3155 Stevens Creek Boulevard

Initial Study and Mitigated Negative Declaration

The following Initial Study / Mitigated Negative Declaration has been prepared in compliance with the California Environmental Quality Act.

Prepared For:

City of Santa Clara
Community Development Department
1500 Warburton Avenue
Santa Clara, CA 95050
(408) 615-2450

Prepared By:

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June 2022

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Appendices

All appendices are incorporated by reference into this initial study. No other documents are incorporated by reference.

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I. INTRODUCTION AND PURPOSE

1.1 PURPOSE OF THE INITIAL STUDY

The City of Santa Clara, as the Lead Agency, has prepared this Initial Study / Mitigated Negative Declaration (IS/MND) for the proposed project at 3155 Stevens Creek Boulevard in compliance with the California Environmental Quality Act (CEQA), the *CEQA Guidelines* (California Code of Regulations §15000 et. seq.) and the regulations and policies of the City of Santa Clara, California. The Project proposes to renovate, upgrade, and expand the square-footage of an existing car dealership and service center while reducing the number of service bays provided. This IS/MND evaluates the environmental impacts that might reasonably be anticipated to result from implementation of the proposed Project.

1.2 PUBLIC REVIEW PERIOD

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

City of Santa Clara
Community Development Department
1500 Warburton Avenue
Santa Clara, CA 95050
(408) 615-2450

1.3 CONSIDERATION OF THE INITIAL STUDY AND PROJECT

Following the conclusion of the public review period, the City of Santa Clara will consider the adoption of the IS/MND for the Project at a regularly scheduled meeting. The City shall consider the IS/MND together with any comments received during the public review process. Upon adoption of the MND, the City may proceed with Project approval actions.

1.4 NOTICE OF DETERMINATION

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

II. BACKGROUND INFORMATION

2.1 PROJECT DATA

1) **Project Title:** 3155 Stevens Creek Boulevard

2) **Lead Agency Contact:**

   City of Santa Clara
   Community Development Department
   1500 Warburton Avenue
   Santa Clara, CA 95050
   (408) 615-2450

3) **Project Applicant:** Myron Schlager, 18251 McDurmott West, Suite A, Irvine, California 92614, mschlager@autobuilders.net

4) **Project Location:** The Project site is located at 3155 Stevens Creek Boulevard, Santa Clara, California 95117 (see Figure 1, Regional and Project Vicinity Map). The site is bounded by Cecil Avenue to the north, South Henry Avenue to the west, Stevens Creek Boulevard to the south, and Winchester Boulevard to the east. Single-family residences are to the north of the site and commercial businesses are located to the west, south, and east of the site along Stevens Creek Boulevard (see Figure 2, Aerial View of Project Site).

5) **Assessor's Parcel Numbers:** 303-18-046

6) **Project Description Summary:** The Project proposes to renovate the existing showroom with new glass, metal panels, and stucco exteriors, and a full interior remodel. The service reception canopy will be remodeled, and the enclosed service center facility will be demolished and rebuilt with a larger footprint while reducing the overall number of service bays. The majority of exterior overhead doors will be removed to keep noise and service inward-facing. The Project will also include improved site amenities and landscaping as necessary to complement the upgraded facility.

7) **Current City of Santa Clara 2010-2035 General Plan Designation:** Regional Commercial

8) **Current Zoning District:** Thoroughfare Commercial

9) **Surrounding Land Uses (see Figure 3, General Plan Designation):**

I. **North:** Very Low Density Residential

II. **South:** Mixed Use Commercial (outside the City's boundary)

III. **East:** Regional Commercial

IV. **West:** Regional Commercial

10) **Project Related Approvals:** Minor Modification of Existing Use Permit

III. PROJECT DESCRIPTION

3.1 PROJECT SUMMARY

The Project site is located at 3155 Stevens Creek Boulevard, Santa Clara, California 95117. The 1.10-acre site is bounded by Cecil Avenue to the north, South Henry Avenue to the west, Stevens Creek Boulevard to the south, and Winchester Boulevard to the east. Stevens Creek Boulevard functions as the border between the City of Santa Clara and the City of San Jose. Across Stevens Creek Boulevard to the south is the city of San Jose.

The City of Santa Clara General Plan has designated the Project Site and adjacent uses fronting Stevens Creek Boulevard as Regional Commercial. West, east, and south of the site are dominated by commercial land uses. The Project site is designated as Thoroughfare Commercial under the zoning code, which is intended to be suitable for automobile access. The site directly adjacent to the east is designated Community Commercial. Directly north of the site is a Very Low Density Residential Zone with single-family homes on large lots (see **Figure 3**, **General Plan Designation**).

The site consists of one parcel with a street frontage width of 199 feet and a depth of 214 feet, for a total lot area of approximately 42,586 square feet. The site contains an existing two-story auto showroom and service center facility built in 2003 totaling approximately 16,354 square feet.[1]

The Project proposes to renovate the existing showroom with new glass, metal panels, and stucco exteriors, and a full interior remodel. The majority of exterior overhead doors will be removed to keep noise and service inward-facing. The service reception canopy will be remodeled, and the enclosed service center facility will be demolished and rebuilt with a larger footprint. The number of service bays will be reduced in number. The Project will also include improved site amenities and landscaping as necessary to complement the new facility. The existing service center facility to be demolished totals approximately 4,793 square feet (see Figure 4, Demolition Area), and will be replaced with a newly constructed service center facility totaling 17,341 square feet. Additionally, the proposed Project includes a 2,327 square foot service reception canopy and 234 square foot stairway, bringing the total amount of new construction to 19,902 gross square feet (see Figure 5, Site Plan). This will result in a net additional 15,109 gross square feet, and approximately 8,105 additional net square feet. The Project will also include 46 parking spaces.

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1 City of Santa Clara, MAP Santa Clara. Available at: https://map.santaclaraca.gov/public/index.html?viewer=regional.

3.2 ENVIRONMENTAL SETTING

Project Location

The Project site is located at 3155 Stevens Creek Boulevard, Santa Clara, California 95117 (see **Figure 1, Regional and Project Vicinity Map,** and **Figure 2, Aerial View of Project Site**). The site is bounded by Cecil Avenue to the north, South Henry Avenue to the west, Stevens Creek Boulevard to the south, and Winchester Boulevard to the east. Stevens Creek Boulevard functions as a border between the City of Santa Clara and the City of San Jose. Across Stevens Creek Boulevard to the south is the city of San Jose.

Commercial businesses are located to the east and west of the Project site along Stevens Creek Boulevard. The 1.10-acre site has a General Plan designation of Regional Commercial and is zoned Thoroughfare Commercial. The Regional Commercial designation stretches along the majority of Stevens Creek Boulevard. Directly south across the street, which is part of the City of San Jose, the General Plan designation for the frontage along Stevens Creek Boulevard is Mixed Use Commercial, and the zoning is Commercial General. North of the site, across Cecil Avenue, is designated as Very Low Density Residential with single-family homes on large lots. One block north is Medium Density Residential (see **Figure 3**, **General Plan Designation**).

The Project area is served by the several buses operated by the Valley Transportation Authority.[2] Bus 23 connects De Anza College with Alum Rock Station; Rapid 523 connects San Jose State with Lockheed Martin Light Rail Transit Center; and Bus 59 connects Saratoga and Stevens Creek with the Baypointe Light Rail Station. The closest bus stop is located approximately 150 feet southwest of the Project site on Stevens Creek Blvd.

Regional access to the Project site is provided by Interstate 880, located approximately 0.6 miles east from the site; the San Tomas Expressway, located approximately 0.6 miles west from the site; and Interstate 280, located approximately 0.5 miles south of the site.

Existing Conditions

The site consists of one 1.10-acre lot, totaling approximately 42,586 square feet. The site has a street frontage width of 199 feet and a depth of 214 feet. The site contains an existing two-story auto showroom and service facility built in 2003 totaling approximately 16,354 square feet. The site is accessible through a curb cut on Stevens Creek Boulevard.

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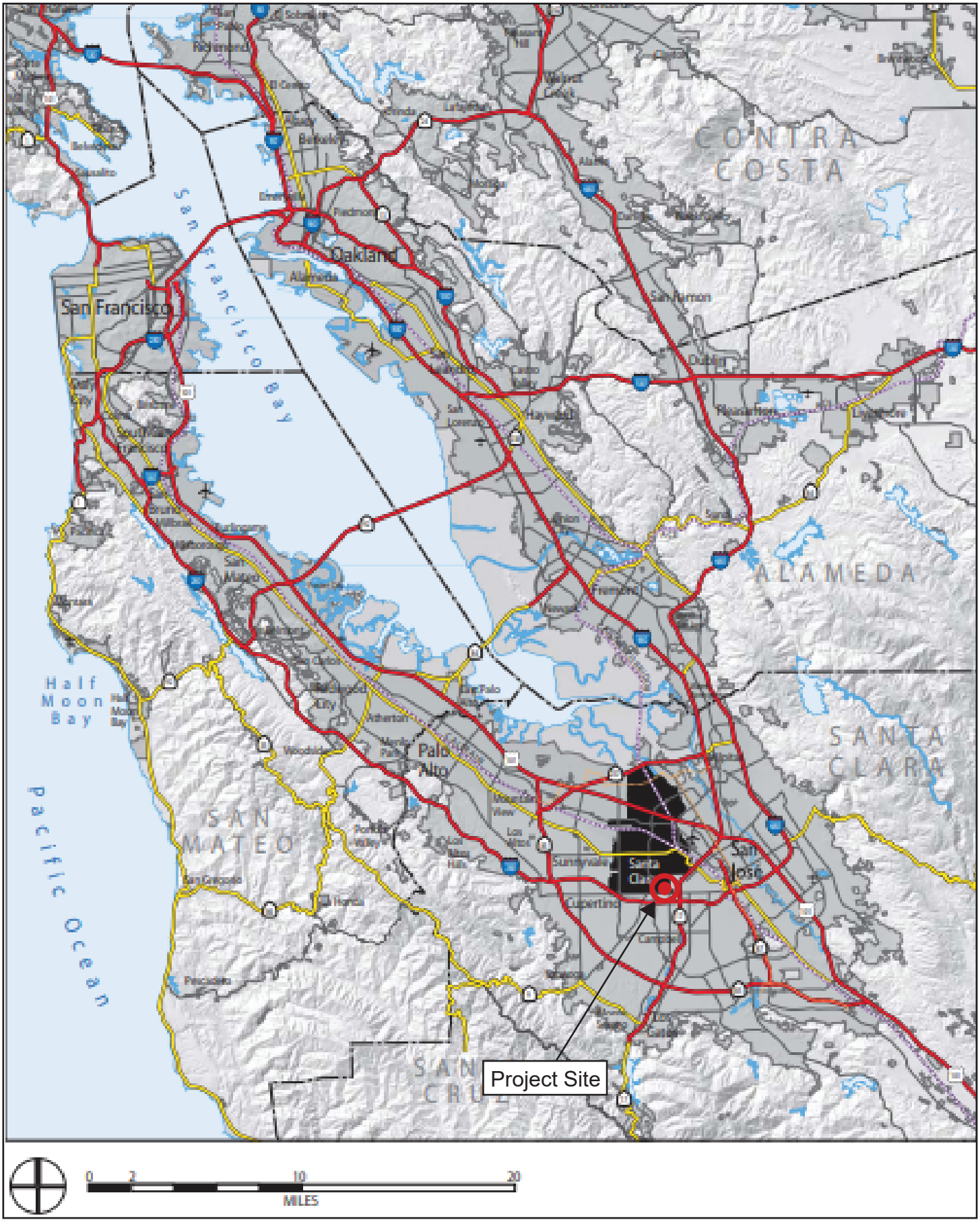
2 Santa Clara Valley Transportation Authority (VTA). Main Map. Available online at: https://www.vta.org/sites/default/files/2021-02/VTA_MainMap_020821.pdf.

Surrounding Land Uses

In addition to the commercial uses along Stevens Creek Boulevard and Winchester Boulevard, the surrounding area contains several different land uses, including very low density and medium density residential to the north, and commercial and single-family residential to the south (see **Figure 3**, **General Plan Designation)**.



SOURCE: City of Santa Clara

FIGURE **1**

IMPACT SCIENCES

Regional and Project Vicinity Map

1399.001•01/2022

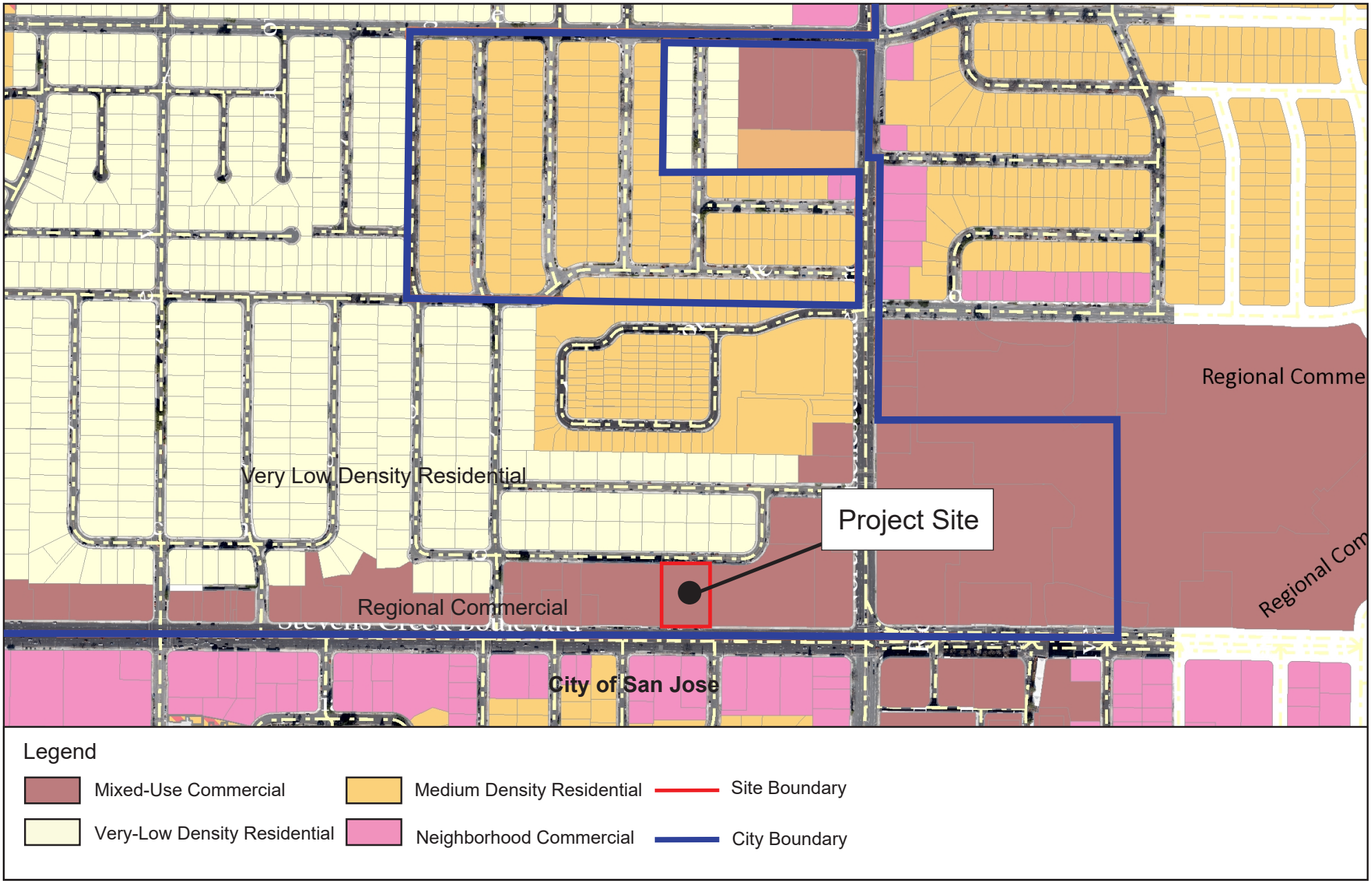
SOURCE: City of Santa Clara

FIGURE **2**

IMPACT SCIENCES

Aerial View of Project Site

1399.001•01/2022



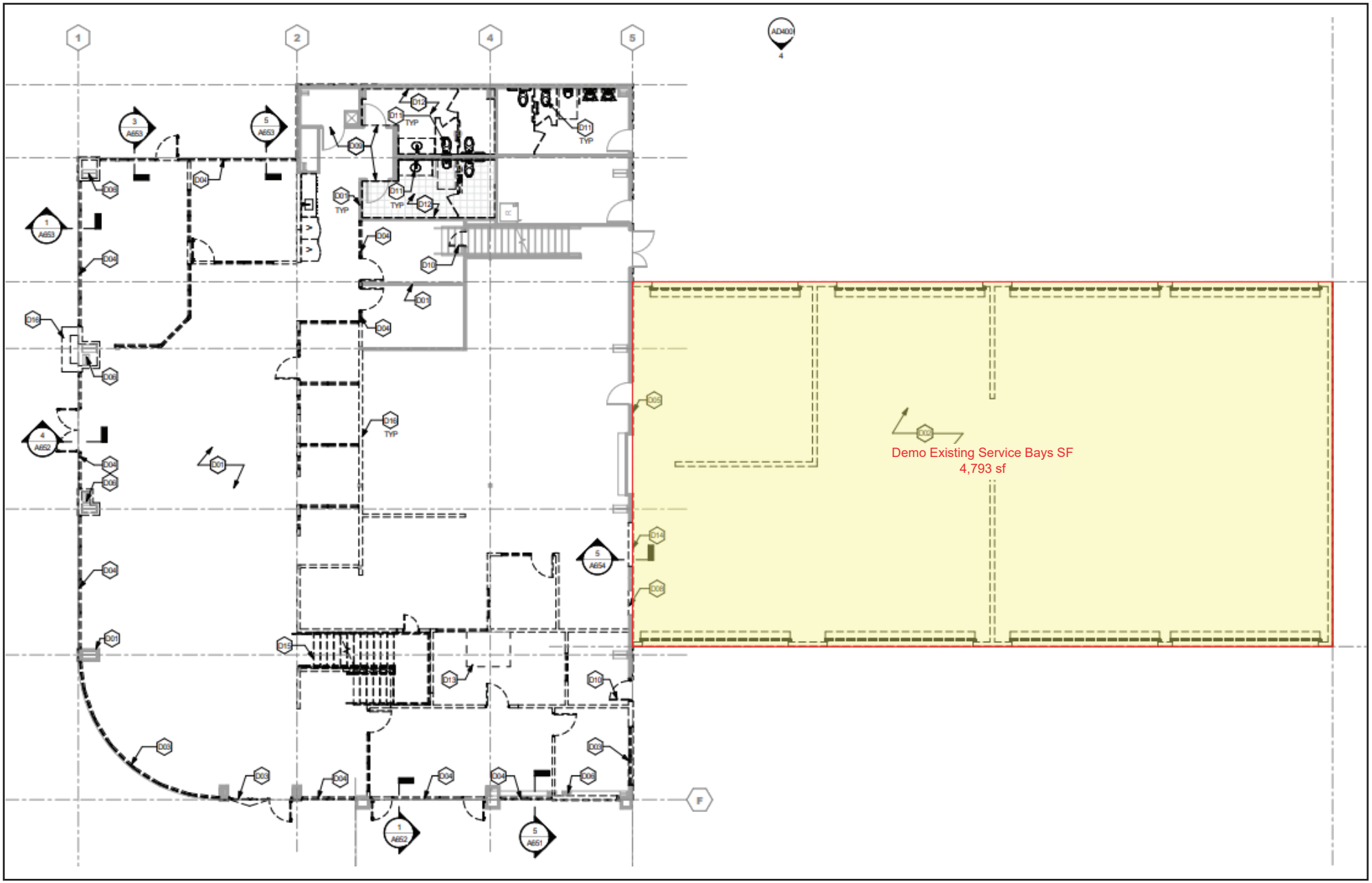
SOURCE: City of Santa Clara

FIGURE 3

IMPACT SCIENCES

General Plan Designation

1399.001•01/2022



SOURCE: PRAXIS3

FIGURE **4**

IMPACT SCIENCES

Demolition Area

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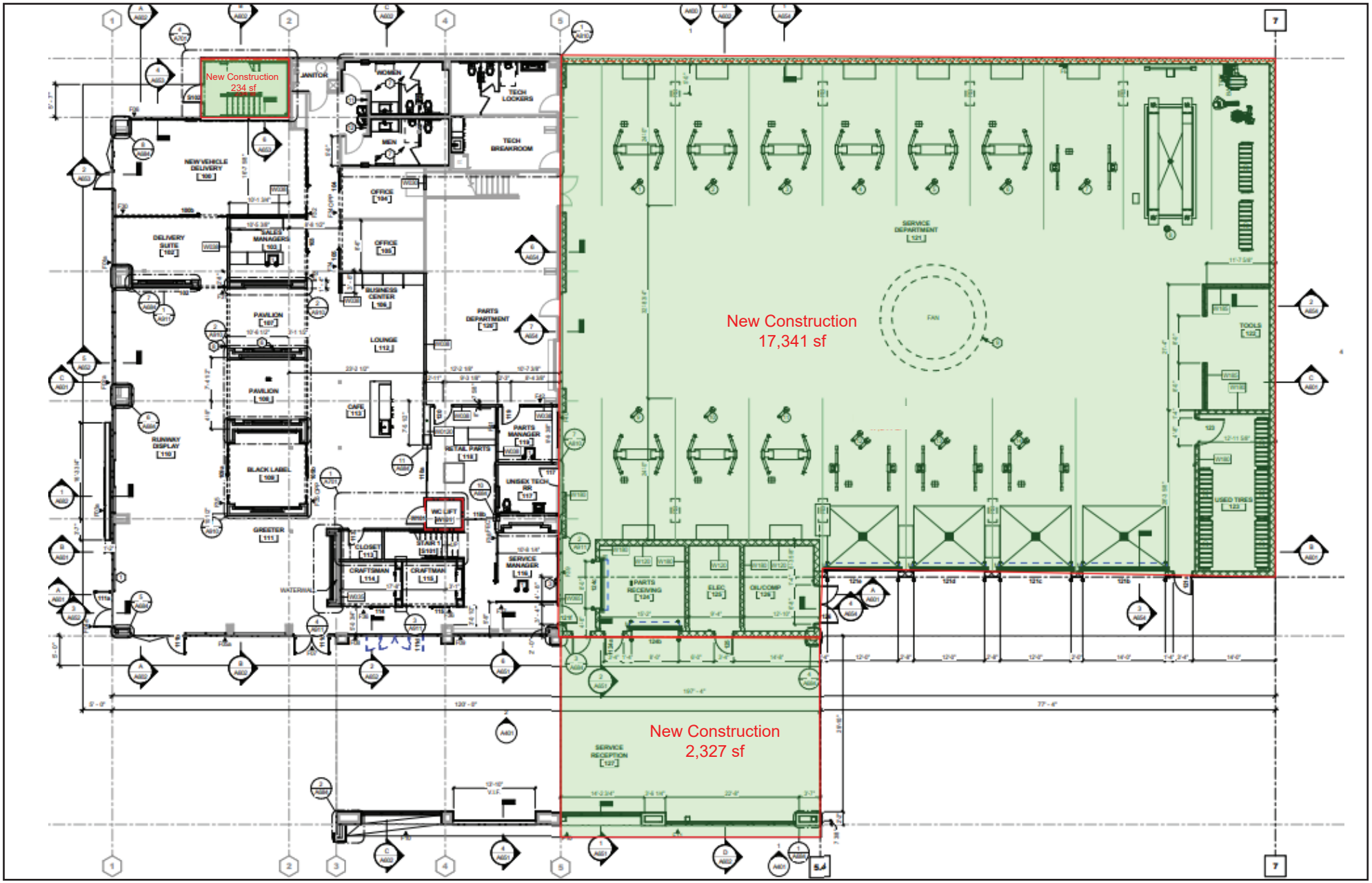

SOURCE: PRAXIS3

FIGURE **5**

IMPACT SCIENCES

Site Plan

3.3 REQUESTED PERMITS AND APPROVALS

Discretionary entitlements, reviews, and approvals required for implementation of the Project would include, but would not necessarily be limited to, the following:

- Use Permit
- Minor Modification to Existing Use Permit

IV. ENVIRONMENTAL CHECKLIST & IMPACT ANALYSIS

4.1 INTRODUCTION

This section of the IS/MND contains an assessment and discussion of impacts associated with each environmental issue and subject area identified in the Initial Study Checklist. The Project proposes to renovate, upgrade, and expand the square-footage of an existing car dealership and service center while reducing the number of service bays provided. The thresholds of significance are based on Appendix G of the *State CEQA Guidelines*.

4.2 IMPACT ANALYSIS

4.2.1 Aesthetics

Regulatory Setting

California State Scenic Highways Program

The California State Scenic Highways Program is designed to protect and enhance the natural scenic beauty of California highways and adjacent corridors through special conservation treatment. The Project site is not located near any designated scenic highways.[3]

General Plan Policies

The City of Santa Clara's General Plan policies applicable to aesthetics include, but are not limited to, the following:

Policy 5.3.1-P3 Support high quality design consistent with adopted design guidelines and the City's architectural review process.

Policy 5.3.1-P10 Provide opportunities for increased landscaping and trees in the community, including requirements for new development to provide street trees and a minimum 2:1 on- or off-site replacement for trees removed as part of the proposal to help increase the urban forest and minimize the heat island effect.

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3 California State Scenic Highway System Map, https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa, accessed December 16, 2021

Policy 5.3.1-P28 Encourage undergrounding of new utility lines and utility equipment throughout the City.

City Code

The City Code includes regulations associated with protection of the City's visual character. The Code includes regulations for the maintenance of property or premises, to promote a sound and attractive community appearance that is in character with the City. The City Code also includes an Architectural Review process, as outlined in Zoning Ordinance Chapter 18.76. The Architectural Review process is intended to serve the following purposes:

- Encourage the orderly and harmonious appearance of structures and properties;
- Maintain the public health, safety, and welfare;
- Maintain property and improvement values throughout the City;
- Encourage the physical development of the City that is consistent with the General Plan and other City regulations; and
- Enhance the aesthetic appearance, functional relationships, neighborhood compatibility and excellent design quality.

No building permit shall be issued, and no structure, building, or sign shall be constructed or undergo exterior alternations until such plans and drawings have been approved by the City's architectural review process.

Architectural Review Process – Community Design Guidelines

The City's architectural review process requires that the Director of Community Development or a designee review plans and drawings submitted for design, aesthetic considerations, and consistency with zoning standards, generally prior to submittal for building permits. The review takes place at a publicly noticed Development Review Hearing and the hearing officer follows the City's Community Design Guidelines. The intent of these guidelines for architectural review is to provide a manual of consistent development standards in the interest of continued maintenance and enhancement of the high-quality living and working environment in the City.

Stevens Creek Boulevard Focus Area

Focus Areas represent locations with opportunities for more intense development with limited impact on existing neighborhoods. Focus Areas require conformance with applicable General Plan policies; policies from the Stevens Creek Boulevard Focus Area applicable to aesthetics include:

Policy 5.4.4-P2 Provide appropriate transitions between new development and adjacent uses consistent with General Plan Transition Policies.

Policy 5.4.4-P3 In cooperation with the City of San José, promote development and streetscape design consistent with those illustrated in Figure 5.4-5.

Policy 5.4.4-P4 Work with the City of San José to coordinate streetscape design standards for street trees, sidewalks and planted median islands.

Policy 5.4.4-P5 Allow flexible sign standards to attract regional-serving retail businesses and to provide visibility for through traffic in the Stevens Creek Boulevard Focus Area

Existing Setting

The Project site is within an urbanized area of Santa Clara. The site consists of one 1.10-acre parcel occupied by an existing two-story auto showroom and service facility built in 2003 totaling approximately 16,354 square feet. There is a curb cut along Stevens Creek Blvd that provides access to the site and the existing parking lot. There is landscaping along the street frontage, and mature trees at the rear of the site along Cecil Avenue. The Project site is boarded by an existing strip mall to the east, a car dealership to the west, single-family homes on large lots to the north, and single-story commercial to the south across Stevens Creek Blvd. An aerial of the Project area is provided in **Figure 2**.

