

Initial Study

3035 El Camino Real Residential Project

File No: PLN2018-13265, PLN2018-13266, CEQ2018-01061



Prepared by



In Consultation with



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- B – Geotechnical Investigation
- C – Phase I/II Environmental Site Assessment
- D – Noise Study
- E – Transportation Demand Management
- F – Sanitary Sewer Capacity Evaluation

SECTION 1.0 INTRODUCTION AND PURPOSE

1.1 PURPOSE OF THE INITIAL STUDY

The City of Santa Clara as the Lead Agency has prepared this Initial Study for the 3035 El Camino Real Mixed Use Project 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.

The project proposes to construct a four-story mixed-use development with 48 residential units including six live/work units. This Initial Study 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 Initial Study marks the beginning of a 30-day public review and comment period. During this period, the Initial Study will be available to local, state, and federal agencies and to interested organizations and individuals for review. Written comments concerning the environmental review contained in this Initial Study during the 30-day public review period should be sent to:

Jeff Schwilk
(408) 615-2450
JSchwilk@santaclaraca.gov
1500 Warburton Avenue
Santa Clara, CA 95050

1.3 CONSIDERATION OF THE INITIAL STUDY AND PROJECT

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

1.4 NOTICE OF DETERMINATION

If the project is approved, the City of Santa Clara will file a Notice of Determination (NOD), which will be available for public inspection and posted within 24 hours of receipt at the 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)).

SECTION 2.0 PROJECT INFORMATION

2.1 PROJECT TITLE

3035 El Camino Real Mixed-Use Project

2.2 LEAD AGENCY CONTACT

City of Santa Clara
Community Development Department
Jeff Schwilk
(408) 615-2456
JSchwilk@santaclaraca.gov
1500 Warburton Avenue
Santa Clara, CA 95050

2.3 PROJECT APPLICANT

Hayden Land Company, LLC

2.4 PROJECT LOCATION

The 1.88-acre project site is comprised of two parcels (with a single Assessor's Parcel Number) on the north side of El Camino Real, west of San Tomas Expressway in the City of Santa Clara. The location of the project site is shown on the following figures:

Figure 2.4-1 Regional Map
Figure 2.4-2 Vicinity Map
Figure 2.4-3 Aerial Map

2.5 ASSESSOR'S PARCEL NUMBER

220-32-059

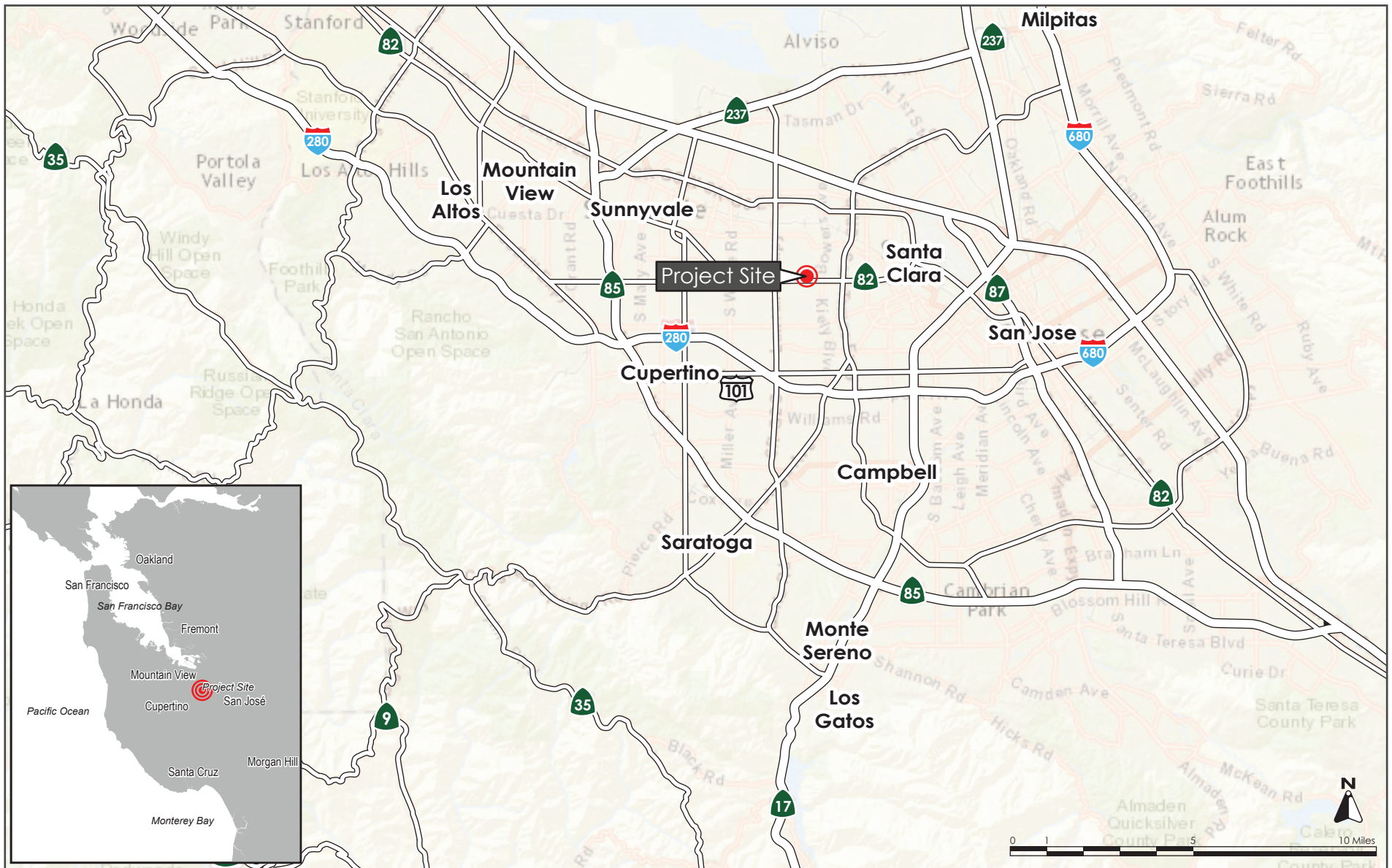
2.6 GENERAL PLAN DESIGNATION AND ZONING DISTRICT

The project site is designated *Community Mixed-Use* (with a commercial component) under the City of Santa Clara's General Plan and zoned *CT – Thoroughfare Commercial*. The project site is also located within the El Camino Real Focus Area.

The project proposes a Planned Development (PD) rezoning.

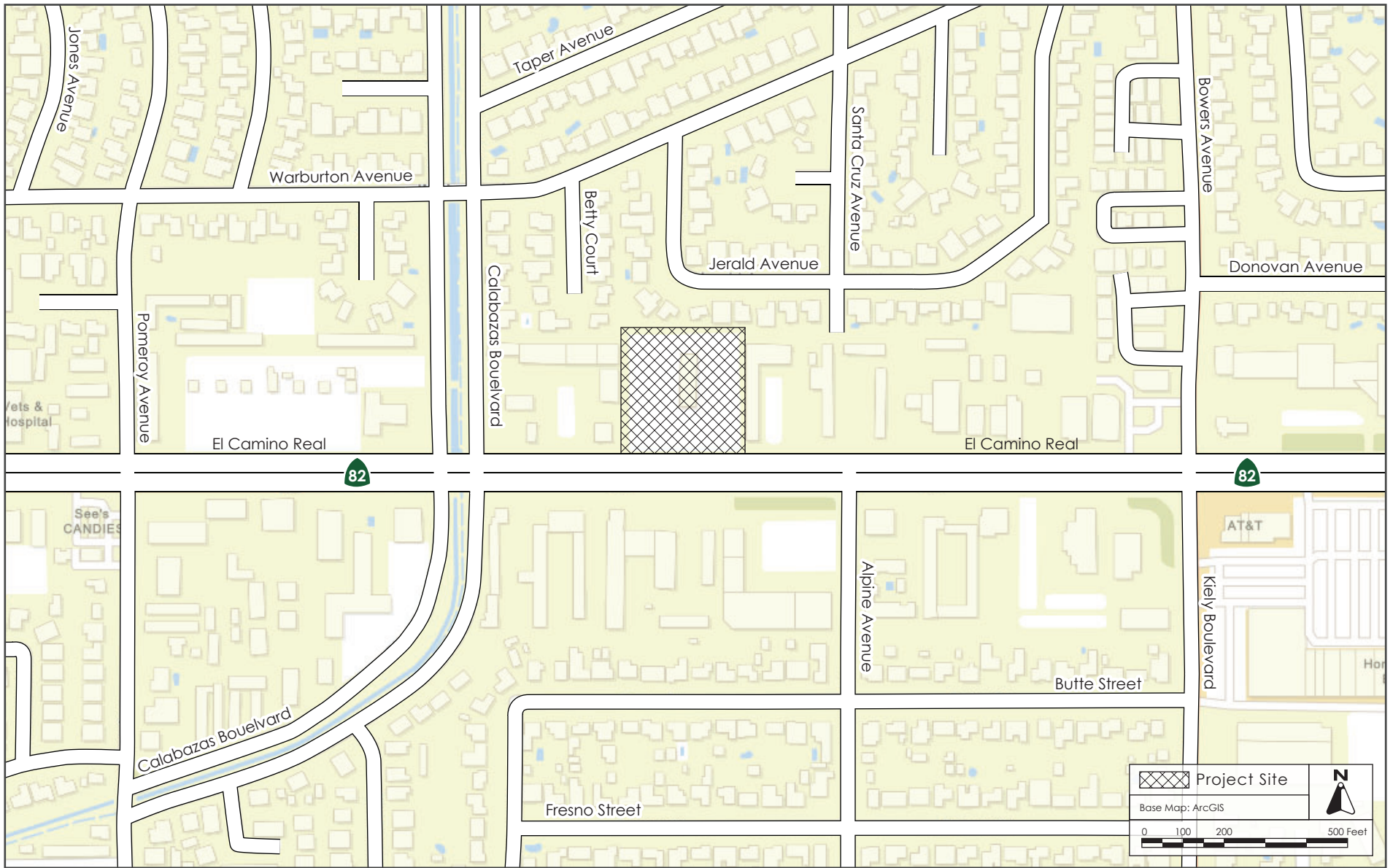
2.7 PROJECT-RELATED APPROVALS, AGREEMENTS, AND PERMITS

- Planned Development Rezoning
- Architectural Review
- Building Permit(s)
- Grading Permit(s)
- Lot Line Adjustment
- Tentative Subdivision Map
- Encroachment Permit



REGIONAL MAP

FIGURE 2.4-1



VICINITY MAP

FIGURE 2.4-2



AERIAL PHOTOGRAPH AND SURROUNDING LAND USES

FIGURE 2.4-3

SECTION 3.0 PROJECT DESCRIPTION

The 1.88-acre project site is located on the north side of El Camino Real, between Calabazas Boulevard and Bowers Avenue/Kiely Boulevard in the City of Santa Clara. The site is bordered by El Camino Real to the south, single-family residential development to the north, and commercial uses to the east and west. The site is currently developed with a one-story commercial building occupied by a used car sales business (Wheels and Deals) and asphalt paved parking lot on all four sides. Landscaped areas consisting of grass and a few shrubs and small trees are located in the front of the property along El Camino Real. The site is designated as *Community Mixed Use* under the City's General Plan and is zoned *CT – Thoroughfare Commercial*.

The project would demolish the existing commercial building and parking lot, and construct a mixed-use development with 48 dwelling units which would include 42 multi-family condominium units and six live/work condominium units. The *CT* zoning district allows commercial uses, but does not allow housing as a permitted or conditional use (Santa Clara City Code Chapter 18.38). A Planned Development (PD) rezoning is proposed as part of the project to allow housing on the site. The project also includes a Tentative Subdivision Map to create a single lot subdivision for the 48 proposed condominiums.

3.1 PROPOSED DEVELOPMENT

3.1.1 Site Design

The project would construct a three- to four-story, mixed-use development replacing the 5,200 square foot car dealership building on the site. The proposed development would include 42 townhouse-style condominiums, six live/work condominium units (approximately 8,190 square feet of commercial space), 27,438 square feet of private open space, and 102 parking spaces. The development would include four buildings - A, B (x2) and C (as seen in Figure 3.2-1 - site plan). The maximum height of the buildings would be approximately 51 feet (as seen in Figures 3.1-2 through 3.1-4). Of the four buildings, there are three specific designs as described below:

Building A – Four Story – Residential with Live Work

Building A would front El Camino Real and include six live/work units on the first floor, 20 multi-family residential units on second, third and fourth floors, and an outdoor patio/balcony on the third and fourth levels. This building is proposed to have a mix of one and two bedroom units and each unit would have a dedicated one-car garage or carport. To showcase the live work units, the ground floor of the building would have 12 foot tall plate heights with significant storefront glazing, doors, and signage opportunities. Live work units would have direct street front access to El Camino Real. There would be three main entry lobbies for the residents' common stair hall. Ample bicycle parking would be located near the main entrance of Building A. The strong vertical massing, contrasting rich body colors and materials, along with contemporary architectural detailing would articulate and present to the public the desired urban character for this new development in Santa Clara. Four of the live work units would have second stories that have single bedrooms. Two of the live work units would be of a single ground floor level studio configuration. The types of uses expected to utilize these live work spaces could include professional offices such as accountants, attorneys, financial advisors, insurance agents, tech start-ups, etc. and light retail service uses such as antique shops, art supplies, bicycle shop, candle store, confections, hobby shop, jewelry store, sporting goods, stationary, etc. as allowable per the City of Santa Clara Zoning Code. Prohibited uses include any

type of manufacturing or industrial uses, or businesses that handle toxic chemicals. Hours of operation would roughly be from 7:00 AM – 10:00 PM.

Building B(s) – Three and Four Story Residential

Buildings B and C are oriented in a “U” shaped pattern to create a large, vibrant private open space in the center of the development. Future residents would have a private open space outside of their front doors. The two Building B's, on the east and west side of the private open space, are each eight unit, four story buildings, tapering back to three stories along the northern portion of the property. Out of the eight townhomes in each Building B, there would be four three-story townhomes and four four-story stacked flats. Each unit in Building B has a two-car garage, and three out of eight of the units in each building would have complete interior ADA accessibility up to the fourth floor through use of a private elevator.

Building C – Four Story Residential

Building C would be a six unit, four story building at the south end of the private open space area and near the center of the site. Like Building B, each unit would have two-car garages and direct access from each garage to the residence. Building C would be a mix of townhomes and flats. Each unit would have three bedrooms and a private balcony facing the park or the loop road.

The proposed development would be set back approximately 11 feet from the edge of the sidewalk of El Camino Real, 4.5 feet from the residential and commercial property line to the west, 30 feet from the residential property line to the north, and 25 feet from the commercial property line to the east.

3.1.1.1 *Open Space and Landscaping*

The proposed project would include approximately 33,002 square feet of outdoor central courtyard area (fully ADA accessible), including multi-use lawn for relaxation or recreation, family picnic area with barbeque kitchen counter, picnic tables, shade canopy and a variety of seating options. Other features proposed in the private open space would include a mailbox structure with recycled waste receptacles, a trash receptacle, a dog waste station, integrated storm water (LID) treatment planning, and attractive site lighting. Approximately 38 trees would be planted; the trees may include small, medium and large shrubs, vines with trellis, succulents, sycamore street trees and flowering and fall-color trees (see Figure 3.1-6 Landscape Plan).

In order to support a safer pedestrian feel, wider sidewalks along El Camino Real are proposed. A planting buffer would also be provided between the sidewalk and El Camino Real. This planting buffer will consist of new street trees and shrubs, as well as enhanced street lighting. Also proposed in the center of Building A along El Camino Real is a recessed plaza with hardscape elements, benches and a fountain to give pedestrians a respite from walking and biking along El Camino Real.



