

# County of Santa Clara

## Department of Planning and Development

County Government Center, East Wing, 7<sup>th</sup> Floor  
70 West Hedding Street  
San Jose, California 95110



<b>Administration</b>	<b>Development Services</b>	<b>Fire Marshal</b>	<b>Planning</b>
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## Notice of Intent to Adopt a Mitigated Negative Declaration

A notice, pursuant to the California Environmental Quality Act of 1970, as amended (Public Resources Code 21,000, et sec.) that the following project will not have a significant effect on the environment.

File Number	TAZ	APN(s)	Date
PLN18-11460		660-03-001	12/30/2021
Project Name		Project Type	
New Single-Family Residence on Grand Oak Way, San Jose		Grading Approval and Design Review	
Person or Agency Carrying Out Project		Address	Phone Number
County of Santa Clara		Grand Oak Way, San Jose	(408) 299-5759
Name of Applicant		Address	Phone Number
Jenny Kim / Chapman Design Associates		620 El Monte Avenue, Los Altos	(650) 941-6890
Project Location			
<p>The subject property is 18.7 acres in size and is characterized as a bell-shaped lot at the eastern foothills of Santa Clara County, in the unincorporated area, near the Evergreen neighborhood of San Jose. The property is surrounded by existing single-family residences to the to the west and south (in the City of San Jose jurisdiction), with vacant lands to the east and northeast of the property that are unincorporated.</p> <p>The topography of the building site is generally flat with an approximate slope of 2 percent (2%) towards the west of the property. Misery Creek is runs along the western and northern border of the parcel, and the site is predominantly grassland, with trees and riparian vegetation following the creek and on the northern downslope side of the property.</p>			
Project Description			
See Attachment A for project description.			
Purpose of Notice			

The purpose of this notice is to inform you that the County Planning Staff has recommended that a Mitigated Negative Declaration be approved for this project. County of Santa Clara Planning Staff has reviewed the Initial Study for the project, and based upon substantial evidence in the record, **finds that although the proposed project could initially have a significant effect on the environment, changes or alterations have been incorporated into the project to avoid or reduce impacts to a point where clearly no significant effects will occur.** The project site is not on a list of hazardous material sites as described by Government Code 65962.5 (Cortese List).

It should be noted that the approval of a Mitigated Negative Declaration does not constitute approval of the project under consideration. The decision to approve or deny the project will be made separately.

**Public Review Period:** 20 days

**Begins:** 12/30/2021

**Ends:** 1/19/2022

Public Comments regarding the correctness, completeness, or adequacy of this negative declaration are invited and must be received on or before the above date. Such comments should be based on specific environmental concerns. Written comments should be addressed to the attention of Lara Tran at the **County of Santa Clara Planning Office, County Government Center, 70 W. Hedding Street, San Jose, CA 95110, Tel: (408) 299-5759.** A file containing additional information on this project may be reviewed at the Planning Office [website](#) under the file number appearing at the top of this form. For additional information regarding this project and the Mitigated Negative Declaration, please contact Lara Tran at (408) 299-5759 or [lara.tran@pln.sccgov.org](mailto:lara.tran@pln.sccgov.org).

**The Mitigated Negative Declaration and Initial Study may be viewed at the following locations:**

- (1) Santa Clara County Planning Office, 70 West Hedding Street, East Wing, 7<sup>th</sup> Floor, San Jose, CA 95110
- (2) Planning & Development website [www.sccgov.org/sites/dpd](http://www.sccgov.org/sites/dpd) (under “Development Projects” > “Current Projects”)

**Responsible Agencies sent a copy of this document**

California Department of Fish and Wildlife  
City of San Jose  
Office of Historic Preservation  
Native American Heritage Commission (NAHC)  
Santa Clara Valley Habitat Agency

**Mitigation Measures included in the project to reduce potentially significant impacts to a less than significant level:**

See Attachment B on separate page.

A reporting or monitoring program must be adopted for measures to mitigate significant impacts at the time the Negative Declaration is approved, in accord with the requirements of section 21081.6 of the Public Resources Code.

**Prepared by:**  
Lara Tran, Associate Planner

DocuSigned by:  
*Lara Tran*  
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12/30/2021

**Signature**

**Date**

## **Attachment A**

### **Notice of Intent – Adopt a Mitigated Negative Declaration (MND) Single-Family Residence at Grand Oak Way, San Jose**

#### Project Description

The project is a Grading Approval and Design Review application to construct an approximately 9,260 square foot, two-story single-family residence with a 3,375 square foot detached greenhouse located at Grand Oak Way, San Jose (APN 660-03-001) see Attachment 1 – Plan Set. The subject property is 18.7 acres in size and is characterized as a bell-shaped lot at the eastern foothills of Santa Clara County, in the unincorporated area, near the Evergreen neighborhood of San Jose. The property is surrounded by existing single-family residences to the west and south (in the City of San Jose jurisdiction), with vacant lands to the east and northeast of the property that are unincorporated.

The proposed residence takes access from Grand Oak Avenue, which is a city maintain road within the jurisdiction of the City of San Jose. The building site for the proposed residence utilizes an existing flat pad from previous residence that was demolished and is west of the 18.7-acre parcel. The proposed residence meets the County of Santa Clara Zoning Ordinance Development Standards for Agriculture Ranchlands (AR), Chapter 2.20.030, by being located at a minimum of 30-feet away from all property lines and is consistent to the AR Zoning Ordinance as the proposed development is a low intensity residential use. The proposed development is also consistent to the Design Review combined zoning district for Santa Clara Valley, Section 3.20.040, as the project incorporates tiered design with undulating façade for the residence, utilizing neutral and earth tone colors for the exterior, and siting the residence in area on the property that is not visible to the valley floor. Associated work include improvement to the existing access road from Grand Oak Way, a 19-foot free-span bridge across from Misery Creek capable of holding a 75,000-pound fire truck, a fire-truck turnaround constructed with aggregate base rock and asphalt, and an 870 square foot paved pad for six (6) 5,000-gallon water tanks and one (1) 3,000-gallon water tank for residence sprinkler system. A detention pond, septic tank, and leach field are proposed to be installed south of the residence. Total impervious surface for the project is approximately 35,398 square feet, consisting primarily of the footprint of the proposed residence, clear span bridge, driveway, fire turnaround, and pads for the water tanks. Overall, proposed development will encompass 11.8% of the entire 18.7-acre parcel, leaving 88.2% of the existing property as undeveloped land.

Total grading quantities for the proposed development include 2,370 cubic yards of cut and 281 cubic yards of fill, with a maximum cut depth of 9.5 feet. Most of the proposed grading is to establish the foundation for the residence and green house. Approximately 107 trees are proposed for removal of which 106 trees are walnut trees and one (1) oak tree that are located within the proposed building footprint and driveway area. An encroachment permit from the City of San Jose is required due to construction work and improvement for the access driveway from Grand Oak Avenue.

## Attachment B

Notice of Intent – Adopt a Mitigated Negative Declaration (MND)  
Single-Family Residence at Grand Oak Way, San Jose  
MITIGATION MEASURES

### CULTURAL RESOURCES

- **CR – MIT 1:** Archaeological monitoring is required for all ground disturbing activities. An archaeologist who meets the Secretary of the Interior’s Standards for Archaeology shall be present at the project site during ground disturbing activities, including machine or hand excavation, or grubbing. No ground disturbing activities of any kind shall be allowed to take place if the archaeologist is not present. An archaeological report meeting the Secretary of the Interior’s Standards detailing the findings of the monitoring will be submitted to the Northwest Information Center after monitoring has ceased. The applicant shall provide evidence of contact with an archeologist to conduct monitoring prior to grading and building permit issuance.
- **CR – MIT 2:** No ground disturbing activity near identified areas of cultural resources. No ground disturbance, project construction, or material staging will be allowed on the areas identified as site MIG-GOW-001 or P-43-000294 within the Archeology Report by MIG (source 32).
- **CR – MIT 3:** All excavator machinery shall use toothless buckets during ground disturbing activity to allow the monitoring archaeologist to more clearly identify archaeological features, if present.
- **CR – MIT 4:** If archaeological remains from either a historic or prehistoric period are discovered (or have been suspected to have been discovered) during project construction, all ground disturbing work on the site shall cease. The archaeologist shall assess the discovery before any additional ground disturbing work within the site shall be allowed to continue. No further ground disturbing work shall be allowed to continue until the archaeologist has fully evaluated the find and permits work to continue. Dependent on the evaluation by the archaeologist, archaeological excavation and recordation may be required before construction can continue. **If archeological resources are found, the Planning Division shall be notified immediately and any evaluations by the archeologist shall be forward to the Planning Division for record keeping purposes.**
- **CR – MIT 5:** If the newly discovered resources are determined, or suspected to be, Native American in origin, Native American Tribes/Representatives shall be contacted and consulted as directed by the NAHC and Native American construction monitoring shall be initiated. All Native American artifacts and finds suspected to be Native American in nature are to be considered as significant tribal cultural resources until the County has determined otherwise with the consultation of a qualified archaeologist and local tribal representative(s) as directed by the NAHC. **If Native American resources are found, the Planning Division shall be notified immediately.**

- **CR – MIT 6**: If human remains are unearthed during construction, the County Coroner will be notified immediately, and no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC shall then identify the person(s) thought to be the Most Likely Descendent (MLD). All applicable laws pertaining to the discovery of human remains will be followed.

