

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: Santa Clara

From: (Public Agency): San Jose Evergreen
Community College District
40 S. Market St., San Jose, CA 95113

(Address)

Project Title: Maintenance and Operation Shop Building

Project Applicant: San Jose Evergreen Community College District

Project Location - Specific:

4750 San Felipe Rd. San Jose, CA 95135

Project Location - City: San Jose

Project Location - County: Santa Clara

Description of Nature, Purpose and Beneficiaries of Project:

The proposed project would implement improvements to the existing district warehouse facility, including construction of a new Maintenance and Operations Shops Building and other minor improvements to the facility. No improvements to the existing warehouse are proposed.

Name of Public Agency Approving Project: San Jose Evergreen Community College District

Name of Person or Agency Carrying Out Project: San Jose Evergreen Community College District

Exempt Status: **(check one):**

Ministerial (Sec. 21080(b)(1); 15268);

Declared Emergency (Sec. 21080(b)(3); 15269(a));

Emergency Project (Sec. 21080(b)(4); 15269(b)(c));

Categorical Exemption. State type and section number: Class 1, 2, 3, and 14

Statutory Exemptions. State code number: _____

Reasons why project is exempt:

Project would not meet any of the criteria that would preclude the project from being considered exempt under Section 15301, 15302, 15303, and 15314 of the CEQA Guidelines.

Lead Agency

Contact Person: Toby Smith

Area Code/Telephone/Extension: 628.210.6681

If filed by applicant:

1. Attach certified document of exemption finding.

2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: *Toby Smith* Date: 6/6/2024 Title: AVC Physical Plant

▪ Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____



memorandum

date May 30, 2024

to Toby Smith
Associate Vice Chancellor Physical Plant Development and Operations
San José Evergreen Community College District
40 S. Market Street
San José, CA 95113

cc Susan Dale
Bond Program Manager

from Jon Teofilo, CEQA Project Manager

subject **Evaluation of the Evergreen Valley College Maintenance and Operation Shop Building Project for a Categorical Exemption**

Introduction

The San José Evergreen Community College District (District) proposes to implement improvements to the existing district warehouse facility. Sufficient details of this proposed initial project are available to assess the potential environmental effects. The analysis in this memorandum provides substantial evidence to demonstrate that, based on the scope of this initial project, including the improvement measures that are incorporated into this project, in conjunction with required compliance with all applicable regulations, would have minimal adverse environmental effects, and consequently, would be eligible for one or more categorical exemptions from the provisions of the California Environmental Quality Act (CEQA).

Proposed improvements under this project include the development of a new Maintenance and Operations Shop and office building in place of the existing shaded auto canopy, removal of the existing landscaped island near the eastern edge of the site, removal of the eastern auto shop building, and the addition of striping and accessible parking stalls at the western edge of the site. The project would also include the addition of a fence around the perimeter of the site as well as a connecting gate, relocation of a new fertilizer shed, as well as other new sheds and a materials yard. No changes are proposed to the existing warehouse building.

The proposed project would be constructed beginning in February 2025 for a period of approximately 14 to 16 months.

The proposed project components and associated construction are described in greater detail, below, under Project Description. This memorandum relies on project plans provided by the District, from which certain figures are presented herein.

Existing Site

The site for the proposed warehouse project is located in the northwest portion of the EVC campus, on previously developed land. The site is bounded by Paseo de Arboles, an internal campus roadway, as well as undeveloped land to the south; Staff Parking Lot 4A and campus solar facilities to the east; Evergreen Creek Trail, Falls Creek Drive, and single-family residences to the north; and the EVC campus boundary to the west, beyond which is additional undeveloped land owned by EVC. The project site is paved, with an existing warehouse in the northern portion of the site, canopy-shaded auto bays in the southern portion and eastern portion of the site, a sheds and materials yard to the east as well as an auto shop building, and parking to the west. The project site slopes gradually toward the west.

The project site is designated as Public/Quasi-Public (PQP) Neighborhood/Community Commercial (NCC) under the City of San Jose General Plan 2040 and is zoned as Commercial Pedestrian.

Project Description

Project Components

The proposed project would include renovations to the San Jose-Evergreen Community College District Warehouse and Maintenance Corporation Yard. Project components would include:

- Replacement of the existing shaded auto canopy with a new shop and office building to accommodate the grounds, auto, HVAC and PE, carpentry and maintenance, paint, and custodial departments and trade groups;
- Removal of the existing landscaped island near the eastern edge of the site;
- Removal of the eastern auto shop building;
- The addition of accessible parking stalls and striping at the western portion of the site;
- The addition of a fence and access gate surrounding the site;
- Relocation of a new fertilizer shed;
- New sand, gravel, compost, concrete waste, and pesticide sheds and a materials yard;
- Replacement of the existing outdoor shade structure at the auto canopy with an exterior concrete pad and new approximately 3,000 square-foot canopy shade structure.

