2330 MONROE STREET AFFORDABLE HOUSING

Initial Study / Mitigated Negative Declaration

Prepared for
City of Santa Clara

September 2019

ESA

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September 2019

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ACRONYMS AND ABBREVIATIONS

AB 32	California Global Warming Solutions Act
ADA	federal Americans with Disabilities Act of 1990
ALUC	Santa Clara County Airport Land Use Commission
BAAQMD	Bay Area Air Quality Management District
BMPs	best management practices
CAL FIRE	California Department of Forestry and Fire Protection
Caltrans	California Department of Transportation
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resources Board
CBC	California Building Code
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CGS	California Geological Survey
CFR	Code of Federal Regulations
CMP	Congestion Management Program
CNDDB	California Natural Diversity Database inventory of rare plants and animals
CNEL	Community Noise Equivalent Level
CNPS	California Native Plant Society
CO_2	carbon dioxide
CO_2E	carbon dioxide equivalent
dB	decibel
DNL	day-night noise level
DOT	U.S. Department of Transportation
DPM	diesel particulate matter
EIR	Environmental Impact Report
FAA	Federal Aviation Administration
FEMA	Federal Emergency Management Agency

FESA	Federal Endangered Species Act
FIRM	Flood Insurance Rate Maps
FHWA	Federal Highway Administration
FMMP	Farmland Mapping and Monitoring Program
GHGs	Greenhouse gases
HRA	Health Risk Assessment
HOV	High Occupancy Vehicle
HVAC	heating, ventilation and air conditioning
I-280	Interstate 280
L_{eq}	equivalent continuous sound level
L_{max}	maximum noise level
LEED®	Leadership in Energy and Environmental Design
LID	Low Impact Development
MBTA	Federal Migratory Bird Treaty Act
mgd	million gallons per day
MMRP	Mitigation Monitoring and Reporting Program required by CEQA
MRZ	Mineral Resource Zone designated by the State Geologist
MTC	Metropolitan Transportation Commission
NAHC	California Native American Heritage Commission
NOx	nitrogen oxide
N_2O	nitrous oxide
NPDES	National Pollutant Discharge Elimination System
NWIC	Northwest Information Center of the California Historical Resources Information System
PG&E	Pacific Gas and Electric Company
$PM_{2.5}$	particulate matter of 2.5 microns in diameter or less
PM_{10}	particulate matter of 10 microns in diameter or less
PPV	peak particle velocity
PRC	California Public Resources Code
ROG	reactive organic gases
RWQCB	Regional Water Quality Control Board
SCFD	Santa Clara Fire Department
SCUSD	Santa Clara Unified School District
SCVWD	Santa Clara Valley Water District

SCVURPPP	Santa Clara Valley Urban Runoff Pollution Prevention Program
SFPUC	San Francisco Public Utilities Commission
STC	sound transmission class
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TACs	toxic air contaminants
UCERF3	Uniform California Earthquake Rupture Forecast
UCMP	University of California Museum of Paleontology
U.S. 101	U.S. Highway 101
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
USGS	U.S. Geological Survey
UWMP	Urban Water Management Plan
$\mu g/m^3$	micrograms per cubic meter
VdBs	vibration decibels

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CHAPTER 1
Introduction

1.1 Purpose

The City of Santa Clara (City), serving as Lead Agency under the California Environmental Quality Act (CEQA), is completing the required environmental review for the 2330 Monroe Street Project pursuant to CEQA Guidelines (California Code of Regulations Section 15000 et. seq.) and the regulations and policies of the City of Santa Clara, California. This Initial Study provides the necessary information to inform the City decision-makers, other responsible agencies, and the public of the nature of the project and its potential effect on the environment.

The project applicant, Freebird Development Company, proposes to develop an affordable multifamily residential building with up to 65 dwelling units on a 2.47-acre site at 2330 Monroe Street in the City of Santa Clara. This Initial Study evaluates the environmental impacts that might reasonably be anticipated to result from implementing the proposed project.

1.2 Public Review Period

Publication of this Initial Study marks the beginning of a 30 day public review and comment period. During this period, the Initial Study will be available to local, regional, and state agencies and interested organizations and individuals for review. Written comments concerning the environmental review contained in this Initial Study during the 30 day public review period should be sent to:

City of Santa Clara
Community Development Department
Nimisha Agrawal, Assistant Planner
1500 Warburton Avenue
Santa Clara, CA 95050
NAgrawal@SantaClaraCA.gov

1.3 Consideration of the Initial Study and Project

Following the conclusion of the public review period, the City of Santa Clara will consider the adoption of the Initial Study/Mitigated Negative Declaration (MND) for the project at a publicly noticed regularly scheduled meeting. The City of Santa Clara shall consider the Initial Study/MND together with any comments received during the public review process. Upon adoption of the MND, the City may proceed with project approval actions.

1.4 Notice of Determination

If the project is approved, the City of Santa Clara will file a Notice of Determination (NOD), which will be available for public inspection and posted within 24 hours of receipt at the Santa Clara County Clerk's Office for 30 days. The filing of the NOD starts a 30-day statute of limitations on court challenges to the approval under CEQA (CEQA Guidelines Section 15075[g]).

CHAPTER 2
Project Information

1. Project Title: 2330 Monroe Street Affordable Housing

2. Lead Agency Name and Address: City of Santa Clara
Planning Division
1500 Warburton Avenue
Santa Clara, CA 9505

3. Contact Person and Phone Number: Nimisha Agrawal, Assistant Planner
1500 Warburton Avenue
Santa Clara, CA 95050
408.615.2450

4. Project Location: 2330 Monroe Street
Santa Clara, CA 95050
APN: 224-37-068

5. Project Applicant's Name and Address: Robin Zimbler
Freebird Development Company
1111 Broadway, Suite 300
Oakland, CA 94607
(510) 319-6959
robin@freebirddev.com

6. General Plan Designation(s): Right-of-Way

7. Zoning: R1-6L- Single Family

8. Description of Project:

The project applicant, Freebird Development Company, proposes to develop an affordable multifamily residential building with up to 65 dwelling units on a 2.47-acre site at 2330 Monroe Street in the City of Santa Clara. The project would include development of a two- and three-story building comprising approximately 74,000 square feet (sf) of floor area, along with up to 94 parking spaces, infrastructure, and landscaping improvements. The project would remove up to three trees on the project site and will exceed the required mitigated removal, onsite ratio of 2:1 (per the City of Santa Clara) by planting 126 new trees. Under the project, the applicant would seek a General Plan amendment to Medium Density Residential and rezoning to Planned Development to accommodate the proposed residential building density and height. See the *Project Description* section, below, for additional project details.

9. Surrounding Land Uses and Setting.

The project site is located at a currently vacant lot the southeast corner of San Tomas Expressway and Monroe Street. The site is bounded by these roads to the west and north, respectively, and to the east and south is bounded by single-family residential uses. The surrounding neighborhoods comprises of medium density residential, public and quasi-public, low intensity office/research and development (R&D), and light industrial uses.

The project site is located approximately 1.5-miles west of the Norman Y. Mineta International Airport (SJC) property boundary. San Tomas Aquino Creek, the San Tomas Aquino Creek Trail and San Tomas and Monroe Neighborhood Park are located adjacent to and west of San Tomas Expressway.

10. Other public agencies whose approval is required:

City of Santa Clara Public Works Department.

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

On March 5, 2019 the City of Santa Clara as the lead agency, mailed letters to local interested parties as advised by the Native American Heritage Commission. These letters served as the formal notification for the proposed project as required under CEQA, specifically Public Resources Code § 21080.3.1 and Chapter 532 Statutes of 2014 (i.e. Assembly Bill 52). As of July 19. 2019, extending beyond a 30-day comment period, no responses were provided. Therefore, no formal consultation process is required.

CHAPTER 3
Project Description

3.1 Overview

The project applicant, Freebird Development Company, proposes to develop the vacant 2.474-acre (107,759 square foot) site, with a two- to three-story residential building to accommodate up to 65 units of affordable apartments with 20-25 percent of the units designed specifically for people with developmental and/or intellectual disabilities. The building would include a management office, a community room, laundry room, fitness room, game room, and space for social service providers. The project would also construct outdoor landscaped areas, vehicle and bicycle parking, and other site improvements. Development of the project as proposed requires a General Plan Amendment from the current Right-of-Way designation to Medium-Density Residential and Rezoning from Single Family Residential (R1-6L) to Planned Development (PD) to accommodate the proposed project.

The project is located at the southeast corner of the intersection of San Tomas Expressway and Monroe Street and is currently undeveloped; see **Figure 1** for the project location. The site is bounded by each of these roads on the west and north, and to the east and south is bounded by single-family residential uses; **Figure 2** presents an aerial photograph of the project site and vicinity. The surrounding neighborhoods comprise of medium density residential, public and quasi-public, low intensity office/research and development (R&D), and light industrial uses. Multi-family residential uses are located across both Monroe Street and San Tomas Expressway from the project site. The project site is located approximately 1.5-mile west of the Norman Y. Mineta International Airport (SJC) property boundary. San Tomas Aquino Creek, the San Tomas Aquino Creek Trail and San Tomas and Monroe Neighborhood Park are located adjacent to and west of San Tomas Expressway.

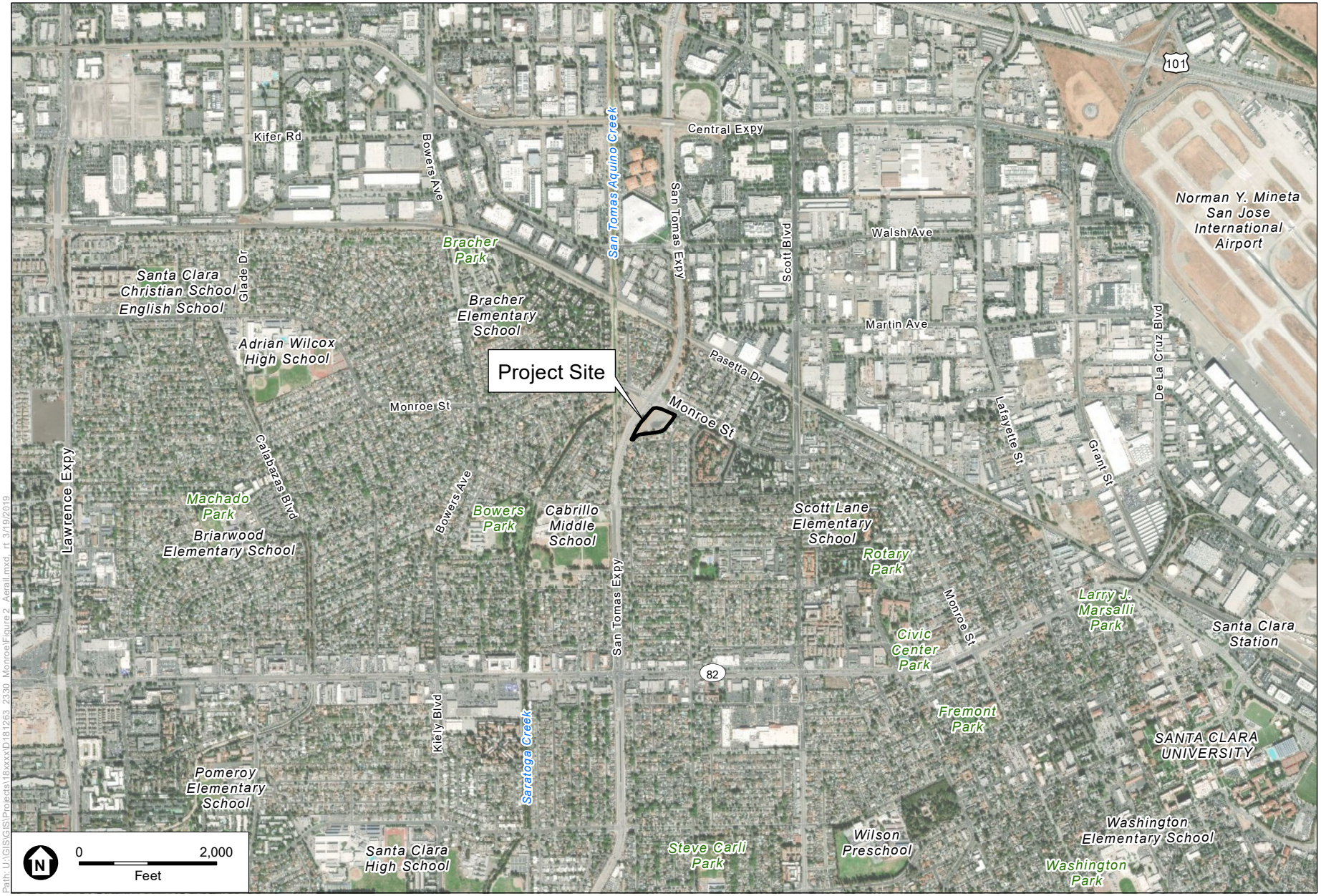
Regional access to the project site and the City of Santa Clara is provided by four freeways: U.S. Highway 101 (U.S. 101) traverses east-west through the center of the City, State Route 237 (SR 237) is located to the north and Interstates 880 (I-880) and Interstate 280 (I-280) skirt the southeast and southwest corners of the City, respectively.

SOURCE: ESA, 2019

2330 Monroe Street Affordable Housing Project

Figure 1
Project Location

ESA



SOURCE: ESA, 2019

2330 Monroe Street Affordable Housing Project

Figure 2
Aerial Overview of Project Vicinity

ESA

3.2 Project Characteristics

Residential Design

The project would involve the development of an approximately 74,000 square-foot building ranging in height from two to three stories with a maximum height of 43 feet 4 inches. The building would contain up to 65 residential units in a mix of studios and one-, two- and three-bedroom units. Specifically, the project proposes 7 studios units, 23 one-bedroom, 29 two-bedroom, and 6 three-bedroom units. All of the units would be deed restricted for use by households at income tiers between 25-120 percent of area median income and twenty-five percent of the units would be reserved for intellectually and/or developmentally disabled persons; these include studios and one- and two-bedroom units. The project would also include on-site amenities such as a fitness center located on the second floor, a game room on the third floor, a laundry room and community room located on the ground floor, a patio with barbecue, a universal design (all abilities) outdoor play area, and garden beds for residents, along with additional landscaping and pedestrian trail around the site perimeter. **Figure 3**, **Figure 4**, and **Figure 5** present the proposed project site plan and floor plans; **Figure 6**, and **Figure 7** present project elevations.

Site Access, Circulation, and Parking

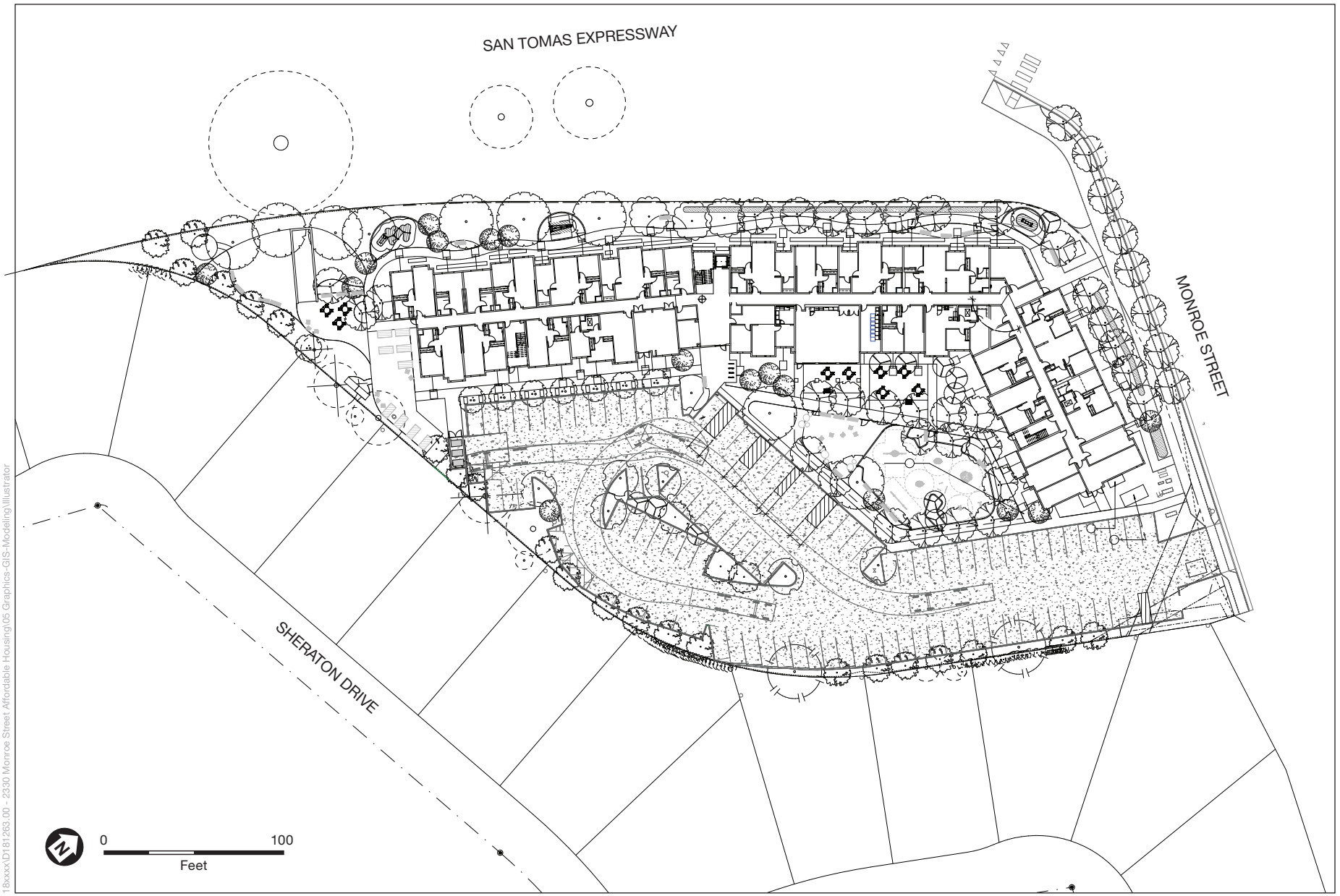
The project site would be accessible from Monroe Street. The proposed 26-foot wide driveway would lead to the surface parking lot with a two-way drive aisle, also 26 feet wide. The surface parking lot would provide 94 parking stalls, 6 of which would be designated for ADA compliant use. In addition, there would be three stalls designated for future electric vehicle (EV) charging stations, and a loading/drop-off/paratransit stall (refer to Figure 3).

The proposed project would provide 37 bicycle parking spaces; 33 Class I bicycle parking spaces would be located within the building to serve residents, and 4 Class II bicycle parking spaces would be outdoors and uncovered to serve visitors.

The project would erect a six-foot brick or concrete sound wall along the San Tomas Expressway frontage and an eight-foot privacy fence at the rear of the site, where the site abuts existing single-family homes. There would be no gate or fencing along Monroe Street.

Landscaping and Open Space

Open space would include a total of 31,836 square feet of area for active recreational uses, intended for use by building residents and guests. Included are children's play area (separate play areas for ages 2-5 and 5-12), landscaped and furnished park-like quiet area with half size bocce court, recreational community gardens, family picnic area, fitness pathway with outdoor fitness equipment, and putting greens (artificial turf). The site has landscaped areas at parking lot, utility areas, and biofiltration area.



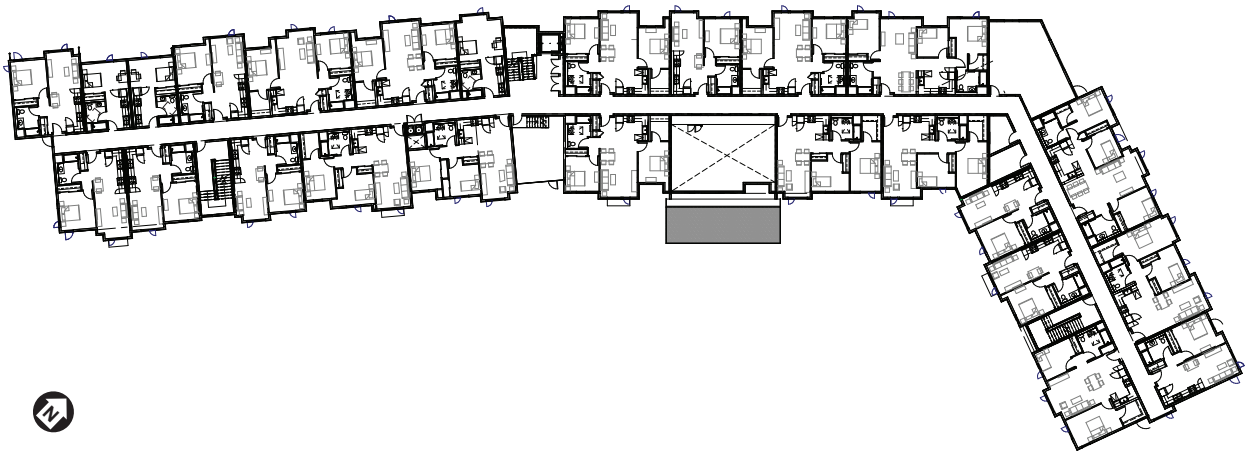
SOURCE: HKIT Architects, 2019

2330 Monroe Street Affordable Housing Project

Figure 3
Site Plan

ESA

Level 1



Level 2

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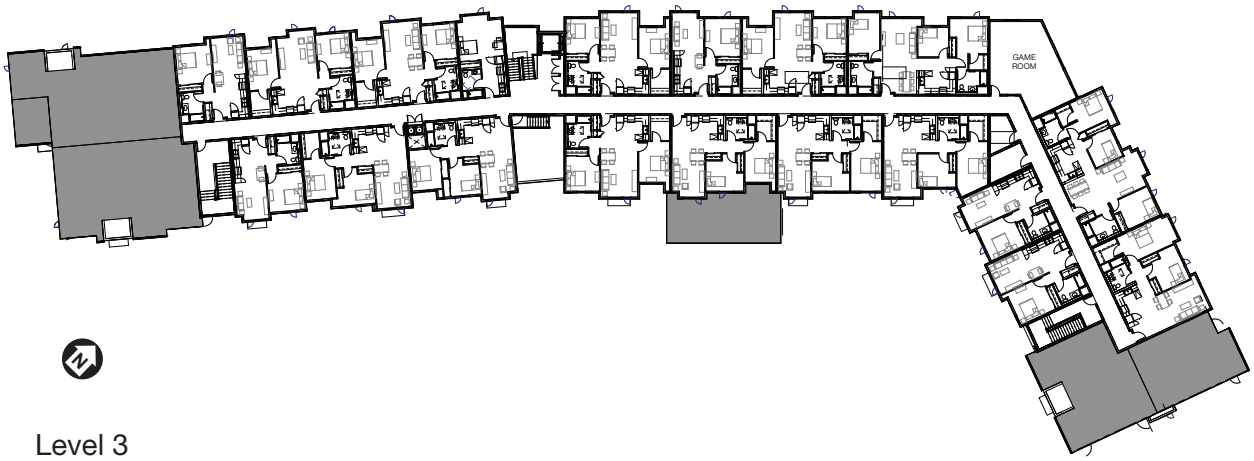
SOURCE: HKIT Architects, 2019

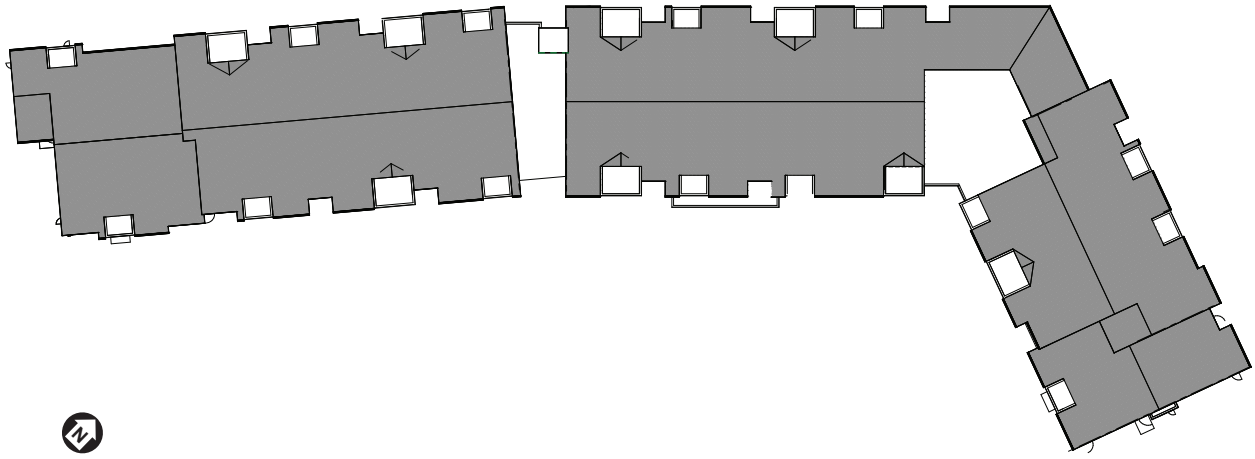
2330 Monroe Street Affordable Housing Project

Figure 4
Site Plan – Level 1 and 2

ESA



Level 3



Roof

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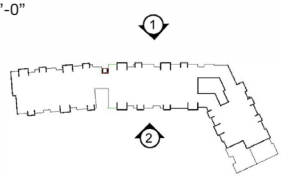
SOURCE: HKIT Architects, 2019