CONCEPTUAL BUILDING A ELEVATIONS

FIGURE 3.1-2



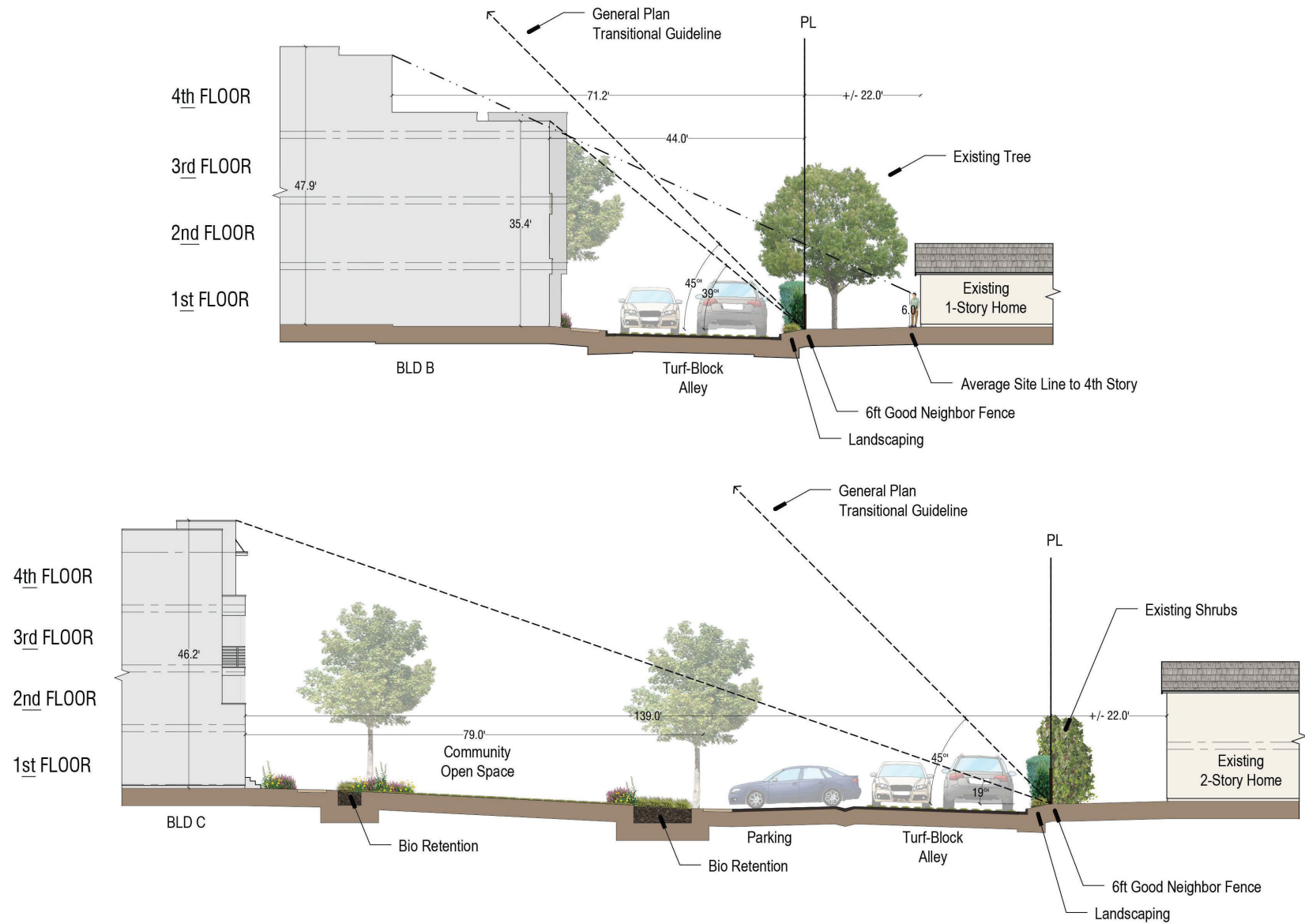
CONCEPTUAL BUILDING B ELEVATIONS

FIGURE 3.1-3



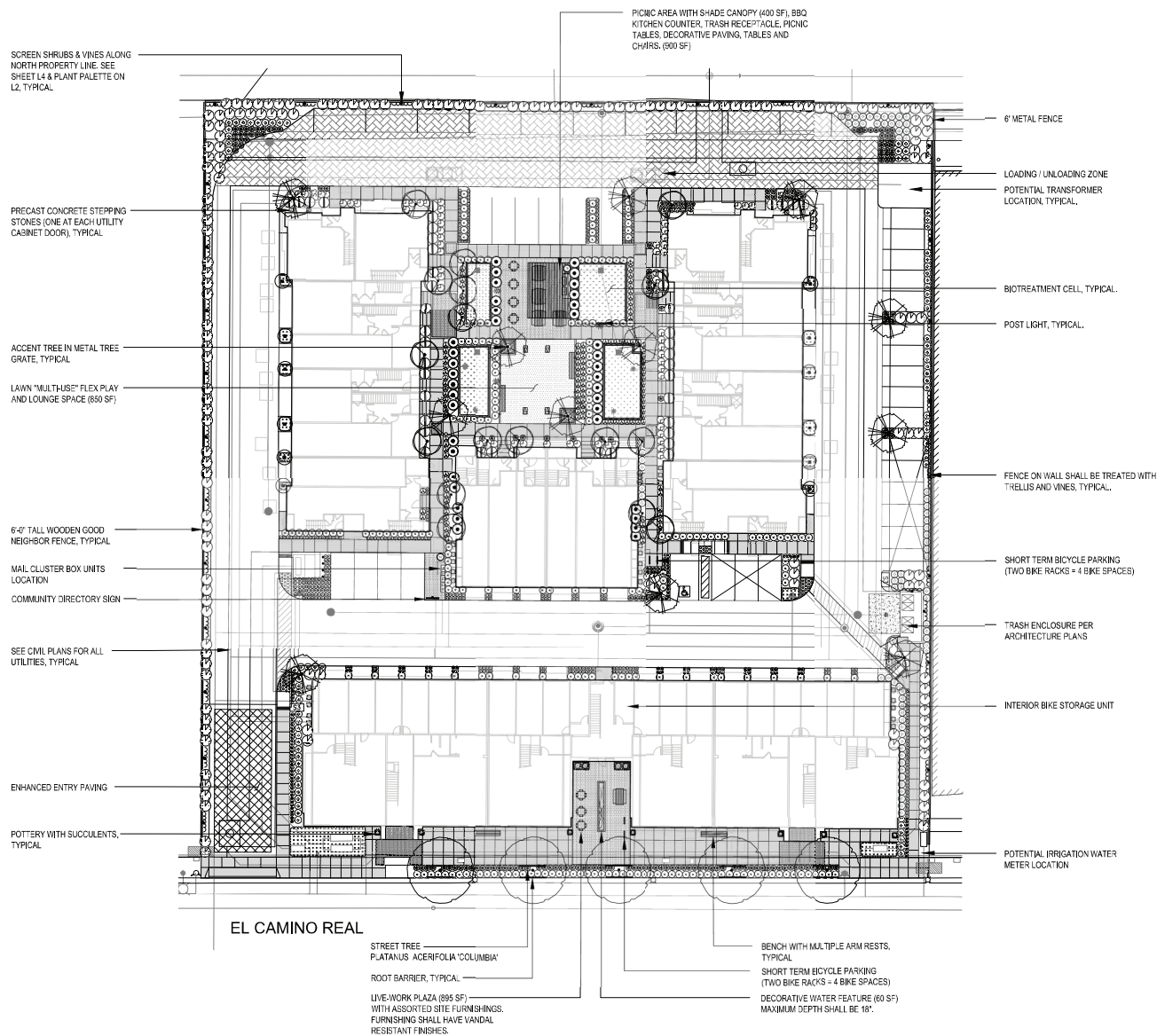
CONCEPTUAL BUILDING C ELEVATIONS

FIGURE 3.1-4



BUILDING PERSPECTIVE FROM EXISTING ONE-AND TWO-STORY HOMES

FIGURE 3.1-5



LEGEND	
DESCRIPTION	SYMBOL
PICNIC TABLE WITH BENCHES	
CAFE TABLE WITH SEATING	
BENCH	
POTTERY WITH SUCCULENTS	
CONCRETE PAVING	
INTERLOCKING PAVERS	
DROUGHT TOLERANT PLANTING WITH DRIP IRRIGATION	
BIOTREATMENT CELL PLANTING WITH DRIP IRRIGATION	
GOOD NEIGHBOR FENCE	



LANDSCAPE PLAN

FIGURE 3.1-6

3.1.1.2 *Site Access and Parking*

The vehicle entry to and exit from the project site would be from a 26-foot wide driveway on El Camino Real, at the southwestern corner of the site. The driveway would serve residents and guests as well as provide emergency vehicle access (EVA) to the site.

Parking would be provided on the first floor of Building A, and along the eastern and northern perimeter of the site. The development would include a total of 102 vehicular parking spaces, and 23 bicycle racks/lockers, 15 of which are located in a secured bicycle storage room for residents. The remaining eight would be short-term bicycle parking spaces (bike racks). Parking for Building A would include 18 garage spaces and nine carport spaces. A total of 44 parking spaces would be provided for buildings B and C and 31 parking spaces would be provided for visitors, which includes one uncovered accessible parking space, and four parking spaces for live/work units.

3.1.1.3 *Utility Improvements*

Public utilities exist underground along the El Camino Real frontage and along the northerly parcel line. Overhead/joint utility use poles exist immediately north of this site in an easement on the adjacent residential parcels. Wastewater from the project site is directed to a six-inch sanitary sewer line, which is directed to an existing 10-inch sanitary sewer line on El Camino Real. Water at the project site is provided via a 10-inch cast-iron water line (in the El Camino Real right-of-way adjacent to the site frontage) for residential, retail, fire service, and irrigation uses. The project is proposing to upsize the water main from a 10-inch to a 12-inch ductile iron pipe along the property frontage and connecting a six-inch domestic service to serve the residential properties, a two-inch domestic service to serve the retail properties, and two six-inch fire services, all equipped with approved backflow preventer devices.

The project proposes to run a new sanitary sewer line across the rear yards of the commercial properties to the east to connect to the existing line on Santa Cruz Avenue. The site has an existing 12-inch storm drain line located within the 15-foot-wide storm drain easement adjacent to the northerly property line (rear of project site). This line flows east and intersects with a line that then travels north along Santa Cruz Avenue. According to City utility map records, two (2) storm drain inlets and a manhole exist within the 15 foot wide storm drain easement adjacent to the northerly site parcel boundary. A second 12-inch storm drain line exists along the south side of El Camino Real in the eastbound and most southerly traffic lane. These lines are part of a network of storm drain lines that discharge to Calabazas Creek, which flows to San Tomas Aquino Creek and the San Francisco Bay.

3.1.1.4 *Green Building Measures*

The proposed project would be built according to the City of Santa Clara Building Code which requires adherence to the Residential Mandatory Measures of the California Green Building Code (CalGreen). The project includes measures that would exceed the Title 24 California Energy Code requirements and would meet the minimum GreenPoint Rated 50 points or would meet the requirements for Leadership in Energy and Environmental Design (LEED) certification.¹ The LEED

¹ The GreenPoint Rated Checklist is administered by *Build It Green*, a non-profit organization whose mission is to promote healthy, energy- and resource-efficient building practices in California. GreenPoint Rated is a green building rating system which can be used to assess the environmental characteristics of a home (including water

standards (established by the U.S. Green Building Council) or GreenPoint Rated 50 points would be met by incorporating a variety of design features including community design and planning, site design, landscape design, building envelope performance, and material selections. The following green building measures would be included in the project:

- All garage spaces and covered spaces for building A will be pre-wired with a 240 volt connection for electric vehicle charging stations to encourage reduction of greenhouse gas emissions
- All homes will be wired for rooftop solar panels
- On-site storm water bio-treatment and water efficient drip irrigation system
- Shade providing and oxygen sequestering trees
- Native and drought tolerant plant species
- Pervious pavement
- Low-flush toilets
- 23 on-site bicycle parking and lockers, 15 of which are located in a secured bicycle storage room for residents
- High-efficiency lighting and select Energy Star appliances will be used to conserve energy
- Insulated windows and walls and efficient heating and air conditioning systems

3.1.1.5 *Below Market Rate Housing*

The 3035 El Camino Real project is proposing to designate 10 percent of the units as below market rate units to create a better community by blending residents of different income levels. These units are planned to be geographically spread throughout the development and would also be evenly distributed by bedroom count. These units would be built to the base standard finish levels as the rest of the units in the project. Additionally, one of the Live/Work units would be designated as affordable.

3.1.2 Demolition and Construction

The proposed project would take approximately 16 months to construct, possibly starting in April 2020 and concluding in August 2021. Construction activities associated with the proposed project include site clearing and demolition (e.g., removing existing vegetation and trees and the existing structures on the project site), utility connections (e.g., new lateral connections to the existing water, sewer, and storm drain mains in El Camino Real), building construction, frontage improvements (e.g., new street trees, new curb, gutter, sidewalk and driveway construction and placing existing overhead utility lines underground), and landscaping on the site. No hauling or importing of soil is anticipated during construction, unless additional soil sampling completed following removal of asphalt indicates impacted soil in the southwest corner of the site in the location of a former structure must be addressed, and the project elects to remove the soil from the site, rather than cap it in place.

During construction, all staging activities (e.g., equipment and material storage) would occur on the project site. The construction workers would park on the project site and in the project area.

efficient fixtures, efficient heating ventilation and air conditioning, low-emitting flooring, and energy-efficient appliances and lighting). If a residential development meets minimum point requirements in each category and scores at least 50 total points, it earns the right to bear the GreenPoint Rated label.

SECTION 4.0 ENVIRONMENTAL SETTING, CHECKLIST, AND IMPACT DISCUSSION

This section presents the discussion of impacts related to the following environmental subjects in their respective subsections:

4.1	Aesthetics	4.12	Mineral Resources
4.2	Agriculture and Forestry Resources	4.13	Noise
4.3	Air Quality	4.14	Population and Housing
4.4	Biological Resources	4.15	Public Services
4.5	Cultural Resources	4.16	Recreation
4.6	Energy	4.17	Transportation
4.7	Geology and Soils	4.18	Tribal Cultural Resources
4.8	Greenhouse Gas Emissions	4.19	Utilities and Service Systems
4.9	Hazards and Hazardous Materials	4.20	Wildfire
4.10	Hydrology and Water Quality	4.21	Mandatory Findings of Significance
4.11	Land Use and Planning		

The discussion for each environmental subject includes the following subsections:

- **Environmental Setting** – This subsection 1) provides a brief overview of relevant plans, policies, and regulations that compose the regulatory framework for the project and 2) describes the existing, physical environmental conditions at the project site and in the surrounding area, as relevant.
- **Impact Discussion** – This subsection 1) includes the recommended checklist questions from Appendix G of the CEQA Guidelines to assess impacts and 2) discusses the project’s impact on the environmental subject as related to the checklist questions. For significant impacts, feasible mitigation measures are identified. “Mitigation measures” are measures that will minimize, avoid, or eliminate a significant impact (CEQA Guidelines Section 15370). Each impact is numbered to correspond to the checklist question being answered. For example, Impact BIO-1 answers the first checklist question in the Biological Resources section. Mitigation measures are also numbered to correspond to the impact they address. For example, MM BIO-1.3 refers to the third mitigation measure for the first impact in the Biological Resources section.

4.1 AESTHETICS

4.1.1 Environmental Setting

4.1.1.1 *Regulatory Framework*

State

Scenic Highways Program

The California Scenic Highway Program is managed by the California Department of Transportation (Caltrans). The program is intended to protect and enhance the natural scenic beauty of California highways and adjacent corridors through special conservation treatment. There are no state-designated scenic highways in Santa Clara.

Local

Santa Clara General Plan

The following General Plan policies related to aesthetics are applicable to the proposed project.

Policies	Description
5.3.1-P3	Support high quality design consistent with adopted design guidelines and the City's architectural review process.
5.3.1-P10	Provide opportunities for increased landscaping and trees in the community, including requirements for new development to provide street trees and a minimum 2:1 on- or off-site replacement for trees removed as part of the proposal to help increase the urban forest and minimize the heat island effect.
5.3.1-P28	Encourage undergrounding of new utility lines and utility equipment throughout the City.
5.3.4-P10	Require parking to be substantially below-grade or in structures with active uses along streets.
5.3.4-P12	Prioritize pedestrian-oriented streetscape and building design in mixed-use development, including features such as wider sidewalks, street furniture, specialty planters, signage, public art, street trees, special paving materials, decorative awnings, enhanced entrances, colors, variety of materials, and textures and distinctive building massing and articulation.
5.4.1-P5	Provide appropriate transition between new development in the Focus Area and adjacent uses consistent with General Plan Transition Policies.
5.4.1-P10	Encourage structured and below-grade, rather than surface, parking in new development, to ensure that space at the ground level is devoted to active uses.

Santa Clara City Code

The City Code includes regulations associated with protection of the City's visual character, to promote a sound and attractive community appearance. 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 plans and drawings have been approved by the Architectural Committee.

Community Design Guidelines

The Architectural Committee reviews plans and drawings submitted for architectural review for design, aesthetic considerations, and consistency with zoning standards. The Architectural Committee follows the City's Community Design Guidelines, which are intended to provide consistent development standards in the interest of continued maintenance and enhancement of the high-quality living and working environment in the City.

4.1.1.2 *Existing Conditions*

Project Site

The 1.88-acre project site is located on the north side of El Camino Real between Calabazas Boulevard on the west and Bowers Avenue/Kiely Boulevard on the east, in the City of Santa Clara. The project site is currently developed with a single story commercial building surrounded by asphalt concrete on all the four sides for car display and parking. The building is primarily stucco with three entrances and windows of varying size (Photo 1 and 2). The southern portion of the building is used for the display of vehicles (motorcycles and automobiles) along with customer service areas and offices (Photo 3). The northern portion of the building consists of a vehicle service bay and storage rooms (Photo 4). A single, above ground vehicle hoist is present within the service bay. The property is surrounded by chain-link fence on the western boundary, metal fence on the southern boundary and wooden fence surrounding the northern boundary (Photos 5 and 6). Overhead/joint utility use poles exist immediately north of this site in an easement on the adjacent residential parcels. Several light poles are dispersed throughout the site and several flagpoles are located at the southern end of the project site (Photo 7). Landscaping is sparse, except for some groundcover patches, few shrubs and two Japanese Palm trees, found on the southern boundary of the site (Photo 8).