Vehicular Circulation and Parking

Site Access

The district warehouse site would be accessed from an existing driveway extending from Paseo de Arboles. Paseo de Arboles is a two-lane local roadway which provides access to the Evergreen Valley College campus from San Felipe Road to the west. There is no designated pedestrian or bicycle access provided to the proposed project site.

Parking

There is existing parking onsite at the western edge of the site as well as along the eastern edge of the existing warehouse building, and to the east of the site at the staff parking lot. The existing parking areas would remain after implementation of the proposed project and would be updated with striping and accessible parking stalls.

Utilities

The project is not expected to require utility relocations. If needed, utility relocations would be conducted in coordination with the appropriate service providers to ensure minimal interruptions.

Construction

The proposed project would be constructed over a period of approximately 14 to 16 months beginning in February 2025. An average of 10 to 30 construction personnel per day would be onsite during this period.

Construction associated with the maintenance and operation shop building project would include ground-disturbing activity that takes place within soils previously disturbed during the construction of the existing district warehouse facility. Construction staging would occur within the immediate vicinity of the project site.

Environmental Analysis

ESA completed a review of the project area to identify if any circumstances exist, pursuant to CEQA Guidelines Section 15300.2, that would negate the application of a Categorical Exemption. Reviews included investigations related to aesthetics, biological resources, cultural resources, and hazardous waste.

Implementation of the proposed recommendations below is intended to reduce potential effects related to cultural resources.

Cultural Resources

ESA conducted a records search for the EVC campus and a 0.5-mile radius at the Northwest Information Center (NWIC) of the California Historical Resources Information System at Sonoma State University (File No. 20-0118), additional research using the files and literature at ESA for the EVC campus.

The NWIC records search indicates that no buildings or structures have been previously recorded as historical resources within the EVC campus and that no buildings or structures listed in or eligible for listing in the National Register of Historic Places (National Register) and/or the California Register of Historical Resources (California Register) are within or adjacent to the EVC campus. The EVC campus is also not a historical resource for the purposes of CEQA. Accordingly, the proposed maintenance and operation shop building project would not cause a substantial adverse change in the significance of a historical resource.

The research also indicates there are no previously recorded cultural resources within the EVC campus, including tribal cultural resources and human remains; the nearest prehistoric sites have been recorded over one-half mile west of the EVC campus, along Thompson Creek. Furthermore, an archaeological pedestrian surface survey identified no archaeological materials and no archaeological or historical resources eligible for listing in the California Register. Given the modern ground disturbance associated with construction of those built areas of the project site, the distance to the previously recorded prehistoric sites, and the lack of archaeological sites identified during the several cultural resources studies completed on the EVC campus, there is a low potential to encounter previously unknown buried archaeological resources during ground-disturbing activity on the project site.

Moreover, excavation and grading on the project site would generally be less than five feet in depth, thus limiting the potential to encounter archaeological resources. Although unlikely, the inadvertent discovery of archaeological resources cannot be entirely discounted. In the event of accidental discovery, the following measures should be implemented:

Inadvertent Discovery of Cultural Resources: If pre-contact or historic-era archaeological resources are encountered during project implementation, all construction activities within 100 feet shall halt, and a qualified archaeologist, defined as an archaeologist meeting the U.S. Secretary of the Interior's Professional Qualification Standards for Archeology, shall inspect the find within 24 hours of discovery and notify SJECCD of their initial assessment. Pre-contact archaeological materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil ("midden") containing heat-affected rocks, artifacts, or shellfish remains; and stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones. Historic-era materials might include building or structure footings and walls, and deposits of metal, glass, and/or ceramic refuse.

If SJECCD determines, based on recommendations from a qualified archaeologist and a Native American representative (if the resource is pre-contact), that the resource may qualify as a historical resource or unique archaeological resource (as defined in CEQA Guidelines Section 15064.5) or a tribal cultural resource (as defined in PRC Section 21080.3), the resource shall be avoided, if feasible. Consistent with Section 15126.4(b)(3), this may be accomplished through planning construction to avoid the resource; incorporating the resource within open space; capping and covering the resource; or deeding the site into a permanent conservation easement.

If avoidance is not feasible, SJECCD shall consult with appropriate Native American tribes (if the resource is pre-contact), and other appropriate interested parties to determine treatment measures to avoid, minimize, or mitigate any potential impacts to the resource pursuant to PRC Section 21083.2, and CEQA Guidelines Section 15126.4. This shall include documentation of the resource and may include data recovery (according to PRC Section 21083.2), if deemed appropriate, or other actions such as treating the resource with culturally appropriate dignity and protecting the cultural character and integrity of the resource (according to PRC Section 21084.3).