2330 Monroe Street Affordable Housing Project

Figure 5
Site Plan – Level 3 and Roof

ESA

1. NORTH ELEVATION



KEY PLAN

2. SOUTH ELEVATION

0 64
Feet

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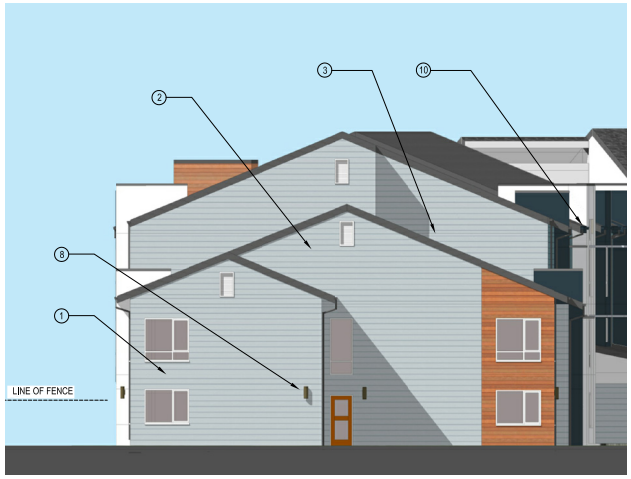
SOURCE: HKIT Architects, 2019

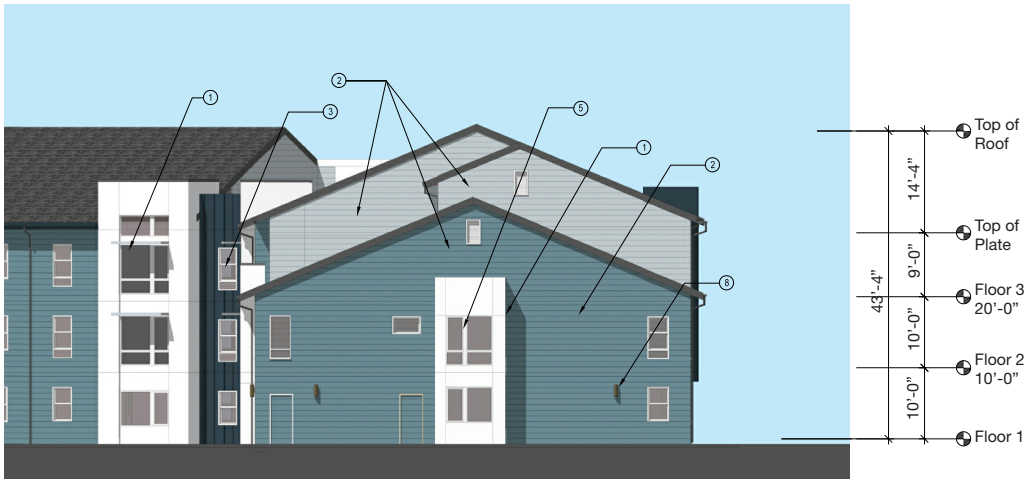
2330 Monroe Street Affordable Housing Project

Figure 6
Project North and South Elevations

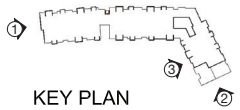
ESA



1. WING A WEST ELEVATION

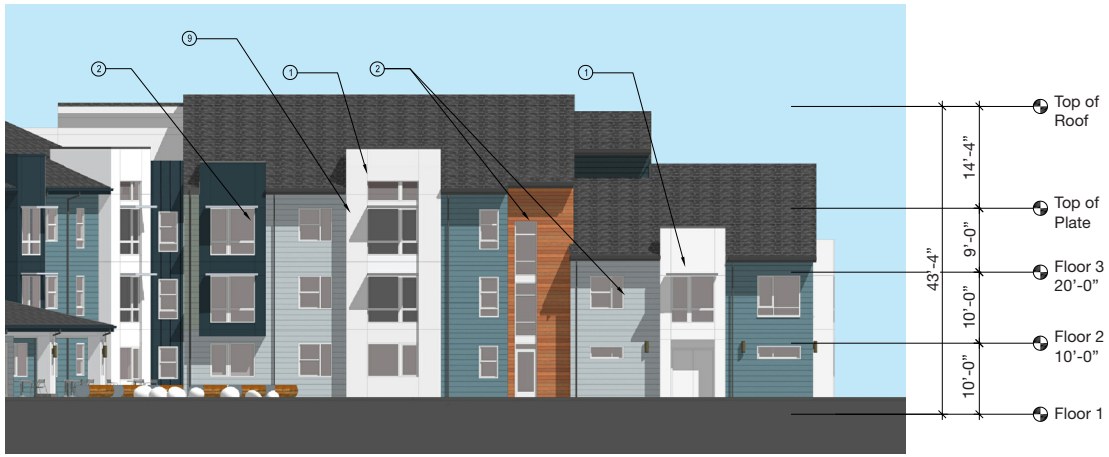


2. WING C EAST ELEVATION



NOTES

1. FIBER CEMENT PANELS
2. FIBER CEMENT HORIZONTAL SIDING
3. FIBER CEMENT BOARD AND BATTEN
4. METAL CANOPY
5. VINYL WINDOWS
6. ASPHALT COMPOSITION ROOF SHINGLE
7. FENCE, S.L.D.
8. DECORATIVE WALL SCONCE
9. PERFORATED ALUMINUM SUNSHADE
10. GUTTER



3. WING C WEST ELEVATION

0 32
Feet

SOURCE: HKIT Architects, 2019

2330 Monroe Street Affordable Housing Project

Figure 7
Project East and West Elevation

ESA

In addition to the associated landscaping for these amenities, the project proposes to remove three existing trees, and replace them with 126 native and climate-adapted trees, many of which would serve to screen/line the project site perimeter. Of the nine species, six are proposed to be drought tolerant. Overall, the landscaping plan is designed to meet City's Landscape Permit Provisions (Chapter 18.88 of the Santa Clara City Code) and the State of California's Water Efficiency Landscape Ordinance. **Figure 8** presents the project's landscaping plan.

Stormwater, Wastewater, and Sustainability

Water, wastewater and stormwater treatment are all provided by and/or managed by the City of Santa Clara; electricity is managed by Silicon Valley Power and natural gas is provided by and managed by PG&E. The project would provide trash, recycling and composting facilities. Mission Trail Waste System would collect trash and compost, Recology would collect recycling.

Water would be provided to the site just west of the driveway with three lines to provide for irrigation, domestic water use, and fire service. The project would extend the fire service water system to hydrants located throughout the project site parking lot to provide adequate pressure and flowrate. Irrigation would be provided by the City's potable water system.

Wastewater would be collected into a newly constructed 6-inch sewer lateral that would connect to an existing 8-inch sanitary sewer line running from Monroe Street under the project site in an existing 10-foot-wide easement that conveys sewage to other interceptors and community collections systems.

The project would convert 0.89 acres of existing pervious surfaces to impervious surfaces. Stormwater collection on the project site would be broken up into four drainage management areas, which convey stormwater for retention and treatment to the project perimeter via three bio-retention planters and one self-treating area.[1] Collected stormwater from the building, paved walking areas, and other hardscape surfaces would be directed to one of the three grassy bio-retention areas located near the edges of the site; these swales would provide natural treatment of stormwater through biofiltration. The proposed parking lot and drive aisles will be comprised of permeable pavement and provide treatment to portions of the building roof, concrete walkways and other hardscaped areas. Treated stormwater from the site would be discharged into a newly constructed 15" storm drain lateral that would connect to an existing 21-inch storm drain line running from Monroe Street under the project site in an existing 10-foot wide storm drain easement.

With respect to energy and sustainability, the project would be designed to meet the 2016 California Title 24: Green Building Code Residential Mandatory Measures; it would meet the Target Title 24 Energy Compliance Margin, basic compliance.

[1] A self-treating area on the site comprise of the access driveway. Per county design standards, the drainage area may include conserved natural open areas, landscaping, and pervious pavement.

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SOURCE: HKIT Architects, 2019

2330 Monroe Street Affordable Housing Project

Figure 8
Landscaping Plan

ESA

Construction and Occupancy

Project construction entails raising the grade for the building pad slightly (from approximately 58.7 feet NAVD 88 to 60.3 feet NAVD 88) to elevate the project site's location in a flood hazard zone in order to comply with Santa Clara City Code Section 15.45.010. The foundation system is anticipated to consist of shallow spread footings and the superstructure to be constructed of conventional wood framing.

Using deeper permeable paving section will help balance the cut/fill on the site to minimize the amount of soil import required.

The project proposes to begin construction in Q4 (quarter four) of 2020 and with completion in Q3 (quarter three) of 2022, approximately 21 months. By the end of 2022 the project plans for full occupancy.

Project Approvals

- General Plan Amendment from Right-of Way to Medium Density Residential, allowing development on a former road right-of-way;
- Rezoning from R1-6L to PD, allowing the proposed residential density and building height;
- Architectural Review

CHAPTER 4
Environmental Factors Potentially Affected

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

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

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

☐ 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.

Blona Seiana — 9-19-19

Signature — Date

Signature — Date

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CHAPTER 5
Environmental Checklist

General note on this Initial Study

The California Supreme Court in a December 2015 opinion (California Building Industry Association v. Bay Area Air Quality Management District, 62 Cal. 4th 369 [No. S 213478]) confirmed that CEQA, with several specific exceptions, is concerned with the impacts of a project on the environment, not the effects the existing environment may have on a project. Therefore, the evaluation of the significance of project impacts under CEQA in the following sections in this Initial Study (as called out) focus on impacts of the project on the environment.

Note that, the City of Santa Clara also has policies that address existing conditions (such as air quality, noise, and hazards) affecting a proposed project, which are also addressed in this Initial Study. This is consistent with one of the primary objectives of CEQA and this document, which is to provide objective information to decision-makers and the public regarding a project as a whole.

The CEQA Guidelines and the courts are clear that a CEQA document can include information of interest even if such information is not an "environmental impact" as defined by CEQA. Therefore, where applicable, in addition to describing the impacts of the project on the environment, this Initial Study discusses effects on the project as they relate to policies pertaining to existing conditions. Such examples include, but are not limited to, locating a project near sources of air emissions that can pose a health risk, in a floodplain, in a geologic hazard zone, in a high noise environment, or on/adjacent to sites involving hazardous substances.

5.1 Aesthetics

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS — Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) In non-urbanized 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?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect daytime or nighttime views in the area?	☐	☐	☒	☐

Discussion

a) **No Impact.** For the purpose of this analysis, and consistent with the City's 2010-2035 General Plan analysis, a *scenic vista* can be defined as the view of an area that is visually or aesthetically pleasing. Aesthetic components of a scenic vista include; 1) scenic quality, 2) sensitivity level, and 3) view access. There are no scenic vistas within the City. For this reason, the development of the project would not impact a scenic vista.

b) **No Impact.** The City offers many views of the community and surrounding natural features, including panoramic views of the Santa Cruz Mountains and the Diablo Range and stretches of open space and undeveloped land in the Ulistac Natural Area (City of Santa Clara, 2011). These scenic resources can be viewed from the system of roadways and formal and informal public trails throughout the City, but cannot be viewed from the project site or its immediate surroundings, which comprise a medium and low density urban neighborhood at the edge of an area of light industrial, low and high-density office/R&D uses.

As identified in the Project Description, there are four freeways that provide regional access to the City of Santa Clara; U.S. 101, SR 237, I-880 and I-280. None of the segments of these roadways within the City are been officially designated as scenic highways by the California Department of Transportation (Caltrans, 2018). Consistent with the City's 2010-2035 General Plan analysis, the unique scenic resources of the City are focused around its history as a Mission City. The City's historic past is reflected through its historic resources, including Mission Santa Clara and numerous historic homes (City of Santa Clara, 2011). There are no historic structures on or immediately adjacent to the project site (refer to Section 5.5, *Cultural Resources*, for a detailed discussion of the historic significance of structures on and adjacent to the site).

Furthermore, there are no unique trees, rock outcroppings or other natural features on the project site that would qualify as scenic resources, and the San Tomas Aquino Creek is not visible from the project site.

c) **Less than Significant.** The project site is a vacant lot located within an urbanized residential area. Under the project, the applicant would seek to modify the existing zoning from R1-6L to PD to increase the permitted residential building density and height. Consistent with the findings of the General Plan EIR, the City of Santa Clara primarily consists of a built environment, and as such new development typically represents an intensification. Therefore, policies and programs within the City's General Plan are focused on maintaining the City's aesthetic character and neighborhood compatibility. Section 5.5 of the General Plan states:

> *"One of the Major Strategies of the General Plan is to ensure that the City's existing neighborhoods and community fabric are maintained as the City grows. The General Plan encourages new uses that are contextually appropriate, both in land use as well as in scale and design. This compatibility is supported through policies that allow flexibility to accommodate unique sites, development conditions, and the transition between existing and new development…*
>
> *"Much of Santa Clara's established residential fabric is comprised of one- and two-story homes. New, higher-intensity mixed-use development…will need to step down in scale and massing where development is directly adjacent to single- family homes. Additionally, careful attention to use, massing, scale and streetscape design along local, residential streets where new development faces existing development, can also help to provide a more gradual transition for neighborhood compatibility" (City of Santa Clara, 2014).*

More specifically, Section 5.5.1 Discretionary Uses and 5.5.2 Transition address the aesthetic and visual quality of the project and similar development:

> **5.5.1 Discretionary Use Goals and Policies Discretionary Use Policies** are applicable under specific conditions for which an alternate use and/or density to the classification on the Land Use Diagram can conform to the General Plan. These policies are intended to promote compatibility with surrounding uses and support the General Plan Major Strategies. Discretionary Use Policies may only be applied singularly, and may not be combined for new development projects.
>
> **5.5.1-G1** – Incentives to encourage alternative developments that promote neighborhood compatibility.
>
> **5.5.1-P3** – For residential development providing more affordable units than required based on the City's Inclusionary Housing Policy, allow a density bonus, consistent with California State density bonus law, provided that the increased density is compatible with planned uses on neighboring properties and consistent with other applicable regulations and General Plan policies.
>
> **5.5.1-P6** – For development proposing a minimum LEED Gold or greater equivalent, allow a ten percent increase in residential density and/or a ten percent increase in the maximum allowed non- residential square-footage, provided that the

increased density and/or intensity is compatible with planned uses on neighboring properties and consistent with other applicable General Plan policies.

5.5.2 Transition Goals and Policies Transition policies are applicable to sites where new development is of a different land use classification and/or intensity to that of adjacent neighborhoods. Transition Policies may apply to areas where residential uses abut retail, commercial, office, research and development, or industrial development. Transition Policies do not apply to new development in the Downtown Core within the Downtown Focus Area in order to promote a revitalized destination in the heart of Santa Clara. Transition Policies for properties in proximity to historic resources are also included in the Historic Preservation Policies in Section 5.6.

5.5.2-G3 – New development that is compatible with adjacent existing and planned residential neighborhoods.

5.5.2-P1 – Require that new development incorporate building articulation and architectural features, including front doors, windows, stoops, porches or bay windows along street frontages, to integrate new development into existing neighborhoods.

5.5.2-P2 – Implement design review guidelines for setback, heights, materials, massing, articulation and other standards to support Transition Policies and promote neighborhood compatibility.

5.5.2-P3 – Implement site design solutions, such as landscaping and increased building setbacks, to provide a buffer between non-residential and residential uses.

5.5.2-P4 – Provide adequate separation between incompatible land uses in order to minimize negative effects on surrounding existing and planned development.

5.5.2-P5 – Require that new development provide an appropriate transition to surrounding neighborhoods.

5.5.2-P6 – Adjust new building height, scale and massing along the site perimeter abutting planned lower- intensity uses.

5.5.2-P7 – For buildings of three stories or greater, increase the setback of upper stories where they abut lower-intensity residential uses.

5.5.2-P8 – Encourage enhanced streetscape design and reduced building mass for non-residential uses located across the street from lower-intensity residential neighborhoods.

5.5.2-P9 – Improve pedestrian amenities, including sidewalks and bicycle paths, to promote neighborhood compatibility.

The project building design would be required to conform to the design guidelines specified in the zoning code, Chapter 18.76, and by the *Architectural Committee Polices and Community Design Guidelines* (City of Santa Clara 1986), which outlines specific requirements for multifamily design and architectural elements under Section B. Through Architectural Review prior to issuance of Building Permits, the City ensures both a distinctive character and a high quality standard of development for structures and

outdoor uses in all zoning districts in the City. This process requires that a project receive architectural approval from the reviewing committee based on the following standards of architectural design:

(1) That any off-street parking areas, screening strips and other facilities and improvements necessary to secure the purpose and intent of this title and the general plan of the City are a part of the proposed development.

(2) That the design and location of the proposed development and its relation to neighboring developments and traffic is such that it will not impair the desirability of investment or occupation in the neighborhood, will not unreasonably interfere with the use and enjoyment of neighboring developments, and will not create traffic congestion or hazard.

(3) That the design and location of the proposed development is such that it is in keeping with the character of the neighborhood and is such as not to be detrimental to the harmonious development contemplated by this title and the general plan of the City.

(4) That the granting of such approval will not, under the circumstances of the particular case, materially affect adversely the health, comfort or general welfare of persons residing or working in the neighborhood of said development, and will not be materially detrimental to the public welfare or injurious to property or improvements in said neighborhood.

(5) That the proposed development, as set forth in the plans and drawings, are consistent with the set of more detailed policies and criteria for architectural review as approved and updated from time to time by the City Council, which set shall be maintained in the planning division office. The policies and criteria so approved shall be fully effective and operative to the same extent as if written into and made a part of this title.

As presented in the *Project Description* and Figures 3 through 5, the proposed multi-family building would be between two- and three-stories in height, with the top of the roof reaching 43 feet 4 inches tall. The proposed building would create the form of a L-shape with the longest length adjacent to, and set-back from, San Tomas Expressway, and shorter length along Monroe Street, with the open space and at-grade parking lot adjacent to the neighboring single family homes, separated with a privacy fence and continuous trees. Both ends of the L-shape building would be lower in height (two-stories), which would provide a step-up that would visually break up the bulk and height of the building. Overall the building would contain a mix of exterior angles and materials, including cement plaster, lap siding, wood siding, cementitious panels, decorative wall sconces, and perforated aluminum sunshades, (refer to Figures 6, through 8, for project elevations). Through the consideration of approvals required by this process prior to issuance of building permits, the development of the project, in an urban area, would comply with City General Plan policies, zoning, and scenic quality related-regulations, and would thereby result in a less than significant impact. Furthermore, the project would not substantially degrade the visual character of the area.

d) **Less than Significant.** Light pollution includes all forms of unwanted light in the night sky, including glare, light trespass, sky glow and over-lighting. The project site is located in an urbanized area with existing sources of light and glare, including the nighttime security lighting at nearby housing, and road lighting from San Tomas Expressway and Monroe Street. Headlights from vehicles along these roads also contribute to the existing light and glare conditions. The ambient light generated by the proposed project would be of a scale and intensity typical of other structures in the project area. Specifically vehicle headlights on the project site would be shielded from the adjacent low-density housing with a 6-foot privacy fence and trees; onsite lighting in outdoor areas would be pointed down, and also be at least partially obstructed by many of the 126 trees to be planted on the site.

Glare can be caused by sunlight or artificial light reflecting from finished surfaces such as window glass or other reflective materials. The building's exterior would consist of a number of materials, specifically, cement plaster, lap siding, wood siding, cementitious panels, decorative wall sconces, and perforated aluminum sunshades. It would not be highly reflective materials, such as mirrored glass. Based on the above discussion, the project would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area.

References

Caltrans, *Scenic Highways*, Updated August 2, 2018. Available at: http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm. Accessed March 9, 2019.

City of Santa Clara, 1986. *Community Design Guidelines*.

City of Santa Clara, December 9, 2014. *City of Santa Clara 2010-2035 General Plan*.

City of Santa Clara. *2010-2035 General Plan Integrated Final Environmental Impact Report*. SCH#2008092005. January 2011.

5.2 Agriculture and Forestry Resources

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
II. 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?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
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))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Discussion

a-e) **No Impact.** The project site is located in an urbanized area in the City of Santa Clara. The project site is not located on or near any agricultural or forest land, nor is the site zoned for agricultural uses. The project site is designated as Urban and Built-Up Land by the California Department of Conservation, Farmland Mapping and Monitoring Program, *San Mateo County Important Farmland Map* (DOC, 2018). Therefore, the proposed project would not convert farmland to non-agricultural use, would not conflict with existing zoning for forest land or convert forest land to non-forest use; and would have no effect on farmland or any property subject to a Williamson Act contract.

References

California Department of Conservation (DOC), Division of Land Resource Protection, Farmland Mapping and Monitoring Program, *Santa Clara County Important Farmland Map 2016*. Published, September 2018. Available at: www.conservation.ca.gov/dlrp/fmmp, Accessed February 28 2019.

5.3 Air Quality

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
III. AIR QUALITY — Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
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?	☐	☒	☐	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

As addressed as an introduction to this Environmental Checklist, the *California Building Industry Association v. Bay Area Air Quality Management District* case decided in 2015, the California Supreme Court held that CEQA does not generally require lead agencies to consider how existing environmental conditions might impact a project's users or residents, except where the proposed project would significantly exacerbate an existing environmental condition. Based on this decision, any analysis below of the impacts of the environment on the project is provided for informational purposes only.

Discussion

Under amendments to the Federal Clean Air Act, the U.S. Environmental Protection Agency (USEPA) has classified air basins or portions thereof as either "attainment" or "non-attainment" for each criteria air pollutant, based on whether or not the national standards have been achieved. The California Clean Air Act, which is patterned after the federal Clean Air Act, also requires areas to be designated as "attainment" or "non-attainment" for the state standards. Thus, areas in California have two sets of attainment/non-attainment designations: one set with respect to the national standards and one set with respect to the state standards. The San Francisco Bay Area Air Basin (Bay Area) is currently designated as a non-attainment area for state and national ozone standards, state particulate matter (PM_{10} and $PM_{2.5}$) standards, and federal $PM_{2.5}$ (24-hour) standard.

The Bay Area Air Quality Management District (BAAQMD) is the regional air quality authority in the project area). In April 2017, the BAAQMD adopted the *2017 Clean Air Plan* (BAAQMD, 2017). The plan's primary goals are to protect public health and protect the climate. The plan includes a wide range of proposed control measures, which consist of actions to reduce combustion-related activities, decrease fossil fuel combustion, improve energy efficiency, and decrease emissions of potent GHGs.

The *2017 Clean Air Plan* contains 85 measures to address reduction of several pollutants: ozone precursors, particulate matter, air toxics, and/or GHGs. These control strategies can be grouped into the following categories:

- Stationary source measures;
- Transportation control measures;
- Energy Control Measures;
- Building Control Measures;
- Agricultural Control Measures;
- Natural and Working Lands Control Measures;
- Waste Management Control Measures;
- Water Control Measures; and
- Super GHG Control Measures

The BAAQMD updated its *CEQA Air Quality Guidelines* (*Guidelines*), including new thresholds of significance, in 2010, and made minor revisions in 2011. The *Guidelines* advise lead agencies on how to evaluate potential air quality impacts. The 2010/2011 *Guidelines* updated several then-existing significance thresholds for operational emissions and odors; added new operational significance criteria for particulate matter 2.5 microns or less in diameter ($PM_{2.5}$) and new construction-period criteria; and added new health (cancer risk) and hazard ($PM_{2.5}$ concentration) significance criteria.[2] These new risk and hazard criteria were to be evaluated both in terms of new sources (would a new source result in an exceedance of the criteria?) and new receptors, such as residences (would a new receptor be subject to an existing exceedance of the criteria); these latter thresholds are referred to as "receptor thresholds." Following a legal challenge, the California Supreme Court in 2015 ruled that CEQA generally does not require lead agencies to analyze the impact of existing environmental conditions on a project's future users or residents (*California Building Industry Association v. Bay Area Air Quality Management District,* 62 Cal 4th 369). However, the Court did acknowledge that when a proposed project risks exacerbating those environmental hazards or conditions that already exist, an agency must analyze the potential impact of such hazards on future residents or users. The Supreme Court's decision means that, except where a project will exacerbate an existing condition, effects of existing air pollutants on new receptors generally need not be considered under CEQA, and thus use of the "receptor thresholds" is not normally required. The *Guidelines'* other thresholds were validated, including risk and hazard thresholds for new sources.

In May 2017 the BAAQMD released its 2017 update to the *Guidelines*, which once again contain the thresholds of significance formally presented in the 2011 *Guidelines* for the consideration of lead agencies in assessing air quality impacts. The 2017 *Guidelines* specify that, under CEQA, the receptor thresholds (the analysis of exposing new receptors to existing sources of toxic air pollution and odors) should not be applied to "routinely assess the effect of existing environmental conditions on future users or occupants of a project."

[2] In addition to these air quality significance criteria, the *Guidelines* included new criteria for greenhouse gas emissions.

Sensitive Receptors

For the purposes of this air quality analysis, sensitive receptors are defined as facilities and land uses that include members of the population that are particularly sensitive to the effects of air pollutants, such as children, the elderly, and people with illnesses. Examples of these types of uses include schools, hospitals, and daycare centers. Residential areas are also considered sensitive to poor air quality because people usually stay home for extended periods of time, which results in greater exposure to ambient air quality.

The surrounding properties include residential uses to the north, east, south and west. Residential uses directly abut the site on southern property line. Residences also exist across San Thomas Expressway and across Monroe Street. To determine the potential impacts of the project this air quality analysis uses thresholds of the BAAQMD 2017 *CEQA Air Quality Guidelines.* **Appendix A** provides all calculations related to the calculations of project air quality emissions and health risk analysis.

a) **Less than Significant.** The most recently adopted air quality plan in the Bay Area is the BAAQMD's *2017 Clean Air Plan* (BAAQMD, 2017). BAAQMD guidance states that "if approval of a project would not result in significant and unavoidable air quality impacts, after the application of all feasible mitigation, the project would be considered consistent with" the Clean Air Plan. As indicated in the discussion of criteria "b" and "c" below, the project would include mitigation and as a result, would not result in significant air quality impacts. Therefore, this impact is less than significant.

b) **Less than Significant with Mitigation.**

Construction Emissions – Criteria Air Pollutants

The proposed project would generate construction emissions from a variety of sources, including off-road construction equipment and on-road worker, vendor, and hauling vehicles. Because construction can fluctuate from year to year, emissions from construction activity are assessed relative to average daily emissions over the entirety of the construction period, consistent with BAAQMD guidance. Emissions from all of the construction emission sources were estimated using the CalEEMod emission estimator model version 2016.3.2. **Table AQ-1** summarizes the project's construction emissions. BAAQMD's thresholds for PM_{10} and $PM_{2.5}$ are for exhaust emissions only. BAAQMD construction thresholds represent average daily emissions. Construction emissions would be less than significant for all pollutants.

