This issue will be further evaluated in the EIR. Mitigation measures will be identified if applicable and included to the extent feasible.

e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

The Project would connect to the existing City’s wastewater system and would not require the construction and use of septic tanks or alternative wastewater disposal system. Therefore, the Project would have no impact. This issue will not be further evaluated in the EIR.

f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?			
<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Potentially Significant Impact

The Project would redevelop an existing courthouse and associated parking area. Demolition and construction activities would require ground disturbance and pending the final layout, and depth of foundation, may disturb areas beyond what have been previously disturbed. Therefore, the Project may directly or indirectly destroy a unique paleontological resource onsite or unique geologic feature and will need to be further evaluated in the EIR. Mitigation measures will be identified if applicable and included to the extent feasible.

3.8 Greenhouse Gas Emissions

Would the project:

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			
<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Potentially Significant Impact

Construction and operation of the Project could increase greenhouse gas (GHG) emissions which have the potential to either individually or cumulatively result in a potentially significant impact on the environment. The Project may have a potentially significant impact and this issue will be further evaluated in the EIR. Mitigation measures will be identified if applicable and included to the extent feasible.

b. Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			
<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Potentially Significant Impact

Assembly Bill (AB) 32, the California Global Warming Solutions Act of 2006, was signed by the Governor on September 27, 2006, to further the goals of Executive Order S-3-05 (Health and Safety Code, S38500 et seq.). On September 8, 2016, SB 32 was enacted to require that statewide greenhouse gas emissions are reduced to at least 40 percent below the 1990 level by 2030. On September 16, 2022, AB 1279 was signed into law that requires the state to reduce statewide GHG emissions by 85 percent compared to 1990 levels and achieve net zero GHG emissions by 2045. In line with SB 32 and AB 1279, the California Air Resources Board (CARB) approved the 2022 Scoping Plan on December 15, 2022, which sets a blueprint for the state to meet these reduction goals.

Implementation of the Project could potentially conflict with the applicable plan, policy, or regulation for the purpose of reducing emissions of GHG's. The Project may have a potentially significant impact and this issue will be further evaluated in the EIR. Mitigation measures will be identified if applicable and included to the extent feasible.

3.9 Hazards and Hazardous Materials

Would the project:

a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			
<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Potentially Significant Impact

The Project includes the demolition of the existing courthouse and parking area, and construction of a new up to three-story courthouse facility and parking zone. A Phase I ESA was completed for the Project in November 2023 and did not identify any recognized environmental conditions (RECs), controlled recognized environmental conditions (CRECs), or business environmental risks (BERs) associated with the Project Site. However, two historical recognized environmental conditions (HRECs) were identified, both of which involve closed leaking underground storage tank cases. One of these cases pertains to gasoline-impacted soil associated with the south-southwestern-adjacent site (located at 666 West El Camino Real) to the Project Site. The other case pertains to gasoline-impacted groundwater associated with a site located approximately 270 feet southwest (estimated to be upgradient) of the Project Site. No additional assessment was recommended for either of the HRECs identified based on the proximity and upgradient hydrologic positions of the sites to the Project Site and the closed regulatory status of the cases.

The Project would require the demolition of existing structures onsite which could cause a significant hazard if demolition activities were to occur on buildings with a presence of asbestos containing materials (ACM) and lead based paint (LBP). The existing courthouse was constructed in 1967, therefore there is the potential presence of ACM and LBP in the building materials and shallow site soil. The Phase I ESA identified that if demolition, renovation, or re-roofing of the building is planned, an asbestos survey is required by local authorities and/or National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines. NESHAP requires the removal of potentially friable ACMs prior to building demolition that may disturb the ACMs. Removal of LBP is not required if it is bonded to the budlings material. However, if the LBP is flaking, peeling, or blistering, it is required to be removed before demolition. In either case, applicable Occupational Safety and Health Administration requirements must be followed. Any debris or soil containing LBP must be disposed of appropriately.

Additionally, the Phase I ESA identified the Project Site as historically used for agricultural purposes between at least 1939 and 1956. Based on this historic agricultural use, there is potential agricultural chemicals such as organochlorine pesticides, chlorinated herbicides, and fertilizers were used on the Project Site and adjacent areas, and near-surface soils may contain these compounds resulting from direct onsite application, or from surface runoff from adjacent sites. The potential presence of these compounds in shallow site soil should be managed appropriately with planned subsurface disturbance of

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the Project Site. The Project has the potential to expose the public or the environment during the transportation and disposal of hazardous materials generated during construction activities. Therefore, the Project may have a potentially significant impact. This impact will be further evaluated in the EIR. Mitigation measures will be identified if applicable and included to the extent feasible.