Surrounding Land Uses

Development in the project area is a mix of retail/commercial and residential land uses. The buildings vary in height from one- to two- stories and utilize a variety of building materials, including stucco, concrete, and brick. The buildings also vary in age from mid-century to recent construction.

Immediately north of the project site are five single-family homes whose rear yards face the project site. The one- to two- story residences have gable roofs with red tiles and the walls of the buildings are primarily white stucco. Mature trees and wooden fencing screen the project site from the adjacent residences to the north (See Photo 5). Immediately south of the project site is El Camino Real, a six-lane roadway (three lanes in each direction) with a raised landscaped median. A commercial/retail plaza is located on the south side of El Camino Real. The buildings located in the plaza are one-story with flat roofs and brown and red overhangs (See Photo 9). These buildings are set back from El Camino Real by surface parking lot and landscaping.

Immediately east of the project site is a 0.82-acre property: Century Automotive, an L-shaped one-story stucco building with flat roof and red overhangs, on the front façade (See Photo 10). Building entrances are located on the northern and southern façade. The building is set back from El Camino Real by a sidewalk and landscaping.

To the west of the project site is a 2.4-acre property known as Bower's Plaza. The plaza includes one- to two-story buildings, separated from the project side by an asphalt paved road and chain link fencing. The shopping center is a mix of retail, restaurant, and office/service businesses (See Photo 11).

4.1.1.3 *Scenic Views and Resources*

The project site and the surrounding area are relatively flat and, as a result, the site is only visible from the immediate area. The project area is not located within a scenic vista or scenic corridor based on the Santa Clara General Plan.

4.1.1.4 *Light and Glare*

Sources of light and glare are abundant in the urban environment of the project area, including, but not limited to, street lights, parking lot lights, security lights, vehicular headlights, internal building lights, and reflective building surfaces and windows.



Photo 1: View of the project site, looking northwest.



Photo 2: View of the project site, looking northeast.



Photo 3: View of the southern portion of the building which is used for the display of vehicles along with customer service areas and offices.



Photo 4: View of the rear side of the building consisting of vehicle service bay.

PHOTOS

3 & 4



Photo 5: View of the project site, looking northeast, from adjacent businesses on the west. Chain-link fence on the western boundary and metal fence on the southern boundary of the project site can be seen.



Photo 6: View of the adjacent residences to the north. Mature trees and wooden fencing border the northern boundary of the project site.

PHOTOS

5 & 6



Photo 7: View of the project site looking south. Several lightpoles can be seen dispersed throughout the project site and flagpoles can be seen at the southern end of the project site.



Photo 8: View of the Japanese Palm trees and metal fencing on the southern boundary of the project site.



Photo 9: View of El Camino Real and commercial/retail plaza to the south of the project site.



Photo 10: View of Century Automotive building to the east of the project site.

PHOTOS

9 & 10



Photo 11: View of Bower's Plaza to the west of the project site.

4.1.2

Impacts Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3) Substantially degrade the existing visual character or quality of public views ² of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Note: Certain projects within transit priority areas need not evaluate aesthetics (Public Resources Code Section 21099).

Impact AES-1: The project would not have a substantial adverse effect on a scenic vista. **(No Impact)**

There are no scenic vistas within the City according to the certified 2010-2035 General Plan Integrated Final EIR (General Plan FEIR).³ For this reason, the project would not impact a designated scenic vista. **(No Impact)**

Impact AES-2: The project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. **(No Impact)**

There are no state scenic highways in the vicinity of the project site. For this reason, the project would not impact a designated scenic highway. **(No Impact)**

Impact AES-3: The project would not substantially degrade the existing visual character or quality of public views of the site and its surroundings. The project would not conflict with applicable zoning and other regulations governing scenic quality. **(Less than Significant Impact)**

² Public views are those that are experienced from publicly accessible vantage points.

³ City of Santa Clara. *2010-2035 General Plan FEIR*. SCH# 2008092005. January 2011. Page 141.

Implementation of the project would result in the demolition of the existing one-story commercial building and construction of four three-to four-story residential buildings, with a maximum height of 55 feet. Parking for the proposed condominiums would be located on the first floor of Building A, and along the eastern and northern perimeter of the site. Proposed materials and colors would be similar in tone to surrounding buildings and uses (neutral-colored cement plaster, stucco, with wood and metal trim, awnings, metal/mesh canopy and flat roof).

Given that the project site is currently developed with single story, low-intensity uses, the proposed project would be a change compared to existing conditions. The project would be of greater mass and scale than existing development in the immediate vicinity; however, the project would be consistent with the planned growth for the site in the City's General Plan. The proposed residential land uses would be consistent with the residential land uses to the north, and the General Plan encourages redevelopment and reduction of the "strip-mall" look along the El Camino Real corridor. The proposed structures would also transition in height from four stories along El Camino Real, to three-to four-story structures facing the existing residential uses along Jerald Avenue and Natalie Avenue. Moreover, the three-story townhomes at the end of the building B's would be designed to limit the amount of glass area at the north side and have the private balconies facing either the park or the loop road in order to minimize direct visual access to the rear yards of the existing residents on the north. Six foot "good-neighbor" fences are also proposed along the northern and western boundaries of the project site.

While the project has a more modern style, as compared to some older commercial and residential uses in the vicinity, the colors and materials would be consistent with what is present in the surrounding area. Further, there is variation in the surrounding land uses and architectural styles, with no single aesthetic style that is dominant. As a result, the project would be visually compatible with the surrounding area. In addition, the project is subject to the City's Architectural Review process, which would ensure quality development that conforms to the City's Community Design Guidelines. The guidelines were developed to support community aesthetic values, preserve neighborhood character, and promote a sense of community and place throughout the City. While the project would alter the existing visual character of the project site, it would not significantly degrade the existing visual character or quality of the site and its surroundings. **(Less than Significant Impact)**

Impact AES-4:	The project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. (Less than Significant Impact)
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Light and Glare

The project would include outdoor security lighting on-site, along walkways, driveways, and entrance areas, and within the parking garage. The outside lighting would be comparable in brightness to the existing ambient lighting on the site and in the surrounding area. The proposed buildings would also be lit internally.

The project would undergo architectural and site design review by Planning staff and the City's Architectural Committee prior to issuance of building permits to ensure that the project would not create a substantial new source of light or glare for adjacent residences, businesses, or persons

traveling on the local roadways. Typical design requirements include directional and/or shielded lights to minimize the brightness and glare of the lights and use of low-reflective building materials. The project does not propose to use highly reflective materials, such as mirrored glass, and would comply with the City's Community Design Guidelines. As a result, impacts due to light and glare would be less than significant. **(Less than Significant Impact)**

4.2 AGRICULTURAL AND FORESTRY RESOURCES

4.2.1 Environmental Setting

The project site is located in a developed, urban area of Santa Clara and is surrounded by retail/commercial and residential land uses. The *Santa Clara County Important Farmlands 2014 Map* designates the project site as “Urban and Built-Up Land.” Urban and Built-Up Land is defined as land with at least six structures per 10 acres. Common examples of “Urban and Built-Up Land” are residential, institutional, industrial, commercial, landfill, golf course, airports, and other utility uses.⁴ There are no forest lands on or adjacent to the project site. The site is not subject to a Williamson Act contract.

4.2.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) Result in a loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact AG-1:	The project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, 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)
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⁴ California Natural Resources Agency. *Santa Clara County Important Farmlands 2014*. Accessed July 6, 2018. <ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2014/scl14.pdf>.

The project site is designated as *Urban and Built-Up Land*. The project would not conflict with existing zoning for agricultural operations or facilitate the unplanned conversion of farmland elsewhere in Santa Clara to non-agricultural uses. Therefore, the project would not convert *Prime Farmland, Unique Farmland, or Farmland of Statewide Importance* to non-agricultural uses. **(No Impact)**

Impact AG-2:	The project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. (No Impact)
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The project site is not designated, used, or zoned for agricultural purposes. The project site is not protected under the Williamson Act. Therefore, the project would not conflict with zoning for agriculture use or a Williamson Act contract. **(No Impact)**

Impact AG-3:	The project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. (No Impact)
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The project site is not zoned as forest land, timberland, or timberland zoned Timberland Production. Implementation of the project would allow for construction of commercial uses on a currently developed site. Therefore, impacts related to conflicts with existing zoning or rezoning of forest land, timberland, or timberland zoned Timberland Production would not occur. **(No Impact)**

Impact AG-4:	The project would not result in a loss of forest land or conversion of forest land to non-forest use. (No Impact)
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Refer to Response Impact AG-3 above. Impacts related to loss of forest land or conversion of forest land to non-forest use would not occur. **(No Impact)**

Impact AG-5:	The project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use. (No Impact)
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Refer to Responses Impact AG-1 through AG-4. Impacts related to conversion of farmland to non-agricultural use or conversion of forest land to non-forest use would not occur. **(No Impact)**

4.3 AIR QUALITY

The following discussion is based in part on a Community Risk Assessment report prepared by *Illingworth and Rodkin, Inc.* in August 2018. A copy of this report is provided in Appendix A.

4.3.1 Environmental Setting

4.3.1.1 *Regulatory Framework*

Federal and State

Air Quality Overview

Federal, state, and regional agencies regulate air quality in the San Francisco Bay Area Air Basin, within which the proposed project is located. At the federal level, the United States Environmental Protection Agency (EPA) is responsible for overseeing implementation of the Clean Air Act and its subsequent amendments. The California Air Resources Board (CARB) is the state agency that regulates mobile sources throughout the state and oversees implementation of the state air quality laws and regulations, including the California Clean Air Act.

Regional and Local Criteria Pollutants

The federal Clean Air Act requires the EPA to set national ambient air quality standards for six common air pollutants (referred to as criteria pollutants), including particulate matter (PM), ground-level ozone (O₃), carbon monoxide (CO), sulfur oxides, nitrogen oxides (NO_x), and lead. The EPA and the CARB have adopted ambient air quality standards establishing permissible levels of these pollutants to protect public health and the climate. Violations of ambient air quality standards are based on air pollutant monitoring data and are determined for each air pollutant. Attainment status for a pollutant means that a given air district meets the standard set by the EPA and/or CARB.

Regional

2017 Clean Air Plan

BAAQMD is the agency primarily responsible for assuring that the federal and state ambient air quality standards are maintained in the San Francisco Bay Area. Regional air quality management districts, such as BAAQMD, must prepare air quality plans specifying how state and federal air quality standards will be met. BAAQMD's most recently adopted plan is the *Bay Area 2017 Clean Air Plan* (2017 CAP). The 2017 CAP focuses on two related BAAQMD goals: protecting public health and protecting the climate. To protect public health, the 2017 CAP describes how BAAQMD will continue its progress toward attaining state and federal air quality standards and eliminating health risk disparities from exposure to air pollution among Bay Area communities. To protect the climate, the 2017 CAP includes control measures designed to reduce emissions of methane and other super-greenhouse gasses (GHGs) that are potent climate pollutants in the near-term, and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.

CEQA Air Quality Guidelines

The BAAQMD CEQA Air Quality Guidelines are intended to serve as a guide for those who prepare or evaluate air quality impact analyses for projects and plans in the San Francisco Bay Area. The

City of Santa Clara and other jurisdictions in the San Francisco Bay Area Air Basin utilize the thresholds and methodology for assessing air quality impacts developed by BAAQMD within their CEQA Air Quality Guidelines. The guidelines include information on legal requirements, BAAQMD rules, methods of analyzing impacts, and recommended mitigation measures.

Local

Santa Clara General Plan

General Plan policies related to air quality that are applicable to the project include the following.

Policies	Description
5.3.1-P14	Encourage transportation demand management (TDM) strategies and the provision of bicycle and pedestrian amenities in all new development greater than 25 housing units or more than 10,000 non-residential square feet, and for City employees, in order to decrease use of the single-occupant automobile and reduce vehicle miles traveled, consistent with the Climate Action Plan.
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.
5.8.5-P5	Encourage TDM programs that provide incentives for the use of alternative travel modes to reduce the use of single-occupant vehicles.
5.10.2-P1	Support alternative transportation modes and efficient parking mechanisms to improve air quality.
5.10.2-P2	Encourage development patterns that reduce vehicle miles traveled and air pollution.
5.10.2-P3	Encourage implementation of technological advances that minimize public health hazards and reduce the generation of air pollutants.
5.10.2-P6	Require “Best Management Practices” for construction dust abatement.

4.3.1.2 *Existing Conditions*

Air quality is determined by the concentration of various pollutants in the atmosphere. The amount of a given pollutant in the atmosphere is determined by the amount of pollutants released within an area, transport of pollutants to and from surrounding areas, local and regional meteorological conditions, and the surrounding topography of the air basin. The existing uses at the project site (hotel, residential, retail, restaurant, and auto service uses) result in air quality emissions from energy use and vehicles traveling to and from the site.

The Bay Area Quality Management District (BAAQMD) is responsible for assuring that the National and State ambient air quality standards are attained and maintained in the Bay Area. Air quality studies generally focus on four pollutants that are most commonly measured and regulated: carbon monoxide (CO), ground level ozone (O₃), nitrogen dioxide (NO₂), and suspended particulate matter (PM₁₀ and PM_{2.5}). Table 4.3-1 shows violations of state and federal air quality standards at the

monitoring station in downtown San José (the nearest monitoring station to the project site) during the 2015 to 2017 period (the most recent years for which data is available).^{5,6}

Table 4.3-1: Ambient Air Quality Standards Violations (2015-2017)				
Pollutant	Standard	Days Exceeding Standard		
		2015	2016	2017
San Jose Station				
O ₃	State one-hour	0	0	3
	Federal eight-hour	2	0	4
CO	Federal eight-hour	0	0	0
	State eight-hour	0	0	0
NO ₂	State one-hour	0	0	0
PM ₁₀	Federal 24-hour	0	0	0
	State 24-hour	1	0	6
PM _{2.5}	Federal 24-hour	2	0	6

The project is located in Santa Clara County, which is in the San Francisco Bay Area Air Basin. The Bay Area is considered a non-attainment area for ground-level O₃ and PM_{2.5} under both the federal Clean Air Act and the California Clean Air Act. The area is also considered non-attainment for PM₁₀ under the California Clean Air Act, but not the federal act. The area has attained both state and federal ambient air quality standards for CO.

4.3.1.3 Toxic Air Contaminants

Another group of substances found in ambient air are Toxic Air Contaminants (TACs) under the California CAA. In California, TACs 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). Because chronic exposure can result in adverse health effects, TACs are regulated at the regional, State, and Federal level.

Particulate matter from diesel exhaust is the predominant TAC in urban air and is estimated to represent about two-thirds of the cancer risk from TACs (based on the statewide average). Diesel is of particular concern since it can be distributed over large regions, thus leading to widespread public exposure. CARB has adopted and implemented a number of regulations for stationary and mobile sources to reduce emissions of diesel particulate matter (DPM).

⁵ PM refers to Particulate Matter. Particulate matter is referred to by size (i.e., 10 or 2.5) because the size of particles is directly linked to their potential for causing health problems.

⁶ BAAQMD. *Annual Bay Area Air Quality Summaries*. Accessed August 20, 2018. <http://www.baaqmd.gov/about-air-quality/air-quality-summaries>.

4.3.1.4 Sensitive Receptors

Sensitive receptors are groups of people that are more susceptible to exposure to pollutants (i.e., children under 16, the elderly over 65, athletes, and people with cardiovascular and chronic respiratory diseases). Locations that may contain a high concentration of sensitive population groups include residential areas, hospitals, daycare facilities, elder care facilities, elementary schools, parks and places of assembly. The closest sensitive receptors to the project site are residences located adjacent to the site's northern boundary.

4.3.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<hr/> Impact AIR-1: The project would not conflict with or obstruct implementation of the applicable air quality plan. (Less than Significant Impact) <hr/>				

The most recent clean air plan is the 2017 CAP. The proposed project would not conflict with the 2017 CAP because it would have emissions below BAAQMD screening criteria/impact thresholds (with the implementation of mitigation measure MM AIR-2.1 below and best management practices to reduce construction TAC and fugitive dust emissions), is considered urban infill, and would be located near transit with regional connections. Because the project would not exceed the BAAQMD screening criteria/impact thresholds (refer to Table 4.3-2 below), it is not required to incorporate project-specific control measures listed in the 2017 CAP.