## TRIBAL CULTURAL RESOURCES

- **TRIB – MIT 1**: Archaeological monitoring is required for all ground disturbing activities. An archaeologist who meets the Secretary of the Interior’s Standards for Archaeology shall be present at the project site during ground disturbing activities, including machine or hand excavation, or grubbing. No ground disturbing activities of any kind shall be allowed to take place if the archaeologist is not present. An archaeological report meeting the Secretary of the Interior’s Standards detailing the findings of the monitoring will be submitted to the Northwest Information Center after monitoring has ceased. **The applicant shall provide evidence of contact with an archeologist to conduct monitoring prior to grading and building permit issuance.**
- **TRIB – MIT 2**: No ground disturbing activity near identified areas of cultural resources. No ground disturbance, project construction, or material staging will be allowed on the areas identified as site MIG-GOW-001 or P-43-000294 within the Archeology Report by MIG (source 32)
- **TRIB – MIT 3**: All excavator machinery shall use toothless buckets during ground disturbing activity to allow the monitoring archaeologist to identify archaeological features more clearly, if present.
- **TRIB – MIT 4**: If archaeological remains from either a historic or prehistoric period are discovered (or have been suspected to have been discovered) during project construction, all ground disturbing work on the site shall cease. The archaeologist shall assess the discovery before any additional ground disturbing work within the site shall be allowed to continue. No further ground disturbing work shall be allowed to continue until the archaeologist has fully evaluated the find and permits work to continue. Dependent on the evaluation by the archaeologist, archaeological excavation and recordation may be required before construction can continue. **If archeological resources are found, the Planning Division shall be notified immediately and any evaluations by the archeologist shall be forward to the Planning Division for record keeping purposes.**
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# INITIAL STUDY

## Environmental Checklist and Evaluation for the County of Santa Clara

<b>File Number:</b>	PLN18-11460	<b>Date:</b> 12/2/2021
<b>Project Type:</b>	Design Review and Grading Approval	<b>APN(s):</b> 660-03-001
<b>Project Location / Address:</b>	Grand Oak Way, San Jose	<b>GP Designation:</b> Ranchlands
<b>Owner's Name:</b>	Hien Nguyen	<b>Zoning:</b> AR-d1
<b>Applicant's Name:</b>	Jenny Kim / Chapman Design Associates	<b>Urban Service Area:</b> San Jose (2%)
<b>Project Description</b>		
<p>The project is a Grading Approval and Design Review application to construct an approximately 9,260 square foot, two-story single-family residence with a 3,375 square foot detached greenhouse located at Grand Oak Way, San Jose (APN 660-03-001) see Attachment 1 – Plan Set. The subject property is 18.7 acres in size and is characterized as a bell-shaped lot at the eastern foothills of Santa Clara County, in the unincorporated area, near the Evergreen neighborhood of San Jose. The property is surrounded by existing single-family residences to the to the west and south (in the City of San Jose jurisdiction), with vacant lands to the east and northeast of the property that are unincorporated.</p> <p>The proposed residence takes access from Grand Oak Avenue, which is a city maintain road within the jurisdiction of the City of San Jose. The building site for the proposed residence utilizes an existing flat pad from previous residence that was demolished and is west of the 18.7-acre parcel. The proposed residence meets the County of Santa Clara Zoning Ordinance Development Standards for Agriculture Ranchlands (AR), Chapter 2.20.030, by being located at a minimum of 30-feet away from all property lines and is consistent to the AR Zoning Ordinance as the proposed development is a low intensity residential use. The proposed development is also consistent to the Design Review combined zoning district for Santa Clara Valley, Section 3.20.040, as the project incorporates tiered design with undulating façade for the residence, utilizing neutral and earth tone colors for the exterior, and siting the residence in area on the property that is not visible to the valley floor. Associated work include improvement to the existing access road from Grand Oak Way, a 19-foot free-span bridge across from Misery Creek capable of holding a 75,000-pound fire truck, a fire-truck turnaround constructed with aggregate base rock and asphalt, and an 870 square foot paved pad for six (6) 5,000-gallon water tanks and one (1) 3,000-gallon water tank for residence sprinkler system. A detention pond, septic tank, and leach field are proposed to be installed south of the residence. Total impervious surface for the project is approximately 35,398 square feet, consisting primarily of the footprint of the proposed residence, clear span bridge, driveway, fire turnaround, and pads for the water tanks. Overall, proposed development will encompass 11.8% of the entire 18.7-acre parcel, leaving 88.2% of the existing property as undeveloped land.</p> <p>Total grading quantities for the proposed development include 2,370 cubic yards of cut and 281 cubic yards of fill, with a maximum cut depth of 9.5 feet. Most of the proposed grading is to establish the foundation for the residence and green house. Approximately 107 trees are proposed for removal of which 106 trees are walnut trees and one (1) oak tree that are located within the proposed building footprint and driveway area. An encroachment permit from the City of San Jose is required due to construction work and improvement for the access driveway from Grand Oak Avenue.</p>		

**Environmental Setting and Surrounding Land Uses**

The subject property has a General Plan designation of Ranchlands and has an Agriculture Ranchland (AR) zoning with a combined Design Review (-d1) zoning district. Access to the property is from Grand Oak Way, which is a road maintained within the City of San Jose. Two percent (2%) of the property (the access driveway from Grand Oak Way) is within the Urban Service Area of the City of San Jose.

The topography of the building site is generally flat with an approximate slope of 2 percent (2%) towards the west of the property - see **Attachment 1**. Misery Creek runs along the western and northern border of the parcel, and the site is predominantly grassland, with trees and riparian vegetation following the creek and on the northern downslope side of the property.

According to the County of Santa Clara Geographic Information System (GIS) data and California Natural Diversity Database (CNDDDB), the entire property (and Evergreen area) is within western burrowing owl territory. A biological assessment was prepared as part of the project (**Attachment 2**). The property is also within the coverage area of the Santa Clara Valley Habitat Plan and has a mapped landcover of California Annual Grassland, Coast Live Oak Forest and Woodland, Willow Riparian Forest and Scrub, and Urban-Suburban land covers, and is also within a mapped wildlife survey area for Santa Clara Valley tri-colored blackbird. The property is within the County Fault Hazard Zone and County Landslide Hazard area, although it is not in a FEMA flood zone.

**Other agencies sent a copy of this document:**

- California Department of Fish and Wildlife
- City of San Jose
- Office of Historic Preservation
- Native American Heritage Commission (NAHC)
- Santa Clara Valley Habitat Agency

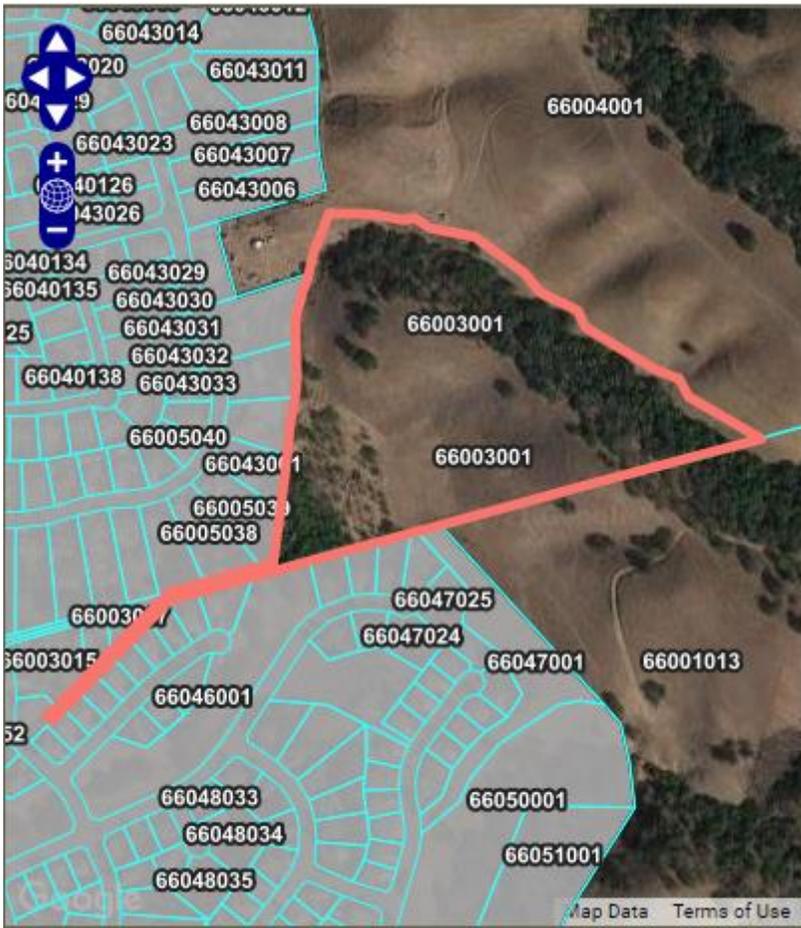


Figure 1 - Location Map

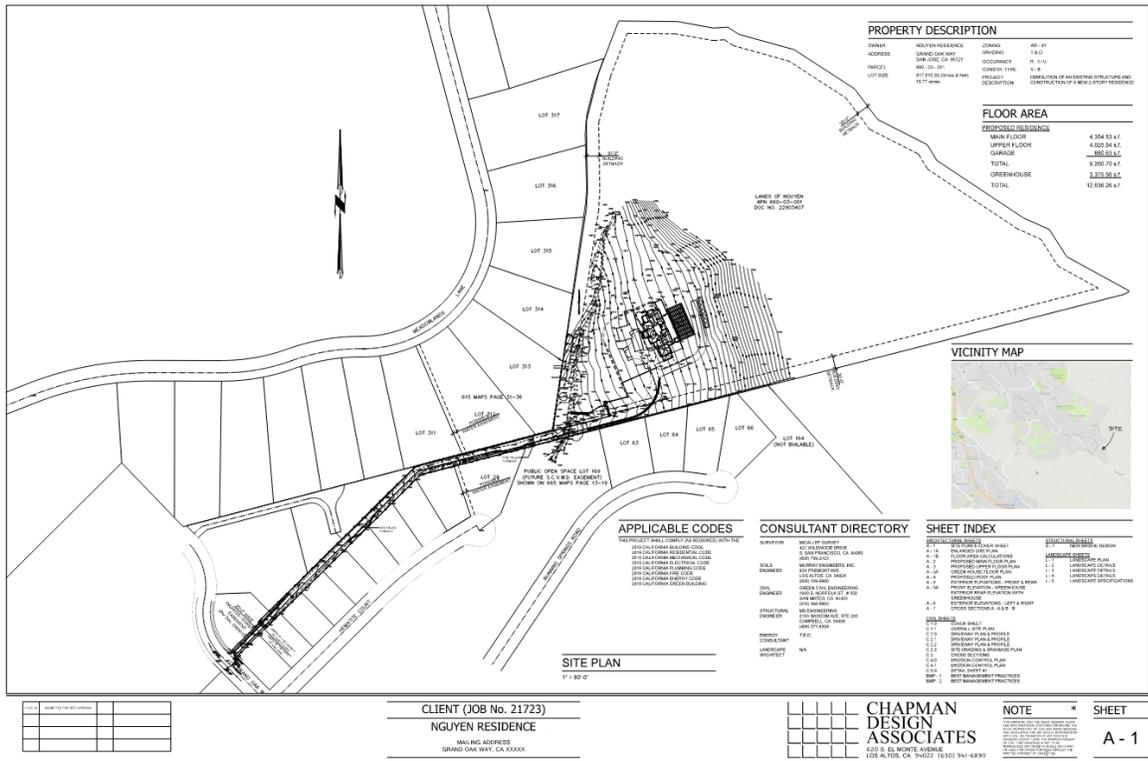


Figure 2 - Site Plan

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.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

The proposed project could potentially result in one or more environmental effects in the following areas:

- |  |   |   |
|--|---|---|
| <input type="checkbox"/> Aesthetics                  | <input type="checkbox"/> Agriculture / Forest Resources | <input type="checkbox"/> Air Quality                          |
| <input type="checkbox"/> Biological Resource         | <input checked="" type="checkbox"/> Cultural Resources  | <input type="checkbox"/> Energy                               |
| <input type="checkbox"/> Geology/Soils               | <input type="checkbox"/> Greenhouse Gas Emissions       | <input type="checkbox"/> Hazards & Hazardous Materials        |
| <input type="checkbox"/> Hydrology / Water Quality   | <input type="checkbox"/> Land Use / Planning            | <input type="checkbox"/> Mineral Resources                    |
| <input type="checkbox"/> Noise                       | <input type="checkbox"/> Population / Housing           | <input type="checkbox"/> Public Services                      |
| <input type="checkbox"/> Recreation                  | <input type="checkbox"/> Transportation                 | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Wildfire                       | <input type="checkbox"/> Mandatory Findings of Significance   |

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project COULD NOT have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

I find that 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.

