Duval Way, Elena Road, Padre Court, Seton Property and Josefa Lane Water Main Improvements Project

Initial Study / Mitigated Negative Declaration

Purissima Hills Water District

26375 Fremont Road

Los Altos Hills, CA 94022

March 2022

Prepared by MIG, Inc.
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San Jose, CA 95131

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Draft Mitigated Negative Declaration

Project: Duval Way, Elena Road, Padre Court, Seton Property, and Josefa Lane Water Main Improvements

Lead Agency/ Project Proponent: Purissima Hills Water District

Availability of Documents: The Initial Study for this Mitigated Negative Declaration is available for review at:

Purissima Hills Water District
26375 Fremont Road
Los Altos Hills, CA 94022

Contact: Phil Witt, General Manager
Purissima Hills Water District
26375 Fremont Road, Los Altos Hills, CA 94022
Phone: 650-948-1217

PROJECT DESCRIPTION

The Purissima Hills Water District (District) is implementing water main replacements outlined in their Capital Improvement Program. These replacements, collectively called the "project," includes the replacement of approximately 4,435 linear feet (LF) of existing water mains along Duval Way, Elena Road, Padre Court, the Seton Property, and Josefa Lane in the town of Los Altos Hills. The proposed mains to be replaced are located within existing road rights-of-way and an unpaved pathway.

The purpose of the project is to replace these older water mains to reduce the frequency of leaks, improve fire service and coverage, and improve reliability of the water system after natural disasters.

The District is the Lead Agency for the project.

PROPOSED FINDINGS

The District has reviewed the attached Initial Study and determined that the Initial Study identifies potentially significant project effects, and that:

1. Revisions to the project plans incorporated herein as mitigation would avoid or mitigate the effects to a point where no significant effects would occur; and
2. There is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment. Pursuant to California Environmental Quality Act (CEQA) Guidelines Sections 15064(f)(3) and 15070(b), a Mitigated Negative Declaration has been prepared for consideration as the appropriate CEQA document for the project.

BASIS OF FINDINGS

Based on the environmental evaluation presented in the attached Initial Study, the project would not cause significant adverse effects related to air quality, aesthetics, agricultural and forestry resources, air quality, energy, geology/soils, greenhouse gas emissions, hazards/hazardous materials, land use/planning, mineral resources, noise, population/housing, public services, recreation, transportation, utilities/service systems, and wildfire. The project does not have impacts that are individually limited, but cumulatively considerable.

The environmental evaluation has determined that the project would have potentially significant impacts on biological, cultural and tribal cultural resources as described below.

Mitigation Measures

The project could result in significant adverse effects to biological resources, cultural resources, and tribal cultural resources. However, the project has been revised to include the mitigation measures listed below, which reduce these impacts to a less-than-significant level. With implementation of these mitigation measures, the project would not substantially degrade the quality of the environment, 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, or substantially reduce the number or restrict the range of a rare or endangered plant or animal. Nor would the project cause substantial adverse effects on humans, either directly or indirectly.

Mitigation Measures Incorporated into the Project:

Mitigation Measure BIO-1: **Pre-Construction Survey.** Prior to work in areas adjacent to the *Mixed Oak Forest and Woodland Alliance* in the Seton Property and the *Coast Live Oak Woodland and Forest Alliance* along Josefa Lane, a qualified biologist will conduct a preconstruction survey for San Francisco dusky-footed woodrat houses no less than 14 days before to the start of construction activities.

Avoidance. To the extent feasible, impacts to woodrat houses shall be avoided by maintaining a minimum 25-foot buffer between project activities and houses. The buffer(s) shall be mapped for reference by construction personnel and marked in the field with flagging by a qualified biologist prior to the start of construction activities. If a 25-foot buffer is not feasible, a bio-monitor (qualified biologist) shall be present during construction activities to monitor the woodrat house.

Mitigation Measure BIO-2: To avoid impacts to nesting birds adjacent to the *Coast Live Oak Woodland and Forest Alliance* along Josefa Lane and the *Mixed Oak Forest and Woodland Alliance* within the Seton Property and avoid potential and violation of state and federal laws pertaining to birds, all construction-related activities (including but not limited to mobilization and staging, clearing, grubbing, vegetation removal, fence installation, demolition, and grading) should occur outside the avian nesting season (that is, prior to February 1 or after September 15). If construction and construction noise occurs within the avian nesting season (from February 1 to September 15), all suitable habitats located within the project's area of disturbance including staging and storage areas plus a 250-foot (passerines) and 1,000-foot (raptor nests) buffer around these areas shall be thoroughly surveyed, as feasible, for the presence of active nests by a qualified biologist no more than five days before commencement of any site disturbance activities and equipment mobilization. If project activities are delayed by more than five days, an additional nesting bird survey shall be performed. Active nesting is present if a bird is building a nest, sitting in a nest, a nest has eggs or chicks in it, or adults are observed carrying food to the nest. The results of the surveys shall be documented.

If pre-construction nesting bird surveys result in the location of active nests, no site disturbance and mobilization of heavy equipment (including but not limited to equipment staging, fence installation, clearing, grubbing, vegetation removal, fence installation, demolition, and grading), shall take place within 250 feet of non-raptor nests and 1,000 feet of raptor nests, or as determined by a qualified biologist until the chicks have fledged. Monitoring shall be required to ensure compliance with Migratory Bird Treaty Act (MBTA) and relevant California Fish and Game Code requirements. Monitoring dates and findings shall be documented.

Mitigation Measure CUL-1a: In the event archaeological resources (sites, features, or artifacts) are exposed during project construction activities, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards, can evaluate the significance of the find. The archaeologist will determine whether additional study is warranted. Should it be required, the archaeologist may install temporary flagging around a resource to prevent any disturbances from

construction equipment. Depending upon the significance of the find under CEQA (14 CCR 15064.5[f]; California Public Resources Code, Section 21082), the archaeologist may record the find to appropriate standards (thereby addressing any data potential) and allow work to continue. If the archaeologist observes the discovery to be potentially significant under CEQA, preservation in place or additional treatment may be required.

Mitigation Measure CUL-1b: In accordance with Section 7050.5 of the California Health and Safety Code, if potential human remains are found, the lead agency staff and the Santa Clara County Coroner shall immediately be notified of the discovery. The coroner would provide a determination regarding the nature of the remains within 48 hours of notification. No further excavation or disturbance of the identified material, or any area reasonably suspected to overlie additional remains, can occur until a determination has been made. If the County Coroner determines that the remains are, or are believed to be, of Native American ancestry, the coroner would notify the Native American Heritage Commission within 24 hours. In accordance with California Public Resources Code, Section 5097.98, the Native American Heritage Commission must immediately notify those persons it believes to be the Most Likely Descendant from the deceased Native American. Within 48 hours of this notification, the Most Likely Descendant would recommend to the lead agency their preferred treatment of the remains and associated grave goods.

Mitigation Measure CUL-1c: Archaeological monitoring shall be instigated for all ground disturbing activities at the Padre Court and Seton Property segments. 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. No ground disturbing activities, with the exception of road surface removal, 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.

Mitigation Measure TRIB-1: It is possible for a lead agency to determine that an artifact is considered significant to a local tribe, and thus considered a significant resource under CEQA, even if it would not otherwise be considered significant under CEQA. As such, all Native American tribal finds are to be considered significant until the lead agency has enough evidence to make a determination of significance. In the event that Native American archaeological resources are discovered, or suspected to have been discovered, Native American monitoring will be required before further ground disturbance shall be allowed.

WATER MAIN REPLACEMENT PROJECT INITIAL STUDY

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Chapter 1. Introduction

This Initial Study (IS) evaluates the potential environmental effects of replacing existing water mains within the Purissima Hills Water District's (District) service area in the Town of Los Altos Hills. These proposed activities constitute a project under the California Environmental Quality Act (CEQA).

The District is the CEQA Lead Agency for the project. No responsible agencies have been identified.

1.1 PROJECT BACKGROUND AND OVERVIEW

The District is implementing water main replacements outlined in their Capital Improvement Program. The project includes the replacement of approximately 4,435 linear feet (LF) of existing water mains along Duval Way, Elena Road, Padre Court, Seton Property, and Josefa Lane, in the Town of Los Altos Hills. The mains to be replaced are located within existing road rights-of-way.

The purpose of the project is to replace older water mains to reduce the frequency of leaks, improve fire service and coverage, and improve reliability of the water system after natural disasters.

1.2 REGULATORY GUIDANCE

The California Environmental Quality Act (CEQA; Public Resources Code § 21000 et seq.) and the CEQA Guidelines (14 CCR §15000 et seq.) establish the Purissima Hills Water District as the lead agency for the project. The lead agency is defined in CEQA Guidelines Section 15367 as, "the public agency which has the principal responsibility for carrying out or approving a project." The lead agency is responsible for preparing the appropriate environmental review document under CEQA. The District's Board serves as the decision-making body for the District and is responsible for adopting the CEQA document and approving the project.

CEQA Guidelines Section 15070 states a public agency shall prepare a proposed Negative Declaration or a Mitigated Negative Declaration when:

1. The Initial Study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, or
2. The Initial Study identifies potentially significant effects, but:
    - Revisions in the project plans made before a proposed Mitigated Negative Declaration and Initial Study are released for public review would avoid the effects or mitigate the effects to a point where no significant effects would occur, and
    - There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.

Pursuant to Section 15070, the District has determined a Mitigated Negative Declaration is the appropriate environmental review document for the Water Main Replacement Project.

To ensure that the mitigation measures and project revisions identified in a Mitigated Negative Declaration are implemented, CEQA Guidelines Section 15097(a) requires the District to adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects. The District shall prepare a Mitigation, Monitoring and Reporting Plan based on the mitigation measures contained in this IS/MND.

1.3 LEAD AGENCY CONTACT INFORMATION

The lead agency for the project is the Purissima Hills Water District. The contact person for the lead agency is:

Phil Witt, General Manager
Purissima Hills Water District
26375 Fremont Road
Los Altos Hills, CA 94022
Phone: 650-948-1217

1.4 DOCUMENT PURPOSE AND ORGANIZATION

The purpose of this document is to evaluate the potential environmental effects of the Water Main Replacement Project. This document is organized as follows:

- Chapter 1 – Introduction. This chapter introduces the project and describes the purpose and organization of this document.
- Chapter 2 – Project Description. This chapter describes the project location, area, site, objectives, and characteristics.
- Chapter 3 – Environmental Checklist and Responses. This chapter contains the Environmental Checklist that identifies the significance of potential environmental impacts (by environmental issue) and a brief discussion of each impact resulting from implementation of the proposed project. This chapter also contains the Mandatory Findings of Significance.
- Chapter 4 – Report Preparation. This chapter provides a list of those involved in the preparation of this document.
- Appendix A. Cultural Resources Assessment, Dudek 2021. (Confidential – Held on file at the District's Office)

Chapter 2. Project Description

2.1 PROJECT PURPOSE

The proposed project is to replace existing water mains to improve efficiency and reliability of potable water service in Los Altos Hills, California. The proposed improvements are planned improvements included in the District's 2018 Capital Improvement Program. Many of the mains to be replaced were installed in the 1960s and are susceptible to breaks.

2.2 PROJECT LOCATION

The project site is located in the Town of Los Altos Hills (Figure 2-1 Project Location) along Duval Way, Elena Road, Padre Court, Josefa Lane, and a private property, (Figure 2-2 Project Vicinity). The site is generally located south of I-280 and north and west of Foothill College in a rural residential neighborhood consisting of single-family homes on large lots.

2.3 PROJECT FEATURES

The proposed project will replace approximately 4,435 linear feet (LF) of existing deteriorating water mains with new ductile iron pipe (DIP) water mains in four locations within the District's service area (listed below). Replacing these older water mains will reduce the potential for future leaks, improve fire service and coverage, and improve reliability of the water system after natural disasters.

Duval Way Improvements

The existing cast iron pipe (CIP) water main (varying between 8-inch and 6-inch diameter in size) along Duval Way has experienced three leaks in the past ten years. This project will replace 1,350 linear feet of the existing CIP water main with new 8-inch DIP water main on Duval Way from Robleda Road to the end of the cul-de-sac, then down an existing paved pedestrian path connecting to Josefa Lane. One existing vault and gate valve, off the north side of the Duval Way roadway near the Robleda Road intersection, would be removed and backfilled. All other water main improvements would occur within the paved road and an unpaved (natural surface) pedestrian pathway. Two fire hydrants and nine (9) service connections would be replaced along this segment. One new fire hydrant is anticipated along the pedestrian path near the intersection with Josefa Lane.

Josefa Lane Improvements

An existing 8-inch CIP water main is located within the pavement along Josefa Lane. The project would abandon the existing water main and install 950 linear feet of new 8-inch DIP water main. Four service connections would be replaced and two hydrants would be reconnected to the new main.

Elena Road Improvements

The existing 8-inch CIP water main along Elena Road between Taaffe Road and Vinedo Road has experienced four leaks within the past ten years due to corrosion and damage from tree roots. Sections of main from Taaffe Road to Robleda Road and from Josefa Lane to Vinedo Road were recently replaced with 8-inch DIP. This project from Robleda Road to Josefa Lane would complete the final link to provide a continuous 8-inch DIP water main along Elena Road. In total this project will replace 730 LF of 8-inch CIP water main with 8-inch DIP. One new fire hydrant is anticipated on this segment approximately mid-way along the 800-foot section and seven service connections would be replaced.

Padre Court Improvements

The existing 8-inch DIP water main along Padre Court has experienced two leaks in the past five years with the most recent leak occurring in October of 2020. Observations by District field staff

at that time indicated the existing water main is in poor structural condition and is prone to additional leaks. This project would replace the approximately 370 LF of existing main with 8-inch DIP from Altamont Road to the fire hydrant at the end of the Padre Court cul-de-sac. Additionally, one fire hydrant and seven service connections would be replaced.

Seton Property Improvements

The existing 8-inch CIP water main is located in unpaved areas under trees and in landscaped residential front yards. The District experienced two leaks on this water main in 2014. This project will install 1,000 LF of new 8-inch DIP under existing pavement to improve accessibility and will complete a link of 8-inch DIP from Moody Road to the Blue Oaks Subdivision. The existing 8-inch CIP water main at this location will be abandoned in place and grout sealed at both ends. Two fire hydrants and six service connections would be replaced.

Construction

The water main replacements are proposed to be installed with open trench installation. The water mains are typically installed with three feet of cover (top of the pipe is three feet below the ground surface). Therefore, a trench would be dug approximately two feet wide and four feet deep along the length of the alignment. Upon water main installation, a four foot-wide section of asphalt centered over the trench will be replaced. The area of disturbance is calculated at approximately 7,100 square feet. Tree trimming is not anticipated during construction.

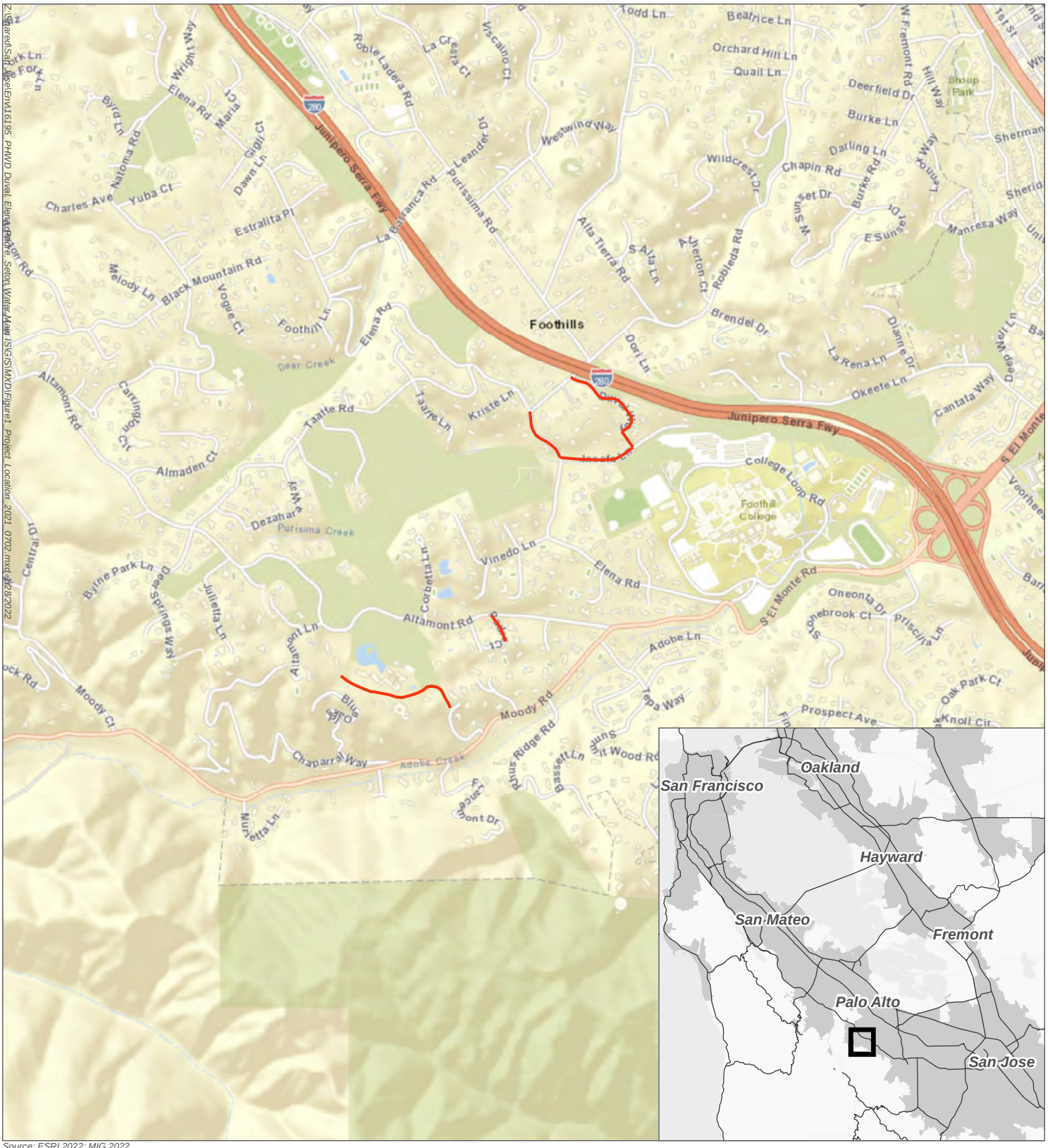
Construction is planned to begin in summer 2022. The water main installation can be accomplished at a rate of approximately 100 to 200 feet per day and is therefore expected to last approximately six months. The expected construction equipment type and numbers of days in use on the project are as follows:

Project Construction Equipment Estimates		
Equipment Type	**No. on Site**	**No. of Working Days In Use**
Loader (duals as an excavator)	2	100
Paver	1	15
Roller	2	15
F-250 Trucks	4	100
End Dump Trucks	3	110

Total off-haul is estimated at approximately 1,235 cubic yards of soil. Assuming nine cubic yard truck capacities, this would result in approximately 138 round trips for the off-haul of spoils and material deliveries over the eight-month construction period.

Partial and/or full road closures during construction hours are anticipated to accommodate the water main installation due to narrow road widths in the area. Resident and emergency vehicle traffic would be allowed access during full road closures. Construction hours would be limited to 8:00 A.M. to 5:00 P.M. Monday through Friday, in conformance with the Town's Municipal Code construction hours limitation. No work is planned on Saturdays or Sundays. The District will require the contractor to stop active construction activities at 3:00 P.M. in order to allow for site clean-up time to reopen the roadway to traffic by 5:00 P.M.

The project specifications will require the contractor to prepare a traffic control plan which will be reviewed by the Town of Los Altos Hills. The plan generally includes provisions for notification of neighbors, flaggers, signing, barricades, detours, access to private property, maintaining emergency vehicle access, etc.