Construction Emissions – Fugitive Dust

Demolition, excavation, grading, and other construction activities under the project may cause wind-blown dust that could contribute PM into the local atmosphere. Construction-related dust emissions would vary from day to day, depending on the level and type of activity, silt content of the soil, and the weather. In the absence of mitigation, dust generated from construction activities may result in significant adverse impacts on a temporary and intermittent basis during the construction period.

TABLE AQ-1
AVERAGE CONSTRUCTION DAILY CRITERIA POLLUTANT EMISSIONS (POUNDS/DAY)

Emissions Category	ROG[1]	NOx[1]	PM10[1]	PM2.5[1]
Average Daily Construction Emissions	7.72	18.02	0.804	0.76
BAAQMD Thresholds	54	54	82	54
Exceed Thresholds?	No	No	No	No

NOTES: Pounds per day estimates are based on CalEEMod annual emissions in tons per year divided by 393 days of construction. BAAQMD's threshold for PM_{10} and $PM_{2.5}$ are for exhaust emissions only.

[1] ROG – Reactive Organic Gases; NOx – Nitrogen Oxides; PM10 – particulate matter 10 microns or less in diameter; PM2.5 – particulate matter 2.5 microns or less in diameter

The BAAQMD's approach to analysis of construction-related particulate impacts (other than exhaust PM) is to emphasize implementation of effective and comprehensive dust control measures rather than detailed quantification of emissions. The BAAQMD considers construction-related fugitive dust impacts of projects to be less than significant if a suite of recommended dust-control measures is implemented. Therefore, BAAQMD-identified Best Management Practices for control of fugitive dust are included as **Mitigation Measure AQ-1**.

Implementation of BAAQMD basic control measures for fugitive dust, which are recommended for every construction project, would reduce impacts associated with fugitive dust emissions to less than significant.

Mitigation Measure AQ-1: Implement BAAQMD Basic Mitigation Measures.

The applicant and/or its construction contractors shall comply with the following applicable BAAQMD basic control measures during project construction:

1. Water all exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) two times per day.
2. Cover all haul trucks transporting soil, sand, or other loose material off-site.
3. Remove all visible mud or dirt track-out onto adjacent public roads using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. Limit all vehicle speeds on unpaved roads to 15 miles per hour.
5. Pave all roadways, driveways, and sidewalks as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
6. Minimize idling times either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

7. Maintain and properly tune all construction equipment tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.

8. Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Operation

The emissions increase attributable to operation of the project would be primarily from the vehicle trips generated by the future occupants of the Project site and the use of commercial products by future occupants. Area sources such natural gas combustion for heating, landscape maintenance, and architectural coatings would also contribute to a lesser extent.

Project operational criteria pollutant emissions from mobile, area, and stationary sources were estimated using the CalEEMod model. The model was refined to reflect the project-specific trip generation as determined by the project's transportation study (Fehr & Peers, 2019; refer to **Appendix F**).

Criteria pollutant emissions from the anticipated project-related operational sources are quantified in **Table AQ-2**. As shown, operation of the project would generate emissions that would be below thresholds for reactive organic gases (ROG), nitrogen oxides (NOx), PM_{10} (particulate matter 10 microns or less in diameter), and $PM_{2.5}$. Consequently, operational emissions of criteria air pollutants would be less than significant.

TABLE AQ-2
AVERAGE DAILY OPERATIONAL CRITERIA POLLUTANT EMISSIONS (POUNDS/DAY)

Emissions Category	ROG[1]	NOx[1]	PM10[1]	PM2.5[1]
Area Sources	1.91	0.03	0.01	0.01
Energy Sources	0.02	0.19	0.02	0.02
Mobile Sources[2]	0.41	1.552	1.68	0.46
Total	**2.34**	**1.77**	**1.71**	**0.49**
BAAQMD Thresholds	54	54	82	54
Exceed Thresholds?	No	No	No	No

[1] ROG – Reactive Organic Gases; NOx – Nitrogen Oxides; PM10 – particulate matter 10 microns or less in diameter; PM2.5 – particulate matter 2.5 microns or less in diameter

[2] Mobile Sources are so small due to the small nature of the project and the number of vehicle trips, refer to Section XVII, *Transportation*.

c) **Less than Significant with Mitigation.** Site preparation activities, such as demolition, excavation, grading, foundation construction, and other ground-disturbing construction activity, would affect localized air quality during the construction phases of the proposed project. Short-term emissions from construction equipment during these site preparation activities would include directly emitted PM ($PM_{2.5}$ and PM_{10}) and Toxic Air Contaminants (TACs) such as diesel particulate matter (DPM). Construction activities over the 21-month construction period would result in the generation would result in the

generation of TACs, specifically diesel PM, from combustion of diesel in off-road construction equipment and on-road heavy-duty trucks transporting materials to and from the Project site. Due to the variable nature of construction activity, the generation of TAC emissions in most cases would be temporary, especially considering the short amount of time such equipment is typically within an influential distance that would result in the exposure of sensitive receptors to substantial concentrations.

Regarding construction TACs emissions, BAAQMD recommends that a Health Risk Assessment (HRA) be conducted when sensitive receptors are located within 1,000 feet of project construction activities. While sensitive receptors in the form of residential uses are located all around the Project site, the nearest receptors are located within 50 feet of the site adjacent to the Project's southeastern boundary along Sheraton Drive and El Capitan Avenue. Consequently, an HRA was conducted to determine the level of risk generated by construction-related TACs at these and other nearby receptors. In accordance with OEHHA's 2015 *Air Toxics Hot Spots Program Guidance Manual for Preparation of Health Risk Assessments,* the HRA applied the highest estimated concentrations of TACs at the receptors analyzed to established cancer potency factors and acceptable reference concentrations for non-cancer health effects. The maximum DPM concentration as modeled using USEPA's AERMOD dispersion model occurred at the residential receptors at 2170 El Capitan Avenue abutting the Project site's eastern boundary. This would be considered the Maximum Exposed Individual Receptor (MEIR). Cancer risks associated with Project construction were then calculated using the modeled maximum DPM concentrations and OEHHA-recommended methodologies for infant (3rd trimester through 2 years of age), child, and adult exposure.

Table AQ-3 shows the cancer risk, chronic Hazard Index (HI) and $PM_{2.5}$ concentration estimated at the MEIR from Project-related construction activities for residential infant, child and adult receptors. The table also shows the applicable health risk significance thresholds recommended by the BAAQMD. The BAAQMD considers an increase in cancer risk level of more than 10 in one million, a non-cancer (i.e., chronic or acute) risk greater than Hazard Index (HI) 1.0, or an incremental increase of annual average $PM_{2.5}$ concentration greater than 0.3micrograms per cubic meter ($\mu g/m^3$) from individual projects to be significant. As shown in the table, unmitigated Project construction emissions would lead to a significant health risk impact as cancer risk to infant and child receptors and the annual $PM_{2.5}$ concentration at the MEIR would exceed the three health risk BAAQMD significance thresholds. However, with the implementation of Mitigation Measure AQ-2, health risk at the MEIR would be less than the BAAQMD significance thresholds for all age groups. Mitigation Measure AQ-2 would require the Project to use engines that meet the Tier 4 Final standards as the best available control technology for all construction equipment. Currently, Tier 4 engines represent best available control technology for control of diesel PM, and are expected to reduce emissions by 85 percent represent best available control technology for control of diesel PM, and are expected to reduce emissions by 85 percent (CARB, 2019). Table AQ-3 shows that with the use of Tier 4 equipment, health risk at the MEIR would be less than the BAAQMD significance thresholds for all age groups. Therefore, the potential impact of the Project regarding

exposure of existing receptors to construction related health risks would be less than significant with mitigation.

TABLE AQ-3
MAXIMUM HEALTH RISKS FROM PROJECT CONSTRUCTION

Health Risk at MEIR	Maximum Cancer Risk (in a million)	Chronic Risk (Hazard Index)	Maximum $PM_{2.5}$ concentration
Uncontrolled Scenario			
Residential Receptor - Infant	**139**	0.089	0.427
Residential Receptor - Child	**27.5**	0.089	0.427
Residential Receptor - Adult	3.9	0.089	0.427
Project-level Threshold	10	1.0	0.3
Significant?	**Yes**	**No**	**Yes**
Mitigated Scenario – With Tier 4 Final Equipment			
Residential Receptor - Infant	1.1	0.004	0.019
Residential Receptor - Child	5.8	0.004	0.019
Residential Receptor - Adult	0.2	0.004	0.019
Project-level Threshold	10	1.0	0.3
Significant?	**No**	**No**	**No**

SOURCE: ESA, 2019; see Appendix A

Mitigation Measure AQ-2: Construction Emissions Minimization.

All off-road equipment greater than 50 horsepower (hp) and operating for more than 20 total hours over the entire duration of construction activities shall US EPA Certified Tier 4 engines. Off-road equipment with tier 4 engines are now widely available for diesel-fired Heavy Duty construction equipment and as of 2017 account for 36 percent of the statewide fleet (CARB, 2018).

d) **Less than Significant.** Typical odor sources of concern include: wastewater treatment plants, sanitary landfills, transfer stations, composting facilities, petroleum refineries, asphalt batch plants, chemical manufacturing facilities, fiberglass manufacturing facilities, auto body shops, rendering plants, and coffee roasting facilities. During construction, diesel exhaust from construction equipment would generate some odors. However, construction-related odors would be temporary and would not persist upon project completion. Observation indicates that the project site is not substantially affected by any sources of odors. Additionally, the proposed project would not introduce significant sources of new odors in the vicinity as the proposed project includes residential uses that are consistent with historic land use in the area. Therefore, odor impacts from the proposed project would be less than significant.

References

Bay Area Air Quality Management District (BAAQMD), *Revised Draft Options and Justification Report, California Environmental Quality Act, Thresholds of Significance*. October 2009.

BAAQMD, *BAAQMD CEQA Guidelines, California Environmental Quality Act Air Quality Guidelines.* Available at: www.baaqmd.gov/pln/ceqa/ceqa_guide.pdf. 2017.

BAAQMD, 2017. *Draft 2017 Clean Air Plan, Spare the Air, Cool the Climate*, Available at: www.baaqmd.gov/~/media/files/planning-and-research/plans/2017-clean-air-plan/baaqmd_2017_cap_draft_122816-pdf.pdf?utm_campaign=CAP+2017+Draft&utm_medium=email&utm_content=article3_link1. accessed January 13, 2018.

California air Resources Board (CARB), *In-Use, Off-Road Equipment, 2017 Inventory Model*, April 2018.

California Air Resources Board (CARB), Verification Procedure - Currently Verified. Available at: http://www.arb.ca.gov/diesel/verdev/vt/cvt.htm. 2019.

5.4 Biological Resources

Issues (and Supporting Information Sources):		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV.	**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 Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
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?	☐	☐	☐	☒

Discussion

This section describes the existing biological resources for the 2330 Monroe Street Project (project) site in Santa Clara, CA, and evaluates project-related impacts on those resources. Information used in preparation of this section includes database queries from the California Natural Diversity Database (CNDDB; CDFW, 2019), California Native Plant Society (CNPS) Electronic Inventory (CNPS, 2019)[3], and the U.S. Fish and Wildlife Service (USFWS, 2019). ESA also reviewed current and historical Google Earth aerial imagery of the project site and from information collected at a January 7, 2019 site visit. The project site, shown in Figure 2 and immediate surrounding areas are herein referred to as the project "study area."

A review of habitat conditions and findings of the database queries were used to compile the list of special-status species that may occur within the project study area and to characterize the local project setting, described below. Habitat quality and species distribution were considered in evaluating the likelihood of special-status species occurrence on the project site. The list of

[3] ESA queried CNDDB and CNPS records for the following USGS 7.5-minute quadrangles: San Jose West, Cupertino, San Jose East, Mountain View, Milpitas, Calaveras Reservoir, Castle Rock Ridge, Los Gatos, and Santa Teresa Hills U.S. Geographical Survey (USGS) 7.5-minute topographic quadrangles.

special-status plant and animal species that may occur in the project study area is included in Table BIO-1 and BIO-2 in **Appendix B**. ESA reviewed and incorporated applicable information from the 2330 Monroe Street Arborist Report (TME, 2019) into this analysis.

Vegetation Communities and Wildlife Habitats

Past and ongoing development and other human activities have altered natural vegetation communities in the project study area. The project footprint has previously been developed and thus, the majority of the site consists of developed or ruderal (i.e., disturbed) habitat, with a small area of remnant non-native grassland habitat with a few ornamental plants along the south boundary of the site.

Developed/Ruderal

This habitat type within the proposed project site includes areas previously occupied by buildings, roads, parking lots, and other developed facilities, as well as adjacent landscaped or heavily disturbed areas. While the 2.47-acre project site has not contained buildings based on historic evidence, it consists almost entirely of a gravel lot bounded to the north with a chain link fence and with a wooden privacy fence adjacent the residential properties to the south. Site topography is nearly level with few shallow depressions throughout the lot. Ruderal vegetation species sparsely grow through the gravel throughout the site and in a small portion of the southwest corner of the site; however, the site appears to be seasonally sprayed such that it is devoid of vegetation for much of the year. Ruderal vegetation describes an assemblage of opportunistic and weedy species, typically non-native to California or considered invasive, which provide minimal habitat value, such as non-native, invasive species stinkwort (*Dittrichia graveolens*) and non-native bristly ox-tongue (*Helminthotheca echioides*), black mustard (*Brassica nigra*) and wild radish (*Raphanus sativus*). Non-native grasses also commonly occur along the edges of developed areas which may include smilo grass, (*Stipa miliacea*), slender oat (*Avena barbata*), Italian rye grass (*Festuca perennis*), ripgut brome (*Bromus murinum*), among others.

Four ornamental trees occur along the south boundary of the project site adjacent to a fence separating the site from residential properties. These trees include a non-native pecan (*Carya illinoinensis*), Texas privet (*Ligustrum japonicum*), and two holly oaks (*Quercus ilex*) (TME, 2019). In a few locations, English ivy (*Hedera helix*) and Himalayan blackberry (*Rubus armeniacus*) cascade over the wooden privacy fence into the project site. Several trees planted within adjacent properties have root zones which extend into the project site. Between the project site chain link fence and San Tomas Expressway and Monroe Street pedestrian sidewalks to the north is a vegetated shoulder within which non-native grass appears regularly mowed. Mulch sparsely covers the northern-most portion of this area. Eight mature trees are located within this shoulder; three of these trees are identified as Aleppo pine trees (*Pinus halepensis*) by the consulting arborist (TME, 2019).

Several bird species common to urban environments could forage in herbaceous vegetation or breed in trees, shrubs, vines of the project site and immediate vicinity. Such species include American crow (*Corvus brachyrhynchos*), white-crowned sparrow (*Zonotrichia leucophrys*), California towhee (*Pipilo crissalis*), northern mockingbird (*Mimus polyglottos*), and house finch

(*Haemorhous mexicanus*) which are common to urban environments providing habitat similar to the project site. However, due to the barren nature of the project site; habitat for these common birds is generally lacking and their use of the site would be sporadic.

Wetlands and Other Waters

Wetlands are ecologically complex habitats that support a variety of both plant and animal life. The federal government defines and regulates other waters, including wetlands, in Section 404 of the Clean Water Act (CWA). Wetlands are "areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support (and do support, under normal circumstances) a prevalence of vegetation typically adapted for life in saturated soil conditions" (33 CFR 328.3[b] and 40 CFR 230.3). No federal or State-jurisdictional wetlands or other waters occur on the project site.

Wildlife Movement Corridors

Wildlife movement corridors link together areas of suitable wildlife habitat that are otherwise separated by rugged terrain, changes in vegetation, or by areas of human disturbance or urban development. Topography and other natural factors in combination with urbanization have fragmented or separated large open-space areas. The fragmentation of natural habitat can create isolated "islands" of vegetation that may not provide sufficient area to accommodate sustainable populations and can adversely affect genetic and species diversity. Movement corridors mitigate the effects of this fragmentation by allowing animals to move between remaining habitats, which in turn allows depleted populations to be replenished and promotes genetic exchange between separate populations. The project site's current state among other urban development does not create a barrier to wildlife movement between any separated open space areas.

Special-Status Species

The potential for the project site to support special-status plant or animal species was assessed using database results, previous studies of biological resources in the regional vicinity, and an understanding of existing site conditions and available habitat. Special-status species distribution information was obtained from the CNDDB (CDFW, 2019), USFWS (2019), and CNPS (2019) for the regional project vicinity. Tables BIO-1 and BIO-2 in Appendix B identifies regionally-occurring special-status plants and animals, their preferred habitats and plant blooming periods, and their potential to occur in the study area.

To support the biological resources impact discussion, the above data were examined to create a focused list of special-status species that could be encountered in the study area, and also on the project site. Each species was determined to have a low, moderate, or high potential for occurrence in the study area based on previous location data, species' range, and current site conditions. Species with a moderate or high potential for occurrence are discussed in detail, below. Several species that require specialized habitat not found within the project site, including large areas of annual grassland, oak woodland, freshwater marsh, tidal marsh, or coastal scrubland, were also eliminated from further discussion.

Special-Status Plants

Several special-status plant species are documented in the regional vicinity of the proposed project; however, none were determined to have at least a moderate potential to occur in the project study area. This is generally due to the history of site disturbance and the lack of suitable supportive habitat and documented local occurrences in the project study area.

Special-Status Animals

Special Status Birds. Suitable habitat for special-status birds such as white-tailed kite (*Elanus leucurus*), which occur in the regional project vicinity, are not expected onsite due to the lack of suitable habitat within the developed study area.

Other Breeding and Migratory Birds. Mature trees of the project site and immediate vicinity provide nesting and foraging habitat for a variety of resident and migratory birds. Passerine species which could nest in the area include but are not limited to Anna's hummingbird (*Calypte anna*), Bewick's wren (*Thryomanes bewickii*), American crow, California towhee and northern mockingbird, among others. The federal Migratory Bird Treaty Act (MBTA) and California Fish and Game Code protect raptors, most native migratory birds, and breeding birds that would occur at the project site and/or nest in the surrounding vicinity.

Sensitive Natural Communities

A sensitive natural community is a biological community that is regionally rare, provides important habitat opportunities for wildlife, is structurally complex, or is in other ways of special concern to local, state, or federal agencies. The CNDDB reports several sensitive natural communities within the regional project area; however, these communities are not found on our near the project site.

Critical Habitat

Critical habitat is defined as the specific areas that are essential to the conservation of a federally listed species and that may require special management consideration or protection. There is no federally designated critical habitat within the proposed project site.

a) **Less than Significant with Mitigation.**

Special Status Plants

All special-status plant species with potential to occur in the regional project area were determined to have either a low potential to occur or determined to be absent from the project site, generally due to the site history of disturbance and the related lack of suitable habitat, and the lack of local species occurrences. The proposed project would not impact special-status plants.

Special Status Animals

The proposed project could have a significant impact either directly or indirectly through habitat modifications on protected nesting birds, but would not otherwise impact special status animals. This potential impact is discussed below.

***Special-Status and Migratory Birds*.** Construction activities associated with tree removal, excavation and grading, new construction and a general increase in noise and visual disturbance in the vicinity of the project site during these activities may adversely affect nesting birds within 250 feet of the project site during the nesting season (February 1 – August 31). Suitable foraging and nesting habitat is present within the project site and vicinity for song sparrow, a special-status species, and other migratory and resident passerine species such as mourning dove, house finch, California towhee, northern mockingbird, and white-crowned sparrow, which could forage and/or nest in the mature trees and among vine and shrub vegetation of the project site.

Removal of existing vegetation and trimming or removal of trees at the project site during construction could destroy active bird nests. In addition, an increase in noise and visual disturbance associated with site development could disrupt nesting efforts in the habitat surrounding the project site. The loss of an active nest would be considered a significant impact under CEQA. Moreover, disruption of nesting migratory or native birds is not permitted under the federal MBTA or the California Fish and Game Code, as it could constitute unauthorized take. The loss of any active nest by, for example, trimming or removing a tree or shrub containing a nest, must be avoided under federal and California law. Although compliance with existing state and federal regulations would prevent impacts on nesting birds, implementation of **Mitigation Measure BIO-1, Nesting Bird Protection Measures**, would ensure that the project would not have a significant impact on nesting birds by limiting removal of vegetation to periods outside of the bird nesting season, to the extent feasible, conducting pre-construction nesting surveys, and establishing no work buffer zones around active nests identified on or near the project site.

Mitigation Measure BIO-1: Nesting Bird Protection Measures.

Nesting birds and their nests shall be protected during construction by use of the following measures:

1. To the extent feasible, conduct initial vegetation removal, tree trimming and removal, ground disturbance, and demolition of existing buildings outside the bird nesting season (February 1 to August 31).

2. If tree removal or ground disturbance occur during the nesting season, a qualified biologist shall conduct pre-construction nesting surveys during within 14 days prior to the start of such activities. Surveys shall be performed for the project site and suitable habitat within 100 feet to locate any active passerine (perching bird) nests and within 250 feet of these individual sites to locate any active raptor (birds of prey) nests.

3. If active nests are located during the pre-construction nesting bird surveys, these nests, and an approved buffer around them (as determined by a qualified biologist), will remain off-limits to construction until the nestling/chicks have fledged and are no longer dependent on the nest.

b) **No Impact.** Riparian habitat or other sensitive natural communities identified in local or regional plans, policies, regulations or by the CDFW or U.S. Fish and Wildlife Service

(USFWS) do not occur within the project site; therefore, the proposed project would not impact these resources.

c) **No Impact.** There are no potentially jurisdictional wetlands or other waters of the U.S. or waters of the state within the project site; therefore, the proposed project would not impact federal or state-protected wetlands or other waters.

d) **No Impact.** Given the current condition of the site and surrounding built environment, the proposed project does not have the potential to significantly interfere with the movement of native resident or migratory avian and mammal species or impede use of wildlife nursery sites with site redevelopment. The project site is a disturbed, vacant lot which and provides little if any, low quality habitat for wildlife adapted to developed/ruderal areas. Existing urban uses and infrastructure surround the project site on all sides precluding the site from serving as an effective movement corridor between areas of high quality habitat. As the undeveloped site does not serve as a wildlife movement corridor or native wildlife nursery site, development of the proposed project would not result in an impact related to wildlife movement or nursery sites.

e) **Less than Significant.** The project site contains four ornamental trees located along the east property boundary, which include pecan, Texas privet, and two holly oaks. Three of these trees would likely be removed under the project to facilitate redevelopment plans. Chapter 12.35 of the Santa Clara City Code states that no tree, plant, or shrub planted or growing in the streets or public places of the City shall be altered or removed without first obtaining a permit from the Superintendent of Streets. Further, without such authorization no trenching alongside such tree, plant, or shrub, that would cut roots or otherwise damage the plants shall occur. The project site is privately owned and removal or trimming of existing trees and other vegetation within the project site would not require such a permit. The location of street trees along the San Tomas Expressway, adjacent to the west of the project site, are offset enough that project development (e.g., excavation or trenching) would not affect tree root zones (TME, 2019). Should any other component of project development have potential to adversely affect these street trees, the project applicant would need to coordinate with the City and obtain a permit prior to excavation to avoid conflicts with City Code.

The City of Santa Clara General Plan Policy 5.10.1-P3 requires preservation of Heritage Trees, which have been designated by the Historical Heritage Commission and Board of Supervisors. No heritage trees have been designated within the project site thus no conflict with this general plan policy would occur with site development.

General Plan Policy 5.10.1-P4 requires protection of all healthy cedars, redwoods, oaks, olives, bay laurel and pepper trees of any size, as well as any other species over 36 inches in circumference (12-inch diameter) measured at 48 inches above-grade on both private and public property, including public right-of-ways. The pecan and Texas privet trees within the project site are large enough to qualify for protection under this policy with 18- and 14-inch diameters, respectively; however, the pecan is described as being in fair

condition in the arborist report and the Texas privet has been damaged by herbicide treatments. The two holly oaks of the project site are described as multi-stemmed, shrubby trees, which would not be able to be retrained into high quality specimen trees and have damage to the lower tree foliage as a result of systematic herbicide treatments. (TME, 2019) The existing condition of the pecan, Texas privet, and two holly oak trees onsite would not qualify as healthy trees requiring protection under this policy; therefore, their removal under the project would not conflict with General Plan Policy 5.10.1-P4. Trees located on adjacent properties which could be affected by site redevelopment (e.g., by grading, excavation, trenching) were also assessed in the arborist report; several of which qualify for protection under this policy due to their size (TME, 2019). To avoid conflicts with this general plan policy, tree protection measures would be required on offsite trees that could be impacted by construction with diameters of 12-inches or greater when measured at 48-inches above-grade. Accordingly, as a condition of approval, the project applicant shall prepare a tree protection plan for review and approval by the City prior to any demolition, grading or other earthwork in the vicinity of existing 12-inch diameter or larger trees on the site.

General Plan Policy 5.3.1-P10 requires that new developments provide street trees at a minimum of 2:1 on- or off-site as replacement for trees removed as a part of the development project. The four ornamental trees located along the south boundary of the project site are necessary to remove for site redevelopment. To avoid conflict with this policy, eight street trees would be necessary to plant within the development or offsite. The project includes extensive landscaping in public areas of the development, including 125 onsite trees, and would therefore be consistent with this general plan policy; as such, there is no need for project mitigation.

Compliance with the City of Santa Clara General Plan policies 5.3.1-P4 and 5.3.1-P10 regarding protection of healthy trees of qualifying size adjacent to the project site and replacement of trees removed from the site with street trees at a 2:1 ratio (on- or off-site) would ensue that the project would not conflict with local plans and policies protecting trees; therefore, the project impact would be less than significant with no mitigation required.

f) **No Impact.** There is no adopted Habitat Conservation Plan or Natural Community Conservation Plan for this area and, therefore, no conflict with such plans would occur under the proposed project.