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 the attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.

DocuSigned by:

*Lara Tran*

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Signature

12/02/2021

Date

Lara Tran  
Printed name

For

## ENVIRONMENTAL CHECKLIST AND DISCUSSION OF IMPACTS

<b>A. AESTHETICS</b>					
	<b>IMPACT</b>				
Except as provided in Public Resources Code section 21099, would the project:	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	<b>Source</b>
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4, 6,17f
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, along a designated scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 6,7 17f
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2,3
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,4

### SETTING:

The subject property is 18.7 acres in size and is characterized as a bell-shaped lot east of Grand Oak Way. To the west, north, and south of the parcel is the City of San Jose composed of single-family residences on tract lots. To the east of the parcel are vacant lands and the hillside which are all within unincorporated Santa Clara County.

The proposed development area is flat (less than 2%) slope with Misery Creek that traverses to the west and northern portion of the parcel. The subject property has a General Plan designation of Ranchlands with an Agriculture Ranchland zoning designation and a Design Review combined zoning designation. The property takes access from Grand Oak Avenue, which is a City of San Jose maintained road. The property is not located on a County-designated scenic road although it is within a Design Review Viewshed area identified in the County General Plan and Zoning Ordinance.

Although the property is located within a Design Review zoning district, the location of the development is not visible from the valley floor. The area around the building site is vacant and existing trees along Misery Creek and proposed landscaping provide screening to the development.

The development includes a new two-story, ranch-style, single-family residence with detached a green house without any exterior lighting proposed.

### DISCUSSION:

**a, b & d) No Impact** – The subject property is not located within a scenic vista recognized by the County of Santa Clara General Plan and Zoning Ordinance. The property takes access from Grand Oak Avenue, which is not designated as a scenic road or highway. The proposed project will not have

substantial adverse effect or substantially damage scenic resources such as trees, rocks, outcroppings, or historic buildings. The property is less than a mile from the closest scenic road (San Felipe Road) and more than 2 miles east from a scenic highway.

Additionally, the proposed development does not include any proposed outdoor lighting. Due to these circumstances, the project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area with the required condition of approval.

**c) Less Than Significant** – Although the property is not located in an identified scenic vista within the County of Santa Clara, the project is in a Design Review zoning district for the County. However, the location of the development is not visible from the valley floor on the County’s Geographic Information System (GIS) using lidar data. The area around the building site is vacant and existing trees along Misery Creek and proposed landscaping provide screening to the development. The design of the residence is consistent to the County’s Design Review Guidelines and Zoning Ordinance for Design Review incorporating undulating façade and tiered rooflines. Additionally, the exterior colors of the proposed residence and detached greenhouse utilizes earth-toned and neutral colors with a Light Reflective Value (LRV) less than 45. As the property is surrounded to the west, north, and south with all single-family residential homes, the proposed project is consistent to the surrounding visual character and would not substantially degrade the visual setting of the area.

**MITIGATION:**

- None required

**B. AGRICULTURE / FOREST RESOURCES**

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

WOULD THE PROJECT:	IMPACT				Source
	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,23,24,26
b) Conflict with existing zoning for agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	9,21a
c) Conflict with an existing Williamson Act Contract or the County's Williamson Act Ordinance (Section C13 of County Ordinance Code)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
d) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 28
e) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	32
f) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

**SETTING:**

The subject property has a General Plan designation of Ranchland and has a base zoning district of Agriculture Ranchland. According to the United States Department of Agriculture's (USDA) "Soils of Santa Clara County," the property does not consist of prime farmland soils and is identified as "Non-prime farmland" by the USDA. The property is not encumbered by a Williamson Act contract and is not within a forest or timberland area. Surrounding uses are single-family subdivisions with vacant and grazing land to east and northeast of the property. The property was used as a walnut farm from the 1930's according to Cultural Resources Evaluation prepared by MIG in April 2019.

## **DISCUSSION:**

**a, b, c, d, & e) No Impact** – The property is not encumbered by a Williamson Act contract, or within a forestland/timberland area, and therefore the proposed development would not conflict with County Williamson Act Guidelines, the County’s Williamson Act Ordinance, or existing zoning for forestland or timberland areas. No trees are proposed for removal, and the property is not within a forestland area, and therefore the proposed development does not result in the loss of forest land. The County’s existing zoning allows for a single-family residence ‘by-right’ in an Agriculture Ranchland zoning district.

**f) Less Than Significant Impact** – Although the property has an existing zoning of Agriculture Ranchland and used to farm walnut trees on the property, the former property owner stopped their agricultural work sometime before selling the property to the current owner. The property does not consist of prime farmland soils as identified by the USDA under “Soils of Santa Clara County.” Additionally, the proposed single-family residence is a permitted use by-right under the County Zoning Ordinance and the County’s General Plan for Agriculture Ranchland. The development will only be concentrated on 11.8% of the property (the western portion of the lot) while leaving 88.2% of the lot will remain undisturbed. Therefore, the project will not create a significant impact on converting agriculture land as the existing soil is not prime farmland, residential use is permitted by right in the County’s General Plan and Zoning Ordinance, and the development will only be concentrated on a small portion of the western part of the property while maintaining the rest of the 18.7-acre parcel untouched.

## **MITIGATION:**

- None required

**C. AIR QUALITY**

Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.

WOULD THE PROJECT:	IMPACT				Source
	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5,29, 30
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5,29, 30
c) Expose sensitive receptors to substantial pollutant concentrations?					5,29, 30
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5, 29, 30

**SETTING:**

The proposed development includes a single-family residence and a detached greenhouse which takes access from Grand Oak Way, a City of San Jose maintained road an urban jurisdiction. Surrounding land-uses immediately adjacent to the building site are single-family residences in subdivisions (approximately 150 feet from the proposed residence) with more single-family residences to the southwest and northwest of the existing property. To the east of property consists of undeveloped grazing land and hillsides that slopes upward towards within unincorporated Santa Clara County.

**DISCUSSION:**

**a, b, c, & d) No Impact** – The proposed project is located within the San Francisco Bay Area Air Quality Management District (BAAQMD), which regulates air pollutants, including those generated by construction and operation of development projects. These criteria pollutants include reactive organic gases, carbon monoxide, nitrogen dioxide, and particulate matter (PM). BAAQMD also regulates toxic air contaminants (fine particulate matter), long-term exposure to which is linked with respiratory conditions and increased risk of cancer. Major sources of toxic air contaminants in the Bay Area include major automobile and truck transportation corridors (e.g., freeways and expressways) and stationary sources (e.g., factories, refineries, power plants). The subject property takes access from Grand Oak Way, approximately 4 miles southeast of Capitol Express Way and less than 1 mile from San Felipe Road, within the City of San Jose.

The operational criteria pollutant screening size for evaluating air quality impacts for single-family residential projects established by BAAQMD is 325 dwelling units, and the construction-related

screening size for single-family residential projects is 114 dwelling units. Emissions generated from the proposed one single-family residence is below the BAAQMD operational-related emissions and construction emission thresholds.

Development of the proposed single-family residence would involve construction activities. Dust would be created during the construction of the proposed structures and site improvements. However, dust emissions would be controlled through standard Best Management Practices (BMPs) dust control measures that would be a condition of the project. Per the BAAQMD screening criteria, for single-family residential uses, construction emissions impacts are less than significant for projects of 114 dwelling units or less. The proposed project involves the construction of one single-family residence with a driveway, drainage improvements, and utility services. The proposed residential use would not expose sensitive receptors (such as children, elderly, or people with illness) to substantial pollutant concentrations or involve criteria pollutants emissions. Minimal addition of residences and nominal increase in population would not significantly increase the regional population growth, nor would it cause significant changes in daily vehicle travel.

As such, the proposed development would not conflict with or obstruct implementation of an applicable air quality plan, 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, expose sensitive receptors to substantial pollutant concentrations, or result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

**MITIGATION:**

- None required.

<b>D. BIOLOGICAL RESOURCES</b>					
	<b>IMPACT</b>				
<b>WOULD THE PROJECT:</b>	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	<b>Source</b>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 7, 17b, 17o, 32
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 US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,7, 8a, 17b, 17e, 22d, 22e, 33
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 7, 17n, 33
d) Have a substantial adverse effect on oak woodland habitat as defined by Oak Woodlands Conservation Law (conversion/loss of oak woodlands) – Public Resource Code 21083.4?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 31, 32
e) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,7, 17b, 17o
f) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 32
g) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,4, 17i

**SETTING:**

The property contains remnants of a former residence that was demolished at least a decade ago and dilapidated barns and corrals where agriculture uses on the property was active in the 1980s. Misery Creek is approximately 43 feet west of the limit of development and is 145 feet west from the proposed residence. The development will require a 19-foot free-span bridge across Misery Creek for ingress/egress from Grand Oak Way. According to the County of Santa Clara Geographic Information System (GIS) data and California Natural Diversity Database (CNDDDB), the entire property (and Evergreen area) is within western burrowing owl territory and a biological assessment was prepared as part of the project.

The property is also within the coverage area of the Santa Clara Valley Habitat Plan and has a mapped landcover of California Annual Grassland, Coast Live Oak Forest and Woodland, Willow Riparian Forest and Scrub, and Urban-Suburban land covers, and is also within a mapped wildlife survey area for Santa Clara Valley tri-colored blackbird.