Source: ESRI 2022; MIG 2022

0 0.25 0.5 1 Miles

Map Features

Project Site

Figure 1 Project Location

Duval Way, Elena Rd, Padre Ct, and Seton Watermain Improvements

Source: Google Earth 2022; MIG 2022

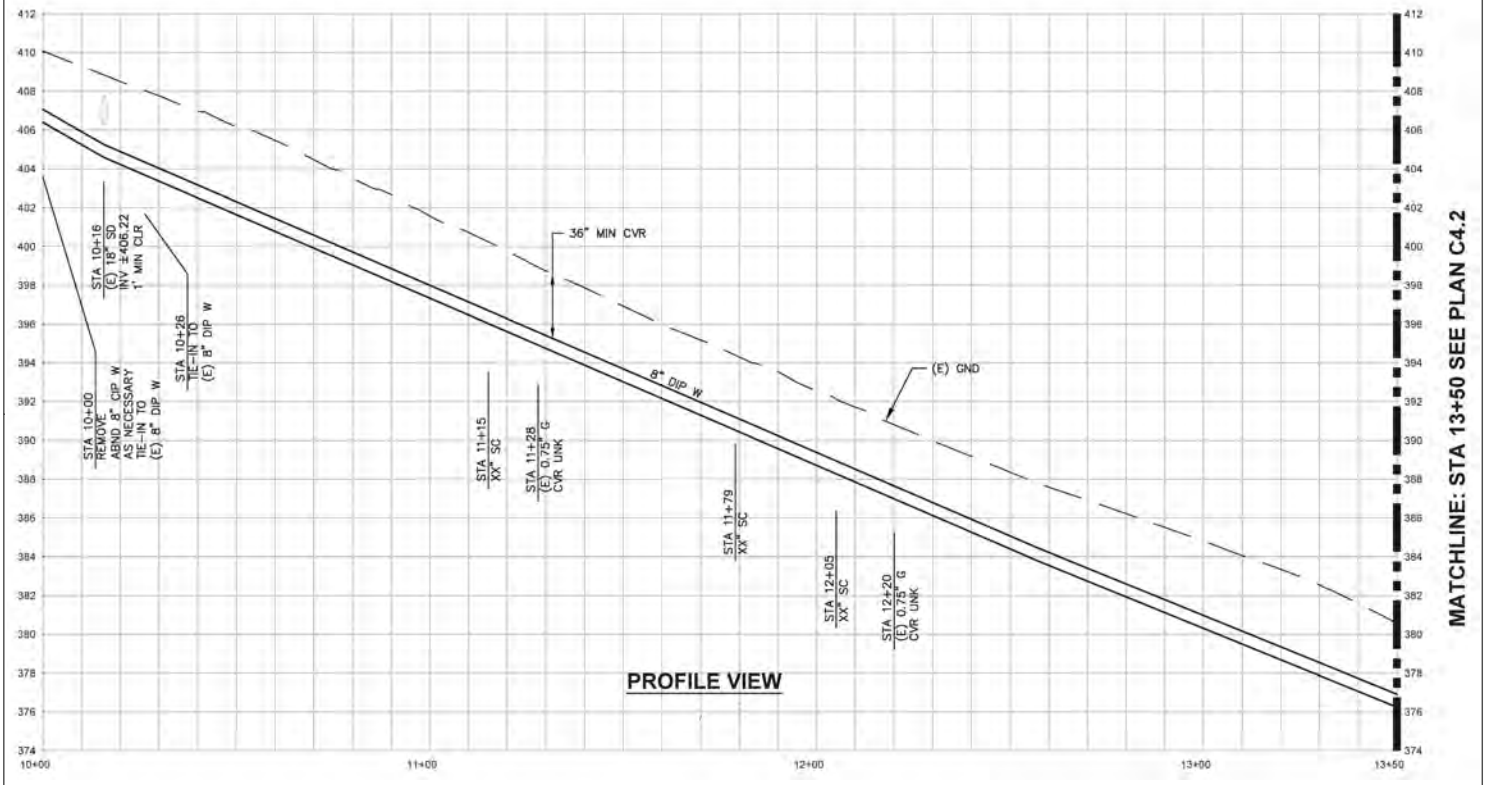
0 500 1,000 2,000 Feet

Map Features

Project Site

Figure 2 Project Vicinity

Duval Way, Elena Rd, Padre Ct, and Seton Water Main Improvements



Source: PHWD 6/3/2021

Figure 3 Typical Excavation Profile View

Duval Way, Elena Rd, Padre Ct, and Seton Water Main Improvements

Figure 4 Site Photographs

1. Duval Way looking west toward Robleda Road.

2. Duval Way looking northwest.

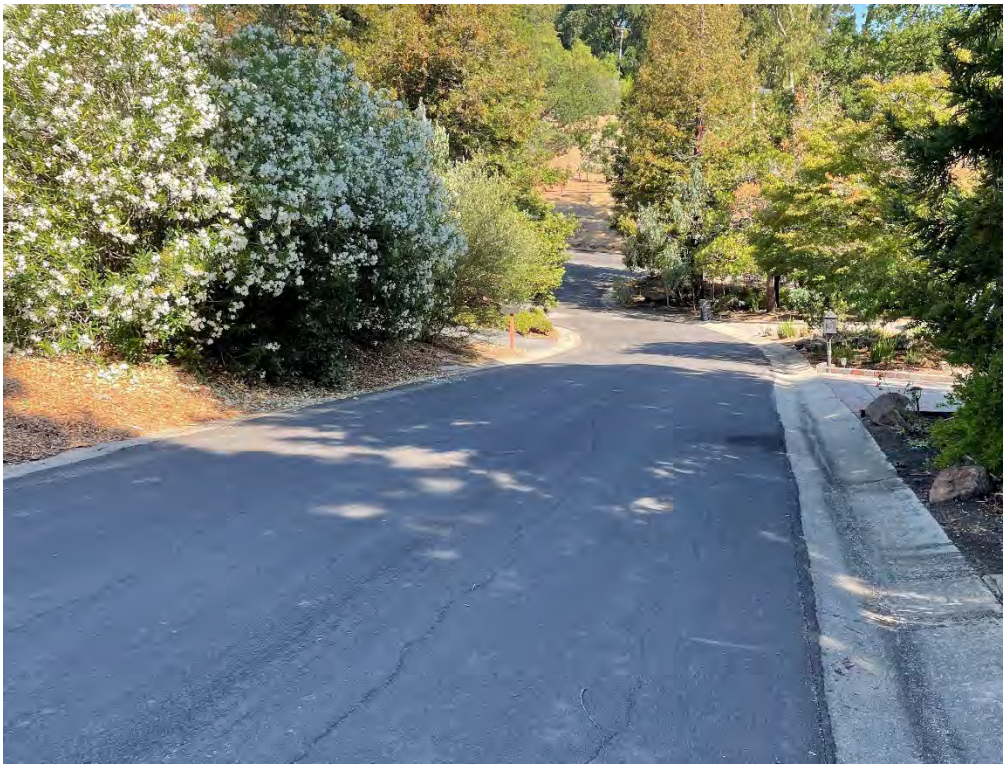
3. Pedestrian pathway connecting Josefa Lane and Duval Way looking northwest.

4. Josefa Lane looking east.

5. Elena Road at Robleda Road looking south.

6. Elena Road at Josefa Lane looking north.

7. Padre Court looking south.



8. Padre Court looking north to Altamont Road.

9. Seton property looking east.

10. Seton property looking east; midway along the section.

11. Eastern section (fire road) of the Seton Property segment looking southeast to Old Snakey Road.

2.4 BEST MANAGEMENT PRACTICES / CONDITIONS OF APPROVAL

The District has incorporated the following Best Management Practices (BMPs) into the planning, design, construction, operation, and maintenance of the proposed project to minimize the potential adverse effects of the project on the surrounding community and the environment. These BMPs will be included in project construction drawings and specifications and as such are considered a part of the project and are not considered mitigation measures.

Table 2-1: Best Management Practices

Impact Section	Best Management Practice
Air Quality	To reduce potential fugitive dust that may be generated by project construction activities, the District or its contractor shall implement the following BAAQMD basic construction measures when they are appropriate: • Water all exposed surfaces (e.g., staging areas, soil piles, graded areas, and unpaved access roads) during construction as necessary and adequately wet demolition surfaces to limit visible dust emissions. • Cover all haul trucks transporting soil, sand, or other loose materials off the project site. • Use a wet power vacuum street sweeper as necessary to remove all visible mud or dirt track-out onto adjacent public roads (dry power sweeping is prohibited) during construction of the proposed project. • Vehicle speeds on unpaved roads/areas shall not exceed 15 miles per hour. • Complete all areas to be paved as soon as possible. • Minimize idling time of diesel-powered construction equipment to five minutes and post signs reminding workers of this idling restriction at access points and equipment staging areas during construction of the proposed project. • Maintain and properly tune all construction equipment in accordance with manufacturer's specifications and have a CARB-certified visible emissions evaluator check equipment prior to use at the site. • Post a publicly visible sign with the name and telephone number of the construction contractor and District-staff person to contact regarding dust complaints. This person shall respond and take corrective action within 48 hours. The publicly visible sign shall also include the contact phone number for the Bay Area Air Quality Management District to ensure compliance with applicable regulations.
Hydrology/Water Quality	The District will require preparation and implementation of an erosion control plan or SWPPP during construction. The plan would include the following provisions, as applicable: • All construction equipment will be well-maintained and kept in good working order so no vehicle fluids are leaked or dripped on-site.

Impact Section	Best Management Practice
	• Construction equipment will be re-fueled and maintained away from creeks, roadside drainages and unpaved areas (pedestrian pathway). • The contractor will have on hand at all times sufficient quantities of absorbent materials to clean up the largest possible spill of construction fuels or fluids. • The contractor would use of fiber rolls, sand bags/filter covers for drains, and plastic over stock piles, to prevent erosion and sedimentation. • Store, handle, and dispose of construction materials and wastes properly to prevent their contact with stormwater. • Remove spoils promptly and avoid stockpiling of fill materials when rain is forecast. Cover soil stockpiles and other materials with a tarp or other waterproof material during rain events. • Should a rain event occur during construction storm water runoff will be directed away from open trenches and around stockpiles of soil materials. Stockpiles of soil materials shall be covered to prevent erosion during a storm event. • In the event of rain, all grading work is to cease immediately. • Trash and construction related solid wastes must be deposited into a covered receptacle to prevent contamination and dispersal by wind.
Noise	The Town's Municipal Code (Title 5, Chapter 6, Article 02) limits the hours and days of outside construction activities to 8:00 a.m. to 5:30 p.m. Monday through Saturday, with no construction allowed on Sundays or public holidays. The Standard District procedure is consistent with the Town's Municipal code as follows: Construction and Hours Limitations – Standard District procedure limits the contractor construction operations to Monday through Friday, 8:00 AM to 5:00 PM, with no construction allowed on Saturday or Sunday. Standard District procedures require contractors to stop laying additional pipe at 3 pm to ensure all construction activities can finish by 5:00 PM.
Traffic Control Plan	The Traffic Control Plan shall include provisions for notification of neighbors, flaggers, signing, barricades, detours, access to private property, maintaining emergency vehicle access, etc. The plan shall include signage for vehicles, pedestrians, and bicyclists and shall include advance noticing for any temporary road or pedestrian pathway closures. The plan shall be reviewed by the Town of Los Altos Hills.

2.5 REQUIRED APPROVALS

The District is both the proponent and the Lead Agency for the proposed project. No other agency permitting is required for the project.

Chapter 3. Environmental Checklist and Responses

1. **Project Title:** Duval Way, Elena Road, Padre Court, Seton Property, and Josefa Lane Water Main Improvements.
2. **Lead Agency Name and Address:** Purissima Hills Water District, 26375 Fremont Road, Los Altos Hills, CA 94022.
3. **Contact Person and Phone Number:** Phil Witt - General Manager, (650) 948-1217
4. **Project Location:** Duval Way, Elena Road, Padre Court, Seton Property, and Josefa Lane, Los Altos Hills, California.
5. **Project Sponsor's Name and Address:** Same as Lead Agency
6. **General Plan Designation:** Road right-of-way within Residential Land Use areas with portions under Open Space Conservation Overlay areas.
7. **Zoning:** N/A, and R-A (Residential-Agricultural)
8. **Description of the Project:** The proposed project consists of the installation and replacement of existing water main facilities.
9. **Surrounding Land Uses and Setting:** The proposed water main improvements will be installed in the Town of Los Altos Hills primarily within road right-of-way surrounded by single family estate residential development.
10. **Other public agencies whose approval is required:** None.
11. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?** The District has not received any request from a Native American tribe traditionally and culturally affiliated with the project area. Thus, no consultation has been conducted.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

☐	Aesthetics	☐	Greenhouse Gas Emissions	☐	Public Services
☐	Agricultural and Forestry Resources	☐	Hazards and Hazardous Materials	☐	Recreation
☐	Air Quality	☐	Hydrology/Water Quality	☐	Transportation
☒	Biological Resources	☐	Land Use/Planning	☒	Tribal Cultural Resources
☒	Cultural Resources	☐	Mineral Resources	☐	Utilities/Service Systems
☐	Energy	☐	Noise	☐	Wildfire
☐	Geology/Soils	☐	Population/Housing	☒	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 the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Phil Witt — 3/8/2022

Signature — Date

Phil Witt — General Manager

Phil Witt — General Manager

Purissima Water District

Purissima Hills Water District

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4. "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in 5. below, may be cross-referenced).

5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063(c)(3)(D)). In this case, a brief discussion should identify the following:

    a. Earlier Analysis Used. Identify and state where they are available for review.

    b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

    c. Mitigation Measures. For effects that are "Less Than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9. The explanation of each issue should identify:

    a. the significance criteria or threshold, if any, used to evaluate each question; and
    b. the mitigation measure identified, if any, to reduce the impact to less than significance.

3.1 AESTHETICS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
*Would the project:**				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☒	☐
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒
*Except as provided in Public Resources Code Section 21099				

3.1.1 Environmental Setting

The project located in the Town of Los Altos Hills. Typical development in the areas near the proposed improvements include single-family residences on large lots. Views are generally scenic in the area owing to the sparse development and abundant vegetation (landscaping and natural), and nearby hills. Most of the proposed improvements would be installed underground and not visible once installed. The only visible improvements are the replacement and installation of fire hydrants along the segments of water main to be replaced.

3.1.2 Discussion

Would the project:

a) Have a substantial adverse effect on a scenic vista?

Less than Significant Impact. For purposes of determining significance under CEQA, a scenic vista is defined as a viewpoint that provides expansive views of a highly valued landscape for the benefit of the public. Many of the roadway alignments contain scenic vistas of rolling grassy hillsides and oak woodlands. However, the proposed water mains would be installed underground in the existing roadways and would not be visible after project completion. Fire hydrants would be removed and replaced along the proposed alignments and are minor built features within neighborhood views. Construction activities would have a short-term impact on scenic vistas along the project alignment; however, such activities would not be visible over a large area because of curves in the roadway, vegetation, and varying topography along the project roads restrict views to small portions of the alignment at a time. No tree trimming is anticipated for any portion of the water main installations. All disturbed areas would be returned to pre-project

conditions following installation. Due to the short-term and small-scale nature of construction impacts to scenic vistas, this impact is considered less than significant.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact. The project alignment is not visible from an officially designated state scenic highway. The closest officially designated state scenic highway to the alignment is I-280 extending north from the Santa Clara/San Mateo County line at Alpine Road (Caltrans 2021), located over two miles northwest of the closest segments of the project (Duval Way, Josefa Lane, and Elena Road). Therefore, the project would not damage scenic resources within a state scenic highway. The segment of I-280 adjacent to Duval Way is eligible for designation as a state scenic highway, however, it does not yet have official designated status.

The Los Altos Hills General Plan considers all the Town's roads to be scenic roadways. All project elements within roadway alignments would be installed underground and thus would not damage scenic resources along the Town's roadways. Minor above ground installations include removal and replacement of fire hydrants along the proposed alignments and their placement would avoid trees, rock outcroppings and historic buildings. As stated above, all disturbed areas would be returned to pre-project conditions following water main installation. No vegetation removal and tree trimming is anticipated. Because the project does not affect scenic resources within a state scenic highway, there would be no impact.

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?

Less than Significant Impact. The proposed project would consist of installing or replacing existing infrastructure that is primarily located underground and is not visible from public views. Construction equipment would be visible for the duration of construction; however, the equipment is expected to move along the alignments as construction progresses. No tree removal is anticipated. No vegetation removal or tree trimming are anticipated. No permanent significant change or degradation of the existing visual character or quality of the site is anticipated. Therefore, the impact is considered less than significant.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

No Impact. The proposed project would not include the installation of lights or involve any night time construction.

3.1.3 References

California Department of Transportation. 2021. California State Scenic Highway System Map. Accessed on June 30 at: https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa

Los Altos Hills, Town of. 2007. Town of Los Altos Hills General Plan Update. Adopted April 26. Accessed on May 17, 2021 at http://www.losaltoshills.ca.gov/179/General-Plan,.

Los Altos Hills, Town of. Los Altos Hills GIS/Maps. Accessed on June 30, 2021 at: https://gis.lynxgis.com/Html5Viewer/Index.html?configBase=https://gis.lynxgis.com/Geocortex/Essentials/REST/sites/Los_Altos_Hills/viewers/LAHViewer/virtualdirectory/Resources/Config/Default

3.2 AGRICULTURAL AND FOREST RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:*				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒
*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.				

3.2.1 Environmental Setting

The project site is located in the Town of Los Altos Hills and the majority of project improvements would occur within existing road rights-of-way. The California Department of Conservation Farmland Mapping and Monitoring Program identifies the area as Urban and Built-up Land (California Department of Conservation 2021).

3.2.2 Discussion

Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

b) Conflict with existing zoning for agricultural use or a Williamson Act contract?

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

d) Result in the loss of forest land or conversion of forest land to non-forest use?

e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?

No Impact. (Responses a – e). There are no forest lands or agricultural lands that would be impacted by construction activities. All construction activities are confined to roadway rights-of-way and an unpaved path segment that are not in agricultural or forestry use. The project would not convert or cause the conversion of any farmland or forest land to a non-agricultural/non-forest use. The proposed project would not impact Prime Farmland, Unique Farmland, Farmland of Statewide Importance, forest land, or land under a Williamson Act contract. Thus, the project would not result in impacts to any agricultural or forestry resources.

3.2.3 References

California Department of Conservation. 2021. Santa Clara County Important Farmland 2018. Division of Land Resource Protection. June. Accessed on June 30, 2021 at https://filerequest.conservation.ca.gov/RequestFile/2834917

Town of Los Altos Hills, 2007. Los Altos Hills General Plan. Land Use Element.

3.3 AIR QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:*				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐
*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.				

3.3.1 Environmental Setting

Air quality is a function of pollutant emissions, and topographic and meteorological influences. The physical features and atmospheric conditions of a landscape interact to affect the movement and dispersion of pollutants and determine its air quality.

Federal, state, and local governments control air quality through the implementation of laws, ordinances, regulations, and standards. The federal and state governments have established ambient air quality standards for "criteria" pollutants considered harmful to the environment and public health. National Ambient Air Quality Standards (NAAQS) have been established for carbon monoxide (CO), lead (Pb), nitrogen dioxide (NO_2), ozone (O_3), fine particulate matter (particles 2.5 microns in diameter and smaller, or $PM_{2.5}$), inhalable coarse particulate matter (particles 10 microns in diameter and smaller, or PM_{10}), and sulfur dioxide (SO_2). California Ambient Air Quality Standards (CAAQS) are more stringent than the national standards for the pollutants listed above and include the following additional pollutants: hydrogen sulfide (H2S), sulfates (SO_X), and vinyl chloride. In addition to these criteria pollutants, the federal and state governments have classified certain pollutants as hazardous air pollutants (HAPs) or toxic air contaminants (TACs), such as asbestos and diesel particulate matter (DPM).

The proposed project is located in the San Francisco Bay Area Air Basin (SFBAAB), an area of non-attainment for national and state ozone, state particulate matter (PM_{10}), and national and state fine particulate matter ($PM_{2.5}$) air quality standards (BAAQMD 2017a). The Bay Area Air Quality Management District (BAAQMD) has jurisdiction over air quality in the SFBAAB.

<u>Existing Emissions Sources</u>

Motor vehicles are the primary source of air pollution in the project area; although the project alignment is in a rural residential area and the project roads do not experience high traffic volumes. Other sources of emissions in the project area include road dust, construction, and grading activities, wood-burning stoves, and fireplaces (Town of Los Altos Hills 2007).

Sensitive Receptors

Sensitive receptors along the project alignment include adjacent residences and users of pathways or roads near the alignments. Single-family residences are present at low density adjacent to all the project roads including Duval Way, Elena Road, Padre Court, and the Seton Property.

3.3.2 Regulatory Setting

In-Use Off-Road Diesel Vehicle Regulation

On July 26, 2007, CARB adopted a regulation to reduce DPM and NO_x emissions from in-use (existing) off-road heavy-duty diesel vehicles in California. Such vehicles are used in construction, mining, and industrial operations. This regulation applies to all off-road diesel vehicles over 25 horsepower (hp) used in California and most two-engine vehicles (except on-road two-engine sweepers), which are subject to the *Regulation for In-Use Off-Road Diesel Fueled Fleets (Off-Road regulation).* Additionally, vehicles that are rented or leased (rental or leased fleets) are included in this regulation.

The Off-Road regulation:

- Imposes limits on idling, requires a written idling policy, and requires a disclosure when selling vehicles;
- Requires all off-road diesel vehicles over 25-horsepower be reported to CARB (using the Diesel Off-Road Online Report System DOORs) and labeled;
- Restricts the adding of older vehicles into fleets; and,
- Requires fleets to reduce their emissions by retiring, replacing, or repowering older engines, or installing Verified Diesel Emission Control Strategies, VDECS (i.e., exhaust retrofits).

Bay Area Air Quality Management District

The BAAQMD is the agency primarily responsible for maintaining air quality and regulating emissions of criteria and toxic air pollutants within the SFBAAB. The BAAQMD carries out this responsibility by preparing, adopting, and implementing plans, regulations, and rules that are designed to achieve attainment of state and national air quality standards.

On April 19, 2017, the BAAQMD adopted the *2017 Clean Air Plan: Spare the Air, Cool the Climate* (*Clean Air Plan*), which updates the District's *2010 Clean Air Plan*, and continues to provide the framework for assuring that the NAAQS and CAAQS would be attained and maintained in the Bay Area in compliance with state and federal requirements (BAAQMD 2017c). The BAAQMD's 2017 *Clean Air Plan* is a multi-pollutant plan focused on protecting public health and the climate. Specifically, the primary goals of the 2017 Clean Air Plan are to:

- Attain all state and national quality standards;
- Eliminate disparities among Bay Area communities in cancer health risk from toxic air contaminants; and
- Reduce Bay Area Greenhouse Gas (GHG) Emissions to 40 percent below 1990 levels by 2030, and 80 percent below 1990 levels by 2050.

The *Clean Air Plan* includes 85 distinct control measures to help the region reduce air pollutants and has a long-term strategic vision which forecasts what a clean air Bay Area will look like in the year 2050. The control measures aggressively target the largest source of GHG, ozone pollutants, and particulate matter emissions – transportation. The 2017 Clean Air Plan includes more incentives for electric vehicle infrastructure, off-road electrification projects such as Caltrain and

shore power at ports, and reducing emissions from trucks, school buses, marine vessels, locomotives, and off-road equipment.

3.3.3 Discussion

Would the proposed project:

a) Conflict with or obstruct implementation of the applicable air quality plan?

No Impact. The proposed project would not conflict with nor obstruct implementation of the BAAQMD *2017 Clean Air Plan*. The *2017 Clean Air Plan* includes increases in regional construction, area, mobile, and stationary source activities, and operations in its emission inventories and plans for achieving attainment of air quality standards. Chapter 5 of the 2017 Clean Air Plan contains the BAAQMD's strategy for achieving the plan's climate and air quality goals. This control strategy is the backbone of the *2017 Clean Air Plan*.

The proposed project consists of construction activities and would not emit operational criteria air pollutants upon its completion. The control measures in the *2017 Clean Air Plan* do not apply to the proposed project and, therefore, the proposed project would not conflict with the *2017 Clean Air Plan*. No impact would occur.

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?

Less Than Significant Impact. Emissions from the proposed project are those incurred during construction only. The project is the installation of water mains which do not result in operational emissions or additional long term operational trips. The project would not require demolition activities, extensive site preparation, material transport (i.e., greater than 10,000 cubic yards of soil import/export), or the simultaneous occurrence of more than two construction phases (e.g., grading and trenching and building construction, grading and paving and trenching). The proposed project anticipates approximately 1,300 cubic yards of off-haul for trenched water main excavation spoils.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact. Sensitive residential receptors are located all around the project site. Project-related construction activities would emit $PM_{2.5}$ from equipment exhaust. Nearly all the project's $PM_{2.5}$ emissions from equipment exhaust would be diesel particulate matter (diesel PM), a TAC.

