

# **ADDENDUM**

## **2010 Yahoo Santa Clara Campus Project Final Environmental Impact Report City of Santa Clara**

**August 2019**

### **1.1 PURPOSE OF ADDENDUM**

The California Environmental Quality Act (CEQA) recognizes that between the date an environmental document is certified and the date the project is fully implemented, one or more of the following changes may occur: 1) the project may change; 2) the environmental setting in which the project is located may change; and/or 3) previously unknown information can arise. Before proceeding with a project, CEQA requires the lead agency to evaluate these changes to determine whether or not they affect the conclusions in the environmental document, consistent with relevant case law.

In May 2010, the City of Santa Clara approved the Yahoo Santa Clara Campus project and certified the Environmental Impact Report (EIR).<sup>1</sup> Additionally, the City adopted CEQA Findings of Fact, a Statement of Overriding Consideration, and a Mitigation Monitoring and Reporting Program for the project (Resolution No. 10-7724). The approved project also included a Development Agreement between the City of Santa Clara and the project applicant. The original Development Agreement, approved on May 25, 2010, has a ten-year term (expiring in 2020), with the possibility to obtain two five-year extensions from the City (for an ultimate expiration of 2030).

Since the original approval of the project and Development Agreement in 2010, one change has been proposed by the applicant, which is to extend the assumed buildout date from 2030 to 2033. The proposed extension of the Development Agreement to 2033 is the subject of this Addendum. Because the City's decision on this change is discretionary, the City must determine whether any of the changes described in Section 15162 of the CEQA Guidelines has occurred.

The CEQA Guidelines Section 15162 states that when an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in light of the whole record, one or more of the following:

1. Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of

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<sup>1</sup> State Clearinghouse Number: 2008092011

new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3. New information of substantial importance, which was not known and could have not been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
  - a. The project will have one or more significant effects not discussed in the previous EIR;
  - b. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
  - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - d. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measures or alternative.

The CEQA Guidelines Section 15164 states that the lead or responsible agency shall prepare an addendum to a previously certified EIR if changes or additions to the project are necessary but none of the conditions described in Section 15162 (see above) calling for preparation of a subsequent EIR have occurred.

## **1.2 PROPOSED CHANGE TO THE APPROVED PROJECT**

The approved Yahoo Santa Clara Campus Project includes the development of a 48.6-acre property with an approximately three million square-foot office/research and development/commercial campus consisting of 13 six-story buildings, three two-story commons buildings, surface parking, below grade parking, landscaping, and public and private improvements. The project includes the vacation of Democracy Way, relocation of existing utilities, installation of new facilities, and dedication of land for City construction of a substation.

The 2010 EIR analyzed the Yahoo Santa Clara Campus Project on the basis that its construction would be completed by 2030, which is consistent with the Development Agreement's original 10-year term (expiring in 2020) plus two five-year extensions (for completion of construction by 2030). The proposed project would extend the project's Development Agreement expiration date to allow completion of construction by 2033. All previously analyzed components of the project, including proposed land uses, intensity of development, and site configuration would remain the same.

## **1.3 ENVIRONMENTAL IMPACTS OF THE PROPOSED CHANGE**

The proposed time extension of the project Development Agreement would not result in a substantial change to the project's environmental impacts, mitigation measures or alternatives. The approved EIR analyzed the following potential environmental impacts for the project:

- Land Use
- Visual
- Geology and Soils
- Hydrology
- Vegetation and Wildlife
- Hazardous Materials
- Cultural Resources
- Transportation and Circulation
- Air Quality
- Noise
- Utilities
- Energy
- Public Facilities and Services

The 2019 modified project would not negatively affect the environmental impacts analyzed in the 2010 EIR because the overall development capacity of the project would remain the same and there have been no substantial changes in the existing setting that would result in new or increased significant impacts. No changes to the physical characteristics of the project, including the proposed land uses, intensity of development, and site configuration are being contemplated. The extension of the Development Agreement for an additional three years beyond what was originally analyzed will not cause any new environmental impacts or exacerbate any impacts identified in the original analysis. In fact, the proposed three-year extension of the project's EIR-assumed construction completion date could result in reduced Air Quality and Energy impacts because construction equipment, trucks, and passenger vehicles in California are expected to be cleaner and more efficient in 2033 than in 2030.

With regard to traffic, the 2010 project trips have been accounted for as part of the background conditions in subsequent development proposals, so they have been addressed relative to new development and any changes to the roadway network.

No new mitigation measures or alternatives that were rejected or unknown in 2010, and that would substantially reduce one or more significant environmental effects, have since become feasible.

Finally, no new information of substantial importance, which was not known or knowable with reasonable diligence at the time of the original analysis, reveals new impacts, an increase in the severity of identified impacts, or any new possible mitigation measures.

Because the proposed time extension does not meet any of the conditions under CEQA Guidelines Section 15162 requiring a new EIR, this Addendum has been prepared per CEQA Guidelines Section 15164.

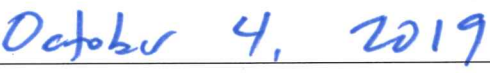
#### 1.4 CONCLUSION

Based on the above discussion, none of the criteria for preparation of a subsequent EIR under CEQA Guidelines section 15162 is implicated by a three-year extension of the project Development Agreement. An EIR Addendum has therefore been appropriately prepared, pursuant to Section 15164.

Pursuant to CEQA Guidelines Section 15164(c), this Addendum need not be circulated for public review, but will be included in the public record file for the Yahoo Santa Clara Campus Project.

Andrew Crabtree  
Director of Community Development

  
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Signature

  
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Date