## DISCUSSION:

**b, c, d, & e) No Impact** – The building site area is not located in any state or federally protected wetlands and it is 43 feet west from the top of bank of Misery Creek. Although the property does have landcovers of Coast Live Oak Forest and Woodland, Willow Riparian Forest and Scrub, the proposed development will not have an impact on any of riparian or oak woodland as it is located at least 43 feet from any riparian from Misery Creek and oak woodland is concentrated in the north and eastern part of the property which is more than 200 feet from the development site.

The property is located within the coverage area for the Santa Clara Valley Habitat Plan (HCP), a programmatic Habitat Conservation Plan and Natural Communities Conservation Plan. The development is a covered project under the Santa Clara Valley Habitat Plan and will obtain endangered species clearance for any potential impacts to plant and wildlife species addressed by the Habitat Plan, through payment of Habitat Plan fees and adherence to conditions of approval required for Habitat Plan coverage. The property has a mapped landcover of California Annual Grassland, Coast Live Oak Forest and Woodland, Willow Riparian Forest and Scrub, and Urban-Suburban land covers. The project will not interfere with any native or migratory fish or wildlife as the Biology Report prepared by David Gallagher from MIG in February 2020 and updated in November 2020 (source 32), only identified the property in the area of burrowing owls and tri-colored blackbird but did not observe their presence in the field survey. The biology report did not observe suitable habitat for tri-colored blackbird on property during the field survey although did observe presence of ground squirrel borrows that could provide potential nesting for burrowing owls. As part of the Santa Clara Valley Habitat Plan conservation strategy, the plan's implementation addresses burrowing owl nesting or breeding habitat that is documented by a biology report and field survey. Therefore, the project is in conformance with HCP and will not create a conflict or impact to the habitat plan.

**a, f) Less than Significant** – According to the Biology Report prepared by David Gallagher from MIG in February 2020 and updated in November 2020 (source 32), the presence of burrowing owls were not observed on the property during the field survey. However, the biologist did observe presence of ground squirrel borrows that could provide potential nesting for burrowing owls. As part of the Santa Clara Valley Habitat Plan conservation strategy, the plan's implementation addresses burrowing owl nesting or breeding habitat that is documented by a biology report and field survey. Therefore, the project is in conformance with HCP and will not create a conflict or impact to any wildlife such as burrowing owls. The applicant is proposing to remove a total of 107 trees as part of the project due to grading for the development and driveway access. According to the Arborist Report prepared by Ryan Gilpin (Certified Arborist) from HortScience/Bartlett Consulting on September 14, 2018 (source 32), 106 trees proposed for removal are comprised of walnut trees and one (1) oak tree. The County of Santa Clara Guidelines for Tree Protection and Preservation (dated March 8, 2010) does not require the replacement of non-native trees, regardless of size. Walnut trees are identified as non-native trees according to the County of Santa Clara Guidelines for Tree Protection and Preservation whereas oak trees are native trees in California and to the County and would require replacement of another oak tree. The property owner is proposing removal of one (1) oak tree for the driveway and bridge construction for access and will replace with an addition of nine (9) 24-inch box oak trees on the property according to the landscaping plan provided (source 3). As proposed, the tree removal of the existing walnut trees in the development area and one (1) oak tree will not have a significant impact or is in conflict of the County's Tree Ordinance as the removal is for non-native trees and removal of the oak with replacement ratio is consistent to the County's Guidelines for Tree Protection and Preservation.

**MITIGATION:**

- None required.

E. CULTURAL RESOURCES					
WOULD THE PROJECT:	IMPACT				Source
	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5 of the CEQA Guidelines, or the County's Historic Preservation Ordinance (Division C17 of County Ordinance Code) – including relocation, alterations or demolition of historic resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 16, 19, 32, 40, 41
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the CEQA Guidelines?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3, 19, 40, 41
c) Disturb any human remains including, those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3, 19, 40, 41

**SETTING:**

The project site is a mostly undeveloped parcel except for one stable structure and is adjacent to the borders of the City of San Jose. The general topography of the project site is flat in the western half, rising steeply in the eastern half of the parcel. Misery Creek runs along the western and northern border of the parcel, and the site is predominantly grassland, with trees and riparian vegetation following the creek and on the northern downslope side of the parcel. Total grading quantities for the proposed development are 2,370 cubic yards of cut and 281 cubic yards of fill with a maximum cut depth of 9.5 feet. Most the proposed grading is to establish the landscape area, the detached greenhouse, improvement to the driveway with fire truck turn around, and to establish the building foundation beneath the proposed residence. No existing structures are proposed to be demolished. A Cultural Resources Evaluation prepared by MIG (dated April 2019) was provided as part the project submittal.

**a) Less than Significant** – The project does require a Grading Approval and a Grading Permit pursuant to County Grading Ordinance C12-406 as the grading quantities are above 150 cubic yards of cut or fill and more than 5 feet in vertical depth. However, the development and building site will not cause any alteration, relocation, or demolition to historic resources pursuant to the County’s Historic Ordinance (Division C17) as the existing corrals on the property are not considered historic nor were there any potential historic resources observed in the study area during the field survey from MIG (source 32). Additionally, the building site will not have any adverse effect to archeological resources as it not within or adjacent to any historic resources according to the Cultural Resources Evaluation prepared by MIG (source 32).

**b, c) Less than Significant with Mitigation** – According to the Cultural Resources Evaluation prepared by MIG, dated April 2019, a previous known archaeological site (source 32) is known to exist adjacent to the project parcel. Field survey conducted by MIG (sourced 32) showed the presence of a previously unknown Native American site and artifacts located north east of the development site. Based on the level of known Native American activity, there is a high potential for the discovery of Native American archaeological resources during any excavation work on the project parcel. Damaging, disturbing or materially altering archaeological resources would constitute a potentially

significant impact under CEQA. To preserve potential archaeological resources and evidence of the existence of the site, mitigation measures are proposed by MIG's archeologist (Robert Templar) to reduce impacts to a less than significant level. Incorporating mitigations measured recommended by the archeologist consultant from MIG (CR-MIT1 to CR-MIT6), impacts to archaeological resources would, therefore, be Less than Significant with Mitigation.

In the event that human skeletal remains are encountered, the applicant is required by County Ordinance No. B6-18 to immediately notify the County Coroner. Upon determination by the County Coroner that the remains are Native American, the coroner shall contact the California Native American Heritage Commission, pursuant to subdivision (c) of section 7050.5 of the Health and Safety Code and the County Coordinator of Indian affairs. No further disturbance of the site may be made except as authorized by the County Coordinator of Indian Affairs in accordance with the provisions of state law and this chapter. If artifacts are found on the site a qualified archaeologist shall be contacted along with the County Planning Office. No further disturbance of the artifacts may be made except as authorized by the County Planning Office. Adherence to the mitigation measures will reduce any potentially significant impacts to the American Badger to a less than significant level.

#### **MITIGATION:**

- **CR – MIT 1:** Archaeological monitoring is required for all ground disturbing activities. An archaeologist who meets the Secretary of the Interior's Standards for Archaeology shall be present at the project site during ground disturbing activities, including machine or hand excavation, or grubbing. No ground disturbing activities of any kind shall be allowed to take place if the archaeologist is not present. An archaeological report meeting the Secretary of the Interior's Standards detailing the findings of the monitoring will be submitted to the Northwest Information Center after monitoring has ceased. **The applicant shall provide evidence of contact with an archeologist to conduct monitoring prior to grading and building permit issuance.**
- **CR – MIT 2:** No ground disturbing activity near identified areas of cultural resources. No ground disturbance, project construction, or material staging will be allowed on the areas identified as site MIG-GOW-001 or P-43-000294 within the Archeology Report by MIG (source 32).
- **CR – MIT 3:** All excavator machinery shall use toothless buckets during ground disturbing activity to allow the monitoring archaeologist to more clearly identify archaeological features, if present.
- **CR – MIT 4:** If archaeological remains from either a historic or prehistoric period are discovered (or have been suspected to have been discovered) during project construction, all ground disturbing work on the site shall cease. The archaeologist shall assess the discovery before any additional ground disturbing work within the site shall be allowed to continue. No further ground disturbing work shall be allowed to continue until the archaeologist has fully evaluated the find and permits work to continue. Dependent on the evaluation by the archaeologist, archaeological excavation and recordation may be required before construction can continue. **If archeological resources are found, the Planning Division shall be notified immediately and any evaluations by the archeologist shall be forward to the Planning Division for record keeping purposes.**

- **CR – MIT 5**: If the newly discovered resources are determined, or suspected to be, Native American in origin, Native American Tribes/Representatives shall be contacted and consulted as directed by the NAHC and Native American construction monitoring shall be initiated. All Native American artifacts and finds suspected to be Native American in nature are to be considered as significant tribal cultural resources until the County has determined otherwise with the consultation of a qualified archaeologist and local tribal representative(s) as directed by the NAHC. **If Native American resources are found, the Planning Division shall be notified immediately.**
- **CR – MIT 6**: If human remains are unearthed during construction, the County Coroner will be notified immediately, and no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC shall then identify the person(s) thought to be the Most Likely Descendent (MLD). All applicable laws pertaining to the discovery of human remains will be followed.

F. ENERGY					
WOULD THE PROJECT:	IMPACT				Source
	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
a) Result in potentially significant environmental impact do to wasteful, inefficient, or unnecessary construction of energy resources during project consumption or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 5
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5

**SETTING:**

The proposed development includes a single-family residence and a detached greenhouse which takes access from Grand Oak Way, a City of San Jose maintained road an urban jurisdiction. Surrounding land-uses immediately adjacent to the building site are single-family residences in subdivisions (approximately 150 feet from the proposed residence) with more single-family residences to the southwest and northwest of the existing property. To the east of property consists of undeveloped grazing land and hillsides that slopes upward towards within unincorporated Santa Clara County.

**DISCUSSION:**

**a & b) No Impact** – The new single-family residence is a relatively low-impact development and does not propose to utilize energy resources, such as gas, electricity and water, in an inefficient manner during construction or during its use as a residence. Additionally, the proposed residence and its associated energy resources does not conflict with local or state plans for energy efficiency. As such, the proposed project does will not result in potentially significant environmental impact do to wasteful, inefficient, or unnecessary construction of energy resources during project consumption or operation and will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

**Mitigation:**

- None required.