Impact Discussion:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☐	☒

Impact Discussion:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c. In non-urbanized areas, substantially degrade the existing visual character or quality of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	☒
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒

Would the Project:

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

No Impact. The Project site is located within a mixed-use urbanized area and is not located within a scenic vista. There are no scenic vistas within the City of Santa Clara. The Project proposes to renovate, upgrade, and expand the square-footage of an existing car dealership and service center while reducing the number of service bays provided. Redevelopment would expand the massing of the service center facility in the rear of the site by 15,109 gross square feet. The rear of the site abuts a residential district. However, while the building's footprint is increasing, there will be no changes in the height of the existing building. Additionally, the rear lot line is adequately screened through mature trees and bushes. The only changes to the street facing façade of the building are updated materials. Therefore, the Project will have no impact on scenic vistas.

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 site is not located within a scenic highway.[4] Therefore, the proposed Project would not impact scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway.

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4 California State Scenic Highways. California Department of Transportation. Available online at: https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways, accessed April 6, 2021.

c) In non-urbanized areas, substantially degrade the existing visual character or quality 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?

No Impact. The proposed Project is located within an urbanized area on an auto-focused arterial boulevard. The Project is not near any visually sensitive public viewsheds. The Project proposes to renovate, upgrade, and expand the square-footage of an existing car dealership and service center while reducing the number of service bays provided. The rear service center facility would expand by approximately 15,109 gross square feet. Though larger than the existing building, the Project would be consistent with the scale of the existing surrounding development. The exterior of the building and landscaping would be subject to the City's design review process and would conform to current architectural and landscaping standards. The Project, therefore, would not degrade the existing visual character or quality of the site and its surroundings.

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

No Impact. The Project site is located in an area of existing ambient night lighting associated with the surrounding uses and no changes to lighting are proposed as part of the Project. Building materials and lighting plans would be subject to the City's architectural review process prior to issuance of building permits to ensure that the Project would not create a substantial new source of light or glare. The outside lighting would comply with the City's lighting requirements (City Code Section 18.38.140). The Project, therefore, would not create a new source of substantial light or glare, nor would it adversely affect day or nighttime views in the area.

4.2.2 Agriculture and Forest Resources

Regulatory Setting

Farmland Mapping and Monitoring Program

The California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) assesses the location, quality, and quantity of agricultural land and conversion of these lands over time. Agricultural land is rated according to soil quality and irrigation status. The best quality land is called Prime Farmland. In CEQA analyses, the FMMP classifications and published county maps are used, in part, to identify whether agricultural resources that could be affected are present on-site or in the Project

area. The Project area is identified as "urban/built-up land" on the Santa Clara County Important Farmlands Map.[5]

California Land Conservation Act

The California Land Conservation Act (Williamson Act) enables local governments to enter into contracts with private landowners to restrict parcels of land to agricultural or related open space uses. In return, landowners receive lower property tax assessments. In CEQA analyses, identification of properties that are under a Williamson Act contract is used to also identify sites that may contain agricultural resources or are zoned for agricultural uses.

Fire and Resource Assessment Program

The California Department of Forestry and Fire Protection (CAL FIRE) identifies forest land, timberland, and lands zoned for timberland production that can (or do) support forestry resources. Programs such as CAL FIRE's Fire and Resource Assessment Program and are used to identify whether forest land, timberland, or timberland production areas that could be affected are located on or adjacent to a project site.

Existing Setting

The Project site is zoned for commercial use and has been previously developed. The Project site and surrounding properties are designated for and developed with urban uses, including residential and commercial uses. The Project site is currently developed with an existing building and parking lot. There are no agricultural or forest lands in the vicinity of the Project site.

Impact Discussion:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒

5 California Department of Conservation. 2018. Santa Clara County Important Farmlands Map.

Impact Discussion:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☐	☒

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?

No Impact. The Project site is located within a commercial area of Santa Clara. The site consists of one 1.10-acre previously developed lot. The Project site is zoned Thoroughfare Commercial and is surrounded by residential and commercial uses. There are no agricultural uses on or surrounding the Project site. Therefore, the proposed Project would not convert farmland to non-agricultural use, and no impacts would occur.

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

No Impact. The General Plan land use designation for the Project site currently is General Commercial. The Project site is not part of a Williamson Act Contract. The Project would not conflict with any existing agricultural uses on-site as there are none. Therefore, implementation of the proposed Project would not conflict with existing agricultural zoning or a Williamson Act Contract, and no impacts would occur.

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))?

No Impact. The Project site currently is designated for General Commercial and is located on a commercial arterial boulevard, adjacent to residential. The site and the surrounding area do not contain any forest land or land zoned for timberland production. Implementation of the proposed Project would not conflict with existing zoning for, or cause rezoning of forest land or timberland. Therefore, no impacts would occur.

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

No Impact. See response to **Section 4.2.2I**, above. There is no forest land or timberland on the Project site or in the Project vicinity. No impacts would occur.

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?

Less Than Significant Impact. See responses to **Sections 2.2(a) – 2.2(d)**, above. The Project site is located in a commercial and residential area. There are currently no agricultural uses on the Project site or in the surrounding area. The proposed Project would not change the current land use designation. Therefore, no impacts would occur.

4.2.3 Air Quality

Regulatory Setting

The Project is located within the San Francisco Bay Area Air Basin. The Bay Area Air Quality Management District (BAAQMD) is the local agency authorized to regulate stationary air quality sources in the Bay Area. The federal Clean Air Act and the California Clean Air Act mandate the control and reduction of specific air pollutants. Under these Acts, the U.S. Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) have established ambient air quality standards for specific criteria pollutants, designed to protect public health and welfare. Primary criteria pollutants include carbon monoxide (CO), reactive organic gases (ROG), nitrogen oxides (NOX), particulate matter (PM10), sulfur dioxide (SO_2), and lead (Pb). Secondary criteria pollutants include ozone (O_3), and fine particulate matter (PM2.5).

The EPA administers the National Ambient Air Quality Standards (NAAQS) under the "federal" Clean Air Act. EPA sets the NAAQS and determines if areas meet those standards. Violations of ambient air quality standards are based on air pollutant monitoring data and judged for each air pollutant. Areas that do not violate ambient air quality standards are considered to have attained the standard. EPA has classified the region as a nonattainment area for the 8-hour O_3 standard and the 24-hour PM2.5 standard. The Bay Area has met the CO standards for over a decade and is classified as an attainment area by the EPA. The U.S. EPA has deemed the region as attainment/unclassified for all other air pollutants, which include PM10. At the State level, the Bay Area is considered nonattainment for O_3, PM10, and PM2.5.

The BAAQMD is primarily responsible for assuring that the federal and State ambient air quality standards are attained and maintained in the Bay Area. The BAAQMD's May 2017 CEQA Air Quality Guidelines update the 2010 CEQA Air Quality Guidelines, addressing the California Supreme Court's 2015 opinion in the *California Building Industry Association v. Bay Area Air Quality Management District* court case.

The BAAQMD, along with other regional agencies (e.g., the Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC), develop plans to reduce air pollutant emissions. The most recent clean air plan is the Bay Area 2017 Clean Air Plan: Spare the Air, Cool the Climate (2017 CAP), which was adopted by BAAQMD in April 2017. This is an update to the 2010 CAP, and centers on protecting public health and climate. The 2017 CAP identifies a broad range of control measures. These control measures include specific actions to reduce emissions of air and climate pollutants from the full range of emission sources and is based on the following four key priorities:

- Reduce emissions of criteria air pollutants and toxic air contaminants from all key sources.
- Reduce emissions of "super-GHGs" such as methane, black carbon, and fluorinated gases.
- Decrease demand for fossil fuels (gasoline, diesel, and natural gas).
- Decarbonize our energy system.

Toxic Air Contaminants

Toxic air contaminants (TACs) are a broad class of compounds known to cause morbidity or mortality (usually because they cause cancer). TACs are found in ambient air, especially in urban areas, and are caused by industry, agriculture, fuel combustion, and commercial operations (e.g., dry cleaners).

TACs are typically found in low concentrations, even near their source (e.g., diesel particulate matter near a freeway).[6] Because chronic exposure can result in adverse health effects, TACs are regulated at the regional, State, and federal level.

General Plan Policies

Santa Clara 2010-2035 Relevant Air Quality Policies

Stationary Source Control Measures

Policy 5.10.2-P1	Support alternative transportation modes and efficient parking mechanisms to improve air quality.
Policy 5.10.2-P2	Encourage development patterns that reduce vehicle miles traveled and air pollution.
Policy 5.10.2-P3	Encourage implementation of technological advances that minimize public health hazards and reduce the generation of air pollutants.
Policy 5.10.2-P4	Encourage measures to reduce greenhouse gas emissions to reach 30 percent below 1990 levels by 2020.
Policy 5.10.2-P5	Promote regional air pollution preventing plans for local industry and businesses.
Policy 5.10.2-P6	Require "Best Management Practices" for construction dust abatement.

Transportation Demand Management

Policy 5.8.5-P1	Require new development and City employees to implement transportation demand management programs that can include site-design measures, including preferred carpool and vanpool parking, enhanced pedestrian access, bicycle storage and recreational facilities.

6 Illingworth & Rodkin, Inc. Delmas-Park Apartments TAC and GHG Emissions Assessment, San José, CA. Available online at: https://www.sanjoseca.gov/home/showdocument?id=26537, accessed October 26, 2020.

Existing Setting

The Project site is located in the City of Santa Clara in northern California. The Project site is northeast of the Santa Cruz Mountains and west of the Guadalupe River. The area has a Mediterranean climate, with wet winters and hot dry summers and westerly winds.

The BAAQMD defines sensitive receptors as facilities where sensitive population groups are located, including residences, schools, childcare centers, convalescent homes, and medical facilities. Land uses such as schools and hospitals are considered to be more sensitive than the general public to poor air quality because of an increased susceptibility to respiratory distress within the populations associated with these uses. The Project site is located within a predominately commercial district with residential to the north. The closest sensitive receptors to the Project site are the single-family homes to the north along Cecil Avenue.

Stationary sources of air pollution are defined as buildings, structures and other facilities that emit or may emit any air pollution and which are subject to the standards and guidelines of the Clean Air Act. Stationary sources of pollution are often factories, refineries, boilers, and power plants. There are no stationary sources of air pollution near the Project site. Mobile sources of pollution are defined as any sources of pollution emitted by motor vehicles, airplanes, and other engines and equipment that can travel. The Project site is located on a major six-lane arterial boulevard containing several bus routes, therefore, mobile sources of pollution on the Project site include pollution from cars, trucks, and buses.

Odor producers are characterized as buildings or structures that emit odors that could contribute to air pollution. Examples of odor producers include landfills, recycling facilities, and food processing centers. There are no odor producers located near the Project site.

Impact Discussion:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
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?	☐	☐	☒	☐

Impact Discussion:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

Would the Project

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

Less Than Significant Impact. A project is considered consistent with the 2017 CAP if:

a) the plan supports the primary goals of the 2017 CAP;

b) includes relevant control measures; and

c) does not interfere with implementation of 2017 CAP control measures.

The Project would support the primary goals of the CAP, which are to attain air quality standards, reduce pollution exposure and protect public health, and reduce greenhouse gas emissions and protect the climate. The proposed Project is an expansion of an existing development, consistent with surrounding residential and commercial land uses. Additionally, as discussed below under checklist question b) and in **Section 4.2.8, Greenhouse Gas Emissions**, any future development project at the site would make a minimal contribution to local and regional air pollutant and greenhouse gas emissions during both construction and operation.

The 2017 CAP contains 85 control measures that describe specific actions to reduce emissions and are categorized based on the economic sector framework used by CARB for the AB 32 Scoping Plan Update. The sectors covered by the control measures are: Stationary (Industrial Sources), Transportation, Energy, Buildings, Agriculture, Natural and Working Lands, Waste Management, Water, and Super-GHG Pollutants. Many strategies are related to industrial sources and are not applicable to the Project. The key strategies related to buildings and energy are: (1) expand the production of low-carbon, renewable energy by promoting on-site technologies such as rooftop solar, wind and ground-source heat pumps; (2) support the expansion of community choice energy programs throughout the Bay Area; (3) promote energy and water efficiency in both new and existing buildings; and (4) promote the switch from natural gas to electricity for space and water heating in Bay Area buildings. The Project would not disrupt, delay, or otherwise hinder the implementation of

any of the control measures. For these reasons, the Project would not conflict with or obstruct implementation of the 2017 CAP and therefore impacts would be less than significant.

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. The City of Santa Clara uses the thresholds of significance established by the BAAQMD to assess air quality impacts of proposed development. The BAAQMD CEQA Guidelines include screening levels and thresholds for evaluating air quality impacts in the Bay Area. The Project proposes to renovate, upgrade, and expand the square-footage of an existing car dealership and service center while reducing the number of service bays provided. No changes are proposed to the operations of the existing site. The building footprint will be expanding by approximately 15,109 gross square feet. While the service center facility will have an expanded footprint, the number of service bays will be reduced and no increase in vehicle traffic to and from the site is anticipated. As such, the Project's operational air quality emissions would be substantially similar to the existing conditions.

Construction emissions were computed using the California Emissions Estimator Model, Version 2020.4.0 (CalEEMod).

Construction Period Emissions

Average daily construction emissions were calculated based on a 6-month construction schedule, with the operational date beginning in September of 2022. Emissions were converted from annual tons per year to pounds per day for 133 working days, per the construction schedule. As indicated in **Table 1**, construction period emissions would not exceed the BAAQMD significance thresholds and impacts would be less than significant.

Table 1
Average Daily Construction-Related Emissions

Pollutant/Precursor	Average Daily Significance Threshold (pounds/day)	Construction Average Daily Emissions (pounds/day)
ROG	54.0	3.25
NOx	54.0	13.45
PM10	82.0*	0.63
PM2.5	54.0*	0.60

** Applies to construction exhaust emissions only, per BAAQMD CEQA Guidelines. Table 2-4.*
Source: Impact Sciences, CalEEMod modeling, January 2022. Appendix A, Air Quality Data.

Construction Fugitive Dust

During construction activities, dust would be generated. The amount of dust generated is dependent on the size of the area disturbed at any given time, amount of activity, soil conditions and meteorological conditions. Nearby areas could be adversely affected by dust generated during construction activities. Nearby land uses are primarily commercial and residential uses. The BAAQMD CEQA Air Quality Guidelines consider these impacts to be less than significant if best management practices are employed to reduce these emissions. The following measures are included in the Project, consistent with BAAQMD best management practices, to reduce construction dust generation and other particulate matter.

Standard Measures:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours.

The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

According to the BAAQMD CEQA Air Quality Guidelines, incorporation of these measures would be considered Best Management Practices for controlling fugitive PM10 and PM2.5 emissions and the emissions would be considered less than significant.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact. Project effects related to increased community risk can occur either by introducing a new sensitive receptor, such as a residential use, in proximity to an existing source of toxic air contaminants (TACs) or by introducing a new source of TACs with the potential to adversely affect existing sensitive receptors in the Project vicinity. BAAQMD recommends using a 1,000-foot screening radius around a project site for purposes of identifying community health risk from siting a new sensitive receptor or a new source of TACs. The Project would introduce a new source of temporary TACs during project construction near existing sensitive receptors, with residences located approximately 65 feet to the north of the project site.

The use of diesel-powered construction equipment would be temporary and episodic. The duration of exposure would be short and exhaust from construction equipment dissipates rapidly. Current methodology for conducting health risk assessments is associated with long term exposure periods (9, 30, and 70 years). Therefore, short-term construction activities would not generate a significant health risk.

Additionally, the Project site is approximately 1.10 acres. Generally, construction for projects contained in a site of such size to represent less than significant health risk impacts due to limitations of the off-road diesel equipment able to operate and thus a reduced amount of generated DPM, reduced amount of dust-generating ground-disturbance possible compared to larger construction sites, and reduced duration of construction activities compared to the development of larger sites. Furthermore, construction would be subject to and would comply with California regulations limiting the idling of heavy-duty construction equipment to no more than five (5) minutes, which would further reduce nearby sensitive receptors' exposure to temporary and variable DPM

emissions.[7] For these reasons, DPM generated by construction activities would not be expected to expose sensitive receptors to substantial amounts of air toxics.

The proposed Project must comply with the City's General Plan Policy regarding Stationary Source Control Measures (Policy 5.10-2-P1 – 5.10-2-P6). Additionally, those activities would be required to comply with state and local regulations and implement the City's Standard Permit Conditions for dust and diesel exhaust control. Thus, impacts to sensitive receptors 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. The Project would generate localized emissions of diesel exhaust during construction equipment operation, as well as emissions from daily operation of the service center. The odor emissions may be noticeable from time to time by adjacent receptors; however, the odors would be localized and temporary. Impacts would be less than significant.

4.2.4 Biological Resources

Regulatory Setting

Santa Clara Valley Habitat Plan/Natural Communities Conservation Plan

The Santa Clara Valley Habitat Plan/Natural Communities Conservation Plan (HCP) was developed through a partnership between Santa Clara County, the Cities of San José, Morgan Hill, and Gilroy, Santa Clara Valley Water District, Santa Clara Valley Transportation Authority, U.S. Fish and Wildlife Service, and California Department of Fish and Wildlife. The HCP is intended to promote the recovery of endangered species and enhance ecological diversity and function, while accommodating planned growth in approximately 500,000 acres of southern Santa Clara County. This Plan is intended to address the conservation needs of the 18 Covered Species based on implementation of seven categories of Covered Activities: urban development, instream capital projects, instream operations and maintenance activities, rural capital projects, rural project operations and maintenance, rural development, and conservation strategy implementation. However, the Project site is located just outside the boundaries of the HCP, and so the HCP does not apply to the proposed project.

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7 California Air Resources Board. 2015. *Frequently Asked Questions Regulation for In-Use Off-Road Diesel-Fueled (Off-Road Regulation)*. Available online at: https://ww3.arb.ca.gov/msprog/ordiesel/faq/idlepolicyfaq.pdf.

Special Status Species

Special-status species are those plants and animals that have been formally listed or proposed for listing as Endangered, Threatened, or are Candidates for such listing under the federal Endangered Species Act (ESA) or the California Endangered Species Act (CESA). Listed species are afforded legal protection under the ESA and CESA. Species that meet the definition of Rare or Endangered under the CEQA Section 15380 are also considered special-status species.

Animals on the California Department of Fish and Wildlife's (CDFW) list of "species of special concern" (most of which are species whose breeding populations in California may face extirpation if current population trends continue) meet this definition and are typically provided management consideration through the CEQA process, although they are not legally protected under the ESA or CESA. Additionally, the CDFW includes some animal species that are not assigned any of the other status designations in the California Natural Diversity Database (CNDDB) "Special Animals" list.

The CDFW considers the taxa on this list to be those of greatest conservation need, regardless of their legal or protection status. Plants listed as rare under the California Native Plant Protection Act (CNPPA) or on the California Native Plant Society (CNPS) lists are also treated as special-status species. In general, CDFW considers plant species on List 1 (List 1A [Plants Presumed Extinct in California] and List 1B [Plants Rare, Threatened, or Endangered in California and Elsewhere]), or List 2 (Plants Rare, Threatened, or Endangered in California, But More Common Elsewhere) of the CNPS Inventory of Rare and Endangered Vascular Plants of California (CNPS, 2010) as qualifying for legal protection under this CEQA provision. In addition, species of vascular plants, bryophytes, and lichens listed as having special-status by CDFW are considered special-status plant species.

Raptors (e.g., eagles, hawks, and owls) and their nests are protected under both federal and state laws and regulations. The federal Migratory Bird Treaty Act (MBTA) of 1918 and California Fish & Game Code (CFGC) Section 3513 prohibit killing, possessing, or trading migratory birds except in accordance with regulation prescribed by the Secretary of the Interior. Birds of prey are protected in California under CFCG Section 3503.5. Section 3503.5 states that it is "unlawful to take, possess, or destroy the nest or eggs of any such bird except otherwise provided by this code or any regulation adopted pursuant thereto." In addition, fully protected species under the CFGC Section 3511 (birds), Section 4700 (mammals), Section 5515 (fish), and Section 5050 (reptiles and amphibians) are also considered special-status animal species. Species with no formal special-status designation but thought by experts to be rare or in serious decline are also considered special-status animal species (DFG, 2012).

The Project site is developed and does not contain special-status species, with the possible exception of nesting raptors and birds protected under the MBTA.

General Plan Policies

Policies in the General Plan have been adopted for avoiding or mitigating biological resource impacts from development projects. All future redevelopment allowed by the proposed land use designation would be subject to the biological resource policies in the General Plan presented below.

Santa Clara 2010-2035 General Plan Relevant Biological Resource Policies

Policy 5.3.1-P10	Provide opportunities for increased landscaping and trees in the community, including requirements for new development to provide street trees and a minimum 2:1 on- or off-site replacement for trees removed as part of the proposal to help increase the urban forest and minimize the heat island effect.
Policy 5.10.1-P4	Protect all healthy cedars, redwoods, oaks, olives, bay laurel, and pepper trees of any size, and all other trees over 36 inches in circumference measured from 48 inches above-grade on private and public property, as well as in the public right-of-way.

Existing Setting

The Project site is located within an urbanized commercial section of Santa Clara and not located near any existing wetlands.[8] The site is a 1.10-acre property that is occupied by an existing auto showroom and service center facility.

There are four trees in front of the Project site along Stevens Creek Blvd, and four trees along the rear of the site on Cecil Avenue, and in the surrounding residential districts. Due to the disturbed and developed nature of the site, the property has a low habitat value. However, it is possible that the mature trees at the rear of the Project site provide nesting for birds.

8 U.S. Fish and Wildlife Service. *National Wetlands Inventory*. Available online at: https://www.fws.gov/wetlands/data/mapper.html, accessed December 22, 2021.

Impact Discussion:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 CDFW or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US 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?	☐	☐	☐	☒

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 regulation, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Less Than Significant Impact with Mitigation Incorporated. The Project site is in a developed urbanized area. There are a few trees located on the perimeter of the site, along Stevens Creek Boulevard and Cecil Avenue. The trees are not located near the proposed redevelopment area. No sensitive habitats or habitats suitable for special status plants or wildlife species occur within or

adjacent to the Project site. The Project site is considered to have a low habitat value, due to the developed nature of the property and high human activity levels surrounding the property.

The site does, however, contain mature trees that could possibly provide habitat for nesting raptors and other birds. Nesting birds are among the species protected under provisions of the Migratory Bird Treaty Act and California Fish and Game Code Sections 3503, 3503.5, and 2800. While the Project does not involve the removal of any trees, development of the site during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Therefore, the proposed Project will be required to avoid and/or reduce impacts to nesting birds (if present on or adjacent to the site).

Mitigation Measure

MM BIO-1.1: Construction shall be scheduled to avoid the nesting bird season to the extent feasible. The nesting season for most birds, including most raptors, in the San Francisco Bay Area extends from February 1 through August 31. If it is not possible to schedule construction activities between September 1 and January 31, then pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure no nest shall be disturbed during project implementation. This survey shall be completed no more than 14 days prior to the initiation of grading, tree removal, or other demolition or construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August).

During this survey, the ornithologist shall inspect all trees and other possible nesting habitats within and immediately adjacent to the construction area for nests. If an active nest is found sufficiently close to work areas to be disturbed by construction, the ornithologist, in consultation with CDFW, shall determine the extent of a construction-free buffer zone to be established around the nest to ensure that nests of bird species protected by the MBTA or Fish and Game Code shall not be disturbed during project construction.

A final report of nesting birds, including any protection measures, shall be submitted to the Director of Community Development prior to the start of grading or tree removal.

The Project, with implementation of the above mitigation measure, would reduce impacts to nesting birds (if present) by avoiding construction during nesting bird

season or completing pre-construction nesting bird surveys to minimize and/or avoid impacts to nesting birds.

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

No Impact. The site is in an urbanized area. There are no riparian habitats located within or adjacent to the site, and the Project site does not support other sensitive natural communities. The nearest riparian habitat is Saratoga Creek, which is approximately 1.83 miles northwest of the Project site.

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?

No Impact. The site is located in an urbanized area. Further, there are no wetlands or bodies of water within the Project site or in the surrounding area.[9] Redevelopment of the proposed Project would not have any adverse effect on State or federally protected wetlands. Therefore, no impacts would occur.

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?

No Impact. The Project site is development and surrounded by urban development. There are no sensitive habitats or waterways on or adjacent to the site. For these reasons, the Project site does not facilitate substantial wildlife movement. There are no native wildlife nursery sites in the vicinity. Therefore, the Project would not 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?

Less Than Significant Impact. The site is located in an urban area and contains eight trees. The Project does not currently propose the removal of any existing trees. If tree removal is necessary for the proposed Project, it will need to comply with the City's General Plan (Policy 5.3.1-P10), which

9 *Ibid.*

requires new development to include new street trees and at least a 2:1 on- or off-site replacement for removal of existing trees. The proposed Project will comply with the City of Santa Clara's Tree Preservation and Removal Ordinance, which requires a permit for protected tree removals. Therefore, the impact would be less than significant impact.

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. The site is in an urbanized residential area and does not provide habitat for sensitive biological resources within an adopted Habitat Conservation Plan, Natural Community Plan, or other approved, local, regional, or state habitat conservation plan. The proposed Project, therefore, would not conflict with provisions of any of these plans.

4.2.5 Cultural Resources

Regulatory Setting

Federal

National Historic Preservation Act

The National Historic Preservation Act (NHPA) of 1966 (as amended) is the primary federal law dealing with historic preservation. Section 106 of the National Historic Preservation Act (NHPA) requires federal agencies to consult with the Advisory Council on Historic Preservation to consider the effects of their undertakings on historic properties. The historic significance of a building, structure, object, site, or district for listing is assessed based upon the criteria in the National Register of Historic Places (NRHP). A resource is considered eligible for the NRHP if the quality of significance in American history, architecture, archaeology, engineering, and culture is present and if the resource includes integrity of location, design, setting, materials, workmanship, feeling, and association and:

- Is associated with events that have made a significant contribution to the broad pattern of our history;
- Is associated with the lives of persons significant to our past;
- Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possessed high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; or
- Has yielded, or may be likely to yield, information important in prehistory or history.

State California Register of Historical Resources

The California Register of Historic Resources (CRHR) is administered by the State Office of Historic Preservation and encourages public recognition and protection of resources of architectural, historical, archeological, and cultural significance. The CRHR identifies historic resources for state and local planning purposes, determines eligibility for state historic preservation grant funding, and affords protections under CEQA. A historic resource listed in, or formally determined to be eligible for listing in the NRHP is, by definition, included in the CRHR (Public Resources Code Section 5024.1[d][1]).

For a historical resource to be eligible for listing on the CRHR, it must be significant under one or more of the following criteria:

- It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States;
- It is associated with the lives of persons important to local, California, or national history;
- It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or possesses high artistic values; or
- It has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

State

Section 15064.5 of the *State CEQA Guidelines* defines a historical resource as (1) a resource listed in or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources; (2) a resource listed in a local register of historical resources or identified as significant in an historical resource survey meeting certain state guidelines; or (3) an object, building, structure, site, area, place, record or manuscript that a lead agency determines to be significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, provided that the lead agency's determination is supported by substantial evidence in light of the whole record.

Archaeological Resources and Human Remains

Archaeological and historical sites are protected by a number of state policies and regulations under the California Public Resources Code, California Code of Regulations (Title 14 Section 1427), and California Health and Safety Code. California Public Resources Code Sections 5097.9-5097.991 require notification of

discoveries of Native American remains and provides for the treatment and disposition of human remains and associated grave goods. Both state law and County of Santa Clara County Code (Sections B6-19 and B6-20) require that the Santa Clara County Coroner be notified if cultural remains are found on a site. If the Coroner determines the remains are those of Native Americans, the Native American Heritage Commission (NAHC) and a "most likely descendant" must also be notified.