Water main installation is expected to progress at approximately 100 to 200 feet of installed water main per day. Sensitive receptors such as the neighboring residences along the water main alignment would not be exposed to substantial pollutant concentrations during construction (such as equipment and vehicle exhaust). This finding is based on the anticipated amount of equipment required for water main trenching, installation, and repaving, and taking into account that construction vehicles and equipment would remain near any one location for a relatively short time; typically from one to three days as construction progresses.

As described above, the project is below all BAAQMD construction emission thresholds and heavy-duty construction equipment would operate intermittently during the daytime along the water main alignment during weekday hours (typically 8:00 AM to 3:00 PM), installing approximately 100-200 linear feet of water main per day. The District would implement construction air quality BMPs (See Section 2.4), which requires the District's contractors to incorporate measures into the project that would reduce potential emissions of fugitive dust and limit diesel construction equipment idling to no more than five minutes. The proposed project would not result in long-term increases in operational emissions. This impact would be less than significant.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less Than Significant Impact. Construction of the project would generate typical odors associated with construction activities, such as fuel and oil odors. The odors generated by the project would be intermittent and localized in nature and would disperse quickly. There are no other anticipated emissions. Therefore, the project would not create emissions or odors that adversely affect a substantial number of people. This impact would be less than significant.

3.3.4 References

Bay Area Air Quality Management District (BAAQMD) 2017a. "Air Quality Standards and Attainment Status". BAAQMD, Research & Data, Air Quality Standards & Attainment Status. January 5, 2017. Accessed on October 3, 2017 at http://www.baaqmd.gov/research-and-data/air-quality-standards-and-attainment-status.

2017b. Current Rules. BAAQMD. Accessed on December 12, 2017 at http://www.baaqmd.gov/rules-and-compliance/current-rules.

2017c. 2017 Clean Air Plan: Spare the Air, Cool the Climate. BAAQMD, Planning, Rules, and Research Division. April 19, 2017.

2017d. California Environmental Quality Act Air Quality Guidelines. San Francisco, CA. June 2010, updated May 2017.

Town of Los Altos Hills. 2009. General Plan Conservation Element. Adopted April 26, 2007. Accessed on July 16, 2021 at https://www.losaltoshills.ca.gov/DocumentCenter/View/151/General-Plan---4-Conservation-PDF

3.4 BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☒	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☒	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

3.4.1 Environmental Setting

The project site is in the Town of Los Altos Hills along Duval Way, Elena Road, Padre Court, and the Seton property. The site is generally located south of I-280 and north and west of Foothill College in a rural residential neighborhood consisting of single-family homes on large lots. The proposed project will replace approximately 4,400 linear feet of existing deteriorating water mains within existing paved road right-of-way. The project site is located within the *Mindego Hill*, California 7.5-minute USGS quadrangle.

The project site includes sections of Elena Road, Duval Way, Josefa Lane, and Padre Court, which are all within and surrounded by rural residential areas. The project site within the Seton property is also within a rural residential area, but portions of the site are bordered by oak woodlands. There are several aquatic features near the project site including Purisima Creek, which is adjacent to the project site at Elena Road and along Josefa Lane. An ephemeral drainage, which is likely part of the stormwater system for the property, runs parallel and is

adjacent to project site in the Seton property, and approximately 245 feet northeast of the project site on the Seton property there is large man-made pond (Figure 3 Project Site). No work is expected to occur in the oak woodlands and no trees are expected to be removed for the project.

Existing Land Cover Types, Vegetation Communities, and Habitats

A reconnaissance-level field survey, conducted by MIG senior biologist David Gallagher, M.S. and Alex Broskoff, B.S on July 13, 2021 and on January 5, 2022 by Mr. Gallagher identified three land cover types, vegetation communities, and habitats within and adjacent to the project site: (1) rural-residential; (2) Coast Live Oak Woodland and Forest Alliance (Quercus agrifolia Association); and (3) Mixed Oak Forest and Woodland Alliance (Quercus agrifolia – Quercus lobata Association). Existing land uses, vegetation communities, and habitats within and adjacent to the project site are described below and their distribution is depicted in Figure 3 Project Site. Where applicable, vegetation communities were mapped using CDFW's Vegetation Classification and Mapping Program's (VegCAMP) currently accepted list of vegetation alliances and associations.

Rural Residential

The rural residential land cover within the project site consists of developed land cover (e.g., roads, houses, and buildings) along with landscaped areas, including lawns. The project site also includes ornamental woodland (i.e., trees and shrubs planted as part of landscaping) within the rural residential areas (Photo 1). Trees observed included coast redwood *(Sequoia sempervirens)*, Monterey pine *(Pinus radiata)*, plum *(Prunus spp.)*, Deodar cedar *(Cedrus deodara)*, California buckeye *(Aesculus californica)*, California fan palm *(Washingtonia filifera)*, and elm *(Ulmus spp.).* There were also a few scattered coast live oaks *(Quercus agrifolia)* and California buckeyes within the ornamental woodland. The understory is regularly mowed and landscaped.

The wildlife most often associated with developed and landscaped areas are those that are tolerant of periodic human disturbances, including introduced species such as the European starling *(Sturnus vulgaris)*, rock pigeon *(Columba livia)*, eastern gray squirrel *(Sciurus carolinensis)*, house mouse *(Mus musculus)*, and Norway rat *(Rattus norvegicus)*. Numerous common, native species are also able to utilize these habitats, especially the buildings and landscaped areas, including the western fence lizard *(Sceloporus occidentalis),* striped skunk *(Mephitis mephitis)*, and a variety of birds, including Anna's hummingbird *(Calypte anna)*, American crow *(Corvus brachyrhynchos)*, bushtit *(Psaltriparus minimus)*, black phoebe *(Sayornis nigricans)*, Bewick's wren *(Thryomanes bewickii)*, and mourning dove *(Zenaida macroura)*. In addition, the mature trees provide potential nesting habitat for raptors such as the Cooper's hawk *(Accipiter cooperii)*. Wildlife may also move through rural residential areas en route to other habitats.

Coast Live Oak Woodland and Forest Alliance (Quercus agrifolia Association) and Mixed Oak Forest and Woodland Alliance (Quercus lobata - Quercus agrifolia Association)

The *Coast Live Oak Woodland and Forest Alliance* vegetation community occurs within the Seton property, adjacent to the project site and along Josefa Lane. The vegetation is dominated by mature coast live oak trees. Other trees present included California buckeye, California bay *(Umbellularia californica)*, and toyon *(Heteromeles arbutifolia)*. The canopy is continuous and connects to the ornamental woodland land cover. The understory is limited due to regular landscaping, including mowing, which precludes the establishment of native species.

The *Mixed Oak Forest and Woodland Alliance* also occurs within the Seton property and is adjacent to the project site (Photo 2). An ephemeral drainage flows through the mixed oak woodland (Photo 3). No riparian vegetation was observed along the drainage. The vegetation is co-dominated by a mature valley oak *(Quercus lobata)* and coast live oak. The sparse understory consists of California blackberry *(Rubus ursinus)* and poison oak *(Toxicodendron diversilobum).* The lack of understory is a result of routine landscape maintenance.

Woodlands dominated by oaks typically support diverse animal communities in California. Coast live oaks provide abundant food resources, including acorns and invertebrates, as well as substantial shelter for animals in the form of cavities, crevices in bark, and complex branching growth. The oak woodland in the project site is limited in extent and surrounded by rural residential development, and therefore does not support large numbers of woodland-associated species. Nevertheless, a variety of common wildlife species are expected to occur here. Leaf litter and fallen logs may provide cover and foraging habitat for California slender salamander *(Batrachoseps attenuatus)*, western fence lizard, and the San Francisco alligator lizard *(Elgaria coerulea coerulea)*. The trees and shrubs may provide habitat for breeding birds such as the Bewick's wren, chestnut-backed chickadee *(Poecile rufescens),* Anna's hummingbird, dark-eyed junco *(Junco hyemalis)*, California scrub-jay *(Aphelocoma californica),* oak titmouse *(Baeolophus inornatus)*, Hutton's vireo *(Vireo huttoni)*, spotted towhee *(Pipilo maculatus)*, and western screech-owl *(Megascops kennicottii)*, as well as wintering birds including the hermit thrush *(Catharus guttatus)*, ruby-crowned kinglet *(Regulus calendula)*, and Townsend's warbler *(Setophaga townsendi)*. Mammals, including the native raccoon *(Procyon lotor)* and black-tail deer *(Odocoileus hemionus columbianus)*, as well as the nonnative eastern gray squirrel, and eastern fox squirrel *(Sciurus niger)* may occur in the coast live oak woodland.

Also, several San Francisco dusky-footed woodrat *(Neotoma fuscipes annecten)* houses were observed in the *Mixed Oak Forest and Woodland Alliance* (Figure 3 Project Site). San Francisco dusky-footed woodrat is a California Species of Special Concern (See Section 3.1 below).

Purisima Creek

Purisima Creek is a 2-mile-long eastward-flowing intermittent stream originating in Los Altos Hills and is a tributary of Adobe Creek (Photo 4). Mixed riparian forest and woodland vegetation is present along both banks including coast live oak, California buckeye, valley oak, Arroyo willow *(Salix lasiolepis)*, poison oak, and black walnut *(Juglans nigra).* At the time of the field visit in July 2021, Purisima Creek was dry; and at the time of the field visit in January 2022, Purisima Creek was flowing.

Mixed riparian forest and woodland habitats in California generally support rich animal communities and contribute disproportionately to landscape-level species diversity. The presence of water during a portion of the year and abundant invertebrate fauna provides foraging opportunities for many animal species, and the diverse habitat structure provides cover and breeding opportunities. As a result, the mixed riparian forest and woodland habitat along Purisima Creek provides cover and foraging habitat for a wide variety of terrestrial vertebrates (e.g., amphibians, reptiles, and mammals), as well as several guilds of birds, including insectivores (e.g., warblers, flycatchers), seedeaters (e.g., finches), and raptors. Cavity-nesting birds (e.g., swallows and woodpeckers) may nest in the large sycamores in this habitat type.

Several species of amphibians and reptiles occur in the mixed riparian forest and woodland habitats. Leaf litter, downed tree branches, low-growing forbs, and fallen logs provide cover for the ensatina *(Ensatina eschscholtzii),* California newt *(Taricha torosa),* western toad *(Anaxyrus boreas*)*,* and Pacific chorus frog *(Pseudacris regilla)*. Reptile species found in this habitat include the western fence lizard, western skink *(Eumeces skiltonianus)*, San Francisco alligator lizard,

and ringneck snake *(Diadophis punctatus)* among others. Among the species of birds that use the mixed riparian forest and woodland habitat on the site for breeding are the Pacific-slope flycatcher *(Empidonax difficilis)*, California scrub-jay, and bushtit. Trees in this habitat provide limited nesting opportunities for smaller raptors, such as the Cooper's hawk and red-shouldered hawk *(Buteo lineatus)*.

Small mammals, such as the ornate shrew *(Sorex ornatus)* and broad-footed mole *(Scapanus latimanus)*, use the mixed riparian forest and woodland for breeding and foraging. Medium-sized mammals such as the raccoon, striped skunk, and nonnative Virginia opossum *(Didelphis virginiana)* are also likely present. in this habitat. Black-tail deer are common in the surrounding habitats and use mixed riparian forest and woodland areas for access to water and foraging. Several species of bats, including the Yuma myotis *(Myotis yumanensis)* and Mexican free-tailed bat *(Tadarida brasiliensis)*, forage over mixed riparian forest and woodland habitats.

Special-Status Species and Sensitive Habitats

California Red-legged Frog (Rana draytonii). The California red-legged frog has a Federal status of Threatened, and a State status of Species of Special Concern. It was federally listed as threatened in June 1996 (USFWS 1996) based largely on a significant range reduction and continued threats to surviving populations. Critical habitat was most recently designated in March 2010 (USFWS 2010). Designated critical habitat is not present in the project site. The historical distribution of the California red-legged frog extended from the city of Redding in the Central Valley and Point Reyes National Seashore along the coast, south to Baja California, Mexico. The species' current distribution includes isolated locations in the Sierra Nevada and the San Francisco Bay area, and along the central coast (USFWS 2002).

The California red-legged frog inhabits freshwater pools, streams, and ponds throughout the Central California Coast Range and isolated portions of the western slope of the Sierra Nevada (Fellers 2005). Its preferred breeding habitat consists of deep perennial pools with emergent vegetation for attaching egg clusters (Fellers 2005), as well as shallow benches to act as nurseries for juveniles (Jennings and Hayes 1994). However, red-legged frogs will also breed in small, shallow pools as well as intermittent streams. Non-breeding frogs may be found adjacent to streams and ponds and may travel up to two miles from their breeding locations across a variety of upland habitats to other suitable non-breeding habitats (Bulger et al. 2003; Fellers and Kleeman 2007). However, the distance moved is highly site-dependent and is influenced by the local landscape (Fellers and Kleeman 2007). California red-legged frogs generally disperse during the wet season from mid-October to mid-April.

No suitable aquatic or upland breeding habitat is present in the project site. However, Purisima Creek ostensibly provides foraging and dispersal habitat for red-legged frog, especially in the wet season when the creek is flowing. However, red-legged frogs are likely absent from Purisima Creek due to the lack of habitat connectivity with known populations of red-legged frog. Additionally, the man-made pond on the Seton property ostensibly provides suitable breeding, foraging, and refugia habitat for red-legged frog due to the presence of emergent wetland vegetation and permanent water source. However, the red-legged frog is not expected to occur in the pond due to the lack of habitat connectivity with known populations of red-legged frog, likely presence of fish in the pond, and routine landscaping that likely removes emergent and upland vegetation. The closest populations of California red-legged frogs are known in San Francisquito Creek below Searsville Dam, approximately 3.5 miles from the project site (CNDDB 2021). Furthermore, there are no documented occurrences of red-legged frog in Adobe Creek or Purisima Creek (CNDDB 2021). Therefore, due the lack of occurrences within two miles of the project site and no habitat connectivity to the closest, known populations, California red-legged

frog is not expected to occur in Purisima Creek or the upland areas adjacent to the creek including the project site at Elena Road, or in the man-made pond on the Seton property.

Western Pond Turtle (Actinemys marmorata). The western pond turtle has no Federal status and a State status of Species of Special Concern. The western pond turtle occurs in ponds, streams, and other wetland habitats in the Pacific slope drainages of California (Bury and Germano 2008). Ponds or slack-water pools with suitable basking sites (such as logs) are an important habitat component for this species, and western pond turtles do not occur commonly along high-gradient streams. Females lay eggs in upland habitats, in clay or silty soils in unshaded areas. Juveniles occur in shallow aquatic habitats with emergent vegetation and ample invertebrate prey. Nesting habitat is typically found within 600 feet of aquatic habitat (Jennings and Hayes 1994), but if no suitable nesting habitat can be found close by, adults may travel overland considerable distances to nest.

Although no suitable aquatic or upland breeding habitat is present in the project site, western pond turtles may use Purisima Creek for foraging and dispersal, especially in the wet season when the creek is flowing. However, pond turtles are likely not present in Purisima Creek when it is dry since a permanent water source is typically required for long-term persistence of western pond turtle. Furthermore, due to the developed and disturbed nature of the surrounding rural residential land cover, western pond turtle is not expected to occur in the upland areas adjacent to the creek, including the project site at Elena Road. The closest documented occurrence of western pond turtle is from San Francisquito Creek, approximately 2.5 miles to the north of the project site (CNDDB 2021). There are no documented occurrences of western pond turtle in Adobe Creek or Purisima Creek and western pond turtle was not observed during the field survey (CNDDB 2021). Therefore, based on the lack of documented occurrences in Purisima Creek and Adobe Creek, and the lack of suitable upland and aquatic habitat in the project site, western pond turtle is not expected to be present in the project site.

San Francisco Dusky-footed Woodrat (Neotoma fuscipes annectens). The San Francisco dusky-footed woodrat has no Federal status, and a State status of Species of Special Concern. The San Francisco dusky-footed woodrat occurs in a variety of woodland and scrub habitats throughout San Mateo County and the adjacent Central Coast Range, south to the Pajaro River in Monterey County (Hall 1981, Zeiner et al. 1990). San Francisco dusky-footed woodrats prefer riparian and oak woodland forests with dense understory cover, or thick chaparral habitat, and build large, complex houses of sticks and other woody debris, which may be maintained by a series of occupants for several generations (Carraway and Verts 1991; Lee and Tietje 2005). Also, they will often build stick houses in the canopy of trees. Woodrats also use human-made structures, and can nest in electrical boxes, sheds, pipes, abandoned vehicles, wooden pallets, and portable storage containers. The breeding season for dusky-footed woodrat begins in February and sometimes continues through September, with females bearing a single brood of one to four young per year (Carraway and Verts 1991).

San Francisco dusky-footed woodrat is present within the *Mixed Oak Forest and Woodland Alliance* adjacent to the project site on the Seton property; and in the *Coast Live Oak Woodland and Forest Alliance* along Josefa Lane. A total of five dusky-footed woodrat arboreal and terrestrial houses were mapped in the *Mixed Oak Forest and Woodland Alliance* in the Seton property; and nine dusky-footed woodrat terrestrial houses were mapped in the *Coast Live Oak Woodland and Forest Alliance* along Josefa Lane. In the Seton property, the closest woodrat house to the project site is approximately 20 feet. Along Josefa Lane, the closest woodrat house to the road is approximately 10 feet (Figure 3 Project Site).

Nesting Birds. Nesting birds may occur in trees and buildings adjacent to the project site. All migratory bird species are protected under California Fish and Game code.

Special-Status Plants

Because the project site is entirely developed with paved roads, special-status plants are not expected to occur in the project site. Additionally, no special-status plants are expected to occur in adjacent areas within the rural residential, *Coast Live Oak Woodland and Forest Alliance*, or *Mixed Oak Forest and Woodland Alliance* due to regular landscaping of the understory, including mowing.

Sensitive and Regulated Plant Communities and Habitats

There are no sensitive vegetation communities within the project site. However, riparian habitat is present along Purisima Creek, which is adjacent to the project site at Elena Road. Also, Purisima Creek and the ephemeral drainage ditch on the Seton property meet the definitions of waters of the U.S. and/or State.

CDFW Stream/Riparian Habitat. As described above under Regulatory Setting, the California Fish and Game Code includes regulations governing the use of, or impacts to, many of the state's fish, wildlife, and sensitive habitats, including the bed and banks of rivers, lakes, and streams. Purisima Creek and its associated riparian habitat is subject to CDFW jurisdiction under Section 1600 et seq. of State Fish and Game Code.

Waters of the U.S./State. Purisima Creek meets the definition of waters of the U.S. and State. The ephemeral drainage ditch does not meet the definition of waters of the U.S. since it only conveys ephemeral flows. However, the drainage ditch meets the definition of waters of the State and any impacts to verified waters of the State would be subject to jurisdiction by the RWQCB under the Porter-Cologne Water Quality Control Act. Additionally, the RWQCB would also consider the riparian habitat above the OHWM of the Purisima Creek as waters of the State.

Wildlife Corridors

Wildlife corridors are segments of land that provide a link between these different habitats while also providing cover. Development that fragments natural habitats (i.e., breaks them into smaller, disjunct pieces) can have a twofold impact on wildlife: first, as habitat patches become smaller, they are unable to support as many individuals (patch size); and second, the area between habitat patches may be unsuitable for wildlife species to traverse (connectivity).

The project site is situated in a mixed suburban and rural residential area with nearby open space area in the Santa Cruz Mountains. Due to habitat fragmentation in the project region, the vegetation communities along streams, including Purisima Creek often function as environmental corridors that allow animals to move among habitat patches. Because the project area is in a rural residential area, other natural habitats (e.g., coast live oak woodland) in the project site also likely function as pathways for terrestrial wildlife movement for wildlife skirting nearby urban development. Since the project area, especially the Seton property, is close to open space areas, wildlife may also forage in the project area due to its rural residential setting.

3.4.2 Regulatory Setting

Federal Regulations

Federal Endangered Species Act

The Federal Endangered Species Act (FESA) of 1973, as amended, provides the regulatory framework for the protection of plant and animal species (and their associated critical habitats), which are formally listed, proposed for listing, or candidates for listing as endangered or threatened under FESA. FESA has the following four primary components: (1) provisions for

listing species; (2) requirements for consultation with the United States Fish and Wildlife Service (USFWS) and the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NOAA Fisheries); (3) prohibitions against "taking" (i.e., harassing, harming, hunting, shooting, wounding, killing, trapping, capturing, or collecting, or attempting to engage in any such conduct) of listed species; and (4) provisions for permits that allow incidental "take". FESA also discusses recovery plans and the designation of critical habitat for listed species.

Both the USFWS and NOAA Fisheries share the responsibility for administration of FESA. Section 7 requires federal agencies, in consultation with, and with the assistance of the USFWS or NOAA Fisheries, as appropriate, to ensure that actions they authorize, fund, or carry out are not likely to jeopardize the continued existence of threatened or endangered species or result in the destruction or adverse modification of critical habitat for these species. Non-federal agencies and private entities can seek authorization for take of federally listed species under Section 10 of FESA, which requires the preparation of a habitat conservation plan.

U.S. Migratory Bird Treaty Act

The U.S. Migratory Bird Treaty Act (MBTA; 16 USC §§ 703 et seq., Title 50 Code of Federal Regulations [CFR] Part 10) states it is "unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, kill; attempt to take, capture or kill; possess, offer for sale, sell, offer to barter, barter, offer to purchase, purchase, deliver for shipment, ship, export, import, cause to be shipped, exported, or imported, deliver for transportation, transport or cause to be transported, carry or cause to be carried, or receive for shipment, transportation, carriage, or export any migratory bird, any part, nest, or egg of any such bird, or any product, whether or not manufactured, which consists, or is composed in whole or in part, of any such bird or any part, nest or egg thereof…" In short, under MBTA it is illegal to disturb a nest that is in active use, since this could result in killing a bird, destroying a nest, or destroying an egg. The USFWS enforces MBTA. The MBTA does not protect some birds that are non-native or human-introduced or that belong to families that are not covered by any of the conventions implemented by MBTA. In 2017, the USFWS issued a memorandum stating that the MBTA does not prohibit incidental take; therefore, the MBTA is currently limited to purposeful actions, such as directly and knowingly removing a nest to construct a project, hunting, and poaching.