Table 4.3-2: Thresholds of Significance Used in Air Quality Analyses			
Pollutant	Construction	Operation-Related	
	Average Daily Emissions (pounds/day)	Average Daily Emissions (pounds/day)	Maximum Annual Emissions (tons/year)
ROG, NO _x	54	54	10
PM ₁₀	82 (exhaust)	82	15
PM _{2.5}	54 (exhaust)	54	10
Fugitive Dust (PM ₁₀ /PM _{2.5})	BMPs	None	None
Risk and Hazards for New Sources and Receptors (Project)	Same as Operational Threshold	<ul style="list-style-type: none">Increased cancer risk of >10.0 in one millionIncreased non-cancer risk of > 1.0 Hazard Index (chronic or acute)Ambient PM_{2.5} increase: > 0.3 μ/m³ [Zone of influence: 1,000-foot radius from property line of source or receptor]	
Risk and Hazards for New Sources and Receptors (Cumulative)	Same as Operational Threshold	<ul style="list-style-type: none">Increased cancer risk of >100 in one millionIncreased non-cancer risk of > 10.0 Hazard Index (chronic or acute)Ambient PM_{2.5} increase: > 0.8 μ/m³ [Zone of influence: 1,000-foot radius from property line of source or receptor]	
Sources: BAAQMD CEQA Thresholds Options and Justification Report (2009) and BAAQMD CEQA Air Quality Guidelines (dated May 2017).			

Further, implementation of the project would not inhibit BAAQMD or partner agencies from continuing progress toward attaining state and federal air quality standards and eliminating health-risk disparities from exposure to air pollution among Bay Area communities, as described within the 2017 CAP. **(Less Than Significant Impact)**

Impact AIR-2: The project would not 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 with Mitigation Incorporated)**

Operational Emissions

BAAQMD developed screening criteria to provide a conservative indication of whether a project would result in potentially significant air quality impacts from criteria pollutant emissions. For operational impacts, the screening size for condos/townhomes (general) is 451 dwelling units and strip mall (retail uses) is 99,000 square feet. Townhomes and retail uses of smaller size are assumed to have a less than significant operational impact. The project proposes to construct a three to four-story, mixed-use development with 42 townhouses and six live/work units with approximately 8,189 square feet of retail, which is below the screening size for the proposed land use. As a result, the proposed project would have a less than significant operational criteria pollutant emissions impact

and would not result in a cumulatively considerable net increase of a criteria pollutant from operational emissions.

Local Carbon Monoxide Emissions

Carbon monoxide (CO) emissions from traffic generated by the project would be the pollutant of greatest concern at the local level. Congested intersections with a large volume of traffic have the greatest potential to cause high localized concentrations of CO. Air pollutant monitoring data indicate that CO levels have been below State and Federal standards in the Bay Area since the early 1990s, therefore, the Santa Clara County is in attainment for CO. In addition, intersections affected by the project would not cause any intersections to exceed BAAQMD's screening criteria of 44,000 vehicles per hour. El Camino Real along the project frontage carries approximately 39,000 cars per day, therefore, there are no intersections nearby that approach 44,000 cars per hour, nor would project traffic, on the order of several hundred net daily vehicle trips, cause the intersections to approach 44,000 cars per hour. Implementation of the project would not result in significant CO emission impacts. **(Less than Significant Impact)**

Construction Emissions

Fugitive Dust

Dust is generated by a variety of project construction activities including grading, import/export of fill material, and vehicle travel on unpaved surfaces. Construction activities on the site would include demolition of the existing structures and hardscape, excavation, and grading of the site, which would generate dust and other particulate matter. The amount of dust generated would be highly variable and is dependent on the size of the area disturbed at any given time, the amount of activity, soil conditions, and meteorological conditions. Sensitive receptors in the project vicinity could be adversely affected by dust generated during construction activities, particularly PM_{2.5} which is a known TAC.

Mitigation Measures: The following mitigation measures, in accordance with BAAQMD best management practices (BMPs), shall be implemented to reduce construction fugitive dust impacts on off-site sensitive receptors to a less than significant level.

MM AIR-2.1: The project shall implement the following best management practices (BMPs), as recommended by BAAQMD to reduce construction fugitive dust impacts during all phases of construction:

- 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.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as a 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 five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code 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.

With the implementation of the above mitigation measures, project construction would not emit significant levels of criteria air pollutants or dust that would affect local and regional air quality or nearby off-site sensitive receptors. **(Less Than Significant Impact with Mitigation)**

Impact AIR-3: The project would not expose sensitive receptors to substantial pollutant concentrations. **(Less than Significant Impact with Mitigation Incorporated)**

Operational TAC Emissions

Operation of the project is not expected to cause any localized emissions that could expose sensitive receptors to unhealthy air pollutant levels. No stationary sources of TACs, such as generators, are proposed as part of the project. Passenger vehicles traveling to and from the site would be primarily gas-powered, and only occasional diesel-powered truck trips would service the site for garbage pick-up and deliveries to the site. **(Less than Significant Impact)**

Construction TAC Emissions

Construction activity is anticipated to include demolition, site preparation, grading, trenching, building construction, paving, and architectural coating. Construction period emissions were modeled using the California Emissions Estimator Model, Version 2016.3.2 (CalEEMod). Construction equipment and associated heavy-duty truck traffic generates diesel exhaust, which is a known TAC. Construction exhaust emissions may pose health risks for sensitive receptors such as surrounding residents. The primary community risk impact issues associated with construction emissions are

cancer risk and exposure to PM_{2.5}. Diesel exhaust poses both a potential health and nuisance impact to nearby receptors. The closest sensitive receptors to the project site are residences located adjacent to the site's northern boundary. Dispersion modeling was conducted to predict the off-site concentrations resulting from project construction, so that lifetime cancer risks and non-cancer health effects could be evaluated.

Figure 4.3-1 shows the construction area modeled and the locations of nearby sensitive receptors. Residential receptors on the figure are labeled with a t-shaped symbol and the maximum off-site exposure location for residents, termed the Maximum Exposed Individual (MEI) is circled.

The maximum-modeled DPM and PM_{2.5} concentrations occurred at a single-family residence adjacent to the northern boundary of the project site. At this location, the maximum residential cancer risk would be 18.7 in one million for an infant exposure and 0.3 in one million for an adult exposure. The maximum residential infant excess cancer risk would be greater than the BAAQMD significance threshold of 10 in one million and would be considered a significant impact (See table 4.3-3).

The maximum modeled annual PM_{2.5} concentration, which is based on combined exhaust and fugitive dust emissions, was 0.16 micrograms per cubic meter (µg/m³), occurring at the same location where maximum cancer risk would occur. This annual PM_{2.5} concentration would be below the BAAQMD significance threshold of 0.3 µg/m³ and would be considered a less than significant impact.

The maximum modeled annual residential DPM concentration (i.e., from construction exhaust) was 0.09 µg/m³. The maximum computed Hazard Index (HI) based on this DPM concentration is 0.02, which is lower than the BAAQMD significance criterion of a HI greater than 1.0.

Table 4.3-3: Impacts from Single TAC Sources at Construction MEI			
Source	Maximum Cancer Risk (per million)	PM_{2.5} concentration (µg/m³)	Hazard Index
Single Source Construction Risk Assessment			
Unmitigated Project Construction	18.7 (infant)	0.16	0.02
<i>BAAQMD Threshold – Single Source</i>	<i>10.0</i>	<i>0.3</i>	<i>1.0</i>
<i>Significant?</i>	Yes	No	No
Mitigated Construction	3.1 (infant)	0.03	<0.01
<i>Level of Significance after Mitigation?</i>	No	No	No



LOCATIONS OF OFF-SITE SENSITIVE RECEPTORS AND TAC IMPACTS

FIGURE 4.3-1

Mitigation Measures: The following mitigation measure would be implemented during all demolition and construction activities to reduce TAC emissions impacts:

MM AIR-3.1: The project shall develop a plan demonstrating that the off-road equipment used on-site to construct the project would achieve a fleet-wide average of at least 47 percent reduction in DPM exhaust emissions or greater. One feasible plan to achieve this reduction would include the following:

- All mobile diesel-powered off-road equipment larger than 25 horsepower and operating on the site for more than two days shall meet, at a minimum, U.S. EPA particulate matter emissions standards for Tier 3 engines or equivalent.
- All diesel-powered portable equipment (i.e., forklifts, generators, and welders), larger than 25 horsepower, operating on the site for more than two days shall meet U.S. EPA particulate matter emissions standards for Tier 3 engines or equivalent and CARB-certified Level 3 Diesel Particulate Filters or equivalent.
- The construction contractor could use other measures to minimize construction period DPM emission to reduce the estimated cancer risk below the thresholds. The use of equipment that includes U.S. EPA particulate matter emissions standards for Tier 2 engines and CARB-certified Level 3 Diesel Particulate Filters or alternatively fueled equipment (i.e., non-diesel) could meet this requirement. Other measures may be the use of added exhaust devices, or a combination of measures, provided that these measures are approved by the City and demonstrated to reduce community risk impacts to less than significant.

Implementation of BAAQMD dust control measures (MM AIR-2.1) would reduce exhaust emissions by five percent and fugitive dust emissions by over 50 percent. Implementation of MM AIR-3.1 would further reduce on-site diesel exhaust emissions by at least 84 percent when combined with Mitigation Measure AIR-2.1. All measures combined would reduce the cancer risk proportionally such that the mitigated risk would be 3.1 in one million or less (for infant exposure), which would be below the BAAQMD threshold of 10 in one million. With the incorporation of MM AIR-2.1 and MM AIR-3.1, the project would have a less than significant impact with respect to community risk caused by construction activities. **(Less Than Significant Impact with Mitigation)**

Cumulative Air Quality Impacts

The cumulative impacts of TAC emissions from construction of the project, the stationary sources and traffic on El Camino Real on the maximally exposed individual (during construction) have been summarized in Table 4.3-4, below.

Table 4.3-4: Impacts from Combined TAC Sources at Construction MEI			
Source	Maximum Cancer Risk (per million)	PM_{2.5} concentration (µg/m³)	Hazard Index
El Camino Real (SR 82)	<0.9	<0.14	<0.01
Plant #10142 (auto body coating)	NA	NA	<0.01
Plant #3850 (auto body coating)	NA	NA	<0.01
Combined Sources – Unmitigated Construction	<19.6	<0.3	<0.05
Mitigated Construction	<4.0	<0.17	<0.04
<i>BAAQMD Threshold – Combined Sources</i>	<i>100</i>	<i>0.8</i>	<i>10.0</i>
<i>Significant?</i>	<i>No</i>	<i>No</i>	<i>No</i>

As shown in Table 4.3-4, the sum of impacts from combined sources on the MEI (during construction) would be less than significant. **(Less than Significant Impact)**

Impact AIR-4: The project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. **(Less than Significant Impact)**

Examples of land uses that generate considerable odors includes wastewater treatment plants, landfills, and chemical plants. The project proposes residential and commercial uses on-site which would not be sources of significant odors. Waste collection areas are proposed to be located within or immediately adjacent to the parking garages and would not impact existing sensitive receptors. Thus, any odor impacts would be minor and less than significant. **(Less than Significant Impact)**

4.3.3 Non-CEQA Effects

Per *California Building Industry Association v. Bay Area Air Quality Management District*, 62 Cal. 4th 369 (*BIA v. BAAQMD*), effects of the environment on the project are not considered CEQA impacts. The following discussion is included for informational purposes only because the City of Santa Clara has policies that address existing agriculture and forestry resources conditions affecting a proposed project.

Community Risk

Increased community risk can occur by introducing a new sensitive receptor, including residential uses, in proximity to an existing source of TACs or by introducing a new source of TACs to existing sensitive receptors in the project vicinity. BAAQMD recommends a 1,000-foot radius for assessing community risks and hazards from TAC mobile and stationary sources.

El Camino Real, a high-volume roadway, is adjacent to the site and two stationary sources of TAC emissions are located within 1,000 feet of the project site (see Figure 4.3-2), as discussed below.



MAXIMUM TAC IMPACTS AT THE PROJECT SITE

FIGURE 4.3-2

Stationary Sources

Two operational stationary sources of TACs were identified within 1,000 feet of the project site using the BAAQMD *Stationary Source Risk & Hazard Analysis Tool*. Plants #10142 and #3850, which are auto body coating uses, were the only stationary sources identified near the project site. The maximum increased lifetime cancer risk, PM 2.5 concentrations and non-cancer hazards are shown in Table 4.3-5. Note that auto body coating uses are not a source of cancer risk or PM2.5 concentrations. None of these stationary sources resulted in significant emissions at the project site.

The health risks associated with these emission sources were estimated based on BAAQMD screening data, the distance of the source from the project site, and the methodology outlined in the 2015 Office of Environmental Health Hazard Assessment (OEHHA). A summary of these sources and the community risk levels are shown in Table 4.3-5, below.

Table 4.3-5: Mobile and Stationary Source Community Risk Levels			
Source	Cancer Risk (per million)	Annual PM_{2.5} Concentration (µg/m³)	Hazard Index
El Camino Real (SR 82)	2.1	0.32*	<0.01
Plant #10142 (auto body coating)	NA	NA	<0.01
Plant #3850 (auto body coating)	NA	NA	<0.01
Total	2.1	0.32	<0.03
BAAQMD Threshold – Single Sources	>10	>0.3	>1.0
BAAQMD Threshold – Cumulative Sources	>100	>0.8	>10.0
Threshold Exceeded?	No	No	No
Notes: *Considered to equal, and not exceeding the single-source threshold of greater than 0.3 µg/m ³ .			
Source: Illingworth & Rodkin Inc., <i>3035 El Camino Real Project Community Risk Assessment</i> , August 31, 2018			

Mobile Sources

El Camino Real has 39,000 annual average daily trips per day,⁷ as reported by Caltrans that are about 2.4 percent trucks, of which 0.4 percent are considered diesel heavy duty trucks.⁸ Dispersion modeling of DPM and PM_{2.5} emissions were analyzed using the U.S. EPA AERMOD model. East and west bound traffic on El Camino Real, within approximately 1,000 feet of the project site, was evaluated with the model. The maximum cancer risks and non-cancer health effects (hazard index) do not exceed their respective BAAQMD single-source significance thresholds as shown in Table 4.3-5. The maximum PM_{2.5} concentration does not exceed the 0.3 µg/m³ single-source significance threshold; however, since the concentration is equal to the threshold, it could result in health risks to future residents along southern edge of the development bordering El Camino Real.

In accordance with the City's General Plan, the proposed project will be required, as Conditions of Project Approval, to implement the following measures.

⁷ California Department of Transportation. 2017. *2016 Traffic Volumes on California State Highways*.

⁸ California Department of Transportation. 2017. *2016 Annual Average Daily Truck Traffic on the California State Highway System*.

Conditions of Approval

- Install air filtration in the dwelling units immediately adjacent to El Camino Real. Air filtration devices shall be rated MERV13 or higher. To ensure adequate health protection to sensitive receptors (i.e., residents), this ventilation system, whether mechanical or passive, all fresh air circulated into the dwelling units shall be filtered, as described above.
- As part of implementing this measure, an ongoing maintenance plan for the buildings' heating, ventilation, and air conditioning (HVAC) air filtration system shall be required.
- Ensure that the use agreement and other property documents: (1) require cleaning, maintenance, and monitoring of the affected buildings for air flow leaks, (2) include assurance that new owners or tenants are provided information on the ventilation system, and (3) include provisions that fees associated with owning or leasing a unit(s) in the building include funds for cleaning, maintenance, monitoring, and replacements of the filters, as needed.

A properly installed and operated ventilation system with MERV13 filters should achieve reductions of 80 percent. PM_{2.5} exposures for MERV13 filtration cases were calculated assuming a combination of outdoor and indoor exposure. For use of MERV13 filtration systems, without the additional use of sealed, inoperable windows and no balconies, three hours of outdoor exposure to ambient PM_{2.5} concentrations and 21 hours of indoor exposure to filtered air was assumed. In this case, the effective control efficiency using a MERV13 filtration system is about 70 percent for PM_{2.5} exposure. This would significantly reduce the maximum annual PM_{2.5} concentration to below the 0.3 µg/m³ threshold.

4.4 BIOLOGICAL RESOURCES

4.4.1 Environmental Setting

4.4.1.1 *Regulatory Framework*

Federal and State

Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) prohibits killing, possessing, or trading in migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. This act encompasses whole birds, parts of birds, and bird nests and eggs. Construction disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment, a violation of the MBTA. Additionally, nesting birds are considered special-status species and are protected by the United States Fish and Wildlife Service (USFWS). The California Department of Fish and Wildlife (CDFW) also protects migratory and nesting birds under California Fish and Game Code Sections 3503, 3503.5, and 3800. The CDFW defines taking as causing abandonment and/or loss of reproductive efforts through disturbance.

Sensitive Habitats

Wetland and riparian habitats are considered sensitive habitats under CEQA. They are also afforded protection under applicable federal, state, and local regulations, and are generally subject to regulation, protection, or consideration by the U.S. Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), CDFW, and/or the USFWS under provisions of the federal Clean Water Act (e.g., Sections 303, 304, 404) and State of California Porter-Cologne Water Quality Control Act.

Regional

Santa Clara Valley Habitat Plan

The Santa Clara Valley Habitat Plan (Habitat Plan) is a conservation program intended to promote the recovery of endangered species and enhance ecological diversity and function, while accommodating planned growth on approximately 500,000 acres of southern Santa Clara County. The project site is not located within the Habitat Plan permit area and is not subject to any other habitat conservation plan (HCP) or natural community conservation plan (NCCP).