Senate Bill 18 (2004)

The intent of Senate Bill 18 (2004) (SB 18) is to aid in the protection of traditional tribal cultural places through local land use planning by requiring city governments to consult with California Native American tribes on projects which include adoption or amendment of general plans (as set forth in Government Code Section 65300 et seq.) and specific plans (Government Code Section 65450 et seq.). SB 18 requires local governments to consult with tribes prior to making certain planning decisions and to provide notice to tribes at certain key points in the planning process.

Native American Heritage Commission (NAHC)

The NAHC was created by statute in 1976, is a nine-member body appointed by the Governor to identify and catalog cultural resources (i.e., places of special religious or social significance to Native Americans and known graves and cemeteries of Native Americans on private lands) in California. The Commission is responsible for preserving and ensuring accessibility of sacred sites and burials, the disposition of Native American human remains and burial items, maintaining an inventory of Native American sacred sites located on public lands, and reviewing current administrative and statutory protections related to these sacred sites.

California Assembly Bill (AB) 52 (2014)

AB 52 (2014) went into effect on July 1, 2015, and establishes a new category of CEQA resources for "tribal cultural resources" (Public Resources Code §21074). The intent of AB 52 is to provide a process and scope that clarifies California tribal government's involvement in the CEQA process, including specific requirements and timing for lead agencies to consult with tribes on avoiding or mitigating impacts to tribal cultural resources. AB 52 also creates a process for consultation with California Native American Tribes in the CEQA process.

Tribal Governments can request consultation with a lead agency and give input into potential impacts to tribal cultural resources before the agency decides what kind of environmental assessment is appropriate for a proposed Project. The Public Resources Code requires avoiding damage to tribal cultural resources, if feasible.

General Plan Policies

Policies in the General Plan have been adopted for the purpose of avoiding or mitigating cultural resource impacts from development projects. All future redevelopment allowed by the proposed land use designation would be subject to the cultural resource policies in the General Plan presented below.

Santa Clara 2010-2035 General Plan Relevant Cultural Resource Policies

Historic Preservation:

Policy 5.6.1-P1 Discourage the demolition or inappropriate alterations of historic buildings and ensure the protection of historic resources through the continued enforcement of codes and design guidelines.

Policy 5.6.1-P2 Protect the historic integrity of designated historic properties and encourage adaptive reuse when necessary to promote preservation.

Policy 5.6.1-P3 Protect historic resources from demolition, inappropriate alterations and incompatible development.

Policy 5.6.1-P4 Use the City's Criteria for Local Significance as the basis for designating historic resources and review proposed changes to these resources for consistency with the Secretary of Interior Standards and California Historic Building Code.

Policy 5.6.1-P5 Promote the use of the preservation standards outlined in the current Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, restoring and Reconstructing Historic Buildings, for properties listed, or eligible for listing, on the City's list of Architecturally or Historically Significant Properties.

Policy 5.6.1-P6 Promote an active program to identify, interpret and designate the City's historic properties, including the evaluation of resources over 50 years old to determine eligibility for the City's list of Architecturally or Historically Significant Properties.

Policy 5.6.1-P7 Encourage programs that provide incentives and leverage public and private resources, to promote historic preservation, maintenance and adaptive reuse by property owners, such as Mills Act Contracts for tax benefits, tax credits and zero or low-interest loans for income- qualified residents.

Policy 5.6.1-P8 Coordinate historic preservation efforts with other agencies and organizations, including the Chamber of Commerce, Santa Clara County Historical and Genealogical Society, and other historical organizations.

Policy 5.6.1-P9 Facilitate public outreach, education and information regarding historic preservation through the City's Historical and Landmarks Commission.

Policy 5.6.1-P10 Update and maintain the City's list of Architecturally or Historically Significant Properties, and associated State Department of Parks and Recreation forms, as an Appendix to the General Plan.

Areas of Historic Sensitivity

Policy 5.6.2-P1 Evaluate any proposed changes to properties within 100 feet of historic resources on the City's list of Architecturally or Historically Significant Properties for potential negative effects on the historic integrity of the resources or its historic context.

Policy 5.6.2-P2 Require that changes to properties that contribute to the context of a historic resource are compatible in scale, materials, design, height, mass and use with the historic resource or its context.

Policy 5.6.2-P3 Strengthen the character and historic context of the Old Quad historic neighborhood through streetscape design, amenities and street tree planting.

Policy 5.6.2-P4 Work with Santa Clara University to improve compatibility between University-owned properties and nearby historic resources.

Policy 5.6.2-P5 Work with off-campus housing providers to ensure that maintenance and operational provisions that protect nearby historic resources are implemented.

Policy 5.6.2-P6 Provide notification and information to owners and developers of properties near historic resources in order to increase awareness of potential constraints on new development and/or uses.

Archaeological and Cultural Resources:

Policy 5.6.3-P1 Require that new development avoid or reduce potential impacts to archaeological, paleontological and cultural resources.

Policy 5.6.3-P2 Encourage salvage and preservation of scientifically valuable paleontological or archaeological materials.

Policy 5.6.3-P3 Consult with California Native American tribes prior to considering amendments to the City's General Plan.

Policy 5.6.3-P4 Require that a qualified paleontologist/archaeologist monitor all grading and/or excavation if there is a potential to affect archeological or paleontological resources, including sites within 500 feet of natural water courses and in the Old Quad neighborhood.

Policy 5.6.3-P5 In the event that archaeological/paleontological resources are discovered, require that work be suspended until the significance of the find and recommended actions are determined by a qualified archaeologist/paleontologist.

Policy 5.6.3-P6 In the event that human remains are discovered, work with the appropriate Native American representative and follow the procedures set forth in State law.

Existing Setting

The existing auto showroom and service facilities on the Project site were constructed in 2003. Due to its age, it is not considered a potential historical resource, and it is not listed on the City's Historic Resources Inventory. There are no designated historic resources immediately adjacent to the Project site. The nearest historic resource is the Winchester House, a California State Historical Landmark, and on the National Registry, located 0.5 miles away at 525 S Winchester Blvd in San Jose.

Although there are no existing conditions or immediate evidence that would suggest the presence of subsurface cultural resources, there is known prehistoric and historic occupation of Santa Clara. Native American settlements are commonly associated with the abundant food supply in the Santa Clara Valley. Aside from the sites already identified within the City of Santa Clara, there may be other undiscovered archaeological sites. In addition, historic occupation of Santa Clara has been well documented, and the City has a strong record reflecting early settlement by Spanish missionaries. No archaeological sites have been recorded within or adjacent to the Project area.

Impact Discussion:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource pursuant to § 15064.5?	☐	☐	☐	☒
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?	☐	☒	☐	☐

Would the Project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

No Impact. The building was constructed in 2003 and is not classified as a historic resource nor is it eligible to be listed on the CRHR, NRHP, or local register since it is less than 50 years of age. The buildings directly adjacent to the Project site and in the immediate Project area are not classified as historic by the City of Santa Clara and are not currently eligible for inclusion on the CRHR given they are less than 50 years of age and are of a common or modern architectural style. Development of the Project site would not physically damage or materially impair the integrity of any historic building. Implementation of the proposed Project would, therefore, have no impact on any designated or eligible historic structures.

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

Less Than Significant Impact with Mitigation Incorporated. Section 15064.5 of the *State CEQA Guidelines* defines significant archaeological resources as resources which meet the criteria for historical resources, or resources which constitute unique archaeological resources.

The Project site is currently developed and located in a commercial area of the city. Previous development and excavation on the site did not uncover any archaeological resources, and the proposed Project does not propose extensive excavation activities beyond the preparation of building pad foundations. Although there are no known prehistoric archaeological deposits on or adjacent to the site, redevelopment of the site has the potential to disturb currently unknown sub-surface resources. If the exposure or destruction of subsurface prehistoric resources were to occur, it would be considered a significant impact.

In accordance with General Plan Policy 5.6.3-P1 – P6, to reduce impacts to archaeological resources to a less than significant level, the following mitigation measures will be implemented:

MM CUL-1.1: After demolition of the existing service facility, a qualified archaeologist shall complete mechanical presence/absence testing for archaeological deposits and cultural materials. In the event any prehistoric site indicators are discovered, additional backhoe testing will be conducted to map the aerial extent and depth below the surface of the deposits. In the event prehistoric or historic archaeological deposits are found during presence/absence testing, the significance of the find will be determined. If deemed significant, a Treatment Plan will be prepared and provided to the Director of Community Development. The key elements of a Treatment Plan shall include the following:

- Identify scope of work and range of subsurface effects (include location map and development plan),
- Describe the environmental setting (past and present) and the historic/prehistoric background of the parcel (potential range of what might be found),
- Develop research questions and goals to be addressed by the investigation (what is significant vs. what is redundant information),
- Detail field strategy used to record, recover, or avoid the finds (photogs, drawings, written records, provenience data maps, soil profiles, excavation techniques, standard archaeological methods) and address research goals.

MM CUL-1.2: In the event that prehistoric or historic resources that are discovered during presence/absence testing are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped, the Director of Community Development will be notified, and the archaeologist will examine the find and make appropriate recommendations prior to issuance of building permits. If the find is deemed significant, a Treatment Plan will be prepared as outlined in MM CUL-1.1.

The proposed Project, with the implementation of the above standard condition, would not significantly impact archaeological resources by ensuring accurate identification, documentation, and collection of any archaeological resources encountered during ground disturbing activities.

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

Less Than Significant Impact with Mitigation Incorporated. The Project site is currently developed and located in a commercial area of the city. Previous development and excavation on the site did not uncover any human remains, and the proposed Project does not propose extensive excavation activities. Although there are no known human remains on the site, construction could result in the exposure or destruction of undiscovered subsurface prehistoric human remains. If the exposure or destruction of these resources were to occur, it would be considered a significant impact. To reduce impacts to a less than significant level, the following mitigation measures will be implemented during construction:

Mitigation Measure

MM CUL-2.1: In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find will be stopped. The Santa Clara County Coroner will be notified and shall make a determination as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once the NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the *CEQA Guidelines*.

With implementation of these measures, impacts to unknown human remains would be less than significant.

4.2.6 Energy

Regulatory Setting

Federal and State

Energy Star and Fuel Efficiency

At the federal level, energy standards set by the EPA apply to numerous consumer products and appliances (e.g., the EnergyStar™ program). The EPA also sets fuel efficiency standards for automobiles and other modes of transportation.

Renewables Portfolio Standard Program

In 2002, California established its Renewables Portfolio Standard Program, with the goal of increasing the percentage of renewable energy in the State's electricity mix to 20 percent of retail sales by 2010. In 2008, Executive Order S-14-08 was signed into law, requiring retail sellers of electricity serve 33 percent of their load with renewable energy by 2020. In October 2015, Governor Brown signed SB 350 to codify California's climate and clean energy goals. A key provision of SB 350 requires retail sellers and publicly owned utilities to procure 50 percent of their electricity from renewable sources by 2030. SB 100, passed in 2018, requires 100 percent of electricity in California to be provided by 100 percent renewable and carbon-free sources by 2045.

California Building Standards Code

The Energy Efficiency Standards for Residential and Nonresidential Buildings, as specified in Title 24, Part 6 of the California Code of Regulations (Title 24), was established in 1978 in response to a legislative mandate to reduce California's energy consumption. Title 24 is updated approximately every three years, and the 2019 Title 24 updates went into effect on January 1, 2020. Compliance with Title 24 is mandatory at the time new building permits are issued by city and county governments.[10]

California Green Building Standards Code

CALGreen establishes mandatory green building standards for buildings in California. CALGreen was developed to reduce GHG emissions from buildings, promote environmentally responsible and healthier places to live and work, reduce energy and water consumption, and respond to State environmental directives. The most recent update to CALGreen went into effect on January 1, 2020, and covers five categories: planning and design, energy efficiency, water efficiency and conservation, material and resource efficiency, and indoor environmental quality.

Advanced Clean Cars Program

CARB adopted the Advanced Clean Cars program in 2012 in coordination with the EPA and National Highway Traffic Safety Administration. The program combines the control of smog-causing pollutants and GHG emissions into a single coordinated set of requirements for vehicle model years 2015 through

10 California Energy Commission (CEC). *Building Energy Efficiency Standards – Title 24*. Available online at: https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards, accessed January 24, 2022.

2025. The program promotes development of environmentally superior passenger cars and other vehicles, as well as saving the consumer money through fuel savings.[11]

Local

Santa Clara General Plan

Energy-related General Plan policies applicable to the project are as follows:

Policy 5.10.3-P6 Promote sustainable buildings and land planning for all new development, including programs that reduce energy and water consumption in new development.

Existing Conditions

Total energy usage in California was approximately 7,787.2 trillion British thermal units (Btu) in the year 2019, the most recent year for which this data was available.[12] Out of the 50 states, California is ranked second in total energy consumption and 46th in energy consumption per capita. The breakdown by sector was approximately 18.7 percent (1,455.7 trillion Btu) for residential uses, 18.9 percent (1,468.1 trillion Btu) for commercial uses, 23.2 percent (1,805.2trillion Btu) for industrial uses, and 39.3 percent (3,058.2 trillion Btu) for transportation.[13]

Electricity

In 2020, a total of approximately 16,435 gigawatt hours (GWh) of electricity was consumed in Santa Clara County.[14] Electricity in Santa Clara County in 2020 was consumed primarily by the non-residential sector (73 percent). The residential sector consumed approximately 4,392 gigawatt hours (GWh).

Silicon Valley Power (SVP) is the City of Santa Clara's municipal energy utility and would provide electricity service to the Project site. For commercial customers, SVP offers several options for participation in green energy programs, including a carbon-free energy option.[15]

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11 California Air Resources Board. *The Advanced Clean Cars Program*. Available online at: https://www.arb.ca.gov/msprog/acc/acc.htm, accessed January 24, 2022.

12 United States Energy Information Administration. *2019 State Profile and Energy Estimates*. Available online at: https://www.eia.gov/state/?sid=CA#tabs-2. Accessed December 28, 2021.

13 *Ibid*.

14 California Energy Commission. Energy Consumption Data Management System. *Electricity Consumption by County*. Available online at: http://ecdms.energy.ca.gov/elecbycounty.aspx, accessed December 28, 2021.

Natural Gas

PG&E provides natural gas services within the City of Santa Clara. California's gas supply comes from California (onshore and offshore), Southwestern U.S., the Rocky Mountains, and Canada.[16] In 2020, Santa Clara County consumed approximately 418.68 Millions of Therms (MMThm). Residential uses accounted for 245.13 MMThm, or 58.5 percent of total consumption. Non-residential uses consumed approximately 173.56 MMThm.[17] In 2020, Santa Clara County used approximately 3.4 percent of the state's total consumption of natural gas.[18]

Impact Discussion:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 plan or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

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

Less than Significant Impact. Energy would be consumed during both the construction and operational phases of the proposed Project. Energy requirements throughout the construction phase include energy for the manufacturing and transportation of building materials, preparation of the site, and operation of construction equipment. The operation of the proposed Project would include power, lighting, heating, and cooling. Fuel would also be consumed by vehicles traveling to and from the site.

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15 Silicon Valley Power. *Businesses*. Available online at: https://www.siliconvalleypower.com/businesses, accessed December 28, 2021.

16 California Gas and Electric Utilities. *2020 California Gas Report*. Available online at: https://www.socalgas.com/sites/default/files/2020-10/2020_California_Gas_Report_Joint_Utility_Biennial_Comprehensive_Filing.pdf, accessed December 28, 2021

17 California Energy Commission. *Natural Gas Consumption by County*. Available online at: http://ecdms.energy.ca.gov/gasbycounty.aspx, accessed December 28, 2021.

18 *Ibid*.

Construction

Construction of the Project would require energy for the demolition of the existing service center facility, manufacture and transportation of building materials, site preparation, and the actual construction of the building and infrastructure. As discussed in **Section 4.2.3, Air Quality**, the Project would implement measures to minimize the idling of construction equipment. Additionally, the Project required to participate in the City's Construction and Demolition Debris Recycling Program and CalGreen § 5.408 (Construction Waste Reduction, Disposal and Recycling), which require recycling or diverting at a minimum of 65 percent of materials generated for discards by the Project in order to reduce the amount of demolition and construction waste going to the landfill. Diversion saves energy by reusing and recycling materials for other uses (instead of landfilling materials and using additional non-renewable resources).

Operation

The Project proposes to renovate, upgrade, and expand the square-footage of an existing car dealership and service center while reducing the number of service bays provided. While there will be a slight increase in gross square footage, no changes are proposed to the overall operational capacities of the existing site.

Furthermore, the renovations and upgrades would be built in accordance with Title 24 and CalGreen and include green building measures to reduce energy consumption, such as installing electric vehicle charging equipment, efficient heating and cooling systems, and proper insulation. Due to the energy efficiency measures incorporated into the facility, the Project would reduce wasteful, inefficient, or unnecessary consumption of energy resources, and the impact will be less than significant.

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

Less Than Significant Impact. The proposed Project would be consistent with the regulations described in Regulatory Setting (including General Plan Policies) by:

- Complying with Title 24 and CalGreen measures, including lighting control, heating and cooling efficiencies, and water conservation measures.

- Participating in the City's Construction and Demolition Debris Recycling Program and CalGreen § 5.408 (Construction Waste Reduction, Disposal and Recycling)

The Project, therefore, would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

4.2.7 Geology and Soils

Regulatory Setting

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act was passed following the 1971 San Fernando earthquake. The act regulates development in California near known active faults due to hazards associated with surface fault ruptures. Alquist-Priolo maps are distributed to affected cities, counties, and state agencies for their use in planning and controlling new construction. Areas within an Alquist-Priolo Earthquake Fault Zone require special studies to evaluate the potential for surface rupture to ensure that no structures intended for human occupancy are constructed across an active fault.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act (SHMA) was passed in 1990 following the 1989 Loma Prieta earthquake. The SHMA directs the California Geological Survey (CGS) to identify and map areas prone to liquefaction, earthquake-induced landslides, and amplified ground shaking. CGS has completed seismic hazard mapping for the portions of California most susceptible to liquefaction, landslides, and ground shaking, including the central San Francisco Bay Area. The SHMA requires that agencies only approve projects in seismic hazard zones following site-specific geotechnical investigations to determine if the seismic hazard is present and identify measures to reduce earthquake-related hazards.

Public Resources Code Section 5097.5

Paleontological resources are the fossilized remains of organisms from prehistoric environments found in geologic strata. They range from mammoth and dinosaur bones to impressions of ancient animals and plants, trace remains, and microfossils. These are valued for the information they yield about the history of the earth and its past ecological settings. California Public Resources Code Section 5097.5 specifies that unauthorized removal of a paleontological resource is a misdemeanor. Under the *CEQA Guidelines*, a project would have a significant impact on paleontological resources if it would disturb or destroy a unique paleontological resource or site or unique geologic feature.

California Building Code

The 2019 California Building Standards Code (CBC) was published July 1, 2019, with an effective date of January 1, 2020. The CBC is a compilation of three types of building criteria from three different origins:

1. Building standards that have been adopted by state agencies without change from building standards contained in national model codes;

2. Building standards that have been adopted and adapted from the national model code standards to meet California conditions; and

3. Building standards, authorized by the California legislature, that constitute extensive additions not covered by the model codes that have been adopted to address particular California concerns.

The CBC identifies acceptable design criteria for construction that addresses seismic design and loadbearing capacity, including specific requirements for seismic safety; excavation, foundation and retaining wall design; site demolition, excavation, and construction; and drainage and erosion control.

Santa Clara General Plan Policies

Policies in the General Plan have been adopted for the purpose of avoiding or mitigating geology and soils impacts from development projects. Relevant policies applicable to geology and soils are listed below:

Policy 5.6.3-P5	In the event that archaeological/paleontological resources are discovered, require that work be suspended until the significance of the find and recommended actions are determined by a qualified archaeological/paleontologist.
Policy 5.10.5-P5	Regulate development, including remodeling or structural rehabilitation, to ensure adequate mitigation of safety hazards, including flooding, seismic, erosion, liquefaction and subsidence dangers.
Policy 5.10.5-P6	Require that new development is designed to meet current safety standards and implement appropriate building code to reduce risks associated with geologic conditions.
Policy 5.10.5-P7	Implement all recommendations and design solutions identified in project soils reports to reduce potential adverse effects associated with unstable soils or seismic hazards

City Code

Title 15 of the Santa Clara City Code includes the City's adopted Building and Construction Code. These regulations are based on the CBC and include requirements for building foundations, walls, and seismic resistant design. Requirements for grading and excavation permits and erosion control are included in Chapter 15.15 (Building Code). Requirements for building safety and earthquake reduction hazard are addressed in Chapter 15.55 (Seismic Hazard Identification).

Existing Setting

The Project site is located in the Santa Clara Valley, a broad alluvial-covered plain lying between the Santa Cruz Mountains to the west and the Diablo Range to the east. The Project site is located at an elevation of approximately 128 feet above mean sea level.

The Project is located in the seismically active San Francisco Bay Area region. Major active fault systems in the area are the San Andreas, Calaveras, Hayward, and Monte Vista-Shannon. The probability of a magnitude 6.7 or greater earthquake occurring in the Bay Area by 2030 is approximately 70% (USGS and California Division of Mines & Geology, 1999). The Project site will be subject to strong ground shaking in the event of a large magnitude earthquake on any of the regional fault systems.

The City of Santa Clara is in an area zoned MRZ-1 by the State Mining and Geology Board under the Surface Mining and Reclamation Act of 1975 (SMARA). MRZ-1 zones area areas where adequate information indicates that no significant mineral deposits are present and there is little likelihood for their presence. No mineral resources are currently being extracted from the City.

In 2015, the California Supreme Court in *California Building Industry Association v. Bay Area Air Quality Management District* (*CBIA v. BAAQMD*), held that CEQA generally does not require a lead agency to consider the impacts of the existing environment on the future residents or users of the Project. The revised thresholds are intended to comply with this decision. Specifically, the decision held that an impact from the existing environment to the Project, including future users and/or residents, is not an impact for purposes of CEQA. However, if the Project, including future users and residents, exacerbates existing conditions that already exist, that impact must be assessed, including how it might affect future users and/or residents of the Project. Thus, in accordance with Appendix G of the *State CEQA Guidelines* and the *CBIA v. BAAQMD* decision, the Project would have a significant impact related to geology and soils if it would result in any of the following impacts.

Impact Discussion:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
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 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 § 1803.5.3 of the California Building Code (2019), creating substantial direct or indirect risks to life or property?	☐	☐	☐	☒
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?	☐	☐	☐	☒
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

Would the Project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Less Than Significant Impact. The Project site is not located within a State of California Earthquake Fault Hazard Zone and no known active faults cross the site. The Project is not mapped within an Alquist-Priolo Earthquake Fault Zone. The risk of ground rupture within the site is considered low.

Demolition and reconstruction of the service facility may exacerbate existing environmental conditions at the site. Compliance with all relevant building codes would ensure that impacts from construction would be less than significant.

ii) Strong seismic ground shaking caused in whole or in part by the project's exacerbation of the existing environmental conditions?

Less than Significant Impact. The proposed Project's location in a seismically active region, may mean that the building will be subject to strong seismic ground shaking during its design life in the event of a major earthquake on any of the region's active faults. Compliance with General Plan Policies and all relevant building codes, as discussed below, would ensure that redevelopment of the Project site minimizes seismic-related hazards.

iii) Seismic-related ground failure, including liquefaction, caused in whole or in part by the project's exacerbation of the existing environmental conditions?

Less Than Significant Impact. Soil liquefaction occurs when loose, saturated, granular soils lose their inherent shear strength due to excess water pressure that builds up during repeated movement from seismic activity. Factors that contribute to the potential for liquefaction include a low relative density of granular materials, a shallow groundwater table, and a long duration and high acceleration of seismic shaking. Liquefaction usually results in horizontal and vertical movements from lateral spreading of liquefied materials and post-earthquake settlement of liquefied materials. Liquefaction potential is greatest where the groundwater level is shallow, and submerged loose, fine sands occur within a depth of approximately 50 feet or less.

The site is located in a seismically active region subject to strong shaking and seismic-related hazards, including liquefaction.[19] The Project site is located approximately 475 feet from a CGS Liquefaction Zone. Compliance with all relevant building codes would ensure that impacts from the proposed Project would be less than significant.

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19 California Department of Conservation, *Earthquake Zones of Required Investigation Map*. Available online at: https://maps.conservation.ca.gov/cgs/EQZApp/app/, accessed January 12, 2022.

iv) Landslides, caused in whole or in part by the project's exacerbation of the existing environmental conditions?

No Impact. Landslides are movements of large masses of rock and/or soil. Landslide potential is generally the greatest for areas with steep and/or high slopes, low sheer strength, and increased water pressure. The Project site is flat and is not subject to landslides. The Project will not make any changes to the topography of the site.

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

Less than Significant Impact. Erosion is the movement of rock and soil from place to place and is a natural process. Common agents of erosion in the vicinity of the Project area include wind and flowing water. Significant erosion typically occurs on steep slopes where stormwater and high winds can carry topsoil down hillsides. Erosion can be increased greatly by earthmoving activities if erosion-control measures are not used.

Though the site is relatively flat, demolition and construction activities would expose soils and could result in erosion. The Project is required to comply with General Plan Policies and City Code regulations pertaining to erosion and protection of water quality. Therefore, the impact would be less than significant.

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, caused in whole or in part by the project's exacerbation of the existing environmental conditions?

Less Than Significant Impact. The Project site is not subject to landslides and is not located in a mapped liquefaction zone. Due to the flat topography of the Project site, redevelopment is not expected to be exposed to slope instability, lateral spreading, or landslide-related hazards.[20] The Project site is located in an area with a moderate soil expansion potential.

Redevelopment of the site is required to comply with General Plan Policies and City Code regulations to avoid geotechnical hazards. In accordance with the City's General Plan and City Code, the Project must be constructed using standard engineering, a design level geotechnical investigation and seismic safety design techniques. Therefore, impacts would be less than significant.

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20 County of Santa Clara. *County Geologic Hazard Zones*. Available online: https://stgenpln.blob.core.windows.net/document/GEO_GeohazardATLAS.pdf, accessed December 29, 2021.

d) Be located on expansive soil, as identified in § 1803.5.3 of the California Building Code (2019), creating substantial risks to life or property, caused in whole or in part by the project's exacerbation of the existing environmental conditions?

No Impact. The proposed Project site is not within a mapped expansive soil zone.[21]

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 Project site has existing access to public services and utilities and redevelopment would not involve the use of septic tanks or alternative wastewater disposal systems.

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

Less Than Significant Impact with Mitigation. Paleontological resources include fossil remains or traces of past life forms, including both vertebrate and invertebrate species, as well as plants. Paleontological resources are generally found within sedimentary rock formations.

As discussed above in **Section 4.2.5(b),** the Project site is in a highly urbanized area of the city that has been previously disturbed and developed. However, ground disturbing activities during demolition and construction has the potential to impact undiscovered paleontological resources, which would be considered a significant impact. Mitigation measures to reduce the impact on paleontological resources are as follows:

Mitigation Measures

MM GEO-1.1: Ground disturbing activities associated with the proposed Project shall be monitored by a qualified paleontologist. In the event paleontological resources are discovered all work shall be halted within 50 feet of the find and a Paleontological Resource Mitigation Plan shall be prepared by a qualified paleontologist to address assessment and recovery of the resource. A final report documenting any found resources, their recovery, and disposition shall be prepared in consultation with the Community Development Director and filed with the City and local repository.

With implementation of these measures, impacts to undiscovered paleontological resources would be less than significant.

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21 *Ibid.*

4.2.8 Greenhouse Gas Emissions

Regulatory Setting

Assembly Bill (AB) 1493 (2002)

In 2002, Assembly Bill (AB) 1493 was passed requiring that the California Air Resources Board (CARB) develop and adopt, by January 1, 2005, regulations that achieve "the maximum feasible reduction of greenhouse gases emitted by passenger vehicles and light-duty truck and other vehicles determined by the ARB to be vehicles whose primary use is noncommercial personal transportation in the state."