Clean Water Act

The Clean Water Act (CWA) is the primary federal law regulating water quality. The implementation of the CWA is the responsibility of the U.S. Environmental Protection Agency (EPA). However, the EPA depends on other agencies, such as the individual states and the U.S. Army Corps of Engineers (USACE), to assist in implementing the CWA. The objective of the CWA is to "restore and maintain the chemical, physical, and biological integrity of the Nation's waters." Section 404 and 401 of the CWA apply to activities that would impact waters of the U.S. The USACE enforces Section 404 of the CWA, and the California State Water Resources Control Board enforces Section 401.

Section 404

As part of its mandate under Section 404 of the CWA, the EPA regulates the discharge of dredged or fill material into "waters of the United States" (U.S.). "Waters of the U.S." include territorial seas, tidal waters, and non-tidal waters in addition to wetlands and drainages that support wetland vegetation, exhibit ponding or scouring, show obvious signs of channeling, or have discernible banks and high-water marks. Wetlands are defined as those areas "that are inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions" (33 CFR 328.3(b)). The discharge of dredged or fill material into waters of the U.S. is prohibited under the CWA except when in compliance with Section 404 of the CWA. Enforcement authority for Section 404 was given to the USACE, which it accomplishes under its

regulatory branch. The EPA has veto authority over the USACE's administration of the Section 404 program and may override a USACE decision with respect to permitting.

Substantial impacts to waters of the U.S. may require an Individual Permit. Projects that only minimally affect waters of the U.S. may meet the conditions of one of the existing Nationwide Permits, provided that such permits' other respective conditions are satisfied. A Water Quality Certification or waiver pursuant to Section 401 of the CWA is required for Section 404 permit actions (see below).

Section 401

Any applicant for a federal permit to impact waters of the U.S. under Section 404 of the CWA, including Nationwide Permits where pre-construction notification is required, must also provide to the USACE a certification or waiver from the State of California. The "401 Certification" is provided by the State Water Resources Control Board through the local Regional Water Quality Control Board (RWQCB).

The RWQCB issues and enforces permits for discharge of treated water, landfills, storm-water runoff, filling of any surface waters or wetlands, dredging, agricultural activities and wastewater recycling. The RWQCB recommends the "401 Certification" application be made at the same time that any applications are provided to other agencies, such as the USACE, USFWS, or NOAA Fisheries. The application is not final until completion of environmental review under CEQA. The application to the RWQCB is similar to the pre-construction notification that is required by the USACE. It must include a description of the habitat that is being impacted, a description of how the impact is proposed to be minimized and proposed mitigation measures with goals, schedules, and performance standards. Mitigation must include a replacement of functions and values, and replacement of wetland at a minimum ratio of 2:1, or twice as many acres of wetlands provided as are removed. The RWQCB looks for mitigation that is on site and in-kind, with functions and values as good as or better than the water-based habitat that is being removed.

State

California Environmental Quality Act (CEQA)

CEQA (Public Resources Code Sections 21000 et. seq.) requires public agencies to review activities which may affect the quality of the environment so that consideration is given to preventing damage to the environment. When a lead agency issues a permit for development that could affect the environment, it must disclose the potential environmental effects of the project. This is done with an "Initial Study and Negative Declaration" (or Mitigated Negative Declaration) or with an "Environmental Impact Report". Certain classes of projects are exempt from detailed analysis under CEQA if they meet specific criteria and are eligible for a Categorical Exemption.

CEQA Guidelines Section 15380 defines endangered, threatened, and rare species for purposes of CEQA and clarifies that CEQA review extends to other species that are not formally listed under the state or federal Endangered Species acts but that meet specified criteria. The state maintains a list of sensitive, or "special-status", biological resources, including those listed by the state or federal government or the California Native Plant Society (CNPS) as endangered, threatened, rare or of special concern due to declining populations. During CEQA analysis for a proposed project, the California Natural Diversity Data Base (CNDDB) is usually consulted. CNDDB relies on information provided by the California Department of Fish and Wildlife (CDFW), USFWS, and CNPS, among others. Under CEQA, the lists kept by these and any other widely recognized organizations are considered when determining the impact of a project.

California Endangered Species Act

The California Endangered Species Act (CESA; Fish and Game Code 2050 et seq.) generally parallels FESA. It establishes the policy of the State to conserve, protect, restore, and enhance threatened or endangered species and their habitats. Section 2080 of the California Fish and

Game Code prohibits the take, possession, purchase, sale, and import or export of endangered, threatened, or candidate species, unless otherwise authorized by permit or by the regulations. "Take" is defined in Section 86 of the California Fish and Game Code as to "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." This definition differs from the definition of "take" under FESA. CESA is administered by CDFW. CESA allows for take incidental to otherwise lawful projects but mandates that State lead agencies consult with the CDFW to ensure that a project would not jeopardize the continued existence of threatened or endangered species.

Native Plant Protection Act

The Native Plant Protection Act (NPPA) was created in 1977 with the intent to preserve, protect, and enhance rare and endangered plants in California (California Fish and Game Code sections 1900 to 1913). The NPPA is administered by CDFW, which has the authority to designate native plants as endangered or rare and to protect them from "take." CDFW maintains a list of plant species that have been officially classified as endangered, threatened, or rare. These special-status plants have special protection under California law and projects that directly impact them may not qualify for a categorical exemption under CEQA guidelines.

Fully Protected Species and Species of Special Concern

The classification of California fully protected (CFP) species was the CDFW's initial effort to identify and provide additional protection to those animals that were rare or faced possible extinction. Lists were created for fish, amphibians and reptiles, birds, and mammals. Most of the species on these lists have subsequently been listed under CESA and/or FESA. The Fish and Game Code sections (§5515 for fish, §5050 for amphibian and reptiles, §3511 for birds, §4700 for mammals) deal with CFP species and state that these species "…may not be taken or possessed at any time and no provision of this code or any other law shall be construed to authorize the issuance of permits or licenses to take any fully protected species" (CDFW Fish and Game Commission 1998). "Take" of these species may be authorized for necessary scientific research. This language makes the CFP designation the strongest and most restrictive regarding the "take" of these species. In 2003, the code sections dealing with CFP species were amended to allow the CDFW to authorize take resulting from recovery activities for state-listed species.

California species of special concern (CSSC) are broadly defined as animals not listed under FESA or CESA, but which are nonetheless of concern to CDFW because they are declining at a rate that could result in listing, or historically occurred in low numbers and known threats to their persistence currently exist. This designation is intended to result in special consideration for these animals by CDFW, land managers, consulting biologists, and others, and is intended to focus attention on the species to help avert the need for costly listing under FESA and CESA, and cumbersome recovery efforts that might ultimately be required. This designation also is intended to stimulate collection of additional information on the biology, distribution, and status of poorly known at-risk species, and focus research and management attention on them. Although these species generally have no special legal status, they are given special consideration under CEQA during project review.

California Migratory Bird Protection Act

Fish & Game Code section 3513 states that federal authorization of take or possession is no longer lawful under the state Fish & Game Code if the federal rules or regulations are inconsistent with state law. The California Migratory Bird Protection Act (MBPA) was passed in September 2019 to provide a level of protection to migratory birds in California consistent with the U.S. MBTA prior to the 2017 rule change limiting protection of migratory birds under the U.S. MBTA to purposeful actions (i.e., directly and knowingly removing a nest to construct a project, hunting, and poaching). Thus, under the MBPA, protections for migratory birds in California are consistent with rules and regulations adopted by the United States Secretary of the Interior under the U.S.

MBTA before January 1, 2017. The MBPA reverts to existing provisions of the U.S. MBTA on January 20, 2025.

Nesting Birds

Nesting birds, including raptors, are protected under California Fish and Game Code Section 3503, which reads, "It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto." In addition, under California Fish and Game Code Section 3503.5, "it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto". Passerines and non-passerine land birds are further protected under California Fish and Game Code 3513. As such, CDFW typically recommends surveys for nesting birds that could potentially be directly (e.g., actual removal of trees/vegetation) or indirectly (e.g., noise disturbance) impacted by project-related activities. Disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered "take" by CDFW.

Non-Game Mammals

Sections 4150-4155 of the California Fish and Game Code protects non-game mammals, including bats. Section 4150 states "A mammal occurring naturally in California that is not a game mammal, fully protected mammal, or fur-bearing mammal is a nongame mammal. A non-game mammal may not be taken or possessed except as provided in this code or in accordance with regulations adopted by the commission". The non-game mammals that may be taken or possessed are primarily those that cause crop or property damage. Bats are classified as a non-game mammal and are protected under California Fish and Game Code, in addition to being protected if they are a listed species (e.g., CSSC, CFP, state or federal threatened, or state or federal endangered).

Sensitive Vegetation Communities

Sensitive vegetation communities are natural communities and habitats that are either unique in constituent components, of relatively limited distribution in the region, or are of particularly high wildlife value. These communities may or may not necessarily contain special-status species. Sensitive natural communities are usually identified in local or regional plans, policies, or regulations, or by the CDFW (i.e., CNDDB) or the USFWS. The CNDDB identifies a number of natural communities as rare, which are given the highest inventory priority (Holland 1986; CDFW 2016). Impacts to sensitive natural communities and habitats must be considered and evaluated under CEQA (CCR: Title 14, Div. 6, Chap. 3, Appendix G).

Porter-Cologne Water Quality Control Act

The intent of the Porter-Cologne Water Quality Control Act (Porter-Cologne) is to protect water quality and the beneficial uses of water, and it applies to both surface and ground water. Under this law, the State Water Resources Control Board develops statewide water quality plans, and the RWQCBs develop basin plans, which identify beneficial uses, water quality objectives, and implementation plans. The RWQCBs have the primary responsibility to implement the provisions of both statewide and basin plans. Waters regulated under Porter-Cologne, referred to as "waters of the State," include isolated waters that are not regulated by the USACE. Projects that require a USACE permit, or fall under other federal jurisdiction, and have the potential to impact waters of the State are required to comply with the terms of the Water Quality Certification Program. If a proposed project does not require a federal license or permit, any person discharging, or proposing to discharge, waste (e.g., soil) to waters of the State must file a Notice of Intent (NOI) or a Report of Waste Discharge and receive either waste discharge requirements (WDRs) or a waiver to WDRs before beginning the discharge.

State and Local Requirements to Control Construction-Phase and Post-Construction Water Quality Impacts

Construction Phase. The CWA has nationally regulated the discharge of pollutants to the waters of the U.S. from any point source since 1972. In 1987, amendments to the CWA added Section 402(p), which established a framework for regulating nonpoint source storm water discharges under the National Pollutant Discharge Elimination System (NPDES). The NPDES is a permitting system for the discharge of any pollutant (except for dredge or fill material) into waters of the U.S. In California, this permit program is administered by the RWQCBs. The NPDES General Construction Permit requirements apply to clearing, grading, and disturbances to the ground such as excavation. Construction activities on one or more acres are subject to a series of permitting requirements contained in the NPDES General Construction Permit. This permit requires the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) that includes Best Management Practices (BMPs) to be implemented during project construction. The project sponsor is also required to submit a Notice of Intent (NOI) with the State Water Resources Control Board Division of Water Quality. The NOI includes general information on the types of construction activities that would occur on the site.

Local

Los Altos Hills Municipal Code – Tree Removal Permit

Heritage Oaks are designated as protected trees in Los Altos Hills and require a permit to remove. Any work or action that damages or causes a Heritage Oak tree to die is expressly prohibited. A Tree Removal Permit is not required to remove any other species of tree. A Heritage Oak tree is any tree of the genus quercus, including, but not limited to, Valley Oak *(Quercus lobata)*, California Live Oak *(Quercus agrifolia)*, Black Oak *(Quercus kelloggii)* and Blue Oak *(Quercus douglasii)* that has a trunk or multiple trunk 36 inches in circumference (approximately 12 inches in diameter) at a point four feet above the root crown.

3.4.3 Discussion

Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Less than Significant with Mitigation.

San Francisco Dusky-footed Woodrat. San Francisco dusky-footed woodrats are present within the *Mixed Oak Forest and Woodland Alliance* in the Seton Property and the *Coast Live Oak Woodland and Forest Alliance* along Josefa Lane. Construction activities could result in injury or mortality of dusky-footed woodrats from disturbance of their woodrat houses due to construction, staging, project vehicle traffic, and equipment use. Heavy ground disturbance, noise, and vibrations caused by construction activities could potentially cause woodrats to abandon their nests, possibly leading to abandonment of young as well.

Impact BIO-1: Construction activities may impact San Francisco dusky-footed woodrats in the Seton Property and along Josefa Lane, both adjacent to the project site.

Measure BIO-1: **Pre-Construction Survey.** Prior to work in areas adjacent to the *Mixed Oak Forest and Woodland Alliance* in the Seton Property and the *Coast Live Oak Woodland and Forest Alliance* along Josefa Lane, a qualified biologist will conduct a preconstruction survey for San Francisco dusky-footed woodrat houses no less than 14 days before to the start of construction activities.

Avoidance. To the extent feasible, impacts to woodrat houses shall be avoided by maintaining a minimum 25-foot buffer between project activities and houses. The buffer(s) shall be mapped for reference by construction personnel and marked in the field with flagging by a qualified biologist prior to the start of construction activities. If a 25-foot buffer is not feasible, a bio-monitor (qualified biologist) shall be present during construction activities to monitor the woodrat house.

Effectiveness: This measure would prevent impacts to San Francisco dusky-footed woodrats.

Implementation: The District shall implement this measure with a qualified biologist.

Timing: During construction activities that occur within 25 feet of a San Francisco dusky-footed woodrat house.

Monitoring: The District and a qualified biologist.

Birds. Nesting birds, including raptors, protected under the MBTA and California Fish and Game Code are potentially present in the trees and shrubs in the project area. Birds nesting in the rural residential areas within and adjacent to the project site are expected to be acclimated to high levels of disturbance and it is likely that construction activities will not disturb these birds. However, birds nesting in the Coast Live Oak Woodland and Forest Alliance and Mixed Oak Forest and Woodland Alliance vegetation communities adjacent to the project site may be more prone to disturbance. If construction activities in this area occur during the avian breeding season (February 1 to September 15), injury to individuals or nest abandonment could occur. Noise and increased construction activity could temporarily disturb nesting or foraging activities, potentially resulting in the abandonment of nest sites. However, with the implementation of mitigation measure BIO-2, the impacts from the project would be less than significant.

Impact BIO-2: Project activities adjacent to the *Coast Live Oak Woodland and Forest Alliance* along Josefa Lane and the *Mixed Oak Forest and Woodland Alliance* within the Seton Property could impact nesting birds if project activities take place during the nesting season.

Measure BIO-2**:** To avoid impacts to nesting birds adjacent to the *Coast Live Oak Woodland and Forest Alliance* along Josefa Lane and the *Mixed Oak Forest and Woodland Alliance* within the Seton Property and avoid potential violation of state and federal laws pertaining to birds, all construction-related activities (including but not limited to mobilization and staging, clearing, grubbing, vegetation removal, fence installation, demolition, and grading) should occur outside the avian nesting season (that is, prior to February 1 or after September 15). If construction and construction noise occurs within the avian nesting season (from February 1 to September 15), all suitable habitats located within the project's area of disturbance including staging and storage areas plus a 250-foot (passerines) and 1,000-foot (raptor nests) buffer around these areas shall be thoroughly surveyed, as feasible, for the presence of active nests by a qualified biologist no more than five days before commencement of any site disturbance activities and equipment mobilization. If project activities are delayed by more than five days, an additional nesting bird survey shall be performed. Active nesting is present if a bird is building a nest, sitting in a nest, a nest has eggs or chicks in it, or adults are observed carrying food to the nest. The results of the surveys shall be documented.

If pre-construction nesting bird surveys result in the location of active nests, no site disturbance and mobilization of heavy equipment (including but not limited to equipment staging, fence installation, clearing, grubbing, vegetation removal, fence installation,

demolition, and grading), shall take place within 250 feet of non-raptor nests and 1,000 feet of raptor nests, or as determined by a qualified biologist until the chicks have fledged. Monitoring shall be required to ensure compliance with Migratory Bird Treaty Act (MBTA) and relevant California Fish and Game Code requirements. Monitoring dates and findings shall be documented.

Effectiveness: This measure would prevent impacts to nesting birds.

Implementation: The District shall implement this measure with a qualified biologist.

Timing: Prior to, and within 5 days initial ground disturbance including vegetation removal, grubbing, grading, installation of fencing, and construction by a qualified biologist.

Monitoring: The District and a qualified biologist.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or US Fish and Wildlife Service?

No Impact. The project will not impact on riparian habitat or any other sensitive natural community.

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?

Less Than Significant Impact. No work will take place in jurisdictional waters. However, Purisima Creek adjacent to Josefa Lane and the ephemeral drainage on the Seton property could be indirectly affected by project activities. Specifically, construction activities could indirectly cause the degradation of surface or ground water quality due to erosion and transport of fine sediments downstream of the construction area, unintentional release of contaminants into jurisdictional waters, trampling of wetland vegetation, vegetation removal, and soil compaction from access and equipment. BMPs included in the project as presented in Section 2.4 include the preparation of an erosion control plan or stormwater pollution prevention plan (SWPPP) to ensure project activities do not adversely affect water quality and wetlands.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less than Significant Impact. Construction activities could temporarily restrict some wildlife species from moving between suitable habitat patches during project implementation. In addition, noise and disturbance associated with construction activities could cause a temporary reduction in habitat connectivity through the project site for species that commonly use habitats in the project area. However, due to the type of construction activities, e.g., removal and installation of existing infrastructure within paved roads, impacts on wildlife movement will be minimal. All trenches would be covered at the end of the workday as standard practice for safety purposes and would prevent animal entrapment. Furthermore, because project construction will not occur at night, when many mammals, reptiles, and amphibians are active, use of the project site by dispersing nocturnal animals would not be diminished during construction.

Numerous animals likely breed in the project area, but no particularly important wildlife nursery areas are present in or adjacent to the project site or would be impacted by the project. Once construction activities are complete, wildlife movement conditions would be similar to pre-project conditions, and wildlife dispersal through the project site is expected to return to existing conditions. The project would not include any above ground structures that could interfere with wildlife movement or impede the use of wildlife nursery sites.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (including the County Heritage and Significant Tree Ordinances)?

No Impact. No tree trimming or tree removal is anticipated during the implementation of the project.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No Impact. There is no adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan that applies to the project site. Thus, the proposed project would not conflict with such a plan.

3.4.4 References

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Hall, E.R. 1981. The Mammals of North America. 2nd edition. Volume II. John Wiley and Sons, New York, New York.

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Johnston, D.S., B. Hepburn, J. Krauel, T. Stewart, and D. Rambaldini. 2006. Winter roosting and foraging ecology of pallid bats in Central Coastal California. Bat Research News 47:115.

Lee, D.E. and W.D. Tietje. 2005. Dusky-footed woodrat demography and prescribed fire in a California oak woodland. Journal of Wildlife Management 69(3):1211-1220.

[USFWS] U.S. Fish and Wildlife Service. 1996. Endangered and Threatened Wildlife and Plants; Determination of Threatened Status for the California Red-legged Frog. Federal Register 61:25813-26833.

3.5 CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☒	☐	☐

The following discussion is based on the project's cultural resources assessment prepared by Dudek, titled "Cultural Resources Assessment: Water Main Replacements in Purissima Hills Water District, Los Altos Hills, California," and dated June 26, 2021. The report was subsequently reviewed by MIG Archaeologist, Robert Templar. A revised report was prepared on December 21, 2021 to address the addition of the Josefa Lane segment and is included as Appendix A. Due to the sensitive nature of the information in the memo, the report will be kept confidential and stored with the project file at the District. The following discussion is based on this report.

3.5.1 Environmental Setting

Prehistoric

The Ohlone Native Americans inhabited what is now Santa Clara County and surrounding municipalities prior to initial invasion by the Spanish in 1769. The Ohlone formed numerous tribelets of the Ohlone language group and maintained separate territories and spoke distinct languages. The project area is thought to have been occupied by the Puichon tribelet, which inhabited lands on the west shore of the San Francisco Bay between lower San Francisquito Creek on the west and Stevens Creek on the east. Artifacts associated with Native American inhabitation of the area at the time of the Ohlones include Cottonwood and Desert Site-notched arrow points, flaked stone drills, steatite and clamshell disc beads, Halitotis disc and other beads, millingstones, handstones, mortars, pestles, and circular shell fishhooks.

Historic

Early Europeans explorers, including the Spanish, English, and Russians, arrived in California in the 16th and 17th centuries. In 1769, Spain began its colonization efforts by establishing missions in the Spanish territory in Alta California. The Ohlone, including the Puichon, were subjugated and forced into the mission system to build the missions and cultivate crops for the Mission padres and soldiers. The Ohlone were also forcibly converted to Christianity as "neophytes," resulting in the loss of Native American culture and practices. The Puichon people were absorbed into the Mission San Francisco and the Mission Santa Clara. Puichon people appear in Mission Santa Clara records from 1781 to 1805.

Following Mexican independence from Spain in 1821, the Mexican government secularized the Spanish missions and offered land grants to citizens in Alta California. The land grants supported the ranching industry in Alta California, which centered on the trade of cattle hides and tallow. The project area was included in the 4,439-acre La Purisíma Concepción land grant. The Mexican

government assigned civil commissioners to “return the land to the native population” formerly subjugated by the mission system; however, this largely did not occur. Disorder and decay set in and by 1839, there were only 300 Indians remaining in the vicinity of Mission Santa Clara (City of Santa Clara 2019). Following the conclusion of the Mexican American War in 1848 with the signing of the Treaty of Guadalupe-Hidalgo, California was ceded to the United States.

Modern

Rancho La Purisíma Concepción, as with the other ranchos in California, was divided into smaller parcels and sold to ranchers. The La Purisíma Concepción parcels were purchased mainly for cattle grazing and vineyards. Settlers of the Los Altos Hills eventually cultivated fruit orchards, which helped the region flourish into the early 20th century. Wealthy San Franciscans built summer homes in the Los Altos Hills during this time period. The area largely retained its rural character until residential development accelerated following World War II (1941-1945). The City of Los Altos was incorporated in 1956.