Local

Santa Clara General Plan

General Plan policies applicable to biological resources and relevant to the proposed project include the following.

Policies	Description
5.10.1-P1	Require environmental review prior to approval of any development with the potential to degrade the habitat of any threatened or endangered species.
5.10.1-P2	Work with the Santa Clara Valley Water District (SCVWD) and require that new development follow the “Guidelines and Standards for Lands Near Streams” to protect streams and riparian habitats.
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.
5.10.1-P5	Encourage enhancement of land adjacent to creeks in order to foster the reinstatement of natural riparian corridors where possible.
5.3.1-P10	Provide opportunities for increased landscaping and trees in the community, including requirements for new development to provide street trees and a minimum 2:1 on- or off-site replacement for trees removed as part of the proposal to help increase the urban forest and minimize the heat island effect.
5.10.5-P19	Limit development activities within riparian corridors to those necessary for improvement or maintenance of stream flow.

4.4.1.2 *Existing Conditions*

Special Status Species

Special status species are plants and animals listed under the State and Federal Endangered Species Act (including candidate species); plants listed on the California Native Plant Society’s Inventory of Rare and Endangered Vascular Plants of California (1994); and animals designated as Species of Special Concern by the California Department of Fish and Wildlife (CDFW).

Special status plant and wildlife species are not present on the project site, although raptors (birds of prey) and other birds may use the trees on-site or near the site for nesting or foraging. Raptors and other migratory birds are protected by the Federal Migratory Bird Treaty Act (MBTA) (16 U.S.C. Section 703, et seq.).

Trees

Mature trees (both native and non-native) are valuable to the human environment for the benefits they provide for resisting global climate change (i.e., carbon dioxide absorption), because they provide nesting and foraging habitat for raptors and other migratory birds, and because they are a visual enhancement.

There are two existing landscaped, non-native Japanese Palm trees on the property. There are various mature off-site trees located along the northern boundary of the project site. The City’s policy (Policy 5.10.1-P4) is to protect all trees over 36 inches in circumference (approximately 11 inches or more in diameter) as measured from 48 inches above the ground surface. Based on the existing trees’ sizes, the existing trees on the project site are not protected by the City of Santa Clara.

4.4.2

Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or United States Fish and Wildlife Service (USFWS)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) 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 CDFW or USFWS?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact BIO-1: The project would not 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 USFWS. **(No Impact)**

Because the project vicinity is developed with few open space areas and little remaining natural habitat, no sensitive habitats are present on-site. As a result, no impacts to candidate, sensitive, or special status species would occur as a result of the project. Implementation of the proposed project would not impact special status species and sensitive natural communities. **(No Impact)**

Impact BIO-2: The project would not 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 CDFW or USFWS. **(No Impact)**

The project site is not located in proximity to any riparian corridors and, therefore, would have no impact on riparian habitats in the City. The Calabazas Creek channel is 450 feet west of the site, but is lined with concrete, and the trees adjacent to the creek are non-native eucalyptus trees that provide minimal habitat value to wildlife and are not riparian trees. **(No Impact)**

Impact BIO-3: The project would not have a substantial adverse effect on state or federally protected wetlands through direct removal, filling, hydrological interruption, or other means. **(No Impact)**

The project site is not located near any wetlands and would not affect any federally protected wetlands. **(No Impact)**

Impact BIO-4: 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. **(Less than Significant Impact with Mitigation Incorporated)**

Nesting Raptors and Migratory Birds

While the project site is located within an urban environment, the two trees on site and mature trees adjacent to the site could provide nesting and/or foraging habitat for raptors and migratory birds.

Migratory birds, like nesting raptors, are protected under provisions of the MBTA and CDFW Code Sections 3503, 3503.5, and 3800. The CDFW defines “taking” as causing abandonment and/or loss of reproductive efforts through disturbance. Any loss of fertile eggs, nesting raptors, or any activities resulting in nest abandonment would constitute a significant impact.

Mitigation Measures: The following mitigation measures would be implemented during all demolition and construction activities to avoid abandonment of raptor and other protected migratory bird nests:

MM BIO-4.1: Construction shall be scheduled to avoid the nesting season to the extent feasible. The nesting season for most birds, including most raptors in the San Francisco Bay area, extends from February through August.

MM BIO-4.2: If it is not possible to schedule demolition and construction between September and January, pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure that no nests would be disturbed during project implementation. This survey shall be completed no more than 14 days prior to the initiation of 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 would inspect all trees and other possible nesting habitats immediately adjacent to the construction areas for nests. If an active nest is found sufficiently close to work areas to be disturbed by construction, the ornithologist, in consultation with CDFW, would determine the extent of a construction-free buffer zone to be established around the nest, typically 250 feet, to ensure that raptor or migratory bird nests would not be disturbed during project construction.

Implementation of the identified mitigation measures would reduce construction impacts to migratory birds to a less than significant level. **(Less Than Significant Impact with Mitigation)**

Impact BIO-5: The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. **(Less than Significant Impact)**

There are two existing, non-native palm trees on the site that are not protected by the City of Santa Clara due to their small size. The project proposes to plant 38 new trees on-site of varying species including bowhall red maples, marina strawberry trees, crape myrtles, and Mexican fan palms. The off-site trees adjacent to the site to the north would be preserved and protected by existing fencing along the property line during construction. Implementation of the project would have a less than significant impact on trees. **(Less Than Significant Impact)**

Impact BIO-6: The project would not 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 project site is not located within an adopted HCP, NCCP, or other approved local, regional, or state habitat conservation plan. **(No Impact)**

4.5 CULTURAL RESOURCES

The following discussion is based on an archaeological report by *Holman & Associates* in July 2018. A copy of the archaeology report is on file with the City of Santa Clara and available for review by qualified professionals.

4.5.1 Environmental Setting

4.5.1.1 *Regulatory Framework*

Federal

National Register of Historic Places

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; or
- Is associated with the lives of persons significant to our past; or
- 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 Historical Resources (CRHR) is administered by the State Office of Historic Preservation (SHPO) 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.

California Native American Historical, Cultural, and Sacred Sites Act

The California Native American Historical, Cultural, and Sacred Sites Act applies to both state and private lands. The act requires that upon discovery of human remains, construction, or excavation activity must cease and the County Coroner be notified.

Public Resources Code, Sections 5097 and 5097.98

Section 15064.5 of the CEQA Guidelines specifies procedures to be used in the event of an unexpected discovery of Native American human remains on non-federal land. These procedures are outlined in Public Resources Code, Sections 5097 and 5097.98. These codes protect such remains from disturbance, vandalism, and inadvertent destruction, establish procedures to be implemented if Native American skeletal remains are discovered during construction of a project, and establish the Native American Heritage Commission (NAHC) as the authority to resolve disputes regarding disposition of such remains.

Pursuant to Public Resources Code Section 5097.98, in the event of human remains discovery, no further disturbance is allowed until the County Coroner has made the necessary findings regarding the origin and disposition of the remains. If the remains are of a Native American, the County Coroner must notify the NAHC. The NAHC then notifies those persons most likely to be related to the Native American remains. The code section also stipulates the procedures that the descendants may follow for treating or disposing of the remains and associated grave goods.

Local

Santa Clara General Plan

General Plan policies applicable to cultural resources include the following.

Policy	Description
5.6.3-P1	Require that new development avoid or reduce potential impacts to archaeological, paleontological and cultural resources.
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 the Old Quad neighborhood.
5.6.3-P5	In the event that archeological/paleontological resources are discovered, require that work be suspended until the significance of the find and recommended actions are determined by a qualified archeologist/paleontologist.
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.

Prehistoric Resources

Native Americans occupied Santa Clara Valley and the greater Bay Area for more than 5,000 years. The exact time period of the Ohlone (originally referred to as Costanoan) migration into the Bay Area is debated by scholars. Dates of the migration range between 3000 B.C. and 500 A.D. Regardless of the actual time frame of their initial occupation of the Bay Area and, in particular, Santa Clara Valley, it is known that the Ohlone had a well-established population of approximately 7,000 to 11,000 people with a territory that ranged from the San Francisco Peninsula and the East Bay, south through the Santa Clara Valley and down to Monterey and San Juan Bautista.

The Ohlone people practiced hunting, fishing, and collecting seasonal plant and animal resources, including tidal and marine resources from San Francisco Bay. The customary way of living, or lifeway, of the Costanoan/Ohlone people disappeared by about 1810 due to disruption by introduced diseases, a declining birth rate and the impact of the California mission system established by the Spanish in the area in 1777.

No cultural resources are recorded within the Project Area. No historic resources/or properties are listed on federal, state, or local inventories within or abutting the project footprint.

Historic Subsurface Resources

Mission Period

Spanish explorers began coming to Santa Clara Valley in 1769. From 1769 to 1776, several expeditions were made during which time the explorers encountered the local Native American tribes. These expeditions led to the establishment of the California Missions, including the first Mission Santa Clara founded in 1777 near what is today the Kifer Road/De La Cruz Boulevard intersection. After being destroyed by flooding, a second Mission Santa Clara was constructed near the present day Martin Avenue/De La Cruz intersection. The third, fourth, and fifth Missions were constructed on what is today the Santa Clara University Campus, located approximately 2.4 miles southeast of the project site. During the Mission period, the Mission controlled much of the land (approximately 80,000 acres) in Santa Clara Valley and the Native Americans were brought into the Mission, effectively ending the Ohlone's traditional occupation of the valley.

Post-Mission and American Period

In 1836, the Mission Santa Clara was officially secularized and the native population had diminished from a population peak of 10,000 in 1770 to 300. Lands previously belonging to the Mission were distributed through land grants. After the United States won the Mexican-American War (1846-1848), Anglo-European settlers began to arrive in the Santa Clara Valley and the subsequent gold rush of 1849 further increased the local population. For most settlers, mining was not profitable and many people turned to farming. During the late 1800's, the project site was located between various land grants and was not utilized in any way. The project site, like much of the valley, was eventually cultivated. Orchards and row crops were present on-site by the early 1950's but no farm houses or other structures were constructed. By the mid-1960's, the project site was no longer under cultivation and the existing on-site structure was constructed.

Structures on the Project Site and Surrounding Properties

The existing building to be demolished was built in 1965 and is more than 50 years old. While this building is more than 50 years old, the building was remodeled in 2002 and is not listed on the City of Santa Clara's Historic Resources Inventory.⁹ There are no designated historic structures or districts near the project site.

4.5.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) Cause a substantial adverse change in the significance of an archaeological resource as pursuant to CEQA Guidelines Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Impact CUL-1: The project would not cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5. **(No Impact)**

Under CEQA, a structure need not be listed on a National, State, or local register to qualify as a significant resource. A structure may be considered a significant resource under CEQA if it is found to be *eligible* for inclusion on a National, State, or local register. Furthermore, a prized architectural style or appealing aesthetic is not the sole determining factor in the historical significance of a structure. Public opinions on what is visually appealing or architecturally important change over time, so a structure's aesthetic may not be appreciated by modern standards. That does not, however, preclude it from being eligible for listing as a historic resource, as a structure may be significant for an association with an important person or event related to patterns of development important to the local history of the area.

Implementation of the project, as proposed, would result in the demolition of the existing commercial building. The building, while over 50 years old, is not listed on the City's Historic Resources Inventory. The building has minimal architectural details and its structure and setting have been modified over time, and does not appear to be eligible for the City's Historic Resources Inventory nor the California Register. Therefore, demolition of the structure would not have any impact on historic buildings. There are no designated historic structures or properties near the site, therefore the introduction of the new construction proposed by the project would not indirectly impact the setting or context of a nearby historic resource. **(No Impact)**

⁹ City of Santa Clara. *Historic Preservation and Resource Inventory*. Accessed January 29, 2019. Available at <http://santaclaraca.gov/home/showdocument?id=12893>

Impact CUL-2: The project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5. **(Less than Significant Impact with Mitigation Incorporated)**

As discussed above, there are no known cultural resources on site. Based on a literature review completed for the project area, the area has a low potential for Native American deposits and cultural materials. While unlikely, there is the potential for unknown buried archaeological resources (including human remains) on site.

Mitigation Measures: The following mitigation measures would be implemented during construction to avoid significant impacts to unknown subsurface cultural resources.

MM CUL-2.1: In the event that prehistoric or historic resources 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. Recommendations could include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery during monitoring would be submitted to the Director of Community Development.

MM CUL-2.2: 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 shall 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 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.

The descendants may, with the permission of the owner of the land, or his or her authorized representative, inspect the site of the discovery of the Native American human remains and may recommend to the owner or the person responsible for the excavation work means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site.

With implementation of these measures, impacts to unknown subsurface prehistoric, and historic archaeological resources would be less than significant. **(Less Than Significant Impact with Mitigation)**

Impact CUL-3: The project would not disturb any human remains, including those interred outside of dedicated cemeteries. **(Less than Significant Impact with Mitigation Incorporated)**

Refer to response to Impact CUL-2. The site is located in an archaeologically sensitive area of Santa Clara. Although unlikely, trenching and excavation of the site could damage or disturb unrecorded human remains. MM CUL-2.3 would be implemented during construction to avoid significant impacts to the disturbance of any human remains. **(Less Than Significant Impact with Mitigation)**

4.6 ENERGY

The following discussion is based in part on a Community Risk Assessment report prepared by *Illingworth and Rodkin, Inc.* in August 2018. A copy of this report is provided in Appendix A.

4.6.1 Environmental Setting

4.6.1.1 *Regulatory Framework*

Federal

Energy Star and Fuel Efficiency

At the federal level, energy standards set by the U.S. Environmental Protection Agency (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.

State

Renewables Portfolio Standard Program

In 2002, California established its Renewables Portfolio Standard (RPS) 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. Silicon Valley Power (SVP), the City of Santa Clara's energy utility, would provide electricity service to the project site that would be carbon-free for the residential uses, thus meeting the requirements of Executive Order S-14-08.¹⁰

California Building Standards Code - Title 24

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 2016 Title 24 updates went into effect on January 1, 2017.¹¹ Compliance with Title 24 is mandatory at the time new building permits are issued by city and county governments.¹²

California Green Building Standards Code

¹⁰ Silicon Valley Power. *Did you Know*. Accessed April 25, 2019. <http://www.siliconvalleypower.com/>.

¹¹ California Building Standards Commission. "Welcome to the California Building Standards Commission". Accessed February 6, 2018. <http://www.bsc.ca.gov/>.

¹² California Energy Commission (CEC). "2016 Building Energy Efficiency Standards". Accessed February 6, 2018. <http://www.energy.ca.gov/title24/2016standards/index.html>.

The 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 in to effect on January 1, 2017, 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 model years 2015 through 2025. The program promotes development of environmentally superior passenger cars and other vehicles, as well as saving the consumer money through fuel savings.¹³

Local

Santa Clara General Plan

Energy-related General Plan policies applicable to the project are shown in the following table.

Policy	Description
5.10.2-P2	Encourage development patterns that reduce vehicle miles traveled and air pollution.
5.10.3-P1	Promote the use of renewable energy resources, conservation and recycling programs.
5.10.3-P3	Maximize the efficient use of energy throughout the community by achieving adopted electricity efficiency targets and promoting natural gas efficiency, consistent with the Climate Action Plan.
5.10.3-P4	Encourage new development to incorporate sustainable building design, site planning and construction, including encouraging solar opportunities.
5.10.3-P5	Reduce energy consumption through sustainable construction practices, materials, and recycling.
5.10.3-P6	Promote sustainable buildings and land planning for all new development, including programs that reduce energy and water consumption in new development.

Construction and Demolition Debris Recycling Program

The City of Santa Clara requires applicants seeking building or demolition permits for projects greater than 5,000 square feet to recycle at least 50 percent of discards. Applicants may also meet the City's recycling requirement by reprocessing and reusing construction materials on-site or salvaging material, such as wood or fixtures, for reuse.

¹³ CARB. "The Advanced Clean Cars Program". Accessed April 6, 2018.
<https://www.arb.ca.gov/msprog/acc/acc.htm>.

4.6.1.2 Existing Conditions

Total energy usage in California was approximately 7,830 trillion Btu in the year 2016, the most recent year for which this data was available. Out of the 50 states, California is ranked 2nd in total energy consumption and 48th in energy consumption per capita. The breakdown by sector was approximately 18 percent (1,384 trillion Btu) for residential uses, 19 percent (1,477 trillion Btu) for commercial uses, 24 percent (1,853 trillion Btu) for industrial uses, and 40 percent (3,116 trillion Btu) for transportation.¹⁴ This energy is primarily supplied in the form of natural gas, petroleum, nuclear electric power, and hydroelectric power.