Executive Order S-3-05

Executive Order S-3-05, signed by Governor Schwarzenegger in 2005, proclaims that California is vulnerable to the impacts of climate change. It declares that increased temperatures could reduce the Sierra's snowpack, further exacerbate California's air quality problems, and potentially cause a rise in sea levels. To combat those concerns, the Executive Order established total greenhouse gas emission targets. Specifically, emissions are to be reduced to the 2000 level by 2010, the 1990 level by 2020, and to 80% below the 1990 level by 2050. The Executive Order directed the Secretary of the California Environmental Protection Agency (CalEPA) to coordinate a multi-agency effort to reduce greenhouse gas emissions to the target levels. The Secretary must also submit biannual reports to the governor and state legislature describing: 1) progress made toward reaching the emission targets; 2) impacts of global warming on California's resources; and 3) mitigation and adaptation plans to combat these impacts. To comply with the Executive Order, the Secretary of the CalEPA created a Climate Act Team (CAT) made up of members from various state agencies and commission.

Assembly Bill (AB) 32 (2006)

AB 32, the Global Warming Solutions Act of 2006, codifies the State of California's GHG emissions target by directing CARB to reduce the state's global warming emissions to 1990 levels by 2020. AB 32 was signed and passed into law by Governor Schwarzenegger on September 27, 2006. Since that time, CARB, CEC, the California Public Utilities Commission (CPUC), and the Building Standards Commission have all been developing regulations that will help meet the goals of AB 32 and Executive Order S-3-05.

A Scoping Plan for AB 32 was adopted by CARB in December 2008. It contains the State of California's main strategies to reduce GHGs from BAU emissions projected in 2020 back down to 1990 levels. BAU is the projected emissions in 2020, including increases in emissions caused by growth, without any GHG reduction measures. The Scoping Plan has a range of GHG reduction actions, including direct

regulations, alternative compliance mechanisms, monetary and non- monetary incentives, voluntary actions, and market-based mechanisms such as a cap-and-trade system. It required CARB and other state agencies to develop and adopt regulations and other initiatives reducing GHGs by 2012.

As directed by AB 32, CARB has also approved a statewide GHG emissions limit. On December 6, 2007, CARB staff resolved an amount of 427 MMT of CO_2e as the total statewide GHG 1990 emissions level and 2020 emissions limit. The limit is a cumulative statewide limit, not a sector-or facility-specific limit. CARB updated the future 2020 BAU annual emissions forecast, in light of the economic downturn, to 545 MMT of CO_2e. Two GHG emissions reduction measures currently enacted that were not previously included in the 2008 Scoping Plan baseline inventory were included, further reducing the baseline inventory to 507 MMT of CO_2e. Thus, an estimated reduction of 80 MMT of CO_2e was required to reduce statewide emissions to meet the AB 32 target by 2020.

Senate Bill (SB) 1368

SB 1368 is the companion bill of AB 32 and was signed by Governor Schwarzenegger in September 2006. SB 1368 required the California Public Utilities Commission (PUC) to establish a greenhouse gas emission performance standard. Therefore, on January 25, 2007, the PUC adopted an interim GHG Emissions Performance Standard in an effort to help mitigate climate change. The Emissions Performance Standard is a facility-based emissions standard requiring that all new long-term commitments for baseload generation to serve California consumers be with power plants that have emissions no greater than a combined cycle gas turbine plant. That level is established at 1,100 pounds of carbon dioxide (CO_2) per megawatt-hour. "New long-term commitment" refers to new plant investments (new construction), new or renewal contracts with a term of five years or more, or major investments by the utility in its existing baseload power plants. In addition, the California Energy Commission (CEC) established a similar standard for local publicly owned utilities that cannot exceed the greenhouse gas emission rate from a baseload combined-cycle natural gas fired plant. On July 29, 2007, the Office of Administrative Law disapproved the Energy Commission's proposed Greenhouse Gases Emission Performance Standard rulemaking action and subsequently, the CEC revised the proposed regulations. SB 1368 further requires that all electricity provided to California, including imported electricity, must be generated from plants that meet the standards set by the PUC and CEC.

Senate Bill 375 (2008)

Senate Bill 375, signed in August 2008, requires sustainable communities' strategies (SCS) to be included in regional transportation plans (RTPs) to reduce emissions of GHGs. The Metropolitan Transportation

Commission (MTC) and the Association of Bay Area Governments (ABAG) adopted its first SCS in July 2013 to establish strategies for meeting GHG reduction targets.

Plan Bay Area 2050 (MTC 2021) laid out a $1.4 trillion vision for policies and investments to make the nine-county region more affordable, connected, diverse, healthy and economically vibrant for all its residents through 2050 and beyond. From housing strategies that would produce more than 1 million new permanently affordable homes by 2050 to transit-fare reforms that would reduce cost burdens for riders with low incomes and paths to economic mobility through job training and a universal basic income, the goal of a more equitable Bay Area is interwoven throughout the plan.

City of Santa Clara General Plan

The Santa Clara 2010-2035 General Plan includes policies that address the reduction of GHG gas emissions during the planning horizon of the General Plan. Goals and policies that address sustainability (see Appendix 8.13: Sustainability Goals and Policies Matrix in the General Plan) are aimed at reducing the City's contribution to GHG emissions.

Climate Action Plan

The City of Santa Clara has a comprehensive GHG emissions reduction strategy (Climate Action Plan; CAP) to achieve its fair share of statewide emissions reductions for the 2020 timeframe consistent with AB 32, the Global Warming Solutions Act. The CAP was adopted on December 3, 2013. The City of Santa Clara CAP specifies the strategies and measures to be taken for a number of focus areas (coal-free and large renewables, energy efficiency, water conservation, transportation and land use, waste reduction, etc.) citywide to achieve the overall emission reduction target and includes an adaptive management process that can incorporate new technology and respond when goals are not being met.

A key reduction measure that was undertaken by the City of Santa Clara under the 2013 CAP was the Coal-Free and Large Renewables focus area. The City of Santa Clara operates Silicon Valley Power (SVP), a publicly owned utility that provides electricity for the community of Santa Clara, including the Project site. Data centers constitute a large portion of the electricity used in the City of Santa Clara; about 28 percent on average. Since nearly half (48 percent) of Santa Clara's GHG emissions result from electricity use, removing GHG-intensive sources of electricity generation (such as coal) is a major focus area in the Climate Action Plan for achieving the City's GHG reduction goals.

A new CAP is anticipated to be adopted by the City Council in May 2022. This new CAP reaffirms the City's commitment to leading the way to a more sustainable community. The City has set feasible targets

and developed strategic pathways for reducing greenhouse gas emissions while increasing the City's resilience to climate change impacts. The 2022 CAP aims to:

1. Prevent and prepare for the impacts of climate change
2. Reflect the City's changing environment and community
3. Align with new state requirements and guidance
4. Demonstrate climate leadership and commitment
5. Maximize co-benefits.

CEQA clearance for all discretionary development proposals are required to address the consistency of individual projects with reduction measures in the Climate Action Plan and goals and policies in the General Plan designed to reduce GHG emissions. Compliance with appropriate measures in the Climate Action Plan would ensure an individual project's consistency with an adopted GHG reduction plan.

In December 2018, SVP published an updated Strategic Plan that outlines goals and actions for achieving 2030 GHG emission reductions consistent with the legislation described above. All electricity from SVP has been coal-free since January 2018. SVP's 2018 Integrated Resource Plan lays out needed steps to meet the 50 percent Renewable Portfolio Standard set by SB 32. SVP plans to exceed the 50 percent target.[22]

Existing Setting

Various gases in the earth's atmosphere, classified as atmospheric greenhouse gases (GHGs), play a critical role in determining the earth's surface temperature. Solar radiation enters the atmosphere from space and a portion of the radiation is absorbed by the earth's surface. The earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation. Greenhouse gases, which are transparent to solar radiation, are effective in absorbing infrared radiation. As a result, this radiation that otherwise would have escaped back into space is retained, resulting in a warming of the atmosphere. This phenomenon is known as the greenhouse effect. Among the prominent GHGs contributing to the greenhouse effect, or climate change, are CO_2, methane (CH_4), O_3, water vapor, nitrous oxide (N_2O), and chlorofluorocarbons (CFCs). Human-caused emissions of these GHGs in excess of natural ambient concentrations are responsible for enhancing the greenhouse effect. In California, the transportation sector is the largest emitter of GHGs, followed by electricity generation.

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22 Silicon Valley Power. *2018 Integrated Resource Plan*. Available at: http://www.siliconvalleypower.com/home/showdocument?id=62481, accessed January 24, 2022.

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

Would the project:

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

Less Than Significant Impact. The Project proposes to renovate, upgrade, and expand the square-footage of an existing car dealership and service center while reducing the number of service bays provided. Construction activities such as the manufacture and transportation of building materials, site preparation, and the actual construction of the building and infrastructure would generate GHG emissions. GHG emissions during the construction period would account for approximately 132 metric tons of carbon dioxide equivalent. These emissions would be temporary in nature and would not be a significant increase.

While there will be a slight increase in gross square footage, no changes are proposed to the overall operational capacities of the existing site. The majority of operational GHG emissions from the proposed Project would consist of emissions from vehicle trips to and from the building. However, there would be no changes in vehicle trips from existing conditions. Additionally, the Project would conform to all applicable components of the City's General Plan and Climate Action Plan. Therefore, the impact would be less than significant.

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

Less Than Significant Impact. As described previously, the City of Santa Clara Climate Action Plan was adopted in December 2013. The Climate Action Plan, which is part of the City's General Plan, identifies a series of GHG emissions reduction measures to be implemented by development projects that would allow the City to achieve its GHG reduction goals. The measures center around seven

focus areas: coal-free and large renewables, energy efficiency, water conservation, waste reduction, off-road equipment, transportation and land use, and urban heat island effect.

Further, the new CAP anticipated to be adopted by the City Council in May 2022 reaffirms the City's commitment to leading the way to a more sustainable community. The City has set feasible targets and developed strategic pathways for reducing greenhouse gas emissions while increasing the City's resilience to climate change impacts

The Climate Action Plan includes measures applicable to City government, existing development and new development projects in Santa Clara. The proposed Project will comply with the Climate Action Plan, General Plan GHG related strategies, and regional Clean Air Plans. Therefore, the impact would be less than significant.

4.2.9 Hazards and Hazardous Materials

Regulatory Setting

The storage, use, generation, transport, and disposal of hazardous materials and waste are highly regulated under federal and state laws. Federal regulations and policies related to development include the Comprehensive Environmental Response, Compensation, and Liability Act, commonly known as Superfund, and the Resource Conservation and Recovery Act. In California, the EPA has granted most enforcement authority over federal hazardous materials regulations to the California Environmental Protection Agency (CalEPA). In turn, local agencies have been granted responsibility for implementation and enforcement of many hazardous materials regulations under the Certified Unified Program Agency (CUPA) program.

Worker health and safety and public safety are key issues when dealing with hazardous materials. Proper handling and disposal of hazardous material is vital if it is disturbed during project construction. Cal/OSHA enforces state worker health and safety regulations related to construction activities. Regulations include exposure limits, requirements for protective clothing, and training requirements to prevent exposure to hazardous materials. Cal/OSHA also enforces occupational health and safety regulations specific to lead and asbestos investigations and abatement.

Federal and State

Federal Aviation Regulations Part 77

Federal Aviation Regulations, Part 77 Objects Affecting Navigable Airspace (FAR Part 77) sets forth standards and review requirements for protecting the airspace for safe aircraft operation, particularly by

restricting the height of potential structures and minimizing other potential hazards (such as reflective surfaces, flashing lights, and electronic interference) to aircraft in flight. These regulations require that the Federal Aviation Administration (FAA) be notified of certain proposed construction projects located within an extended zone defined by an imaginary slope radiating outward for several miles from an airport's runways, or which would otherwise stand at least 200 feet in height above the ground.

Government Code Section 65962.5

Section 65962.5 of the Government Code requires CalEPA to develop and update a list of hazardous waste and substances sites, known as the Cortese List. The Cortese List is used by state and local agencies and developers to comply with CEQA requirements. The Cortese List includes hazardous substance release sites identified by the Department of Toxic Substances Control (DTSC), State Water Resources Control Board (SWRCB), and Santa Clara County. The Project site is not on the Cortese List.[23]

California Accidental Release Prevention Program

The California Accidental Release Prevention (CalARP) Program aims to prevent accidental releases of regulated hazardous materials that represent a potential hazard beyond the boundaries of property. Facilities that are required to participate in the CalARP program use or store specified quantities of toxic and flammable substances (hazardous materials) that can have off-site consequences if accidentally released. The City of Santa Clara Fire Department reviews CalARP risk management plans as the Certified Unified Program Agency (CUPA).

Asbestos-Containing Materials

Friable asbestos is any asbestos containing material (ACM) that, when dry, can easily be crumbled or pulverized to a powder by hand, allowing the asbestos particles to become airborne. Common examples of products that have been found to contain friable asbestos include acoustical ceilings, plaster, wallboard, and thermal insulation for water heaters and pipes. Common examples of nonfriable ACMs are asphalt roofing shingles, vinyl floor tiles, and transite siding made with cement. The EPA phased out use of friable asbestos products between 1973 and 1978. National Emission Standards for Hazardous Air Pollutants guidelines require that potentially friable ACMs be removed prior to building demolition or remodeling that may disturb the ACMs.

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23 California Department of Toxic Substances Control, *Cortese List*. Available online at: https://www.envirostor.dtsc.ca.gov/public/search?cmd=search&reporttype=CORTESE&site_type=CSITES,FUDS&status=ACT,BKLG,COM&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST+%28CORTESE%29, accessed January 24, 2022.

CCR Title 8, Section 1532.1

The United States Consumer Product Safety Commission banned the use of lead-based paint in 1978. Removal of older structures with lead-based paint is subject to requirements outlined by Cal/OSHA Lead in Construction Standard, CCR Title 8, Section 1532.1 during demolition activities. Requirements include employee training, employee air monitoring, and dust control. If lead-based paint is peeling, flaking, or blistered, it is required to be removed prior to demolition.

Regional and Local

Municipal Regional Permit Provision C.12.f

Polychlorinated biphenyls (PCBs) were produced in the United States between 1955 and 1978 and used in hundreds of industrial and commercial applications, including building and structure materials such as plasticizers, paints, sealants, caulk, and wood floor finishes. In 1979, the EPA banned the production and use of PCBs due to their potential harmful health effects and persistence in the environment. PCBs can still be released to the environment today during demolition of buildings that contain legacy caulks, sealants, or other PCB-containing materials. With the adoption of the San Francisco Bay Region Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) Permit (MRP) by the San Francisco Bay Regional Water Quality Control Board on November 19, 2015, Provision C.12.f requires that permittees develop an assessment protocol methodology for managing materials with PCBs in applicable structures planned for demolition to ensure PCBs do not enter municipal storm drain systems. Municipalities throughout the Bay Area are currently modifying demolition permit processes and implementing PCB screening protocols to comply with Provision C.12.f. As of July 1, 2019, buildings constructed between 1955 and 1978 that are proposed for demolition must be screened for the presence of PCBs prior to the issuance of a demolition permit.

Federal Aviation Administration Regulations

Federal Aviation Regulations, Part 77, "Objects Affecting Navigable Airspace" (FAR Part 77) sets forth standards and review requirements for protecting the airspace for safe aircraft operation, particularly by restricting the height of potential structures and minimizing other potential hazards (such as reflective surfaces, flashing lights, and electronic interference) to aircraft in flight. These regulations require that the FAA be notified of certain proposed construction projects located within an extended zone defined by an imaginary slope radiating outward for several miles from an airport's runways.

Santa Clara Emergency Operations Plan

In June 2016, the City of Santa Clara adopted an Emergency Operations Plan (EOP) to address the planned response of the City of Santa Clara to emergency situations associated with natural disasters and technological incidents, as well as chemical, biological, radiological, nuclear and explosive emergencies. The EOP establishes the emergency organization, assign tasks, specifies policies and general procedures, and provides for coordination of planning efforts for emergency events such as earthquake, flooding, dam failure, and hazardous materials responses.

Existing Setting

The 1.10-acre Project site consists of an existing auto showroom, service center facility, and a paved surface parking lot that was built in 2003. It is currently occupied by the former Stevens Creek Subaru dealership and auto service. The site is identified in the General Plan as Regional Commercial.

Due to the age of the current facility, there is no potential for the presence of asbestos-containing material (ACM) and/or lead-based paint (LBP). There are currently no identified sources of contamination on-site. However, the CalEPA Regulated Site Portal identifies several leaking underground storage tanks Clean Up Sites surrounding the Project site. This includes 3350 Stevens Creek Blvd, located 0.2 miles west of the Project Site; 3150 Steven Creek Blvd, located directly across the street from the Project site; and 3030 Stevens Creek Blvd, located 0.3 miles east of the Project site.

The nearest airport is the San Jose Norman Y. Mineta International Airport is located five miles northeast of the site. Per CALFIRE's Fire Hazard Severity Zone (FHSZ) map, the Project site is not located in a FHSZ.[24]

Impact Discussion:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐

[24] CalFire. *California Fire Hazard Severity Zone*s. Available online at: https://egis.fire.ca.gov/FHSZ/, accessed December 29, 2021.

Impact Discussion:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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 create a significant hazard to the public or the environment?	☐	☐	☐	☒
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard 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?	☐	☐	☐	☒

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 Project proposes to renovate, upgrade, and expand the square-footage of an existing car dealership and service center while reducing the number of service bays provided. The existing facility contains infrastructure and materials related to automotive services. Although the building footprint will have an increased square footage, the proposed Project does not include any operational changes to the site and the service volume will remain the same. The transport, use, or disposal of hazardous materials will remain the same, and impacts from these activities will be less than significant.

b) Create 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 existing facility contains infrastructure and materials related to automotive services. The proposed Project does not include any operational changes from existing conditions. The proposed Project would comply with governing laws, rules and regulations of the authority having jurisdiction, therefore, impacts from such activities would be less than significant.

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

Less Than Significant Impact. The Project site is not located within a quarter mile of an existing or proposed school. The nearest school is the Pacific Center for Autism located approximately 0.39 miles from the Project site, and then St. Martin of Tours School located 0.71 miles east of the site.

The proposed Project expands the building footprint by approximately 15,109 gross square feet, but does not include operational changes to the site. The proposed Project will comply with governing laws, rules and regulations of the authority having jurisdiction, ensuring that hazards and hazardous materials on-site would be reduced to a less than significant level. Therefore, impacts from such activities would be less than significant.

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?

No Impact. The proposed Project is not located on a site that is included on a list of hazardous materials pursuant to Government Code 65962.5, which is the Hazardous Waste and Substances (Cortese) List. A review of the Cortese List compiled on the DTSC, State Water Board, EnviroStor and CAL EPA showed that the site is not identified on any of these database lists.[25]

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25 Department of Toxic Substances Control. *Hazardous Waste and Substances Site List*. Available online at: https://www.envirostor.dtsc.ca.gov/public/search.asp?cmd=search&reporttype=CORTESE&site_type=CSITES,OPEN,FUDS,CLOSE&status=ACT,BKLG,COM&reporttitle=HAZARDOUS+WASTE+AND+SUBSTANCES+SITE+LIST, accessed January 24, 2022.

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 for people residing or working in the project area?

No Impact. The Project site is not located within an airport land use plan or within the vicinity of a public airport or private airstrip. The nearest airport is the San Jose Norman Y. Mineta International Airport is located five miles northeast of the site. There are no private airports within the vicinity of the Project site. Therefore, there would be no impact.

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

Less Than Significant Impact. The proposed Project expands the building footprint by approximately 15,109 gross square feet, but does not include operational changes to the site, and would not change the site's circulation. Therefore, the Project would not physically interfere with the City's Emergency Operations Plan or evacuation route. Additionally, the Project will be required to be designed to in a manner consistent with emergency response plans and evacuation and would be subject to review by the City's Fire and Building Departments.

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

No Impact. The Project will not expose people or structures to risk of loss, injury or death from wildland fires as it is located in an urbanized area that is not prone to such events. According to Cal Fire's Wildland Fire Hazards Zone for Santa Clara County, the nearest Fire Hazard Severity Zone (FHSZ) is surrounding the Stevens Creek County Parkland about 6.6 miles east of the Project site.[26] Additionally, prevailing winds, as measured at the San José Airport are west-northwest.[27] Therefore there would be no exposure to loss, injury, or death related to wildland fires.

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26 CalFire. *California Fire Hazard Severity Zone*s. Available online at: https://egis.fire.ca.gov/FHSZ/, accessed December 29, 2021.

27 Windfinder. *Norman Y. Mineta San Jose International Airport*. Available online at: https://www.windfinder.com/windstatistics/san_jose_airport_california, accessed January 24, 2022.

4.2.10 Hydrology and Water Quality

Regulatory Setting

Any construction or demolition activity that results in land disturbance equal to or greater than one acre must comply with the Construction General Permit (CGP), administered by the State Water Resources Control Board (SWRCB). The CGP requires the installation and maintenance of Best Management Practices (BMPs) to protect water quality until the site is stabilized. Prior to the commencement of construction or demolition, the project must file a Notice of Intent (NOI) with the SWRCB and develop, implement and maintain a Storm Water Pollution Prevention Plan (SWPPP) to control the discharge of stormwater pollutants associated with construction activities. As proposed, the proposed Project will disturb over one acre of land and would be subject to the CGP.

Federal and State

National Flood Insurance Program

The Federal Emergency Management Agency (FEMA) established the National Flood Insurance Program (NFIP) to reduce impacts of flooding on private and public properties. The program provides subsidized flood insurance to communities that comply with FEMA regulations protecting development in floodplains. As part of the program, FEMA publishes Flood Insurance Rate Maps (FIRMs) that identify Special Flood Hazard Areas (SFHAs). An SFHA is an area that would be inundated by the one-percent annual chance flood, which is also referred to as the base flood or 100-year flood.

Statewide Construction General Permit

The SWRCB has implemented an NPDES General Construction Permit for the State of California (Construction General Permit). For projects disturbing one acre or more of soil, a Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) must be prepared by a qualified professional prior to commencement of construction. The Construction General Permit includes requirements for training, inspections, record keeping, and, for projects of certain risk levels, monitoring. The general purpose of the requirements is to minimize the discharge of pollutants and to protect beneficial uses and receiving waters from the adverse effects of construction-related storm water discharges. As proposed, the proposed Project will disturb more than one acre of soil and would be subject to the CGP.

Regional and Local

San Francisco Bay Basin Plan

The San Francisco Bay RWQCB regulates water quality in accordance with the Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan). The Basin Plan lists the beneficial uses that the San Francisco Bay RWQCB has identified for local aquifers, streams, marshes, rivers, and the San Francisco Bay, as well as the water quality objectives and criteria that must be met to protect these uses. The San Francisco Bay RWQCB implements the Basin Plan by issuing and enforcing waste discharge requirements, including permits for nonpoint sources such as the urban runoff discharged by a City's stormwater drainage system. The Basin Plan also describes watershed management programs and water quality attainment strategies.

Municipal Regional Permit Provision C.3.

The San Francisco Bay RWQCB re-issued the Municipal Regional Stormwater NPDES Permit (MRP) in 2015 to regulate stormwater discharges from municipalities and local agencies (copermittees) in Alameda, Contra Costa, San Mateo, and Santa Clara Counties, and the cities of Fairfield, Suisun City, and Vallejo. Under Provision C.3 of the MRP, new and redevelopment projects that create or replace 10,000 square feet or more of impervious surface area are required to implement site design, source control, and Low Impact Development (LID)-based stormwater treatment controls to treat post-construction stormwater runoff. LID-based treatment controls are intended to maintain or restore the site's natural hydrologic functions, maximizing opportunities for infiltration and evapotranspiration, and using stormwater as a resource (e.g., rainwater harvesting for non-potable uses). The MRP also requires that stormwater treatment measures are properly installed, operated, and maintained. As proposed, the Project will replace greater than 10,000 square feet of impervious surface area and would therefore be subject to Provision C.3 of the MRP.

In addition to water quality controls, the MRP requires new development and redevelopment projects that create or replace one acre or more of impervious surface to manage development-related increases in peak runoff flow, volume, and duration, where such hydromodification is likely to cause increased erosion, silt pollutant generation, or other impacts to local rivers, streams, and creeks. Projects may be deemed exempt from these requirements if they do not meet the minimized size threshold, drain into tidally influenced areas or directly into the Bay, or drain into hardened channels, or if they are infill projects in subwatersheds or catchment areas that are greater than or equal to 65 percent impervious. As proposed, the Project will disturb more than one acre of impervious surface, and therefore would be subject to the redevelopment requirements of the MRP.

Municipal Regional Permit Provision C.12.f

Provision C.12.f of the MRP requires co-permittee agencies to implement a control program for PCBs that reduces PCB loads by a specified amount during the term of the permit, thereby making substantial progress toward achieving the urban runoff PCBs wasteload allocation in the Basin Plan by March 2030.Programs must include focused implementation of PCB control measures, such as source control, treatment control, and pollution prevention strategies. Municipalities throughout the Bay Area are updating their demolition permit processes to incorporate the management of PCBs in demolition building materials to ensure PCBs are not discharged to storm drains during demolition. As of July 1, 2019, buildings constructed between 1955 and 1978 that are proposed for demolition must be screened for the presence of PCBs prior to the issuance of a demolition permit.

Dam Safety

Dam failure is the uncontrolled release of impounded water behind a dam. Flooding, earthquakes, blockages, landslides, lack of maintenance, improper operation, poor construction, vandalism, and terrorism can all cause a dam to fail. Because dam failure that results in downstream flooding may affect life and property, dam safety is regulated at both the federal and state level. Dams under the jurisdiction of the California Division of Safety of Dams are identified in California Water Code Sections 6002, 6003, and 6004 and regulations for dams and reservoirs are included in the California Code of Regulations. As part of its comprehensive dam safety program, the Valley Water routinely monitors and studies the condition of each of its 10 dams. The Valley Water also has its own Emergency Operations Center and a response team that inspects dams after significant earthquakes. These regulatory inspection programs reduce the potential for dam failure.

Santa Clara General Plan Policies

Policies in the General Plan have been adopted for the purpose of avoiding or mitigating hydrology and water quality impacts from development projects. All future development allowed by the proposed land use designation would be subject to the hydrology and water quality policies in the General Plan presented below.

Policy 5.10.5-P11	Require that new development meet stormwater and water management requirements in conformance with state and regional regulations.
Policy 5.10.5-P13	Require that development complies with the Flood Damage Protection Code.

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

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

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

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

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

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

City Code

Chapter 13.20, Storms Drains and Discharges, of City Code is enacted for the protection of health, life, resources and property through prevention and control of unauthorized discharges into watercourses. The primary goal of this chapter is the cleanup of stormwater pollution from urban runoff that flows to creeks and channels, eventually discharging into the San Francisco Bay. The City Code also includes Flood Damage Prevention Code (Chapter 15.45) and requirements for grading and excavation permits and erosion control (Chapter 15.15).

Water Resources Protection Ordinance and District Well Ordinance

The Santa Clara Valley Water District (Valley Water) operates as the flood control agency for Santa Clara County. Their stewardship also includes creek restoration, pollution prevention efforts, and groundwater recharge. Permits for well construction and destruction work, most exploratory boring for groundwater

exploration, and projects within Valley Water property or easements are required under Valley Water's Water Resources Protection Ordinance and District Well Ordinance.

Existing Setting

Local groundwater is located about 61.7 feet below ground surface, according to a USGS database showing data from a monitoring well located approximately 0.6 miles southeast from the site.[28,29] The Project site does not contain any natural drainages or waterways.