G. GEOLOGY AND SOILS					
WOULD THE PROJECT:	IMPACT				Source
	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6, 17c, 43
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6, 17c
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6, 17c, 17n, 18b
iv) Landslides	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6, 17L, 118b
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6, 14, 23, 24
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2, 3, 17c, 23, 24, 42
d) Be located on expansive soil, as defined in the report, <i>Soils of Santa Clara County</i> , creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	14,23, 24,
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,6, 23,24,
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4,40,41

**SETTING:**

The proposed development includes a single-family residence and a detached greenhouse which takes access from Grand Oak Way, a City of San Jose maintained road an urban jurisdiction. Surrounding land-uses immediately adjacent to the building site are single-family residences in subdivisions (approximately 150 feet from the proposed residence) with more single-family residences to the

southwest and northwest of the existing property. To the east of property consists of undeveloped grazing land and hillsides that slopes upward towards within unincorporated Santa Clara County.

**DISCUSSION:**

**a- i, iii, & iv, b, e, & f) No Impact** – The proposed project will not directly or indirectly cause potential substantial adverse effects due to the 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.

**c, d – Less than significant impact** – The property is located within the County’s Hazard Fault Zone and parts of the development area is within the County’s Landslide Hazard Area. However, the geologic and geotechnical report evaluation from Murray Engineers (source 32) provided an evaluation that the development within the fault zone and landslide area will be less than significant if construction and implementation of recommendations within the geologic and geotechnical report are followed through. Additionally, the County Geologist provided standards conditions for geological implementation during the building permit process.

**STANDARD CONDITIONS OF APPROVAL:**

- **GEO – CONDITION 1:** Prior to issuance of permits, submit a **Plan Review Letter** that confirms the plans conform with the intent of the recommendations presented in Murray Engineers’ “Engineering Geologic & Geotechnical Investigation” report (dated 6-15-2018).
- **GEO – CONDITION 2:** Prior to Grading Completion or Final Building Inspection, submit a **Construction Observations Letter** that verifies the grading work was completed in accordance with the approved plans.

H. GREENHOUSE GAS EMISSIONS					
WOULD THE PROJECT:	IMPACT				Source
	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5,29, 30
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5,29, 30

The proposed project includes the construction and use of the property as a single-family residence.

Given the overwhelming scope of global climate change, it is not anticipated that a single development project would have an individually discernible effect on global climate change. It is more appropriate to conclude that the greenhouse gas emissions generated by a proposed project would combine with emissions across the state, nation, and globe to cumulatively contribute to global climate change. The primary GHG associated with a development project is carbon dioxide, which is directly generated by fuel combustion (vehicle trips, use of natural gas for buildings) and indirectly generated by use of electricity.

**DISCUSSION:**

**a & b) No Impact** – Due to the relatively minor scale of the project (a single-family residence with a green house, a pool, and a firetruck turnaround, drainage improvements and utility connections), and compliance with existing County and State requirements listed below, which will minimize greenhouse gas emissions, it is anticipated that the proposed project will not result in any cumulatively considerable greenhouse gas emissions.

The project is required to comply with the Cal Green, which applies mandatory green building requirements to new single-family dwellings. These measures include higher energy efficiency standards and requirements to minimize water usage and the use of natural resources. Implementation of these measures will act to reduce potential greenhouse gas emissions from the proposed project. The proposed use as a single-family residence would not conflict with any applicable plan, policy or regulation for reducing the emissions of greenhouse gases.

The single-family residence will have minimal greenhouse gas emission impacts and would involve GHG emissions through the operation of construction equipment and from worker/builder supply vehicles, which typically use fossil-based fuels to operate. Project excavation, grading, and construction would be temporary, occurring only over the construction period, and would not result in a permanent increase in GHG emissions. The single-family residence would consume electricity; however, the amount would be minimal, and therefore would not make a cumulatively considerable contribution to the effect of GHG emissions on the environment. As such, the project would have no impact on greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment, and would not conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

**MITIGATION:**

- None required.

I. HAZARDS & HAZARDOUS MATERIALS					
WOULD THE PROJECT:	IMPACT				Source
	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 4, 5
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 3, 5
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 1/4 mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	46
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	47
e) For a project located within an airport land use plan referral area or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or in the vicinity of a private airstrip, would the project result in a safety hazard, or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 22a
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5, 48
g) Expose people or structures either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	4, 17g

**SETTING:**

The proposed development includes a single-family residence and a detached greenhouse which takes access from Grand Oak Way, a City of San Jose maintained road an urban jurisdiction. Surrounding land-uses immediately adjacent to the building site are single-family residences in subdivisions (approximately 150 feet from the proposed residence) with more single-family residences to the southwest and northwest of the existing property. To the east of property consists of undeveloped grazing land and hillsides that slopes upward towards within unincorporated Santa Clara County.

**DISCUSSION:**

**a, b, c, d, e, f, & g) No Impact** – The proposed project is residential and would not involve the use or transportation of any hazardous materials, and it is not located on site designated as hazardous under Section 65962.5, as verified on EnviroStor, accessed on March 17, 2021.

The project is located within an agricultural area and would not change the local roadway circulation pattern, access, or otherwise physically interfere with local emergency response plans. The access to

the project site is from an existing public road and through a driveway. The development plans have been reviewed and conditionally approved by the County Fire Marshal's Office. The proposed project will not impair or physically interfere with any emergency response or evacuation plans.

As the property is not within a ¼ mile of a school, its location outside of the County Airport Land Use plan area, and because it is not listed on the Hazardous Waste and Substance Sites List, the proposed project does not have an impact on emitting hazardous substances within a ¼ mile of a school, creating a significant hazard to the public or the environment due to its listing as a hazardous materials site, or create a safety hazard, or excessive noise for people residing or working in the project area due to its proximity to an airport.

The project is within the Wildland Urban Interface area (WUI) and is also within the State Response Area (SRA). The project has been reviewed and conditioned by the Santa Clara County Fire Marshal's Office and CAL FIRE. As such, this project will not expose people or structures either directly or indirectly to a significant risk of loss, injury or death involving wildland fires.

**Mitigation:**

- None required.

J. HYDROLOGY AND WATER QUALITY					
Would the project:	IMPACT				SOURCE
	Potential v Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	34, 36
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 4
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 17n,
i) Result in substantial erosion or siltation on- or off-site	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 17p
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 5, 36, 21a
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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 5
iv) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 17p, 18b, 18d
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 18b, 18d
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 3, 4, 17p

**SETTING:**

The project site is a trapezoidal shaped parcel of land and is accessed by an approximately 1,000 feet long dirt driveway via Grand Oak Way. The lower portion of the hillside property has a gentle slope and is within an older stable surrounded by orchard. The existing slope in the lower portion of hillside is about 10%. The upper portion of the property slopes up moderately above the orchard at about 23%. An existing creek is along the western edge of the property. The site is covered with vegetation and trees (pervious surface). All stormwater runoff generated from the property currently drains to the existing creek.

**a, b, d, & e) No Impact** – The project does require an on-site wastewater treatment system (OWST) which consists of a leach field and a septic tank. The OSWT and associated improvements have been reviewed and approved by the Department of Environmental Health ensuring that the proposed OWST is designed and sized to meet all applicable water quality standards, soil requirements, and groundwater standards.

The Department of Environmental Health concluded there would not be potential for contamination as the ground water is deeper than 15 feet. Therefore, the proposed project does not substantially degrade surface or ground water quality, substantially decrease groundwater supplies, or interfere substantially with groundwater recharge. As such, the project imposes less than significant impact to items a & b, listed above and does not require mitigation. The proposed project does not include the use of pollutants or hazardous materials. Additionally, the property is not located within a FEMA flood zone. Therefore, it is unlikely that pollutants from construction would be released due to flooding. Therefore,

the project will not have any impact to hazardous materials or conflict or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

**c-i, c-ii, c-iii, c-iv) Less than significant impact** – The proposed project includes approximately 34,239 square feet of new impervious surface area for a single-family residence and will not substantially decrease groundwater supplies or interfere substantially with groundwater recharge. As stated in the Drainage Control Plan, prepared by Green Civil Engineering on June 22, 2020, in order to ensure that the new development does not increase the stormwater runoff from the existing site, the drainage pattern will be improved by introducing 8 individual stormwater control planters with detention capacity at each drainage area. The drainage design will be divided into 2 areas: New Driveway (panhandle driveway) and the onsite main house development. For the panhandle driveway, there will be 7 drainage areas to handle stormwater generated in panhandle driveway. Each drainage area will have a stormwater control planter with detention capacity up to 100-Year storm. When these 7 planters at capacity, stormwater will be overflowed to a 12” storm drain pipe to an existing curb inlet at Grand Oak Way. Stormwater generated within the onsite main house development area will surface drain to a large stormwater control planter with detention capacity up to 100-Year storm. When this planter at capacity, stormwater will be overflowed to a bubbler box before surface drains to existing creek.

Standard conditions are incorporated into the project, and implemented in the County of Santa Clara Stormwater Management Guidance Manual, and the Santa Clara Valley Urban Runoff Pollution Prevention Program is to lessen any potential impact for erosion and stormwater that may derive from a standard single-family residence, such as the subject project. Based on standard Best Management Practices (BMP), the proposed site will not result in substantial erosion or siltation on or off site due to implementation of BMPs (HYD-CONDITION 1) and stormwater design to avoid excessive run-off and downstream flooding (HYD-CONDITION 2). Due to the design of the proposed drainage system according to the County’s development policies incorporated into the conditions of approval and as a standard requirement, the proposed project will have a less than significant impact on items c-i, c-ii, c-iii, c-iv listed above.

#### **STANDARD CONDITIONS OF APPROVAL:**

- **HYD – CONDITION 1: Best Management Practices (BMPs).** The improvement plans shall include an Erosion and Sediment Control Plan that outlines seasonally appropriate erosion and sediment controls during the construction period). **Include the County’s Standard Best Management Practice Plan Sheets BMP-1 and BMP-2 with the Plan Set prior to grading or building permit issuance.**
- **HYD – CONDITION 2: Stormwater.** The applicant shall include one of the following site design measures in the project design:
  - A. Direct hardscape and/or roof runoff onto vegetated areas,
  - B. Collect roof runoff in cisterns or rain barrels for reuse, or
  - C. Construct hardscape (driveway, walkways, patios, etc.) with permeable surfaces.

**Include one of the design measures listed about in the Plan Set prior to grading or building permit issuance.** Though only one site design measure is required, it is encouraged to include multiple site design measures in the project design. For additional information, please refer to the C.3 Stormwater Handbook (June 2016) available at the following website:

[www.scvurppp.org](http://www.scvurppp.org) > Resources > reports and work products > New Development and Redevelopment > C.3 Stormwater Handbook (June 2016).