Electricity

Electricity in Santa Clara County in 2017 was consumed primarily by the commercial sector (76 percent), followed by the residential sector consuming 24 percent. In 2017, a total of approximately 17,190 GWh of electricity was consumed in Santa Clara County.¹⁵

Silicon Valley Power (SVP) is the City of Santa Clara's energy utility and would provide electricity service to the project site. Starting in January 2018, SVP provides residential customers with carbon-free power as their standard, default power supply. This means the power generation produces no net carbon emissions. For commercial customers, SVP offers several options for participation in green-energy programs, including a carbon-free energy option.¹⁶

Natural Gas

PG&E provides natural gas services within Santa Clara. In 2017, approximately 1.4 percent of California's natural gas supply came from in-state production, while the remaining supply was imported from other western states and Canada.¹⁷ In 2016, residential and commercial customers in California used 29 percent, power plants used 32 percent, and the industrial sector used 37 percent. Transportation accounted for one percent of natural gas use in California. In 2017, Santa Clara County used approximately 3.5 percent of the state's total consumption of natural gas.¹⁸

Fuel for Motor Vehicles

In 2017, 15 billion gallons of gasoline were sold in California.¹⁹ The average fuel economy for light-duty vehicles (autos, pickups, vans, and SUVs) in the United States has steadily increased from about 13.1 miles-per-gallon (mpg) in the mid-1970's to 22 mpg in 2016.²⁰ Federal fuel economy standards have changed substantially since the Energy Independence and Security Act was passed in 2007.

¹⁴ United States Energy Information Administration. *State Profile and Energy Estimates, 2016*. Accessed September 6, 2018. <https://www.eia.gov/state/?sid=CA#tabs-2>.

¹⁵ CEC. Energy Consumption Data Management System. *Electricity Consumption by County*. Accessed March 15, 2019. <http://ecdms.energy.ca.gov/elecbycounty.aspx>.

¹⁶ Silicon Valley Power. *Did you Know*. Accessed April 25, 2019. <http://www.siliconvalleypower.com/>.

¹⁷ California Gas and Electric Utilities. 2018 California Gas Report. Accessed March 15, 2019. https://www.socalgas.com/regulatory/documents/cgr/2018_California_Gas_Report.pdf.

¹⁸ CEC. *Natural Gas Consumption by County*. Accessed February 21, 2019. <http://ecdms.energy.ca.gov/gasbycounty.aspx>.

¹⁹ California Department of Tax and Fee Administration. Net Taxable Gasoline Gallons. Accessed February 16, 2018. http://www.cdtfa.ca.gov/taxes-and-fees/MVF_10_Year_Report.pdf.

²⁰ U.S. EPA. Table 4-23: Average Fuel Efficiency of U.S. Light Duty Vehicles. Accessed August 28, 2018. <https://www.bts.gov/content/average-fuel-efficiency-us-light-duty-vehicles>.

That standard, which originally mandated a national fuel economy standard of 35 miles per gallon by the year 2020, was subsequently revised to apply to cars and light trucks Model Years 2011 through 2020.^{21,22}

4.6.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<hr/>				
Impact EN-1:	The project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during project construction or operation. (Less than Significant Impact)			

Construction

Construction activities associated with the proposed project are estimated to occur at the site over a an approximately 16-month period and would consist of site preparation, grading, construction of the proposed buildings, paving, and installation of landscaping. The overall construction schedule and process is designed to be efficient in order to avoid excess monetary costs. That is, equipment and fuel are not typically used wastefully on the site because of the added expense associated with renting the equipment, as well as maintaining and fueling it; therefore, the opportunities for efficiency gains during construction are limited.

The project includes several measures that would improve the efficiency of the construction process. Implementation of the BAAQMD Basic Construction Mitigation Measures identified in MM AIR-2.1, would restrict excessive equipment use by reducing idling times to five minutes or less and would require contractors to post signs on the project site reminding workers to shut off idle equipment. In addition, consistent with MM AIR-3.1, equipment would be selected to reduce emissions during construction. The project would also comply with the City's Construction and Demolition Debris Recycling Program, minimizing energy impacts from the creation of excessing construction waste. For these reasons, construction activities would not use fuel or energy in a wasteful manner. **(Less than Significant Impact)**

²¹ U.S. Department of Energy. *Energy Independence & Security Act of 2007*. Accessed February 8, 2019.

<http://www.afdc.energy.gov/laws/eisa>.

²² Public Law 110-140—December 19, 2007. *Energy Independence & Security Act of 2007*. Accessed February 8, 2019. <http://www.gpo.gov/fdsys/pkg/PLAW-110publ140/pdf/PLAW-110publ140.pdf>.

Operational Emissions

Operation of the project would consume energy for multiple purposes including, building heating and cooling, lighting, and appliance use. Operational energy would also be consumed during each vehicle trip generated by residents, employees and visitors. The project's estimated energy demand is summarized in Table 4.6-1.

Table 4.6-1: Annual Project Energy Demand			
	Electricity (kWh)	Natural Gas (kBtu)	Gasoline¹ (gallons)
Proposed Project	198,264	571,493	37,796
Existing Development	69,794	137,176	5,187
Difference:	128,470	434,317	669,775
¹ Gasoline demand was calculated by dividing the project's estimated VMT by 22 mpg.			

Based on the air quality assessment prepared by Illingworth & Rodkin, Inc., the total annual VMT for the project would be approximately 831,497.²³ Using the EPA fuel economy estimates (22.0 mpg), the proposed project would result in consumption of approximately 37,796 gallons of gasoline per year.²⁴

As shown in Table 4.6-1, the proposed project would increase electricity use by approximately 128,470 kWh per year, and natural gas usage by approximately 434,317 kBtu per year. The energy use increase is likely overstated because the estimates for energy use do not take into account the efficiency measures incorporated into the project. The proposed project would be built according to the City of Santa Clara Building Code which requires adherence to the Residential Mandatory Measures of the California Green Building Code (CalGreen). The project includes measures that would exceed the Title 24 California Energy Code requirements and would meet the minimum GreenPoint Rated 50 points or would meet the requirements for Leadership in Energy and Environmental Design (LEED) certification.²⁵ The LEED standards (established by the U.S. Green Building Council) or GreenPoint Rated 50 points would be met by incorporating a variety of design features including community design and planning, site design, landscape design, building envelope performance, and material selections. The following green building measures would be included in the project:

- All garage parking spaces and covered spaces in Building A will be wired with a 240 volt connection for Electric Vehicle charging stations.
- All homes will be wired for rooftop solar panels

²³ Illingworth & Rodkin, Inc. *3035 El Camino Real Community Risk Assessment*. August 31, 2018. Attachment 4. Table 4.2.

²⁴ $8,31,497 \text{ VMT} / 22.0 \text{ mpg} = 37,796 \text{ gallons of gasoline}$

²⁵ The GreenPoint Rated Checklist is administered by *Build It Green*, a non-profit organization whose mission is to promote healthy, energy- and resource-efficient building practices in California. GreenPoint Rated is a green building rating system which can be used to assess the environmental characteristics of a home (including water efficient fixtures, efficient heating ventilation and air conditioning, low-emitting flooring, and energy-efficient appliances and lighting). If a residential development meets minimum point requirements in each category and scores at least 50 total points, it earns the right to bear the GreenPoint Rated label.

- On-site storm water bio-treatment and water efficient drip irrigation system
- Shade providing and oxygen sequestering trees
- Native and drought tolerant plant species
- Pervious pavement
- Low-flush toilets
- 23 on-site bicycle parking and lockers
- High-efficiency lighting and select Energy Star appliances will be used to conserve energy
- Insulated windows and walls and efficient heating and air conditioning systems

Implementation of the project would increase annual gasoline demand by approximately 32,609 gallons. New automobiles purchased by future occupants of the proposed project would be subject to fuel economy and efficiency standards applied throughout the State of California, which means that over time the fuel efficiency of vehicles associated with the project site would improve. The nearest bus stop is located on El Camino Real and Alpine Avenue. Paratransit services are also available for seniors and people with disabilities. For these reasons, the proposed project would not result in the wasteful use of energy resources, during project construction or operation. **(Less than Significant Impact)**

Impact EN-2: The project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. **(Less than Significant Impact)**

Refer to Impact EN-1. Based on the measures required for LEED certification, and the City's Green Building Ordinance, the proposed project would comply with existing state energy standards and would not obstruct implementation of a state or local plan for renewable energy or energy efficiency. **(Less than Significant Impact)**

4.7 GEOLOGY AND SOILS

The following discussion is based upon a Geotechnical Feasibility Study prepared by *Cornerstone Earth Group* in June 2017. A copy of this report is provided in Appendix B.

4.7.1 Environmental Setting

4.7.1.1 *Regulatory Framework*

State

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act regulates development in California near known active faults due to hazards associated with surface fault ruptures. The Alquist-Priolo Earthquake Fault Zones indicate areas with potential surface fault-rupture hazards. Development within Alquist-Priolo Earthquake Fault Zones require special studies 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.

California Building Standards Code

The California Building Standards Code (CBC) prescribes standards for constructing safer buildings throughout the State of California. The CBC contains provisions for earthquake safety based on factors including occupancy type, soil and rock profile, ground strength, and distance to seismic sources. The CBC is updated every three years; the current version is the 2016 CBC.

Paleontological Resources Regulations

Paleontological resources are the fossilized remains of organisms from prehistoric environments found in geologic strata. These are in part valued for the information they yield about the history of the earth and its past ecological settings. The 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 will disturb or destroy a unique paleontological resource or site or unique geologic feature.

Local

Santa Clara General Plan

General Plan policies geology and soils-related policies applicable to the project include the following.

Policies	Description
5.6.3-P1	Require that new development avoid or reduce potential impacts to archaeological, paleontological and cultural resources.
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 the Old Quad neighborhood.
5.6.3-P5	In the event that archeological/paleontological resources are discovered, require that work be suspended until the significance of the find and recommended actions are determined by a qualified archeologist/paleontologist.
5.10.5-P5	Regulate development, including remodeling or structural rehabilitation, to ensure adequate mitigation of safety hazards, including flooding, seismic, erosion, liquefaction and subsidence dangers.
5.10.5-P6	Require that new development is designed to meet current safety standards and implement appropriate building codes to reduce risks associated with geologic conditions.
5.10.5-P7	Implement all recommendations and design solutions identified in project soils reports to reduce potential adverse effects associated with unstable soils or seismic hazards.

Santa Clara 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.

4.7.1.2 *Existing Conditions*

The site is relatively flat but slopes slightly downward toward the rear with elevations around Elevation 85 to 86 feet along El Camino Real and Elevation 80 to 81 feet near the rear of the site (Google Earth, 2016).

Regional Geology

The project site is located in the Santa Clara Valley, a relatively flat alluvial basin, bounded by the Santa Cruz Mountains to the southwest and west, the Diablo Mountain Range to the northeast, and San Francisco Bay to the north. The Santa Clara Valley consists of a large structural basin containing alluvial deposits derived from the Diablo Range and Santa Cruz Mountains.

Based on previous borings performed in the site vicinity, the site is underlain by Holocene alluvial fan deposits of medium stiff to very stiff fine-grained soils (silts and clays) interbedded with

generally medium dense to dense sands. Alluvial soil thickness in the area of the site range from 200 to 400 feet.

Expansive near-surface soil is subject to volume changes during seasonal fluctuations in moisture content, which may cause movement and cracking of foundations, pavements, slabs, and below-grade walls. Based on previous projects in the site vicinity, soils beneath the project site have high expansive potential. Due to the flat topography of the project site, the potential for erosion or landslide on or adjacent to the site is low.

Seismicity

The project area is not located within the state-designated Alquist-Priolo Earthquake Fault Zone²⁶, or in the Santa Clara County Geologic Hazard Zone²⁷. The risk of fault rupture is very low. Faults in the region are, however, capable of generating earthquakes of magnitude 7.0 or higher and strong to very strong ground shaking would be expected to occur at the project site during a major earthquake on one of the nearby faults. Active faults near the project site are shown in Table 4.7-1.

Table 4.7-1: Active Faults Near the Project Site	
Fault	Distance from Site
Monte Vista-Shannon	5.3 miles
Hayward (Southeast Extension)	8.6 miles
Calaveras	11.8 miles
San Andreas	9.0 miles
Hayward (Total Length)	11.2 miles
Sargent	14.9

Liquefaction and Lateral Spreading

Liquefaction

Liquefaction occurs when water-saturated soils lose structural integrity due to seismic activity. Soils that are most susceptible to liquefaction are loose to moderately dense, saturated granular soils with poor drainage. The project site is located within a state-designated liquefaction hazard zone²⁸, as well as a Santa Clara County liquefaction hazards zone.

Lateral Spreading

Lateral spreading is a type of ground failure related to liquefaction. It consists of the horizontal ground movement of flat-lying soil deposits towards a free face (i.e., a deep excavation, a river channel, or an open sea). The nearest waterway is Calabazas Creek, located approximately 400 feet west of the site and is about 12 feet deep. However, the creek channel bottom and sides are concrete lined, which would likely prevent lateral spreading from occurring and affecting improvements.

²⁶ California Department of Conservation Website. Accessed May 30, 2018. Available at <http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps>.

²⁷ Santa Clara County. *Santa Clara County Geologic Hazard Zones. Map 19*. Accessed May 30, 2018. Available at https://www.sccgov.org/sites/dpd/DocsForms/Documents/GEO_GeohazardATLAS.pdf.

²⁸ Ibid.

Groundwater

Groundwater in the general vicinity is anticipated at a depth of approximately nine to 10 feet bgs. Fluctuations in groundwater levels occur due to many factors including seasonal fluctuation, underground drainage patterns, regional fluctuations, and other factors.

Undocumented Fill

Based on previous site use, the project can anticipate encountering localized areas of undocumented fill.

4.7.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
– Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (refer to Division of Mines and Geology Special Publication 42)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
– Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
– Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
– Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that will become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Be located on expansive soil, as defined in the current California Building Code, creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact GEO-1: The project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving 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; strong seismic ground shaking; seismic-related ground failure, including liquefaction; or landslides. **(Less than Significant Impact)**

The project site is in the seismically active San Francisco Bay Area which has a 72 percent probability of experiencing at least one magnitude 6.7 earthquake during the next 30 years.²⁹ The project site would experience intense ground shaking in the event of a large earthquake. While no active faults are known to cross the project site, ground shaking could damage proposed buildings and result in ground failures, including liquefaction and lateral spreading.

Based on the geotechnical analysis, the project site has been mapped within a potential liquefaction zone. As previously discussed, historic groundwater in the area is mapped to be in the order of nine to ten feet. In addition, the site is expected to be underlain by alluvial deposits consisting of clayey, silty, and sandy soils. The granular materials, including sandy soils, are anticipated to be generally medium dense to dense in consistency. As a result, there is a potential for liquefaction to impact site development. According to the geotechnical feasibility analysis, the potential for liquefaction and unsaturated sand shaking settlements should be evaluated further as part of the design-level geotechnical investigation.

The project would be required to adhere to the most recent CBC and site specific geotechnical report, as well as utilize standard engineering techniques to increase the likelihood that the project could withstand minor earthquakes without damage and major earthquakes without collapse. The proposed project would not expose people or property to impacts associated with seismically induced ground failures or other geologic conditions on-site. **(Less Than Significant Impact)**

Impact GEO-2: The project would not result in substantial erosion or the loss of topsoil. **(Less than Significant Impact)**

The proposed project would require ground disturbance due to demolition/removal of the existing buildings, grading, and trenching for utilities. Ground disturbance would expose soils and increase the potential for wind or water-related erosion and sedimentation until construction is completed.

The proposed project could increase erosion and sedimentation until construction of the project is complete. The following standard conditions of approval to reduce possible construction-related erosion at the site include the following measures:

²⁹ U.S. Geological Survey. *Earthquake Outlook for the San Francisco Bay Region 2014-2043. Fact Sheet 2016–3020*. August 2016. Accessed July 30, 2018. Available at <https://pubs.er.usgs.gov/publication/fs20163020>.

Conditions of Approval

- All excavation and grading work would be scheduled in dry weather months or construction sites would be weatherized³⁰ to withstand or avoid erosion.
- Stockpiles and excavated soils would be covered with secured tarps or plastic sheeting.
- Silt fence/ straw wattles would be placed around the perimeter of the site for sediment control.
- Vegetation in disturbed areas would be replanted as quickly as possible.

Implementation of the identified measures would reduce construction-related erosion and sedimentation at the site. **(Less Than Significant Impact)**

Impact GEO-3: The project would not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. **(Less than Significant Impact)**

The site is located within the State of California and County of Santa Clara liquefaction hazard zones. Liquefaction is a phenomenon where soils lose strength and stiffness during strong ground shaking. Soils most susceptible to liquefaction are loose to moderately dense, saturated, non-cohesive soils with poor drainage. As previously discussed in Impact GEO-1, historic high ground water in the area is mapped to be on the order of nine to ten feet below the ground surface. In addition, the site is expected to be underlain by alluvial deposits consisting of clayey, silty, and sandy soils. The granular materials, including sandy soils, are anticipated to be generally medium dense to dense in consistency. As a result, there is the potential for liquefaction to impact site development. According to the geotechnical feasibility analysis, the potential for liquefaction and unsaturated sand shaking settlements should be evaluated further as part of the design-level geotechnical investigation.