Today, Los Altos Hills is an incorporated town with residences, small agricultural operations and associated structures, schools, including Foothill College, government buildings, and parkland. Los Altos Hills has a ban on commercial zones and has only two retail commercial operations; the bookstore on the campus of Foothill College and the gift shop on the grounds of the Immaculate Heart Monastery of the Poor Clare Colettines. The town does not have a post office or library, with mail delivery provided from nearby Los Altos.

Project Site at the Present Time

The project site has water main alignments within the existing roadbeds of fully paved Duval Way Elena Road, Padre Court, and Josefa Lane, a natural surface pedestrian path connecting Duval Way and Josefa Lane, and unpaved areas under trees and in landscaped residential front yards on the Seton Property.

All work in the roadways would be completely within the existing right-of-way (ROW) or a public utility easement (PUE). There are no above ground structures in the project site.

Records Search Results and Native American Outreach

On April 28, 2021, Dudek conducted a California Historical Resources Information System (CHRIS) record search of the four segments of the project area and a 0.25-mile buffer area through the Northwest Information Center (NWIC). Dudek also consulted the National Register of Historic Places (NRHP), California Inventory of Historical Resources/CRHR, the Built Environment Resource Directory (BERD), and the OHP Archaeological Determinations of Eligibility. There are no previously recorded cultural resources in the project area. Two resources were identified in the 0.25-mile records search buffer zone, P-43-000989 and P-43-001730.

- Resource P-43-001730 is a historic building, St. Luke's Chapel in the Hills, built circa 1902. The resource is located 85 feet from southwest of the Duval segment of the project site at the closest point.
- Resource P-43-000989 is a prehistoric habitation site which contained at least 11 discrete human burials as well as a number of chert and obsidian stone tools, ground stone tools, fire-affected rock, and marine shell remains. Confident site boundaries could not be established due to grading prior to archaeological observation and the continuation of the site into the neighboring parcel.

There are no previous cultural resources studies that cover the project site. Eight previous studies covered areas outside, but within 0.25 miles of, the project site.

- Report S-008746, 1986, *Cultural Resource Evaluation of 25545 O'Keefe Lane in Los*

Altos Hills, County of Santa Clara

- Report S-008843, 1986, *An Archaeological Assessment of Lands Along Adobe Creek, Los Altos Hills, Santa Clara County, California*
- Report S-016691, 1994, *Cultural Resource Evaluation of the Adobe Creek Project in the County of Santa Clara*
- Report S-019995, 1998, *Results of Archaeological Monitoring and Burial Removal at the Buchanan Project Area (Site CA-SCL-806) in Los Altos Hills, Santa Clara County, California*
- Report S-019995a, 1998, *Documentation of Additional Human Remains Discovered at the Buchanan Project Area (Site CA-SCL-806) in Los Altos Hills, Santa Clara County, California*
- Report S-020555, 1998, *Cultural Resources Assessment, Pacific Bell Mobile Services Facility SF-627-03, Los Altos Hills, Santa Clara County, California (letter report)*
- Report S-025293, 2001, *Report of Findings of a Phase I Cultural Resources Inventory for the Foothill College Property, Los Altos Hills, Santa Clara County, California*
- Report S-030479, 2005, *Collocation ("CO") Submission Packet FCC Form 621, St.*
- *Luke's Chapel, PN-619-01*

The Native American Heritage Commission (NAHC) was contacted for a record search of the Sacred Lands File (SLF). The results, returned on May 18, 2021, showed no known Tribal Cultural Resources within the project vicinity, but provided 12 Native American tribal contacts with local knowledge of cultural and tribal cultural resources in the project vicinity. Dudek contacted the 12 tribes on May 19, 2021. Dudek received a response from Quirina Geary, Chairwoman of the Tamien Nation, on May 25, 2021. Chairwoman Geary requested information regarding any archaeological testing related to the project. Dudek provided the records search and testing information on June 4, 2021. Chairwoman Geary confirmed receipt of the information and stated the Tamien Nation had no further comment. Dudek received a response from Kanyon Sayers-Roods, Creative Director/Tribal Monitor of Kanyon Konsulting, LLC, on June 2, 2021. Ms. Sayers-Roods noted the project site is near or overlaps the boundary of a recorded and potentially eligible cultural site and recommended archaeological and Native American monitoring. Dudek provided a revised project area map to both Chairwoman Geary and Ms. Kanyon Sayers-Roods on December 15, 2021.

3.5.2 Regulatory Setting

California Environmental Quality Act

Pursuant to CEQA, a historical resource is a resource listed in, or eligible for listing in, the California Register of Historical Resources (CRHR). In addition, resources included in a local register of historic resources or identified as significant in a local survey conducted in accordance with state guidelines are also considered historic resources under CEQA, unless a preponderance of the facts demonstrates otherwise. Per CEQA, the fact that a resource is not listed in or determined eligible for listing in the CRHR or is not included in a local register or survey shall not preclude a Lead Agency, as defined by CEQA, from determining that the resource may be a historic resource as defined in California Public Resources Code (PRC) Section 5024.1. CEQA applies to archaeological resources when (1) the archaeological resource satisfies the definition of a historical resource or (2) the archaeological resource satisfies the definition of a “unique archaeological resource.” A unique archaeological resource is an archaeological artifact, object, or site that has a high probability of meeting any of the following criteria:

1. The archaeological resource contains information needed to answer important scientific research questions and there is a demonstrable public interest in that information.

2. The archaeological resource has a special and particular quality such as being the oldest of its type or the best available example of its type.

3. The archaeological resource is directly associated with a scientifically recognized important prehistoric or historic event or person.

Health and Safety Code, Sections 7050 and 7052

Health and Safety Code Section 7050.5 declares that, in the event of the discovery of human remains outside a dedicated cemetery, all ground disturbances must cease, and the county coroner must be notified. Section 7052 establishes a felony penalty for mutilating, disinterring, or otherwise disturbing human remains, except by relatives.

Penal Code Section 622.5

Penal Code Section 622.5 provides misdemeanor penalties for injuring or destroying objects of historic or archaeological interest located on public or private lands but specifically excludes the landowner.

Government Code Section 6254(r)

Government Code explicitly authorizes public agencies to withhold information from the public relating to Native American graves, cemeteries, and sacred places maintained by the Native American Heritage Commission.

Government Code Section 6250 et. seq.

Records housed in the Information Centers of the California Historical Resources Information System (CHRIS) are exempt from the California Public Records Act.

Town of Los Altos Hills General Plan

The following relevant policies are from the Town's General Plan Conservation Element:

- *Policy 10.1* Preserve, protect and enhance the historic resources of the planning area because they are unique and valuable assets for the community and region.
- *Policy 10.2* Promote community awareness of local history and historic resources for the education, pleasure and welfare of the people of the Town

3.5.3 Discussion

Would the project:

a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

No Impact. The Chapel in the Hills site, located along Duval Way, is a historic site listed in the Town's Inventory of Historic Sites and Structures (Town of Los Altos Hills 2007). The project footprint would be restricted to existing paved roadways and unpaved areas under trees and in landscaped residential front yards of the Seton Property segment of the project site. All project features would be installed underground. Therefore, the project would not impact the Chapel in the Hills site, or any other historic resources.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

c) Disturb any human remains, including those interred outside of dedicated cemeteries?

Less than Significant Impact with Mitigation Incorporated (Responses b – c). There are no previously known archaeological resources, as identified in the CHRIS search from the NWIC, within the project site. However, resource P-43-000989 is located near the Padre Court and Seton Property segments of the project site and may extend beyond its mapped boundaries. Therefore,

the potential for encountering previously unknown potentially significant prehistoric resources during construction near the Padre Court and the Seton Property segments is moderate. Further, a local Native American tribal contact, Kanyon Sayers-Roods, Creative Director/Tribal Monitor of Kanyon Konsulting, LLC, noted the project site is near or overlaps the boundary of a recorded and potentially eligible cultural site. The project's area of disturbance may overlap with these resources and, therefore, there is potential for discovery of archaeological resources and human remains during project construction. Ms. Sayers-Roods recommended archaeological and Native American monitoring.

Recommended cultural mitigation measures CUL-1a, CUL-1b, and CUL-1c provided below include the requirement to have an archaeological monitor present during all ground disturbing activity for locations near known resources, as well as provisions to stop work in the event of an archaeological discovery and include additional measures if considered appropriate by the archaeologist. These are considered sufficient mitigations to protect archaeological resources and tribal resources from construction activities. Additionally, mitigation measure TRIB-1 (see Section 3.18) includes the requirement for tribal monitoring in the event Native American archaeological resources are present. This ensures that Tribal Cultural Resources (TCRs) will be treated appropriately and according to tribal practices.

The Duval Way, Josefa Lane, and Elena Road segments of the project site are not located near any known archaeological resources. However, the replacement water main would encounter native soils which have the potential to yield unanticipated archaeological resources. With the incorporation of Mitigation Measures CUL-1a-c, the project would have a less than significant impact on previously unknown archaeological resources and human remains.

Impact CUL-1: Project excavation could disturb previously unknown buried archaeological resources and human remains.

Mitigation Measure CUL-1a: In the event that archaeological resources (sites, features, or artifacts) are exposed during project construction activities for the Project, all construction work occurring within 100 feet of the find shall immediately stop until a qualified archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards, can evaluate the significance of the find. The archaeologist will determine whether additional study is warranted. Should it be required, the archaeologist may install temporary flagging around a resource to prevent any disturbances from construction equipment. Depending upon the significance of the find under CEQA (14 CCR 15064.5[f]; California Public Resources Code, Section 21082), the archaeologist may record the find to appropriate standards (thereby addressing any data potential) and allow work to continue. If the archaeologist observes the discovery to be potentially significant under CEQA, preservation in place or additional treatment may be required.

Mitigation Measure CUL-1b: In accordance with Section 7050.5 of the California Health and Safety Code, if potential human remains are found, the lead agency staff and the Santa Clara County Coroner shall immediately be notified of the discovery. The coroner would provide a determination regarding the nature of the remains within 48 hours of notification. No further excavation or disturbance of the identified material, or any area reasonably suspected to overlie additional remains, can occur until a determination has been made. If the County Coroner determines that the remains are, or are believed to be, of Native American ancestry, the coroner would notify the Native American Heritage Commission within 24 hours. In accordance with California Public Resources Code, Section 5097.98, the Native American Heritage Commission must immediately notify those persons it believes to be the Most Likely Descendant from the deceased Native American. Within 48 hours of this notification, the Most Likely Descendant would recommend to the lead agency their preferred treatment of the remains and associated grave goods.

Mitigation Measure CUL-1c: Archaeological monitoring shall be instigated for all ground disturbing activities at the Padre Court and Seton Property segments. 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. No ground disturbing activities, with the exception of road surface removal, 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.

Effectiveness: This measure would minimize and/or avoid impacts to unknown archaeological resources and human remains.

Implementation: By the contractor and by the Purissima Hills Water District.

Timing: Measures to be implemented during construction.

Monitoring: In the event archaeological resources are discovered, the archaeologist shall write a report detail their findings and submit it to the Northwest Information Center and the District.

3.5.4 References

City of Santa Clara. 2019. Santa Clara "The Mission City." Accessed July 19, 2021. https://www.santaclaraca.gov/i-want-to/place-holder/the-mission-city

County of Santa Clara. 2007. Santa Clara County General Plan Resource Conservation Element. Accessed July 19, 2021. https://www.sccgov.org/sites/dpd/DocsForms/Documents/GP_Book_A.pdf

Dudek. 2021. Cultural Resources Assessment: Water Main Replacements in Purissima Hills Water District, Los Altos Hills, California. June 16, 2021, updated December 12, 2021.

Town of Los Altos Hills. 2007. Los Altos Hills General Plan. Conservation Element. Accessed July 19, 2021. https://www.losaltoshills.ca.gov/179/General-Plan

———. Inventory of Historic Sites and Structures. Accessed July 19, 2021. https://www.losaltoshills.ca.gov/DocumentCenter/View/152/General-Plan---4a-Conservation-Appendix---Historic-Sites-PDF

3.6 ENERGY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☐	☒
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒

3.6.1 Environmental Setting

Energy consumption is closely tied to the issues of air quality and GHG emissions, as the burning of fossil fuels and natural gas for energy has a negative impact on both, and petroleum and natural gas currently supply most of the energy consumed in California.

In general, California's per capita energy consumption is relatively low, in part due to mild weather that reduces energy demand for heating and cooling, and in part due to the government's proactive energy-efficiency programs and standards. According to the California Energy Commission's Californians consumed about 280,500 gigawatt hours (GWh) of electricity in 2014 and 13,240 million British thermal units (BTU) of natural gas in 2013. The CEC estimates that by 2025, California's electricity consumption will reach between 297,618 GWh and 322,266 GWh, an annual average growth rate of 0.54 to 1.27 percent (CEC 2015), and natural gas consumption is expected to reach between 12,673 million and 13,731 million BTU by 2024, an average annual growth rate of -0.4 to 0.33 percent (CEC 2015).

In 2020, total electricity use in Santa Clara County was 16,436 million kilowatt hours (kWh), including 12,043 million kWh of consumption for non-residential land uses (CEC 2022a). Natural gas consumption was approximately 419 million therms in 2020, including approximately 174 million therms from non-residential uses (CEC 2022b).

Energy conservation refers to efforts made to reduce energy consumption to preserve resources for the future and reduce pollution. It may involve diversifying energy sources to include renewable energy, such as solar power, wind power, wave power, geothermal power, and tidal power, as well as the adoption of technologies that improve energy efficiency and adoption of green building practices. Energy conservation can be achieved through increases in efficiency in conjunction with decreased energy consumption and/or reduced consumption from conventional energy sources.

3.6.2 Regulatory Setting

Since increased energy efficiency is so closely tied to the State's efforts to reduce GHG emissions and address global climate change, the regulations, policies, and action plans aimed at reducing GHG emissions also promote increased energy efficiency and the transition to renewable energy sources. The U.S. EPA and the State address climate change through numerous pieces of legislation, regulations, planning, policy-making, education, and implementation programs aimed at reducing energy consumption and the production of GHG.

The proposed project would not involve the development of facilities that include energy intensive equipment or operations. While there are numerous regulations that govern GHG emissions reductions through increased energy efficiency, the following regulatory setting description focuses only on regulations that: 1) provide the appropriate context for the proposed project's

potential energy usage; and 2) may directly or indirecly govern or influence the amount of energy used to develop and operate the proposed improvements. For example, the project would not result in permanently occupied buildings and thus the State building code requirements pertaining to energy efficiency are not discussed below. See the Environmental and Regulatory Setting discussion in Section 3.8, Greenhouse Gas Emissions, for a description of the key regulations related to global climate change, energy efficiency, and GHG emission reductions.

CARB Low Carbon Fuel Standard Regulation (LCFSR)

CARB initially approved the LCFS regulation in 2009, identifying it as one of the nine discrete early action measures in its original 2008 Scoping Plan to reduce California's GHG emissions. Originally, the LCFS regulation required at least a ten percent reduction in the carbon intensity of California's transportation fuels by 2020 (compared to a 2010 baseline). On September 27, 2018, CARB approved changes to the LCFS regulation that require a 20 percent reduction in carbon intensity by 2030. These regulatory changes exceed the assumption in CARB's 2017 Climate Change Scoping Plan, which targeted an 18% reduction in transportation fuel carbon intensity by 2030 as one of the primary measures for achieving the state's GHG 2030 target.

3.6.3 Discussion

Would the project:

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

No Impact The proposed project consists of the installation and replacement of existing water main facilities. The construction activities would require the use of construction equipment and generate construction-related vehicle trips that would combust fuel, primarily diesel and gasoline. The use of this fuel energy is necessary to repair and replace the aging water main facilities and is not wasteful. No impact would occur.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

No Impact. The proposed water main improvements would not affect day to day operations of the District's infrastructure. The improvements would allow for increased efficiency (reduction in pump cycling times) as compared to existing conditions.Therefore, no overall changes in energy use are anticipated due to project implementation.

3.6.1 References

California Energy Commission (CEC) 2015. 2015 Integrated Energy Policy Report. Sacramento, CA. 2015.

_____. 2022a. "Electricity Consumption by County." *Electricity Consumption by County.* CEC, Energy Consumption Database. n.d. Accessed January 26, 2022 at http://ecdms.energy.ca.gov/elecbycounty.aspx.

_____. 2022b. "Gas Consumption by County." *Gas Consumption by County.* CEC, Energy Consumption Database. n.d. Accessed January 26, 2022 at http://ecdms.energy.ca.gov/gasbycounty.aspx.

3.7 GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? *Note: Refer to Division of Mines and Geology Special Publication 42.*	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☒	☐
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☐	☒

3.7.1 Environmental Setting

The information contained in the following Setting section was obtained from the Town's General Plan Safety Element (2007).

Regional Geologic Setting

The primary geologic hazards within Los Altos Hills are landslides and seismic impacts related to earthquakes. Seismically induced ground shaking, surface fault rupture, liquefaction and other various forms of earthquake-triggered ground failure are anticipated during major earthquakes. These geologic hazards present potential risks to property and public safety.

Regional Seismicity

The Town of Los Altos Hills is located in the San Francisco Bay Area, which is recognized as one of the most active seismic regions in the United States. The U.S. Geological Survey estimates that there is a 62 percent probability that at least one earthquake of magnitude 6.7 or greater will occur in the San Francisco Bay region before 2032. The greatest probability is that a major earthquake will occur on the Hayward Fault. There is a 21 percent chance of it occurring on the San Andreas Fault, which would more directly affect Los Altos Hills.

While the effects of a major earthquake would be widespread, the effects would be most intense on lands with steeper slopes and weak soils, which represent much of the remaining undeveloped land within Los Altos Hills and its Sphere of Influence.

The Town is traversed by three major fault lines, all of which are considered to be potentially active:

- Berrocal Fault, which runs from the western Town border to the southeastern tip of the Town boundaries.
- Altamont Fault, which runs parallel to the Berrocal Fault to the north.
- Monte Vista Fault, which meanders from the northwest quadrant to the southeast quadrant of the Town.

Additionally, there are two large fault lines within Santa Clara County that are known to be currently active and could endanger the stability of hillsides in Los Altos Hills:

- San Andreas Fault, located approximately 2.5 miles southwest of the site.
- Calaveras Fault, located approximately 19.8 miles northeast of the site.

Although these two faults do not traverse Los Altos Hills, it is likely that more earth movement would result within Town limits than within nearby communities due to the Town's steep topography and unstable soils.

3.7.2 Regulatory Setting

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act regulates development in California near known active faults due to hazards associated with surface fault ruptures. There are no Alquist-Priolo earthquake fault zones on the project site (California Geological Survey, 1974).

Seismic Hazard Mapping Act

The Seismic Hazard Mapping Act was passed in 1990 following the Loma Prieta earthquake to reduce threats to public health and safety and to minimize property damage caused by earthquakes. The act directs the U.S. Department of Conservation to identify and map areas prone to the earthquake hazards of liquefaction, earthquake-induced landslides, and amplified ground shaking. The act requires site-specific geotechnical investigations to identify potential seismic hazards and formulate mitigation measures prior to permitting most developments designed for human occupancy within the Zones of Required Investigation.

California Building Code

The 2019 California Building Codes (CBC) covers grading and other geotechnical issues, building specifications, and non-building structures.

3.7.3 Discussion

Would the project:

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other significant evidence of a known fault?

Less Than Significant Impact. The project involves the installation and replacement of potable water mains. None of the proposed water main alignments cross any faults shown on the Alquist-Priolo Earthquake Fault Zoning Map for the Mindego Hill Quadrangle (California Geological Survey 1974). However, the water mains are within or cross one or more identified fault rupture hazard zones according to the Town's Geotechnical and Seismic Hazard Zones map contained in the Safety Element of the General Plan (p. 7, 2007). The project does not propose housing or other above-ground structures that could expose people to loss, injury, or death from the rupture of a fault. The new water mains would be designed and constructed according to relevant District and American Water Works Association (AWWA) standards and the majority of the segments replace existing segments which are old and prone to failure.

ii) Strong seismic ground shaking?

Less Than Significant Impact. The project would be located in the seismically active San Francisco Bay Region. Significant earthquakes have occurred in the San Francisco Bay Area and are believed to be associated with crustal movements along a system of subparallel fault zones that generally trend in a northwesterly direction. The water mains cross identified liquefaction hazard and earthquake induced landslide hazard zones (California Geological Survey 2005) and are mapped within areas of identified slope instability, fault rupture, and ground deformation hazard zones according to the Los Altos Hills Geotechnical and Seismic Hazard Zones Map (Cotton, Shires & Associates, Inc. 2009) and General Plan Safety Element (Los Altos Hills 2007).

Strong ground-shaking at the project site will probably occur during the design life of the project as a result of a major earthquake on one of the active faults in the region. The purpose of the project is to replace old water mains that are susceptible to rupture in the event of an earthquake. Therefore, the proposed water mains are specifically designed to accommodate seismic hazards including the choice of water main material (ductile iron pipe) as well as being restrained per District standards by use of Field LOK gaskets, mechanical joints and flanged connections.

iii) Seismic-related ground failure, including liquefaction?

Less Than Significant Impact. Liquefaction occurs when loose, saturated sandy soils lose strength and flow like a liquid during earthquake shaking. Ground settlement often accompanies liquefaction. Soils most susceptible to liquefaction are saturated, loose, silty sands, and uniformly graded sands.

The proposed water main replacement locations are not within an identified liquefaction zone (California Geological Survey 2005, Cotton, Shires & Associates, 2009, Los Altos Hills 2021). The purpose of the project is to replace old water mains that are susceptible to rupture due to old age and in the event of an earthquake. Therefore, the proposed water mains are specifically designed to accommodate seismic hazards including the choice of water main material (ductile iron pipe) as well as being restrained per District standards by use of Field LOK gaskets, mechanical joints and flanged connections. Compliance with District and American Water Works Association (AWWA) standards would ensure the construction works are designed to accommodate anticipated site conditions and liquefaction. The replacement water mains would not affect the existing conditions along the installation alignment. Therefore, the project would have a less than significant impact related to seismic-related ground failure.

iv) Landslides?