The nearest waterway is Saratoga Creek, which approximately 1.83 miles northwest of the Project site. According to the Federal Emergency Management Agency's Flood Map, the Project site is located within an area of 0.2 percent annual chance flood hazard and designated as Zone X, which is not a special flood hazard area.[30,31] The Project site is located in the San Tomas Watershed, which drains approximately 45 square miles.[32]

Impact Discussion:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☐	☒	☐

28 USGS. *National Water Information System: Map View*. Available online at: https://maps.waterdata.usgs.gov/mapper/nwisquery.html?URL=https://nwis.waterdata.usgs.gov/ca/nwis/gwlevels?county_cd=06085&format=sitefile_output&sitefile_output_format=xml&column_name=agency_cd&column_name=site_no&column_name=station_nm&column_name=drain_area_va&column_name=contrib_drain_area_va&date_format=YYYY-MM-DD&rdb_compression=file&list_of_search_criteria=county_cd&column_name=site_tp_cd&column_name=dec_lat_va&column_name=dec_long_va&column_name=agency_use_cd, accessed December 29, 2021

29 USGS. *National Water Information System: Web Interface*. Available online at: https://waterdata.usgs.gov/nwis/inventory?agency_code=USGS&site_no=371904121563604, Accessed January 24, 2022.

30 FEMA. *FEMA Flood Map Service Center*. Available online at: https://msc.fema.gov, accessed December 30, 2021.

31 FEMA. *Flood Zones*. Available online at: https://www.fema.gov/glossary/flood-zones, accessed December 30, 2021.

32 Valley Water. *Santa Clara County Watersheds*. Available online at: https://data-valleywater.opendata.arcgis.com/datasets/santa-clara-county-watersheds/explore?location=37.226009%2C-121.654829%2C10.60, accessed December 30, 2021.

Impact Discussion:

Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impeded 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?	☐	☐	☒	☐

Would the project:

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

Less Than Significant Impact. The proposed Project will result in ground disturbance of the site during construction, increasing pollutant loads and erosion that could be carried by runoff eventually to the San Francisco Bay. However, these effects would be temporary. The operations of the Project would not substantially change and would contribute similar types of stormwater runoff pollutants as the existing use. The proposed Project will comply with Municipal Regional Permitting, the General Plan, and the City Code. Therefore, impacts would be less than significant.

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

No Impact. The proposed Project would not deplete or otherwise affect groundwater supplies or recharge. The proposed Project would not change the amount of impervious surfaces on the existing Project site. The Project site is within the City's Urban Service Area and would have access to water utilities, and would not use groundwater. Therefore, there would be no impact.

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?

Less Than Significant Impact. The proposed Project would not alter the existing drainage pattern of the site through the alteration of any waterway. The closest waterway is Saratoga Creek, located approximately 1.8 miles away, and there would be no change in the impervious surfaces of the site. As a result, the Project would not substantially alter the existing drainage pattern of the site or area.

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

Less Than Significant Impact. The Project site is located within a 500-year floodplain, which is considered a moderate flood risk. There are no bodies of water that would impact the site and Project from a seiche or tsunami.

The site is located within the Lenihan and Austrian dam failure inundation zone.[33] Valley Water routinely monitors and studies the condition of Lenihan and Austrian Dams. The regulatory

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33 Valley Water. *Dam Failure Inundation Maps*. Available online at: https://fta.valleywater.org/dl/pxucCLmjvv, accessed January 24, 2022.

inspection program currently in place reduces the potential for dam failure and inundation. Therefore, the Project does not have a high likelihood of releasing pollutants due to inundation in flood hazard, tsunami, or seiche zones, and the impact would be less than significant.

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

Less than Significant Impact. The ground disturbance is greater than one acre, therefore, the Project is subject to the State Water Resources Control Board (SWRCB) General Construction Permit. The Project is required to comply with the San Francisco Bay RWQCB's Water Quality Control Plan. Since the Project will replace more than 10,000 square feet of impervious surface, it will also need to comply with the Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) Permit (MRP) Provision C.3 and implement site design, source control, and Low Impact Development (LID)-based stormwater treatment controls to treat post-construction stormwater runoff.

Additionally, Valley Water prepared a Groundwater Management Plan (GMP) for the Santa Clara and Llagas subbasins in 2016, describing its comprehensive groundwater management framework including objectives and strategies, programs and activities to support those objectives, and outcome measures to gauge performance. The GMP is the guiding document for how Valley Water will ensure groundwater basins within its jurisdiction are managed sustainably. The Santa Clara subbasin has not been identified as a groundwater basin in a state of overdraft. Implementation of the proposed Project would not interfere with any actions set forth by Valley Water in its GMP regarding groundwater recharge, transport of groundwater, and/or groundwater quality. Therefore, the proposed Project would not preclude the implementation of the GMP. The RWQCB updates its Basin Plan triennially to reflect current conditions and track progress towards meeting water quality objectives. The Project will comply with the MRP, and City policies and code regarding stormwater runoff and water quality. By adhering to these policies and regulations, the proposed Project would not prevent the RWQCB from attaining the water quality objectives set forth in the Basin Plan. The impacts would be less than significant.

4.2.11 Land Use and Planning

Regulatory Setting

General Plan Policies

Policies in the General Plan have been adopted for the purpose of avoiding or mitigating land use impacts from development projects. All future development allowed by the proposed land use designation would be subject to the land use policies in the General Plan presented below.

Policy 5.3.1-P9 Require that new development provide adequate public services and facilities, infrastructure, and amenities to serve the new employment or residential growth.

General Plan Land Use Designation

The Land Use Diagram of the 2010-2035 General Plan contains three phases: Phase 1: 2010-2015, Phase II: 2015-2023, and Phase III: 2023-2035. The Project site is designated as Regional Commercial and will retain its designation for all phases. The Regional Commercial designation is intended for retail and commercial uses that provide local and regional services. It is intended for commercial developments that serve both Santa Clara residents and the surrounding region. A broad range of retail uses is allowed, including regional shopping centers, local-serving offices, medical facilities, home improvement/durable goods sales and services, warehouse membership clubs, new and used auto sales and services, and travel-related services such as hotels, gas stations, restaurants, convention centers, amusement parks and sports venues. The maximum FAR is 0.60.

Zoning Designation

The Project site is zoned CT – Thoroughfare Commercial. The CT – Thoroughfare Commercial zoning designation (Chapter 18.38 of the City Code) is primarily designed to provide for those commercial uses that are appropriate to major commercial thoroughfare or highway locations and are dependent on thoroughfare travel and is intended to encourage the development of auto-oriented uses or other uses that are more suitable for individual auto access than for development within a shopping center. Intended auto-oriented activities include auto and motorcycle sales and service within a building, garage, ambulance service, auto repair, motel or hotels, rental business, and tire, battery, and auto accessory centers. Auto laundry, outdoor activity display, or drive-in theaters (and other similar uses) may also be allowed as a conditional use with City approval of a Use Permit. The maximum permitted building height within this zone is 35 feet.

Zoning Ordinance

The City of Santa Clara Zoning Ordinance (Title 18 of the City Code) provides a regulatory framework or development and operation of uses within the City. The intent of the Zoning Ordinance is to encourage development of various kinds of living, working, and commercial activities in specific areas as defined in the General Plan and to accomplish the following purposes:

- To promote the public health, safety, comfort, and general welfare;
- To conserve the values of property throughout the City and to protect the character and stability of residential, commercial, professional and manufacturing areas, and to promote the orderly and beneficial development of such areas;
- To provide adequate light, air, privacy, and convenience of access to property;
- To minimize congestion on the public streets and highways;
- To provide for the elimination of incompatible and nonconforming uses of land, buildings, and structures which are adversely affecting the character and value of desirable development in each district;
- To establish official plan lines and building setback lines;
- To define the powers and duties of the administrative officers and bodies as provided herein;
- To promote efficient urban design arrangement and to secure economy in governmental expenditures; and
- To preserve landmarks which reflect the City's historical, architectural, cultural and aesthetic traditions and promote a sense of community identity and historic perspective. (Zoning Ord. § 1-2).

Existing Setting

The site consists of one 1.10-acre parcel, totaling approximately 42,586 square feet. The site contains an existing two-story auto showroom and service facility built in 2003 totaling approximately 16,354 square feet. The site is part designated as Regional Commercial and zoned as Thoroughfare Commercial. The Regional Commercial designation continues east and west along Stevens Creek Blvd. North of the site is designated as Very Low Density Residential with single-family homes on large lots. South of the Project site, across Stevens Creek Blvd, is primarily commercial and residential within the City of San Jose.

Table 2
Land Uses Surrounding the Project Site

Direction	General Plan Designation	Zoning District	Existing Use
North	Very Low Density Residential	R1-6L - Single Family	Single-family residences
South	Neighborhood Commercial	CG- General Commercial	Commercial space
East	Regional Commercial	CC – Community Commercial	Commercial Space
West	Regional Commercial	CT – Thoroughfare Commercial	Commercial space

Source: *City of Santa Clara, Map Santa Clara*

Impact Discussion:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☐	☒

Would the project:

a) Physically divide an established community?

No Impact. The Project site is located in a commercial area surrounded by residential and commercial development. It would not include any physical features that would physically divide the community (e.g., blocking of roadways or sidewalks) and would not interfere with the movement of residents through a neighborhood. For these reasons, construction of the proposed Project would not divide an established community. Therefore, no impacts would occur.

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 site is designated as Regional Commercial and the proposed Project is consistent with the General Plan land use designation. As proposed, the Project will maintain the

existing land use designation. Therefore, the Project would not conflict with any land use plan, policy, or regulation.

Additionally, the Project site is zoned CT- Thoroughfare Commercial, which accommodates auto oriented uses such as the proposed Project. Noise generated by the Project would not exceed restrictions in the City's zoning ordinance (see **Section 4.2.13, Noise**). The proposed Project, therefore, would not conflict with the City's General Plan or Zoning Ordinance. As a result, no significant land use impacts related to land use incompatibility or the physical division of an established community would occur as a result of any development facilitated by the Project.

4.2.12 Mineral Resources

Existing Setting

Santa Clara is in an area zoned MRZ-1 for aggregate materials.[34] MRZ-1 zones are areas where adequate information indicates that no significant mineral deposits are present or where it is judged that little likelihood exists for their presence. The area is not known to support significant resources of any other type. No mineral resources are currently being extracted in the City. The State's Division of Mine Reclamation's list of mines regulated under the Surface Mining and Reclamation Act (SMARA) does not include any mines within the City.[35]

Impact Discussion:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
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?	☐	☐	☐	☒

34 Kohler-Antablin, S. 1996. *Update of Mineral Land Classification: Aggregate Materials in the South San Francisco Bay Production-Consumption Region*. (Open-File Report 96-03.) Sacramento, CA: California Department of Mines and Geology.

35 California Department of Conservation, Division Mine Reclamation. *Mines Online*. Available at: https://maps.conservation.ca.gov/mol/index.html, accessed December 30, 2021.

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?

No Impact. The Project site is not within an area containing mineral deposits of statewide significance. Therefore, there would be no impact to Mineral Resources from the Project.

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. There are no locally important mineral resources identified in the City's General Plan. Therefore, the Project would not result in the loss of a locally important mineral resource recovery site.

4.2.13 Noise and Vibration

Regulatory Setting

California Green Building Standards Code

For commercial uses, CalGreen (Section 5.507.4.1 and 5.507.4.2) requires that wall and roof-ceiling assemblies exposed to the adjacent roadways have a composite STC rating of at least 50 or a composite OITC rating of no less than 40, with exterior windows of a minimum STC of 40 or OITC of 30 when the commercial property falls within the 65 dBA Ldn or greater noise contour for a freeway or expressway, railroad, or industrial or stationary noise source. The state requires interior noise levels to be maintained at 50 dBA Leq(1-hr) or less during hours of operation at a proposed commercial use.

General Plan

The City of Santa Clara General Plan identifies noise and land use compatibility standards for various land uses (General Plan Table 8.14-1).[36] The noise standard is 65 dBA Community Noise Equivalent Level (CNEL) for commercial land uses and 55 dBA CNEL for uses with a residential land use designation. The following policies are applicable to the Project:

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36 City of Santa Clara. Santa Clara General Plan – Appendix 8.14 Noise. Available online at: https://www.santaclaraca.gov/home/showpublisheddocument/12897/635713044859030000, accessed January 24, 2022.

Policy 5.10.6-P1 Review all land use and development proposals for consistency with the General Plan compatibility standards and acceptable noise exposure levels defined on Table 5.10-1.

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

Policy 5.10.6-P4 Encourage the control of noise at the source through site design, building design, landscaping, hours of operation and other techniques.

Policy 5.10.6-P5 Require noise-generating uses near residential neighborhoods to include solid walls and heavy landscaping along common property lines, and to place compressors and mechanical equipment in sound-proof enclosures.

Policy 5.10.6-P6 Discourage noise sensitive uses, such as residences, hospitals, schools, libraries and rest homes, from areas with high noise levels, and discourage high noise generating uses from areas adjacent to sensitive uses.

City Code

Chapter 9.10 "Regulation of Noise and Vibration," of the City of Santa Clara City Code identifies allowable hours for construction to limit impacts to sensitive uses within 300 feet of a project site. The nearest sensitive receptors to the Project site are the residential homes north across Cecil Avenue approximately 65 feet away. Therefore, the Project is subject to the City Code regulations on construction hours of 7:00 A.M. to 6:00 P.M during weekdays and 9:00 A.M. to 6:00 P.M. on Saturday. The City Code does not define the acoustical time descriptor such as Leq (the average noise level) or Lmax (the maximum instantaneous noise level) that is associated with the above limits. A reasonable interpretation of the City Code would identify the ambient base noise level criteria as an average or median noise level (Leq), and this metric has been used in prior environmental documents. Noise limits at the nearest property lines to the Project site are shown in **Table 3** below.

Table 3
City of Santa Clara Noise Limits at Adjacent Property Lines

Nearby/Adjacent Property Lines	Daytime Noise Limit (dBA)	Nighttime Noise Limit (DBA)
North – Residential	55	50
West – Commercial	65	60
East - Commercial	65	60
South – Commercial	65	60

Section 9.10.070 (e) states that construction activities which occur during allowed hours, as otherwise specified in the Code are exempted from the criteria.

Existing Setting

The noise environment at the Project site is dominated by vehicular traffic along Stevens Creek Boulevard, a major six-lane arterial boulevard. The ambient noise levels identified in **Table 3** are used as the presumed ambient noise levels for the purpose of the analysis below. Therefore, the nearest sensitive receptors located across Cecil Avenue approximately 65 feet to the north are presumed to have an ambient noise level of 55 dBA.

Impact Discussion:

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

Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less Than Significant Impact with Mitigation Incorporated.

Construction Noise

Construction activities would include demolition, site preparation, grading, building construction and architectural coating. Construction equipment utilized for the Project would include heavy equipment such as dozers, front end loaders, and backhoes.[37,38] The projected noise impact from construction activity is shown in **Table 4**, **Estimated Construction Noise at Sensitive Receptors**.

Table 4
Construction Noise Impacts at Sensitive Receptors

Sensitive Receptors	Distance to Project Site (feet)	Presumed Existing Ambient Noise Level (dBA L_{eq})	Estimated Peak Construction Noise Level (dBA L_{eq})	Noise Level Above Ambient
1. Residences to the north along Cecil Avenue	65	55.0	82.6	27.6
2. Residences to the south along Hanson Avenue	390	55.0	67.1	12.1

Source: Impact Sciences, January 2022. See Appendix A – Noise and Vibration Technical Appendix.

As shown in **Table 4**, hourly average noise levels due to construction activities during construction periods outdoors would range from about 67.1 to 82.6 dBA Leq at nearby sensitive receptors. As a result, construction activities will generate noise levels higher than the noise limits identified in the City Code. However, Section 9.10.070 (e) of the City Code states that construction activities which occur during allowed hours, as otherwise specified in the Code are exempted from the criteria. As such, consistency with the City Code and the implementation of the best management practices identified in **MM NOI-1** would ensure construction noise impacts are less than significant.

37 Equipment list is based on Table 3.2 of CalEEMod User Guide Appendix D. The project site is 1.10 acres and therefore, the equipment list assumptions conservatively utilize

38 California Air Pollution Control Officers Association, CalEEMod User Guide Appendix D. Available online at: http://www.aqmd.gov/docs/default-source/caleemod/user-guide-2021/appendix-d2020-4-0-full-merge.pdf?sfvrsn=12, accessed January 24, 2022.

Mitigation Measures

MM-NOI-1.1: The project shall implement the following construction best management practices:

- Construction activities shall be conducted in accordance with the provisions of the City's General Plan and City Code, which limits temporary construction work between the hours of 7:00 AM and 6:00 PM Monday through Friday and between 9:00 AM to 6:00 PM on Saturdays. Construction is prohibited on Sundays and all City-observed holidays.

- Construct temporary noise barriers, where feasible, to screen stationary noise-generating equipment.

- Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.

- Utilize "quiet" models of air compressors and other stationary noise sources where technology exists.

- Unnecessary idling of internal combustion engines shall be strictly prohibited.

- Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors as feasible. Any enclosure openings or venting shall face away from sensitive receptors.

- Construction staging areas shall be established at locations that shall create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the Project site during all project construction.

- Locate material stockpiles, as well as maintenance/equipment staging and parking areas, as far as feasible from residential receptors.

- The contractor shall prepare a detailed construction plan identifying the schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with nearby residential land uses so that construction activities can be scheduled to minimize noise disturbance.

- Businesses, residences, and other noise-sensitive land uses adjacent to the construction site shall be notified of the construction schedule in writing.

Designate a "construction liaison" that would be responsible for responding to any local complaints about construction noise. The liaison would determine the cause of the noise complaints (e.g., starting too early, bad muffler, etc.) and institute reasonable measures to correct the problem. Conspicuously post a telephone number for the liaison at the construction site.

The Project, with the implementation of the above mitigation measure, would reduce construction-related noise impacts to a less than significant level by restricting the hours of construction, implementing measures that would reduce construction noise levels emanating from the site, and designating a construction liaison responsible for resolving complaints about construction noise.

Operational Noise

Operational noise associated with commercial developments include traffic, uses associated with the commercial use, and operation of building equipment including heating, ventilation, and air conditioning (HVAC) equipment.

A 3 dBA increase in roadway noise levels requires an approximate doubling of roadway traffic volume, assuming that travel speeds and fleet mix remain constant.[39] A 3 dBA noise level increase is the minimum noise level increase required for a human to perceive a change in ambient noise. The Project proposes to renovate, upgrade, and expand the square-footage of an existing car dealership and service center while reducing the number of service bays provided. While there will be a slight increase in gross square footage, no changes are proposed to the overall operational capacities of the existing site, and no increase in traffic volume is anticipated. Since it would take a doubling (i.e., a 100% increase) of roadway traffic volume to increase noise levels by 3 dB(A), the addition of traffic volume from operation of the proposed Project would not increase traffic to levels capable of producing a 3 dB(A) ambient noise increase. As such, any noise increase would be imperceptible, and impacts would be less than significant.

The slightly expanded structure would include Concrete Masonry Unit partition walls which would greatly attenuate noise from the from the service areas. The Project plans also indicate that all stud walls surrounding and within the service department are to receive sound attenuation insulation to reduce noise from operational activities. The proposed Project would not substantially increase ambient noise levels in the Project area during service operations, as the type and intensity of service operations would `be substantially similar to existing and historical uses of the site. Long-term

39 California Department of Transportation, *Technical Noise Supplement to the Traffic Noise Protocol.* September 2013.

operational noise levels will be consistent with the City Code and impacts would be less than significant.

b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?

Less Than Significant Impact. The Federal Transit Administration provides ground-borne vibration impact criteria with respect to building damage during construction activities. PPV, expressed in inches per second, is used to measure building vibration damage. Construction vibration damage criteria are assessed based on structural category (e.g., reinforced-concrete, steel, or timber). FTA guidelines consider 0.2 inch/sec PPV to be the significant impact level for non-engineered timber and masonry buildings. Structures or buildings constructed of reinforced concrete, steel, or timber have a vibration damage criterion of 0.5 inch/sec PPV pursuant to FTA guidelines.[40]

The City has not adopted any thresholds associated with human annoyance for groundborne vibration impacts. Therefore, this analysis uses the FTA's vibration impact thresholds for human annoyance. These thresholds utilized the root mean square (RMS) velocity to describe human response is measured using vibration decibels (VdB). The FTA thresholds include 80 VdB at residences and buildings where people normally sleep and 83 VdB at institutional buildings such as schools or churches. No thresholds for human annoyance have been adopted or recommended for commercial and office uses.

The vibration velocities at nearby sensitive receptors are shown below in **Table 5, Vibration Levels at Off-Site Receptors from Project Construction**. The vibration receptors below include adjacent commercial structures to the west and nearby residences located 65 feet north of the Project site.

40 Federal Transit Administration, *Transit Noise and Vibration Impact Assessment Manual*. September 2018.

Table 5
Vibration Levels at Off-Site Receptors from Project Construction

Sensitive Uses Off-Site	Distance to Project Site (ft.)	Receptor Significance Threshold PPV (in./sec)/RMS (VdB)	Estimated PPV (in/sec)/RMS (VdB)
1. Adjacent commercial building to west	15[1]	0.5/--	0.191/94
2. Residences to north of project site	65	0.2/80	0.021/75

1 While the Project includes construction activity up to the property lines of adjacent buildings, this analysis assumes that not all equipment would operate closer than 15 feet from the nearest commercial property boundary line during peak activities.
Source: Impact Sciences, Inc. 2022

The vibration velocities predicted to occur at the nearest receptors adjacent to the Project site would be 0.191 in/sec PPV. The nearby structures would not experience a PPV groundborne vibration level that exceed the FTA 0.5 in/sec PPV threshold.

With regard to human annoyance, vibration levels at the nearby residences to the north could experience levels of 75 VdB. As such, the 80 VdB residential annoyance threshold would not be exceeded. As such, vibration impacts due to construction activities would result in a less than significant impact.

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. There are no private airstrips within the Project vicinity. The Project site located 2.5 miles away from the Norman Y. Mineta San José Airport, but is outside Comprehensive Land Use Plan boundary and is outside the noise contour area.[41] Therefore, neither the proposed Project nor any future development on site would expose people to excessive airport operations or airplane noise levels.

41 County of Santa Clara, Airport Land Use Commission. *Norman Y. Mineta San Jose International Airport Comprehensive Land Use Plan*. Available online at: https://stgenpln.blob.core.windows.net/document/ALUC_SJC_CLUP.pdf, accessed December 30, 2021.

4.2.14 Population and Housing

Regulatory Setting

Plan Bay Area 2050

Plan Bay Area 2050 is a long-range transportation, land-use, and housing plan intended to support a growing economy, provide more housing and transportation choices, and reduce transportation related pollution and GHG emissions in the Bay Area. Plan Bay Area 2040 promotes compact, mixed-use residential and commercial neighborhoods near transit, particularly within identified Priority Development Areas (PDAs). The Association of Bay Area Governments (ABAG) allocates regional housing needs to each city and county within the nine-county San Francisco Bay Area, based on statewide goals. ABAG also develops forecasts for population, households, and economic activity in the Bay Area. ABAG, MTC, and local jurisdiction planning staff created the Regional Forecast of Jobs, Population, and Housing, which is an integrated land use and transportation plan through the year 2050 (upon which Plan Bay Area 2050 is based).

Existing Setting

Current census data indicates that the population of the City of Santa Clara is approximately 127,647 (U.S. 2020 Decennial Census).

The Project site consists of one 1.10-acre parcel. The site contains an existing two-story auto showroom and service facility built in 2003 totaling approximately 16,354 square feet.

Impact Discussion:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Induce substantial 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 housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Would the project:

a) Induce substantial 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)?

Less Than Significant Impact. The Project would renovate the existing auto showroom and demolish and rebuild an expanded service center facility. No housing is proposed. The Project would employ approximately 24 employees. The proposed Project would not induce substantial population growth in the City or substantially alter the City's job/housing ratio and would therefore result in a less than significant population and housing impacts.

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

No Impact. The Project proposes to renovate, upgrade, and expand the square-footage of an existing car dealership and service center while reducing the number of service bays provided. There is no existing housing on the Project site. Therefore, the Project would not displace housing or residents.

4.2.15 Public Services

Regulatory Setting

Government Code Section 66477

The Quimby Act (Government Code Section 66477) was approved by the California legislature to set aside parkland and open space for recreational purposes. It provides provisions for the dedication of parkland and/or payment of fees in lieu of parkland dedication to help mitigate the impacts from new residential developments. This legislation was initiated in 1980's in response to California's increased rate of urbanization and the need to preserve open space and provide parks and recreation facilities for California's growing communities. The Quimby Act authorizes local governments to establish ordinances requiring developers of new residential subdivisions to dedicate parks, pay a fee in lieu of parkland dedication, or perform a combination of the two at the discretion of the City. The City had adopted such an ordinance, set forth at Chapter 17.35 of the City Code.

Government Code Section 65995 through 65998

California Government Code Section 65996 specifies that an acceptable method of offsetting a project's effect on the adequacy of school facilities is the payment of a school impact fee prior to the issuance of a

building permit. Government Code Sections 65995 through 65998 set forth provisions for the payment of school impact fees by new development by "mitigating impacts on school facilities that occur (as a result of the planning, use, or development of real property" (Section 65996[a]). The legislation states that the payment of school impact fees "are hereby deemed to provide full and complete school facilities mitigation" under CEQA (Section 65996[b]).

Developers are required to pay a school impact fee to the school district to offset the increased demands on school facilities caused by the proposed residential development project. The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code.

Countywide Trails Master Plan

The Santa Clara County Trails Master Plan Update is a regional trails plan approved by the Santa Clara County Board of Supervisors. It provides a framework for implementing the County's vision of providing a contiguous trail network that connects cities to one another, cities to the county's regional open space resources, County parks to other County parks, and the northern and southern urbanized regions of the County. The plan identifies regional trail routes, sub-regional trail routes, connector trail routes, and historic trails.

Santa Clara General Plan Policies

Policies in the General Plan have been adopted for the purpose of avoiding or mitigating public service impacts from development projects. All future development facilitated by the proposed Project would be subject to the public services policies in the General Plan presented below.

Policy 5.9.3-P3	Maintain a City-wide average three-minute response time for 90 percent of police emergency service calls.
Policy 5.9.3-P4	Maintain a City-wide average three-minute response time for fire emergency service calls.

Existing Setting

Fire Protection: The City of Santa Clara Fire Department (SCFD) consists of 10 stations distributed throughout the City to provide fire protection services. The closest fire station to the Project site is Fire Station 4 at 2323 Pruneridge Avenue, approximately one mile northwest from the Project site.

The City also participates in the Santa Clara County Fire and Rescue Mutual Aid Response Plan to further ensure that fires and other emergencies are handled efficiently. Fire departments from neighboring and nearby jurisdictions and the Santa Clara County Fire Department are participating members of this plan. Neighboring departments work in conjunction to reduce reflex and response times. When a developing fire overburdens one department, other departments will send the necessary task force to reduce the burden.

Police Protection: The City of Santa Clara Police Department (SCPD) headquarters is located at 601 El Camino Real, approximately three miles southeast of the Project site. The SCPD has 239 full-time employees (159 sworn officers and 80 civilians) and a varying number of part-time or per diem employees, community volunteers, police reserves, and chaplains.[42]

Parks: The City of Santa Clara Parks and Recreation Department (Department) provides park and recreational services in the City. The Department is responsible for maintaining and programming the various parks and recreational facilities and works cooperatively with public agencies in coordinating all recreational activities within the City. Overall, the Department maintains 40 parks and recreational facilities totaling approximately over 250-acres, including Central Park, a 52-acre community park, neighborhood parks, mini parks, public open space, recreational facilities, recreational trails, and joint use facilities throughout the City.[43] The closest neighborhood park to the Project site Thomas Barrett Park, a one-acre park at 885 Worthington Circle.

Schools: While the Project is located in the City of Santa Clara, the Project site is located within the Campbell Union School District and the Campbell Union High School District. Students in the Project area attend Lynhaven Elementary School located at 881 S. Cypress Avenue, San Jose (approximately 1.5 miles south of the site), Monroe Middle School located at 1055 S. Monroe Street, San Jose (approximately 2.1 miles south of the site), and Del Mar High School located at 1224 Del Mar Avenue, San Jose (approximately 2.5 miles southeast of the site).