Lateral spreading is horizontal/lateral ground movement of relatively flat-lying soil deposits towards a free face such as an excavation, channel, or open body of water; typically lateral spreading is associated with liquefaction of one or more subsurface layers near the bottom of the exposed slope. The nearest waterway to the project site is Calabazas Creek, located approximately 400 feet west of the site and is about 12 feet deep. However, the creek channel's bottom and sides are concrete lined, which would likely prevent lateral spreading from occurring and affecting improvements.

The site is not located within a State of California and County of Santa Clara Landslide Hazard Zone. Due to the relatively flat topography, the potential for on- or off-site landslide at the site is considered low. **(Less Than Significant Impact)**

³⁰ Weatherized refers to measures that would protect exposed soils from rain and stormwater runoff.

Impact GEO-4: The project would not be located on expansive soil, as defined in the current California Building Code, creating substantial direct or indirect risks to life or property. **(Less than Significant Impact)**

The project site has highly expansive soils and there is a potential for liquefaction-induced and unsaturated sand shaking settlements. Potential measures to reduce the potential for damage to any at-grade improvement and/or at-grade structures, foundations, and slabs-on-grade include:

- employing grading and compaction methods to reduce potential volume change,
- providing sufficient reinforcement to resist expansive soil forces, and
- supporting slabs on a layer of non-expansive fill.

Consistent with the requirements of the City of Santa Clara, the project would comply with the design-specific geotechnical report and the CBC to ensure that geologic hazards are adequately addressed. As a result, future site occupants would not be exposed to geologic hazard risks and the project would comply with Policy 5.10.5-P6. **(Less Than Significant Impact)**

Impact GEO-5: The project would not have borings incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water. **(No Impact)**

The project site is located within an urban area of Santa Clara where sewers are available to dispose wastewater from the project site. Therefore, the project site would not need to support septic tanks or alternative wastewater disposal systems. **(No Impact)**

Impact GEO-6: The project would not directly or indirectly destroy a unique paleontological resource or site or unique geological feature. **(Less than Significant Impact)**

Paleontological resources are the fossilized remains of organisms from prehistoric environments found in geologic strata. Geologic units of Holocene age are generally not considered sensitive for paleontological resources because biological remains younger than 10,000 years are not usually considered fossils. These sediments have low potential to yield fossil resources or to contain significant nonrenewable paleontological resources. Recent sediments, however, may overlie older Pleistocene sediments with high potential to contain paleontological resources. These older sediments, often found at depths of greater than 10 feet below the ground surface, have yielded the fossil remains of plants and extinct terrestrial Pleistocene vertebrates. It is very unlikely that paleontological resources will be discovered on-site due to the distance of the site from the San Francisco Bay and because no paleontological resources have been discovered in this area of Santa Clara, and due to the shallow depth of excavation proposed by the project for utilities and building foundations. **(No Impact)**

4.7.3 Non-CEQA Effects

Per *California Building Industry Association v. Bay Area Air Quality Management District*, 62 Cal. 4th 369 (*BIA v. BAAQMD*), effects of the environment on the project are not considered CEQA

impacts. The following discussion is included for informational purposes because the City of Santa Clara has policies that address existing geology and soils conditions affecting a proposed project.

The policies of the City of Santa Clara 2035 General Plan have been adopted for the purpose of avoiding or mitigating environmental effects resulting from planned development within the City. Santa Clara General Plan Policy 5.10.5-P6 requires that new development is designed to meet current safety standards and implement appropriate building codes to reduce risk associated with geologic conditions.

The site is currently developed. Based on previous site use, undocumented fill could be encountered during excavation of the site for utilities. If fills and existing improvements extend in areas of future at-grade improvements, the fills and improvements should be removed and replaced as engineered fill.

The project site has highly expansive soils and there is a potential for liquefaction-induced and unsaturated sand shaking settlements. Potential measures to reduce the potential for damage to any at-grade improvement and/or at-grade structures, foundations, and slabs-on-grade include:

- employing grading and compaction methods to reduce potential volume change,
- providing sufficient reinforcement to resist expansive soil forces, and
- supporting slabs on a layer of non-expansive fill.

Consistent with the requirements of the City of Santa Clara, the project would comply with the design-specific geotechnical report and the CBC to ensure that geologic hazards are adequately addressed. As a result, future site occupants would not be exposed to geologic hazard risks and the project would comply with Policy 5.10.5-P6.

4.8 GREENHOUSE GAS EMISSIONS

The following discussion is based in part on a Community Risk Assessment report prepared by *Illingworth and Rodkin, Inc.* in August 2018. A copy of this report is provided in Appendix A.

4.8.1 Environmental Setting

Unlike emissions of criteria and toxic air pollutants, which have local or regional impacts, emissions of Greenhouse Gases (GHGs) have a broader, global impact. Global warming associated with the “greenhouse effect” is a process whereby GHGs accumulating in the atmosphere contribute to an increase in the temperature of the earth’s atmosphere. The principal GHGs contributing to global warming and associated climate change are carbon dioxide (CO₂), methane (CH₄), nitrous oxide (N₂O), and fluorinated compounds. Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the transportation, industrial and manufacturing, utility, residential, commercial, and agricultural sectors.

4.8.1.1 *Regulatory Framework*

Federal

Clean Air Act

The US EPA is the federal agency responsible for implementing the Clean Air Act (CAA). The US Supreme Court in its 2007 decision in *Massachusetts et al. v. Environmental Protection Agency et al.*, ruled that carbon dioxide (CO₂) is an air pollutant as defined under the CAA, and that EPA has the authority to regulate emissions of greenhouse gases (GHGs). Following the court decision, EPA has taken actions to regulate, monitor, and potentially reduce GHG emissions (primarily mobile emissions).

State

California Global Warming Solutions Act

Under the California Global Warming Solution Act, also known as Assembly Bill 32 (AB 32), CARB has established a statewide GHG emissions cap for 2020, adopted mandatory reporting rules for significant sources of GHG, and adopted a comprehensive plan, known as the *Climate Change Scoping Plan*, that identifies how emission reductions would be achieved from significant GHG sources via regulations, market mechanisms and other actions.

On September 8, 2016, Governor Brown signed Senate Bill (SB) 32 into law, amending the California Global Warming Solution Act. SB 32, and accompanying Executive Order B-30-15, requires the California Air Resources Board to ensure that statewide greenhouse gas emissions are reduced to 40 percent below the 1990 level by 2030. CARB updated its Climate Change Scoping Plan in December of 2017 to express the 2030 statewide target in terms of million metric tons of carbon dioxide (CO₂) equivalent (MMTCO₂e). Based on the emissions reductions directed by SB 32, the annual 2030 statewide target emissions level for California is 260 MMTCO₂e.

Senate Bill 375

SB 375, known as the Sustainable Communities Strategy and Climate Protection Act, was signed into law in September 2008. It builds on AB 32 by requiring CARB to develop regional GHG reduction targets to be achieved from the automobile and light truck sectors for 2020 and 2035 when compared to emissions in 2005. The per capita reduction targets for passenger vehicles in the San Francisco Bay Area include a seven percent reduction by 2020 and a 15 percent reduction by 2035.

Consistent with the requirements of SB 375, MTC partnered with the Association of Bay Area Governments (ABAG), BAAQMD, and the Bay Conservation and Development Commission (BCDC) to prepare the region's Sustainable Communities Strategy (SCS) as part of the Regional Transportation Plan (RTP) process. The SCS is referred to as *Plan Bay Area*.

Originally adopted in 2013 *Plan Bay Area*, established a course for reducing per-capita GHG emissions through the promotion of compact, mixed-use residential and commercial neighborhoods near transit, particularly within identified Priority Development Areas (PDAs). The site is located within the Mixed-Use Corridor PDA. Building upon the development strategies outlined in the original plan, *Plan Bay Area 2040* was adopted in July 2017 as a focused update with revised planning assumptions based on current demographic trends. Target areas in the *Plan Bay Area 2040* Action Plan area related to reducing GHG emissions, improving transportation access, maintaining the region's infrastructure, and enhancing resilience to climate change (including fostering open space as a means to reduce flood risk and enhance air 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 (criteria) pollutants and GHG emissions into a single coordinated set of requirements for model years 2015 through 2025. The program promotes development of environmentally superior passenger cars and other vehicles, as well as saving the consumer money through fuel savings.³¹

Regional

Bay Area 2017 Clean Air Plan

BAAQMD and other agencies prepare clean air plans as required under the State and Federal Clean Air Acts. The 2017 CAP, entitled *Spare the Air/Cool the Climate*, is a blueprint for BAAQMD's efforts to reduce air pollution and protect public health and the global climate. Consistent with the GHG reduction targets adopted by the state of California, the 2017 CAP lays the groundwork for the BAAQMD's long-term effort to reduce Bay Area GHG emissions 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050.

³¹ CARB. The Advanced Clean Cars *Program*. Accessed April 6, 2018.
<https://www.arb.ca.gov/msprog/acc/acc.htm>.

BAAQMD CEQA Guidelines

BAAQMD identifies sources of information on potential thresholds of significance and mitigation strategies for operational GHG emissions from land-use development projects in its CEQA Air Quality Guidelines. The BAAQMD CEQA Guidelines also outline a methodology for estimating GHG emissions. In jurisdictions where a qualified GHG Reduction Strategy has been reviewed under CEQA and adopted by decision-makers, compliance with the GHG Reduction Strategy would reduce a project's contribution to cumulative GHG emission impacts to a less than significant level. The BAAQMD CEQA Guidelines also outline a methodology for estimating GHG emissions.

Local

City of Santa Clara General Plan

The Santa Clara 2010-2035 General Plan includes policies that address the reduction of GHG emissions. 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. The consistency of the proposed project with the Land Use, Air Quality, Energy, and Water Policies of the General Plan is described in the table below.

Policies	Description
5.3.1-P10	Provide opportunities for increased landscaping and trees in the community, including requirements for new development to provide street trees and a minimum 2:1 on- or off-site replacement for trees removed as part of the proposal to help increase the urban forest and minimize the heat island effect.
5.3.1-P14	Encourage TDM strategies and the provision of bicycle and pedestrian amenities in all new development greater than 25 housing units or more than 10,000 non-residential square feet, and for City employees, in order to decrease use of the single-occupant automobile and reduce vehicle miles traveled, consistent with the Climate Action Plan.
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.
5.8.5-P5	Encourage TDM programs that provide incentives for the use of alternative travel modes to reduce the use of single-occupant vehicles.
5.4.1-P15	Work with Valley Transportation Authority to improve transit access, information and frequency along El Camino Real, including the implementation of a Bus Rapid Transit or similar transit service near Regional Mixed-Use areas.

Climate Action Plan

The City of Santa Clara has a comprehensive GHG emissions reduction strategy (Climate Action Plan) to achieve its fair share of statewide emissions reductions for the 2020 timeframe consistent with AB 32. The Climate Action Plan (2013 CAP) was adopted on December 3rd, 2013. The City of Santa Clara 2013 CAP specifies the strategies and measures to be taken for a number of 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) 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 is being undertaken by the City of Santa Clara under the 2013 CAP is 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. Since nearly half (48 percent) of Santa Clara's emissions result from electricity use, removing GHG-intensive sources of electricity such as coal are effective approaches to achieving the City's GHG reduction goals. This measure is being undertaken by SVP. SVP provides 100 percent GHG-free electricity to residential customers in the City. For commercial uses, the electricity in the City is from coal-free sources and businesses can sign up to participate in the Santa Clara Green Power program by which power is provided by wind and solar sources.

The City's current Climate Action Plan does not address the requirements of SB 32 (2030 reduced emissions target for projects constructed post-2020, such as the proposed project).

4.8.1.2 *Existing Conditions*

The project site is currently developed with one commercial building containing an auto dealership. GHG emissions are currently generated by daily traffic trips to and from the site, as well as water and electricity usage.

4.8.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact GHG-1: The project would not generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. (**Less than Significant Impact**)

Construction

GHG emissions would occur during demolition and construction of the project, which would involve emissions associated with heavy equipment, vehicles, and manufacturing materials used to construct the project. Neither the City of Santa Clara nor BAAQMD have quantified thresholds for construction activities. BAAQMD does, however, encourage the incorporation of best management practices to reduce GHG emissions during construction, including using at least 10 percent local building materials and recycling or reusing at least 50 percent of construction waste or demolition

materials. The City of Santa Clara requires a 50 percent diversion (recycling or reuse) of construction materials, which is documented as part of its building permit process. Construction GHG emissions were estimated to be 193 MT of CO_{2e} for the total construction period. Because the project construction would be temporary and would not result in a permanent increase in emissions that would interfere with the implementation of AB 32, the increase in emissions would be less than significant. **(Less than Significant Impact)**

Operational Emissions

BAAQMD has identified two significance thresholds for determining if a project will have a significant GHG emissions impact under 2020 conditions set by AB 32. These thresholds are:

- the “bright-line” threshold of 1,100 metric tons of CO_{2e} per year; and
- the “efficiency” threshold of 4.6 metric tons of CO_{2e} per service population (e.g., residents and employees) per year.

The numeric CEQA thresholds set by BAAQMD were calculated to achieve the state’s 2020 target for GHG emissions level (and not the SB 32 2030 target of 40 percent below the 1990 GHG emissions level). The project would not be fully constructed and occupied until after December 31, 2020. Because the project would be completed in the post-2020 timeframe, the current BAAQMD thresholds do not apply. Rather, a Substantial Progress bright-line threshold of 2.6 MT CO_{2e}/year/service population has been calculated for 2030 based on the GHG reduction goals of SB 32 and Executive Order B-30-15, taking into account the 1990 inventory and the projected 2030 statewide population and employment levels.³²

For the purposes of this analysis, a Substantial Progress efficiency metric of 660 MTCO_{2e}/year has been calculated for 2030.³³ Annual net emissions resulting from project operation in 2021 are shown in Table 4.8-1.

³² Association of Environmental Professionals. *Beyond 2020 and Newhall: A Field Guide to New CEQA Greenhouse Gas Thresholds and Climate Action Plan Targets for California*. 2016.

³³ 40 percent below the 1,100 MT for 2020 = 660 MTCO_{2e}/year

Table 4.8-1: Annual Project GHG Emissions (in MT CO₂e)	
Source Category	Total for 2030
Area	3
Energy Consumption ¹	82 ¹
Mobile	307
Solid Waste Generation	13
Water Usage	7
Total:	411 MTCO ₂ e
<i>Substantial Progress Threshold</i>	<i>660 MT CO₂e</i>
<i>Significant?</i>	<i>No</i>
¹ Energy consumption estimates were adjusted to account for SCE's carbon-free electricity sources for residential uses proposed as part of the project.	

As shown above, annual emissions resulting from operation of the proposed project would be less than the Substantial Progress bright-line threshold of 660 MTCO₂e/year for 2030 emissions under SB 32. Because the threshold would not be exceeded, the impact would be less than significant. **(Less than Significant Impact)**

Impact GHG-2: The project would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs. **(Less than Significant Impact)**

2017 Clean Air Plan

The project supports the goals of the 2017 CAP of protecting public health and protecting the climate consistent with 2017 CAP by:

- Implementing mitigation measures to reduce TAC emissions during construction;
- Reducing motor vehicle miles traveled by proposing a mixed-use project in proximity to existing/proposed/planned pedestrian, bicycle, and transit facilities; and
- Complying with applicable regulations that would result in energy and water efficiency including Title 24 and CalGreen.

For these reasons, the proposed project would not conflict with implementation of the 2017 CAP. **(Less than Significant Impact)**

Santa Clara General Plan and Climate Action Plan

The 2013 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. Of these seven focus areas, five are applicable to the proposed project, as discussed below.

Water Conservation

Measure 3.1 Urban Water Management Plan calls for reduction in per capita water use to meet Urban Water Management targets by 2020. Development standards for water conservation will be applied to increase efficiency in indoor and outdoor water uses. The project would comply with Title 24 Standards which requires insulated water heater systems to reduce energy and water use. In addition, the project would include design measures to minimize water waste. No recycled water facilities are located near the project site, and it is not anticipated that the site will incorporate the use of recycled water.

Waste Reduction

Measure 4.2 Increased Waste Diversion calls for the increase in solid waste diversion from 58 percent to 80 percent through increased recycling efforts, curbside food waste pickup, and construction and demolition waste programs. The California Integrated Waste Management Board (CIWMB) established an integrated waste management program. Each jurisdiction in the county has a diversion requirement of 50 percent beginning in the year 2000 and each year thereafter. In addition to the CIWMB requirements, the City of Santa Clara has a construction debris diversion ordinance which requires all projects over 5,000 square feet to divert a minimum 50 percent of construction and demolition debris from landfills. The proposed project would divert construction waste from local landfills, and utilize products with recycled content.