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?			
<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Potentially Significant Impact

The Project includes the demolition and redevelopment of new courthouse facilities and parking area. Given that the Project would demolish existing long-standing structures that may contain ABM and LBP, workers and the public may be exposed to asbestos and lead via inhalation of demolition dust. The Project also has the potential to create a hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment should subsurface soil impacts be encountered during construction. Operation of the Project would include traditional courthouse and judiciary activities that would not involve the use of hazardous materials and would not create a significant hazard to the public or the environment. Although operation of the Project is anticipated to have a less than significant impact, construction and demolition of the existing structures has the potential to expose the public to hazardous materials. Therefore, the Project may have a potentially significant impact. This impact will be further evaluated in the EIR. Mitigation measures will be identified if applicable and included to the extent feasible.

c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input checked="" type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Less than Significant Impact

The nearest school to the Project Site is Little Tree Montessori International School of Sunnyvale, located approximately 0.24 mile to the northwest. Although Little Tree Montessori is located within one-quarter mile of the Project Site, operation of the Project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste. Construction associated with the Project would result in low amounts of hazardous emissions from construction equipment and activities; however, these low-level emissions would be temporary impacts and not likely to traverse the quarter-mile distance to Little Tree Montessori. Therefore, the Project impact would be less than significant. This impact will not be further evaluated in the EIR.

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d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

The Project Site is not located on a list of hazardous materials sites compiled pursuant to Government Code § 65962.5. The nearest hazardous waste site is the Sunnyvale Fuel Dock (T0608598524), located 500 feet to the northeast of the Project Site (SWRCB 2023). This site is a Clean-Up Site for gasoline contaminants and was designated as Case Closed on December 21, 1990. Therefore, the Project would have no impact. This impact will not be further evaluated in the EIR.

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 or excessive noise for people residing or working in the project area?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

The Project Site is not located within an airport land use plan or within two miles of a public or private use airport. The closest airport to the Project site is Moffat Federal Airfield, located approximately 2.5 miles to the northeast of the Project Site. Given that the Project is not located within an airport land use plan or within two miles of an existing airport, the Project would not result in a safety hazard for Judicial Council employees or patrons. The Project would not result in a safety hazard or excessive noise for people residing or working in the Project site. Therefore, the Project would have no impact. This impact will not be further evaluated in the EIR.

f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input checked="" type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Less than Significant Impact

The Project would be designed, constructed, and maintained in accordance with applicable standards, resulting in the provision of adequate vehicular access that would provide for adequate emergency

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access and evacuation. Construction activities that may temporarily restrict vehicular traffic would be required to implement adequate and appropriate standards to facilitate the passage of persons and vehicles through/around any required road closures. Adherence to these standards would reduce potential impacts related to this issue to a less than significant level. This impact will not be further evaluated in the EIR.

g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

The Project Site is not located within the wildfire hazard zone as specified by the California Department of Forestry and Fire Protection (CalFIRE) Fire Hazard Severity Zone (FHSZ) Viewer (CalFIRE 2023). Areas surrounding the Project Site consist of urban development with minimal ground cover or vegetation. Because of lack of abundant vegetation and the amount of commercial and residential development within the vicinity of the Project Site, on-site and adjacent areas do not have the capability to support a wildfire. Therefore, the Project does not have the potential to expose people or structures to a significant risk of loss, injury or death involving wildland fires. No impact would occur; this impact will not be further evaluated in the EIR.

3.10 Hydrology and Water Quality

Would the project:

a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			
<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Potentially Significant Impact

The proposed Project would disturb an area greater than one acre. Therefore, a National Pollutant Discharge Elimination System (NPDES) Permit from the San Francisco Regional Water Quality Control Board (RWQCB) and preparation of a Storm Water Pollution Prevention Plan (SWPPP) will be required. As the Project involves activities and materials during construction that could contribute to stormwater quality impacts, it is conservatively assumed that the Project has the potential to violate a water quality standard or waste discharge requirement. Therefore, the Project may have a potentially significant stormwater impact and this issue will be further evaluated in the EIR. Mitigation measures will be identified if applicable and included to the extent feasible.

b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input checked="" type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Less than Significant Impact

The Project includes the demolition of the existing single-story courthouse and parking area, and construction of a new up to three-story courthouse and parking area within the same general footprint. The Project is not expected to create significantly more paved/impervious surfaces than existing conditions. The Project will cover a very minor portion of the local groundwater recharge area and will be used in a manner similar to its current use. Therefore, the Project is not expected to deplete groundwater supplies or interfere substantially with groundwater recharge and would have no impact. This issue will not be further evaluated in the EIR.