K. LAND USE					
WOULD THE PROJECT:	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 4
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	8a, 9, 18a

**SETTING:**

The proposed development includes a single-family residence and a detached greenhouse which takes access from Grand Oak Way, a City of San Jose maintained road an urban jurisdiction. Surrounding land-uses immediately adjacent to the building site are single-family residences in subdivisions (approximately 150 feet from the proposed residence) with more single-family residences to the southwest and northwest of the existing property. To the east of property consists of undeveloped grazing land and hillsides that slopes upward towards within unincorporated Santa Clara County.

**DISCUSSION:**

**a, b) No Impact** – The proposed development is one single-family residence with vacant land to the east of the property and will not physically divide an established community. The County’s General Plan for Agricultural Ranchland is to support and enhance rural character, preserve agriculture and prime agricultural soils, protect and promote wise management of natural resources, avoid risks associated with the natural hazards characteristic of those areas, and protect the quality of reservoir watersheds critical to the region’s water supply. Allowable land uses within an Agricultural Ranchland designation includes very low-density residential development, such as the proposed project.

The proposed project will not disrupt any existing agricultural use or operation as the building area is vacant and the property is surrounded to northwest and south by single-family residences. The project will not prevent future agricultural use as the development is a low-density single-family residence that is consistent to surrounding single-family residential use on agricultural land within the neighborhood. Although the development is within the Coyote Valley area, it is not located within an open space preserve or conservation easement (such as Williamson Act). The project conforms with and is a covered project under the Santa Clara Valley Habitat Plan. Due to the project’s conformance with the County General Plan and Zoning policies, the project will not 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.

**Mitigation:**

- None required.

L. MINERAL RESOURCES					
WOULD THE PROJECT:	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3, 6, 44
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3, 6, 8a

**SETTING:**

The proposed development includes a single-family residence and a detached greenhouse which takes access from Grand Oak Way, a City of San Jose maintained road an urban jurisdiction. Surrounding land-uses immediately adjacent to the building site are single-family residences in subdivisions (approximately 150 feet from the proposed residence) with more single-family residences to the southwest and northwest of the existing property. To the east of property consists of undeveloped grazing land and hillsides that slopes upward towards within unincorporated Santa Clara County.

**DISCUSSION:**

**a & b) No Impact** – Due to the project’s use of the property as a single-family residence, and the lack of known valuable mineral resources within the proposed development, the project will not 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, or 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.

**MITIGATION:**

- None required.

M. NOISE							
	IMPACTS						SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Analyzed in the Prior EIR	Substantially Mitigated by Uniformly Applicable Development Policies	
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	8a, 13, 22a, 45
b) Generation of excessive groundborne vibration or groundborne noise levels?			<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	13, 45
c) For a project located within the vicinity of a private airstrip or an airport land use plan referral area or, where such a plan has not been adopted, within two miles of a public airport, public use airport, or private airstrip, would the project expose people residing or working in the project area to excessive noise levels?			<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 5, 22a

**SETTING:**

The project consists of the development of a new single-family residence and associated improvements including a firetruck turnaround and utility connections. Local ambient noise comes from the nearby residences and minor occasional traffic noise from the nearby public streets. The project is not located in an airport land use plan referral area.

**DISCUSSION:**

**a, b, and c) No Impact** – Construction of the proposed single-family residence will temporarily elevate noise levels in the immediate project area from the use of construction equipment. Construction noise could have an impact on the nearest residential uses. Implementation of noise abatement measures described below will reduce potential construction impacts to a less-than-significant level. Noise levels would not exceed standards of the Santa Clara County Noise Ordinance. Noise impacts on the residential uses near the project site would be minimal and temporary.

The County General Plan Noise Element measures noise levels in Day-Night Average Sound Level (DNL), a 24-hour time weighted average, as recommended by the Environmental Protection Agency (EPA) for community noise planning. Noise Compatibility Standards for exterior noise specify three (3) classifications of compatibility between ambient noise levels at the site and various land uses: satisfactory, cautionary, and critical. According to the Noise Element Noise Compatibility Standards for Land Use in Santa Clara County, the satisfactory exterior noise compatibility standard for residential land uses is 55 dB (Ldn value in dBs).

County Noise Ordinance restricts exterior noise limits, for a cumulative period not to exceed more than 30 minutes in any hour, for one- and two- family residential land uses at 45 dBA between 10:00 p.m. to 7:00 a.m., and 55 dBA between 7:00 a.m. to 10:00 p.m. In addition, specifically prohibited acts include amplified sound, such as musical instruments, radios, and loudspeakers, between 10:00 p.m. to 7:00 a.m., or construction activity during weekdays and Saturday’s hours from 7:00 p.m. to 7:00 a.m., or at any time on Sundays or holidays.

The noise levels created during the grading and demolition/construction of this project could create a temporary disturbance. The project is required to conform to the County Noise Ordinance at all times

for construction. Construction noise (including noise generated by truck traffic to and from the project site) is regulated by time-of-work restrictions and decibel maximum specified in the County Noise Ordinance. Thus, it is anticipated that short-term noise resulting from the grading and demolition/construction will not present a significant impact to neighboring property owners. Therefore, the project would not create any noise impacts.

Additionally, the property is not located within the vicinity of a private airstrip or an airport land use plan referral area or, within two miles of a public airport so there would not be an impact.

**MITIGATION:**

- None required.

N. POPULATION AND HOUSING					
	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
WOULD THE PROJECT:					
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 4
b) Displace substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3, 4

**SETTING:**

The proposed development includes a single-family residence and a detached greenhouse which takes access from Grand Oak Way, a City of San Jose maintained road an urban jurisdiction. Surrounding land-uses immediately adjacent to the building site are single-family residences in subdivisions (approximately 150 feet from the proposed residence) with more single-family residences to the southwest and northwest of the existing property. To the east of property consists of undeveloped grazing land and hillsides that slopes upward towards within unincorporated Santa Clara County.

**DISCUSSION:**

**a & b) No Impact** – Under the County of Santa Clara’s General Plan and Housing Element, the population within the Agriculture district have already been planned and accounted. The County’s Zoning Ordinance allows the construction of a single-family residence ‘by-right’ in the Agricultural Ranchland zoning district. The construction of the single-family residence would not directly or indirectly require extensions of roads or other infrastructure. Additionally, no commercial, industrial, or institutional uses are proposed. The property will require an on-site wastewater treatment system (OWST) with six (6) 5,000-gallon water tanks and one (1) 3,000-gallon water tank for residence sprinkler system. The northwest and south portions of the parcel is surrounded by single-family residences with the remaining eastern area of the property is vacant and undeveloped. As such, the project will not displace substantial numbers of existing housing or people, nor necessitate the construction of replacement housing elsewhere.

**MITIGATION:**

- None required.

O. PUBLIC SERVICES					
	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 5
ii) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 5
iii) School facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 5
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 5, 17h
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 5

**SETTING:**

The project is adjacent to the City of San Jose; however, it is not located within the City of San Jose Urban Service Area, and therefore, is not subject to the City of San Jose’s General Plan. The property is within the State Response Area (SRA). Emergency calls would go to the Santa Clara County Sheriff’s Office communications. The property has an on-site well for domestic water and four (4) 5,000-gallon water tanks for fire sprinklers and hydrant. Gas and electric services will be provided by PG&E.

**DISCUSSION:**

**a-i, a-ii, a-iii, a-iv, & a-v) No Impact** – The proposed project includes a single-family residence, and no commercial, industrial, or institutional uses are proposed. The proposed single-family residence has a minimal increase in the overall neighborhood population and would not significantly increase the need for additional fire or police protection to the area. Other public services, such as those provided by schools or parks, would not be significantly impacted.

**MITIGATION:**

- None required.

P. RECREATION					
WOULD THE PROJECT:	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 4, 5, 17h
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 4, 5

**SETTING:**

The project, a single-family residence, is low-density and does not include the use of the project area for recreational purposes.

**DISCUSSION:**

**a & b) No Impact** – The proposed project is for a new single-family residence and will not result in an impact to existing parks or recreational facilities due to the minimal increase in population to the neighborhood. As such, the project would not cause a substantial physical deterioration of existing recreational facilities.

Additionally, the proposed single-family residence does not include any recreational uses or structures, nor does the addition of a new-single family residence require an expansion to existing recreational facilities. As such, the project does not have an impact on item b listed above.

**MITIGATION:**

- None required.

Q. TRANSPORTATION					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES		NO		
	Potential v Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 4, 5, 6, 7, 49, 52
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)? <sup>1</sup>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6, 49, 50, 52
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 5, 6, 7, 52
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 5, 48, 52

**SETTING:**

The proposed single-family residence takes access from Grand Oak Way, which is a public street maintained by the City of San Jose. Access to the property is through an existing easement and private driveway.

**DISCUSSION:**

**a, b, c, & d) No Impact** – The proposed project, consisting of a single-family residence will generate approximately 10 daily vehicle trips, according to the Institute of Traffic Engineers Trip Generation, 10th edition data (10 trips/day). According to the Santa Clara Valley Transportation Authority Transportation Impact Analysis Guidelines, a transportation impact analysis is not required to be performed for projects that would generate fewer than 100 net new weekday (AM or PM peak hour) or weekend peak hour trips, including both inbound and outbound trips. Additionally, the project was reviewed and conditionally approved by the County Fire Marshal’s Office to ensure adequate fire safety access is proposed. Therefore, the project will not generate substantial new traffic, impair existing transportation facilities, or result in inadequate emergency access. Construction activities for the proposed structures would involve a small number of vehicle trips related to delivery of material and workers commuting to the site. Because the number of trips would be temporary and small in number, and road use in the vicinity is relatively light, the proposed project would not have impacts on traffic and circulation. Onsite parking for the proposed single-family residence is in conformance with the County parking requirements.

**MITIGATION:**

- None required.

<sup>1</sup> 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. The County of Santa Clara has elected not to be governed by the provisions of this section until they become effective statewide on July 1, 2020.

R. TRIBAL CULTURAL RESOURCES					
WOULD THE PROJECT:	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
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	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
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 Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

**SETTING:**

The project site is a mostly undeveloped parcel except for one stable structure and is adjacent to the borders of the City of San Jose. The general topography of the project site is flat in the western half, rising steeply in the eastern half of the parcel. Misery Creek runs along the western and northern border of the parcel, and the site is predominantly grassland, with trees and riparian vegetation following the creek and on the northern downslope side of the parcel. Total grading quantities for the proposed development are 2,370 cubic yards of cut and 281 cubic yards of fill with a maximum cut depth of 9.5 feet. Most the proposed grading is to establish the landscape area, the detached greenhouse, improvement to the driveway with fire truck turn around, and to establish the building foundation beneath the proposed residence. No existing structures are proposed to be demolished. A Cultural Resources Evaluation prepared by MIG (dated April 2019) was provided as part the project submittal.