Libraries: Library services are provided by the Santa Clara City Library (SCCL). The City of Santa Clara is served by the Central Park Library located at 2635 Homestead Road (approximately 2.2 miles northwest of the site), Mission Library Family Reading Center located at 1098 Lexington Street

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42 City of Santa Clara. *Santa Clara Police Department: Fact Sheet*. Available online at: https://www.santaclaraca.gov/our-city/departments-g-z/police-department/about-us/fact-sheet, accessed December 30, 2021.

43 City of Santa Clara. *Parks and Pools.* Available online at: https://missioncity.maps.arcgis.com/apps/MapTour/index.html?appid=4c84d4f8913541cebd8a8ef3fc31a326&amp, accessed January 13, 2022.

(approximately 2.2 miles north of the site), and Northside Branch Library located at 695 Moreland Way (approximately 6.4 miles north of the site). These facilities total approximately 104,770 square feet.

Impact Discussion:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Would the project 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?	☐	☐	☐	☒

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

i) Fire protection?

Less Than Significant Impact. The Santa Clara Fire Department currently serves the site. The Project's redevelopment of the site would not increase fire protection services to the site. The Project would be constructed in conformance with current building and fire codes, and the Fire Department would review project plans to ensure appropriate safety features are incorporated to reduce fire hazards. Since the site is within a developed urban area, SCFD would not have to expand their services to meet future demand. For these reasons, the proposed Project's impacts would be less than significant.

ii) Police protection?

Less Than Significant Impact. The Santa Clara Police Department currently serves the site. It is very unlikely that the redevelopment of the site would increase the demand for police protection services as compared to existing conditions, and any such incremental increase would not require the construction of new or expanded police protection services. Since the site is within an developed urban area, SCPD would not have to expand their services to maintain acceptable service ratios, response times or other performance objectives for police protection services. The Project would be constructed in accordance with current city ordinances and building codes, and the Police Department would review final site design, including proposed landscaping, access, and lighting, to ensure that the Project provides adequate safety and security measures. Therefore, the impacts would be less than significant.

iii) Schools?

No Impact. The proposed Project is the expansion of commercial uses on the Project site. Commercial uses do not generate new students and would not require the expansion of school facilities. The future redevelopment would be required to be in conformance with Government Code Section 65996, which requires new developments pay school impact fees to mitigate any impacts of the development on school services.

iv) Parks?

No Impact. The proposed Project is the expansion of commercial uses on the Project site. The proposed Project would not generate substantial population growth, and therefore will not increase demand for recreational facilities. However, employees would have access to existing recreational facilities, such as Thomas Barret Park, located 0.6 miles from the Project site. As a result, the slight increase in demand would be a less than significant impact on parks.

v) Other Public Facilities?

No Impact. The proposed Project is the expansion of commercial uses on the Project site. The proposed Project would not generate substantial population growth or result in increased use of public facilities. Some employees may visit library facilities; however, it is not anticipated that this use would create the need for any new additional facilities or adversely impact the physical condition of existing facilities.

4.2.16 Recreation

Regulatory Setting

Government Code Section 66477

The Quimby Act (Government Code Section 66477) was approved by the California legislature to set aside parkland and open space for recreational purposes. It provides provisions for the dedication of parkland and/or payment of fees in lieu of parkland dedication to help mitigate the impacts from new residential developments. This legislation was initiated in 1980's in response to California's increased rate of urbanization and the need to preserve open space and provide parks and recreation facilities for California's growing communities. The Quimby Act authorizes local governments to establish ordinances requiring developers of new residential subdivisions to dedicate parks, pay a fee in lieu of parkland dedication, or perform a combination of the two at the discretion of the City. The City had adopted such an ordinance, set forth in Chapter 17.35 of the City Code.

General Plan Policies

Policies in the General Plan have been adopted for avoiding or mitigating recreation impacts from development projects. All future development allowed by the proposed land use designation would be subject to the recreation policies in the General Plan presented below.

Policy 5.1.1-P20	Prior to 2023, identify the location for new parkland and/or recreational facilities to serve employment centers and pursue funding to develop these facilities by 2035.

Existing Setting

The City of Santa Clara Parks & Recreation Department (Department) provides parks and recreational services in the City. The Department maintains 40 parks and recreational facilities totaling approximately 250 acres. The largest of which is Central Park, a well-used 52-acre park located approximately 2.4 miles from the Project site. Central Park contains several facilities including the Community Recreation Center, a swimming pool, several sports fields, and an amphitheater. The closest neighborhood park to the Project site is Thomas Barret Park, located 0.6 miles north, a one-acre park that includes a children's play area, picnic area, open turf, pathways, and a restroom. The second closest recreational area to the Project site is Parkway Park, a 3.5-acre park, located approximately 0.9 miles west of the Project site, consisting of an exercise course, play area, picnic facilities, restroom, and open space.

In addition to the parklands and facilities, the City currently has a gymnastics center, a bicycle track, a dog park, golf and tennis club, a youth activity center, a teen center, a senior center, and a skate park. The City's recreational system is augmented by local school facilities, which are available to the general public after school hours.

Impact Discussion:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

No Impact. The proposed Project would not generate substantial population growth or generate new residents. Although employees may use nearby parks and recreational facilities, this would not cause or accelerate substantial physical deterioration of existing park facilities. Therefore, no impact would occur.

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

No Impact. The Project would not require the construction or expansion of recreational facilities and therefore would not have an adverse physical effect on the environment.

4.2.17 Transportation

Regulatory Setting

State

Senate Bill 743

Senate Bill 743 (SB 743), which became effective September 2013, initiated reforms to the *CEQA Guidelines* to establish new criteria for determining the significance of transportation impacts that "promote the reduction of greenhouse gas (GHG) emissions, the development of multimodal transportation networks, and a diversity of land uses." Specifically, SB 743 directs the Governor's Office of Planning and Research (OPR) to update the *CEQA Guidelines* to replace automobile delay—as described solely by level of service (LOS) or similar measures of vehicular capacity or traffic congestion—with vehicle miles traveled (VMT) as the recommended metric for determining the significance of transportation impacts. OPR has approved the *CEQA Guidelines* implementing SB 743.

SB 743 did not authorize OPR to set specific VMT impact thresholds, but it did direct OPR to develop guidelines for jurisdictions to use. *CEQA Guidelines* Section 15064.3(b)(1) describes factors that might indicate whether a development project's VMT may be significant or not. Notably, projects that are located within one half mile of transit should be considered to have a less than significant transportation impact based on OPR guidance.

Regional

Metropolitan Transportation Commission

The Metropolitan Transportation Commission (MTC) is the transportation planning, coordinating, and financing agency for the nine-county San Francisco Bay Area, including Santa Clara County. MTC is charged with regularly updating the Regional Transportation Plan, a comprehensive blueprint for the development of mass transit, highway, airport, seaport, railroad, bicycle, and pedestrian facilities in the region. MTC and ABAG adopted the final *Plan Bay Area 2050* in October 2021, which includes the region's Sustainable Communities Strategy and the most recently adopted *Regional Transportation Plan* (2050).

Congestion Management Program

The Santa Clara Valley Transportation Authority (VTA) oversees the Congestion Management Program (CMP), which is aimed at reducing regional traffic congestion. The relevant state legislation requires that all urbanized counties in California prepare a CMP to obtain each county's share of gas tax revenues.

State legislation requires that each CMP define traffic LOS standards, transit service standards, a trip reduction and transportation demand management plan, a land use impact analysis program, and a capital investment element. VTA has review responsibility for proposed development projects that are expected to affect CMP designated intersections.

City of Santa Clara

Santa Clara General Plan

Various policies in the City's 2010-2035 General Plan have been adopted for reducing or avoiding impacts related to transportation, as listed below.

Policy 5.4.1-P11	Locate parking at the side or rear of parcels and active uses along street frontages.
Policy 5.8.1-P5	Work with local, regional, State and private agencies, as well as employers and residents, to encourage programs and services that reduce vehicle miles traveled.
Policy 5.8.2-P1	Require that new and retrofitted roadways implement "Full-Service Streets" standards, including minimal vehicular travel lane widths, pedestrian amenities, adequate sidewalks, street trees, bicycle facilities, transit facilities, lighting and signage, where feasible.
Policy 5.8.3-P8	Require new development to include transit stop amenities, such as pedestrian pathways to stops, benches, traveler information and shelters.
Policy 5.8.3-P9	Require new development to incorporate reduced on-site parking and provide enhanced amenities, such as pedestrian links, benches and lighting, in order to encourage transit use and increase access to transit services.
Policy 5.8.4-P6	Require new development to connect individual sites with existing and planned bicycle and pedestrian facilities, as well as with on-site and neighborhood amenities/services, to promote alternate modes of transportation.
Policy 5.8.4-P8	Require new development and public facilities to provide improvements, such as sidewalks, landscaping and bicycling facilities, to promote pedestrian and bicycle use.

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

Policy 5.8.4-P10 Encourage safe, secure and convenient bicycle parking and end-of-trip, or bicycle "stop" facilities, such as showers or bicycle repair near destinations for all users, including commuters, residents, shoppers, students and other bicycle travelers.

Policy 5.8.5-P1 Require new development and City employees to implement TDM programs that can include site-design measures, including preferred carpool and vanpool parking, enhanced pedestrian access, bicycle storage and recreational facilities.

Policy 5.8.5-P5 Encourage transportation demand management programs that provide incentives for the use of alternative travel modes to reduce the use of single-occupancy vehicles.

Policy 5.8.6-P3 Encourage flexible parking standards that meet business and resident needs as well as avoid an oversupply in order to promote transit ridership, bicycling and walking.

Policy 5.8.6-P11 Encourage development to "unbundle" parking spaces from leases and purchases to provide greater choices.

Existing Setting

The Project site is located on Stevens Creek Boulevard, a six-lane arterial boulevard that runs east-west. It is bounded by Stevens Creek Boulevard to the south, Cecil Avenue to the north, S Henry Avenue to the west, and Winchester Boulevard to the east. The Project site is located in an area with access to several regional freeways. I-280, located approximately 0.5 miles south, provides access between San Francisco and San Jose. I-880, located approximately 0.6 miles east, provides access between San Jose and Oakland. U.S. 101, located 3.9 miles from the Project site and accessible via I-880 and the San Tomas Expressway, runs north-south along the west coast of the United States.

The Project area is served by the several buses operated by the Valley Transportation Authority.[44] Bus 23 connects De Anza College with Alum Rock Station; Rapid Bus 523 connects San Jose State with Lockheed Martin Light Rail Transit Center; and Bus 59 connects Saratoga and Stevens Creek with the Baypointe

44 Santa Clara Valley Transportation Authority (VTA). *Main Map*. Available online at: https://www.vta.org/sites/default/files/2021-02/VTA_MainMap_020821.pdf, accessed January 13, 2022.

Light Rail Station. The closest bus stop is located approximately 150 feet southwest of the Project site on Stevens Creek Boulevard.

Bicycle and Pedestrian Facilities

Pedestrian access to the site is provided by sidewalks along Stevens Creek Boulevard. Sidewalk coverage is consistent in the area surrounding the Project Site. Crosswalks with pedestrian signal heads are located at all the signalized intersections in the study area.

There are no designated bike lanes or paths in the area surrounding the Project site. Stevens Creek Boulevard, while it doesn't contain any bike infrastructure, was rated as advanced by the Silicon Valley Bicycle Coalition.[45]

Public Transit Facilities

Existing public transit services to the Project area are provided by the Santa Clara Valley Transportation Authority (VTA), Caltrain, Altamont Commuter Express (ACE), and Amtrak. Several VTA bus lines operate within the Project area.[46]

The nearest transportation hub to the Project site is the Valley Fair Transit Center, which is located about 0.5 miles northeast from the site. The Transit Center is a VTA bus terminal located at the Westfield Valley Fair Mall in San Jose, California. The station is located alongside Forest Avenue between Winchester Boulevard and Monroe Street and is served by Bus 59 and 60.

Impact Discussion

Analysis Methodology

In 2020, the City of Santa Clara adopted the Transportation Analysis Policy. The Transportation Analysis Policy establishes Santa Clara land use and transportation project requirements for evaluating transportation impacts under CEQA using Vehicle Miles Traveled (VMT) methodology, including baselines, thresholds, as well as criteria for exempting certain types of projects from VMT analysis. The policy also formalizes the Transportation Operational Analysis (TOA) requirement outside of CEQA. The following table outlines the types of projects and the VMT analysis requirement:

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45 Silicon Valley Bike Coalition. *Santa Clara Map*. Available online at: https://www.santaclaraca.gov/home/showdocument?id=1326, accessed January 13, 2022.

46 *Ibid*.

Table 6
Project Type and VMT Thresholds of Significance

Project Type	Threshold for Determination of Significant Transportation Impact
Residential Units	15% below the existing Countywide VMT per resident. If project VMT per resident exceeds this amount, impact is significant.
Employment (e.g., office and R&D)	15% below the existing Countywide VMT per employee. If project VMT per employee exceeds this amount, impact is significant.
Industrial Uses (e.g., warehouse, manufacturing and distribution uses)	15% below the existing Countywide VMT per employee. If project VMT per employee exceeds this amount, impact is significant. This applies to the work trip element of the project (employee commute only)
Retail Uses	Existing Countywide VMT for retail uses. If Project will result in a net increase in the total existing VMT for the County for regional retail, impact is significant.
Uses with a Regional Draw	Land use projects drawing visitors from outside the City shall be analyzed using the most relevant threshold as determined by the Director of Public Works
Mixed Uses	Each land use component of a mixed-use project will be analyzed independently, applying the significance threshold for each land use in this Table 1
Change of Use or Additions to Existing Development	Change of use or additions to existing developments shall be analyzed when the change of land use or addition to existing development results in additional trips in excess of the small Project threshold (110 daily trips or less)
Focus growth Area Plans, Specific Plans, or Precise Plans	Each land use component of a mixed-sue project will be analyzed independently, applying the significance threshold for each land use in this Table 1.
General Plan Amendments (GPAs), if not covered by other categories on this Table 1.	Net increase in VMT greater than the 2035 12.19 VMT per service population target consistent with Santa Clara General Plan Transportation and Mobility Assumptions
Transportation Projects	Net increase in VMT greater than the 2035 12.19 VMT per service population target consistent with Santa Clara General Plan Transportation and Mobility Assumptions

Impact Discussion:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Would the project conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b. Would the project conflict or be inconsistent with *CEQA Guidelines* section 15064.3, subdivision (b)? – Project Level Vehicle Miles Traveled Analysis	☐	☐	☒	☐

Impact Discussion:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
d. Result in inadequate emergency access?	☐	☐	☒	☐

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. As noted in the table above, the City's VMT policy states that additions to existing uses that generate 110 or less daily trips are exempt from VMT analysis. As proposed, the Project will maintain the existing service volume. Therefore, the number of daily trips that the site generations will remain the same.

The Project would not conflict with existing pedestrian or bicycle circulation in the area. The curb cuts would remain the same. Employees and visitors may use transit to access the Project site, however, it is not expected to adversely impact levels of service at nearby transit facilities. The proposed Project will have a less that significant impact on transit, bicycle, and pedestrian facilities.

b) Conflict or be inconsistent with *CEQA Guidelines* section 15064.3, subdivision (b)? – Project Level Vehicle Miles Traveled Analysis

Less Than Significant Impact. Section 15064.3(b)(1) states, "projects within one-half mile of either an existing major transit stop or a stop along an existing high quality transit corridor should be presumed to cause a less than significant transportation impact." Consistent with this Guideline, the City's Transportation Analysis Policy considers the transportation impact of a project to be less-than-significant if it is a "Transit Supportive Project," meaning the project is within ½ of an existing major transit stop or an existing stop along a high-quality transit corridor. Here, the proposed Project is located less than half a mile from the Stevens Creek & Winchester bus stop, which is along a high-quality transit corridor (Stevens Creek Boulevard) and is, therefore, presumed to cause a less than significant impact on transportation.

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

No Impact. The Project does not substantially increase hazards. The Project would not alter the shape of the road, create any sharp curves or dangerous intersections.

d) Result in inadequate emergency access?

Less than Significant Impact. Emergency access to the site is provided via the entrance on Stevens Creek Blvd, and at the rear of the site on Cecil Avenue. Final site design would be reviewed for regulatory compliance for fire truck access.

4.2.18 Tribal Cultural Resources

Regulatory Setting

Assembly Bill 52 (2014). The Native American Historic Resource Protection Act (AB 52) took effect on July 1, 2015, and incorporates tribal consultation and analysis of impacts to tribal cultural resources (TCR) into the CEQA process. It requires TCRs to be analyzed like any other CEQA topic and establishes a consultation process for lead agencies and California tribes. Projects that require a Notice of Preparation of an EIR or Notice of Intent to adopt a ND or MND are subject to AB 52. A significant impact on a TCR is considered a significant environmental impact, requiring feasible mitigation measures.

TCRs must have certain characteristics:

1) Sites, features, places, cultural landscapes (must be geographically defined), sacred places, and objects with cultural value to a California Native American tribe that are either included or determined to be eligible for inclusion in the California Register of Historic Resources or included in a local register of historical resources. (PRC § 21074(a)(1))

2) The lead agency, supported by substantial evidence, chooses to treat the resource as a TCR. (PRC § 21074(a)(2)) The first category requires that the TCR qualify as a historical resource according to PRC Section 5024.1. The second category gives the lead agency discretion to qualify that resource—under the conditions that it support its determination with substantial evidence and consider the resource's significance to a California tribe.

The following is a brief outline of the process:

1) A California Native American tribe asks agencies in the geographic area with which it is traditionally and culturally affiliated to be notified about projects. Tribes must ask in writing.

2) Within 14 days of deciding to undertake a project or determining that a project application is complete, the lead agency must provide formal written notification to all tribes who have requested it.

3) A tribe must respond within 30 days of receiving the notification if it wishes to engage in consultation.

4) The lead agency must initiate consultation within 30 days of receiving the request from the tribe.

5) Consultation concludes when both parties have agreed on measures to mitigate or avoid a significant effect to a TCR, OR a party, after a reasonable effort in good faith, decides that mutual agreement cannot be reached.

6) Regardless of the outcome of consultation, the CEQA document must disclose significant impacts on TCRs and if any significant impacts are identified, discuss feasible alternatives or mitigation that avoid or lessen the impact.

California Health and Safety Code, Section 7050.5. This code requires that if human remains are discovered in the project site, disturbance of the site shall halt and remain halted until the coroner has conducted an investigation into the circumstances, manner, and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or to his or her authorized representative. If the coroner determines that the remains are not subject to his or her authority and recognizes or has reason to believe the human remains are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

California Public Resources Code, Sections 5020–5029.5. This code continued the former Historical Landmarks Advisory Committee as the State Historical Resources Commission. The commission oversees the administration of the California Register of Historical Resources and is responsible for the designation of State Historical Landmarks and Historical Points of Interest.

Public Resources Code Sections 5097-5097.994. Native American Historic Resource Protection Act; Archaeological, Paleontological, and Historical Sites; Native American Historical, Cultural, and Sacred Sites (Public Resources Code Section 5097-5097.994) specifies the procedures to be followed in the event

of the unexpected discovery of human remains on nonfederal public lands. California Public Resources Code 5097.9 states that no public agency or private party on public property shall "interfere with the free expression or exercise of Native American Religion." The code further states that:

> *No such agency or party [shall] cause severe or irreparable damage to any Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine… except on a clear and convincing showing that the public interest and necessity so require. County and city lands are exempt from this provision, expect for parklands larger than 100 acres.*

California Public Resources Code, Section 5024.1. The California Register of Historical Resources (CRHR) is the state version of the NRHP program. The CRHR was enacted in 1992 and became official January 1, 1993. The CRHR was established to serve as an authoritative guide to the state's significant historical and archaeological resources. Resources that may be eligible for listing include buildings, sites, structures, objects, and historic districts. CEQA identifies a historic resource as a property that is listed on—or eligible for listing on—the NRHP, CRHR, or local registers. NRHP-listed properties are automatically included on the CRHR.

Resources eligible for listing in the CRHR must retain enough of their historic character or appearance to be "recognizable as historic resources and to convey the reasons for their significance." Under CRHR regulations, "it is possible that historical resources may not retain sufficient integrity to meet the criteria for listing in the NRHP, but they may still be eligible for listing in the California Register." OHP has consistently interpreted this to mean that a California Register–eligible property must retain "substantial" integrity. Because CRHR regulations do not provide substantial written guidance on evaluating integrity, the NRHP bulletin, "How to Apply the National Register Criteria for Evaluation," is used.

The CRHR also includes properties that: have been formally determined eligible for listing or are listed in the NRHP; are registered State Historical Landmark Number 770 and above; are points of historical interest that have been reviewed and recommended to the State Historical Resources Commission for listing; or are city and county-designated landmarks or districts (if criteria for designation are determined by OHP to be consistent with CRHR criteria).

Senate Bill (SB) 18 (2004)

As of March 1, 2005, SB 18 (Government Code Sections 65352.3 and 65352.4) requires that, prior to the adoption or amendment of a general plan proposed on or after March 1, 2005, a city or county must consult with Native American tribes with respect to the possible preservation of, or the mitigation of impacts to, specified Native American places, features, and objects located within that jurisdiction.

Existing Setting

Native Americans have occupied the Santa Clara valley for roughly 10,000 years. These Native American villages were called the Ohlone. The Ohlone did not have permanent dwellings, but several artifacts have been found in the City of Santa Clara. Thirteen prehistoric sites have been identified in the City, the vast majority around the Guadalupe River and Saratoga Creek. No tribal cultural features, including sites, features, places, cultural landscapes, or sacred places, have been identified on the site. In addition, any prehistoric surface features or landscapes have been modified due to development of the Project site and area.

Impact Discussion:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☐	☒	☐
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☒	☐

Would the project:

a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC 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)?**

Less Than Significant Impact. The Project site is currently developed and located in an urbanized area. Previous development and excavation on the site did not uncover any historical resources, and the proposed Project does not propose extensive excavation activities. Although there are no known tribal cultural resources on or adjacent to the site, redevelopment of the site has the potential to disturb undiscovered tribal resources may be unearthed during the Project's demolition and construction. Any subsurface artifacts found on-site would be addressed consistent with **Mitigation Measures CUL-1.1, CUL-1.2,** and **CUL-3.1** in **Section 4.2.5, Cultural Resources**. Therefore, the proposed Project would have a less than significant impact on tribal cultural resources.

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

Less than Significant Impact. There are no known tribal cultural resources at the Project site. However, future redevelopment of the Project site could result in discovery of currently unknown subsurface tribal cultural resources. Any subsurface artifacts found on-site would be addressed consistent with **Mitigation Measures CUL-1.1**, **CUL-1.2**, and **CUL-3.1** in **Section 4.2.5, Cultural Resources**. Therefore, the proposed Project would have a less than significant impact on tribal cultural resources.

4.2.19 Utilities and Service Systems

Regulatory Setting

State Water Code

Pursuant to the State Water Code, water suppliers providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre-feet (approximately 980 million gallons) of water annually must prepare and adopt an urban water management plan (UWMP) and update it every five years. As part of a UWMP, water agencies are required to evaluate and describe their water resource supplies and projected needs over a 20-year planning horizon, water conservation, water service

reliability, water recycling, opportunities for water transfers, and contingency plans for drought events. The City of Santa Clara adopted its most recent UWMP in June 2021.

Assembly Bill (AB) 939

California AB 939 established the California Integrated Waste Management Board (CalRecycle), which required all California counties to prepare Integrated Waste Management Plans. In addition, AB 939 required all municipalities to divert 50 percent of their waste stream by the year 2000.

Assembly Bill 341 (2011)

AB 341 sets forth the requirements of the statewide mandatory commercial recycling program Businesses that generate four or more cubic yards of garbage per week and multi-family dwellings with five or more units in California are required to recycle. AB 341 set-out a statewide goal for 75 percent disposal reduction by the year 2020.

Senate Bill 1383 (2016)

SB 1383 (2016) establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. The bill grants CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that at least 20 percent of currently disposed edible food is recovered for human consumption by 2025.

California Green Building Standards Code

In January 2020, the most recent version of the California Green Building Standards Code (CalGreen) became effective. CalGreen establishes mandatory green building standards for new and remodeled structures in California. These standards include a mandatory set of guidelines and more stringent voluntary measures for new construction projects, in order to achieve specific green building performance levels as follows:

- Reduce indoor water use by 20 percent;
- Reduce wastewater by 20 percent;
- Recycle and/or salvage 50 percent of nonhazardous construction and demolition debris; and
- Provide readily accessible areas for recycling by occupant.

General Plan Policies

Policies in the General Plan have been adopted to avoid or mitigate utilities and service system impacts from development projects. The proposed Project is subject to the utilities and service system policies in the General Plan presented below.

Prerequisite Policies

Policy 5.1.1-P3	Prior to the implementation of Phase III of the General Plan, undertake a comprehensive assessment of water, sanitary sewer conveyance, wastewater treatment, solid waste disposal, storm drain, natural gas, and energy demand and facilities in order to ensure adequate capacity and funding to implement the necessary improvements to support development in the next phase.
Policy 5.1.1-P21	Prior to 2023, identify and secure adequate solid waste disposal facilities to serve development in Phase III.
Policy 5.10.1-P6	Require adequate wastewater treatment and sewer conveyance capacity for all new development.

General Land Use

Policy 5.3.1-P9	Require that new development provide adequate public services and facilities, infrastructure, and amenities to serve the new employment or residential growth.
Policy 5.3.1-P11	Encourage new developments proposed within a reasonable distance of an existing or proposed recycled water distribution system to utilize recycled water for landscape irrigation, industrial processes, cooling and other appropriate uses to reduce water use consistent with the CAP.
Policy 5.3.1-P27	Encourage screening of above-ground utility equipment to minimize visual impacts.
Policy 5.3.1-P28	Encourage undergrounding of new utility lines and utility equipment throughout the City.

Safety

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

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

Existing Setting

Utilities and services are furnished to the Project site by the following providers:

- Wastewater Treatment: The City of Santa Clara Departments of Public Works and Water and Sewer Utilities is responsible for collection; treatment and disposal provided by the San José/Santa Clara Water Regional Wastewater Facility (RWF)
- Recycled Water: South Bay Recycled Water
- Water Service: City of Santa Clara Water Utility
- Storm Drainage: City of Santa Clara
- Solid Waste: Mission Trail Waste System
- Natural Gas & Electricity: PG&E

Impact Discussion:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☐	☒

Impact Discussion:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	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 does not have 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?	☐	☐	☐	☒

Would the Project:

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

No Impact. No changes are proposed to the operations of the existing site. The building footprint will be expanding by approximately 15,109 gross square feet. The service center facility at the rear of the site will have an expanded footprint, but the number of service bays will be reduced. Therefore, the existing water, wastewater treatment, electric power, natural gas, and telecommunication infrastructure would be adequate to meet the demands of the Project, and impacts would be less than significant.

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

Less Than Significant Impact. The proposed Project does not propose any operational changes, therefore the demand for water supplies will remain the same.

The City's 2020 Urban Water Management Plan (UWMP) concluded that sufficient water supplies are available to serve forecasted water demands under normal water year (non-drought) conditions and during multiple dry weather (drought) years. The City concluded that with projected supply totals and implementation of conservation measures consistent with its Water Shortage Contingency Plan, the retailer would be able to meet the projected demand during multiple dry water years.[47]

The City's Water Utility has sufficient water supplies to meet the projected water demand of the City (including water demand from existing uses) and the proposed project during normal, single dry year, and multiple dry year scenarios.

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?

Less Than Significant Impact. The proposed Project does not propose any operational changes, therefore the demand for wastewater treatment will remain the same. RWF has the ability to treat wastewater generated by the proposed Project. As a result, the Project would not have a significant impact on the capacity of the RWF.

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. The proposed Project does not propose any operational changes, therefore the demand for solid waste infrastructure will remain the same. The proposed Project would comply with the City's construction debris diversion ordinance and state waste diversion requirements, which requires all projects over 5,000 sf to divert a minimum 65 percent of construction and demolition debris from landfills.

e) Comply with federal, state, and local statutes and regulations related to solid waste?