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c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:			
i. Result in a substantial erosion or siltation on- or offsite;			
<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Potentially Significant Impact

The Project site and surrounding areas do not contain streams, rivers, or ephemeral drainage features and so implementation of the Project would not alter the existing course of any streams or rivers. The Project includes redevelopment of the existing site with a similar use that would have an equivalent amount of impervious surface subject to stormwater flows via surface sheet flow. Operation of the Project would not substantially alter the existing drainage pattern of the site or area in a manner which would result in substantial erosion or siltation on- or off-site.

Construction of the Project would involve land disturbances that temporarily alter site drainage and expose site soils to erosion. Project construction has the potential to alter the existing drainage pattern of the site or area in a manner which may result in substantial siltation off-site. However, with the implementation of a SWPPP these impacts are anticipated to be less than significant. This issue will not be further evaluated in the EIR.

ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input checked="" type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Less than Significant Impact

The proposed Project would result in comparable amounts of impervious surfaces to the existing conditions. Currently, stormwater flows via surface sheet flow to existing localized gutters and local storm drains. Because the Project will result in a similar use to that which is existing on-site, operation of the Project would not substantially alter the existing drainage pattern of the site or area or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Project construction does not include a component with the potential to increase surface runoff in a manner that would result in on- or off-site flooding. Additionally, a SWPPP will be prepared and implemented during Project construction to reduce surface runoff. No impact related to this issue is anticipated to occur. This issue will not be further evaluated in the EIR.

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iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drain-age systems or provide substantial additional sources of polluted runoff; or			
<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Potentially Significant Impact

The Project does not include a component that would increase demand on stormwater drainage systems. Once operational, the Project would result in a similar use to that of the current site and would not provide substantial additional sources of polluted runoff. However, as Project construction involves activities and materials that could temporarily contribute to stormwater quality impacts, it is conservatively assumed that the Project has the potential to temporarily increase the amount of polluted runoff. Therefore, the Project may have a potentially significant stormwater impact and this issue will be further evaluated in the EIR. Mitigation measures will be identified if applicable and included to the extent feasible.

iv. Impede or redirect flood flows?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

The Project is not within a 100-year flood hazard area as identified on the Flood Insurance Rate Map (Panel 06085C0206H, effective 5/18/2009) (FEMA 2023). The Project proposes to redevelop a courthouse and associated parking area within the same general footprint as the existing courthouse and parking area and does not involve any substantial changes to the existing grade of the site. Because the Project Site is not located within a 100-year flood hazard zone and the resulting use of the Project Site will be similar to its current use, no impact related to this issue is anticipated to occur. This issue will not be further evaluated in the EIR.

d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

A tsunami is a series of waves generated in a body of water by a pulsating or abrupt disturbance that vertically displaces water. Seiches are oscillations in enclosed bodies of water that are caused by a

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number of factors, most often wind or seismic activity. There are no bodies of water near the Project site that would be subject to a seiches or tsunami. Due to the relatively flat topography in the vicinity of the Project site and the lack of nearby major landforms, it is unlikely that a mudflow would impact the site. No impacts are anticipated from inundation, seiche, tsunami, or mud flow. These issues will not be further evaluated in the EIR.

e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			
<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Potentially Significant Impact

The Project Site overlies the Santa Clara Subbasin, which is managed by the Santa Clara Valley Water District through its Groundwater Management Plan. Additionally, the Project is located within the jurisdiction of the San Francisco RWQCB, which manages surface waters through its Basin Plan. As the Project involves replacing an existing courthouse facility currently adhering to all applicable policies and regulations, and an appropriate NPDES permit will be obtained and implemented during construction, implementation of the Project is not anticipated to conflict with any water quality control plan or sustainable groundwater management plan. These issues will not be further evaluated in the EIR.