**a-i, a-ii) Less than Significant**– According to the Cultural Resources Evaluation prepared by MIG, dated April 2019, a previous archaeological site (source 32) is known to exist adjacent to the project parcel identified as P-43-000294 and is eligible for inclusion on the California Register of Historic Resource (CRHR). A field survey was done on the property by Robert Templar from MIG where three surface level archaeological resources were round. The first is an exposed rock face in the side of a steep slope with man-made markings which are believed to be to be petroglyphs. In the same locality, a single wastage flake, and piece of fire cracked rock were found in an erosion channel within two feet

of each other. The site in the Cultural Resources Evaluation as MIG-GOW-001 and is also eligible for the CRHR. The identified area is northeast and at least 100 feet from the proposed development area. However, any adverse effects to the identified site would therefore be a significant impact under CEQA. Mitigation measures to preserve any subsurface evidence of the site are recommended from evaluation prepared by MIG. If a Native American archaeological artifact is found, but not considered to be a resource under CEQA, it is possible for a lead agency to determine that an artifact, site, or feature is considered significant to a local tribe, without necessarily being eligible for the CRHR or considered a unique archaeological resource. A determination of such by a lead agency would make an artifact a significant resource under CEQA. Mitigation is suggested to reduce impacts to Tribal Cultural Resources to Less than Significant with Mitigation. To preserve potential archaeological resources and evidence of the existence of the site, mitigation measures are proposed by MIG's archeologist (Robert Templar) to reduce impacts to a less than significant level. Incorporating mitigations measured recommended by the archeologist consultant from MIG (**TRIB-MIT1** to **TRIB-MIT6**), impacts to archaeological resources would, therefore, be Less than Significant.

#### **MITIGATION:**

- **TRIB – MIT 1:** Archaeological monitoring is required for all ground disturbing activities. An archaeologist who meets the Secretary of the Interior's Standards for Archaeology shall be present at the project site during ground disturbing activities, including machine or hand excavation, or grubbing. No ground disturbing activities of any kind shall be allowed to take place if the archaeologist is not present. An archaeological report meeting the Secretary of the Interior's Standards detailing the findings of the monitoring will be submitted to the Northwest Information Center after monitoring has ceased. **The applicant shall provide evidence of contact with an archeologist to conduct monitoring prior to grading and building permit issuance.**
- **TRIB – MIT 2:** No ground disturbing activity near identified areas of cultural resources. No ground disturbance, project construction, or material staging will be allowed on the areas identified as site MIG-GOW-001 or P-43-000294 within the Archeology Report by MIG (source 32)
- **TRIB – MIT 3:** All excavator machinery shall use toothless buckets during ground disturbing activity to allow the monitoring archaeologist to identify archaeological features more clearly, if present.
- **TRIB – MIT 4:** If archaeological remains from either a historic or prehistoric period are discovered (or have been suspected to have been discovered) during project construction, all ground disturbing work on the site shall cease. The archaeologist shall assess the discovery before any additional ground disturbing work within the site shall be allowed to continue. No further ground disturbing work shall be allowed to continue until the archaeologist has fully evaluated the find and permits work to continue. Dependent on the evaluation by the archaeologist, archaeological excavation and recordation may be required before construction can continue. **If archeological resources are found, the Planning Division shall be notified immediately and any evaluations by the archeologist shall be forward to the Planning Division for record keeping purposes.**

- **TRIB – MIT 5**: If the newly discovered resources are determined, or suspected to be, Native American in origin, Native American Tribes/Representatives shall be contacted and consulted as directed by the NAHC and Native American construction monitoring shall be initiated. All Native American artifacts and finds suspected to be Native American in nature are to be considered as significant tribal cultural resources until the County has determined otherwise with the consultation of a qualified archaeologist and local tribal representative(s) as directed by the NAHC. **If Native American resources are found, the Planning Division shall be notified immediately.**
- **TRIB – MIT 6**: If human remains are unearthed during construction, the County Coroner will be notified immediately, and no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98. If the remains are determined to be of Native American descent, the coroner has 24 hours to notify the Native American Heritage Commission (NAHC). The NAHC shall then identify the person(s) thought to be the Most Likely Descendent (MLD). All applicable laws pertaining to the discovery of human remains will be followed.

S. UTILITIES AND SERVICE SYSTEMS					
WOULD THE PROJECT:	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3,6,70
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 6,24b
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3,6,70
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 5,6
e) Be in non-compliance with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,5, 6

**SETTING:**

The proposed development includes a single-family residence and a detached greenhouse which takes access from Grand Oak Way, a City of San Jose maintained road an urban jurisdiction. Surrounding land-uses immediately adjacent to the building site are single-family residences in subdivisions (approximately 150 feet from the proposed residence) with more single-family residences to the southwest and northwest of the existing property. To the east of property consists of undeveloped grazing land and hillsides that slopes upward towards within unincorporated Santa Clara County.

**DISCUSSION:**

**a) Less than significant** - The OWTS was reviewed, approved and conditioned by the Department of Environmental Health to confirm that the septic system is adequate and sufficient to serve the residential use. Additionally, Land Development Engineering reviewed the project and determined the drainage system will not cause any significant impact.

**b, c, d, e) No Impact** - The existing onsite well and septic system are sufficient to serve the project, and as proposed, there is no impact to items b and c listed above.

As a standard condition of approval for all projects within the County of Santa Clara, property owners are to provide proof of garbage service at the time of final occupancy sign-off. Garbage service in the unincorporated areas of Santa Clara County is mandatory. As such, there is no impact to item d and e listed above.

T. WILDFIRE					
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	IMPACT				SOURCE
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3, 6, 44
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 6,8a
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 4, 5, 17h
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 4, 5

**SETTING:**

The topography of the building site is generally flat with an approximate slope of 2 percent (2%) towards the west of the property. Misery Creek is runs along the western and northern border of the parcel, and the site is predominantly grassland, with trees and riparian vegetation following the creek and on the northern downslope side of the property.

**DISCUSSION:**

**a, c, & d) No Impact** – The project was reviewed and conditionally approved in accordance with the Santa Clara County Fire Marshal’s Office and CAL FIRE. The project includes adequate fire safety access and emergency evacuation, as such the project does not impair an adopted emergency response plan or emergency evacuation plan. The installation of a firetruck turnaround and a water connection to the proposed development site does not exacerbate fire risk that may result in temporary or ongoing impacts to the environment. Additionally, the proposed development is on a relatively flat site and is therefore not at risk of downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. As such, the project imposes no impact to items a, c and d listed above.

**b) Less Than Significant** – The proposed project is located within the WUI area and therefore may be at risk of uncontrolled spread of a wildfire. However, due to the project’s location to a natural firebreak (Misery Creek) and the installation of appropriate fire safety requirements such as adequate fire access for emergency services, adequate water connections to hydrants for fire suppression, as well as a residential fire sprinkler system complying with CFMO-SP6 throughout the residence, the proposed project will have a less than significant impact to exposing the project occupants to the spread of wildfire. Additionally, the proposed residence shall have a class “A” roof, a ½ inch spark arrester for the chimney, and remove significant combustible vegetation within 30 feet of the structure to minimize risk of wildfire casualty. The proposed development shall have appropriate separation of vegetative fuels in areas between 30

and 100 feet from the proposed residence.

**MITIGATION:**

- None required

U. MANDATORY FINDING OF SIGNIFICANCE					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES		NO		
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1 to 52
b) Have impacts that are individually limited, but cumulatively considerable ("Cumulatively considerable" means that the incremental effects of an individual 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1 to 52
c) Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1 to 52

**DISCUSSION:**

a) **Less Than Significant Impact with Mitigation.** As discussed in the Biological Resources section, impacts of the proposed project on special status species or habitat would either be less than significant or would be reduced to a less-than-significant level through incorporation of mitigation measures. The proposed project would not have the potential to substantially reduce the habitat of any 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 of, 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) **No Impact.** No past, current, or probable future projects were identified in the project vicinity that, when added to project-related impacts, would result in cumulatively considerable impacts. No cumulatively considerable impacts would occur with development of the proposed project. As discussed in the analyses provided in this Initial Study, project impacts were found to be less than significant. The incremental effects of the proposed project are not cumulatively significant when viewed in context of the past, current, and/or probable future projects. No cumulative impacts would occur.

c) **No Impact.** The proposed project is a single-family residence. As described in the environmental topic sections of this Initial Study, the proposed project would not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