No Impact. The proposed Project does not currently include any operational changes to the site. The construction and operation of the Project would comply with federal, state, and local regulations related to diversion of materials from disposal and appropriate disposal of solid waste.

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47 City of Santa Clara. *2020 Urban Water Management Plan*. Available at https://www.santaclaraca.gov/home/showpublisheddocument/74073/637606452907100000, accessed January 24, 2022.

4.2.20 Wildfire

Introduction

This section describes the potential impacts of the proposed Project related to wildfire hazards. The evaluation provided in this section is based, in part, on review of the applicable documents from the U.S. Forest Service (USFS), the California Department of Forestry and Fire Protection (CAL FIRE). The following discussion addresses existing wildfire hazard conditions of the Project area, considers applicable goals and policies, analyzes environmental impacts, and recommends measures to reduce or avoid adverse impacts.

Existing Environmental Setting

The potential for wildland fires represents a hazard where development is adjacent to open space or within close proximity to wildland or designated fire severity zones. Wildfires are typically non-structural fires that could occur in undeveloped areas and spread to urban areas or could even occur in urban areas located in close proximity to open space areas. Fires that occur in wildland-urban interface areas may affect natural resources as well as life and property.

In general, a wildfire may be defined as any free-burning vegetative fire that may be started or accelerated from an unplanned ignition, whether natural (e.g., lightning) or human-caused (e.g., powerlines, mechanical equipment, escaped prescribed fires). Wildfires can impact both the natural and built environment, and in the southern California region, the combination of a Mediterranean climate with several month of little to no rain, natural plant communities that provide ample fuels, and ignition sources, has the potential to ignite wildfire fire hazards from roadway accidents, fuel logging, and other such similar activities.

The City of Santa Clara does not have any identified areas within and around the City that are subject to the Wildland Urban Interface and thus at high wildfire risk, as defined by the State Fire Code. These areas are mapped out in CAL FIRE's California Fire Hazard Severity Zone Viewer.[48]

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48 CALFIRE. *California Fire Hazard Severity Zone Viewer*. Available online at: https://egis.fire.ca.gov/FHSZ/, accessed January 24, 2022.

Regulatory Framework

Federal

Robert T. Stafford Disaster Relief and Emergency Assistance Act, as Amended, and Related Authorities

The Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 100-707), signed into law on November 23, 1988, amended the Disaster Relief Act of 1974 (Public Law 93-288). The Stafford Act constitutes the statutory authority for most federal disaster response activities especially as they pertain to FEMA and FEMA programs.

Disaster Mitigation Act (DMA) of 2000

DMA 2000 (Public Law 106-390) provides the legal basis for FEMA mitigation planning requirements for state, local and Indian Tribal governments as a condition of mitigation grant assistance. DMA 2000 amended the Robert T. Stafford Disaster Relief and Emergency Assistance Act by repealing the previous mitigation planning provisions and replacing them with a new set of requirements that emphasize the need for state, local, and Indian Tribal entities to closely coordinate mitigation planning and implementation efforts. The requirement for a state mitigation plan is continued as a condition of disaster assistance, adding incentives for increased coordination and integration of mitigation activities at the state level through the establishment of requirements for two different levels of state plans. DMA 2000 also established a new requirement for local mitigation plans and authorized up to seven percent of HMGP funds available to a state for development of state, local, and Indian Tribal mitigation plans.

Federal Response Plan

The Federal Response Plan of 1999 is a signed agreement among 27 federal departments and agencies, including the American Red Cross, that (1) provides the mechanism for coordinating delivery of federal assistance and resources to augment efforts of state and local governments overwhelmed by a major disaster or emergency; (2) supports implementation of the Robert T. Stafford Disaster Relief and Emergency Act, as well as individual agency statutory authorities; and (3) supplements other federal emergency operations plans developed to address specific hazards. The Federal Response Plan is implemented in anticipation of a significant event likely to result in a need for federal assistance or in response to an actual event requiring federal assistance under a Presidential declaration of a major disaster or emergency.

Presidential Policy Directive 8: National Preparedness

The National Response Framework (NRF) is an essential component of the National Preparedness System mandated in Presidential Policy Directive 8: National Preparedness (PPD-8). PPD-8 is aimed at strengthening the security and resilience of the United States through systematic preparation for the threats that pose the greatest risk to the security of the Nation. PPD-8 defines five mission areas—Prevention, Protection, Mitigation, Response, and Recovery—and mandates the development of a series of policy and planning documents to explain and guide the Nation's collective approach to ensuring and enhancing national preparedness. The NRF presents the guiding principles that enable all response partners to prepare for and provide a unified national response to disasters and emergencies. It establishes a comprehensive, national, all-hazards approach to domestic incident response. The National Response Plan was replaced by the NRF effective on March 22, 2008, and updated most recently in June 2016.

The NRF defines the principles, roles, and structures that organize response protocols as a nation. The NRF:

- Describes how communities, tribes, states, the federal government, private-sectors, and nongovernmental partners work together to coordinate national response;
- Describes specific authorities and best practices for managing incidents; and
- Builds upon the National Incident Management System (NIMS), which provides a consistent template for managing incidents.

Federal Emergency Management Agency (FEMA) Regulation

FEMA's mission is to reduce the loss of life and property and protect communities nationwide from all hazards, including natural disasters, acts of terrorism, and other man-made disasters. FEMA leads and supports the nation in a risk-based, comprehensive emergency management system of preparedness, protection, response, recovery and mitigation.

In March 2003, the Federal Emergency Management Agency (FEMA) became a department of the U.S. Department of Homeland Security (DHS), pursuant to 44 CFR, Chapter 1 Part 201. The primary mission of FEMA is to reduce the loss of life and property and protect the nation from all hazards, including natural disasters, acts of terrorism, and other human-made disasters, by leading and supporting the nation in a risk-based, comprehensive emergency management system of preparedness, protection, response, recovery, and mitigation. The Project is under the jurisdiction of FEMA Region 9, which covers

Arizona, California, Hawaii, Nevada, Guam, American Samoa, Commonwealth of Northern Mariana Islands, Republic of Marshall Islands, Federated State of Micronesia, and more than 150 sovereign tribal entities. In Southern California, FEMA Region 9 specifically plans for hazards such as major earthquakes and wildfires. A catastrophic earthquake could result in 1,800 fatalities, nine million people displaced, and $200 billion in losses.

National Fire Plan

The Department of the Interior's National Fire Plan is intended to ensure an appropriate federal response to severe wildland fires, reduce fire impacts to rural communities, and ensure sufficient firefighting capacity in the future. The Rural Fire Assistance program is funded to enhance the fire protection capabilities of rural fire districts and safe and effective fire suppression in the wildland/urban interface. The program promotes close coordination among local, state, tribal, and federal firefighting resources by conducting training, equipment purchase, and prevention activities on a cost-shared basis.

State

Assembly Bill 301 (2015)

Assembly Bill 301 (2015) was enacted to amend Section 4213.1 of, and to add Section 4213.2 to, the Public Resources Code related to fire prevention. Section 4213.1 requires CAL FIRE to notify an owner of property, through Fire Prevention Fee billing process, that if selling the habitable structure or structures, a division of the fee may be negotiated as one of the terms of sale. Section 4213.2 allows the owner of a property with one or more habitable structures subject to the fee, if selling the property, to negotiate a division of the fee as one of the terms of the sale. However, payment of the total fee liability remains the responsibility of the person who owns the habitable structure on July 1 of the year the fee is due.

California Department of Forestry and Fire Protection (Cal Fire)

Cal Fire protects the people of California from fires, responds to emergencies, and protects and enhances forest, range, and watershed values providing social, economic, and environmental benefits to rural and urban citizens. Cal Fire's firefighters, fire engines, and aircraft respond to an average of more than 5,600 wildland fires each year. The Office of the State Fire Marshal supports Cal Fire's mission by focusing on fire prevention. It provides support through a wide variety of fire safety responsibilities including by regulating buildings in which people live, congregate, or are confined; by controlling substances and products which may, in and of themselves, or by their misuse, cause injuries, death, and destruction by fire; by providing statewide direction for fire prevention in wildland areas; by regulating hazardous

liquid pipelines; by reviewing regulations and building standards; and by providing training and education in fire protection methods and responsibilities.

State Fire Regulations

Fire regulations for California are established in Sections 13000 et seq. of the California Health and Safety Code and include regulations for structural standards (similar to those identified in the California Building Code); fire protection and public notification systems; fire protection devices such as extinguishers and smoke alarms; standards for high-rise structures and childcare facilities; and fire suppression training. The State Fire Marshal is responsible for enforcement of these established regulations and building standards for all state-owned buildings, state-occupied buildings, and state institutions within California.

California Fire Plan

The Fire Plan is a cooperative effort between the State Board of Forestry and Fire Protection and the California Department of Forestry and Fire Protection. By placing the emphasis on what needs to be done long before a fire starts, the Fire Plan looks to reduce firefighting costs and property losses, increase firefighter safety, and to contribute to ecosystem health. The current plan was finalized in the summer of 2018.

California Public Resources Code

PRC Section 4291 requires that a person who owns, leases, controls, operates, or maintains a building or structure in, upon, or adjoining a mountainous area, forest-covered lands, brush-covered lands, grass-covered lands, or land that is covered with flammable material to maintain defensible space of 100 feet from each side and from the front and rear of the structure. The amount of fuel modification necessary shall take into account the flammability of the structure as affected by building material, building standards, location, and type of vegetation. Fuels shall be maintained in a condition so that a wildfire burning under average weather conditions would be unlikely to ignite the structure. Specifically, Fire Hazard Severity Zones – Public Resources Code Sections 4201–4204 Public Resources Code (PRC) Sections 4201–4204 and Government Code Sections 51175–89 direct Cal Fire to map areas of significant fire hazards based on fuels, terrain, weather, and other relevant factors. These zones, referred to as fire hazard severity zones (FHSZ), define the application of various mitigation strategies to reduce risk associated with wildland fires.

California Fire Code

The 2019 California Fire Code (Title 24, Part 9 of the California Code of Regulations) is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. It establishes regulations to safeguard against the hazards of fire, explosion, or dangerous conditions in new and existing buildings, structures, and premises. The Fire Code also establishes requirements intended to provide safety for and assistance to firefighters and emergency responders during emergency operations. The provisions of the Fire Code apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure throughout California. The Fire Code includes regulations regarding fire-resistance-rated construction, fire protection systems such as alarm and sprinkler systems, fire services features such as fire apparatus access roads, means of egress, fire safety during construction and demolition, and wildland-urban interface areas.

Senate Bill 1241

In 2012, Senate Bill 1241 added Section 66474.02 to Title 7 Division 2 of the California Government Code, commonly known as the Subdivision Map Act. The statute prohibits subdivision of parcels designated very high fire hazard, or that are in a State Responsibility Area, unless certain findings are made prior to approval of the tentative map. The statute requires that a city or county planning commission make three new findings regarding fire hazard safety before approving a subdivision proposal. The three findings are, in brief: (1) the design and location of the subdivision and its lots are consistent with defensible space regulations found in PRC Section 4290-91, (2) structural fire protection services will be available for the subdivision through a publicly funded entity, and (3) ingress and egress road standards for fire equipment are met per any applicable local ordinance and PRC Section 4290.

Utility Wildfire Mitigation Plans (SB 901)

After record-breaking drought in California from 2011 to 2017, perfect wildfire conditions allowed faulty PG&E utility lines to spark devastating fires that would scorch over 4,000 square miles of land across the state. In response to the deadly season, the California Legislature developed SB 901 (2018) as the "centerpiece measure" in its attempt to rectify damages from the 2017 wildfires and prevent future wildfire disasters. SB 901 mandates all electric utilities to prepare and submit wildfire mitigation plans that describe the utilities' plan to prevent, combat, and respond to wildfires affecting their service territories. The California Public Utilities Commission (CPUC) will review and refine the plans before implementing and enforcing them. In the short-term, SB 901 allows PG&E to lean on its customers in

paying for billions of dollars in fire-related damages. It also provides over $1 billion for vegetation management over five years.

California Disaster Assistance Act (CDAA)

The California Disaster Assistance Act (CDAA; CCR Title 19, Chapter 6) authorizes the Director of the California Governor's Office of Emergency Services (Cal OES) to administer a disaster assistance program that provides financial assistance from the state for costs incurred by local governments as a result of a disaster event. Funding for the repair, restoration, or replacement of public real property damaged or destroyed by a disaster is made available when the Director concurs with a local emergency proclamation requesting state disaster assistance.

California Emergency Services Act (AB 38) (2008)

AB 38 (2008) gave the California Emergency Management Agency (Cal EMA) responsibility for overseeing and coordinating emergency preparedness, response, recovery, and homeland security activities in the state. The State of California passed legislation authorizing the Office of Emergency Services to prepare a Standard Emergency Management System program, which sets forth measures by which a jurisdiction should handle emergency disasters. Non-compliance with the program could result in the state withholding disaster relief from the non-complying jurisdiction in the event of an emergency disaster. The preservation of life, property and the environment is an inherent responsibility of local, state, and federal government.

The Governor's Office of Emergency Services (OES) mission statement is "Protect lives and property, build capabilities, and support our communities for a resilient California." OES goals include:

Goal 1: Anticipate and enhance prevention and detection capabilities to protect our state from all hazards and threats.

Goal 2: Strengthen California's ability to plan, prepare for, and provide resources to mitigate the impacts of disasters, emergencies, crimes, and terrorist events.

Goal 3: Effectively respond to and recover from both human-caused and natural disasters.

Goal 4: Enhance the administration and delivery of all state and federal funding and maintain fiscal and program integrity.

Goal 5: Develop a united and innovative workforce that is trained, experienced, knowledgeable, and ready to adapt and respond.

Goal 6: Strengthen capabilities in public safety communication services and technology enhancements.

Forestry and Fire Prevention: Joint Prescribed Burning Operation (AB 2551) (2018)

Approved in 2018, AB 2551 authorizes CAL Fire to collaborate with private landowners on controlled burns to reduce wildfire fuel. Mismanagement of the forests can lead to a build-up of forest underbrush that serves as a perfect fuel for wildfires. By allowing small, non-industrial landowners to choose to individually implement various fire prevention programs, such as prescribed burns, AB 2551 promotes good, local forest management in the state.

Price Gouging: State of Emergency (AB 1919) (2018)

AB 1919 (2018) was one of the bills introduced to deal with insurance issues relating to, or originating from, wildfire. The bill prohibits landlords from increasing rental housing rates by more than 10 percent in the wake of a designated emergency. For renters affected by wildfire, a substantial increase in housing rates could be devastating and has the potential to result in homelessness. By stabilizing rental rates, AB 1919 protects current and future renters from being charged unfair prices in the wake of a disaster.

2018 State Hazard Mitigation Plan (SHMP)

Approved by FEMA in September 2018, as an Enhanced State Mitigation Plan, the 2018 SHMP update continues to build upon California's commitment to reduce or eliminate the impacts of disasters caused by natural, technological, accidental, and adversarial/human-caused hazards, and further identifies and documents progress made in hazard mitigation efforts, new or revised state and federal statutes and regulations, and emerging hazard conditions and risks that affect the State of California. Resilience depends on the whole community and is a shared responsibility for all levels of government, private and nonprofit sectors, and individuals.

Local

Impact Discussion:

Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
☐	☐	☒	☐

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?

Impact Discussion:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☒	☐
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☒	☐

a) Would the proposed Project substantially impair an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact. The proposed Project expands the building footprint by approximately 15,109 gross square feet, but does not include operational changes to the site, and would not change the site's circulation. Therefore, the Project would not physically interfere with the City of Santa Clara's adopted Emergency Operations Plan. Additionally, the Project will be required to be designed in a manner consistent with emergency response plans or emergency evacuation plans and would be subject to review by the City's Fire and Building Departments. Therefore, impacts related to emergency response plans and emergency evacuation plans are less than significant.

b) Would the proposed Project, 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?

No Impact. The site area is a densely populated urban area that is relatively flat and therefore not susceptible to wildland fires due to slope or high prevailing winds. The Project site is not located in or near a very high fire hazard severity zone, as identified by Cal Fire.[49] The Project will have to

[49] CALFIRE, *Fire Hazard Severity Zones*. Available online at: https://egis.fire.ca.gov/FHSZ/, accessed January 13, 2022.

comply with existing fire-related regulations under CAL Fire, and incorporation of fire protection features. Therefore, there would be no impacts from wildland fires.

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

Less Than Significant Impact. The Project site is not located in or near a very high fire hazard severity zone. It is located within the City of Santa Clara within a predominately built out residential environment served by existing infrastructure. The proposed Project includes the renovation of the existing auto showroom and expansion of the service center facility, resulting in an additional 15,109 gross square feet. The Project site contains all necessary infrastructure for operation and would not require the installation or maintenance of associated infrastructure. Thus, impacts related to wildland fires are less than significant.

d) Would the Proposed Project 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 Impact. The Project site is sparsely vegetated in a largely flat urban area with no forested areas within the vicinity. The Project site is not located within a Local Responsibility Area (LRA), it is not within a Federal Responsibility Area (FRA) or State Responsibility Area (SRA), and neither is it designated moderate/high/or very high fire hazard severity zones. Therefore, with adherence to these fire suppression design requirements, and the physical characteristics of the Project location, the potential impacts related to wildfires would be less than significant.

4.2.21 Mandatory Findings of Significance

Impact Discussion:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a. Does the project have the potential to 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?	☐	☒	☐	☐
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

a) Does the project have the potential to 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?

Less than Significant Impact with Mitigation Incorporated. The Project proposes to renovate, upgrade, and expand the square-footage of an existing car dealership and service center while reducing the number of service bays provided. As discussed in the individual sections of this IS/MND, the Project would not degrade the quality of the environment with standard conditions in compliance with the City's General Plan and City Code and other applicable plans, policies, regulations, and ordinances. As discussed in **Section 4.2.4, Biological Resources**, the Project is located in an urban area and is largely devoid of sensitive biological resources. However, the Project does contain mature trees that may provide nesting habitat. With **Mitigation Measure BIO-1.1**, the potential impacts to nesting birds are less than significant. The Project would not 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.

As discussed in **Section 4.2.5, Cultural Resources**, there are no known historic, cultural, or tribal resources on or adjacent to the site. The Project includes **Mitigation Measures CUL-1.1, CUL-1.2, and CUL-2.1** to reduce potential impacts to unknown buried resources on the site, should they be encountered, to less than significant levels. The Project, therefore, would not eliminate important examples of the major periods of California history or prehistory. As discussed in **Section 4.2.7, Geology and Soils**, **Mitigation Measure GEO-1.1** must be implemented by the Project to ensure that undiscovered paleontological resources are not significantly impacted.

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

Less Than Significant Impact. Under Section 15065(a)(3) of the *CEQA Guidelines*, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has potential environmental effects "that are individually limited, but cumulatively considerable." As defined in Section 15065(a)(3) of the *CEQA Guidelines*, cumulatively considerable means "that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." The Project proposes to renovate, upgrade, and expand the square-footage of an existing car dealership and service center while reducing the number of service bays provided. There are several recent and under construction projects in the area surrounding the Project site. Recently constructed projects include Stevens Creek Subaru dealership directly adjacent to the Project site, an expansion of the Westfield Valley Fair Mall, and Santana Terrace Senior Apartments on Winchester Boulevard. Currently under construction is the Agrihood Mixed-Use Development Project, located two blocks northwest of the Project site. Both the Westfield Valley Fair Mall and the Agrihood Mixed-Use Development were found to have significant unavoidable impacts on transportation and traffic. However, since the proposed Project will have a less than significant impact on transportation and would not generate and increase in vehicle trips, there would not be a cumulative impact on transportation resources. Additionally, the proposed Project would not create cumulative effects on agricultural, biological, cultural, and mineral resources. There would also be no cumulative impacts to aesthetics, construction-related air quality, noise, utility and service system, and wildfire impacts. Impacts related to geology and soils and hazards and hazardous materials from

foreseeable development as a result of the project are site specific and, therefore, would not contribute to a significant cumulative impact to those resources. All cumulative projects, including the proposed Project would be required to implement mitigation measures and comply with existing regulations to reduce cumulative impacts to a less than significant level. This conclusion is consistent with the conclusion in the General Plan FEIR for future buildout of the General Plan.

Because criteria air pollutant and GHG emissions would contribute to regional and global emissions of such pollutants, the identified thresholds developed by BAAQMD and used by the City of Santa Clara were designed such that a project impact would also be a cumulatively considerable impact. As discussed in **Section 4.2.3, Air Quality,** and **Section 4.2.8, Greenhouse Gas Emissions**, the Project would result in less than significant project (and, therefore, cumulative) criteria air pollutant and GHG impacts.

By adhering to the allowable intensity of the proposed land use designation and the applicable City Code standards of the proposed zoning, the Project would not conflict with surrounding land uses. The Project would not conflict with any land use plans adopted with the purpose of reducing an environmental impact (as described in **Section 4.2.11, Land Use and Planning**) and would not make a cumulatively considerable contribution to land use impacts. Further, the Project would not divide an existing community or displace people or housing. Therefore, the Project would not make a cumulatively considerable contribution to a population and housing impact. As described in **Section 4.2.15, Public Services**, and **Section 4.2.16, Recreation**, the proposed Project would not substantially increase the demand for public services in the area, including fire, police protection, parks, community centers, and libraries. The existing facilities have capacity to meet any potential incremental increase created by the Project. The proposed Project would not make a cumulatively considerable contribution to the degradation of public facilities in the area. In addition, the proposed Project would not result in an increase in citywide VMT per service population, and cumulatively would result in less than significant impacts on transportation.

The Project will be built in accordance with the City's Climate Action Plan, California Building Code, and the Santa Clara City Code. Adherence to existing policies and regulations would ensure that energy efficient fixtures are included in the renovated showroom and expanded service facility. Cumulative projects citywide would be built to meet the same requirements. Therefore, the Project would not contribute cumulatively to impacts on energy resources.

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

Less Than Significant Impact with Mitigation Incorporated. Consistent with Section 15065(a)(4) of the *CEQA Guidelines*, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has the potential to cause substantial adverse effects on human beings, either directly or indirectly. Under this standard, a change to the physical environment that might otherwise be minor must be treated as significant if people would be significantly affected. This factor relates to adverse changes to the environment generally, and not to effects on particular individuals. While changes to the environment that could indirectly affect people would be represented by all of the designated CEQA issue areas, those that could directly affect human beings include community risks from air emissions, soil and seismic hazards, hazardous materials, and noise. As discussed in **Section 4.2.13, Noise and Vibration**, construction activities will generate noise levels higher than the noise limits identified in the City Code. As such, consistency with the City Code and the implementation of the best management practices identified in **MM NOI-1** would ensure construction noise impacts are less than significant. Additionally, implementation of measures in accordance with the City's General Plan and City Code, and other applicable plans, policies, regulations, and ordinances would ensure that potential impacts would be less than significant. No other direct or indirect adverse effects on human beings have been identified. Therefore, the impacts of the proposed Project would be less than significant.

V. SUPPORTING INFORMATION SOURCES

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VI. INITIAL STUDY PREPARERS

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APPENDIX A
Air Quality Data

Stevens Creek - Santa Clara County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Stevens Creek

Santa Clara County, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Automobile Care Center	17.34	1000sqft	1.00	17,341.00	0
General Office Building	2.56	1000sqft	0.10	2,561.00	0

1.2 Other Project Characteristics

Urbanization	Urban	**Wind Speed (m/s)**	2.2	**Precipitation Freq (Days)**	58
Climate Zone	4			**Operational Year**	2022
Utility Company	Silicon Valley Power				
CO2 Intensity (lb/MWhr)	307.98	**CH4 Intensity (lb/MWhr)**	0.033	**N2O Intensity (lb/MWhr)**	0.004

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - Lot acreage per project application form information.
Land Use sqaure footage based on project plan information for service area and reception area/stairway.

Construction Phase - Construction schedule anticipated to last 6 months and project operational in 2022.

Grading - Project lot size based on planning application. However, project grading will not include entire site as some existing buildings will remain.