References

California Department of Fish and Wildlife (CDFW), *California Natural Diversity Database (CNDDB). RareFind version 5 query of the San Jose West, Cupertino, San Jose East, Mountain View, Milpitas, Calaveras Reservoir, Castle Rock Ridge, Los Gatos, and Santa Teresa Hills USGS 7.5-minute topographic quadrangle*, accessed January 31, 2019.

California Native Plant Society (CNPS), *Inventory of Rare and Endangered Plants for the San Jose West, Cupertino, San Jose East, Mountain View, Milpitas, Calaveras Reservoir,*

Castle Rock Ridge, Los Gatos, and Santa Teresa Hills USGS 7.5-minute topographic quadrangles. Available at: http://www.rareplants.cnps.org/, accessed January 31, 2019.

Tree Management Experts (TME), *Arborist Report for 2330 Monroe Street, Santa Clara, CA. Prepared for Freebird Development Company*, January 23, 2019.

U.S. Fish and Wildlife Service (USFWS), *My Project, IPaC Trust Resource Report of Federally Endangered and Threatened Species in the vicinity of 2300 Monroe Street, Santa Clara, CA 95050*, generated January 31, 2019.

5.5 Cultural Resources

Issues (and Supporting Information Sources):		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
V.	**CULTURAL RESOURCES — Would the project:**				
a)	Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☐	☒
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c)	Disturb any human remains, including those interred outside of formal cemeteries?	☐	☒	☐	☐

Discussion

a) **No Impact.** This section discusses historical resources according to CEQA Guidelines Section 15064.5. A significant impact would occur if the project would cause a substantial adverse change to a historical resource, herein referring to historic-era architectural resources or the built environment, including buildings, structures, and objects. A substantial adverse change includes the physical demolition, destruction, relocation, or alteration of the resource.

There are no buildings on the project site, and therefore there is no potential that the project could directly affect historic architectural resources. However, to assess the potential for subsurface resources and/or indirect effects on historic resources in the vicinity, ESA completed a records search at the Northwest Information Center (NWIC) of the California Historical Resources Information System at Sonoma State University on January 4, 2019 (File No. 18-1231). Records were accessed by reviewing the U.S. Geological Survey (USGS) *San Jose West Quadrangle*, California 7.5-minute topographic base map. The NWIC records search indicates that no buildings or structures have been previously recorded as historical resources within the *project area*,[4] and that no buildings or structures listed in or eligible for listing in the National Register of Historic Places (National Register) and/or the California Register of Historical Resources (California Register) are within or adjacent to the project area. Additional review of historical topographic maps and aerial photographs indicates that no buildings or structures were located in the project area between 1899 and 1968 (Curry, 2019). The maps and aerial photographs reviewed include: the 1899 USGS *San Jose Quadrangle* topographic map, the 1953 USGS *San Jose West Quadrangle* 7.5-minute topographic map, the 1961 USGS *San Jose West Quadrangle* 7.5-minute map, as photo revised in 1968, and the 1965 *Cartwright Aerial Surveys Flight* cas-65, frame 9-103 aerial photograph. The records search and all maps and aerial photographs of the project area indicate that there were no architectural resources on the parcel during the historic-era,

[4] For the purposed of cultural resources, the project area refers to the technical term, *area of potential affect*, which was studied by ESA and included in the NWIC records search. Due to the relatively young nature of the surrounding structures, the APE is restricted to the project site.

and therefore, the project would not cause a substantial adverse change in the significance of a historical resource and no mitigation is necessary.

b) **Less than Significant with Mitigation.** This section discusses archaeological resources, both as historical resources according to CEQA Guidelines Section 15064.5, as well as unique archaeological resources as defined in Public Resources Code (PRC) Section 21083.2(g). A significant impact would occur if the project would cause a substantial adverse change to an archaeological resource through physical demolition, destruction, relocation, or alteration of the resource.

As noted in section (a) above, ESA completed a records search at the NWIC of the California Historical Resources Information System at Sonoma State University on January 4, 2019 (File No. 18-1231). Records were accessed by reviewing the USGS *San Jose West Quadrangle*, California 7.5-minute topographic base map. Additional research was conducted using the files and literature at ESA. The records search reviewed the project area and a 0.5-mile radius in order to: (1) determine whether known cultural resources have been recorded within the vicinity of the proposed Project; (2) assess the likelihood of unrecorded cultural resources based on historical references and the distribution of environmental settings of nearby sites; and (3) develop a context for identification and preliminary evaluation of cultural resources.

The records search indicated that there are no previously recorded cultural resources within the project area. Within a 0.5-mile radius of the project area there is one historic-era structure (P-43-000928) and two prehistoric archaeological sites (P-43-000485 and P-43-001248). The historic-era structure (P-43-000928) is the Southern Pacific Railroad, which is 0.21-mile northeast of the project area. The two prehistoric archaeological sites (P-43-000485 and P-43-001248) each contain two human burials, but otherwise contain few or no artifacts, have no recorded non-burial features, and consist primarily of midden soils with sparse or no shellfish remains. P-43-000485 is 0.41-mile southwest of the project area and P-43-001248 is 0.5-mile southwest of the project area. The proposed project will not impact these resources.

A geological based archaeological sensitivity analysis indicates that the project area is located in an area mapped as Holocene-age alluvium, which has a high potential to contain buried paleosols[5]. Numerous deeply buried sites have been uncovered in the Santa Clara Valley, at depths varying between 1 foot and more than 10 feet below the ground surface. In fact, more than 60 percent of recorded archaeological sites in this region have been found in a buried context (Meyer and Rosenthal, 2007). In addition, San Tomas Aquino Creek is 515 feet west of the project area and Saratoga Creek is approximately 1 mile west of the project area. Finally, there are two indigenous prehistoric archaeological sites (P-43-000485 and P-43-001248) within 0.5-mile of the project area. The combination of Holocene-age soils, close proximity to perennial water sources, the presence of two nearby indigenous prehistoric archaeological sites all

5 Paleosols are defined here as buried soil surfaces that would have been available for human use and occupation in the past.

indicate that the project area has a moderate archaeological sensitivity. There are no known archaeological sites in the project area, but the sensitivity analysis indicates that there is a moderate potential to encounter previously unknown buried archaeological resources in the area.

ESA completed an archaeological pedestrian surface survey of the project area on January 7, 2019. The survey resulted in the identification of no archaeological materials and no archaeological or historical resources eligible for listing in the California Register were observed in the project area. The pedestrian survey identified surface soils consistent with the geological sensitivity analysis; therefore, there is a moderate potential for previously undocumented buried archaeological resources to be identified in the Project Area during Project implementation.

The cultural resources assessment completed for the proposed project indicates there is a low potential to adversely affect significant archaeological resources, but moderate potential for unknown buried archaeological resources in or near the project area. Although unlikely, the inadvertent discovery of archaeological resources cannot be entirely discounted. Inadvertent damage to archaeological resources during construction would be a potentially significant impact. Implementation of **Mitigation Measure CUL-1** would reduce the impact to a less than significant level.

Mitigation Measure CUL-1: Encounter with Archaeological Resources.

If prehistoric or historic-era archaeological resources are encountered by construction personnel during Project implementation, all construction activities within 100 feet shall halt until a qualified archaeologist, defined as one meeting the Secretary of the Interior's Professional Qualification Standards for archaeology, can assess the significance of the find. Prehistoric archaeological materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil ("midden") containing heat-affected rocks, artifacts, or shellfish remains; and stone milling equipment (e.g., mortars, pestles, hand stones, or milling slabs); battered stone tools, such as hammer stones and pitted stones. Historic-era materials might include stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse.

If the find is determined to be potentially significant, the archaeologist, in consultation with the City of Santa Clara and the culturally-affiliated Native American group(s) shall determine whether preservation in place is feasible. Consistent with CEQA Guidelines Section 15126.4(b)(3), this may be accomplished through planning construction to avoid the resource; incorporating the resource within open space; capping and covering the resource; or deeding the site into a permanent conservation easement. If avoidance is not feasible, a qualified archaeologist, in consultation with the lead agency and the culturally-affiliated Native American group(s), shall prepare and implement a detailed treatment plan. Treatment of unique archaeological resources shall follow the applicable requirements of PRC Section 21083.2. Treatment for most resources would consist of (but would not be not limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in the portion(s) of the significant resource to be impacted by the Project.

The treatment plan shall include provisions for analysis of data in a regional context, reporting of results within a timely manner, curation of artifacts and data at an approved facility, and dissemination of reports to local and state repositories, libraries, and interested professionals.

c) **Less than Significant with Mitigation.** Based on the records search and survey results, no human remains are known to exist within the project area. The Project would involve ground-disturbing activities; therefore, it is possible that such actions could inadvertently unearth, expose, or disturb buried human remains, which would be a potentially significant impact. Implementation of **Mitigation Measure CUL-2** would reduce this impact to a less than significant level.

Mitigation Measure CUL-2: Encounter with Human Remains.

If potential human remains are encountered, all work will halt within 100 feet of the find and the on-site construction crew will immediately contact the City of Santa Clara. The City of Santa Clara will contact the Santa Clara County coroner in accordance with PRC Section 5097.98 and Health and Safety Code Section 7050.5. If the coroner determines the remains are Native American, the coroner will contact the NAHC. As provided in PRC Section 5097.98, the NAHC will identify the person or persons believed most likely to be descended from the deceased Native American. The most likely descendent will make recommendations for means of treating, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98.

References

Curry, Ben *Subject: 2330 Monroe Street Project – Cultural Resources Survey and Assessment*, Letter Report, Prepared by Environmental Science Associates, Sacramento, CA, Prepared for the City of Santa Clary Planning Division, March, 2019.

Northwest Information Center (NWIC), Record Search results on file at ESA. File No. 18-1231. January 4, 2019.

Meyer, Jack, and Jeffrey Rosenthal, *Geoarchaeological Overview of the Nine Bay Area Counties in Caltrans District 4.* Prepared for Caltrans District 4. 2007

5.6 Energy

Issues (and Supporting Information Sources):		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI.	**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?	☐	☐	☒	☐
b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

Discussion

a, b) **Less than Significant.** The proposed project would introduce new residential land uses to the site, which would use fuel, water, and energy. Construction and operation of the proposed project would result in energy consumption.

The proposed project would be an infill project, and consistent with goals and policies related to energy in Section 5.10.3 of the General Plan would implement goals and policies that encourage reduced energy use. Applicable General Plan policies include the following:

> **5.10.3-P4 –** Encourage new development to incorporate sustainable building design, site planning and construction, including encouraging solar opportunities.
>
> **5.10.3-P5** – Reduce energy consumption through sustainable construction practices, materials and recycling.
>
> **5.10.3-P6** – Promote sustainable buildings and land planning for all new development, including programs that reduce energy and water consumption in new development.

The City of Santa Clara has a Climate Action Plan (CAP) that specifies the strategies and measures to be taken for a number of focus areas (coal-free and large renewables, energy efficiency, water conservation, transportation and land use, waste reduction, etc.); the project's consistency with the CAP is addressed under *Section VIII, Green House Gas Emissions*. Water consumption and water efficiency is addressed under *Sections X, Hydrology and Water Quality*, and *XIX, Utilities*.

Construction

Construction of the project would increase consumption of energy in the forms of electricity and fossil fuels (e.g., gasoline and diesel) during proposed construction activities. The primary construction-related energy demands would be construction equipment, worker vehicles, and material haul trucks. The project does not have unusual characteristics that would require construction equipment that would be less energy-efficient than at comparable construction sites in other parts of the County. Therefore, it

is expected that construction fuel consumption associated with the proposed project would not be any more inefficient, wasteful, or unnecessary than at other construction.

Operation

The project would be designed to meet the 2016 California Title 24: Green Building Code Residential Mandatory Measures and would meet the Target Title 24 Energy Compliance Margin basic compliance. Therefore, the proposed project would operate a residential building that is energy efficient meeting the City and state requirements. It would provide three parking stalls for future EV charging stations and one loading/drop-off/paratransit service stall. The project would also supply facilities for separated waste collection for compost and recycling. Considering these project features, long-term operational energy consumption would not result in inefficient, wasteful, or unnecessary use of energy.

The proposed project would develop residential land uses in an existing urban and infill area, as such, residents could use public transit to reach job centers and other amenities, thereby reducing motor vehicle trips. Residents could also use non-motorized modes of transportation to reach existing amenities, which would further reduce transportation fuel demand. Thus, the proposed project would be located in proximity to key resources and opportunities to avoid inefficient, wasteful, or unnecessary transportation fuel use.

Considering the information presented above, the proposed project's construction-, water-, energy-, and transportation-related energy consumption would not result in inefficient, wasteful, or unnecessary use of energy, as such the project would also comply with state and local energy efficiency requirements.

References

City of Santa Clara, December 9, 2014. *City of Santa Clara 2010-2035 General Plan*.

5.7 Geology and Soils

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
VII. 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.	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☒	☐	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☒	☐	☐
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
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?	☐	☒	☐	☐
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?	☐	☒	☐	☐
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?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☒

As described previously under *Air Quality*, in the *California Building Industry Association v. Bay Area Air Quality Management District* case decided in 2015, the California Supreme Court held that CEQA does not generally require lead agencies to consider how existing environmental conditions might impact a project's users or residents, except where the proposed project would significantly exacerbate an existing environmental condition. Thus, with respect to seismic hazards, this Initial Study is not required to consider the effects of bringing a new population into an area where such hazards exist because the project would not increase or otherwise affect the conditions that create those risks. Furthermore, the identified significance criteria related to locating development on unstable geologic units and soils are valid only to extent that the project would significantly exacerbate those risks; the Draft Geotechnical Investigation report (**Appendix C**) prepared for this project considered site seismic hazards provided direction for how project buildings/structures would be designed to avoid risks associated with soils etc. Thus, potential seismic and geologic hazards, and applicable regulatory mechanisms that address these effects, are disclosed in this section, for informational purposes.

Discussion

Applicable General Plan policies include the following:

5.10.5-P5 – Regulate development, including remodeling or structural rehabilitation, to ensure adequate mitigation of safety hazards, including flooding, seismic, erosion, liquefaction and subsidence dangers.

5.10.5-P6 – Require that new development is designed to meet current safety standards and implement appropriate building code to reduce risks associated with geologic conditions.

5.10.5-P7 – Implement all recommendations and design solutions identified in project soils reports to reduce potential adverse effects associated with unstable soils or seismic hazards.

5.10.5-P17 – Require that grading and other construction activities comply with the Association of Bay Area Governments' Manual of Standards for Erosion and Sediment Control Measures and with the California Stormwater Quality Association (CASQA), Stormwater Best Management Practice Handbook for Construction.

a.i) **No Impact.** The project site not located in an Alquist-Priolo Earthquake Fault Zone nor is it located on or immediately adjacent to an active or potentially active fault.[6] The Alquist-Priolo Earthquake Fault Zoning Act requires the delineation of zones by the California Department of Conservation, Geological Survey (CGS, formerly known as the California Division of Mines and Geology) along sufficiently active and well-defined faults. The purpose of the act is to restrict construction of structures intended for human occupancy along traces of known active faults. The major active faults, nearest to the project site are the Monte Vista (6.2 miles southwest) Hayward (9.3 miles northeast), and San Andreas fault (9.9 miles southwest) (Rockridge Geotechnical, 2019). As the site is not located in an Alquist-Priolo Earthquake Fault Zone nor located on or immediately adjacent to an active fault, fault rupture hazards associated with the proposed project is considered very low and there would be no impact.

a.ii, iii) **Less than Significant with Mitigation.** The City of Santa Clara is located in a seismically active region. Recent studies by the United States Geological Survey (USGS) indicate there is a 72 percent likelihood of a Richter magnitude 6.7 or higher earthquake occurring in the Bay Area in the next 30 years (USGS, 2015). The project site could experience a range of ground shaking effects during an earthquake on one of the Bay Area regional active faults. An earthquake on the nearby faults could result in very strong ground shaking intensities.[7] Such seismic shaking can also trigger ground failures caused

6 An active fault is defined by the State of California is a fault that has had surface displacement within Holocene time (approximately the last 10,000 years). A potentially active fault is defined as a fault that has shown evidence of surface displacement during the Quaternary (last 1.6 million years), unless direct geologic evidence demonstrates inactivity for all of the Holocene or longer. This definition does not, of course, mean that faults lacking evidence of surface displacement are necessarily inactive. Sufficiently active is also used to describe a fault if there is some evidence that Holocene displacement occurred on one or more of its segments or branches (Hart, 1997).

7 Shaking intensity is a measure of ground shaking effects at a particular location, and can vary depending on the overall magnitude of the earthquake, distance to the fault, focus of earthquake energy, and type of underlying geologic material. The Modified Mercalli (MM) intensity scale is commonly used to measure earthquake effects due to ground shaking. The MM values for intensity range from I (earthquake not felt) to XII (damage nearly total).

by liquefaction, potentially resulting in foundation damage, disruption of utility service and roadway damage.[8]

As part of the analysis for this Initial Study, Rockridge Geotechnical prepared a Geotechnical Investigation for the site, which is included as Appendix C to this Initial Study. As part of their investigations, Rockridge Geotechnical included two borings and two cone penetration tests (CPTs) with geotechnical laboratory testing on selected soil samples, and subsequent engineering analyses. The report found that the project site has approximately 2.5 to 3 feet of undocumented fill across the site, a moderately to highly expansive, near-surface clay, and the potential for up to 0.25 inch of liquefaction-induced differential settlement. The investigation provided further liquefaction analysis and determined from soil samples, the site has thin (less than one foot in thickness) lenses of granular soil below a depth of about nine feet below ground surface that may liquefy during a major earthquake, such that about a quarter inch of liquefaction-induced differential settlement may occur over a 30-foot horizontal distance following a major earthquake. Based on current geotechnical studies, a 3-foot-thick non-liquefiable soil layer would provide a buffer for a 1-foot-thick liquefiable layer, such that there would be no surface ground damage expected. Because the thickness of non-liquefiable soil above the liquefiable layer is 9 feet, the geotechnical report concluded the potential impacts from liquefaction during a major earthquake is low (Appendix C).

While the potential for liquefaction is low, the Geotechnical Investigation identified design and construction recommendations to avoid and reduce geologic hazards including liquefaction. Implementation of these recommendations is included as **Mitigation Measure GEO-1**. Through adherence to these design and construction recommendations along with seismic provisions in the 2016 California Building Code (CBC), consistent with General Plan Policies 5.10.5-P5, -P6, and -P7, the potential impact from ground shaking and liquefaction would be less than significant.

Mitigation Measure GEO-1: Recommended Geotechnical Design.

Prior to project construction, the qualified geotechnical engineer (Rockridge Geotechnical, Inc.) shall review the project plans and specifications to verify that they conform to the intent of the geotechnical recommendations. During construction, the qualified geotechnical field engineer shall provide on-site observation and testing during site preparation, grading, fill placement and compaction, and foundation installation. These observations will allow the qualified geotechnical to compare actual with anticipated soil conditions and to verify that the contractor's work conforms to the geotechnical aspects of the plans and specifications.

a.iv) **No Impact.** The project site is relatively level, and is not located on or adjacent to a hillside. Improvements resulting from the proposed project would therefore not be affected by potential impacts associated with seismically induced landslides.

[8] Liquefaction is the process by which saturated, loose, fine-grained, granular, soil, like sand, behaves like a dense fluid when subjected to prolonged shaking during an earthquake.

b) **Less than Significant.** Implementation of the proposed project would include earthwork activities such as grading and trenching for utilities. If not conducted appropriately, these activities could potentially expose underlying materials to the effects of erosion. Construction on the 2.47 acre project site would disturb more than one acre of the site and therefore, consistent with General Plan Policy 5.10.5-P17, the project would be subject to the National Pollutant Discharge Elimination System (NPDES) requirements under the General Construction Permit which includes erosion control requirements (refer to Section 5.10 *Hydrology and Water Quality* below). To comply with the permit, the project applicant would be required to develop, submit and implement a site-specific stormwater pollution prevention program (SWPPP) with construction best management practices (BMPs). These erosion control BMPs that could include use of straw bales, storm drain inlet protections, silt fences, and covering excavation stockpiles. Because the contractor would be required to develop and implement best management practices (BMPs) to minimize potential erosion and subsequent sedimentation of stormwater runoff in accordance with the SWPPP, NPDES General Construction Permit, the potential impact or erosion or loss of topsoil would be less than significant.

c) **Less than Significant with Mitigation.** The project site would be located on soil with a low potential for instability related to lateral spreading, liquefaction, subsidence or collapse. As addressed under a.ii, iii), above, while the project site is subject to a low potential for liquefaction, it would implement the recommendations identified in the design-level geotechnical investigation, which include design and construction recommendations to avoid and reduce liquefaction hazards. Similar to liquefaction, lateral spreading is a phenomenon triggered by an earthquake; in this case, surficial soil is transported downslope due to a shear zone created by an underlying liquefied layer; and, similar to liquefaction, due to the thickness and discontinuous nature of the potentially liquefiable layer at the project site, the project site is subject to a low potential for lateral spreading.

Land subsidence is a settling of the earth's surface due to the compaction of subsurface materials. The Santa Clara Valley Groundwater Basin, which extends as far north as San Francisco and includes the project site, has historically experienced subsidence resulting from excessive withdrawal of groundwater. However, the most dramatic effects were realized well south of the site and stabilization of groundwater pumping rates and a groundwater re-injection program administered by the Santa Clara Valley Water District has halted subsidence in the that area. Operation of the proposed project would not involve the withdrawal of groundwater and there is no physical or historical evidence of subsidence at the project site.

In accordance with Mitigation Measure GEO-1, the proposed project would be designed and constructed consistent with the recommendations of a qualified geotechnical engineer It would also be subject to seismic provisions in the 2016 California Building Code (CBC), which would include incorporation of site preparation measures to ensure site stability. Therefore, while the project would be located on a geologic unit or soil that is

potentially unstable, project characteristics and the building code requirements wound ensure it does not exacerbate on- or off-site conditions.

d) **Less than Significant with Mitigation.** The Geotechnical Investigation prepared by Rockridge Geotechnical found that the project site has approximately 2.5 to 3 feet of undocumented fill across the site and a moderately to highly expansive, near-surface clay. In order to address the project site's near-surface soils with a high expansion potential, the project would need to implement recommendations in the design-level geotechnical report prepared for the project that would include excavation and off-haul of non-engineered fill, and design and engineering measures to avoid and reduce adverse effects of expansive soil on the proposed development. Implementation of Mitigation Measure GEO-1 and adherence to existing building code requirements would reduce the potential impact from expansive soils to less than significant.

e) **No Impact.** Wastewater from the proposed improvements would be connected to the existing sewer system, and would not require septic or other alternative wastewater disposal; therefore, the project would have no impact related to the support of septic systems.

f) **Less than Significant with Mitigation.** Geologically, Diblee and Minch (2007) identify the project site as Holocene-epoch Quaternary alluvial sand (Qya) deposits, which are generally considered as too young to preserve fossil resources. Rock formations that are considered of paleontological sensitivity are those rock units that have yielded significant vertebrate or invertebrate fossil remains. This includes, but is not limited to, sedimentary rock units that contain significant paleontological resources anywhere within its geographic extent. A search of the paleontological locality database of the University of California Museum of Paleontology was conducted to identify vertebrate fossil localities within Santa Clara County and general fossil collections in the geologic units found in the project site (UCMP, 2019). No invertebrate or vertebrate fossils have been identified in Holocene-age deposits in Santa Clara County, which signifies a low paleontological potential in accordance with Society of Vertebrate Paleontology criteria for assigning paleontological potential ratings to rock units.

Although the Holocene alluvial deposits recorded at the surface of the project site are too young to preserve fossil resources, the age of this unit increases with depth and so may be underlain by sediments sufficiently old to preserve Pleistocene fossils, such as the fossiliferous Quaternary clay (Qac) mapped adjacent to the east of the project site (Diblee and Minch, 2007). Throughout California older alluvial sediments have been repeatedly found to preserve significant fossils (see Dundas et al., 2009; Jefferson, 1991; Ngo et al., 2013), giving them high paleontological sensitivity. Therefore, the sediments in and around the project site mapped as Holocene alluvium should be considered to have low-to-high sensitivity, increasing with depth. While the geology mapped at the surface consists of younger alluvium of low paleontological potential, excavations may eventually encounter older alluvium containing vertebrate or invertebrate fossils of significance.

Based on the analysis provided above, there is generally a low potential that proposed project would impact significant paleontological resources. In deeper excavations there may be the potential to encounter geologic units that have paleontological potential, such as older alluvium. In the event that fossils are encountered during excavation, they could be inadvertently damaged, which would be a significant impact. To address this potential impact, implementation of Mitigation Measure GEO-2 would protect potential paleontological resources to the extent practicable.

By requiring the contractor to stop all ground disturbance if a paleontological resource is encountered during excavation, and to implement actions to investigate the discovery and recover or protect the fossil remains by a qualified professional, the mitigation measure would bring the impact to paleontological resources to a less-than-significant level.

Mitigation Measure GEO-2: Discovery of Paleontological Resources.

If potential fossils are discovered during project implementation, all earthwork or other types of ground disturbance within 100 feet of the find shall stop immediately until a qualified professional paleontologist can assess the nature and importance of the find. Based on the scientific value or uniqueness of the find, the paleontologist may record the find and allow work to continue, or recommend salvage and recovery of the fossil. The paleontologist may also propose modifications to the stop-work radius based on the nature of the find, site geology, and the activities occurring on the site. If treatment and salvage is required, recommendations will be consistent with Society of Vertebrate Paleontology guidelines (2010) and currently accepted scientific practice. If required, treatment for fossil remains may include preparation and recovery of fossil materials so that they can be housed in an appropriate museum or university collection, and may also include preparation of a report for publication describing the finds

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5.8 Greenhouse Gas Emissions

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
VIII. GREENHOUSE GAS EMISSIONS — Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

Discussion

Both the BAAQMD and the California Air Pollution Control Officers Association (CAPCOA) consider GHG impacts to be exclusively cumulative impacts (BAAQMD, 2012; CAPCOA, 2008). Therefore, assessment of significance is based on whether a project's GHG emissions represent a cumulatively considerable contribution to the global atmosphere.