## Initial Study Source List\*

1. Environmental Information Form  
[https://www.sccgov.org/sites/dpd/DocsForms/Documents/EnvAss\\_Form.pdf](https://www.sccgov.org/sites/dpd/DocsForms/Documents/EnvAss_Form.pdf)
2. Field Inspection
3. Project Plans
4. Working knowledge of site and conditions
5. Experience with other Projects of This Size and Nature
6. County Expert Sources:
  - Geologist  
<https://www.sccgov.org/sites/dpd/PlansOrdinance/GeoHazards/Pages/Geology.aspx>
  - Fire Marshal  
<https://www.sccgov.org/sites/dpd/AboutUs/Fire/Pages/Fire.aspx>
  - Roads & Airports  
<https://www.sccgov.org/sites/rda/Pages/rda.aspx>
  - Environmental Health  
<https://www.sccgov.org/sites/deh/Pages/deh.aspx>
  - Land Development Engineering  
<https://www.sccgov.org/sites/dpd/AboutUs/LDE/Pages/LDE.aspx>
  - Parks & Recreation  
<https://www.sccgov.org/sites/parks/Pages/Welcome-to-Santa-Clara-County-Parks.aspx>
  - Zoning Administration,  
Comprehensive Planning,  
Architectural & Site Approval Committee  
Secretary
7. Agency Sources:
  - Santa Clara Valley Water District  
<https://www.valleywater.org/>
  - Santa Clara Valley Transportation Authority  
<http://www.vta.org/>
  - Midpeninsula Regional Open Space District  
<https://openspace.org/>
  - U.S. Fish & Wildlife Service  
<https://www.fws.gov/>
  - CA Dept. of Fish & Game  
<https://www.wildlife.ca.gov/>
  - Caltrans  
<https://dot.ca.gov/>
  - U.S. Army Corps of Engineers  
<https://www.usace.army.mil/>
  - Regional Water Quality Control Board  
<https://www.waterboards.ca.gov/>
  - Public Works Depts. of individual cities
8. Planning Depts. of individual cities:
  - Santa Clara County (SCC) General Plan  
<https://www.sccgov.org/sites/dpd/PlansOrdinance/GP/Pages/GP.aspx>
  - The South County Joint Area Plan  
[https://www.sccgov.org/sites/dpd/DocsForms/Documents/GP\\_Book\\_B.pdf](https://www.sccgov.org/sites/dpd/DocsForms/Documents/GP_Book_B.pdf)
9. SCC Zoning Regulations (Ordinance)  
<https://www.sccgov.org/sites/dpd/DocsForms/Documents/ZonOrd.pdf>
10. County Grading Ordinance  
[https://library.municode.com/ca/santa\\_clara\\_county/codes/code\\_of\\_ordinances?nodet=TITLE\\_CODE\\_LAUS\\_DIVC12SULADE\\_CHIIIGRDR#TOPTITLE](https://library.municode.com/ca/santa_clara_county/codes/code_of_ordinances?nodet=TITLE_CODE_LAUS_DIVC12SULADE_CHIIIGRDR#TOPTITLE)
11. SCC Guidelines for Architecture and Site Approval  
[https://www.sccgov.org/sites/dpd/DocsForms/Documents/ASA\\_Guidelines.pdf](https://www.sccgov.org/sites/dpd/DocsForms/Documents/ASA_Guidelines.pdf)
12. SCC Development Guidelines for Design Review  
[https://www.sccgov.org/sites/dpd/DocsForms/Documents/DR\\_Guidelines.pdf](https://www.sccgov.org/sites/dpd/DocsForms/Documents/DR_Guidelines.pdf)
13. County Standards and Policies Manual (Vol. I - Land Development)  
[https://www.sccgov.org/sites/dpd/DocsForms/Documents/StandardsPoliciesManual\\_Vol1.pdf](https://www.sccgov.org/sites/dpd/DocsForms/Documents/StandardsPoliciesManual_Vol1.pdf)
14. Table 18-1-B of the Uniform Building Code (expansive soil regulations) [1994 version]  
[http://digitalassets.lib.berkeley.edu/ubc/UBC\\_1994\\_v2.pdf](http://digitalassets.lib.berkeley.edu/ubc/UBC_1994_v2.pdf)
15. SCC Land Use Database
16. Santa Clara County Heritage Resource (including Trees) Inventory [computer database]
17. GIS Database
  - a. SCC General Plan Land Use, and Zoning
  - b. USFWS Critical Habitat & Riparian Habitat
  - c. Geologic Hazards
  - d. Archaeological Resources
  - e. Water Resources
  - f. Viewshed and Scenic Roads
  - g. Fire Hazard
  - h. Parks, Public Open Space, and Trails
  - i. Heritage Resources - Trees
  - j. Topography, Contours, Average Slope
  - k. Soils
  - l. HCP Data (habitat models, land use coverage etc)
  - m. Air photos
  - n. USGS Topographic
  - o. Dept. of Fish & Game, Natural Diversity Data
  - p. FEMA Flood Zones
  - q. Williamson Act
  - r. Farmland monitoring program
  - s. Traffic Analysis Zones
  - t. Base Map Overlays & Textual Reports (GIS)
18. Paper Maps
  - a. SCC Zoning
  - b. Barclay's Santa Clara County Locaide Street Atlas
  - c. Color Air Photos (MPSI)
  - d. Santa Clara Valley Water District - Maps of Flood Control Facilities & Limits of 1% Flooding

## Initial Study Source List\*

- e. Soils Overlay Air Photos
- f. "Future Width Line" map set

19. 2019 CEQA Statute Guidelines [Current Edition]  
[http://resources.ca.gov/ceqa/docs/2019\\_CEQA\\_Statutes\\_and\\_Guidelines.pdf](http://resources.ca.gov/ceqa/docs/2019_CEQA_Statutes_and_Guidelines.pdf)

Area Specific: San Martin, Stanford, and Other Areas

San Martin

20a. San Martin Integrated Design Guidelines  
[https://www.sccgov.org/sites/dpd/DocsForms/Documents/SanMartin\\_DesignGuidelines.pdf](https://www.sccgov.org/sites/dpd/DocsForms/Documents/SanMartin_DesignGuidelines.pdf)

20b. San Martin Water Quality Study

20c. Memorandum of Understanding (MOU) between Santa Clara County & Santa Clara Valley Water District

Stanford

21a. Stanford University General Use Permit (GUP), Community Plan (CP), Mitigation and Monitoring Reporting Program (MMRP) and Environmental Impact Report (EIR)  
<https://www.sccgov.org/sites/dpd/Programs/Stanford/Pages/Docs.aspx>

21b. Stanford Protocol and Land Use Policy Agreement  
<https://www.sccgov.org/sites/dpd/Programs/Stanford/Pages/Docs.aspx>

Other Areas

22a. South County Airport Comprehensive Land Use Plan and Palo Alto Airport comprehensive Land Use Plan [November 19, 2008]

22b. Los Gatos Hillside Specific Area Plan  
[https://www.sccgov.org/sites/dpd/DocsForms/Documents/GP\\_Book\\_B.pdf](https://www.sccgov.org/sites/dpd/DocsForms/Documents/GP_Book_B.pdf)

22c. County Lexington Basin Ordinance Relating to Sewage Disposal

22d. User Manual Guidelines & Standards for Land Uses Near Streams: A Manual of Tools, Standards and Procedures to Protect Streams and Streamside Resources in Santa Clara County by Valley Water Resources Protection Collaborative, August 2005 – Revised July 2006.  
<https://www.valleywater.org/contractors/doing-business-with-the-district/permits-for-working-on-district-land-or-easement/guidelines-and-standards-for-land-use-near-streams>

22e. Guidelines and Standards for Land Use Near Streams: Streamside Review Area – Summary prepared by Santa Clara County Planning Office, September 2007.

22f. Monterey Highway Use Permit Area  
[https://www.sccgov.org/sites/dpd/DocsForms/Documents/SanMartin\\_GeneralPlanInformation.pdf](https://www.sccgov.org/sites/dpd/DocsForms/Documents/SanMartin_GeneralPlanInformation.pdf)

Soils

23. USDA, SCS, "Soils of Santa Clara County

24. USDA, SCS, "Soil Survey of Eastern Santa Clara County"

Agricultural Resources/Open Space

25. Right to Farm Ordinance

26. State Dept. of Conservation, "CA Agricultural Land Evaluation and Site Assessment Model"  
<https://www.conservation.ca.gov/dlrp/Documents/TOC%20and%20Intro.pdf>

27. Open Space Preservation, Report of the Preservation 2020 Task Force, April 1987 [Chapter IV]

28. Williamson Act Ordinance and Guidelines (current version)  
<https://www.sccgov.org/sites/dpd/Programs/WA/Pages/WA.aspx>

Air Quality

29. BAAQMD Clean Air Plan  
[http://www.baaqmd.gov/~media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a\\_proposed-final-cap-vol-1-pdf.pdf?la=en](http://www.baaqmd.gov/~media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a_proposed-final-cap-vol-1-pdf.pdf?la=en)

30. BAAQMD CEQA Air Quality Guidelines (2017)-  
[http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa\\_guidelines\\_may2017-pdf.pdf?la=en](http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en)

31. BAAQMD Annual Summary of Contaminant Excesses & BAAQMD, "Air Quality & Urban Development - Guidelines for Assessing Impacts of Projects & Plans" [current version]

Biological Resources/  
Water Quality & Hydrological Resources/  
Utilities & Service Systems"

32. Site-Specific Biological Report

33. Santa Clara County Tree Preservation Ordinance  
[https://www.sccgov.org/sites/dpd/DocsForms/Documents/Tree\\_Ordinance.pdf](https://www.sccgov.org/sites/dpd/DocsForms/Documents/Tree_Ordinance.pdf)

Section C16, Santa Clara County Guide to Evaluating Oak Woodlands Impacts  
[https://www.sccgov.org/sites/dpd/DocsForms/Documents/Oakwoodlands\\_Guide.pdf](https://www.sccgov.org/sites/dpd/DocsForms/Documents/Oakwoodlands_Guide.pdf)

# Initial Study Source List\*

Santa Clara County Guidelines for Tree Protection and Preservation for Land Use Applications  
[https://www.sccgov.org/sites/dpd/DocsForms/Documents/Brochure\\_TreePreservation.pdf](https://www.sccgov.org/sites/dpd/DocsForms/Documents/Brochure_TreePreservation.pdf)

33. Clean Water Act, Section 404  
<https://www.epa.gov/cwa-404/permit-program-under-cwa-section-404>
34. Santa Clara Valley Water District – GIS Data:  
<https://www.valleywater.org/learning-center/watersheds-of-santa-clara-valley>
35. CA Regional Water Quality Control Board, Water Quality Control Plan, San Francisco Bay Region [1995]
36. Santa Clara Valley Water District, Private Well Water Testing Program [12-98]
37. SCC Nonpoint Source Pollution Control Program, Urban Runoff Management Plan [1997]
38. County Environmental Health / Septic Tank Sewage Disposal System - Bulletin "A"
39. County Environmental Health Department Tests and Reports

## Archaeological Resources

40. Northwest Information Center, Sonoma State University
41. Site Specific Archaeological Reconnaissance Report

## Geological Resources

42. **Site Specific Geologic Report**
43. State Department of Mines and Geology, Special Report #42
44. State Department of Mines and Geology, Special Report #146

## Greenhouse Gas Emissions

45. **BAAQMD CEQA Air Quality Guidelines (2017)-  
[http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa\\_guidelines\\_may2017-pdf.pdf?la=en](http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en)**

## Hazards & Hazardous Materials

46. Section 21151.4 of California Public Resources Code
47. State Department of Toxic Substances, Hazardous Waste and Substances Sites List
48. County Office of Emergency Services Emergency Response Plan [1994 version]

## Noise

49. **County Noise Ordinance  
[https://www.sccgov.org/sites/cpd/programs/NP/Docuements/NP\\_Noise\\_Ordinance.pdf](https://www.sccgov.org/sites/cpd/programs/NP/Docuements/NP_Noise_Ordinance.pdf)**

## Transportation/Traffic

50. Official County Road Book
51. **Site-specific Traffic Impact Analysis Report**

## Tribal Cultural Resources

52. Office of Planning and Research. 2017. Technical Advisory: AB 52 and Tribal Cultural Resources in CEQA

## Wildfire

53. Office of Planning and Research. 2020. Fire Hazard Planning Technical Advisory

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**\*Items listed in bold are the most important sources and should be referred to during the first review of the project, when they are available. The planner should refer to the other sources for a particular environmental factor if the former indicates a potential environmental impact.**

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