3.11 Land Use and Planning

Would the project:

a. Physically divide an established community?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

The Project involves demolishing the existing courthouse facility and replacing it with a new multi-level courthouse facility. The Project Site is within the Public Facilities zoned Civic Center with no existing residential uses located on the property. The Project would not entail the displacement of any residential uses, or the use of any land designated for residential uses. Therefore, the Project would have no impact and would not disrupt or physically divide an established community. The issue will not be further evaluated in the EIR.

b. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

The Project is consistent with the surrounding development and does not conflict with the adopted plans for the purpose of avoiding or mitigating an environmental effect. Chapter 4 of the ECRSP covers land use and development standards within the plan area and notes only a few of the included land use policies are applicable to the future redevelopment of sites within the ECR-PF zoning district, in which the Project is located. The Project is consistent with applicable land use policies in the ECRSP such as LU-P4 requiring pedestrian-oriented building design with strategically designed publicly accessible areas, LU-P6 encouraging development at the maximum intensities allowable in order to maximize the provision of neighborhood-serving amenities, and LU-P8 aimed at maximizing development intensities (while protecting nearby lower intensity land uses) as one tool to support transit usage. Additionally, according to the ECRSP, the Project site does not fall within an area with 'daylight plane' requirements, which refer to height limitations used to define the building envelope within which new structures or additions must be contained, are applicable.

The Project is within Santa Clara County, which is one of the nine San Francisco Bay Area counties covered by the Plan Bay Area 2050. The Plan Bay Area 2050 is an integrated transportation and land use/housing strategy adopted in 2021 by the Metropolitan Transportation Commission and the Executive Board of the Association of Bay Area Governments. The Project would be consistent with applicable land

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use policies outlined in the Plan Bay Area 2050 such as Environmental Strategies 3 and 5, which aim to support electrification and resilient power system upgrades in all public and commercial buildings and to maintain urban growth boundaries by focusing new development within existing urban footprints, respectively.

Chapter 19.36 of the SMC pertains specifically to the El Camino Real Specific Plan District wherein the Project Site is located and contains no policies or regulations which would conflict with the Project. Per section 19.36.060 of the SMC, as a facility used by government agencies for government purposes, the Project is a permitted use in the ECR-PF zoning district. The Project is a permitted use in the Public Facilities zone and is not anticipated to conflict with any applicable land use plan, policy, or regulation. Therefore, the Project would have no impact related to this issue. This issue will not be further evaluated in the EIR.

3.12 Mineral Resources

Would the project:

a. Result in the loss of availability of a known mineral resource that would be a value to the region and the residents of the state?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

According to California Department of Conservation’s report *Update of Mineral Land Classification: Aggregate Minerals in the South San Francisco Bay Production-Consumption Region* (1996) no minerals or aggregate resources of statewide importance are located within the city of Sunnyvale. The Project Site is located within a substantially urbanized area and is not designated in the city of Sunnyvale’s General Plan, the ECRSP, or the Zoning Code for any extractive use. No mineral resource extraction, recovery, or processing activities are underway on or adjacent to the Project Site. Implementation of the Project would therefore have no impact on the availability of known mineral resources in the Project vicinity currently available for extraction. This issue will not be further evaluated in the EIR.

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?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

The Project Site is located within a substantially urbanized area surrounded by similarly urbanized uses, limiting its potential for mineral resource conservation or extraction. Additionally, the Project Site is not classified as an area of locally important mineral resource recovery. As such, no impact related to this issue would occur. This issue will not be further evaluated in the EIR.

3.13 Noise

Would the project:

a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			
<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Potentially Significant Impact

A temporary increase in noise due to construction related activities of the Project is anticipated but would cease upon Project completion. Because the Project would involve replacing an existing currently vacant 19,994 SF one-story building with a larger 50,000 SF up to three-story facility there is a potential for permanent increases in ambient noise associated with an increase in the volume of staff and visitors to the new courthouse. Since construction activities may generate temporary noise in excess of local noise standards and there is potential the Project could result in a permanent increase in ambient noise levels in the Project vicinity, the Project may have a potentially significant impact. This issue will be further evaluated in the EIR. Mitigation measures will be identified if applicable and included to the extent feasible.

b. Generation of excessive groundborne vibration or groundborne noise levels?			
<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Potentially Significant Impact

Vibration refers to groundborne noise and perceptible motion. Typical sources of groundborne vibration and noise are construction activities (e.g., operating heavy-duty earthmoving equipment), steel-wheeled trains, and occasional traffic on rough roads. As the Project involves the replacement of the current single-story Sunnyvale Courthouse building with a new up to three-story Sixth Appellate District Courthouse, groundborne vibration and noise generated after construction is completed would be similar to existing conditions. During construction, groundborne vibration and noise may be generated by large trucks and other heavy equipment during demolition, grading, and construction of buildings. The Project may have a potentially significant impact. This issue will be further evaluated in the EIR. Mitigation measures will be identified if applicable and included to the extent feasible.