BAAQMD, in its 2009 *Justification Report,* formulated thresholds using AB 32 and California Climate Change Scoping Plan GHG reduction targets (BAAQMD, 2009). The scoping plan included several strategies to reduce GHG emissions statewide. Consequently, a project cannot exceed a numeric BAAQMD threshold without also conflicting with AB 32 and the scoping plans on which it is based. Therefore, if a project exceeds a numeric threshold and results in a significant cumulative impact, it would also result in a significant cumulative impact with respect to plan, policy, or regulation consistency, even though the project may incorporate measures and have features that would reduce its contribution to cumulative GHG emissions.

As stated in BAAQMD's *2017 Air Quality CEQA Guidelines*, if the implementation of a proposed project or required mitigation measures would reduce operational-related GHGs to a level below either the 1,100 MT CO2e per year or 4.6 MT CO2e per service population per year threshold of significance, the impact would be reduced to a less than significant level. According to BAAQMD, a project would result in significant greenhouse gas impacts if it generates more than 1,100 metric tons (MT) of carbon dioxide equivalents (CO2e) per year; or 4.6 MT CO2e per capita.

These numeric thresholds, however, were developed based on achieving the state's 2020 GHG reduction target of 1990 GHG levels. The project is anticipated to be completed in December 2021 at the earliest, and so the 2020 target is not applied to this project. On September 8, 2016, Governor Brown signed Senate Bill (SB) 32 into law, amending the California Global Warming Solution Act. SB 32 requires the California Air Resources Board (CARB) to ensure that statewide GHG emissions are reduced to 40 percent below 1990 levels by 2030, and CARB adopted an updated Climate Change Scoping Plan in December 2017 to provide a framework for achieving this more stringent 2030 target. BAAQMD has yet to publish a threshold for 2030 in response to SB 32 and the CARB Scoping Plan. Therefore, in the interim, the City has been utilizing a threshold of significance that is 40 percent below the year 2020 BAAQMD targets in its

environmental documents for projects developed after 2020. Consequently, for the purposes of this Initial Study, a bright-line threshold of 660 MT CO2e per year is utilized as a screening threshold based on the GHG reduction goals of SB 32.

Santa Clara has also developed a Climate Action Plan (CAP) that contains measures to reduce GHG emissions. The *City of Santa Clara Climate Action Plan* (CAP; City of Santa Clara, 2013) includes an estimate of community-wide GHG emissions of 1,854,300 metric tons of CO_2e in the base year of 2008 and 1, 616. 229 metric tons of CO_2e in 2015, the most recently updated year. In addition, the 2016 annual report on the CAP includes the goal of reducing GHG emissions in the City by 15 percent below this 2008 baseline by 2020, and 55 percent reduction by 2035 (City of Santa Clara 2017). Implementation actions for reducing GHGs are in the sectors of Coal-free and Renewable Energy; Energy Efficiency, Water conservation, Transportation and Land Use, Waste Reduction and Recycling, off-road Equipment, and Urban Heat Island Effects. The plan's measures were developed to ensure that Santa Clara's GHG emissions would not conflict with AB 32 or CARB's Scoping Plans (CARB, 2008; CARB, 2014).

a) **Less than Significant.**

Construction

Emissions from construction occur for a relatively short period of time, while GHG emissions are of long-term concern. Inasmuch as the BAAQMD has no significance criterion for construction-related emissions of GHGs, this analysis conservatively amortizes construction-period emissions over an assumed 40-year lifespan for the building. This both ensures that construction emissions are captured and results in a conservative evaluation of GHG construction emissions.

Construction of the proposed project would generate GHG emissions from a variety of sources, including off-road construction equipment and on-road worker, vendor, and hauling vehicles. Emissions from all of the construction emission sources were estimated using the CalEEMod emission estimator model version 2016.3.2. Peak construction-related GHG emissions would occur in 2021 and would total 375 metric tons of CO_2e. These emissions are factored into the operational emissions discussed below.

Operation

Table GHG-1 summarizes the GHG emissions that would result from operation of uses under the proposed project with consideration of the reduction of GHG emissions associated with existing uses on the project site that would be removed. The table includes those emission sources that are included in the BAAQMD 2017 *CEQA Air Quality Guidelines*, such as area sources, transportation, operational electricity consumption, solid waste disposal, operational fugitive emissions, water usage and wastewater generation; as noted previously, the table also includes amortized construction-period emissions.

As can be seen from the table, emissions of GHGs would not exceed the BAAQMD screening threshold and would be below the BAAQMD screening threshold adjusted for year 2030 statewide GHG reduction targets of 660 metric tons per year of CO_2e.

Consequently, the proposed project would have a less than significant impact with respect to generation of GHG emissions that may have a significant impact on the environment. Additionally, as discussed below the project would be consistent with the City of Santa Clara's CAP, which is a qualified GHG Reduction Strategy and therefore passes all three of BAAQMD's existing criteria as a less than significant impact with respect to generating GHGs.

TABLE GHG-1
OPERATIONAL GHG EMISSIONS (METRIC TONS PER YEAR)

Emission Source	Total Emissions (MT/Year)			
	CO_2	CH_4	N_2O	Total CO_2e
Area Sources	0.79	<0.1	<0.01	0.81
Energy Sources	91.9	<0.1	<0.01	92.5
Mobile Sources (net increase)	291.2	0.01	<0.01	291.4
Solid Waste	14.1	0.83	<0.01	34.9
Water and Wastewater	6.94	0.15	<0.01	11.8
Construction (amortized over 40 years)				9.4
Total	**424.35**	**1.00**	<1	**440**
Project-level Screening Threshold				660
Exceeds Screening Threshold?				**No**

NOTE: Columns may not total precisely due to rounding. Mobile source emissions reflect net increase in vehicle trips in consideration of existing uses. Energy sources reflect 2016 Title 24 demand.

SOURCE: ESA, 2019 (Appendix A)

As can be seen from the table, emissions of GHGs would not exceed the BAAQMD screening threshold, and so it is unnecessary to consider the BAAQMD efficiency threshold. Consequently, the proposed project would have a less than significant impact with respect to generation of GHG emissions that may have a significant impact on the environment.

b) **Less than Significant.** The City of Santa Clara CAP established a GHG emissions reduction strategy for the City to achieve its share of statewide emissions reduction of 15 percent below 2008 levels by 2020, in an effort to be consistent with reductions required by Assembly Bill (AB) 32, the Global Warming Solutions Act, and further includes a goal of an emissions reduction 55 percent reduction by 2035 (City of Santa Clara, 2017).

The City of Santa Clara CAP specifies the strategies and measures to be taken for the focus areas of the CAP described above to achieve the overall emission reduction target. The project would be consistent with Santa Clara CAP Reduction Strategy 3.1, calling for a reduction in per-capita water use by 2020, because planting and irrigation would be designed with low-water-use plants water efficient irrigation systems (HKIT Architects, 2019). Additionally, the project would be required to comply with the requirements of the

California Green Building Code including low-flow toilets and other water-efficient fixtures so as to achieve a 20-percent reduction in indoor water use

The project would be consistent with Santa Clara CAP Reduction Strategy 4.2, requiring increased diversion of solid waste from landfill disposal, recycling at least 50 percent of the construction and demolition debris as required by the City. As discussed in the Air Quality analysis above, the applicant would be required to comply with BAAQMD-recommended basic construction mitigation measures, and therefore the project would be consistent with Reduction Strategy 5.2, which requires construction projects to comply with BAAQMD best management practices.

In accordance with General Plan policy (Policy 5.3.1-P10), the project applicant proposes to provide 126 trees on the site, including shade trees along the project site perimeter (HKIT Architects, 2019). Consequently, the project would be consistent with Santa Clara CAP Reduction Strategy 7.1, calling for a tree-planting standard for new development to mitigate the urban heat island effect.

The proposed project would also be required to comply with the California Energy Code, which includes standards for conservation of electricity and natural gas and the California Green Code, which requires measures for water efficiency and conservation, material conservation, and resource efficiency, all of which contribute to reductions in GHG emissions. Given that the project will be required to comply with these standards, that it will be consistent with the GHG reduction strategies identified above, and its GHG emissions are expected to be less than BAAQMD thresholds, the proposed project would not conflict with implementation of recommended actions in Plans adopted to reduce GHGs including the AB 32 Climate Change Scoping Plan and the City of Santa Clara CAP. Therefore, the proposed project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs, and the project would have a less-than-significant impact.

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5.9 Hazards and Hazardous Materials

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
IX. 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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐
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?	☐	☐	☒	☐
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	☐	☒

Discussion

As described previously under *Air Quality*, in the *California Building Industry Association v. Bay Area Air Quality Management District* case decided in 2015, the California Supreme Court held that CEQA does not generally require lead agencies to consider how existing environmental conditions might impact a project's users or residents, except where the proposed project would significantly exacerbate an existing environmental condition. The identified significance criteria related to locating development on a site, which is included on a list of hazardous materials sites; projects within an airport land use plan or in the vicinity of a private airstrip; locating development and population in a wildland fire risk area, are valid only to extent that the project would significantly exacerbate those risks. Nonetheless, all potential applicable project impacts associated with hazards and hazardous materials, and applicable regulatory mechanisms that address these effects, are disclosed in this section, for informational purposes.

Applicable General Plan policies include the following:

> **5.10.5-P22 –** Regulate development on sites with known or suspected contamination of soil and/or groundwater to ensure that construction workers, the public, future occupants and the environment are adequately protected from hazards associated with contamination, in accordance with applicable regulations.

5.10.5-P23 – Require appropriate clean-up and remediation of contaminated sites.

5.10.5-P24 – Protect City residents from the risks inherent in the transport, distribution, use and storage of hazardous materials.

5.10.5-P25 – Use Best Management Practices to control the transport of hazardous substances and to identify appropriate haul routes to minimize community exposure to potential hazards.

5.10.5-P29 – Continue to refer proposed projects located within the Airport Influence Area to the Airport

5.10.5-P30 – Review the location and design of development within Airport Land Use Commission jurisdiction for compatibility with the Airport Land Use Compatibility Plan.

a) **Less than Significant.** The construction of the proposed project would require heavy equipment for grading activities as well as the routine use of other common hazardous materials including fuels, oils, solvents, glues and others. If not managed appropriately, construction activities could potentially expose construction workers or the environment to hazardous materials through inappropriate use, storage, handling, or disposal. However, current industry practices and construction BMPs that would be required under the NPDES General Construction Permit (see further discussion in *Hydrology and Water Quality*) would include protection measures (e.g., dedicated areas for storage of hazardous materials and conformance with manufacturers handling recommendations) to minimize exposure to any hazardous materials used during construction. Once construction is complete, only common household hazards, such as herbicides and cleaning products, would likely be present, and would present no undue hazards to the public. The project would generate a less-than-significant impact from the transport, use, or disposal of hazardous materials.

b, d) **Less than Significant.** The Phase I Environmental Site Assessment prepared for the project by Path Forward, (refer to **Appendix D**) identified no evidence of recognized environmental conditions, historical recognized environmental conditions, or controlled recognized environmental conditions.

Historical site use included an agricultural orchard use from at least 1939 to 1963. Although not documented at the site, activities commonly associated with agricultural uses may include the use and storage of hazardous materials and petroleum products (e.g., agricultural chemicals). While specific information was not available as to the potential historical usage of pesticides, fertilizers, or insecticides, reports for similar sites indicate that residual concentrations, if present, would not be expected at a concentration to necessitate cleanup by a regulatory agency or pose a significant human health risk to users. The project site does not contain any existing structures and the report did not identify any suspect asbestos-containing materials or evidence of lead based paint at the site.

A regulatory agency database search was prepared for the Phase 1 report, sourcing from publicly available information including federal, state, tribal, and local databases. The database reports identified approximately 49 facilities within the project vicinity, though

the project site was not identified in the databases. From this search, only two sites were identified with cases involving groundwater contamination, both were at distances equal to or greater than 1,000 feet from the site, and each were identified as cleanup cases that were closed with no further action. However, soil testing in connection with construction of the recently opened Everett N. "Eddie" Souza Park, across San Tomas Expressway from the project site, reported elevated levels of lead and residual pesticides, potentially due to the site's agricultural history and/or the former use of gasoline containing lead. Accordingly, **Mitigation Measure HAZ-1** would require soil testing prior to ground-disturbing activity to ensure that any potential exposure to contaminated soil is avoided.

Construction activities do not involve building demolition, and could involve minor quantities of paints, solvents, oil and grease, and petroleum hydrocarbons as also discussed in Section IX, *Hydrology and Water Quality*. Compliance with hazardous materials BMPs, as identified in a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the NPDES General Construction Activities permit would reduce potential impacts from spills or leaks associated with construction hazardous materials to a less-than-significant level (see additional discussion under Section IX *Hydrology and Water Quality*,). Following construction, the proposed project would not introduce hazardous materials beyond those generally found within residential uses, including containerized household, yard care, and automotive products. Therefore, potential impacts from upset or accidental releases during or after project construction would be considered less than significant with mitigation.

Mitigation Measure HAZ-1: Soil Safety Plans

Prior to the approval construction related permits, the project sponsor and their qualified hazardous materials consultant shall conduct soil borings and sampling of the resulting soil at four locations on the site. The soil samples will be analyzed for organochlorione pesticides by US EPA Method 8081A and total lead by Method 6010. If lead or organochlorine pesticides are found at levels in excess of applicable regulatory thresholds, specifically the San Francisco Bay Area's Environmental Screening Levels (available at: www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/esl.html), the project sponsor would prepare and comply with the recommendations of a *Soil Management Plan* and *Site Health and Safety Plan* to protect workers and nearby residents from exposure.

Health and Safety Plan

The construction contractor(s) shall prepare and implement site-specific Health and Safety Plans (HASP) in accordance with 29 CFR 1910.120 to protect construction workers and the public during all excavation and grading activities. This HASP shall be submitted to the project applicant for review prior to commencement of construction activities and as a condition of the grading and/or construction. The HASP shall include, but is not limited to, the following elements:

- Designation of a trained, experienced site safety and health supervisor who has the responsibility and authority to develop and implement the site HASP;

- A summary of all potential risks to demolition and construction workers and maximum exposure limits for all known and reasonably foreseeable site chemicals;
- Specified personal protective equipment and decontamination procedures, if needed;
- Emergency procedures, including route to the nearest hospital; and
- Procedures to be followed in the event that evidence of potential soil contamination (such as soil staining, noxious odors, debris or buried storage containers) is encountered. These procedures shall be in accordance with hazardous waste operations regulations and specifically include, but are not limited to, the following: immediately stopping work in the vicinity of the unknown hazardous materials release, notifying Santa Clara County Department of Environmental Health, and retaining a qualified environmental firm to perform sampling and remediation.

Soil Management Plan

In support of the HASP described above, the contractor shall develop and implement a Soil Management Plan (SMP) that includes a materials disposal plan specifying how the construction contractor(s) will remove, handle, transport, and dispose of all excavated materials in a safe, appropriate, and lawful manner. This SMP shall be submitted to the project applicant for review prior to commencement of demolition and construction activities and as a condition of the grading, construction, and/or demolition permit(s). The SMP must identify protocols for soil testing and disposal, identify the approved disposal site, and include written documentation that the disposal site can accept the waste. Contract specifications shall mandate full compliance with all applicable local, state, and federal regulations related to the identification, transportation, and disposal of hazardous materials, including those encountered in excavated soil.

c) **No Impact.** There are no schools located within a quarter mile of the project site. The closest public schools to the project site are the Cabrillo Middle School and Bowers Elementary School located approximately 0.3 miles southwest of the site; Scottt Lane Elementary School, located approximately 0.4 miles southeast of the site; and Bracher Elementary School approximately 0.5 miles northeast of the site. Regardless, the proposed project would not emit any substantive quantities of hazardous emissions or handle acutely hazardous materials, substances, or waste in quantities that could affect existing or future students or other off-site receptors.

e) **Less than Significant.** The project site is located approximately 1.5 miles west of the Norman Y. Mineta San José International Airport. The Santa Clara County Airport Land Use Commission adopted its Airport's Comprehensive Land Use Plan in 2011. The land use plan includes land use compatibility policies and standards that provide the basis for evaluating the land use compatibility of individual projects with the airport and its operations. The Comprehensive Land Use Plan establishes an airport land use planning area, referred to as the Airport Influence Area (AIA) that sets the boundaries for

application of ALUC policy. The project is not located within the Airport's AIA (Santa Clara County Airport Land Use Commission, 2011).

While the project is not located within the CLUP's AIA, the project site is located within the Federal Aviation Administration (FAA)'s criteria for notification, as it falls within 20,000 feet of a public use airport.[9] The project is therefore subject to requirements under Title 14 CFR Part 77, and the applicant is required to file the FAA 7460-1 form 45 days prior to construction. The FAA issuance of a "Determination of No Hazard" would ensure that the project would not be a potential aviation hazard (FAA, 2017). For these reasons, the project would not result in significant airport-related safety hazards.

f) **No Impact.** The proposed project would develop a currently vacant site and result in increased residential population in the immediate vicinity. However, the project would not involve the temporary or permanent closure of roads, and would not otherwise interfere with emergency response or evacuation plans. All proposed development would be designed in accordance with California Fire Code requirements, which include egress and emergency response design measures. Therefore, with adherence to existing building and Fire Code requirements, the potential impact related to evacuation and emergency plans would be less than significant.

g) **No Impact.** The project site is located in a developed urban setting. The site is not located in a designated wildland area and is not designated as a very high fire-hazard-severity-zone (California Department of Forestry and Fire Protection, 2008). The risk of increased fire hazards from implementation of the proposed improvements at the project site is considered less than significant.

References

California Department of Forestry and Fire Protection, *Local Responsibility Area (LRA), Santa Clara County, Very High Fire Hazard Zones in LRA*, Recommended October 8, 2008, Available at: http://www.fire.ca.gov/fire_prevention/fhsz_maps_santaclara. Accessed March 25, 2019.

Santa Clara County Airport Land Use Commission, Norman Y. Mineta San José International Airport Comprehensive Land Use Plan, May 25, 2011

Federal Aviation Administration, *Notification of Proposed Construction or Alteration on Airport Part 77*, Available at: https://www.faa.gov/airports/central/engineering/part77/, last modified August 24, 2017.

Path Forward, *Environmental Engineering & Geology, Phase I Environmental Site Assessment 2330 Monroe Street, Santa Clara, California*, January 14, 2019. (Appendix D)

[9] Under § 77.9 of the rule states "Any person/organization who intends to sponsor any of the following construction or alterations must notify the Administrator of the FAA when… Any construction or alteration within 20,000 ft of a public use or military airport, which exceeds a 100:1 surface from any point on the runway of each airport with at least one runway more than 3,200 ft."

5.10 Hydrology and Water Quality

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. 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?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒
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 imperious surfaces, in a manner which would:	☐	☐	☒	☐
i) result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☒	☐
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
iv) impede or redirect flood flows?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk or release of pollutants due to project inundation?	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

As described previously under *Air Quality*, in the *California Building Industry Association v. Bay Area Air Quality Management District* case decided in 2015, the California Supreme Court held that CEQA does not generally require lead agencies to consider how existing environmental conditions might impact a project's users or residents, except where the proposed project would significantly exacerbate an existing environmental condition. Accordingly, the identified significance criteria related to placement of structures within a flood hazard area, or exposure of people or structures to risks from failure of levee or dam, are valid only to the extent that the project would significantly exacerbate the potential for flooding or for failure of a levee or dam. Nonetheless, potential flooding hazards, and applicable regulatory mechanisms that address these effects, are disclosed in this section, for informational purposes.

Discussion

Applicable General Plan policies include the following:

5.10.5-P10 – Support efforts by the Santa Clara Valley Water District to reduce subsidence.

5.10.5-P11 – Require that new development meet stormwater and water management requirements in conformance with State and regional regulations.

5.10.5-P12 – Continue to participate in the National Flood Insurance Program and encourage all property owners within flood hazard areas to carry flood insurance.

5.10.5-P13 – Require that development complies with the Flood Damage Protection Code.

5.10.5-P14 Coordinate with the Federal Emergency Management Agency to ensure appropriate designation and mapping of floodplains.

5.10.5-P15 – Require new development to minimize paved and impervious surfaces and promote on-site Best Management Practices for infiltration and retention, including grassy swales, pervious pavement, covered retention areas, bioswales, and cisterns, to reduce urban water run-off.

5.10.5-P16 – Require new development to implement erosion and sedimentation control measures to maintain an operational drainage system, preserve drainage capacity and protect water quality.

5.10.5-P17 – Require that grading and other construction activities comply with the Association of Bay Area Governments' Manual of Standards for Erosion and Sediment Control Measures and with the California Stormwater Quality Association (CASQA), Stormwater Best Management Practice Handbook for Construction.

5.10.5-P18 – Implement the Santa Clara Valley Nonpoint Source Pollution Control Program, Santa Clara Valley Urban Runoff Pollution Prevention Program and the Urban Runoff Management Plan.

5.10.5-P19 – Limit development activities within riparian corridors to those necessary for improvement or maintenance of stream flow.

5.10.5-P20 – Maintain, upgrade and replace storm drains throughout the City to reduce potential flooding.

5.10.5-P21 – Require that storm drain infrastructure is adequate to serve all new development and is in place prior to occupancy.

a) **Less than Significant.** The project site is currently vacant and covered entirely in pervious gravel or dirt surfaces. Both construction and operation impacts of the project have the potential to contaminate surface and groundwater.

Construction of the project could potentially affect water quality due to erosion of sediment in stormwater runoff. However, because construction would require disturbance of more than one acre it would be required to apply for coverage under the State General Construction Permit to comply with Federal National Pollutant Discharge Elimination System (NPDES) regulations. To comply with the permit, the project applicant would be required to develop and submit a site-specific stormwater pollution prevention program (SWPPP). The SWPPP would include a description of appropriate BMPs that are proven effective in minimizing the discharge of pollutants from the construction site. Construction contractors are responsible for implementation of the SWPPP, which includes maintenance, inspection, and repair of erosion and sediment control measures and water quality BMPs

throughout the construction period; and they are responsible for the maintenance of all protective devices to ensure they remain in good and effective condition.

Upon construction, the project would result in a total impervious area of 0.89 acres. The City of Santa Clara is a co-permittee agency listed in the Municipal Regional NPDES Stormwater Permit (MRP). Co-permittees are required to reduce pollutants that are discharged into receiving waters by implementing stormwater management programs to minimize the potential for new development to discharge stormwater pollutants. The City also coordinates with the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) to coordinate compliance with the MRP (SCV, 2019). Under the MRP projects that would disturb more than 10,000 square feet are required to comply with NPDES C.3 stormwater control requirements. For the project, this requires site design measures that include source controls, stormwater treatment features, and low impact development (LID) techniques. LID features reduce water quality impacts by incorporating natural landscape features into stormwater management as well as other features that allow for onsite infiltration of stormwater runoff. The project proposes five bio retention areas to capture and flow control a one inch precipitation depth per the SVCURPPP C.3 Stormwater technical Guidance, updated in 2016.

Based on the above, the proposed project would be required to comply with stormwater quality protection requirements for both construction and operational phases of the project. With adherence to these regulatory requirements, the potential water quality impacts associated with the proposed improvements would be considered less than significant.

b, e) **No Impact.** The project would not involve groundwater extraction, nor the alteration of a stream or river further discussion of water supply is addressed under *Section XIX, Utilities*. Therefore, the proposed project would not lower the groundwater table due to groundwater extraction, or substantively reduce groundwater recharge, or conflict or obstruct and water quality control plan or sustainable groundwater management plan; the project would have no potential impact.

c.i, ii) **Less than Significant.** The proposed project would not alter any stream or river but would alter the existing drainage patterns through redevelopment of the site. However, these changes would not have the potential to cause substantial erosion on the project site because, as discussed in more detail in Section IX(a), above, a majority of rainwater falling on the site would filter through bioswales and discharged into landscaped areas, where percolation to groundwater and connectivity to the City's stormwater system would occur.

As mentioned previously, the proposed project would increase the amount of impervious surfaces at the site compared to existing conditions and would be required to adhere to drainage control requirements that address management of both water quality and quantity. These requirements would ensure that project design plans include stormwater

drainage features that maximize onsite infiltration, minimize the potential of erosion, and meet peak storm flow thresholds.

Following completion of construction, there would not be any significant areas of exposed soils where there would be a higher potential for erosion. With these features, the project would be consistent with General Plan Policy 5.10.5-P15, which requires new development to minimize paved and impervious surfaces and promote on-site Best Management Practices for infiltration and retention—including grassy swales, pervious pavement, covered retention areas, bioswales, and cisterns—to reduce urban water runoff. Any stormwater not infiltrating site soils would flow into the City's stormwater line under Monroe Street, where it would be collected in the City's storm drain system.

Implementation of all applicable drainage improvement requirements in accordance with the NPDES MRP, SMCWPPP, and the City's drainage control requirements, would make the potential impact of altered drainage causing erosion or siltation, or offsite or onsite flooding less than significant.

c.iii) **Less than Significant.** The project includes a stormwater retention and treatment system, which is required under the Santa Clara Countywide Water Pollution Prevention Program. While excess stormwater may be discharged from the site during peak storm events where the rate and volume of stormwater exceed the ability of the soils underlying the site to absorb the water and allow it to percolate to groundwater, during such events the majority of pollutants collecting on impervious surfaces would be washed into the site soils first, as in during the initial flush of stormwater. Thus, by the time the soils become oversaturated during a peak storm event, the majority of collected pollutants would be collected in the stormwater discharged into the on-site landscaping into the underlying aggregate and soil layers. Any residual pollutants in stormwater discharged from the site would be de minimus quantities and would not constitute a substantial additional source of polluted runoff.

c.iv) **Less than significant.** As described under impacts a., c.i, c.ii, and c.iii above, stormwater flows from the project site would ultimately be directed into the existing City of Santa Clara managed stormwater system. The project would comply with the Santa Clara Countywide Water Pollution Prevention Program regarding its stormwater retention and treatment system including features for treatment, capture and flow control per county design standards. As such, rainwater would be discharged into the on-site landscaping into the underlying aggregate and soil layers with to limit any residual stormwater discharged from the site. The project would, therefore, not impede or redirect flood flows.

d) **Less than Significant.** The project site is located within the 100-year flood zone designated by FEMA as zone AO, with a flood elevation at 58.1 feet (FEMA, 2012). The project proposes to elevate the project site and building pad, such that the finished flood elevations of the project would be at a minimum of 60.3 feet NAVD and the lowest

adjacent grades of proposed structure should be at a minimum of 59.1 feet NAVD 88[10] in order to comply with the City of Santa Clara's Municipal Code Section 15.45.010. The project applicant would apply for a CLOMR-F and LOMR-F to remove the area from the effective FEMA floodplain and comply with all City floodplain ordinances. With the proposed grading and finished floor elevations, the potential for flooding would be less than significant.

