



Environmental Services Department
City of Sunnyvale
P.O. Box 3707
Sunnyvale, California 94088-3707

MITIGATED NEGATIVE DECLARATION

The Director of Environmental Services Department has reviewed the proposed project described below to determine whether it could have a significant effect on the environment as a result of project completion. "Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

NAME OF PROJECT: Wolfe Road Recycled Water Project

PROJECT DESCRIPTION: The project consists of improvements to the existing San Lucar Pump Station and the construction of a new recycled water pipeline down Wolfe Road to Homestead Road, approximately 13,500 linear feet.

PROJECT LOCATION & ASSESSORS PARCEL NO.: The project would be located along Wolfe Road, from the San Lucar Pump Station (approximately 0.25 miles south of Central Expressway) to Homestead Road.

APPLICANT CONTACT INFORMATION: Mansour Nasser, P.E., Environmental Services Department, 456 W. Olive Ave, Sunnyvale, CA 94086. Phone (408) 730-7578.

FINDING

The Director of Environmental Services Department finds the project described above will not have a significant effect on the environment in that the attached initial study identifies one or more potentially significant effects on the environment for which the project applicant, before public release of this draft Mitigated Negative Declaration, has made or agrees to make project revisions that clearly mitigate the effects to a less than significant level.

MITIGATION MEASURES INCLUDED IN THE PROJECT TO REDUCE POTENTIALLY SIGNIFICANT EFFECTS TO A LESS THAN SIGNIFICANT LEVEL

- I. **AESTHETICS** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- II. **AGRICULTURE RESOURCES** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- III. **AIR QUALITY** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- IV. **BIOLOGICAL RESOURCES** – Due to the presence of potential migratory bird nesting habitat in the vicinity of the project area, the mitigation measure below will be implemented to avoid any direct and indirect effects to migratory birds during construction.

To minimize and avoid potential direct and indirect impacts to migratory bird species and in conformance with the Migratory Bird Treaty Act, pre-construction nesting bird surveys shall be conducted for all construction activity occurring within the nesting season (generally extending from February 1st to August 31st). Surveys shall be conducted no more than 7 days prior to any construction activity in areas within or directly adjacent to the construction disturbance area. All surveys shall be done by a qualified biologist in conformance with CDFG survey protocol for migratory birds. If ground-disturbing activities are delayed for more than 30 days after the pre-construction survey, the site must be re-surveyed

- V. **CULTURAL RESOURCES** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- VI. **GEOLOGY AND SOILS** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- VII. **HAZARDS AND HAZARDOUS MATERIALS** – Due to the presence of potential hazardous materials in the vicinity of the project area, the mitigation measures below will be implemented to help ensure avoidance of any potential direct and indirect effects to the community caused by disturbances to these materials.

Prior to any construction activities, the construction contractor shall conduct an initial site investigation to help confirm the absence of contaminated soil or groundwater that may exist within the area to be excavated. Additional investigations may be required based on the results of the initial investigation. Regardless of the results of the investigation, any hazardous materials that are found during construction of the pipeline would be handled in compliance with applicable laws and regulations regarding transport, handling, disposal, and storage. All federal, state, and local reporting requirements would be followed regarding the use and handling of hazardous and non-hazardous materials at the project site.

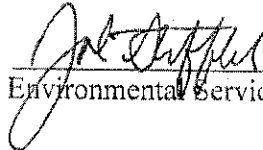
- VIII. **HYDROLOGY AND WATER QUALITY** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- IX. **LAND USE AND PLANNING** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- X. **MINERAL RESOURCES** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XI. **NOISE** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XII. **POPULATION AND HOUSING** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XIII. **PUBLIC SERVICES** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XIV. **RECREATION** – The project will not have a significant impact on this resource, therefore no mitigation is required.

- XV. TRANSPORTATION / TRAFFIC** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XVI. UTILITIES AND SERVICE SYSTEMS** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XVII. MANDATORY FINDINGS OF SIGNIFICANCE** – The project will not substantially reduce the habitat of a fish or wildlife species, be cumulatively considerable, or have a substantial adverse effect on human beings, therefore no additional mitigation is required.

PUBLIC REVIEW PERIOD

Before 5:00 p.m. on November 7, 2012, any person may:

1. Review the Draft Mitigated Negative Declaration (MND) as an informational document only;
or
2. Submit written comments regarding the information, analysis, and mitigation measures in the Draft MND. Before the MND is adopted, staff will prepare written responses to any comments, and revise the Draft MND, if necessary, to reflect any concerns raised during the public review period. All written comments will be included as part of the Final MND.


_____, Director
Environmental Services Department

Circulated on: October 19, 2012

Adopted on: September 24, 2013