Less than Significant Impact. The portions of water main on the Seton property are located in an earthquake induced landslide hazard zone (California Geological Survey 2005, Cotton, Shires & Associates 2009). Standard erosion and slope control measures would be implemented to ensure disturbed areas are not subject to erosion during and after construction. In addition, the project does not create significant new cut slopes that would be susceptible to landslides. Once installed, the new water mains would be buried and the ground surface repaved. Therefore, proposed project would not create or exacerbate landslide conditions on or adjacent to the site.

b) Result in significant soil erosion or the loss of topsoil?

Less Than Significant Impact. The water mains would be installed using open trench construction. All of the proposed segments occur within existing disturbed areas. In order to reduce temporary erosion during project construction, erosion control measures would be implemented as discussed in Section 2.4 Best Management Practices. Once the water main is installed, disturbed soils would be returned to pre-project conditions (repaved as roadway or natural surface pathway). See Section 3.9 of this document for a complete discussion regarding erosion.

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?

Less Than Significant Impact. Subsidence is the sinking of the Earth's surface in response to geologic or man-induced causes. Lateral spreading involves the lateral movement of a liquefied soil layer (and overlying layers) toward a free face.

As stated above, no proposed water main replacements are located in a liquefaction hazard area that could become unstable due to liquefaction subsidence, collapse, or lateral spreading. Portions of the Seton property water main are located in an earthquake induced landslide hazard zone (California Geological Survey 2005 and Cotton, Shires & Associates 2009). (See response to question a) iv).

As stated above, the area of the proposed project has been mapped as an area within slope instability, fault rupture, and ground deformation hazard zones according to the Town's General Plan Safety Element (2007) and Geotechnical and Seismic Hazard Zones map. This is determined to have a less than significant impact because the improvements proposed would improve potable water infrastructure and will not house people for residence or work.

The project construction would not exacerbate existing site conditions related to unstable geologic conditions. The project would have a less than significant impact on landslide potential, lateral spreading, subsidence, liquefaction or collapse.

d) Be located on expansive soil, as noted in the 2010 California Building Code, creating substantial direct or indirect risks to life or property?

Less Than Significant Impact. The project involves the installation of a water main within existing road right-of-way, and across District-owned property. The project may occur in expansive soils, however, it would not include construction of habitable structures and is not expected to create substantial risks to life or property because of expansive soil. The impact is considered less than significant.

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 wastewater?

No Impact The proposed project consists of the installation and replacement of existing water main facilities. There would be no septic tanks or alternative wastewater facilities included as part of the proposed project.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

No Impact. The project predominantly occurs within existing paved roadways. There are no known unique geological features in the project vicinity.

Proposed project excavation would occur at a depth of approximately four feet. Fossils are found in sedimentary rock strata and gravel layers. Ground disturbing works is anticipated to be predominantly in previously disturbed ground. Where excavation is not in disturbed ground, it is anticipated to be in surficial soils. As there are no unique geological features, and excavated soils would not be in bedrock, or gravels where there is potential for fossil discovery, there would be no impact.

3.7.4 References

California Geological Survey. 2005. Earthquake Zones of Required Investigation – Mindego Hill Quadrangle. Seismic Hazard Zones Official Map. Released August 11. Accessed at https://filerequest.conservation.ca.gov/?q=MINDEGO_HILL_EZRIM.pdf on July 16, 2021.

California Geological Survey. 1974. Earthquake Zones of Required Investigation – Midego Hill Quadrangle. Earthquake Fault Zones Official Map. Released July 1. Accessed at https://filerequest.conservation.ca.gov/?q=MINDEGO_HILL_EZRIM.pdf on July 16, 2021.

Cotton, Shires & Associates, Inc. 2009. Geotechnical and Seismic Hazard Zones, Los Altos Hills, California. December 2004. Revised March 2009. Accessed at https://www.losaltoshills.ca.gov/DocumentCenter/View/214/LAH-Hazard-Map-PDF on July 19, 2021.

Town of Los Altos Hills. 2007. General Plan. Safety Element.

Town of Los Altos Hills. 2021. Interactive GIS Map. Accessed at https://gis.lynxgis.com/Html5Viewer/Index.html?configBase=https://gis.lynxgis.com/Geocortex/Essentials/REST/sites/Los_Altos_Hills/viewers/LAHViewer/virtualdirectory/Resources/Config/Default on July 19, 2021.

3.8 GREENHOUSE GAS EMISSIONS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	☒

3.8.1 Environmental Setting

Gases that trap heat in the atmosphere and affect regulation of the Earth's temperature are known as greenhouse gases (GHGs). Many chemical compounds found in the earth's atmosphere exhibit the GHG property. GHGs allow sunlight to enter the atmosphere freely. When sunlight strikes the earth's surface, it is either absorbed or reflected back toward space. Earth that has absorbed sunlight warms up and emits infrared radiation toward space. GHGs absorb this infrared radiation and "trap" the energy in the earth's atmosphere. Entrapment of too much infrared radiation produces an effect commonly referred to as "Global Warming", although the term "Global Climate Change" is preferred because effects are not just limited to higher global temperatures.

GHGs that contribute to climate regulation are a different type of pollutant than criteria or hazardous air pollutants because climate regulation is global in scale, both in terms of causes and effects. Some GHGs are emitted to the atmosphere naturally by biological and geological processes such as evaporation (water vapor), aerobic respiration (carbon dioxide), and off-gassing from low oxygen environments such as swamps or exposed permafrost (methane); however, GHG emissions from human activities such as fuel combustion (e.g., carbon dioxide) and refrigerants use (e.g., hydrofluorocarbons) significantly contribute to overall GHG concentrations in the atmosphere, climate regulation, and global climate change.

Human production of GHG has increased steadily since pre-industrial times (approximately pre-1880) and atmospheric carbon dioxide concentrations have increased from a pre-industrial value of 280 parts per million (ppm) in the early 1800's to 413 ppm in August 2020 (NOAA, 2020). The effects of increased GHG concentrations in the atmosphere include climate change (increasing temperature and shifts in precipitation patterns and amounts), reduced ice and snow cover, sea level rise, and acidification of oceans. These effects in turn will impact food and water supplies, infrastructure, ecosystems, and overall public health and welfare.

The 1997 United Nations' Kyoto Protocol international treaty set targets for reductions in emissions of four specific GHGs – carbon dioxide, methane, nitrous oxide, and sulfur hexafluoride – and two groups of gases – hydrofluorocarbons and perfluorocarbons. These GHGs are the primary GHGs emitted into the atmosphere by human activities. The six common GHGs are described below.

Carbon Dioxide (CO_2). CO_2 is released to the atmosphere when fossil fuels (oil, gasoline, diesel, natural gas, and coal), solid waste, and wood or wood products are burned.

Methane (CH_4). CH_4 is emitted during the production and transport of coal, natural gas, and oil. Methane emissions also result from the decomposition of organic waste in municipal solid waste landfills and the raising of livestock.

Nitrous oxide (N_2O). N_2O is emitted during agricultural and industrial activities, as well as during combustion of solid waste and fossil fuels.

Sulfur hexafluoride (SF_6). SF_6 is commonly used as an electrical insulator in high voltage electrical transmission and distribution equipment such as circuit breakers, substations, and transmission switchgear. Releases of SF_6 occur during maintenance and servicing as well as from leaks of electrical equipment.

Hydrofluorocarbons (HFCs) and perfluorocarbons (PFCs). HFCs and PFCs are generated in a variety of industrial processes.

GHG emissions from human activities contribute to overall GHG concentrations in the atmosphere and the corresponding effects of global climate change (e.g., rising temperatures, increased severe weather events such as drought and flooding). GHGs can remain in the atmosphere long after they are emitted. The potential for a GHG to absorb and trap heat in the atmosphere is considered its global warming potential (GWP). The reference gas for measuring GWP is CO_2, which has a GWP of one. By comparison, CH_4 has a GWP of 25, which means that one molecule of CH_4 has 25 times the effect on global warming as one molecule of CO_2. Multiplying the estimated emissions for non-CO_2 GHGs by their GWP determines their carbon dioxide equivalent (CO_2e), which enables a project's combined global warming potential to be expressed in terms of mass CO_2 emissions. GHG emissions are often discussed in terms of Metric Tons of CO_2e, or $MTCO_2e$.

Existing GHG Emission Sources at the Project Site

As described in Air Quality 3.3, the project consists of the replacement and installation of potable water mains. There are no existing GHG emission sources at the project site.

3.8.2 Regulatory Setting

California Global Warming Solutions Act (AB32) and Related Legislation

California Air Resources Board (CARB) is the lead agency for implementing Assembly Bill (AB) 32, the California Global Warming Solutions Act adopted by the Legislature in 2006. AB 32 requires the CARB to prepare a Scoping Plan containing the main strategies that will be used to achieve reductions in GHG emissions in California.

Executive Order B-30-15, 2030 Carbon Target and Adaptation, issued by Governor Brown in April 2015, sets a target of reducing GHG emissions by 40 percent below 1990 levels in 2030. By directing state agencies to take measures consistent with their existing authority to reduce GHG emissions, this order establishes coherence between the 2020 and 2050 GHG reduction goals set by AB 32 and seeks to align California with the scientifically established GHG emissions levels needed to limit global warming below two degrees Celsius.

To reinforce the goals established through Executive Order B-30-15, Governor Brown went on to sign SB-32 and AB-197 on September 8, 2016. SB-32 made the GHG reduction target to reduce GHG emissions by 40 percent below 1990 levels by 2030 a requirement as opposed to a goal. AB-197 gives the Legislature additional authority over CARB to ensure the most successful strategies for lowering emissions are implemented, and requires CARB to, "protect the state's most impacted and disadvantaged communities …[and] consider the social costs of the emissions of greenhouse gases."

On December 14, 2017 CARB adopted the second update to the Scoping Plan, the *2017 Climate Change Scoping Plan Update* (*2017 Scoping Plan Update*). The primary objective of the *2017 Scoping Plan Update* is to identify the measures needed to achieve the mid-term GHG reduction target for 2030 (i.e., reduce emissions by 40 percent below 1990 levels by 2030), as established under Executive Order B-30-15 and SB 32. The *2017 Scoping Plan Update* identifies an increasing need for coordination among state, regional, and local governments to achieve the

GHG emissions reductions that can be gained from local land use planning and decisions. It notes emission reduction targets set by more than one hundred local jurisdictions in the state could result in emissions reductions of up to 45 $MMTCO_2E$ and 83 $MMTCO_2E$ by 2020 and 2050, respectively. To achieve these goals, the *2017 Scoping Plan Update* includes a recommended plan-level efficiency threshold of six metric tons or less per capita by 2030 and no more than two metric tons by 2050.

BAAQMD 2017 Clean Air Plan

As discussed in Section 3.3, Air Quality, the BAAQMD's *2017 Clean Air Plan* is a multi-pollutant plan focused on protecting public health and the climate. The *2017 Clean Air Plan* lays the groundwork for a long-term effort to reduce Bay Area GHG emissions 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050, consistent with GHG reduction targets adopted by the state of California. As opposed to focusing solely on the nearer 2030 GHG reduction target, the *2017 Clean Air Plan* makes a concerted effort to imagine and plan for a successful and sustainable Bay Area in the year 2050. In 2050, the Bay area is envisioned as a region where:

- Energy efficient buildings are heated, cooled, and powered by renewable energy;
- The transportation network has been redeveloped with an emphasis on non-vehicular modes of transportation and mass-transit;
- The electricity grid is powered by 100 percent renewable energy; and
- Bay Area residents have adopted lower-carbon intensive lifestyles (e.g., purchasing low-carbon goods in addition to recycling and putting organic waste to productive use).

The *2017 Clean Air Plan* includes a comprehensive, multipollutant control strategy that is broken up into 85 distinct measures and categorized based on the same economic sector framework used by CARB for the AB 32 Scoping Plan Update.[1] The accumulation of all 85 control measures being implemented support the three overarching goals of the plan. These goals are:

- Attain all state and national air quality standards;
- Eliminate disparities among Bay Area communities in cancer health risk from toxic air contaminants; and
- Reduce Bay Area GHG Emissions to 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050.

The Town of Los Altos Hills Climate Action Plan

The Town of Los Altos Hills Preliminary 2025 Climate Action Plan (CAP) presents a set of community generated strategies to guide the Town and its residents in reducing greenhouse gas (GHG) emissions consistent with state goals for addressing California's contributions to rapid climate change. Local communities are encouraged to reduce GHGs 15% below 2005 levels by 2020 and must address climate change effects in general plans and project environmental reviews. The CAP strategies are aimed at reducing the Town of Los Altos Hills's GHG emissions 30% below 2005 levels by 2025, while providing tools for addressing GHG emissions of future developments.

3.8.3 Discussion

Global climate change is the result of GHG emissions worldwide; individual projects do not generate enough GHG emissions to influence global climate change. Thus, the analysis of GHG

[1] The sectors included in the AB 32 Scoping Plan Update are: stationary (industrial) sources, transportation, energy, buildings, agriculture, natural and working lands, waste management, water, and super-GHG pollutants.

emissions is by nature a cumulative analysis focused on whether an individual project's contribution to global climate change is cumulatively considerable.

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less Than Significant Impact. No land use changes are proposed as part of the project. The District is not seeking purchase of additional water supplies to support development in the area. The project does not include additional housing, commercial, industrial, retail, or other development. The water mains included in the project are replacing existing and old water mains that are prone to failure due to age and construction materials. The area served is largely already built-out and therefore the water mains would not directly or indirectly foster new growth or development in the service area. All water mains and extensions proposed are in areas that already receive water services. There are a limited number of new water main segments proposed which would allow the abandonment of cross-country alignments that are harder to access and maintain by the District. Therefore, indirect operational GHG emissions is expected to be negligible.

Direct emissions of GHG would result from the operation of heavy equipment during construction activities. The scope and intensity of the construction activities is minor and of limited duration.

Construction is planned to begin in summer 2022. The water main installation can be accomplished at a rate of approximately 100 to 200 feet per day and is expected to last approximately six (6) months. The expected construction equipment type and numbers of days in use on the project are as follows:

Project Construction Equipment Estimates		
Equipment Type	**No. on Site**	**No. of Working Days In Use**
Loader (duals as an excavator)	2	100
Paver	1	15
Roller	2	15
F-250 Trucks	4	100
End Dump Trucks	3	110

Total off-haul is estimated at approximately 1,478 cubic yards (length of trench (approximately 4,435 linear feet) by cross sectional area (nine square feet) on average). Assuming nine cubic yard capacities, this would result in approximately 165 trips for the off-haul of spoils and material deliveries over the eight-month construction period. Therefore, the impact is considered less than significant.

b) Conflict with an applicable, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

No Impact. The proposed project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions, including the Town's Climate Action Plan and the BAAQMD *Clean Air Plan*. The policies contained in these plans generally apply to larger projects and uses that result in trip generation (e.g., commercial buildings, residential structures, etc.), and not to a water main replacement project. No impact would occur.

3.8.4 References

Town of Los Altos Hills. 2016. Climate Action Plan 2025 Summary. Accessed on July 19, 2021, at http://losaltoshills.granicus.com/MetaViewer.php?event_id=267&meta_id=53391

3.9 HAZARDS AND HAZARDOUS MATERIALS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☒	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☒

3.9.1 Environmental Setting

The project alignment is in a rural residential area. Residential uses do not typically use significant amounts of hazardous materials. There are several closed leaking underground storage tank (LUST) sites within the Town. None are in the vicinity of the Duval Way, Josefa Lane, Elena Road, or Padre Court water main locations.

A 4,000-gallon gasoline tank was removed from the Seton property site in October 1998. In subsequent testing, it was found that residual petroleum hydrocarbon contamination in the soil did not exist above the analytical detection limit, but that methyl-butyl ether (MBTE) was encountered in groundwater at a level of 65 parts per billion (ppb) in the vicinity of the former tank pit, but that the impact to groundwater was of limited area. Santa Clara Valley Water District (now renamed Valley Water) staff noted that minor residual groundwater contamination exists, but that the level was below regulatory concern and did not require further cleanup or testing (Santa Clara Valley Water District 2000).

3.9.2 Discussion

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less Than Significant Impact. The proposed project is not expected to create a hazard to the public or the environment because it would not include the routine transport, use or disposal of hazardous materials. Use of hazardous materials would be limited to small quantities of construction fuels and fluids during the short-term construction period. The use, storage, and application of any toxic or hazardous substances would be regulated by federal, state, and local regulations. The compliance with existing hazardous materials regulations would reduce any chance of upset conditions to less than significant levels.

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?

Less Than Significant Impact. The proposed project would not include the use of hazardous materials after project completion; however, small quantities of construction fuels or fluids could be accidentally released into the environment during construction. The contractor would keep all construction equipment well-maintained and would have on-hand at all times adequate absorbent materials to clean-up the largest possible spill (see BMPs for stormwater, Section 2.4). Such measures would prevent a significant hazard to the public or the environment related to the accidental release of hazardous materials. With the compliance of applicable regulations and the implementation of standard construction hazardous materials BMPs, the proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving hazardous materials.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or hazardous waste within one-quarter mile of an existing or proposed school?

Less Than Significant Impact. There are no elementary, middle, or high schools along or with ¼-mile of the project water main alignments. Foothill College's athletic fields, parking lots, and observatory are located south of Josefa Lane segment and east of the Elena Road segment. The next closest school to the project site is St. Nicholas Catholic school, located over one mile east of the project site.

The project follows linear alignments and the water mains are expected to be installed at a rate of 100 to 200 linear feet per day. Therefore, construction emissions would be temporary and continue along the alignment as construction progresses. Therefore, the proposed project would not create a significant hazard to schools in the vicinity.

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?

Less than Significant Impact. The project site's Seton property location is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (otherwise known as the Cortese List). As noted above in the Environmental Setting discussion, the case was closed and did not require further cleanup or testing. The Cortese List Data Resources (CalEPA 2021, DTSC 2021, SWRCB 2021) were searched and the other project alignments (Duval Way, Josefa Lane, Elena Road, Padre Court) are not adjacent to any active or closed hazardous materials sites.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

No Impact. The project alignment is not within an airport land use plan or within two miles of a public or public use airport. The closest airport to the project site is Moffett Federal Airfield, located approximately six miles east of the project alignments, and the closest public use airport is the Palo Alto Airport, approximately nine miles northeast of the alignments.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact. Moody Road near the Seton property is identified as a potential evacuation route within the Town's Emergency Operations Plan, Annex E Evacuation and Repopulation Plan (2018). The contractor would maintain access to emergency vehicles for the duration of construction and therefore would not significantly impair or physically interfere with an adopted emergency evacuation plan. The project specifications will require the contractor to cease construction activities in the event of an emergency or evacuation should their work interfere with said event. After project construction is completed, there would be no impediment to vehicular access as the water mains would be installed underground. Thus, the proposed project would have a less-than-significant impact to emergency plans.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

No Impact. The Town is within the wildland-urban interface (ABAG 2021) and therefore considered a community at risk for fire. However, all project features would be installed underground. The project does not propose new structures or structures for human habitation. District standard specifications require the contractor to have fire extinguishers on site during construction activities. The project would improve the District's ability to provide water in the event of an emergency such as an earthquake or wildland fire. Therefore, the project would not expose people or structures to significant risk of loss due to wildland fires.

3.9.3 References

Association of Bay Area Governments (ABAG). Bay Area Hazards: Wildland-Urban Interface. Accessed July 19, 2021 at Untitled map (arcgis.com)https://mtc.maps.arcgis.com/apps/mapviewer/index.html?layers=d45bf08448354073a26675776f2d09cb

California Department of Toxic Substances (DTSC). 2021. EnviroStor Database. Accessed July 19, 2021 at https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=los+altos+hills.

California Environmental Protection Agency (CalEPA). 2021. Cortese List Data Resources. Accessed July 19, 2021 at https://calepa.ca.gov/sitecleanup/corteselist/.

Town of Los Altos Hills. 2018. Los Altos Hills Emergency Operations Plan (EOP) Annex E. Evacuation and Repopulation Plan. October 18. Accessed July 19, 2021 at: http://www.losaltoshills.ca.gov/DocumentCenter/View/2322/LAH-Evacuation-Plan-PDF.

State Water Resources Control Board (SWRCB). 2021. GeoTracker Database. Accessed July 19, 2021 at https://geotracker.waterboards.ca.gov/map/?myaddress=California&from=header&cqid=2725782096.

Santa Clara Valley Water District. 2000. Letter from James S. Crowley, Engineering Unit Manager, Leaking Underground Storage Tank Oversight Program to Seton Provincialate c/o David Varron. Subject: Fuel Leak Site Case Closure – Seton Provincialate, 2600 Altamont Road, Los Altos Hills, CA; Case No. 14-483; Underground Storage Tank Cleanup Fund No. 14137. March 29.

3.10 HYDROLOGY AND WATER QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) Result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☐	☒
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☐	☒
iv) Impede or redirect flood flows?	☐	☐	☐	☒
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒

3.10.1 Environmental Setting

The Town of Los Altos Hills is in the Lower Peninsula Watershed, and consists of the San Francisquito Creek, Stevens Creek, Permanente Creek, Adobe Creek, Barron Creek and Matadero Creek Watersheds. These watersheds drain 98 square miles and feed the tidal wetlands along San Francisco Bay's southwest shoreline (Valley Water 2021). The closest creeks to the project alignments are Adobe Creek, which runs south of Moody Road, and Purisima Creek, which runs south of Josefa Lane.

The Town of Los Altos Hill's storm drainage system consists of a combination of roadside drainage ways, cross culverts, and underground pipes. Stormwater in Los Altos Hills initially flows over land, following the natural contours of the terrain and then moving to roadside flow routes. In addition to the natural drainage system, a network of storm drains collects runoff from streets and roads in Los Altos Hills and carries it to the creeks and San Francisco Bay (Town of Los Altos Hills 2007).

3.10.2 Regulatory Setting

Surface Water Quality

Under Section 303(d) of the Clean Water Act, states, territories and authorized tribes are required to develop a list of water quality limited segments. These waters on the list do not meet water quality standards, even after point sources of pollution have installed the minimum required levels of pollution control technology. The Clean Water Act requires that these jurisdictions establish priority rankings for water on the lists and develop action plans, called as Total Maximum Daily Loads (TMDL), to improve water quality. Adobe and Purissima Creeks are not on the 303(d) list of impaired waters (SWRCB 2018).