References

Schaaf & Wheeler Consulting Civil Engineers, *2330 Monroe Street Flood Study, Draft Memo*, February 19, 2019

[10] North American Vertical Datum of 1988.

5.11 Land Use and Planning

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. LAND USE AND PLANNING — Would the project:				
a) Physically divide an established community?	☐	☐	☒	☐
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?	☐	☐	☒	☐

Discussion

a) **Less than Significant.** During construction, the site would be fenced off, and the sidewalk along Monroe Street adjacent to the project may be temporarily closed. No construction would be required within either Monroe Street or San Tomas Expressway. Since any potential closure to the sidewalk would be temporary, and alternate routes would be provided as needed, project construction would not physically divide the surrounding established community.

Following construction, the project would not include any physical barriers or obstacles to circulation that would restrict existing patterns of movement between the project site and the adjacent neighborhood. The proposed project would be built out within the confines of the parcel, and it would not impede movement across public rights-of-way. Furthermore, as discussed in the *Project Description*, as part of the project, the project would include a number of features designed to encourage and promote public access and circulation on the project site. This would include the landscaping, common open spaces, and pedestrian paths intended for project residents and guests. Therefore, the operation of the proposed project would not physically divide the surrounding established community.

b) **Less than Significant.**

General Plan

The General Plan land use designation of the site is Right of Way and the proposed project proposes a general plan amendment to change the land use designation to Medium Density Residential, which would allow the proposed use.

Despite the need for a general plan amendment to change the land use map designation, the proposed project is consistent and compatible with surrounding development and is generally consistent with the goals and policies of the City's General Plan.

Because Santa Clara has virtually no vacant land, the General Plan which is focused on guiding redevelopment of existing sites from lower to higher intensity uses. The General Plan promulgates many policies intended to promote neighborhood compatibility, mobility and transportation, environmental quality, sustainability, and full provision of public services and utilities that would be applicable to the site. All of the General Plan

policies were reviewed to identify those applicable to the proposed project and evaluate the project's consistency with those policies. No conflicts were identified In particular, the project would be consistent with the following general land use and residential land use policies, General Plan specific to multifamily and affordable housing:

> **5.3.1-P10** – Provide opportunities for increased landscaping and trees in the community, including requirements for new development to provide street trees and a minimum 2:1 on- or off-site replacement for trees removed as part of the proposal to help increase the urban forest and minimize the heat island effect.
>
> **5.3.1-P29** – Encourage design of new development to be compatible with, and sensitive to, nearby existing and planned development, consistent with other applicable General Plan policies
>
> **5.3.2-P1** – Encourage the annual construction of the housing units necessary to meet the City's regional housing needs assessment by reducing constraints to housing finance and development.
>
> **5.3.2-P6** – Provide adequate choices for housing tenure, type and location, including higher density, and affordability for low- and moderate-income and special needs household.

While the project was not located in a focus area, identified within the General Plan, by the proposed Medium Density Residential use it is compatible with adjacent uses and, on the whole, would be consistent with applicable General Plan land use policies by providing housing in the City.

Zoning

The project proposes to rezone the project site from of R1-6L- Single Family, to Planned Development (PD) to develop up to 65 units of housing in a three-story building with 94 parking spaces.

The PD district is intended to accommodate development that is compatible with the existing community and achieves one of the following:

- Integrates uses that are not permitted to be combined in other zone districts;
- Utilizes imaginative planning and design concepts that would be restricted in other zone districts;
- Subdivides land or air space in a manner that results in units not having the required frontage on a dedicated public street; or
- Creates a community ownership project. (Santa Clara City Code Section 18.06.010 defines "community ownership" as (i) a joint ownership of land and/or improvements combined with a separate ownership or exclusive right of occupancy of a unit or (ii) an investment apartment complex, which is defined as having separate ownership of at least two contiguous dwelling units per each ownership with all dwelling units to be rental units.

Uses permitted in a PD district are set by the approved development plan, and any change in use requires a rezoning. The primary requirement for a PD district is a development plan, which stipulates the land use but also the development standards, such as height limits, setback requirements, onsite parking, and landscaping. The development standards must provide for a harmonious, integrated project of sufficient unity and architectural quality to justify the mixture of normally separated uses or to justify certain exceptions to the standard regulations. Under the new district, there would be a permitted density of 26.3 dwelling units per acre (65 units on 2.47 acre), and a permitted height of 43 feet and 4 inches. This density and height would be greater than is currently permitted on the site and greater than those of immediately adjoining single-family residences. Physical effects that would ensue from development at the increased height and density are analyzed in this Initial Study under the applicable topics. As concluded herein, the project would not result in any significant effects that could not be mitigated to a less-than-significant level. Accordingly, no additional mitigation is required.

References

City of Santa Clara, November 16, 2010. *City of Santa Clara 2010-2035 General Plan*.

5.12 Mineral Resources

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
XII. MINERAL RESOURCES — Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Discussion

a, b) **No Impact.** The City of Santa Clara does not contain locally important mineral resource recovery site delineated in its General Plan or other land use plan, in addition the City is located in an area (MRZ-1) with no significant mineral deposits present or where it is judged that little likelihood exists for their presence. The project, therefore, would not have impacts on mineral resources.

References

California Department of Conservation, Division of Mines and Geology, *Generalized Mineral Land Classification Map of the South San Francisco Bay Production-Consumption Region (Plate 1 of 29)*, 1996.

5.13 Noise

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. NOISE — Would the project result in:				
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?	☐	☒	☐	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
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?	☐	☐	☒	☐

As described previously under *Air Quality*, in the *California Building Industry Association v. Bay Area Air Quality Management District* case decided in 2015, the California Supreme Court held that CEQA does not generally require lead agencies to consider how existing environmental conditions might affect a project's users or residents, except where the proposed project would exacerbate the existing environmental condition. Accordingly, the identified significance criteria related to exposure of people, including sensitive receptors, to excessive noise levels or vibration are valid only to the extent that the Project significantly contributes to those worsened noise conditions. The analysis in this section with respect to noise exposure of future project occupants, therefore, is provided for informational purposes.

Discussion

Noise Exposure and Community Noise

Noise levels rarely persist consistently over a long period of time. Rather, noise levels at any one location vary with time. Specifically, community noise is the result of many distant noise sources that constitute a relatively stable background noise exposure where the individual contributors are unidentifiable. Throughout the day, short duration single-event noise sources (e.g., aircraft flyovers, motor vehicles, sirens) that are readily identifiable to the individual add to the existing background noise level. The combination of the slowly changing background noise and the single-event noise events give rise to a constantly changing community noise environment.

To characterize a community noise environment and evaluate cumulative noise impacts, community noise levels must be measured over an extended period of time. This time-varying characteristic of environmental noise is described using statistical noise descriptors, including the following:

L_{eq}: The equivalent sound level is used to describe noise over a specified period of time, typically one hour, in terms of a single numerical value. The L_{eq} is the constant sound level that would contain the same acoustic energy as the varying sound level, during the same time period (i.e., the average noise exposure level for the given time period).

L_{max}: The instantaneous maximum noise level measured during the measurement period of interest.

DNL: The day-night average sound level (DNL) is the energy average of the A-weighted sound levels occurring during a 24-hour period, accounting for the greater sensitivity of most people to nighttime noise by weighting ("penalizing") nighttime noise levels by adding 10 dBA to noise between 10:00 p.m. and 7:00 a.m.

CNEL: Similar to the DNL, the Community Noise Equivalent Level (CNEL) adds a 5-dBA "penalty" for the evening hours between 7:00 p.m. and 10:00 p.m. in addition to the 10-dBA penalty between the hours of 10:00 p.m. and 7:00 a.m.

In general, the more a new noise exceeds the previously existing ambient noise level, the less acceptable the new noise would be judged by those hearing it. With regard to increases in A-weighted noise level, the following relationships occur:

- except in carefully controlled laboratory experiments, a change of 1 dBA cannot be perceived;
- outside of the laboratory, a 3-dBA change is considered a just-perceivable difference;
- a change in level of at least 5 dBA is required before any noticeable change in human response would be expected; and
- a 10-dBA change is subjectively heard as approximately a doubling in loudness, and can cause adverse response.

These relationships occur in part because of the logarithmic nature of the decibel system. Because the decibel scale is based on logarithms, two noise sources do not combine in a simple additive fashion, but rather logarithmically. For example, if two identical noise sources produce noise levels of 50 dBA, the combined sound level would be 53 dBA, not 100 dBA.

Vibration Background

Vibration is an oscillatory motion through a solid medium in which the motion's amplitude can be described in terms of displacement, velocity, or acceleration. Several different methods are used to quantify vibration. The peak particle velocity (PPV) is defined as the maximum instantaneous peak of the vibration signal. The PPV is most frequently used to describe physical vibration impacts on buildings. Typical groundborne vibration generated by human activities attenuates rapidly with distance from the source of the vibration. Sensitive receptors to vibration include people (especially residents, the elderly, and sick people), structures (especially older masonry structures), and vibration-sensitive equipment.

Another useful vibration descriptor is known as vibration decibels or VdBs. VdBs are generally used when evaluating human response to vibration, as opposed to structural damage (for which PPV is the more commonly used descriptor). Vibration decibels are established relative to a reference quantity, typically 1 x 10^{-6} inches per second.[11]

[11] Federal Transit Administration, Transit Noise and Vibration Impact Assessment, 2006.

There are no major sources of vibration in the Project site vicinity. Most motor vehicles and trucks have independent suspension systems that substantially reduce if not eliminate vibration generation, barring discontinuities in the roadway.

Existing Noise Environment - Sensitive Receptors

The current General Plan identifies residential land uses as noise-sensitive (City of Santa Clara, 2014). The project site is surrounded by residential uses in all directions. Additionally, the project proposes residential uses. Long-term sound level monitoring was conducted at the project site in January of 2019 to establish the existing noise environment. Predominant noise sources in the area are vehicle traffic on San Tomas Expressway and on Monroe Street. Monitoring data reflected a noise level of 65 CNEL at the back of the project site lot, approximately 410 feet from the roadway center of San Thomas expressway.

State of California Noise Regulations

State regulations include requirements for the construction of new hotels, motels, apartment houses, and dwellings other than detached single-family dwellings that are intended to limit the extent of noise transmitted into habitable spaces. These requirements are collectively known as the California Noise Insulation Standards and are found in Title 24 of the California Code of Regulations.

The 2016 California Building Code (Title 24, Part 2 of the California Code of Regulations) requires that walls and floor/ceiling assemblies separating dwelling units from each other, or from public or service areas, have a *Sound Transmission Class* (STC) of at least 50, meaning they can reduce noise by a minimum of 50 dB.[12] The code (section 1207.4, Allowable Interior Noise Levels) also specifies a maximum interior noise limit of 45 dBA (L_{dn} or CNEL) in habitable rooms, and requires that common interior walls and floor/ceiling assemblies meet a minimum STC rating of 50 for airborne noise

City of Santa Clara General Plan Noise Policies

The following noise-related policies of the City's General Plan address noise effects of residential land uses:

> **5.10.6-P1** – Review all land use and development proposals for consistency with the General Plan compatibility standards and acceptable noise exposure levels.
>
> Appendix 14 of the General Plan identifies noise environments of up to 57.5 dBA CNEL as compatible, environments of between 57.5 and 72.5 dBA, CNEL as requiring design and insulation measures to be compatible. Noise environments exceeding 72.5 dBA, CNEL are identified as incompatible and only acceptable if all interior use and an interior exposure of 45 dBA, CNEL or less can be maintained.
>
> **5.10.6-P2** – Incorporate noise attenuation measures for all projects that have noise exposure levels greater than General Plan "normally acceptable" levels.

[12] State Building Code section 1207.2.

5.10.6-P3 – New development should include noise control techniques to reduce noise to acceptable levels, including site layout (setbacks, separation and shielding), building treatments (mechanical ventilation system, sound-rated windows, solid core doors and baffling) and structural measures (earthen berms and sound walls).

City of Santa Clara Municipal Code

The City Code establishes noise and vibration level performance standards for fixed sources. Section 9.10.040 of the City Code limits noise levels in residentially zoned areas to 55 dBA during daytime hours (7:00 AM to 10:00 PM) and 50 dBA at night (10:00 PM to 7:00 AM). The Code also provides that where ambient noise levels exceed these thresholds, the allowable noise exposure standard is adjusted in five dBA increments to encompass the ambient level. The noise limits are not applicable to mobile sources emergency work, licensed outdoor events, City-owned electric, water, and sewer utility system facilities, construction activities occurring within allowable hours, permitted fireworks displays, or permitted heliports. The City Code does not define the acoustical time descriptor such as L_{eq} (the average noise level) or L_{max} (the maximum instantaneous noise level) that is associated with the above limits. A reasonable interpretation of the City Code would identify the ambient base noise level criteria as an average or median noise level (L_{eq}/L_{50}), and this metric has been used in prior environmental documents.

Section 9.10.050 of the City Code prohibits fixed sources of vibration from disturbing, excessive, or offensive vibration on property owned, leased, occupied, or otherwise controlled by such person, such that the vibration originating from such source is above the vibration perception threshold of an individual at the closest property line point to the vibration source on the real property affected by the vibration. The Code does not specify a quantitative vibration perception threshold. This analysis applies the "strongly perceptible" human response level of 0.9 PPV established by Caltrans for transient sources such as standard construction equipment (Caltrans, 2013).

Section 9.10.230 of the City Code establishes the City's restrictions with respect to off-street construction activities. The code does not establish quantitative noise emission standards for construction equipment or activity but, rather, prohibits construction within three hundred feet of any residentially zoned property except within the hours of 7:00 A.M. to 6:00 P.M. on weekdays other than holidays and within the hours of 9:00 A.M. to 6:00 P.M. on any Saturday which is not a holiday.

a) **Less than Significant with Mitigation.**

Land Use Compatibility with General Plan Policies

The noise environment at the site and at nearby land uses in the vicinity is primarily from vehicular traffic on San Tomas Expressway. Based on noise measurements taken on the Project site, existing noise levels on the project site range from 65 CNEL at the rear southernmost property line, approximately 410 feet from the roadway center of San Tomas Expressway, to 70 CNEL at the northernmost proposed building setback, approximately 128 feet from the roadway center. Based on the City's General Plan (Policy P.10.6-P1 and Appendix 14), this means that the project requires design and insulation measures to be considered a compatible land use.

The project proposes a 6-foot noise barrier along the northern property line, which would provide a noise reduction of 7.6 dBA to a ground-level observer based on modeling using the Barrier Performance Module calculator published by the Department of Housing and Urban Development. While the barrier would not provide attenuation for observers on the second or third stories of the project buildings, these buildings would have no elevated balconies or exterior areas. In addition, the project would be required to meet the dictates of the 2016 California Building Code, which specifies a maximum interior noise limit of 45 dBA (L_{dn} or CNEL) in habitable rooms. Standard residential construction provides 15 dBA of exterior-to-interior noise reduction, assuming the windows are partially open for ventilation. Standard construction with the windows closed provides approximately 20 to 25 dBA of noise reduction in interior spaces. For the northernmost units facing San Tomas Expressway, where exterior noise levels are 70 CNEL or below, the inclusion of adequate forced-air mechanical ventilation and sound-rated construction methods would be sufficient to achieve the 45 dBA interior standard. Such methods or materials may include a combination of smaller window and door sizes as a percentage of the total building facade facing the noise source, sound-rated windows and doors, sound-rated exterior wall assemblies. Because this is a non-CEQA effect of the environment on the project and because there is a mechanism present to ensure implementation of appropriate measures to achieve General Plans standards with respect to noise exposure, there would be no impact under CEQA with respect to land use compatibility of the proposed multi-family residential use.

Construction Noise Generation

Project construction is expected to commence in June of 2020 with completion in December of 2021 and full occupancy by the following June of 2022. Construction contractors would be required to limit standard construction activities to the requirements of the City of Santa Clara. As discussed previously, Santa Clara Municipal Code Section 9.10.230 prohibits erection, demolition, alteration or repair of any building or structure within 300 feet of a residential land use except between the hours of 7:00 AM to 6:00 PM on weekdays other than holidays and within the hours of 9:00 AM to 6:00 PM on Saturdays, which are not holidays. The municipal code does not establish a quantitative noise exposure standard for construction equipment in terms of a decibel level.

Construction of the proposed project would generate temporary and intermittent noise at and near the project site. Noise levels would fluctuate depending on the particular type, number, and duration of use of various pieces of construction equipment. Typical noise levels generated by the construction activities that would be required for construction of the proposed project are shown in **Table NOI-1**. Project construction would involve standard construction equipment and trucks and would not involve impact pile driving. The noisiest construction activity would be expected to range from 77 dBA to 85 dBA at a distance of 50 feet. The project does not propose any construction activity outside the hours identified in Santa Clara Municipal Code Section 9.10.230. Consequently, construction activity for the proposed project would conform to the requirements of the City's Noise Ordinance and would be less than significant.

TABLE NOI-1
TYPICAL CONSTRUCTION EQUIPMENT NOISE LEVELS

Construction Phase	Average Noise Level (dBA, Leq at 50 feet)
Backhoe	78
Auger Drill Rig	84
Grader	85
Loader	79
Paver	77
Excavator	81

SOURCE: U.S. Department of Transportation, Federal Highway Administration, *FHWA Highway Noise Construction Handbook*, August 2006.

Operational Noise Generation – Fixed Source

The proposed project would include mechanical equipment, such as heating, ventilation, and air conditioning (HVAC) systems, which could produce a noise level above the 55 dBA daytime noise limit and 50 dBA nighttime noise limit for residential uses, depending on the location and distance to the nearest sensitive receptor. The closest sensitive receptors to the site include a residential uses across the proposed parking lot, approximately 150 feet to the south. Other residences are located at similar or further distances to the west, north and east, across major arterial roadways from the project site. Because specific location, size, and sound level specifications of HVAC equipment are unknown at this time, it is not possible to estimate a noise level associated with its operation. Therefore, because the potential may exist for HVAC equipment to generate noise levels in excess of the 55 dBA daytime standard and/or the 50 dBA nighttime standard, this impact is potentially significant and a mitigation measure is identified to ensure compliance with Section 9.10.040 of the City Code with respect to fixed noise sources.

By establishing a performance standard and requiring the **Mitigation Measure NOI-1** as a condition of project approval, potential fixed-source noise impacts would be less than significant.

Mitigation Measure NOI-1: Noise Performance Standard.

As a condition of approval, the project shall implement the noise reduction measures necessary to achieve a stationary noise sources performance standard of below 55 dBA daytime noise limit and 50 dBA nighttime noise limit, as appropriate at adjacent residential property lines. If existing noise levels exceed these standards, then the allowable noise exposure standard shall be adjusted in five dBA increments to encompass the ambient level. Noise reduction measures could include, but are not limited to, selection of equipment that emits low noise levels and installation of noise barriers, such as enclosures or parapet walls to block the line-of-sight between the noise source and the nearest receptors.

Operational Noise Generation – Project Traffic

The proposed project would contribute to increased traffic volumes on local roadways. Noise level projections were made using traffic data and the Federal Highway Administration (FHWA) Noise Prediction Model for those road segments that would experience the greatest increase in traffic volume and/or that would pass near residential areas. The model is based on reference noise factors developed by Caltrans for automobiles, medium trucks, and heavy trucks, with consideration given to vehicle volume, speed, roadway configuration, and distance to the receiver. For the modeling effort, 9.4 percent of the project's 354 trips were assumed to occur during the p.m. peak hour traffic (ITE, 2012). Roadways analyzed consisted of Monroe Street, which is the project entrance, and San Tomas Expressway. As a conservative assumption, the entirety of peak hour traffic was assumed to be added to each roadway (rather than split between them).

The results of the modeling effort are shown in **Table NOI-2** for the existing (2019) and existing plus project scenarios. Modeled existing noise levels shown in Table NOI-2 correspond to a distance of 15 meters (50 feet) from the centerline of applicable roadway segments. As can be seen from Table NOI-2, the proposed project would increase existing local roadway noise levels by up to 0.1 dBA. These are nominal increases that would be undetectable by the human ear and less than the 3.0 dBA increase required to generate a perceptible increase in traffic noise and, therefore, traffic noise increases would be a less than significant impact.

TABLE NOI-2
TRAFFIC NOISE INCREASES IN THE PROJECT AREA[a]

Road Segment	Existing Traffic Noise Levels	Existing Plus Project Noise Levels	Project Increase in Noise Levels
1. Monroe Street (between Project site and San Tomas Expressway)- p.m. peak hour	69.4	69.5	0.1
2. San Tomas Expressway (between Monroe Street and Central Expressway) - p.m. peak hour	77.3	77.3	0.0

SOURCE: ESA, 2019—Appendix E

b) **Less than Significant.** Project construction is expected to commence in June of 2020 with completion in December of 2021 and full occupancy by the following June of 2022. Construction contractors would be required to limit standard construction activities to the requirements of the City of Santa Clara. As discussed previously, Santa Clara City Code Section 9.10.050 prohibits fixed sources of vibration from disturbing, excessive, or offensive vibration on property owned, leased, occupied, or otherwise controlled by such person, such that the vibration originating from such source is above the vibration perception threshold of an individual at the closest property line point to the vibration source on the real property affected by the vibration. The Code does not specify a quantitative vibration perception threshold. For purposes of this analysis, a significant impact would be identified if the construction of the project would expose persons or

structures to excessive vibration levels. Ground-borne vibration levels would be excessive if they exceeded 0.3 PPV, which is the level at which vibrations have the potential to result in cosmetic damage to normal buildings. It is also the level at which vibration from a non-continuous construction source would be considered distinctly perceptible.

Typical reference vibration levels for various pieces of equipment, including drilling (if required), are listed in **Table NOI-3**. The nearest off-site existing building is located approximately 50 feet from the project site boundary. As shown in Table 2.12-2, construction at the project site would result in up to 0.04 inches/sec peak particle velocity (PPV) at the nearest structures, which would be below the 0.3 inches/second PPV threshold used for determining building damage. Consequently, project construction would not result in significant vibration resulting in damage to this building.

TABLE NOI-3
VIBRATION VELOCITIES FOR CONSTRUCTION EQUIPMENT

Equipment/ Activity	PPV (inches/second)[a]		RMS (Vdb)	
	Reference Distance (25 feet)	At nearest structure (50 feet from project site boundary)	Reference Distance (25 feet)	At nearest structure (50 feet from project site boundary)
Large Bulldozer	0.09	0.04	87	78
Loaded Trucks	0.08	0.04	86	77
Caisson Drilling	0.09	0.04	87	76

NOTES:

[a] Normal buildings can be exposed to ground-borne vibration levels of 0.3 PPV without experiencing structural damage.

SOURCE: Federal Transit Administration, 2018; ESA, 2019 – Appendix E

As shown in Table NOI-3, construction equipment used at the project site would result in up to 0.04 PPV at the nearest off-site existing building, which would be below the threshold of significance of 0.3 PPV which is also applied for human annoyance. Additionally, construction contractors for the proposed project would be required to comply with all applicable City of Santa Clara regulations governing standard construction hours of construction. Santa Clara City Code Section 9.10.230, which governs building construction, prohibits erection, demolition, alteration or repair of any building or structure limited between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, or between 9:00 a.m. and 6:00 p.m. on Saturday. Consequently, construction vibration would only be generated during daytime hours, and would not result in significant vibration annoyance impacts to adjacent residents.

c) **Less than Significant.** The proposed Project site is approximately 1.4 miles west of the nearest runway of San Jose's Mineta International Airport. According to the 2022 Aircraft Noise Contours developed as part of the Comprehensive Land Use Plan for airport operations, the 65 CNEL contour for aircraft noise is located approximately 1-

mile northeast of the Project site (SCCALUC, 2016). Consequently, the proposed project would have a less than significant impact with respect to exposure of people residing or working in the project area to excessive airport noise levels.

References

Caltrans, *Transportation and Construction-Induced Vibration Guidance Manual*, June 2004.

City of Santa Clara, *Santa Clara 2010-2035 General Plan*, 2010.

City of Santa Clara City Code, Chapter 9.10 (1988).

Environmental Science Associates, *San Francisco International Airport 14 CFR Part 150 Noise Exposure Map Report*, 2015.

Fehr & Peers, Jane Bierstedt and Sanjana Raichur, Transportation Assessment for 2330 Monroe Street, April 12, 2019. (Appendix F)

Santa Clara County Airport Land Use Commission (SCCALUC), Comprehensive Land Use Plan Santa Clara County, Norman Y. Maneta San Jose International Airport, May 2011, Amended November 2016.

U.S. Department of Housing and Urban Development (HUD), *The Noise Guidebook*, revised March 2009.

U.S. Department of Transportation, Federal Transit Administration, Transit Noise and Vibration Impact Assessment, April, 2018.

U.S. Department of Transportation, Federal Highway Administration, *FHWA Highway Noise Construction Handbook*, August 2006.

5.14 Population and Housing

Issues (and Supporting Information Sources):	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. 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)?	☐	☐	☒	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Discussion

a) **Less than Significant.** The proposed project would directly generate population growth through the development of 65 new dwelling units. Utilizing data provided by the California Department of Finance, the City has 2.73 persons per household (California Department of Finance, 2018). Applying this average household size to the project, the proposed project would generate a population of approximately 177 residents.