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c. For a project located within the vicinity of a private airstrip or 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?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

The Project Site is located approximately 2.20 miles southeast of the Moffett Federal Airfield Airport and the city of Sunnyvale is within the boundaries of The Moffett Federal Airfield Comprehensive Land Use Plan (CLUP). However, per The Moffett Federal Airfield CLUP, the Project Site is located outside of the Moffett Federal Airfield Airport Influence Area (AIA). As such, the Project Site is not located within the noise, safety, or height restriction zones delineated in the CLUP. There are no private airstrips located within the vicinity of the Project. Therefore, no impacts to excessive airport-related noise levels or excessive private airstrip-related noise levels in the vicinity of the Project Site would occur. This issue will not be further evaluated in the EIR.

3.14 Population and Housing

Would the project:

a. Induce substantial unplanned 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)?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

The Project involves the relocation of the Sixth Appellate District Courthouse from its leased office building to the site of the existing vacant Sunnyvale Courthouse. It would not create new housing or businesses, nor would it extend any roadway infrastructure. Relocation of jobs is not expected to create an increase in the need for housing, as the relocation of the court is less than 12 miles from the existing Sixth Appellate District Courthouse. Therefore, the Project would not have impacts related to population growth. This issue will not be further evaluated in the EIR.

b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

The Project would not result in the removal or demolition of any residential units because there are no existing residential units on the property. The Project would not entail the displacement of any residential uses, or the use of any land designated for residential uses. Additionally, the Project would not have impacts relating to the displacement of people. Therefore, no impacts would occur, and this issue will not be further evaluated in the EIR.

3.15 Public Services

Would the project:

a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, 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:			
i. Fire Protection?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

The City of Sunnyvale is served by the Department of Public Safety which is one of the few fully integrated police and fire departments in America. Public Safety Officers are cross-trained as police officers, firefighters and emergency medical technicians (EMTs). The Civic Center Master Plan details the anticipated construction of the Public Safety Headquarters which will include an Emergency Operations Center in Phase 1 of the Civic Center updates. This center would provide on-site emergency services to the proposed Project once in operation. The current nearest fire station is the Sunnyvale Fire Department located at 700 All America Way, within the Civic Center. The Project would comply with all Fire Department standards and policies and would not result in the need for any new facilities to maintain performance objectives for fire protection. Therefore, there would be no impact and the issue will not be further evaluated in the EIR.

ii. Police Protection?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

The City of Sunnyvale Police Department is co-located with the Fire Department at 700 All America Way Sunnyvale, in the Civic Center. Existing law enforcement service in the area would adequately meet the demand for police protection services under the Project. Constructing and operating the new courthouse would not require additional services beyond those currently provided. The existing Sixth District courthouse is served by both the California Highway Patrol (CHP), which provides security outside the courthouse, and Santa Clara County law enforcement, which provides security inside the courthouse. Relocation of the courthouse within Santa Clara County will not have an impact on CHP or police

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protection for court officers, employees, and citizens. Therefore, the Project would have no impact. This issue will not be further evaluated in the EIR.

iii. Schools?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

The Project involves the relocation of the Sixth Appellate District to a new permanent courthouse location and would not result in any population increases or shifts in population. The Project would not include any introduced residential population and therefore, the Project would have no impact on local schools. This issue will not be further evaluated in the EIR.

iv. Parks?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

The Project would not entail the construction of residential or commercial uses that would result in an increase in park usage or meet the need for additional parks. Therefore, Project would have no impact. This issue will not be further evaluated in the EIR.

v. Other public facilities?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

The Project is not anticipated to adversely affect the City's overall ability to provide services Citywide including school and library services, nor would it create any significant increase in demand for such services. Therefore, the Project would have no impact. This issue will not be further evaluated in the EIR.

3.16 Recreation

Would the project:

a. Would the project 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?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

The Project would not entail the construction of residential or commercial uses that would result in an increased use of area parks or recreation facilities. There are no increases to the use of existing neighborhood or regional parks or other recreation facilities such that substantial physical deterioration of the facility would occur or be accelerated. Therefore, no impacts related to the physical deterioration of a park associated with the Project would occur. This issue will not be further evaluated in the EIR.

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?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

The Project involves the construction and redevelopment of new courthouse facilities and parking area. The Project does not include the construction of recreational facilities either on or off the Project property. Therefore, the Project would have no impacts. This issue will not be further evaluated in the EIR.