Storm Water Drainage

The discharge of storm water from the Town's municipal storm sewer system is regulated primarily under the federal Clean Water Act (CWA) and California's Porter-Cologne Water Quality Control Act. The San Francisco Bay Regional Water Quality Control Board (RWQCB) implements these regulations at the regional level. Under the CWA, the RWQCB has regulatory authority over actions in waters of the United States, through the issuance of water quality certifications.

As authorized by the CWA, the National Pollutant Discharge Elimination System (NPDES) permit program controls water pollution by regulating point sources that discharge pollutants into waters of the United States. Point sources are discrete conveyances such as pipes or man-made ditches. The State and Regional Water Quality Control Boards administer the NPDES permit program in California for general and individual permits. The Town is a co-permittee with other members of a regional association known as the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP), which shares a joint permit issued by the RWQCB to discharge stormwater into the San Francisco Bay. The permit must be reissued every five years (Town of Los Altos Hills 2007).

If activities, discharges, or proposed activities and discharges from a property could affect California's surface, coastal, or ground waters, in most cases a permit will need to be acquired from the RWQCB. Dischargers whose projects disturb one or more acres of disturbance are required to obtain coverage under the General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit Order 2009-0009-DWQ). The project is not required to obtain coverage under this permit as it disturbs less than one acre of soil.

Flood Zone Mapping

The National Flood Insurance Program branch of the Federal Emergency Management Agency (FEMA) maintains maps of floodways and floodplains for the United States. FEMA maps these areas on Flood Insurance Rate Maps or FIRMs. A typical FIRM will show specific flood hazard areas, flood risk zones, and floodplains at a local level of detail. In some identified flood hazard zones, certain types of construction and/or uses are prohibited or are required to carry flood insurance. The majority of the Town is project site is located within Zone X, which includes areas of 0.2 percent annual chance of flood; areas of one percent annual chance of flood with average depths of less than 1 foot or with drainage areas less than one square mile; and areas protected by levees from 1 percent annual chance of flood (FEMA 2021). The project's Elena Road alignment crosses a section of area designated as Zone A - areas subject to the one-percent annual chance of flood. (FEMA 2021).

Valley Water

Valley Water, formerly known as the Santa Clara Valley Water District (SCVWD) is a water resources agency responsible for balancing flood protection needs with the protection of natural water courses and habitat in the Santa Clara Valley. Valley Water serves 16 cities and 1.8 million

residents, provides wholesale water supply, operates three water treatment plants, and provides flood protection along the creeks and rivers within the county.

Santa Clara Valley Urban Runoff Pollution Prevention Program

The Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) is an association of thirteen cities and towns in the Santa Clara Valley, together with the County of Santa Clara and Valley Water. The RWQCB has permitted Bay Area municipalities, including the member agencies of SCVURPPP, to implement stormwater regulations. SCVURPPP incorporates regulatory, monitoring, and outreach measures aimed at improving the water quality of South San Francisco Bay and the streams of the Santa Clara Valley by reducing pollution in urban runoff to the "maximum extent practicable." SCVURPPP promotes stormwater pollution prevention within that context.

Participating agencies (including the Town of Los Altos Hills) must meet the provisions of the Municipal Regional Stormwater Permit (MRP) by ensuring that new development and redevelopment mitigate water quality impacts to stormwater runoff both during the construction and operation of projects. In addition, other provisions of the MRP include construction site controls, water quality monitoring programs, pollutants of concern control programs (including litter, PCBs, mercury, pesticides, and copper), watershed management, illicit discharge detection and elimination, industrial and commercial site controls, municipal operations, and public information/participation.

3.10.3 Discussion

Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less Than Significant Impact. The proposed project would not violate any water quality standards or waste discharge requirements. The proposed project could impact surface water quality during the short-term construction period through the accidental release of construction fuels or fluids along the entire alignment or through an increase in sedimentation or erosion due to ground disturbance. The construction contractor would keep all construction equipment well-maintained and would always have on-hand adequate absorbent materials to clean-up the largest possible spill (see stormwater BMPs in Section 2.4).

The project is not required to obtain coverage under the State Water Resources Control Board General Permit for Discharges of Storm Water Associated with Construction Activity (Construction General Permit) as the project is a linear underground project that would involve less than one acre of disturbance. The area of disturbance (17,740 square feet) was calculated using the length of the water main alignment (4,435 lineal feet multiplied by the width of the excavation, which is four feet), or approximately 0.4 acres.

It is standard practice, however, for the District to incorporate BMPs to protect surface water quality such as the use of fiber rolls, sand bags/filter covers for drains, plastic over stock piles, and to suspend construction during rain (see Section 2.4). The project would have no impact on surface water quality after construction as disturbed areas would be returned to pre-project conditions.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

No Impact. The proposed project would not use groundwater supplies or interfere substantially with groundwater recharge. The proposed new or enlarged water mains would not use additional water or serve new residences or businesses. All proposed water mains would be located

underground, and disturbed areas returned to pre-project conditions. No increase in impervious area is anticipated as a result of the project. Therefore, the project is not expected to interfere with groundwater recharge.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i) Result in substantial erosion or siltation on- or off-site;

Less than Significant Impact. The proposed project would not alter the existing drainage pattern of the site or area nor result in substantial erosion or siltation. The project does not alter the course of a stream or river, nor does it add impervious surfaces. Most of the proposed water mains would be installed within existing paved roadways. One segment of the water main installation occurs on natural surfaces on a pedestrian pathway, however erosion control BMPs (see Section 2.4) would be implemented throughout the project construction period to prevent erosion or siltation. All disturbed sites would be returned to pre-project conditions following construction, therefore drainage patterns along the project alignment would be the same as under existing conditions after project completion. The impact is considered less than significant.

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;

No Impact. The project site is confined to existing paved roadways and a pedestrian pathway segment (pervious land). All disturbed areas would be returned to pre-project conditions following the water main installations. No increase in impervious surface area is anticipated. Therefore, the proposed project would not alter the rate or amount of surface water runoff in a manner which would result in flooding on- or off-site.

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

No Impact. As stated above, the project would not add impervious areas or increase stormwater runoff as a result of construction. The District would require that the construction contractor implement standard BMPs to protect surface water quality during construction. Therefore, there would be no impact from additional runoff, or polluted runoff.

iv) Impede or redirect flood flows?

No Impact. The project includes the installation of underground potable water infrastructure with minor above ground appurtenances (fire hydrants). Proposed above ground project features such as fire hydrants would not block or redirect flood flows. Therefore, the project would not impede or redirect flood flows.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

No Impact. The terms tsunami or seiche are described as ocean waves or similar waves in large water bodies, usually created by undersea fault movement or by a coastal or submerged landslide. The site is approximately five miles west of the San Francisco Bay and 13 miles east of the Pacific Ocean and is not near any large inland water bodies. Therefore, the project is not at risk of inundation by seiche or tsunami. In addition, the project installs potable water mains underground and therefore there is no risk for release of pollutants due to inundation.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

No Impact. The project does not include the addition of impermeable surfaces. Therefore, the project would not affect groundwater supplies or management.

3.10.4 References

FEMA 2021. FEMA Flood Map Service Center. FIRM panel 06085C0185H. Accessed July 20, 2021 at https://msc.fema.gov/portal/search?AddressQuery=los%20altos%20hills#searchresultsanchor

Los Altos Hills, Town of. 2007. Town of Los Altos Hills General Plan Update. Adopted April 26. http://www.losaltoshills.ca.gov/documents-forms/browse/cat_view/61-general-plan, accessed July 16, 2019.

State Water Resources Control Board. 2018. Final 2018 California Integrated Report; Appendix A: 2018 303(d) List of Impaired Waters. Accessed on July 20, 2021 at: https://www.waterboards.ca.gov/water_issues/programs/tmdl/2018state_ir_reports_final/app_a_2018303d.xlsx

Valley Water. 2021 Lower Peninsula Watersheds (Planned). Accessed July 20, 2021 at: https://www.valleywater.org/accordion/lower-peninsula-watersheds-planned.

3.11 LAND USE AND PLANNING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒

3.11.1 Environmental Setting

The project site is located in the Town of Los Altos Hills and mostly located within existing public road rights-of-way or disturbed pathways in utility easements in residential areas. One alignment is located on the Seton property and is designated as "Residential" according to the Town's General Plan Land Use Diagram and zoned R-A (Residential Agricultural). This section of the water mains to be installed also falls within an area designated as "Open Space Conservation Area" (Town of Los Altos Hills 2021).

3.11.2 Discussion

Would the project:

a) Physically divide an established community?

No Impact. The project would be located in road rights-of-way and an unpaved pathway. All improvements would be installed underground, except for minor appurtenances such as fire hydrants. The project does not include any physical barriers such as new roads or fences such that existing land use patterns would change resulting in a division of an established community.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

No Impact. The project would involve Town review of the construction traffic control and staging plan. The proposed project consists of installation or replacement of existing potable water infrastructure. There would be no conflict with a land use plan, policy, or regulation.

3.11.3 References

Los Altos Hills, Town of. Los Altos Hills GIS/Maps. Accessed on June 30, 2021 at: https://gis.lynxgis.com/Html5Viewer/Index.html?configBase=https://gis.lynxgis.com/Geocortex/Essentials/REST/sites/Los_Altos_Hills/viewers/LAHViewer/virtualdirectory/Resources/Config/Default.

3.12 MINERAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local -general plan, specific plan or other land use plan?	☐	☐	☐	☒

3.12.1 Environmental Setting

Mineral resources that have been found and extracted in the Los Altos Hills area are primarily construction aggregate deposits. Neary Quarry, which supplied base rock for the construction of Moffett Federal Airfield and crushed rock for US 101 and I-280, is no longer in operation. The nearest quarry currently in operation is Permanente Quarry owned by Hanson Cement and Gypsum Company, located on unincorporated lands in Santa Clara County, within the Sphere of Influence of the City of Cupertino (Los Altos Hills 2007).

3.12.2 Discussion

Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact (Responses a – b). There are no known mineral resources on or near the project alignment, either of regional value or local importance. Ground disturbance is planned under existing Town roads and within paved areas of the Seton property and within paved and unpaved pedestrian pathways. Therefore, the project would not result in the loss of availability of known mineral resources

3.12.3 References

Los Altos Hills. 2007. General Plan Conservation Element. Adopted April 26. Accessed on July 1, 2021 at http://www.losaltoshills.ca.gov/DocumentCenter/View/151/General-Plan---4-Conservation-PDF.

3.13 NOISE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or in other applicable standards of other agencies?	☐	☐	☒	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

3.13.1 Environmental Setting

Noise may be defined as loud, unpleasant, or unwanted sound. The frequency (pitch), amplitude (intensity or loudness), and duration of noise all contribute to the effect on a listener, or receptor, and whether the receptor perceives the noise as objectionable, disturbing, or annoying.

The Decibel Scale (dB)

The decibel scale (dB) is a unit of measurement that indicates the relative amplitude of a sound. Sound levels in dB are calculated on a logarithmic basis. An increase of 10 dB represents a tenfold increase in acoustic energy, while 20 dBs is 100 times more intense, 30 dBs is 1,000 more intense, and so on. In general, there is a relationship between the subjective noisiness, or loudness of a sound, and its amplitude, or intensity, with each 10 dB increase in sound level perceived as approximately a doubling of loudness.

Sound Characterization

There are several methods of characterizing sound. The most common method is the “A-weighted sound level,” or dBA. This scale gives greater weight to the frequencies of sound to which the human ear is typically most sensitive. Thus, most environmental measurements are reported in dBA, meaning decibels on the A-scale.

Human hearing matches the logarithmic A-weighted scale, so that a sound of 60 dBA is perceived as twice as loud as a sound of 50 dBA. In a quiet environment, an increase of three dB is usually perceptible, however, in a complex noise environment such as along a busy street, a noise increase of less than three dB is usually not perceptible, and an increase of five dB is usually perceptible. Normal human speech is in the range from 50 to 65 dBA. Generally, as environmental noise exceeds 50 dBA, it becomes intrusive and above 65 dBA noise becomes excessive. Nighttime activities, including sleep, are more sensitive to noise and are considered affected over a range of 40 to 55 dBA. Table 3-1 lists typical outdoor and indoor noise levels in terms of dBA.

Table 3-1: Typical Outdoor and Indoor Noise Levels

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
	-110-	Rock Band
Jet flyover at 1,000 feet		
	-100-	
Gas lawn mower at 3 feet		
	-90-	
Diesel truck at 50 feet at 50 mph		Food blender at 3 feet
	-80-	Garbage disposal at 3 feet
Noise urban area, daytime		
Gas lawnmower, 100 feet	-70-	Vacuum cleaner at 10 feet
Commercial area		Normal speech at 3 feet
Heavy traffic at 300 feet	-60-	
		Large business office
Quiet urban daytime	-50	Dishwasher next room
Quite urban nighttime	-40-	Theater, large conference room (background)
Quiet suburban nighttime		
	-30-	Library
Quite rural nighttime		Bedroom at night
	-20-	
		Broadcast/recording studio
	-10-	
Lowest threshold of human hearing	-0-	Lowest threshold of human hearing

Source: Caltrans 2009

Sound levels are typically not steady and can vary over a short time period. The equivalent noise level (Leq) is used to represent the average character of the sound over a period of time. The Leq represents the level of steady noise that would have the same acoustical energy as the sum of the time-varying noise measured over a given time period. Leq is useful for evaluating shorter time periods over the course of a day. The most common Leq averaging period is hourly, but Leq can describe any series of noise events over a given time period.

Variable noise levels are values that are exceeded for a portion of the measured time period. Thus, L01 is the level exceeded one percent of the time and L90 is the level exceeded 90 percent of the time. The L90 value usually corresponds to the background sound level at the measurement location.

Noise exposure over the course of an entire day is described by the day/night average sound level, or Ldn, and the community noise equivalent level, or CNEL. Both descriptors represent the 24-hour noise impact on a community. For Ldn, the 24-hour day is divided into a 15-hour daytime period (7:00 AM to 10:00 PM) and a nine-hour nighttime period (10:00 PM to 7:00 AM) and a ten dB “penalty” is added to measure nighttime noise levels when calculating the 24-hour average

noise level. For example, a 45 dBA nighttime sound level would contribute as much to the overall day-night average as a 55 dBA daytime sound level. The CNEL descriptor is similar to Ldn, except that it includes an additional five dBA penalty beyond the ten dBA for sound events that occur during the evening time period (7:00 PM to 10:00 PM). The artificial penalties imposed during Ldn and CNEL calculations are intended to account for a receptor's increased sensitivity to sound levels during quieter nighttime periods.

Sound Propagation

The energy contained in a sound pressure wave dissipates and is absorbed by the surrounding environment as the sound wave spreads out and travels away from the noise generating source. Theoretically, the sound level of a point source attenuates, or decreases, by six dB with each doubling of distance from a point source. Sound levels are also affected by certain environmental factors, such as ground cover (asphalt vs. grass or trees), atmospheric absorption, and attenuation by barriers. Outdoor noise is also attenuated by the building envelope so that sound levels inside a residence are from ten to 20 dB less than outside, depending mainly on whether windows are open for ventilation or not.

When more than one point source contributes to the sound pressure level at a receiver point, the overall sound level is determined by combining the contributions of each source. Decibels, however, are logarithmic units and cannot be directly added or subtracted together. Under the dB scale, a doubling of sound energy corresponds to a three dB increase in noise levels. For example, if one noise source produces a sound power level of 70 dB, two of the same sources would not produce 140 dB – rather, they would combine to produce 73 dB.

Under controlled conditions in an acoustical laboratory, the trained, healthy human ear can discern one-dB changes in sound levels when exposed to steady, single-frequency ("pure-tone") signals in the mid-frequency (1,000–8,000 Hz) range. In typical noisy environments, changes in noise of one to two dB are generally not perceptible. However, it is widely accepted that people can begin to detect sound level increases of three dB in typical noisy environments. Further, a five-dB increase is generally perceived as a distinctly noticeable increase, and a ten-dB increase is generally perceived as a doubling of loudness.

Noise Effects

Noise effects on human beings are generally categorized as:

- Subjective effects of annoyance, nuisance, and/or dissatisfaction
- Interference with activities such as speech, sleep, learning, or relaxing
- Physiological effects such as startling and hearing loss

Most environmental noise levels produce subjective or interference effects; physiological effects are usually limited to high noise environments such as industrial manufacturing facilities or airports.

Predicting the subjective and interference effects of noise is difficult due to the wide variation in individual thresholds of annoyance and past experiences with noise; however, an accepted method to determine a person's subjective reaction to a new noise source is to compare it to the existing environment without the noise source, or the "ambient" noise environment. In general, the more a new noise source exceeds the ambient noise level, the more likely it is to be considered annoying and to disturb normal activities.

Under controlled conditions in an acoustical laboratory, the trained, healthy human ear is able to discern one-dB changes in sound levels when exposed to steady, single-frequency ("pure-tone") signals in the mid-frequency (1,000–8,000 Hz) range. In typical noisy environments, changes in noise of one to two dB are generally not perceptible. However, it is widely accepted that people are able to begin to detect sound level increases of three dB in typical noisy environments.

Further, a five dB increase is generally perceived as a distinctly noticeable increase, and a ten dB increase is generally perceived as a doubling of loudness that would almost certainly cause an adverse response from community noise receptors.

Existing Noise Environment

Ambient noise sources in the project area are from traffic on Town roads. Development in the areas where project activities are planned include single-family homes on large lots. No other significant commercial, retail, or industrial uses are present adjacent to the proposed water main alignments.

Sensitive Receptors

Noise sensitive receptors are areas where unwanted sound or increases in sound may have an adverse effect on people or land uses. Residential areas, hospitals, schools, and parks are examples of noise receptors that could be sensitive to changes in existing environmental noise levels. The closest noise sensitive receptors in proximity to the project site include the single-family residential homes and buildings on the Seton property along project roads and pathways, which are adjacent to where construction activities would be undertaken.

3.13.2 Regulatory Setting

Los Altos Municipal Code

The Town's Municipal Code (Title 5, Chapter 6, Article 02) limits the hours and days of outside construction activities to 8:00 AM to 5:30 PM Monday through Saturday, with no construction allowed on Sundays or public holidays.

California Code of Regulations

California Code of Regulations (13 CCR § 2485) prohibits diesel engine idling for greater than five minutes at any location.

3.13.3 Discussion

Would the project result in:

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or in other applicable local, state, or federal standards?

Less than Significant Impact. The water mains would be installed underground, therefore there would be no noise associated with District daily operations. The project would result in temporary construction noise during installation. Construction noise is considered a less than significant impact because of the temporary nature of the noise and because the hours of construction are limited by the project specifications within the hours of 8:00 AM and 5:00 PM Monday through Friday, with no construction on Saturdays, Sundays or Holidays. The specifications will require the contractor to cease laying water main at 3:00 PM to ensure there is enough time to clean up and re-open the roadway by 5:00 PM. Since construction activities would move around the respective project areas as construction proceeds (100 to 200 linear feet installed per day), it is unlikely that any one location would experience high noise levels continuously for extended periods of time. Construction equipment to be used includes loaders (duals as an excavator because it has a bucket on the opposite end), a paver, roller, trucks and end dump trucks. The noise levels for most of this equipment at 50 feet ranges from 80 dBA (decibels, A-weighted) to 90 dBA, with the backhoes being the loudest.

b) Generation of excessive groundborne vibration or groundborne noise levels?

Less Than Significant Impact. The installation of the water mains would result in noise from construction machinery and vehicles and could temporarily expose persons to some minor groundborne vibration and noise due to cutting of the pavement and excavation. Construction is expected to be approximately six months beginning in 2022. Construction related noise is temporary and therefore considered less than significant. Water main installation is expected to progress at approximately 100-200 linear feet per day. No generation of ground borne vibration or ground borne noise is associated with water main operations.

Although some vibration associated with construction activities may be felt by the residences along the water main alignments, it is not considered significant because it would be intermittent (occurring only when equipment was in operation), infrequent (equipment would not operate every day), and at no time would vibration from project construction damage buildings or structures. This impact would be less than significant.

c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. The project site is not within an airport land use plan nor is it within two miles of a public or private airport. Moffett Federal Airfield is the closest runway to the project site, approximately six miles to the east. The operation of the proposed water main facilities does not produce noise and would not expose people residing or working in the area to excessive noise levels. There will be temporary and periodic increases in the ambient noise levels at the site resulting from project construction. However, because the noise would be temporary and limited to daytime hours per the Town's noise ordinance, the impact is considered less than significant.

3.13.4 References

Town of Los Altos. Municipal Code. Accessed July 1, 2021 at: http://www.losaltoshills.ca.gov/199/Municipal-Code

3.14 POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Induce a substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☐	☒
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

3.14.1 Discussion

Would the project:

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact. (Responses a – b). The project area is primarily built out and the project is designed to serve the needs of the existing development and fire flow requirements. Although the project would include new or enlarged water mains, they are intended to provide increased reliability (replacing old and failing water mains with upgraded materials to better withstand an earthquake) and efficiency (increased water main diameter to move water more quickly, reducing pump run times). The new or enlarged water mains are not sized to serve unplanned growth. Considering the project area is primarily built out and no changes in surrounding land uses are proposed, the proposed project would not induce population growth, either directly or indirectly.

The proposed project would not remove any existing housing, nor would it displace any people necessitating the construction of replacement housing elsewhere. No impact would occur.

3.15 PUBLIC SERVICES

	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 public services:				
i) Fire protection?	☐	☐	☐	☒
ii) Police protection?	☐	☐	☐	☒
iii) Schools?	☐	☐	☐	☒
iv) Parks?	☐	☐	☐	☒
v) Other public facilities?	☐	☐	☐	☒

3.15.1 Environmental Setting

The Los Altos Hills County Fire District (LAHCFD) serves the residents of Los Altos Hills and unincorporated areas known as Loyola, Los Trancos, and San Antonio Hills. The LAHCFD contracts its firefighting personnel, apparatus, and equipment from the Santa Clara County Fire Department. In addition to direct fire suppression and prevention, the LAHCFD performs support functions such as Water Mains and Hydrant Operations, in which they provision and maintain the community's pipeline infrastructure to ensure an adequate and reliable supply of water for use in fire emergencies. The LAHCFD also promotes and manages other activities aimed at fire prevention, such as an extensive Fuel Management program that includes Weed & Brush Abatement, Brush Chipping, and Dead Tree Removal and provide regular classes in Disaster Preparedness, including a leading Community Emergency Response Team program (LAHCFD 2021). The LAHCFD is served by the station house located on the Foothill College Campus at 12355 El Monte Avenue.