The approximately 2.47-acre site is currently zoned R1-6L, which is intended to promote and encourage a single-family residential environment, on a minimum of a 6,000 square foot parcel. The project would rezone the site to PD, permitting up to 65 units of multifamily housing. However, the overall growth generated by the project would not exceed that considered under the General Plan, which anticipates a citywide growth of 12,500 new households (City of Santa Clara, 2011). In addition, *Plan Bay Area 2040* identified the City's total households in 2010 at 43,000, and projects that in 2040 this would reach 57,000 for an increase in households of 14,000 (MTC and ABAG, 2017). The project would fall well within this projected increase and would constitute infill development within a developed urban area. No new roads or infrastructure would be extended into an undeveloped area. For all of these reasons, the project would not result in unplanned growth, either directly or indirectly.

b) **No Impact.** The project site currently does not contain any residential structures. Therefore, the project would not demolish or otherwise remove any existing housing units.

References

California Department of Finance, *E-5 Population and Housing Estimates for Cities, Counties, and the State.* May 2018. Available at: http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/. Accessed March 13, 2019.

City of Santa Clara. 2010-2035 General Plan Integrated Final Environmental Impact Report. SCH#2008092005. January 2011.

Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG), *Plan Bay Area 2040, Final Supplemental Report / Land Use Modeling Report*. July 2017.

5.15 Public Services

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
XV. 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 following public services:				
i) Fire protection?	☐	☐	☒	☐
ii) Police protection?	☐	☐	☒	☐
iii) Schools?	☐	☐	☒	☐
iv) Parks?	☐	☐	☒	☐
v) Other public facilities?	☐	☐	☒	☐

Discussion

a.i) **Less than Significant.** The Santa Clara Fire Department (SCFD) provides fire, emergency medical, specialized rescue, fire prevention and hazardous materials services to the city of Santa Clara. The SCFD maintains ten fire stations, with eight engines, two trucks, one rescue/light unit, three ambulances, one hazardous materials unit, and one command vehicle. The department is broken up into five divisions to provide fire administration and training services, emergency medical services, fire prevention/hazardous materials services, and fire suppression. The Fire Prevention/ Hazardous Materials Division is primarily responsible for fire safety education, fire cause determination, inspection of high hazard occupancies, and fire code enforcement. This division also maintains a vital role as technical consultant to the Fire Department, the City, and the business community, advising on site construction, process installation, and the safe use and handling of hazardous materials as outlined in Federal, State, and local regulations. This division is comprised of approximately 130 sworn firefighters and up to 164 volunteer/reserve firefighters (SCFD, 2017).

The City participates in the Santa Clara County Fire and Rescue Mutual Aid Response Plan to ensure that fires and other emergencies are handled efficiently. In 2018, the average response time after dispatch was 4 minutes and 26 seconds (City of Santa Clara, 2019b). The closest fire stations to the project site are Fire Station 5 at 1912 Bowers Avenue, approximately one mile by vehicle to the project site; Fire Station 2 located at 1900 Walsh Avenue, approximately one mile by vehicle to the site, and; Fire Station 1 at 777 Benton Street, approximately 1.8 miles to the site.

The General Plan identifies two specific goals related to fire and the project:

> **5.9.3-P3 –** Maintain a City-wide average three minute response time for 90 percent of police emergency service calls.
>
> **5.10.5-P28 –** Continue to require all new development and subdivisions to meet or exceed the City's adopted Fire Code provisions.

The General Plan EIR found that growth allowed under the 2010-2035 General Plan would result in an increased demand for fire and emergency medical response services, but existing facilities would have the capacity to absorb additional fire personnel without expanding the existing fire stations (City of Santa Clara, 2011). While development of the site was not included in the General Plan, the project site is within the existing service area of SCFD and the project would be constructed to meet or exceed the provisions of the California Fire Code. Fire response time to the site would be well within the 3-minute response time goal established in the General Plan (SCFD, 2019).

Ultimately, growth under the proposed project would result in new population and residential development in Santa Clara, which would increase demand for fire and emergency medical protection services. Existing facilities would have the capacity to absorb additional fire personnel without expanding the existing stations. Therefore, there would be no construction activities associated with the provision of new fire and life safety services and no associated construction-related effects (SCFD, 2019). The project would therefore result in less than significant impacts to fire services.

a.ii) **Less than Significant.** The Santa Clara Police Department currently has two police stations: the headquarters located on El Camino Real at Benton Street/Railroad Avenue, approximately two miles east from the project site, and a substation in Rivermark, near Agnew Road and Montague Expressway, approximately three miles north of the project site. In 2018, the City had an authorized strength of 239 full-time employees (159 sworn officers and 80 civilians) and varying number of part-time or per diem employees, community volunteers, Police Reserves and Chaplains (City of Santa Clara, 2019a).

The police services are divided into four divisions: Field Operations Division, Investigations Division, Special Operations Division, and Administrative Services. The Administrative Services Division oversees the Communications Center, which receives and processes emergency and non-emergency calls for the Police and Fire Departments. The SCPD's response time standard is three minutes or less for high priority calls. In 2018, the City of Santa Clara Communications Center fielded 177,881 phone calls. Of these, 83,781 resulted in police calls for service (58,912 Police calls for service; 24,869 police officer self-initiated activity) and 9,238 in fire calls for service. The average response time after dispatch was 4 minutes and 26 seconds (City of Santa Clara, 2019b).

As recently identified in the City's General Plan EIR growth within the City through 2035 will continue to rely on the existing police department services and will not generate a need for new facilities. An increase in service population may result in a need

for additional officers. However, these would be housed in the existing facilities. Refurbishment of the facilities would consist of reconfiguration of space and regular upgrade of furniture and equipment, but there would be no need for expansion of the facilities (City of Santa Clara, 2011). Therefore, there would be no construction activities associated with the provision of new police services and no associated environmental impacts.

a.iii) **Less than Significant**. Residents of the proposed project would be served by the Santa Clara Unified School District (SCUSD). Future students from the project site would be expected to attend the following, Bowers Elementary School, approximately 0.3 miles southwest of the project site; Scott Lane Elementary School, approximately 0.4 miles southeast of the site; Bracher Elementary School, approximately 0.5 miles northwest of the project site; Cabrillo Middle School, located approximately 0.3 miles southwest of the project site; and Adrian Wilcox High School, approximately one mile west of the project site. Enrollment data at these nearby schools is shown in **Table PS-1** below, it include historic maximum enrollments since 2010-11, along with expected and actual enrollment for the 2017-18 year.

TABLE PS-1
SCUSD STUDENT ENROLLMENT FOR SCHOOLS NEAR THE PROJECT SITE

School Name	Peak Enrollment Since 2011 (Academic Year)	Expected Enrollment[1] (2017-18)	Actual Student Enrollment (2017-18)
Bowers Elementary School	359 (2013-14)	319	274
Scott Lane Elementary School	522 (2011-12)	577	395
Bracher Elementary School	391 (2013-14)	315	344
Cabrillo Middle School	952 (2016-17)	798	893
Adrian Wilcox High School	1,977 (2017-16)	1,987	1,969

NOTES:
[1] Expected enrollment is referred to as "Projected Resident Student Populations by School" in Appendix A2 of the source.

SOURCE: Historic Data from Ed Data www.ed-data.org/district/Santa-Clara/Santa-Clara-Unified; 2017-18 data from Enrollment Projections Consultants, 2018

In the long term, growth by development considered in the 2010-2035 General Plan was estimated to generate 2,000 new students.[13] The City found that additional facilities may be needed to meet the demand from the addition new residents and that the City would collaborate with the SCUSD to identify facilities/space (City of Santa Clara, 2011). In the more near term, student enrollment is forecast to rise by 533 students from 2017 to 2022, with, most of this growth is expected in the northern (north of US 101) portion of the city (Enrollment Projections Consultants, 2018). The southern region of the city, which includes the project site, is primarily built out, currently comprises about 70 percent of current school district enrollment. Growth within the next five years in this area

[13] The General Plan EIR considered a student generation rate of 0.16 students per multi-family household.

anticipates 102 new elementary school students and minimal changes with secondary school students (*ibid*.).

The proposed project would provide up to 65 units of affordable housing. Existing below-market-rate housing in the City has a higher student generation rate; that of 0.51, than that of other households such as single family or multifamily (Enrollment Projections Consultants, 2018). By considering this rate, the 65 units are estimated to generate an increase of 33 students. These students would be expected to range in ages, and, based on the current enrollment rates listed in Table PS-1, could be accommodated by the existing nearby schools. Pursuant to Senate Bill 50, which became effective in 1998, payment of the School Facilities Mitigation Fee has been deemed by the California State Legislature to be full and complete mitigation for the impacts of a development project on the provision of adequate school facilities. The proposed project would be required to pay the applicable School Facilities Mitigation Fee, which is based on the number of new housing units developed. With payment of these fees, the project would have a less than-significant impact on schools.

a.iv) **Less than Significant.** The City of Santa Clara Parks and Recreation Department (Department) provides parks and recreational services in the City. The Department is responsible for maintaining and programming the various parks and recreation facilities, and works cooperatively with public agencies in coordinating all recreational activities within the City. Overall, as of May 2019, the Department maintains and operates Central Park, a 45.0-acre community park, 26 neighborhood parks (approximately 121.3 acres improved and 5.2 acres unimproved resulting in about 126.5 acres), five mini parks (2.6 acres improved and 3.2 acres unimproved resulting in 5.8 acres), public open space (16.1 acres improved and 40.1 acres unimproved resulting in 56.2 acres), recreational facilities (14.9 acres improved, 9.1 acres unimproved and excluding the Santa Clara Golf and Tennis Club/BMX track resulting in about 24 acres), recreational trails (7.6 acres improved and 0.2 acres unimproved resulting in 7.8 acres), and joint use facilities (47.5 acres improved and 1.1 acres unimproved resulting in 48.6 acres) throughout the City totaling approximately 255 improved acres. Community parks are over fifteen acres, neighborhood parks are one to fifteen acres, and mini parks are typically less than one acre in size.

The closest neighborhood park and recreational facility is San Tomas & Monroe Street Neighborhood Park & Community Garden and San Tomas Aquino Creek Trailhead located across San Tomas Expressway from the project site. Although the proposed project would provide recreational facilities for residents, including gardening beds, BBQ, picnic, and play areas, implementation would contribute to an increase in demand for parkland because the project would potentially add an additional 177 new residents to the City. The increased population associated would potentially lead to physical deterioration of park facilities and overcrowding.

Santa Clara City Code Chapter 17.35 requires new residential development to provide developed park and recreational land and/or pay a fee in-lieu of parkland dedication, at

the discretion of the City, and pursuant to the State of California's Quimby Act and/or Mitigation Fee Act (MFA). The payment of applicable fees is generally considered to mitigate the impact of new residential demand on existing parkland and recreational facilities. The proposed project would be required to pay a fee in-lieu of parkland dedication as a condition of approval, in accordance with MFA and Santa Clara City Code Chapter 17.35 to help mitigate the impacts of the new residential development on existing parkland and recreation facilities. The project would have a less-than-significant impact.

a.v) **Less than Significant.** Library services are provided by the Santa Clara City Library (SCCL). The City of Santa Clara is served by the Central Park Library located at 2635 Homestead Road (approximately 1.5 miles southwest of the site), Mission Library Family Reading Center located at 1098 Lexington Street (approximately 1.6 miles southeast of the site), and Northside Branch Library located at 695 Moreland Way (approximately 2.5 miles northeast of the site).

Implementation of the project would increase the City's population by approximately 177 people. The new residents in the City could increase demand on library facilities. The certified 2010-2035 General Plan Integrated Final EIR (General Plan EIR) concluded that buildout of the southern portion of the City (which includes the proposed development) would be sufficiently served by the Central Park Library (City of Santa Clara, 2011). The project, therefore, would not result in a substantial impact to library services or result in the need for new library facilities.

References

City of Santa Clara. 2010-2035 General Plan Integrated Final Environmental Impact Report. SCH#2008092005. January 2011.

City of Santa Clara, Police Department, About Us. Available at: http://santaclaraca.gov/government/departments/police-department/about-us. Accessed March 9, 2019(a).

City of Santa Clara, Police Department, Fact Sheet. Available at: http://santaclaraca.gov/government/departments/police-department/about-us/fact-sheet. Accessed March 9, 2019(b).

City of Santa Clara, Fire Department (SCFD), *Santa Clara Fire Department Strategic Plan 2017-2021.* Available at: http://santaclaraca.gov/government/departments/fire/about-us. Accessed March 9, 2019.

Santa Clara Unified School District (SCUSD), *2017-18 Forecast Update Report Final, prepared by Enrollment Projection Consultants*, January 3, 2018. Available at: https://www.santaclarausd.org/site/default.aspx?PageType=3&ModuleInstanceID=1121&ViewID=C9E0416E-F0E7-4626-AA7B-C14D59F72F85&RenderLoc=0&FlexDataID=2791&PageID=56.

5.16 Recreation

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
XVI. RECREATION:				
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐

Discussion

a, b) **Less than Significant.** As discussed in Section XV, *Public Services*, implementation of the proposed project would contribute to an increase in demand for parkland because the proposed project would add new residents to the City. The project includes walkways, gardening beds, BBQ and picnic facilities, and play centers for residents, and would pay a fee in-lieu of parkland dedication to mitigate the impacts of the new resident demand on existing parkland and recreational facilities.

5.17 Transportation

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
XVII. TRANSPORTATION — Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☒	☐	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐
e) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	☒	☐

Discussion

a) **Less than Significant.** Fehr & Peers prepared a transportation technical memorandum in support of the Initial Study; this is incorporated below, and provided as Appendix F. As part of this analysis, Fehr & Peers calculated trip generation for the proposed project; provided an evaluation of existing pedestrian, bicycle, and transit facilities to accommodate the increase demand from the project; assessed project plans for vehicular circulation and access to and from the site; and measured parking demand and compared this demand to the proposed parking supply.

Existing Roadways

The two roadways providing access to the site are San Tomas Expressway and Monroe Street. San Tomas Expressway is an eight-lane north-south roadway located west of the Project site. It extends north toward North San Jose and south toward the City of Campbell.[14] The roadway has three mixed-flow lanes plus one High Occupancy Vehicle (HOV) lane per direction along its entirety. HOV lanes are restricted to vehicles with two or more people, motorcycles, and clean-air vehicles during the morning and evening peak periods. Monroe Street is an east-west roadway extending from Lawrence Expressway (where it transitions to Reed Avenue in Sunnyvale) to Williams Road in San Jose; east of Scott Boulevard, Monroe Street turns to become generally north-south. The number of travel lanes varies throughout its length. Monroe Street forms the northern edge of the project site where it has two travel lanes in each direction and a center two-way left-turn lane.

[14] San Tomas Expressway becomes Montague Expressway at U.S. Highway 101.

Existing and Proposed 2019 Transit Service

Bus service in Santa Clara County is operated by the Santa Clara Valley Transportation Authority (VTA). The Project site is directly served by VTA local bus routes 32 and 330, and three other routes—57, 58, and 60– are nearby. VTA's 2019 New Transit Plan targets design changes to the existing transit network to maximize ridership and provide geographical coverage. Existing and proposed changes to existing transit service near the Project site include:

- ***Route 32:*** Currently operates between San Antonio Shopping Center and the Santa Clara Transit Center. The service frequency is 30 minutes on weekdays and 60 minutes on Saturdays; it does not operate on Sundays. It stops near the Monroe Street and Los Padres Boulevard intersection, which is approximately 0.1 mile away from the Project site. The route would merge with Route 35, be renumbered Route 21 and would connect to San Antonio Shopping Center and Santa Clara Transit Center.

- ***Route 330:*** Currently operates on San Tomas Expressway between Almaden Expressway/Camden and Milpitas. The service runs only during weekday commute periods (northbound in the morning and southbound in the evening) and does not operate on weekends. This route is proposed to be discontinued.

- ***Route 57:*** Currently operates between West Valley College and Great America. The service frequency is approximately 25-30 minutes on weekdays and weekends. Route 57 stops near the Bowers Avenue and Monroe Street intersection, which is approximately 0.5 miles from the Project site. Route 57 is set to improve its frequency from 30 minutes to 15 minutes on weekdays and to 20 minutes on Saturdays.

- ***Route 58:*** Currently operates between West Valley College and Alviso. The service frequency is 30 minutes on weekday; it does not operate on weekends. The route stops near the Bowers Avenue and Monroe Street intersection, which is approximately 0.5 miles from the Project site. This route is proposed to be discontinued.

- ***Route 60:*** Currently operates between the Winchester Transit Center and Old Ironsides LRT Station. The service frequency is 15-30 minutes on weekdays and 30 minutes on weekends. The route stops near the Monroe Street and Scott Boulevard intersection which is approximately 0.3 miles from the Project site. This route is proposed to be extended to the Milpitas BART Station once it opens and would no longer operate near the site.

Existing Bicycle Facilities

San Tomas Aquino Trail is located west of the project site. The San Tomas Aquino Creek Trail is a 5-mile north-south Class I[15] shared-use path that stretches from San Francisco Bay Trail to Cabrillo Avenue. It is located 700 feet away from the Project site. Class II[16]

[15] Class I Bikeways (Shared-Use Paths) provide a completely separate right-of-way and are designated for the exclusive use of bicycles and pedestrians, with vehicle and pedestrian cross-flow minimized. In general, bike paths serve corridors when on-street facilities are not feasible or where sufficient right-of-way exists to allow them to be constructed.

[16] Class II Bikeways (Bicycle Lanes) are dedicated lanes for bicyclists generally adjacent to the outer vehicle travel lanes. These lanes have special lane markings, pavement legends, and signage. Bicycle lanes are typically five (5) feet wide. Adjacent vehicle parking and vehicle/pedestrian cross-flow are permitted.

bike lanes are provided on Monroe Street extending from San Tomas Aquino Trail to Newhall Street, on Los Padres Boulevard extending from Monroe Street to Homestead Road, and on Cabrillo Avenue extending from Lawrence Expressway to Los Padres Boulevard. Bowers Avenue, from El Camino Real to Chromite Drive is designated as a Class III[17] bike route.

Existing Pedestrian Facilities

Pedestrian facilities near the project site include sidewalks, crosswalks, curb ramps, and pedestrian signals. Sidewalks and curb ramps are provided on both sides of Monroe Street. Crosswalks and ramps are provided at major nearby intersections, including Monroe Street/San Tomas Expressway, El Camino Real/San Tomas Expressway, and Monroe Street/Scott Boulevard. VTA bus stops located near the project site can be accessed through a continuous stretch of sidewalks and crosswalks along Monroe Street, Los Padres Boulevard, and Scott Boulevard. There are no sidewalks on San Tomas Expressway. There is also a Bicycle/Pedestrian trail (San Tomas Aquino Creek Trail), from Monroe street to Homestead, on the west side of San Tomas Expressway.

Project Trip Generation

Fehr & Peers applied the multi-family residential vehicle trip generation rates from the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 10th Edition to the number of units to estimate the number of vehicle trips generated by the proposed development during a typical weekday and during the weekday a.m. and p.m. peak hours, when traffic volumes on the surrounding streets reach a peak during the morning and evening commute periods. The results are presented in **Table TR-1**. Based on these estimates, the project would generate fewer than 30 vehicle trips during each peak hour. It is likely that the project's vehicle trip generation would be lower as the units housing individuals with developmental disabilities would likely generate few vehicle trips, especially during the peak hours.

TABLE TR-1
ESTIMATED PROJECT TRIP GENERATION

Land Use	Daily Trips	A.M. Peak Hour			P.M. Peak Hour		
		In	Out	Total	In	Out	Total
Multi-Family Residential (mid-rise) per unit	5.44	0.09	0.27	0.36	0.27	0.17	0.44
Vehicle Trips							
65 units	354	6	17	23	18	11	29

SOURCE: Institute of Transportation Engineers, *Trip Generation Manual*, 10th Edition; Fehr & Peers, Appendix F.

[17] Class III Bikeways (Bicycle Routes) are designated by signs or pavement markings for shared use with pedestrians or motor vehicles, but have no separated bike right-of-way or lane striping. Bike routes serve either to: a) provide a connection to other bicycle facilities where dedicated facilities are infeasible, or b) designate preferred routes through high-demand corridors.

Based on existing travel patterns near the site, the estimated directions of approach and departure were determined to be: 60 percent to/from the north on San Tomas Expressway; 10 percent to/from the east on Monroe Street; 20 percent to/from the south on San Tomas Expressway, and; 10 percent to/from the west on Monroe Street. The resulting trip assignment would add 10 or fewer vehicles per lane at the intersection of San Tomas Expressway and Monroe Street. This small amount of added traffic would not affect intersection operations.

Due to its relatively small size, the project would generate fewer than 100 peak-hour vehicle trips. It therefore, does not meet the threshold for a transportation impact analysis per Santa Clara County Congestion Management Program (CMP) guidelines, and therefore no detailed analysis of traffic operations is required.

Project Parking Analysis

The project would provide a total of 94 vehicle parking spaces (88 regular stalls, 6 ADA compliant stalls), as well as 3 EV charging accessible, and 1 loading/drop-off/paratransit stall, and 37 bicycle parking spaces. Of the bicycle spaces, 33 spaces for residents would be located in an inside bike parking room (Class I) and 4 spaces for visitors would be provided in bike racks near the near the building entry (Class II).

The Santa Clara City Code requirement is 2 vehicle parking vehicle spaces per unit, or 130 spaces for the project. However, the project would involve the approval of a zoning amendment as a Planned Development (PD) under Chapter 18.54 of the Zoning Ordinance. Chapter 18.54.050, Design Standards, allows exceptions under a PD to, among other zoning standards, the required amount of on-site parking. As part of the proposed PD zoning of the site, the applicant is proposing a parking ratio of 1.45 spaces per unit, or 94 parking spaces.

Based on survey results of recent projects similar in size and with similar levels of transit service as the project, Fehr & Peers identified peak-parking demands of between 1.40 and 1.52 spaces per unit in the late evening when the residents were home for the night. During the midday period, when visitors for the resident with disabilities would be present, the peak demand rates were less than 1 space per unit. The proposed project at 2330 Monroe Street would likely have a peak parking demand rate of approximately 1.45 spaces per unit. Accounting for 20 percent of units to house individuals with developmental disabilities (and therefore, unlikely to have a vehicle), 52 of the units would generate parking and the corresponding peak parking demand would be approximately 78 parked vehicles in the evening. The 94 spaces on-site would therefore, accommodate this parking demand.

Site Plan Analysis

Based on the project plans provided (refer to Figure 3), vehicle access would be provided by a single driveway on Monroe Street. The driveway's proposed location near the eastern edge of the site provides the maximum separation from the intersection of San Tomas Expressway and Monroe Street. One driveway would be sufficient to

accommodate the low amount of traffic generated by the project and would not create a hazard. As currently designed, it is a full-access intersection and accommodates vehicles making left turns and right turns in and out of the site. Vehicles wishing to exit the project site onto westbound Monroe Street also have the option of turning right and making a U-turn at the intersection of Monroe Street and Los Padres Boulevard.

Pedestrian access to the site is provided by the sidewalks on Monroe Street. A pedestrian path/sidewalk from Monroe Street to the courtyard and building entry provides pedestrian access to the building. The pedestrian pathway circumnavigates the building to accommodate on-site pedestrian circulation.

Bicycle access to the site is provided by the bike lanes on Monroe Street. The bike parking room is in the northeast corner of the building near the driveway, reducing the amount of on-site bicycle circulation.

General Plan Consistency

All of the City's Mobility and Transportation goals and policies were reviewed to identify any potential conflicts. The proposed project appears to be consistent with all of the policies, which will be subject to confirmation by City decision makers. In particular, the project would conform to the following policies:

5.8.2-P9 – Require all new development to provide streets and sidewalks that meet City goals and standards, including new development in employment areas.

5.8.3-P9 – Require new development to incorporate reduced on-site parking and provide enhanced amenities, such as pedestrian links, benches and lighting, in order to encourage transit use and increase access to transit services.

5.8.4-P6 – Require new development to connect individual sites with existing and planned bicycle and pedestrian facilities, as well as with on-site and neighborhood amenities/services, to promote alternate modes of transportation.

5.8.4-P7 – Require new development to provide sidewalks, street trees and lighting on both sides of all streets in accordance with City standards, including new developments in employment areas.

5.8.4-P8 – Require new development and public facilities to provide improvements, such as sidewalks, landscaping and bicycling facilities, to promote pedestrian and bicycle use.

5.8.4-P9 – Encourage pedestrian- and bicycle-oriented amenities, such as bicycle racks, benches, signalized mid-block crosswalks, and bus benches or enclosures.

5.8.4-P13 – Promote pedestrian and bicycle safety through "best practices" or design guidelines for sidewalks, bicycle facilities, landscape strips and other buffers, as well as crosswalk design and placement.

5.8.5-P1 – Require new development and City employees to implement transportation demand management programs that can include site-design measures,

including preferred carpool and vanpool parking, enhanced pedestrian access, bicycle storage and recreational facilities.

5.8.5-P2 – Require development to offer on-site services, such as ATMs, dry cleaning, exercise rooms, cafeterias and concierge services, to reduce daytime trips.

5.8.5-P3 – Encourage all new development to provide on-site bicycle facilities and pedestrian circulation

Conclusion

The project would neither directly nor indirectly eliminate existing or planned alternative transportation corridors or facilities (e.g., bike paths, lanes, etc.), including changes in polices or programs that support alternative transportation, nor construct facilities in locations in which future alternative transportation facilities may be planned. The project would not conflict with adopted polices, plans and programs supporting alternative transportation. In addition, the project would not generate traffic volume increases that would significantly affect traffic flow on area roadways. Therefore, the performance of public transit, bicycle and pedestrian facilities in the area would not be adversely affected, and the project impact would be less than significant

b) **Less than Significant.** Section 15064.3(c) of the CEQA Guidelines addresses *applicability* of the new vehicle miles traveled (VMT) criteria: "the provisions of this section shall apply prospectively as described in section 15007. A lead agency may elect to be governed by the provisions of this section immediately. Beginning on July 1, 2020, the provisions of this section shall apply statewide." Santa Clara has not yet implemented quantitative vehicle miles traveled criteria, and continues to use Level of Service as a threshold of significance until the City develops a quantitative VMT threshold. The Guideline also recognizes that the City has the discretion to utilize qualitative methodology if methods or models are not yet available to estimate VMT on near-term projects.