3.17 Transportation

Would the project:

a. Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			
<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Potentially Significant Impact

The proposed Project would include seventeen (17) secured parking spaces for justices and approximately sixty (60) surface parking spaces for the public and staff. Because the Project would involve replacing an existing one-story building with a up to three-story facility with additional parking, there is a potential for increases in the amount of traffic associated with an increase in the volume of staff and visitors to the new courthouse. Additionally, some of the site layouts proposed in the New Courthouse Feasibility Study include access to the Project Site in addition to the current entrance from El Camino Real, which would need to be evaluated. Project construction could potentially significantly increase vehicular traffic that could affect the performance of the surrounding street system as a result of construction worker trips, as well as haul truck and delivery trips. The Land Use and Transportation Chapter of the City of Sunnyvale’s General Plan suggests that transportation performance metrics for assessing the Project’s impact should consist of both a traditional approach using level of service (LOS) and a new approach using vehicle miles traveled (VMT). The Project could potentially significantly impact an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of a circulation system during construction and operation. Therefore, the Project may have a potentially significant impact. This issue will be further evaluated in the EIR. Mitigation measures will be identified if applicable and included to the extent feasible.

b. Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?			
<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Potentially Significant Impact

Section 15064.3 of the CEQA Guidelines addresses specific considerations for evaluating a project’s transportation impacts, generally using VMT as a measurement. Subdivision (b) of Section 15064.3 provides criteria for analyzing transportation impacts. Subdivision (b) (1) states a less than significant impact should generally be assumed for land use projects within one-half mile of either an existing major transit stop or a stop along an existing high-quality transit. However, this presumption may not apply if information indicates a project could still generate significant levels of VMT. The Project Site is served by VTA bus stops, but the Sunnyvale Transit Center is located seven blocks (approximately 0.65 mile) to the

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northeast of the Project site. To confirm the Project would be consistent with CEQA Guidelines § 15064.3, subdivision (b) further analysis would be warranted. Therefore, the Project may have a potentially significant impact. This issue will be further evaluated in the EIR. Mitigation measures will be identified if applicable and included to the extent feasible.

c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

The Project would be constructed in the existing boundaries of the current Sunnyvale Courthouse facility. Roadway improvements in and around the Project Site have not changed and would continue to be consistent with all local requirements for street widths, corner radii, intersection control, and design standards tailored specifically to site access requirements. Therefore, the Project will have no impact. This issue will not be further evaluated in the EIR.

d. Result in inadequate emergency access?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

The Project's emergency access would not change in design from the existing access. The Project would be required to be designed, constructed, and maintained to provide for adequate emergency access and evacuation. Construction activities, which may temporarily restrict vehicular traffic, would be required to implement adequate and appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures. A less than significant impact related to this issue would occur. This issue will not be further evaluated in the EIR.

3.18 Tribal Cultural Resources

Would the project:

a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code § 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:			
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or			
<input checked="" type="checkbox"/>	Potentially Significant Impact	<input type="checkbox"/>	Less than Significant with Mitigation Incorporated
<input type="checkbox"/>		<input type="checkbox"/>	Less than Significant Impact
<input type="checkbox"/>		<input type="checkbox"/>	No Impact

Potentially Significant Impact

The potential to encounter intact historic resources on the Project Site is low given the Site has been previously disturbed and altered by the construction of the existing Sunnyvale Courthouse. Consultation with traditionally and culturally affiliated California Native American tribes, and a search of the CHRIS/NWIC database and California Native American Heritage Commission’s Sacred Lands File will be needed to confirm the presence or absence of tribal cultural resources on the Project site that are listed or eligible for listing on the California Register of Historical Resources. It is assumed that the proposed Project may have a potentially significant impact on tribal cultural resources until tribal consultation and review are completed. This issue will be further evaluated in the EIR. Mitigation measures will be identified if applicable and included to the extent feasible.

ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code § 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code § 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.			
<input checked="" type="checkbox"/>	Potentially Significant Impact	<input type="checkbox"/>	Less than Significant with Mitigation Incorporated
<input type="checkbox"/>		<input type="checkbox"/>	Less than Significant Impact
<input type="checkbox"/>		<input type="checkbox"/>	No Impact

Potentially Significant Impact

Pursuant to Assembly Bill 52, California Native American tribes who have formally requested notification on CEQA projects will be notified that the Judicial Council proposes to undertake the Project. This notification affords California Native American tribes the opportunity for consultation pursuant to Public Resources Code § 21080.3.1. This Initial Study was prepared prior to the 30-day period that each

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California Native American tribe has after receipt of the above referenced notification to request consultation. As a result, it is assumed that the proposed Project may have a potentially significant impact pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1 to a resource considered significant to a California Native American tribe until consultation is completed. This issue will be further evaluated in the EIR. Mitigation measures will be identified if applicable and included to the extent feasible.