Inadvertent Discovery of Human Remains: In the event of discovery or recognition of any human remains during construction activities, such activities within 100 feet of the find shall cease until the Santa Clara County Coroner has been contacted to determine that no investigation of the cause of death is required. The Native American Heritage Commission (NAHC) will be contacted within 24 hours if it is determined that the remains are Native American. The NAHC will then identify the person or persons it believes to be the most likely descendant from the deceased Native American, who in turn would make recommendations to Napa County for the appropriate means of treating the human remains and any grave goods.

Biological Resources

The project site is not located within designated critical habitat or contains riparian corridors. In addition, the maintenance and operation shop building project site does not provide habitat connectivity between open space areas and is not considered to be part of an established wildlife movement corridor.

The proposed project site is previously developed, and therefore the project would not interfere with any previously undisturbed habitat. The existing vegetated island in the center of the site will be removed but does not contain any critical habitat or sensitive species. No significant impacts to biological resources due to unusual circumstances will occur as a result of the proposed project.

Hazardous Waste

Hazardous waste investigations included a database search of the California Department of Substance Control's EnviroStor database to identify if the site is located on any list compiled pursuant to Section 65962.5 of the Government List (e.g., the "Cortese List"). The results of that search identified no known hazardous waste sites or incidents in or near the project site (see attachment). Because no known hazardous waste sites are present at the project location, there are no recommendations related to hazardous waste.

Construction activities would be required to comply with the numerous federal, State, and local hazardous materials regulations. These regulations are designed to ensure that hazardous materials are transported, used, stored, and disposed of in a safe and legal manner to protect construction workers' safety. They are also intended to reduce the potential for a release of construction-related fuels or other hazardous materials into the environment, including stormwater and downstream receiving water bodies. Contractors would be required to prepare and implement Hazardous Materials Business Plans requiring that hazardous materials used for construction be used properly and stored in appropriate containers with secondary containment, as needed, to contain a potential release. In addition, the California Fire Code would require measures for the safe storage and handling of hazardous materials.

Aesthetics

There are no State-designated scenic highways in the vicinity of the EVC campus. Therefore, the proposed maintenance and operation shop building project would not damage any scenic resources with any State-designated or local scenic highway.

The type and scale of the proposed development included as part of the project would generally be similar to existing development onsite and in the general campus area.

Determination

The proposed project site is not located in a particularly sensitive environment. The site is already developed, and the new maintenance and operations building would involve minimal construction which would not significantly impact sensitive resources.

Due to the limited nature of the proposed project and the absence of plans for construction of successive projects at the same time in the same place, the project is not expected to contribute to or result in any cumulative impacts.

No unusual circumstances have been identified that would result in a significant effect on the environment.

The project area is not located on an officially designated state scenic highway; therefore, the project would not result in damage to scenic resources within a state scenic highway.

According to a search of the California Department of Toxic Substances Control EnviroStor database completed on November 30, 2023, the project area is not located on a hazardous materials site that is included on any list compiled pursuant to Section 65962.5 of the Government Code.

This memorandum provides substantial evidence to demonstrate that the EVC maintenance and operation shop building project would be eligible for categorical exemptions from CEQA pursuant to CEQA Guidelines, Section 15301, Existing Facilities (Class 1); Section 15302, Replacement and Reconstruction (Class 2); Section 15303, New Construction or Conversion of Small Structures (Class 3); and Section 15314, Minor Additions to Schools (Class 14).

In addition, as specified in CEQA Guidelines, Section 15300.2, an exemption would be negated by an exception under any of the following circumstances:

- a. The project site is environmentally sensitive, as defined by the project's location;
- b. The project and successive projects of the same type in the same place will result in cumulative impacts;
- c. There are unusual circumstances creating the reasonable possibility of significant effects;
- d. The project may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway;
- e. The project is located on a site that is included on any list compiled pursuant to Section 65962.5 of the Government Code (commonly referred to as the "Cortese List"); or
- f. The project may cause a substantial adverse change in the significance of an historical resource.

As demonstrated in this memorandum, none of the above circumstances would apply to the proposed maintenance and operation shop building project.

Attachment 1

ENVIROSTOR

4750 San Felipe Rd, San Jose, CA 95135 [Map Address](#)

Sites and Facilities

Cleanup Sites

- Federal Superfund
- State Response
- Voluntary Cleanup
- School Cleanup
- Evaluation
- School Investigation
- Military Evaluation
- Tiered Permit
- Corrective Action
- Field Points

STATUS

All Statuses

Permitted Sites

- Operating
- Post-Closure
- Non-Operating

Other Sites

GIS Layers

Tools

[TAKE A TOUR](#) [SHARE THIS MAP](#)

SITES FOUND IN SEARCH RADIUS 0 SITES LISTED [EXPORT THIS LIST TO EXCEL](#)

PROJECT NAME	STATUS	PROJECT TYPE	ADDRESS	CITY
0 SITES LISTED				