Here, the project is a 65 dwelling residential development in an already established urban environment, for which 20-25% of the units will be designated for persons with developmental and/or intellectual disabilities, who will be less likely to drive automobiles. The project also proposes 37 bicycle parking spaces along with a loading/drop-off/paratransit service space for residents to support alternate modes of transportation, which would reduce vehicle miles traveled. The project site is also located in the proximity of the Santa Clara Valley Transportation Authority (VTA) and Caltrain services. The project site is served by VTA buses 32, 330, 57, 58, and 827, all with stops with 0.1 to 0.6-mile from the site. Caltrain has two stops located within 2.5 miles from the site: the Santa Clara Station, is approximately 2.4 miles southeast, and the Lawrence Station is located approximately 2.1 miles northwest. Consequently, the project would result in a lower VMT than a residential development in an non-urban environment. Moreover, the project would generate fewer than 100 pm peak-hour vehicle trips, and so no detailed transportation analysis is required, in accordance with County Congestion Management Plan guidelines (refer to impact e) below, and Appendix F).

c) **Less than Significant with Mitigation.** In order to address transportation related hazards, Fehr & Peers analyzed site plans and sight distance. As discussed in response to criterion a, above, Fehr & Peers concluded that the plan exhibits adequate site access and on-site circulation for motor vehicles, pedestrians and bicycles.

The sight distance analysis prepared by Fehr & Peers (Appendix F) identified that the speed limit on Monroe Street is 35 miles per hour (mph). Using a design speed of 40 mph, (five miles higher than the speed limit), the corresponding stopping sight distance is 300 feet. San Tomas Expressway is 300 feet to the west of the project site driveway. While the stopping site distance and driveway are equidistance, currently, there is permitted on-street parking on the south side of Monroe Street between the driveway and San Tomas Expressway. Parked vehicles would inhibit this line of site. However, as a condition of project approval, Public Works staff recommends that the removal of the existing on-street parking between the project driveway and San Tomas Expressway to provide stopping sight distance, the minimum distance required; this is included in **Mitigation Measure TR-1**.

Furthermore, the typical speed of vehicles making the right turn from northbound San Tomas Expressway to eastbound Monroe Street is estimated to be 30 mph based on field travel runs. The corresponding stopping sight distance is 200 feet. This speed and distance would make it difficult and potentially hazardous for vehicles exiting the project site. However, modifications to the pork chop island and adjusting the curb on the southeast corner of the intersection, would slow vehicles making this turn and make it easier for drivers of vehicles turning out of the project site to gauge the lengths of the gaps in the eastbound traffic flow in deciding when to make the turn.[18] Therefore, the project would require these changes in Mitigation Measure TR-1.

While the project would provide adequate onsite access and internal navigation for vehicles, pedestrians and bicycles and would not create a hazard, the project driveway proximity to the intersection, and specifically, rapid right turn movements from northbound San Tomas Expressway could result in vehicle related hazards along Monroe Street. Mitigation Measure TR-1 would address this and the impact to hazards would be less than significant.

Mitigation Measure TR-1: Roadway Safety Modification.

Prior to approval of a project building permit, the project applicant shall submit to the City public improvement plans for the intersection of San Tomas Expressway and Monroe Street and parking removal on Monroe Street to improve roadway safety. The public improvement plans shall include the removal of street parking west of the driveway to the curb return of the Monroe Street and San Tomas Expressway intersection, along the project frontage on Monroe Street and, subject to the approval of Santa Clara County, modify the existing free right-turn lane to reduce the speed of vehicles turning right from northbound San Tomas Expressway to eastbound Monroe Street in order to enhance visibility and reaction time for vehicles using the project

[18] Because San Tomas Expressway is under the jurisdiction of Santa Clara County, modification of the pork chop island could only be undertaken with county approval.

driveway. Subject to review and approval by the County and the City, improvements could include, but not be limited to: modification of the existing island to reduce the turning radius while maintaining at least an 11' wide right-turn lane, reconstruction of the existing ADA curb ramps, preservation of existing traffic signal equipment, adjustment of the crosswalk location, installation of yield limit lines, and adjustment of the curb and sidewalk alignment and ADA curb ramps along Monroe Street. The selected improvements shall be determined by the County and the City to adequately provide for the safety of vehicles using the project driveway. Approval of the public improvement plans shall be required to coincide with the project building permit. Completion of the approved changes shall be required prior to certification of occupancy, to the extent permitted by Santa Clara County.

d) **Less than Significant.** The project would not alter the physical configuration of the surrounding road network (i.e., would not affect the routes emergency service vehicles currently take). Emergency vehicles would access the project site via the single full-access driveways. As described in Criterion "a," the project would not generate traffic volume increases that would significantly affect traffic flow on area roadways (including that by emergency vehicles), and the project plan exhibits provide adequate site access and on-site circulation for motor vehicles. Firetrucks would travel through the parking area and use the turnaround in the southwest corner of the site. Furthermore, prior to project approval, the Santa Clare Fire Department would review the adequacy of the project plans as they pertain to site access and fire safety issues. For these reasons, the proposed project would have a less than significant effect on emergency access.

e) **Less than Significant.** As described above, the project would generate fewer than 30 vehicle trips during each peak hour. Moreover, it is likely that the project's vehicle trip generation would be lower, as the units housing individuals with developmental disabilities would likely generate few vehicle trips, especially during the peak hours. Because the project would generate fewer than 100 pm peak-hour vehicle trips, no detailed transportation analysis is required, in accordance with County Congestion Management Plan guidelines (Appendix F). Consequently, the project would not conflict with an applicable congestion management program and would not exceed level of service standards, and the impact would be less than significant.

References

Fehr & Peers, Transportation Assessment for 2330 Monroe Street, April 12, 2019. (Appendix F)

5.18 Tribal Cultural Resources

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
XVIII. TRIBAL CULTURAL RESOURCES — Would the project:				
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 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	☐	☒	☐	☐
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 Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐

Discussion

a.i, ii) **Less than Significant with Mitigation.** CEQA requires the lead agency to consider the effects of a project on tribal cultural resources. As defined in PRC Section 21074, tribal cultural resources are sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are listed, or determined to be eligible for listing, on the national, state, or local register of historical resources.

ESA contacted the California State Native American Heritage Commission (NAHC) on January 10, 2019 to request a search of the NAHC's Sacred Lands File and a list of Native American representatives who may have knowledge of tribal cultural resources in the Project Area, or interest in the Project. The NAHC replied to ESA by email on January 11, 2019 with the statement that the Sacred Lands File has no record of any sacred sites within the Project Area. The NAHC response included a list of seven Native American representatives from six tribes who may have knowledge of tribal cultural resources in the Project Area, or be interested in the Project.

On March 4, 2019 the City of Santa Clara sent letters to the seven Native American representatives identified by the NAHC as potentially having knowledge of or interest in the Project Area or vicinity. As of June 6, 2019 (90 days) no response has been received from any of the seven Native American representatives contacted.

Based on the NWIC records search and the NAHC SLF negative search results, there are no known tribal cultural resources listed or determined eligible for listing in the California

Register, or included in a local register of historical resources as defined in PRC Section 5020.1(k), pursuant to PRC Section 21074(a)(1), would be affected by the Project. To date, no new tribal cultural resources have been identified by Native American representatives, and surface survey of the Project Area identified no potential tribal cultural resources. In addition, the City of Santa Clara did not determine any resource that could potentially be affected by the project to be a significant tribal cultural resource pursuant to criteria set forth in PRC Section 5024.1(c). Therefore, the Project would cause no impact to known tribal cultural resources and no separate mitigation measure is necessary. In the unlikely event that a previously unrecorded buried archaeological resource determined to be a tribal cultural resource is identified during project construction, Mitigation Measure CUL-1 would apply.

References

Curry, Ben *Subject: 2330 Monroe Street Project – Cultural Resources Survey and Assessment*, Letter Report, Prepared by Environmental Science Associates, Sacramento, CA, Prepared for the City of Santa Clary Planning Division, March, 2019.

Northwest Information Center (NWIC), Record Search results on file at ESA. File No. 18-1231. January 4, 2019.

5.19 Utilities and Service Systems

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
XIX. 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?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Discussion

a, c) **Less than Significant.**

Water

Water would be provided to the project site via connections just west of the driveway with three lines to provide for irrigation, domestic water use, and emergency fire connection. The project would also extend the emergency water supply system to a hydrant located in the center of the project site to provide adequate pressure and flowrate. Given that there is an existing 8-inch water main in Monroe Street, the project would not require the construction or relocation of new water mains, but only connections to the existing main. Additional detail about water supply is addressed under Criterion "b," below.

Wastewater

The proposed project would generate an increase in wastewater generation at the project site compared to existing conditions and would require connection to the City's existing sanitary sewer system managed by the City's Sewer Utility. Using a conservative assumption that that all project potable water demand would result in wastewater, and not discounting for any wastewater generated by the existing uses at the project site, the project could result in a total wastewater generation of between approximately 0.015mgd.

Wastewater would be collected into a newly constructed 6-inch sewer line that would connect to an existing 8-inch sanitary sewer lateral running from Monroe Street under the project site in an existing 10-foot-wide easement that conveys sewage to other interceptors and community collections systems. The project requires "Final Approval" by the City Council necessary for all entitlements including confirmation of sewer capacity. The project applicant completed a seven-day monitoring program per the Department of Public Works, which indicated there was no sewer capacity issue (**Appendix G**). The project site, therefore, would be adequately served by, and generate no adverse effect on, sewer systems. No additional monitoring plan is required.

Wastewater collected by the sewer system in Santa Clara is conveyed to the San Jose/Santa Clara Water Pollution Control Plant (WPCP) located in San Jose. As required by RWQCB, the WPCP monitors its wastewater to ensure that it meets all requirements. The RWQCB routinely inspects treatment facilities to ensure permit requirements are met. The wastewater treatment plant provides primary, secondary, and tertiary treatment of wastewater for four sanitation districts and eight cities in the region, including the City of Santa Clara). The current treatment capacity of the plant is 167 mgd and average daily flows are 110 mgd (City of San Jose, 2019). According to the Santa Clara General Plan EIR, the City of Santa Clara has a treatment capacity allocation of 22.585 mgd, while its average dry weather flow in 2009 was 13.3 mgd. With buildout of Phase 3 of the General Plan, the average dry weather flow is projected at 20.1 mgd, leaving 2.485 mgd of remaining capacity (City of Santa Clara, 2011). It is not anticipated that sewage generated by the project would exceed wastewater treatment requirements of the RWQCB.

The project would therefore, not result in the need for new or expanded wastewater treatment facilities or exceed wastewater treatment requirements of the Regional Water Quality Control Board and impacts would be less than significant.

Stormwater

The project would develop a stormwater retention and treatment system, which is required under the Santa Clara Countywide Water Pollution Prevention Program. Stormwater in excess of onsite absorption would be routed to the municipal stormwater collection system. As discussed in Section X, *Hydrology and Water Quality*, the applicant would be required to obtain coverage under the NPDES General Permit for Discharges of Storm Water Runoff Associated with Construction Activity. Implementation of a SWPPP in compliance with the permit would identify BMBs to ensure that construction of new on-site stormwater infrastructure would not result in adverse impacts to water quality. Impacts would be less than significant.

Electric Power, Natural gas, and Telecommunications

Within the City electricity is managed by Silicon Valley Power (the City of Santa Clara's municipally owned electric utility), natural gas is provided by and managed by PG&E, and there are numerous telecommunication providers. The project site, which is currently a vacant lot, is located within an urban environment and is surrounded by residential uses.

The infill nature of the project site would support access to existing power, gas and telecommunication lines and services.

Conclusion

Ultimately, the project would not result in the need for new or expanded utilities and service systems the resulting in less than significant impacts by the construction or relocation of such systems/facilities.

b) **Less than Significant.** The City of Santa Clara, (along with 12 other water retailers in Santa Clara County) receives its potable water from the Santa Clara Valley Water District (SCVWD). The SCVWD's water system infrastructure includes approximately 335 miles of water mains, 26 wells and 7 storage tanks with approximately 28.8 million gallons of water capacity, Drinking water is provided by an underground aquifer (accessed by the City's wells) and by two wholesale water importers: the SCVWD (imported from the Sacramento-San Joaquin Delta) and the San Francisco Hetch-Hetchy System (imported from the Sierra Nevada). The three sources are used interchangeably or are blended together. In general, however, this source of recycled water serves to offset the use of potable sources in the drought-prone region and is a reliable source for conservation of potable sources (City of Santa Clara, 2019).

The City of Santa Clara participates in regional water supply planning in coordination with its wholesale suppliers, the San Francisco Public Utilities Commission (SFPUC), the SCVWD, and South Bay Water Recycling. The City prepared an Urban Water Management Plan (UWMP) in coordination with these regional partner agencies. The 2010-2035 General Plan EIR and the UWMP both conclude that water supplies will be available through all but the driest years; however, in the event of a multiple dry year event and the loss of supply from the SFPUC, there is a projected shortfall of 0.6 percent in the year 2035. The City plans to meet future demand growth by pumping additional groundwater in coordination with SCVWD, relying on more recycled water, and increased conservation (City of Santa Clara, 2011).

Since the adoption of the General Plan, the SCVWD adopted a Water Supply and Infrastructure Master Plan in 2012 that identifies a variety of strategies for meeting future demand. The SCVWD is currently working to update the Water Supply and Infrastructure Master Plan and as part of that process will evaluate supply projects and programs that will allow the District to minimize the need for water use reductions greater than 10 percent. It is SCVWD policy to develop water supplies designed to meet at least 100 percent of average annual water demand identified in the UWMP during non-drought years and at least 90 percent of average annual water demand in drought years. The SCVWD anticipates that additional projects and programs may include additional long-term water conservation savings, water recycling, recharge capacity, stormwater capture and reuse, banking, and storage (SVCWD, 2012).

The SCVWD is also a participant in the Bay Area Regional Reliability (BARR) program, launched in concert with six other Bay Area water agencies to identify projects and

processes to enhance water supply reliability across the region. The SCVWD anticipates that this planning effort will result in increased water supplies and reliability for the district.

The project site is currently served by three water lines (located just west of the site, near the driveway) to provide for irrigation, domestic water use, and emergency fire connection. The project would be consistent with Santa Clara CAP Reduction Strategy 3.1, calling for a reduction in per-capita water use by 2020; planting and irrigation would be designed with low-water-use plants water efficient irrigation systems (HKIT Architects, 2019). Additionally, the project would be required to comply with the requirements of the California Green Building Code including low-flow toilets and other water-efficient fixtures to achieve a 20-percent reduction in indoor water use. By considering the 2016 statewide average rate for residential water consumption, it is estimated that the project would result in a net increase in water demand of approximately 15,045 gpd, compared to the existing use.[19]

Because the project site was not considered for Medium Density development under the 2010-2035 General Plan EIR, this incremental increase in water demand by the site was not previously considered. However, the strategies outlined in the SCVWD's 2012 Water Supply and Infrastructure Master Plan, along with those considered under its update will develop water supplies would be designed to meet at least 100 percent of average annual water demand identified in the UWMP during non-drought years and at least 90 percent of average annual water demand in drought years; the updates would include uses at the project site. Additionally, district-wide adherence to the water contingency plan during dry year events would ensure that water supplies to the City, and thus the proposed project, would be satisfied. Consequently, the increased potable water demand resulting from the proposed project would not result in the need for new or expanded water supply entitlements. The impact would be less than significant.

d, e) **Less than Significant.** Solid waste collection in the City of Santa Clara is provided by Mission Trail Waste System through a contract with the City. Mission Trail Waste Systems also has a contract to implement the Clean Green portion of the City's recycling plan by collecting yard waste. The City has a contract with Newby Island Sanitary Landfill (NISL) to provide disposal capacity through 2024. The City has not secured solid waste disposal capacity at a landfill beyond 2024. General Plan policies 5.1.1-P3 and 5.1.1-P21, however, require the City complete an assessment of infrastructure and utility demand (including solid waste disposal) to ensure adequate capacity and funding to implement the necessary improvements to support development. Secure, adequate solid waste disposal facilities to serve development must be identified. Given the uncertainty of the future availability of solid waste disposal capacity through the entire planning horizon of the General Plan (i.e., through 2035), the EIR concluded that implementation of the 2010-2035 General Plan would have a significant and unavoidable

[19] Since 2013 the residents in the City of Santa Clara have historically consumed an average of less than an 70 gallons per person per day (SWRCB, 2019); in 2016 the statewide average for residential consumption was at 85 gallons per person per day (LAO, 2017).

impact on solid waste disposal capacity (City of Santa Clara, 2011). While the project would result in an increased density due to proposed change to project site zoning and General Plan classification of the site, because this impact was previously disclosed, no further analysis of this impact is required.

In addition, the proposed project would be consistent with Santa Clara CAP Reduction Strategy 4.2, requiring increased diversion of solid waste from landfill disposal, recycling at least 50 percent of the construction and demolition debris as required by the City. Ultimately, impacts regarding solid waste disposal are considered less than significant.

References

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City of Santa Clara. *2010-2035 General Plan Integrated Final Environmental Impact Report*. SCH#2008092005. January 2011.

Legislative Analysist's Office, *Residential Water Use Trends and Implications for Conservation Policy*, Available at: https://lao.ca.gov/Publications/Report/3611, Posted March 8, 2017.

Santa Clara Valley Water District, *2012 Water Supply and Infrastructure Master Plan*, Chapter 3: The Water Supply Strategy Ensures Sustainability, October 2012.

State Water Resources Control Board (SWRCB), *January 2019 Supplier Conservation* (by % monthly water savings), Available at: https://www.waterboards.ca.gov/water_issues/programs/conservation_portal/docs/2019mar/supplierconservation_030519.pdf. Data Downloaded February 25, 2019.

5.20 Wildfire

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
XX. WILDFIRE — If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
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?	☐	☐	☒	☐
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Discussion

a, c, d) **No Impact.** The project site is located approximately 10 miles east of the nearest State Responsibility Area, (predominately, the Santa Cruz Mountains), and only a small portion of the nearest area is classified as a *very high-risk* hazard severity zone. The bulk of the open space surrounding Santa Clara County are State Responsibility Areas, however, they are primarily classified at a *high risk* (California Department of Forestry and Fire Protection, 2007).

As addressed under Section IX, *Hazardous Materials,* above, the project would redevelop the site and result in increased usage with a greater number of employees and visitors to the site. However, the project would not involve the temporary or permanent closure of roads, and would not otherwise interfere with emergency response or evacuation plans. All proposed development would be designed in accordance with California Fire Code requirements, which include egress and emergency response design measures. Therefore, with adherence to existing building and Fire Code requirements, the project would result in no impact related to evacuation and emergency plans.

The project is located in an urban environment, and infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) are already established. The project would therefore generate no impact related to the installation and maintenance of associated infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment.

As addressed under Section VII, *Geology and Soils,* above the project site is relatively level, and is not located on or adjacent to a hillside. Development of the proposed project

would therefore not expose people or structures to significant risks, including downslope or downstream flooding or landslides, due to of runoff, post-fire slope instability, or drainage changes.

b) **Less than Significant.** As addressed above, the project site is located approximately 10 miles east of the nearest State Responsibility Area, (predominately, the Santa Cruz Mountains), and only a small portion of the nearest area is classified as a *very high-risk* hazard severity zone. Outside of Santa Clara County, and northwest of the project site, are open spaces classified as *very high-risk*; these are located in San Mateo County. However, because the prevailing winds in the project vicinity (as tracked at the SJC Airport) are from the north-northwest it is possible pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire northwest of the site could reach the project occupants. Because the proposed project would include mechanical equipment, such as HVAC systems, residents would have interior filtration systems to combat such possible pollutants reducing possible impact to residents to less-than-significant-levels.

References

California Department of Forestry and Fire Protection, *State Responsibility Area (SRA), Santa Clara County, Very High Fire Hazard Zones in LRA*, Adopted November 11, 2007, Available at: http://www.fire.ca.gov/fire_prevention/fhsz_maps_santaclara. Accessed March 25, 2019.

California Department of Forestry and Fire Protection, *State Responsibility Area (SRA), San Mateo County, Very High Fire Hazard Zones in LRA*, Adopted November 11, 2007, Available at: http://www.fire.ca.gov/fire_prevention/fhsz_maps_sanmateo. Accessed March 25, 2019.

Western Regional Climate Center, *Prevailing Wind Direction* (from 1992-2002). Available at: https://wrcc.dri.edu/Climate/comp_table_show.php?stype=wind_dir_avg.

5.21 Mandatory Findings of Significance

Issues (and Supporting Information Sources):	*Potentially Significant Impact*	*Less Than Significant with Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*
XXI. MANDATORY FINDINGS OF SIGNIFICANCE —				
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?	☐	☒	☐	☐
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)?	☐	☒	☐	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

Discussion

a) **Less than Significant with Mitigation.** Based upon background research, site visits, and the analysis contained herein, with implementation of mitigation measures identified in this Initial Study, the project does not have the potential to substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. Any potential short-term increases in potential effects to the environment during construction, and long-term effects on the environment during project operation, are mitigated to a less-than-significant level, as described throughout the Initial Study.

b) **Less than Significant with Mitigation.** In accordance with CEQA Guidelines Section 15183, the environmental analysis in this Initial Study was conducted to determine if there were any project-specific effects that are peculiar to the project or its site. In addition to this requirement, Section 15065(a)(3) states that a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has potential environmental effects "that are individually limited, but cumulatively considerable."[20] If cumulative impacts could occur, cumulative analysis asks whether the project's contribution to the significant cumulative impact would be cumulatively considerable.

[20] *Cumulatively considerable* is defined in Section 15065(a)(3) of the CEQA Guidelines as "the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects."

The analysis of cumulative impacts for each environmental factor may employ one of two methods to establish the effects of reasonable past, present, and probable future projects as outlined in CEQA Guidelines Section 15130(b). The lead agency may select a list of projects, including those outside the control of the agency, or, alternatively, a summary of projections. The summary of projections may be from an adopted general plan or related planning document, or from a prior environmental document that has been adopted or certified, and these documents may describe or evaluate the regional or area-wide conditions contributing to the cumulative impact.

This Initial Study evaluates cumulative impacts using the *Santa Clara 2010-2035 General Plan Integrated EIR* (City of Santa Clara, 2011). This EIR evaluated impacts due to buildout under the 2010-2035 General Plan, and concluded that the General Plan would result in significant environmental impacts to: GHG emission exceeding Santa Clara's emission reduction target for 2035 (GHGs), increase in localized traffic noise on roadway segments (Noise), land use impacts from a exceedance of jobs growth to housing (Population and Housing), degradation of traffic operations on regional roadways and highways within Santa Clara of an unacceptable level of service (Transportation), and Contribution to solid waste generation beyond available capacity after 2024 (Utilities and Service Systems). Therefore, in addition to project specific impacts, the project's contribution to these previously identified impacts is discussed.

No project-specific significant effects peculiar to the project or its site were identified that could not be mitigated to a less-than-significant level. The proposed project would contribute to environmental effects in the areas of air quality (temporary increases in construction-generated), biological resources, cultural resources, temporary increases in construction-generated noise, potential hazards related to vehicular egress from the site, and possible tribal cultural resources during construction. Mitigation measures incorporated herein mitigate any potential contribution to cumulative impacts associated with these environmental issues to a less-than-significant level, and would preclude the project from making a substantial contribution to cumulative impacts.

GHG: As analyzed in Section VIII, *Greenhouse Gas Emissions*, the project's GHG emissions would be consistent with the most current applicable plans, policies, and regulations. Therefore, the project's contribution to this significant cumulative impact would not be considerable.

Noise: As analyzed in Section XIII, *Noise*, with implementation of Mitigation Measure NOI-1: Noise Performance Standard, the project would not exceed applicable noise level standards for the project site. Although the General Plan Integrated EIR identified a significant impact related to the localized noise increase in traffic noise level on roadway segments, the project would not result in a substantial increase in traffic on surrounding roadways and would not contribute to an increase in traffic noise levels (refer to impact XIII(a)). Therefore, the project would not contribute to this significant cumulative impact.

Population and Housing: The General Plan Integrated EIR concluded that the proposed land uses would create a regional jobs-housing imbalance. Because the proposed project does not involve employment land uses, and would provide up to 65 units of residences, it would serve to offset this cumulative impact.

Transportation: As previously discussed in Section XVII., *Transportation*, the project would generate fewer than 100 peak hour trips and is, therefore, considered to a have a less than significant impact on the roadway network. The minimal peak hour trip generated by the project are not in the immediate vicinity of the intersections identified with significant impacts under the General Plan Integrated EIR. Therefore, the project would not contribute to the cumulative traffic operation impact within Santa Clara.

Utilities and Service Systems: As analyzed in Section XIX., *Utilities and Service Systems*, the project would comply with the most current applicable plans, policies, and regulations related to solid waste and would thus not result in a significant increase in solid waste generation. Although the General Plan Integrated EIR identified solid waste generation as a significant impact, the amount of solid waste generated by the project operations would be minimal, due to its residential nature. Therefore, the project's contribution to this significant cumulative impact would not be considerable.

Based on the above discussion, the project would not have cumulatively considerable contributions to significant cumulative impacts.

c) **Less than Significant with Mitigation.** The project may have significant adverse effects on human beings in the areas of air quality and noise during construction, onsite geologic hazards, and offsite vehicle safety along Monroe Street when exiting the site. Mitigation measures identified in this Initial Study would reduce the effects to less-than-significant level. No other direct or indirect adverse effects on human beings are anticipated.

CHAPTER 6
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