3.19 Utilities and Service Systems

Would the project:

a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input checked="" type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Less than Significant Impact

The Project Site is served by existing utilities that will be expanded to support the operation of the new building. The Project would redevelop an existing courthouse facility and utility needs would not substantially differ from those currently available on the Project Site. Additionally, according to the ECRSP, it has been determined existing public utilities are generally able to accommodate growth within the plan area with minimal changes to infrastructure. The Project will not require substantial construction or relocation of utilities and a less than significant impact associated with this issue would occur. This issue will not be further evaluated in the EIR.

b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input checked="" type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Less than Significant Impact

The Project Site was utilized as the Sunnyvale Courthouse up until 2016. Water needs for the updated courthouse facilities are not anticipated to be substantially greater than that of the previous use and would be nominal given the overall level of development in the surrounding areas. According to the Environmental Management chapter of the City of Sunnyvale’s General Plan, the city has adequate supply commitments and facilities to consistently fulfill the anticipated water requirements of residents and businesses for the foreseeable future. There are sufficient water supplies available to serve the Project from existing entitlements. A less than significant impact associated with this issue would occur. This issue will not be further evaluated in the EIR.

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c. 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?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input checked="" type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Less than Significant Impact

The City of Sunnyvale currently provides wastewater treatment services to the Project Site and would continue to provide services to the new courthouse facility. According to the ECRSP, wastewater to the plan area, and therefore the Project site, is conveyed through the city's wastewater collection system to the Donald M. Somers Water Pollution Control Plant (WPCP). While the ECRSP states the WPCP is currently operating at approximately 50 percent of its capacity, it notes additional wastewater treatment and infrastructure capacity improvements would be needed to serve future development in the city, and a wastewater capacity analysis will be required on an individual project basis. While wastewater treatment requirements for the proposed Project are not anticipated to be substantially greater those currently provided, further analysis would be needed to confirm there is an adequate capacity to accommodate a larger courthouse facility. This issue is to be further evaluated in the EIR.

d. Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input checked="" type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Less than Significant Impact

Solid waste generation may increase during the demolition and construction phase of the Project. The Project would involve demolition of the existing single-story courthouse building and approximately 45,000 SF of existing parking and surfacing, which would generate demolition waste such as asphalt, concrete, and scrap metal. Similar to existing conditions on the Project Site, waste generated by operation of the new courthouse and associated facilities would be properly managed and/or disposed of in compliance with applicable federal, state, and local statutes and regulations related to solid and hazardous waste management. The amount of waste disposed would remain similar to existing conditions and additional capacity would not be required. Therefore, operational impacts of the Project would be less than significant. This issue will not be further evaluated in the EIR.

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e. Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input checked="" type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Less than Significant Impact

Solid waste generated during construction would be disposed of in accordance with applicable statutes and regulations. Solid waste generated during operation of the new courthouse will be disposed of in a manner similar to that of the current site, which is in compliance with all federal, state, and local statutes and regulations. Adequate solid waste storage areas will be incorporated at the Project site and waste will be stored in a manner consistent with applicable federal, state, and local statutes and regulations. Solid waste collection vehicles will be given adequate access to the designated waste storage areas for disposal. Therefore, the Project would follow applicable federal, state, and local statutes and regulations related to solid waste and impacts would be less than significant. This issue will not be further evaluated in the EIR.

3.20 Wildfire

Would the project:

a. Substantially impair an adopted emergency response plan or emergency evacuation plan?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input checked="" type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Less than Significant Impact

The Project site is located in an existing developed area with close access to major roadways that would allow for emergency evacuation. It is additionally located adjacent to Public Safety departments for easy accessibility to emergency responses. Therefore, the Project would not impair implementation of, or physically interfere with emergency response and impacts would be less than significant. This issue will not be further evaluated in the EIR.

b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input checked="" type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Less than Significant Impact

As shown on the California Department of Forestry and Fire Protection Hazard Severity Zones Map, the Project site is not located within land mapped as a fire hazard severity zone. The Project would be developed in a part of the City that is generally flat and is mostly surrounded by existing development. The project consists of the demolition and rebuild of the Sunnyvale Courthouse facility and does not propose any design elements that would exacerbate risks. It also would not expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of wildfire. Therefore, the Project impacts would be less than significant and will not be further evaluated in the EIR.