Demolition -

Construction Off-road Equipment Mitigation - BAAQMD CEQA Guidelines - Basic Mitigation Measures listed in Table 8-2

Area Mitigation -

Table Name	Column Name	Default Value	New Value
tblConstructionPhase	NumDays	10.00	14.00
tblConstructionPhase	NumDays	200.00	114.00

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

tblConstructionPhase	NumDays	20.00	10.00
tblConstructionPhase	NumDays	4.00	9.00
tblConstructionPhase	PhaseEndDate	2/28/2022	9/1/2022
tblConstructionPhase	PhaseEndDate	2/28/2022	9/1/2022
tblConstructionPhase	PhaseEndDate	2/28/2022	3/14/2022
tblConstructionPhase	PhaseEndDate	2/28/2022	3/25/2022
tblConstructionPhase	PhaseStartDate	3/1/2022	8/15/2022
tblConstructionPhase	PhaseStartDate	3/1/2022	3/28/2022
tblConstructionPhase	PhaseStartDate	3/1/2022	3/15/2022
tblGrading	AcresOfGrading	9.00	1.10
tblLandUse	LandUseSquareFeet	17,340.00	17,341.00
tblLandUse	LandUseSquareFeet	2,560.00	2,561.00
tblLandUse	LotAcreage	0.40	1.00
tblLandUse	LotAcreage	0.06	0.10

2.0 Emissions Summary

Stevens Creek - Santa Clara County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

2.1 Overall Construction

Unmitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2022	0.2162	0.8945	0.8637	1.5700e-003	0.0350	0.0418	0.0768	0.0167	0.0401	0.0568	0.0000	131.0888	131.0888	0.0237	7.2000e-004	131.8937
Maximum	**0.2162**	**0.8945**	**0.8637**	**1.5700e-003**	**0.0350**	**0.0418**	**0.0768**	**0.0167**	**0.0401**	**0.0568**	**0.0000**	**131.0888**	**131.0888**	**0.0237**	**7.2000e-004**	**131.8937**

Mitigated Construction

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Year	tons/yr										MT/yr					
2022	0.2162	0.8945	0.8637	1.5700e-003	0.0185	0.0418	0.0603	8.2400e-003	0.0401	0.0484	0.0000	131.0887	131.0887	0.0237	7.2000e-004	131.8935
Maximum	**0.2162**	**0.8945**	**0.8637**	**1.5700e-003**	**0.0185**	**0.0418**	**0.0603**	**8.2400e-003**	**0.0401**	**0.0484**	**0.0000**	**131.0887**	**131.0887**	**0.0237**	**7.2000e-004**	**131.8935**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**0.00**	**0.00**	**0.00**	**0.00**	**47.23**	**0.00**	**21.51**	**50.54**	**0.00**	**14.85**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

Stevens Creek - Santa Clara County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
1	3-1-2022	5-31-2022	0.5000	0.5000
2	6-1-2022	8-31-2022	0.5713	0.5713
3	9-1-2022	9-30-2022	0.0110	0.0110
		Highest	0.5713	0.5713

2.2 Overall Operational

Unmitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.0881	0.0000	1.8000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	3.6000e-004	3.6000e-004	0.0000	0.0000	3.8000e-004
Energy	2.6700e-003	0.0243	0.0204	1.5000e-004		1.8500e-003	1.8500e-003		1.8500e-003	1.8500e-003	0.0000	52.2055	52.2055	3.2700e-003	8.2000e-004	52.5313
Mobile	0.1344	0.1209	0.9785	1.5700e-003	0.1573	1.4100e-003	0.1587	0.0420	1.3200e-003	0.0433	0.0000	145.5911	145.5911	0.0144	9.0900e-003	148.6595
Waste						0.0000	0.0000		0.0000	0.0000	13.9292	0.0000	13.9292	0.8232	0.0000	34.5091
Water						0.0000	0.0000		0.0000	0.0000	0.6619	2.2023	2.8642	0.0682	1.6300e-003	5.0566
Total	**0.2252**	**0.1452**	**0.9990**	**1.7200e-003**	**0.1573**	**3.2600e-003**	**0.1606**	**0.0420**	**3.1700e-003**	**0.0452**	**14.5912**	**199.9993**	**214.5904**	**0.9091**	**0.0115**	**240.7569**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

2.2 Overall Operational

Mitigated Operational

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area	0.0881	0.0000	1.8000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	3.6000e-004	3.6000e-004	0.0000	0.0000	3.8000e-004
Energy	2.6700e-003	0.0243	0.0204	1.5000e-004		1.8500e-003	1.8500e-003		1.8500e-003	1.8500e-003	0.0000	52.2055	52.2055	3.2700e-003	8.2000e-004	52.5313
Mobile	0.1344	0.1209	0.9785	1.5700e-003	0.1573	1.4100e-003	0.1587	0.0420	1.3200e-003	0.0433	0.0000	145.5911	145.5911	0.0144	9.0900e-003	148.6595
Waste						0.0000	0.0000		0.0000	0.0000	13.9292	0.0000	13.9292	0.8232	0.0000	34.5091
Water						0.0000	0.0000		0.0000	0.0000	0.6619	2.2023	2.8642	0.0682	1.6300e-003	5.0566
Total	**0.2252**	**0.1452**	**0.9990**	**1.7200e-003**	**0.1573**	**3.2600e-003**	**0.1606**	**0.0420**	**3.1700e-003**	**0.0452**	**14.5912**	**199.9993**	**214.5904**	**0.9091**	**0.0115**	**240.7569**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N20	CO2e
Percent Reduction	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**	**0.00**

3.0 Construction Detail

Construction Phase

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Demolition	Demolition	3/1/2022	3/14/2022	5	10	
2	Grading	Grading	3/15/2022	3/25/2022	5	9	
3	Building Construction	Building Construction	3/28/2022	9/1/2022	5	114	

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

4	Architectural Coating	Architectural Coating	8/15/2022	9/1/2022	5	14	

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 1.104

Acres of Paving: 0

Residential Indoor: 0; Residential Outdoor: 0; Non-Residential Indoor: 29,853; Non-Residential Outdoor: 9,951; Striped Parking Area: 0 (Architectural Coating – sqft)

OffRoad Equipment

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Architectural Coating	Air Compressors	1	6.00	78	0.48
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Building Construction	Cranes	1	6.00	231	0.29
Building Construction	Forklifts	1	6.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Grading	Graders	1	8.00	187	0.41
Demolition	Rubber Tired Dozers	1	8.00	247	0.40
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Building Construction	Tractors/Loaders/Backhoes	1	6.00	97	0.37
Demolition	Tractors/Loaders/Backhoes	3	8.00	97	0.37
Grading	Tractors/Loaders/Backhoes	2	7.00	97	0.37
Building Construction	Welders	3	8.00	46	0.45

Trips and VMT

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Demolition	5	13.00	0.00	22.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	4	10.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	7	6.00	3.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Architectural Coating	1	1.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

Water Exposed Area

3.2 Demolition - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					2.3600e-003	0.0000	2.3600e-003	3.6000e-004	0.0000	3.6000e-004	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	8.4400e-003	0.0831	0.0698	1.2000e-004		4.1900e-003	4.1900e-003		3.9100e-003	3.9100e-003	0.0000	10.5388	10.5388	2.6900e-003	0.0000	10.6060
Total	**8.4400e-003**	**0.0831**	**0.0698**	**1.2000e-004**	**2.3600e-003**	**4.1900e-003**	**6.5500e-003**	**3.6000e-004**	**3.9100e-003**	**4.2700e-003**	**0.0000**	**10.5388**	**10.5388**	**2.6900e-003**	**0.0000**	**10.6060**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.2 Demolition - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	5.0000e-005	1.9000e-003	4.0000e-004	1.0000e-005	1.9000e-004	2.0000e-005	2.0000e-004	5.0000e-005	2.0000e-005	7.0000e-005	0.0000	0.6923	0.6923	2.0000e-005	1.1000e-004	0.7256
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.7000e-004	1.3000e-004	1.5700e-003	0.0000	5.2000e-004	0.0000	5.2000e-004	1.4000e-004	0.0000	1.4000e-004	0.0000	0.4076	0.4076	1.0000e-005	1.0000e-005	0.4115
Total	**2.2000e-004**	**2.0300e-003**	**1.9700e-003**	**1.0000e-005**	**7.1000e-004**	**2.0000e-005**	**7.2000e-004**	**1.9000e-004**	**2.0000e-005**	**2.1000e-004**	**0.0000**	**1.1000**	**1.1000**	**3.0000e-005**	**1.2000e-004**	**1.1371**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					1.0600e-003	0.0000	1.0600e-003	1.6000e-004	0.0000	1.6000e-004	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	8.4400e-003	0.0831	0.0698	1.2000e-004		4.1900e-003	4.1900e-003		3.9100e-003	3.9100e-003	0.0000	10.5388	10.5388	2.6900e-003	0.0000	10.6060
Total	**8.4400e-003**	**0.0831**	**0.0698**	**1.2000e-004**	**1.0600e-003**	**4.1900e-003**	**5.2500e-003**	**1.6000e-004**	**3.9100e-003**	**4.0700e-003**	**0.0000**	**10.5388**	**10.5388**	**2.6900e-003**	**0.0000**	**10.6060**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.2 Demolition - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	5.0000e-005	1.9000e-003	4.0000e-004	1.0000e-005	1.9000e-004	2.0000e-005	2.0000e-004	5.0000e-005	2.0000e-005	7.0000e-005	0.0000	0.6923	0.6923	2.0000e-005	1.1000e-004	0.7256
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.7000e-004	1.3000e-004	1.5700e-003	0.0000	5.2000e-004	0.0000	5.2000e-004	1.4000e-004	0.0000	1.4000e-004	0.0000	0.4076	0.4076	1.0000e-005	1.0000e-005	0.4115
Total	**2.2000e-004**	**2.0300e-003**	**1.9700e-003**	**1.0000e-005**	**7.1000e-004**	**2.0000e-005**	**7.2000e-004**	**1.9000e-004**	**2.0000e-005**	**2.1000e-004**	**0.0000**	**1.1000**	**1.1000**	**3.0000e-005**	**1.2000e-004**	**1.1371**

3.3 Grading - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0277	0.0000	0.0277	0.0150	0.0000	0.0150	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	6.9300e-003	0.0764	0.0415	9.0000e-005		3.3400e-003	3.3400e-003		3.0700e-003	3.0700e-003	0.0000	8.1462	8.1462	2.6300e-003	0.0000	8.2121
Total	**6.9300e-003**	**0.0764**	**0.0415**	**9.0000e-005**	**0.0277**	**3.3400e-003**	**0.0310**	**0.0150**	**3.0700e-003**	**0.0180**	**0.0000**	**8.1462**	**8.1462**	**2.6300e-003**	**0.0000**	**8.2121**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.3 Grading - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.2000e-004	9.0000e-005	1.0900e-003	0.0000	3.6000e-004	0.0000	3.6000e-004	9.0000e-005	0.0000	1.0000e-004	0.0000	0.2822	0.2822	1.0000e-005	1.0000e-005	0.2849
Total	**1.2000e-004**	**9.0000e-005**	**1.0900e-003**	**0.0000**	**3.6000e-004**	**0.0000**	**3.6000e-004**	**9.0000e-005**	**0.0000**	**1.0000e-004**	**0.0000**	**0.2822**	**0.2822**	**1.0000e-005**	**1.0000e-005**	**0.2849**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Fugitive Dust					0.0125	0.0000	0.0125	6.7300e-003	0.0000	6.7300e-003	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	6.9300e-003	0.0764	0.0415	9.0000e-005		3.3400e-003	3.3400e-003		3.0700e-003	3.0700e-003	0.0000	8.1462	8.1462	2.6300e-003	0.0000	8.2121
Total	**6.9300e-003**	**0.0764**	**0.0415**	**9.0000e-005**	**0.0125**	**3.3400e-003**	**0.0158**	**6.7300e-003**	**3.0700e-003**	**9.8000e-003**	**0.0000**	**8.1462**	**8.1462**	**2.6300e-003**	**0.0000**	**8.2121**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.3 Grading - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	1.2000e-004	9.0000e-005	1.0900e-003	0.0000	3.6000e-004	0.0000	3.6000e-004	9.0000e-005	0.0000	1.0000e-004	0.0000	0.2822	0.2822	1.0000e-005	1.0000e-005	0.2849
Total	**1.2000e-004**	**9.0000e-005**	**1.0900e-003**	**0.0000**	**3.6000e-004**	**0.0000**	**3.6000e-004**	**9.0000e-005**	**0.0000**	**1.0000e-004**	**0.0000**	**0.2822**	**0.2822**	**1.0000e-005**	**1.0000e-005**	**0.2849**

3.4 Building Construction - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0940	0.7127	0.7254	1.2600e-003		0.0336	0.0336		0.0324	0.0324	0.0000	103.4988	103.4988	0.0180	0.0000	103.9495
Total	**0.0940**	**0.7127**	**0.7254**	**1.2600e-003**		**0.0336**	**0.0336**		**0.0324**	**0.0324**	**0.0000**	**103.4988**	**103.4988**	**0.0180**	**0.0000**	**103.9495**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.4 Building Construction - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	3.8000e-004	9.6400e-003	2.8200e-003	4.0000e-005	1.1300e-003	1.0000e-004	1.2300e-003	3.3000e-004	1.0000e-004	4.2000e-004	0.0000	3.5468	3.5468	8.0000e-005	5.2000e-004	3.7047
Worker	9.2000e-004	6.7000e-004	8.2500e-003	2.0000e-005	2.7100e-003	1.0000e-005	2.7300e-003	7.2000e-004	1.0000e-005	7.3000e-004	0.0000	2.1448	2.1448	7.0000e-005	6.0000e-005	2.1649
Total	**1.3000e-003**	**0.0103**	**0.0111**	**6.0000e-005**	**3.8400e-003**	**1.1000e-004**	**3.9600e-003**	**1.0500e-003**	**1.1000e-004**	**1.1500e-003**	**0.0000**	**5.6916**	**5.6916**	**1.5000e-004**	**5.8000e-004**	**5.8696**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road	0.0940	0.7127	0.7254	1.2600e-003		0.0336	0.0336		0.0324	0.0324	0.0000	103.4987	103.4987	0.0180	0.0000	103.9494
Total	**0.0940**	**0.7127**	**0.7254**	**1.2600e-003**		**0.0336**	**0.0336**		**0.0324**	**0.0324**	**0.0000**	**103.4987**	**103.4987**	**0.0180**	**0.0000**	**103.9494**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.4 Building Construction - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	3.8000e-004	9.6400e-003	2.8200e-003	4.0000e-005	1.1300e-003	1.0000e-004	1.2300e-003	3.3000e-004	1.0000e-004	4.2000e-004	0.0000	3.5468	3.5468	8.0000e-005	5.2000e-004	3.7047
Worker	9.2000e-004	6.7000e-004	8.2500e-003	2.0000e-005	2.7100e-003	1.0000e-005	2.7300e-003	7.2000e-004	1.0000e-005	7.3000e-004	0.0000	2.1448	2.1448	7.0000e-005	6.0000e-005	2.1649
Total	**1.3000e-003**	**0.0103**	**0.0111**	**6.0000e-005**	**3.8400e-003**	**1.1000e-004**	**3.9600e-003**	**1.0500e-003**	**1.1000e-004**	**1.1500e-003**	**0.0000**	**5.6916**	**5.6916**	**1.5000e-004**	**5.8000e-004**	**5.8696**

3.5 Architectural Coating - 2022

Unmitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	0.1038					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	1.4300e-003	9.8600e-003	0.0127	2.0000e-005		5.7000e-004	5.7000e-004		5.7000e-004	5.7000e-004	0.0000	1.7873	1.7873	1.2000e-004	0.0000	1.7902
Total	**0.1052**	**9.8600e-003**	**0.0127**	**2.0000e-005**		**5.7000e-004**	**5.7000e-004**		**5.7000e-004**	**5.7000e-004**	**0.0000**	**1.7873**	**1.7873**	**1.2000e-004**	**0.0000**	**1.7902**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Architectural Coating - 2022

Unmitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.0000e-005	1.0000e-005	1.7000e-004	0.0000	6.0000e-005	0.0000	6.0000e-005	1.0000e-005	0.0000	2.0000e-005	0.0000	0.0439	0.0439	0.0000	0.0000	0.0443
Total	**2.0000e-005**	**1.0000e-005**	**1.7000e-004**	**0.0000**	**6.0000e-005**	**0.0000**	**6.0000e-005**	**1.0000e-005**	**0.0000**	**2.0000e-005**	**0.0000**	**0.0439**	**0.0439**	**0.0000**	**0.0000**	**0.0443**

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Archit. Coating	0.1038					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Off-Road	1.4300e-003	9.8600e-003	0.0127	2.0000e-005		5.7000e-004	5.7000e-004		5.7000e-004	5.7000e-004	0.0000	1.7873	1.7873	1.2000e-004	0.0000	1.7902
Total	**0.1052**	**9.8600e-003**	**0.0127**	**2.0000e-005**		**5.7000e-004**	**5.7000e-004**		**5.7000e-004**	**5.7000e-004**	**0.0000**	**1.7873**	**1.7873**	**1.2000e-004**	**0.0000**	**1.7902**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

3.5 Architectural Coating - 2022

Mitigated Construction Off-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	2.0000e-005	1.0000e-005	1.7000e-004	0.0000	6.0000e-005	0.0000	6.0000e-005	1.0000e-005	0.0000	2.0000e-005	0.0000	0.0439	0.0439	0.0000	0.0000	0.0443
Total	**2.0000e-005**	**1.0000e-005**	**1.7000e-004**	**0.0000**	**6.0000e-005**	**0.0000**	**6.0000e-005**	**1.0000e-005**	**0.0000**	**2.0000e-005**	**0.0000**	**0.0439**	**0.0439**	**0.0000**	**0.0000**	**0.0443**

4.0 Operational Detail - Mobile

4.1 Mitigation Measures Mobile

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.1344	0.1209	0.9785	1.5700e-003	0.1573	1.4100e-003	0.1587	0.0420	1.3200e-003	0.0433	0.0000	145.5911	145.5911	0.0144	9.0900e-003	148.6595
Unmitigated	0.1344	0.1209	0.9785	1.5700e-003	0.1573	1.4100e-003	0.1587	0.0420	1.3200e-003	0.0433	0.0000	145.5911	145.5911	0.0144	9.0900e-003	148.6595

4.2 Trip Summary Information

	Average Daily Trip Rate			Unmitigated	Mitigated
Land Use	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Automobile Care Center	411.30	411.30	206.00	380,519	380,519
General Office Building	24.93	5.66	1.79	45,105	45,105
Total	436.24	416.96	207.79	425,624	425,624

4.3 Trip Type Information

	Miles			Trip %			Trip Purpose %		
Land Use	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Automobile Care Center	9.50	7.30	7.30	33.00	48.00	19.00	21	51	28
General Office Building	9.50	7.30	7.30	33.00	48.00	19.00	77	19	4

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Automobile Care Center	0.569477	0.055134	0.189292	0.116453	0.020534	0.004971	0.008087	0.006412	0.000939	0.000398	0.024459	0.000939	0.002905
General Office Building	0.569477	0.055134	0.189292	0.116453	0.020534	0.004971	0.008087	0.006412	0.000939	0.000398	0.024459	0.000939	0.002905

5.0 Energy Detail

Stevens Creek - Santa Clara County, Annual

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Historical Energy Use: N

5.1 Mitigation Measures Energy

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Electricity Mitigated						0.0000	0.0000		0.0000	0.0000	0.0000	25.7650	25.7650	2.7600e-003	3.3000e-004	25.9338
Electricity Unmitigated						0.0000	0.0000		0.0000	0.0000	0.0000	25.7650	25.7650	2.7600e-003	3.3000e-004	25.9338
NaturalGas Mitigated	2.6700e-003	0.0243	0.0204	1.5000e-004		1.8500e-003	1.8500e-003		1.8500e-003	1.8500e-003	0.0000	26.4405	26.4405	5.1000e-004	4.8000e-004	26.5976
NaturalGas Unmitigated	2.6700e-003	0.0243	0.0204	1.5000e-004		1.8500e-003	1.8500e-003		1.8500e-003	1.8500e-003	0.0000	26.4405	26.4405	5.1000e-004	4.8000e-004	26.5976

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

5.2 Energy by Land Use - NaturalGas

Unmitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Automobile Care Center	453987	2.4500e-003	0.0223	0.0187	1.3000e-004		1.6900e-003	1.6900e-003		1.6900e-003	1.6900e-003	0.0000	24.2265	24.2265	4.6000e-004	4.4000e-004	24.3705
General Office Building	41488.2	2.2000e-004	2.0300e-003	1.7100e-003	1.0000e-005		1.5000e-004	1.5000e-004		1.5000e-004	1.5000e-004	0.0000	2.2140	2.2140	4.0000e-005	4.0000e-005	2.2271
Total		**2.6700e-003**	**0.0243**	**0.0204**	**1.4000e-004**		**1.8400e-003**	**1.8400e-003**		**1.8400e-003**	**1.8400e-003**	**0.0000**	**26.4405**	**26.4405**	**5.0000e-004**	**4.8000e-004**	**26.5976**

Mitigated

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Automobile Care Center	453987	2.4500e-003	0.0223	0.0187	1.3000e-004		1.6900e-003	1.6900e-003		1.6900e-003	1.6900e-003	0.0000	24.2265	24.2265	4.6000e-004	4.4000e-004	24.3705
General Office Building	41488.2	2.2000e-004	2.0300e-003	1.7100e-003	1.0000e-005		1.5000e-004	1.5000e-004		1.5000e-004	1.5000e-004	0.0000	2.2140	2.2140	4.0000e-005	4.0000e-005	2.2271
Total		**2.6700e-003**	**0.0243**	**0.0204**	**1.4000e-004**		**1.8400e-003**	**1.8400e-003**		**1.8400e-003**	**1.8400e-003**	**0.0000**	**26.4405**	**26.4405**	**5.0000e-004**	**4.8000e-004**	**26.5976**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

5.3 Energy by Land Use - Electricity

Unmitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Automobile Care Center	140462	19.6222	2.1000e-003	2.5000e-004	19.7507
General Office Building	43972.4	6.1428	6.6000e-004	8.0000e-005	6.1831
Total		**25.7650**	**2.7600e-003**	**3.3000e-004**	**25.9338**

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Automobile Care Center	140462	19.6222	2.1000e-003	2.5000e-004	19.7507
General Office Building	43972.4	6.1428	6.6000e-004	8.0000e-005	6.1831
Total		**25.7650**	**2.7600e-003**	**3.3000e-004**	**25.9338**

6.0 Area Detail

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

6.1 Mitigation Measures Area

No Hearths Installed

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated	0.0881	0.0000	1.8000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	3.6000e-004	3.6000e-004	0.0000	0.0000	3.8000e-004
Unmitigated	0.0881	0.0000	1.8000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	3.6000e-004	3.6000e-004	0.0000	0.0000	3.8000e-004

6.2 Area by SubCategory

Unmitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.0104					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.0777					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	2.0000e-005	0.0000	1.8000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	3.6000e-004	3.6000e-004	0.0000	0.0000	3.8000e-004
Total	**0.0881**	**0.0000**	**1.8000e-004**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**	**0.0000**	**3.6000e-004**	**3.6000e-004**	**0.0000**	**0.0000**	**3.8000e-004**

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

6.2 Area by SubCategory

Mitigated

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating	0.0104					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Consumer Products	0.0777					0.0000	0.0000		0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Landscaping	2.0000e-005	0.0000	1.8000e-004	0.0000		0.0000	0.0000		0.0000	0.0000	0.0000	3.6000e-004	3.6000e-004	0.0000	0.0000	3.8000e-004
Total	**0.0881**	**0.0000**	**1.8000e-004**	**0.0000**		**0.0000**	**0.0000**		**0.0000**	**0.0000**	**0.0000**	**3.6000e-004**	**3.6000e-004**	**0.0000**	**0.0000**	**3.8000e-004**

7.0 Water Detail

7.1 Mitigation Measures Water

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated	2.8642	0.0682	1.6300e-003	5.0566
Unmitigated	2.8642	0.0682	1.6300e-003	5.0566

7.2 Water by Land Use

Unmitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Automobile Care Center	1.63137 / 0.99987	2.2396	0.0533	1.2800e-003	3.9539
General Office Building	0.454998 / 0.27887	0.6246	0.0149	3.6000e-004	1.1028
Total		**2.8642**	**0.0682**	**1.6400e-003**	**5.0566**

7.2 Water by Land Use

Mitigated

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Automobile Care Center	1.63137 / 0.99987	2.2396	0.0533	1.2800e-003	3.9539
General Office Building	0.454998 / 0.27887	0.6246	0.0149	3.6000e-004	1.1028
Total		**2.8642**	**0.0682**	**1.6400e-003**	**5.0566**

8.0 Waste Detail

8.1 Mitigation Measures Waste

Category/Year

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated	13.9292	0.8232	0.0000	34.5091
Unmitigated	13.9292	0.8232	0.0000	34.5091

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

8.2 Waste by Land Use

Unmitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Automobile Care Center	66.24	13.4461	0.7946	0.0000	33.3122
General Office Building	2.38	0.4831	0.0286	0.0000	1.1969
Total		**13.9292**	**0.8232**	**0.0000**	**34.5091**

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Automobile Care Center	66.24	13.4461	0.7946	0.0000	33.3122
General Office Building	2.38	0.4831	0.0286	0.0000	1.1969
Total		**13.9292**	**0.8232**	**0.0000**	**34.5091**

9.0 Operational Offroad

EMFAC Off-Model Adjustment Factors for Gasoline Light Duty Vehicle to Account for the SAFE Vehicle Rule Applied

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type

10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type

Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type

User Defined Equipment

Equipment Type	Number

11.0 Vegetation

APPENDIX B

Noise and Vibration Data

Roadway Construction Noise Model (RCNM),Version 1.1

Report date: 1/18/2022
Case Description: Demolition

---- Receptor #1 ----

Description Land Use
Residences to the north Residential

Description	Impact Device	Usage(%)	Equipment Spec Lmax (dBA)	Actual Lmax (dBA)	Receptor Distance (feet)	Estimated Shielding (dBA)
Dozer	No	40		81.7	65	0
Concrete Saw	No	20		89.6	65	0
Backhoe	No	40		77.6	65	0
Backhoe	No	40		77.6	65	0
Backhoe	No	40		77.6	65	0

Results

Equipment	Calculated (dBA) *Lmax	Leq
Dozer	79.4	75.4
Concrete Saw	87.3	80.3
Backhoe	75.3	71.3
Backhoe	75.3	71.3
Backhoe	75.3	71.3
Total	87.3	82.6

*Calculated Lmax is the Loudest value.

---- Receptor #2 ----

Description Land Use
Residences to the south Residential

Description	Impact Device	Usage(%)	Equipment Spec Lmax (dBA)	Actual Lmax (dBA)	Receptor Distance (feet)	Estimated Shielding (dBA)
Dozer	No	40		81.7	390	0
Concrete Saw	No	20		89.6	390	0
Backhoe	No	40		77.6	390	0
Backhoe	No	40		77.6	390	0
Backhoe	No	40		77.6	390	0

Results

Calculated (dBA)

Equipment		*Lmax	Leq
Dozer		63.8	59.8
Concrete Saw		71.7	64.7
Backhoe		59.7	55.7
Backhoe		59.7	55.7
Backhoe		59.7	55.7
	Total	71.7	67.1

*Calculated Lmax is the Loudest value.

Roadway Construction Noise Model (RCNM),Version 1.1

Report date: 1/18/2022
Case Description: Grading

---- Receptor #1 ----

Description Land Use
Residences to north Residential

Description	Impact Device	Usage(%)	Equipment Spec Lmax (dBA)	Actual Lmax (dBA)	Receptor Distance (feet)	Estimated Shielding (dBA)
Dozer	No	40		81.7	65	0
Backhoe	No	40		77.6	65	0
Backhoe	No	40		77.6	65	0
Grader	No	40	85		65	0

Results

Calculated (dBA)

Equipment		*Lmax	Leq
Dozer		79.4	75.4
Backhoe		75.3	71.3
Backhoe		75.3	71.3
Grader		82.7	78.7
	Total	82.7	81.4

*Calculated Lmax is the Loudest value.

---- Receptor #2 ----

Description Land Use
Residences to south Residential

Description	Impact Device	Usage(%)	Equipment Spec Lmax (dBA)	Actual Lmax (dBA)	Receptor Distance (feet)	Estimated Shielding (dBA)
Dozer	No	40		81.7	390	0
Backhoe	No	40		77.6	390	0
Backhoe	No	40		77.6	390	0
Grader	No	40	85		390	0

Results

Calculated (dBA)

Equipment		*Lmax	Leq
Dozer		63.8	59.8
Backhoe		59.7	55.7
Backhoe		59.7	55.7
Grader		67.2	63.2
	Total	67.2	65.8

*Calculated Lmax is the Loudest value.

Report date: 1/18/2022
Case Description: Building Construction & Architectural Coating

---- Receptor #1 ----

Description	Land Use
Residences to north	Residential

Description	Impact Device	Usage(%)	Equipment Spec Lmax (dBA)	Actual Lmax (dBA)	Receptor Distance (feet)	Estimated Shielding (dBA)
Crane	No	16		80.6	65	0
Backhoe	No	40		77.6	65	0
Tractor	No	40	84		65	0
Welder / Torch	No	40		74	65	0
Welder / Torch	No	40		74	65	0
Welder / Torch	No	40		74	65	0
Generator	No	50		80.6	65	0

Results

Calculated (dBA)

Equipment		*Lmax	Leq
Crane		78.3	70.3
Backhoe		75.3	71.3
Tractor		81.7	77.7
Welder / Torch		71.7	67.7
Welder / Torch		71.7	67.7
Welder / Torch		71.7	67.7
Generator		78.4	75.3
	Total	81.7	81.3

*Calculated Lmax is the Loudest value.

---- Receptor #2 ----

Description	Land Use
Residences to south	Residential

Description	Impact Device	Usage(%)	Equipment Spec Lmax (dBA)	Actual Lmax (dBA)	Receptor Distance (feet)	Estimated Shielding (dBA)
Crane	No	16		80.6	390	0
Backhoe	No	40		77.6	390	0

Tractor	No	40	84		390	0
Welder / Torch	No	40		74	390	0
Welder / Torch	No	40		74	390	0
Welder / Torch	No	40		74	390	0
Generator	No	50		80.6	390	0

Results

Calculated (dBA)

Equipment	*Lmax	Leq
Crane	62.7	54.7
Backhoe	59.7	55.7
Tractor	66.2	62.2
Welder / Torch	56.2	52.2
Welder / Torch	56.2	52.2
Welder / Torch	56.2	52.2
Generator	62.8	59.8
Total	66.2	65.8

*Calculated Lmax is the Loudest value.

3155 Stevens Creek Blvd — Adjacent commercial building

Ref= Reference vibration level (PPV)

RefD= Reference distance for Reference vibration level (Feet)

Vibration PPV		
Ref=	0.089	Based on type of equipment
RefD=	25	
D=	15	Distance from equipment to sensitive receptor
Equip=	0.191	
Annoyance VdB		
Ref=	87	Based on type of equipment
RefD=	25	
D=	15	Distance from equipment to sensitive receptor
Equip=	94	

Peak demolition vibration based on utilizing a large bulldozer.

Source: FTA Tranist Noise and Vibration Impact Assessment, 2006.

3155 Stevens Creek Blvd			Residences to north
Ref=	Reference vibration level (PPV)		
RefD=	Reference distance for Reference vibration level (Feet)		
	Vibration PPV		
	Ref=	0.089	Based on type of equipment
	RefD=	25	
	D=	65	Distance from equipment to sensitive receptor
	Equip=	0.021	
	Annoyance VdB		
	Ref=	87	Based on type of equipment
	RefD=	25	
	D=	65	Distance from equipment to sensitive receptor
	Equip=	75	

Peak demolition vibration based on utilizing a large bulldozer.

Source: FTA Tranist Noise and Vibration Impact Assessment, 2006.