The Town of Los Altos Hills contracts with the Santa Clara County Sheriff's Department for law enforcement and public safety services. The Sheriff has an office in the Heritage House next to Town Hall (Town of Los Altos Hills 2007).

The project alignments are in the Los Altos School District (elementary and middle schools) and the Mountain View-Los Altos High School District (high schools). The closest elementary school to the project is the St. Nicholas Catholic School (private), about one mile to the east of the Duval Way segment. Foothill College athletic fields, parking lot and Observatory are located just south of Josefa Lane.

The Byrne Preserve, Rhus Ridge Preserve, and the Rancho San Antonio Open Space Preserve are located in or adjacent to the Town. The Town owns and manages the Byrne and Rhus Ridge Preserves, while the San Antonio Open Space Preserve is a Mid-peninsula Regional Open Space District park. Numerous pedestrian pathways are found within the Town.

3.15.2 Discussion

Would the project:

a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

i) Fire protection?

ii) Police?

iii) Schools?

iv) Parks?

v) Other public facilities?

No Impact. The proposed project is the installation of water mains. The project does not include structures for human habitation or flammable materials. Therefore, the project would not increase the demand for fire protection, police, or emergency services, and would not affect service ratios or response times, or require the provision of new or physically altered stations.

The proposed project does not include new housing and would not induce population growth (see Response 3.14a); therefore, it would not increase enrollment at local schools, or require the provision of new or physically altered schools nor increase the use of local and regional parks or require the provision of new or physically altered parks, or other governmental facilities.

3.15.3 References

LAHCFD. 2021. LAHCFD Website: About the District. Accessed July 21, 2021 at https://www.lahcfd.org/about-the-district/

3.16 RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
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?	☐	☐	☐	☒
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

3.16.1 Discussion

Would the project:

a) Increase the use of existing neighborhood or regional parks or other recreational facilities such that significant physical deterioration of the facility would occur or be accelerated?

b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

No Impact. (Responses a – b). The project includes the installation, replacement, and abandonment of potable water supply infrastructure. The proposed project would not induce population growth (see Response 3.14a); therefore, it would not increase the use of existing neighborhood and regional parks or other recreational facilities. The project does not include or require the construction or expansion of recreational facilities.

3.17 TRANSPORTATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3(b), which pertains to vehicle miles travelled?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☐	☒

3.17.1 Environmental Setting

Regional access is provided to the project alignment by I-280 and local access from I-280 is provided via El Monte Road and Page Mill Road. The water mains would be installed in several local streets including Duval Way, Elena Road, Padre Court, and private roadways on the Seton property. Elena Road is classified as neighborhood connector roads, while Moody Road is classified as a collector road (Town of Los Altos Hills 2015).

There is no transit service along the proposed project's water main alignment. The nearest transit routes serve Foothill College (VTA 2021). A portion of Elena Road (between Robleda Road and Moody Road) is a designated local bikeway (Town of Los Altos Hills 2015), but no project activities are proposed along this portion of Elena Road. No other roads in the project area are designated bikeways. However, given the rural setting and low traffic volumes of the project roadways, all project road lanes in the project area allow for on-road riding. The project's Duval Way segment occurs on a portion of a pedestrian pathway connecting Duval Way and Josefa Lane. Project activities occur within roadways that are adjacent to other roadside paths or sidewalks along portions of the alignment.

3.17.2 Discussion

Would the project:

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

Less Than Significant Impact. The proposed project consists of the installation, replacement, and abandonment of water main infrastructure. As such, the proposed project would not generate a permanent increase in traffic on the local or regional road network and would therefore not conflict with any plan, ordinance, or policy establishing performance standards for transportation and circulation system.

Project construction would add temporary vehicle trips to project roadways from construction crews, and delivery of equipment and materials. Anticipated heavy equipment includes two loaders (duals as an excavator), one paver, one roller, four pickup trucks and three end dump trucks. Project construction-related vehicle trips would be temporary and intermittent, occurring

throughout the day, but also during the AM (7:00 AM – 9:00 AM) and PM (4:00 PM – 6:00 PM) peak hour time periods. These impacts are temporary and therefore considered a less than significant impact.

b) Conflict or be inconsistent with CEQA Guidelines section 15064.3(b), which pertains to vehicle miles travelled?

Less Than Significant Impact. The project would not generate new permanent traffic on the local or regional road network as there are no on-site employees associated with water main operations. Operational traffic related to maintenance of existing and new water mains would not change from existing maintenance activities. The project is the installation, replacement, and abandonment of potable water infrastructure, therefore, no change in vehicle miles traveled is anticipated as a result of the project.

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Less Than Significant. The proposed project would involve the installation, replacement, and abandonment of water mains, mostly within existing road right-of-way. The contractor is required by the District to prepare a Traffic Control Plan to manage traffic during construction, including pedestrian and bicyclists, and maintain access to emergency vehicles and residents' access to their homes during construction. Therefore, the impact is considered less than significant.

d) Result in inadequate emergency access?

No Impact. Despite anticipated proposed road closures during construction, emergency vehicles would be allowed passage during construction, and the project would not cause an increase in traffic that could delay emergency vehicles as emergency vehicles would be waived through the work area during construction. The proposed project would not result in inadequate emergency access.

3.17.3 References

Town of Los Altos Hills. 2007. General Plan Circulation and Scenic Roadways Element. Accessed on July 22, 2021 at http://www.losaltoshills.ca.gov/DocumentCenter/View/150/General-Plan---3-Circulation-PDF.

Valley Transportation Authority. 2021. VTA System Maps: Main Map. Accessed on July 22 at: https://www.vta.org/sites/default/files/2021-07/VTA_MainMap_061421.pdf

3.18 TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
Cause a substantial adverse change in the significance of a tribal cultural resources, 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)?	☐	☒	☐	☐
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.	☐	☒	☐	☐

3.18.1 Environmental Setting

Dudek prepared a cultural resources assessment for the project (Dudek 2021) and is included as Appendix A. Due to the sensitive nature of the information in the memo, the report will be kept confidential and stored with the project file at the District.

The Ohlone Native Americans inhabited what is now Santa Clara County and the surrounding municipalities prior to initial invasion by the Spanish in 1769 (Dudek 2021). The Ohlone formed numerous tribelets of the Ohlone language group and maintained separate territories and spoke distinct languages. The project area is thought to have been occupied by the Puichon, a distinct Ohlone tribelet.

In 1769, Spain began its colonization efforts by establishing missions in the Spanish territory in Alta California. The Ohlone, including the Puichon, were subjugated and forced into the mission system to build the missions and cultivate crops for the Mission padres and soldiers. The Puichon people were absorbed into the Mission San Francisco and the Mission Santa Clara.

Following Mexican independence from Spain in 1821, the Mexican government secularized the Spanish missions and offered land grants to citizens in Alta California. The project area was included in the 4,439-acre La Purisíma Concepción land grant. The Mexican government assigned civil commissioners to “return the land to the native population” formerly subjugated by the mission system; however, this largely did not occur (City of Santa Clara 2019).

Rancho La Purisíma Concepción, as with the other ranchos in California, was divided into smaller parcels and sold to ranchers following the end of the Mexican American War and cession of California to the United States (Dudek 2021). Settlers of the Los Altos Hills eventually cultivated

fruit orchards, which helped the region flourish into the early 20th century. The area largely retained its rural character until residential development accelerated following World War II (1941-1945). The City of Los Altos was incorporated in 1956.

3.18.2 Regulatory Setting

Native American Graves Protection and Repatriation Act of 1990

The Native American Graves Protection and Repatriation Act (NAGPRA) of 1990 sets provisions for the intentional removal and inadvertent discovery of human remains and other cultural items from federal and tribal lands. It clarifies the ownership of human remains and sets forth a process for repatriation of human remains and associated funerary objects and sacred religious objects to the Native American groups claiming to be lineal descendants or culturally affiliated with the remains or objects. It requires any federally funded institution housing Native American remains or artifacts to compile an inventory of all cultural items within the museum or with its agency and to provide a summary to any Native American tribe claiming affiliation.

Native American Heritage Commission, Public Resources Code Sections 5097.9 – 5097.991

Section 5097.91 of the Public Resources Code (PRC) established the Native American Heritage Commission (NAHC), whose duties include the inventory of places of religious or social significance to Native Americans and the identification of known graves and cemeteries of Native Americans on private lands. Under Section 5097.9 of the PRC, a state policy of noninterference with the free expression or exercise of Native American religion was articulated along with a prohibition of severe or irreparable damage to Native American sanctified cemeteries, places of worship, religious or ceremonial sites or sacred shrines located on public property. Section 5097.98 of the PRC specifies a protocol to be followed when the NAHC receives notification of a discovery of Native American human remains from a county coroner. Section 5097.5 defines as a misdemeanor the unauthorized disturbance or removal of archaeological, historic, or paleontological resources located on public lands.

California Native American Graves Protection and Repatriation Act of 2001

Codified in the California Health and Safety Code Sections 8010–8030, the California Native American Graves Protection Act (NAGPRA) is consistent with the federal NAGPRA. Intended to "provide a seamless and consistent state policy to ensure that all California Indian human remains and cultural items be treated with dignity and respect," the California NAGPRA also encourages and provides a mechanism for the return of remains and cultural items to lineal descendants. Section 8025 established a Repatriation Oversight Commission to oversee this process. The act also provides a process for non–federally recognized tribes to file claims with agencies and museums for repatriation of human remains and cultural items.

Assembly Bill 52

Assembly Bill (AB) 52 specifies that a project that may cause a substantial adverse change in the significance of a tribal cultural resource, as defined, is a project that may have a significant effect on the environment. AB 52 requires a lead agency to begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project, if the tribe requests in writing to the lead agency, to be informed by the lead agency of proposed projects in that geographic area and the tribe requests consultation, prior to determining whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project.

No Native American tribes contacted the Town under AB52, and thus AB52 consultation was not required as part of the project.

Santa Clara County General Plan

The following relevant policies are from the Santa Clara County General Plan Resource Conservation Element:

- *C-RC 49.* Cultural heritage resources within Santa Clara County should be preserved, restored wherever possible, and commemorated as appropriate for their scientific, cultural, historic and place values.
- *C-RC 50.* Countywide, the general approach to heritage resource protection should include the following strategies: 1. Inventory and evaluate heritage resources. 2. Preventor minimize adverse impacts on heritage resources. 3. Restore, enhance, and commemorate resources as appropriate.
- *C-RC 51.* Inventories of heritage resources should be maintained as the basis for local decisionmaking regarding such resources.
- *C-RC 52.* Prevention of unnecessary losses to heritage resources should be ensured as much as possible through adequate ordinances, regulations, and standard review procedures. Mitigation efforts, such as relocation of the resource, should be employed where feasible when projects will have significant adverse impact upon heritage resources.

3.18.3 Discussion

Would the project:

a) Cause a substantial adverse change in the significance of a tribal cultural resources, 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)?

ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe?

a) Less Than Significant with Mitigation. Under CEQA, a significant resource is one that is listed in a California or local historic register or is eligible to be listed. As such, lead agencies have a responsibility to evaluate such resources against the California Register criteria prior to making a finding as to a proposed project's impacts to historical resources (PRC § 21084.1, 20174, 14 CCR § 15064.5(3).

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. A determination of such by a lead agency would make an artifact a significant resource under CEQA.

Ground disturbing activity has the potential of archaeological discovery. Resource P-43-000989 is located near the Padre Court and Seton Property segments of the project site and may extend beyond its mapped boundaries. Further, a local Native American tribal contact, Kanyon Sayers-Roods, noted the project site is near or overlaps the boundary of a recorded and potentially eligible cultural site. The project's area of disturbance may overlap with this site and, therefore, there is potential for discovery of archaeological resources and human remains during project construction. Ms. Sayers-Roods recommended archaeological and Native American monitoring.

Recommended cultural mitigation measures CUL-1a through CUL-1c (see Section 3.5) include the requirement to have an archaeological monitor present during all ground disturbing activity for locations near known resources, as well as provisions to stop work in the event of an archaeological discovery and include additional measures if considered appropriate by the archaeologist. These are considered sufficient mitigations to protect archaeological resources and tribal resources from construction activities. Additionally, mitigation measure TRIB-1 (see below) includes the requirement for tribal monitoring in the event Native American archaeological resources are present. This ensures that TCRs will be treated appropriately and according to tribal practices.

The Duval Way and Elena Road segments of the project site are not located near any known archaeological resources, although the water mains would encounter native soils and there is potential for the unanticipated discovery of archaeological resources.

The implementation of Mitigation Measure CUL-1 (see Section 3.5.3) and TRIB-1, below, would safeguard any TCRs if they are found to be present.

Impact TRIB-1: Project construction could disturb or damage unknown tribal cultural resources resulting in an adverse change in the significance of the tribal resource.

Mitigation Measure TRIB-1: It is possible for a lead agency to determine that an artifact is considered significant to a local tribe, and thus considered a significant resource under CEQA, even if it would not otherwise be considered significant under CEQA. As such, all Native American tribal finds are to be considered significant until the lead agency has enough evidence to make a determination of significance. In the event that Native American archaeological resources are discovered, or suspected to have been discovered, Native American monitoring will be required before further ground disturbance shall be allowed.

Effectiveness: This measure would minimize or avoid impacts to potential Tribal Cultural Resources.

Implementation: By the Purissima Hills Water District.

Timing: After discovery of artifacts.

Monitoring: The District shall review the find in consultation with an archaeologist and Native American monitor before making a determination. Additionally, the find will be analyzed by a qualified archaeologist in order to determine if it meets the requirements for inclusion on a historic register.

3.18.4 References

City of Santa Clara. 2019. Santa Clara "The Mission City." Accessed July 19, 2021. https://www.santaclaraca.gov/i-want-to/place-holder/the-mission-city

County of Santa Clara. 2007. Santa Clara County General Plan Resource Conservation Element. Accessed July 19, 2021. https://www.sccgov.org/sites/dpd/DocsForms/Documents/GP_Book_A.pdf

Dudek. 2021. Cultural Resources Assessment: Water Main Replacements in Purissima Hills Water District, Los Altos Hills, California. June 16, 2021, updated December 12, 2021.

3.19 UTILITIES AND SERVICE SYSTEMS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☒
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☐	☒
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☐	☒
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒

3.19.1 Discussion

Would the project:

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?

No Impact. The proposed project consists of the installation and replacement of existing water mains mostly located within existing roadways. No new impervious areas are proposed as part of the project. Thus, there are no new or expanded water, wastewater treatment, electric power, natural gas, or telecommunication facilities included as part of the project. Any existing stormwater drainage facilities damaged by construction would be repaired and replaced in place and would not be increased in size or relocated. Therefore, the project would have no impact.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

No Impact. (Responses b - c). No additional water supply is being sought as part of the project. Water demand by construction workers and construction uses would be negligible. Operation of the proposed project would not result in any permanent increase in water demand.

Although the project would include new segments (to replace abandoned segments) or enlarged water mains, they are intended to provide improved transmission within the District. The new or enlarged water mains would not use additional water or serve unplanned growth. Therefore, the project would not require or result in the construction of new water or wastewater treatment facilities or the expansion of existing facilities.

During project construction, portable toilets would be provided by the contractor which would be processed at a local facility, in accordance with State and local regulations. The wastewater created from portable toilets used during project constriction is also negligible

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?

Less than Significant Impact. Although a small amount of construction waste would be generated by the project over the short-term, the project would not generate solid waste after construction. Construction waste is expected to be minimal and would not exceed the capacity of the landfill that serves the area.

e) Comply with Federal, State, and local management and reduction statutes and regulations related to solid waste?

No Impact. The project would not conflict with any federal, state or local statutes and regulations related to solid waste.

3.20 WILDFIRE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Is the project located near state responsibility areas or lands classified as very high fire hazard severity zones?	☒ Yes		☐ No	
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒
c) Require the installation of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

3.20.1 Environmental Setting

The project site is situated within the Town of Los Altos Hills, adjacent to the City of Los Altos, Cupertino, Palo Alto and unincorporated Santa Clara County. The Town of Los Altos Hills is within the urban-wildland interface (Town of Los Altos Hills 2015). The Town and project features are located in an incorporated city and therefore in a Local Responsibility Area (LRA) and within an area mapped as a “Non-Very High Fire Hazard Severity Zone” by CalFire (CalFire 2008). Rancho San Antonio Open Space Preserve is located to the south of the Town of Los Altos Hills and is a State Responsibility Area (SRA) and also has a “Non-Very High Fire Hazard Severity Zone” designation (CalFire 2008).

3.20.2 Discussion

Would the project:

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

c) Require the installation of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Less than Significant Impacts (a through d). The project site is within the Town of Los Altos Hills which is located in an LRA that is designated a "Non-Very High Fire Hazard Severity Zone". The nearest SRA is the Rancho San Antonio Open Space Preserve, which is located to the south of the Town of Los Altos Hills and also has a "Non-Very High Fire Hazard Severity Zone" designation (CalFire 2008). The entire town is located within a designated Urban-Wildland interface and as such any new residential or institutional development within the town is required to be consistent with wildland fire resistant construction methods.

The nearest SRA with a "Very High Fire Hazard Severity Zone" designation is in Portola Valley, west of Portola Road, about 3.5 miles northwest of the project site. The nearest LRA with a "Very High Fire Hazard Severity Zone" designation is in Saratoga, approximately 5 miles southeast of the project site (CalFire 2008b). The nearby Rancho San Antonio Open Space Preserve is an SRA that is designated as a "Non-Very High Fire Hazard Severity Zone" designation (CalFire 2008). As stated above in Response 3.9(f), the contractor would maintain access to emergency vehicles for the duration of construction and therefore would not significantly impair or physically interfere with an adopted emergency evacuation plan. Contractors shall comply with all Town or local fire authority requirements for evacuation in the event of an emergency.

The project would not exacerbate wildfire risks as it consists of the installation of water mains located below ground and mostly within road rights-of-way. The alignment along the pedestrian pathway would not significantly alter vegetated areas and thereby not exacerbate wildfire risk by introducing dense plantings near structures. The proposed new water mains do not require additional infrastructure to support their operation. The project does not include housing or structures for habitation that would be at risk for significant risks due to downstream flooding or landslides as a result of post-fire slope instability as the project installs water mains below the ground and would not change drainage patterns. All disturbed areas would be slope protected and returned to pre-project conditions following water main installation. The impacts are considered less than significant.

3.20.3 References

CalFire. 2008. Santa Clara County Very High Fire Severity Zones in LRA as Recommended by CALFIRE. October 8. Accessed on July 22, 2021 at https://osfm.fire.ca.gov/media/6536/fhszl_map43.jpg

CalFire 2008b. San Mateo County Very High Fire Hazard Severity Zones in LRA as Recommended by CALFIRE. November 24.. Accessed on July 22, 2021 at https://osfm.fire.ca.gov/media/6532/fhszl_map41.jpg

Town of Los Altos Hills. 2021. Planning Commission Item 4.3 Staff Report Wildland Urban Interface Map Adoption, File #GPA21-0001 – Town of Los Altos Hills. Accessed July 29, 2021 at https://civicclerk.blob.core.windows.net/stream/LOSALTOSHILLSCA/b89e3f89-4100-44b4-b931-4dfe5939febe.pdf?sv=2015-12-11&sr=b&sig=F%2BPbnAEOivYIQAO6i%2BYcyheWKn%2Bn2yi5nb2UoxVDKq8%3D&st=2021-07-29T19%3A37%3A42Z&se=2022-07-29T19%3A42%3A42Z&sp=r&rscc=no-cache&rsct=application%2Fpdf

_____ 2015. Staff Report to the Planning Commission, SU: Modification to the Town of Los Altos Hills Wildland-Urban Interface Fire area Map, File #395-14-MISC. Accessed July 22, 2021 at: http://losaltoshills.granicus.com/MetaViewer.php?clip_id=304&meta_id=42404

3.21 MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means the incremental effects of a project are considerable when viewed in connection with the efforts of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

3.21.1 Discussion

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Less Than Significant with Mitigation. The proposed project would not 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, 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. There are sensitive biological resources (San Francisco dusky footed woodrat and nesting birds) in the Seton property project area that would be protected through Mitigation Measures BIO-1 and BIO-2. The remainder of the project footprint would be restricted to paved roads or disturbed pedestrian pathways. Mitigation is incorporated into the project to prevent potentially significant impacts to Cultural Resources and Tribal Cultural Resources (Mitigation Measures CULT-1 and TRIB-1).

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means the incremental effects of a project are considerable when viewed in connection with the efforts of past projects, the effects of other current projects, and the effects of probable future projects)?

Less Than Significant. The project will not have environmental effects that are individually limited but cumulatively considerable because it does not cause any long term or growth-related impacts. The project will replace existing water main infrastructure and eliminate "cross-country" alignments. The new facilities would mainly be along existing paved roads and disturbed pedestrian pathways and will not increase the impervious surfaces in the area. The project area is mostly built-out and therefore would not serve new growth. Past and subsequent projects to replace aged water mains within the District would not result in cumulative impacts because the replacements would be implemented incrementally as the District budget allows and as planned in the Capital Improvement Program. Impacts of the water main replacements are temporary for the duration of construction and would move around the Town as the segments are completed. The mains are typically located within paved streets, and those that are not are typically abandoned if possible to avoid impacts to less disturbed areas. Therefore, the cumulative impacts are considered less than significant.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less Than Significant with Mitigation. Project construction could result in adverse short-term construction impacts. The project could have potentially significant impacts on biological resources, and cultural and tribal cultural resources. However, mitigation measures have been identified and included in the project (BIO-1, BIO-2, CUL-1 and TRIB-1) to reduce these impacts to less-than-significant levels. The project also includes the District's standard measures for dust and erosion control during construction and would adhere to the Town's Municipal Code requirements for construction noise. The project would have a less than significant impact on all other resource areas.

Chapter 4. List of Preparers

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Environmental Analysis and Document Preparation

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Robert Templar – Director of Cultural Resources
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Appendix A: Cultural Resources Assessment, Dudek 2021. (Confidential – Held on file at the District's Office)

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