c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input checked="" type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

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Less than Significant Impacts

The Project does not involve the installation of roads, fuel breaks, power lines, or other associated infrastructure that may exacerbate fire risk. The Project Site will be served by existing utilities and therefore, the Project would not create new fire risk. The Project would have less than significant impacts and the issue will not be further evaluated in the EIR.

d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			
<input type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input checked="" type="checkbox"/> No Impact

No Impact

The Project is not located near a hillslope or in an area subject to downstream flooding or landslides. As such, the Project does not include any design elements that would expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. Therefore, the Project would have no impact and the issue will not be evaluated further in the EIR.

3.21 Mandatory Findings of Significance

<p>a. Does the project have the potential to substantially 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, substantially 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?</p>							
<input checked="" type="checkbox"/>	Potentially Significant Impact	<input type="checkbox"/>	Less than Significant with Mitigation Incorporated	<input type="checkbox"/>	Less than Significant Impact	<input type="checkbox"/>	No Impact

Potentially Significant Impact

The Initial Study has identified biological resources as a potentially significant impact, prompting further review during the EIR process. This assessment aligns with the concern that the Project may have adverse effects on the environment, including the degradation of habitat for fish or wildlife species, potential reduction in population levels, or threats to rare or endangered plant and animal species. The EIR will provide a more detailed analysis to determine the extent of these potential impacts and propose appropriate mitigation measures to address and minimize any adverse effects on biological resources.

<p>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.)?</p>							
<input checked="" type="checkbox"/>	Potentially Significant Impact	<input type="checkbox"/>	Less than Significant with Mitigation Incorporated	<input type="checkbox"/>	Less than Significant Impact	<input type="checkbox"/>	No Impact

Potentially Significant Impact

Cumulative impact analysis is a crucial aspect of CEQA that focuses on the combined effects of a proposed project in conjunction with other past, present, and reasonably foreseeable future projects. Cumulative impact refers to the combined effect of an individual project and the effects of other projects in the same geographic area. It considers the additive or synergistic impacts that multiple projects may have on the environment over time. It aims to provide decision-makers and the public with a clear understanding of how a proposed project, combined with other activities, may affect the environment over time. This analysis plays a crucial role in promoting sustainable development and responsible decision-making in California.

The Initial Study conducted for the proposed Project has yielded findings indicating either no impact or less than significant impact on specific environmental resource categories. While these results suggest that, when considered in isolation, the project's effects on individual resource areas are minimal, it is

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essential to note that the subsequent EIR will evaluate the cumulative impacts associated with the Project. Specifically, even if certain resource categories were initially deemed to have no or less than significant impact in this Initial Study, the EIR will address their cumulative impacts, where applicable, to ensure a comprehensive understanding of the potential environmental consequences.

c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?			
<input checked="" type="checkbox"/> Potentially Significant Impact	<input type="checkbox"/> Less than Significant with Mitigation Incorporated	<input type="checkbox"/> Less than Significant Impact	<input type="checkbox"/> No Impact

Potentially Significant Impact

The Initial Study has identified several potentially significant environmental impacts. Whether any of these impacts will result in substantial adverse effects on humans depends on a more in-depth analysis, and any mandatory finding of significance will be subject to further review and clarification during the EIR process.

4 Determination

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.



4/8/24

Signature

Date

5 Authors

Section	Author	Company
Introduction	StephAnnie Roberts	Stantec
Project Description	Kate Tovey	Stantec
Aesthetics	Kate Tovey	Stantec
Agriculture and Forestry Resources	Lauren Fah	Stantec
Air Quality	Kate Tovey	Stantec
Biological Resources	Lauren Fah	Stantec
Cultural Resources	Lauren Fah	Stantec
Energy	Kate Tovey	Stantec
Geology and Soils	Emily Medler	Stantec
Greenhouse Gas Emissions	Kate Tovey	Stantec
Hazards and Hazardous Materials	Emily Medler	Stantec
Hydrology and Water Quality	Lauren Fah	Stantec
Land Use and Panning	Kate Tovey	Stantec
Mineral Resources	Lauren Fah	Stantec
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Transportation	Lauren Fah	Stantec
Tribal Cultural Resources	Lauren Fah	Stantec
Utilities and Service Systems	Lauren Fah	Stantec
Wildfire	Kate Tovey	Stantec
Mandatory Findings of Significance	StephAnnie Roberts	Stantec

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