Off-Road Equipment

Measure 5.2 Alternative Construction Fuels requires construction projects to comply with BAAQMD BMPs, including alternative-fueled vehicles and equipment. The proposed project would be required to implement BMPs (refer to *Section 4.3 Air Quality*), as recommended by BAAQMD, during all demolition and construction activities to reduce TAC emission impacts. BAAQMD-recommended mitigation measures include limiting equipment idling times to five minutes, limiting vehicle speeds on unpaved roads to 15 mph, and proper equipment maintenance and tuning in accordance with manufacturer specifications.

Transportation and Land Use

Measure 6.1 Transportation Demand Management Program requires new developments greater than 25 housing units or more than 10,000 non-residential square feet to implement a VMT reduction strategy that reduces drive-alone trips. The City's 2013 CAP requires a minimum 20 percent reduction in VMT for regional mixed-use development along the El Camino Real corridor.

Measure 6.2 Municipal Transportation Demand Management calls for the development and implementation of a TDM plan to encourage alternative modes of travel and reduce single-occupant vehicle use. The project would be required to implement a TDM program pursuant to General Plan Policy 5.8.5-P1 and the City's Climate Action Plan. TDM measures would include transit use incentive program, free use of bicycles, bicycle parking and unbundled parking, and new resident's

alternative travel modes information packet. More details regarding the TDM plan is included in Table 4.15-1.

Because the proposed project would be required to include a TDM plan, as part of the VMT reduction strategy, to reduce traffic trips and would be within close proximity to transit and services, the project would comply with the 20 percent VMT reduction requirement.

Measure 6.3 Electric Vehicle Parking calls for the revision of parking standards for new multi-family residential and non-residential development to allow for a minimum of one parking space, and a recommended level of five percent of all new parking spaces, be designated for electric vehicle charging. EV Charging Stations would be available for all parking spaces.

Urban Heat Island Effect

Measure 7.1 Urban Forestry requires planting of shade trees on new developments and encourages shade trees to be planted near south- or west- facing windows to help reduce the amount of air condition needed during high-heat days by reducing the greenhouse effect within buildings.

Measure 7.2 Urban Cooling requires new parking lots to be surface with low-albedo materials to reduce heat gain to mitigate the urban heat island effect.

The project proposes to remove two non-native trees on-site and would be required to comply with the City's tree replacement policy. The proposed project would reduce the urban heat island effect by landscaping and planting 38 new trees of varying species. In addition, the project would be required to comply with the most recent CBC, which would increase building efficiency over standard construction. While the project would comply with the CBC, there is currently no specific proposals for cool paving. The project would be inconsistent with *Measure 7.2 Urban Cooling*.

The proposed project would be consistent with applicable General Plan policies to reduce GHG emissions and the Climate Action Plan by improving the project site landscaping and increasing tree density, complying with Title 24 and CALGreen, proposing pedestrian and transit improvements, participating in the City's Construction and Demolition Debris Recycling Program, using cleaner construction equipment (see MM AIR-2.1), and providing landscaping and shade trees to reduce the urban heat island effect. **(Less than Significant Impact)**

4.9 HAZARDS AND HAZARDOUS MATERIALS

The following discussion is based in part on a Phase I Environmental Site Assessment (ESA) prepared by *Cornerstone Earth Group* in October 2015. The following discussion is also based in part on a Phase II Soil Quality Evaluation prepared by *Cornerstone Earth Group* in August 2017. Copies of these reports are provided in Appendix C.

4.9.1 Environmental Setting

4.9.1.1 *Regulatory Framework*

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 (CERCLA), commonly known as Superfund, and the Resource Conservation and Recovery Act (RCRA). 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 including the City of Santa Clara Fire Department 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. The California Department of Industrial Relations, Division of Occupational Safety and Health (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

Government Code Section 65962.5- Cortese List

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 the state, 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 CalRecycle. The project site is not on the Cortese List.³⁴

Asbestos-Containing Material and Lead Paint Regulations

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,

³⁴ DTSC. *Hazardous Waste and Substances Site List (Cortese)*. Accessed June 27, 2018. Available at [http://www.envirostor.dtsc.ca.gov/public/search?cmd=search&reporttype=cortese&site_type=csites,open,fuds,close&status=act,bklg.com,colur&reporttitle=hazardous+waste+and+substances+site+list+\(cortese\)](http://www.envirostor.dtsc.ca.gov/public/search?cmd=search&reporttype=cortese&site_type=csites,open,fuds,close&status=act,bklg.com,colur&reporttitle=hazardous+waste+and+substances+site+list+(cortese)).

plaster, wallboard, and thermal insulation for water heaters and pipes. Common examples of non-friable ACMs are asphalt roofing shingles, vinyl asbestos floor tiles, and transite siding made with cement. Use of friable asbestos products was banned in 1978. National Emission Standards for Hazardous Air Pollutants (NESHAP) guidelines require that potentially friable ACMs be removed prior to building demolition or remodel that may disturb the ACMs.

The U.S. 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, Title 8, California Code of Regulations 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.

Local

Norman Y. Mineta San José International Airport Comprehensive Land Use Plan

The Norman Y. Mineta San José International Airport is located approximately 2.5 miles east of the project site. Given this distance, the project site is not located within the Airport Influence Area (AIA) of the Norman Y. Mineta San José International Airport, as defined by the Comprehensive Land Use Plan (CLUP).

Santa Clara General Plan

General Plan policies related to hazards and hazardous materials that are applicable to the project follow.

Policies	Description
5.10.5-P22	Regulate development on-sites with known or suspected contamination of soil and/or groundwater to ensure that construction workers, the public, future occupants and the environment are adequately protected from hazards associated with contamination, in accordance with applicable regulations.
5.10.5-P23	Require appropriate clean-up and remediation of contaminated sites.
5.10.5-P25	Use Best Management Practices to control the transport of hazardous substances and to identify appropriate haul routes to minimize community exposure to potential hazards.

Santa Clara Emergency Operations Plan

In June 2016, the City of Santa Clara adopted an Emergency Operations Plan (EOP) to address the planned response 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.

4.9.1.2 *Existing Conditions*

The project site is currently developed with a single story commercial building occupied by Wheels and Deals, a used car consignment dealership surrounded by asphalt concrete.

Based on the Phase I ESA, it is estimated that the direction of groundwater flow beneath the project site is towards the north or northeast. Groundwater in the general vicinity is anticipated at a depth of 10 to 20 feet bgs. Fluctuations in groundwater levels may occur seasonally and over a period of years due to precipitation, temperature, and irrigation.

Site History

A land use history of the site was compiled based on historical topographic maps, Environmental Data Resources (EDR) City Directory records; historical aerial photographs provided by EDR; available Sanborn Fire Insurance maps, and other available documents.

Based on a review of these sources, the site was undeveloped in 1899. By 1953, orchards appeared on the northern portion of the site and what appears to be row crops on the southern portion of the site. During the 1940s and 1950s, an increase in residential development is apparent in the general vicinity, along with commercial development mainly along El Camino Real. Additional structures were shown on the southern and southeast corner of the site by 1956. By 1968, the property was mapped as developed land with the existing on site structure and the previously described structure on the southeast corner of the site. Additionally, several structures (probably mobile homes) and other exterior stores items or vehicles were present on the site. Between 1968 and 1974, the structures on the southeast corner of the site were removed. From 1993 to 2013, the site appeared to be used for vehicle sales. Wheels and Deals occupied the site in 2006.

Potential On-site Sources of Contamination

Based on an October 2015 site reconnaissance, several one- and five-gallon containers containing vehicle washing and detailing products were identified on the site. A few containers of other automotive-related products (e.g. antifreeze and lubricants, etc.) with capacities of one-gallon and one-quart or smaller were also present, along with few gallons of weed killer. Four five-gallon containers of a petroleum based solvent also were observed, along with several empty gasoline safety cans and several automobile batteries. The containers were properly stored in the service bay and below the canopy covered area on the north side of the building. There appeared to be a minor oil staining on the asphalt pavement below the canopy, however, no significant materials spills were observed. The use of these materials is not considered a significant environmental concern.

A 1,000 gallon gasoline UST was removed from the northeast corner of the site on August 22, 1986. According to the Phase I report, the limited data suggests that the former UST did not significantly impact the site.

Soil and Groundwater Contamination

Given the project site was historically used for agricultural purposes, there is a potential that agricultural chemicals, such as pesticides, herbicides and fertilizers, were used on site, and that the site has been impacted by the use of such agricultural chemicals.

Asbestos and Lead Based Paint in Buildings

Friable asbestos is any asbestos containing material (ACM) that, when dry, can easily be crumbled or pulverized to a powder, 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. Non-friable ACMs are materials that contain a binder or hardening agent that does not allow the asbestos particles to become airborne easily. Common examples of non-friable ACMs are asphalt roofing shingles, vinyl asbestos floor tiles, and transite siding made with cement. Non-friable ACMs can pose the same hazard as friable asbestos during remodeling, repairs, or other construction activities that would damage the material. Use of friable asbestos products was banned in 1978.

In 1978, the Consumer Products Safety Commission banned paint and other surface coating materials containing lead. The existing restaurant building is approximately 60 years old. Because the existing building was constructed in 1968, it is reasonable to assume that ACMs and/or lead based paints are present in this structure.

Off-Site Sources of Contamination

Two nearby properties were listed in the leaking underground storage tank (LUST) database including El Camino Body Shop (aka., Santa Clara Glass) and Mobile Oil Corporation (Mobile). The El Camino Body Shop property at 3160 El Camino Real is located 375 feet southwest of the site. Two 550-gallon gasoline USTs were removed from the property in 1990. Benzene, toluene, ethylbenzene and xylenes (BTEX) were reported in the soil samples at low concentrations (up to 0.036 mg/kg). A case closure letter was issued by the Water Board in July 1996. This LUST case appears unlikely to have impacted the site.

The former Mobil Oil gasoline station at 3155 El Camino Real is located approximately 200 feet west of the site. In 1989, the service station was closed and several USTs were removed. Groundwater monitoring has been ongoing since 1989. Based on a recent groundwater monitoring report (Cardno, 2015), petroleum hydrocarbons releases at the former Mobile Oil property do not appear to have migrated to the site. The Geotracker database lists the LUST case status as being eligible for closure as of October 13, 2015. This LUST case appears unlikely to have impacted the site.

4.9.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
2) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4) 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, will it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5) 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, result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<hr/>				
Impact HAZ-1: The project would not create a significant hazard to the public or the environment through routine transport, use, or disposal of hazardous materials. (Less than Significant)				

Construction of the proposed project would involve the use of potentially hazardous materials, including vehicle fuels, oils, and fluids. All hazardous materials would, however, be transported, contained, stored, used, and disposed of in accordance with manufacturers' instructions and would be handled in compliance with all applicable standards and regulations. Construction-related hazardous materials use would be temporary, which does not constitute routine transport, use, or disposal.

The proposed operation of the development is not anticipated to routinely transport and use hazardous materials. For general office and residential uses, as proposed by the project, the extent of hazardous materials used in the building would generally be limited to those needed for cleaning and maintenance. Compliance with applicable federal, state, and local laws and regulations pertaining to the handling, storage, and disposal of hazardous materials would ensure that no significant hazards to the public or the environment result, if such routine activities were to occur. Therefore, impacts

related to the creation of a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials would be less than significant. (**Less Than Significant Impact**)

Impact HAZ-2: The project would create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. (**Less than Significant Impact with Mitigation Incorporated**)

On-Site Hazardous Materials Impacts

The project proposes to demolish the existing structures on-site and construct a three- to four-story, 48-unit townhouse-style condominium units in four buildings. As discussed in *Section 4.9.1.1*, the site was used for agricultural purposes (orchards) for several decades. There is potential that agricultural chemicals, such as pesticides, herbicides and fertilizers, were used on site, and that the project site has been impacted by the use of such chemicals. Soils on-site and groundwater beneath the site could potentially be contaminated with agricultural chemicals, which could be released into the environment and expose construction workers to contamination.

Based on the Phase II Environmental Site Assessment, contaminants that have impacted the surface and sub-surface soils of the property are related to the former structure. Several near-surface soil samples detected lead above residential DTCS-SL concentration of 80 mg/kg and combined DDT/DDE/DDD concentrations above the California Total Threshold Limit Concentration (TTLC). Deeper soil samples for both total DDT and lead did not detect concentrations above their screening criteria. Based on the analytical data, the source of the elevated lead in the soil sample is likely attributed to lead-based paint residue from the former structures, as a result of weathering and/or peeling of painted surfaces. The source of the elevated total DDT may be associated with possible pest control spraying near the former foundations of the wood-framed structures.

Mitigation Measures: The following mitigation measures would be implemented to reduce the risk of construction worker and resident exposure to Lead and DDT contamination:

MM HAZ-2.1: The concentrations of hazardous chemicals are likely limited to upper one or two feet of soil near the former structures. Prior to excavation of the project site, additional soil sampling will be completed prior to removal of asphalt in the area of the former structure to evaluate the distribution and magnitude of lead and total DDT concentrations.

MM HAZ-2.2: The additional data would be used to produce a Site Management Plan (SMP) to evaluate appropriate disposal and/or reuse options. In the event that impacted soil is identified on-site, the Director of Community Development shall be notified. Sample results shall be submitted to the Santa Clara Fire Department for review.

Contaminated soil shall be handled separately from “clean” soil. Common and potentially applicable remedial measures for the impacted soil may include: 1) excavation and off-site disposal at a permitted facility; 2) the use

of engineering and administrative controls, such as consolidation and capping of the soil on-site and land use covenants restricting certain activities/uses; and 3) a combination of the above. Remedial activities at the site, if warranted, would be overseen by an appropriate regulatory agency, such as the Department of Toxic Substances Control (DTSC) or the Santa Clara County Department of Environmental Health (SCCDEH).

MM HAZ-2.3: The affected soils on-site could be excavated and transported to the appropriate facility for disposal, under the oversight of SCCDEH or DTSC.

Implementation of the identified mitigation measures would reduce the risk of construction worker and nearby resident exposure to Lead and DDT contaminated soils. In addition, dust control measures would be implemented during all applicable phases of construction. For these reasons, adjacent land uses and construction workers would not be exposed to substantially contaminated soils. **(Less Than Significant Impact with Mitigation)**

Asbestos and Lead-Based Paint

An asbestos and lead-based paint survey was not conducted as part of the environmental site assessment. Given the age of the structure on-site, both asbestos and lead-based paint may be present within the structure. The project proposes to demolish the existing structures and, as a result, an asbestos survey must be conducted under National Emission Standards for Hazardous Air Pollutants (NESHAP) guidelines. In addition, NESHAP guidelines require that all potentially friable ACMs be removed prior to building demolition or renovation that may disturb the ACMs.

If lead-based paint is still bonded to the building materials, its removal is not required prior to demolition. If lead based paint is peeling, flaking, or blistered, it should be removed prior to demolition. It is assumed that such paint would become separated from the building components during demolition activities and must be managed and disposed of as a separate waste stream. Any debris or soil containing lead paint or coating must be disposed of at landfills that are permitted to accept such waste. Demolition of the existing structure on the project site could expose construction workers or residents in the vicinity of the project site to harmful levels of ACMs or lead.

The project is required to conform to the following regulatory programs and to implement the following measures to reduce impacts due to the presence of ACMs and/or lead-based paint:

- In conformance with State and local laws, a visual inspection/pre-demolition survey, and possible sampling, shall be conducted prior to the demolition of on-site buildings to determine the presence of asbestos-containing materials and/or lead-based paint.
- Prior to demolition activities, all building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Construction Standard, Title 8, California Code of Regulations 1532.1, including employee training, employee air monitoring, and dust control. Any debris or soil containing lead-based paint or coatings would be disposed of at landfills that meet acceptance criteria for the waste being disposed.
- All potentially friable ACMs shall be removed in accordance with NESHAP guidelines prior to any building demolition or renovation that may disturb the materials. All demolition activities will be undertaken in accordance with Cal/OSHA standards contained in Title 8 of CCR, Section 1529, to protect workers from exposure to asbestos.

- A registered asbestos abatement contractor shall be retained to remove and dispose of ACMs identified in the asbestos survey performed for the site in accordance with the standards stated above.
- Materials containing more than one percent asbestos are also subject to BAAQMD regulations. Removal of materials containing more than one percent asbestos shall be completed in accordance with BAAQMD requirements.

Conformance with the aforementioned regulatory requirements will result in a less than significant impact from ACMs and lead. **(Less Than Significant Impact)**

Impact HAZ-3: The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. **(No Impact)**

The project site is not located within one-quarter mile of any proposed or existing school. Therefore, implementation of the proposed project would not result in a hazardous materials impact to schools in the project area. **(No Impact)**

Impact HAZ-4: The project would not 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, create a significant hazard to the public or the environment. **(No Impact)**

As discussed in *Section 4.9.1.1* above, the project site is not located within a site included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, implementation of the proposed project would not result in a hazardous materials impact to the public or the environment. **(No Impact)**

Impact HAZ-5: The project would not be 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. The project would not result in a safety hazard or excessive noise for people residing or working in the project area. **(No Impact)**

The project site is not located near any public airport or private air strip. The nearest airport is Norman Y. Mineta San José International Airport, located approximately 2.5 miles east of the project site. The project site is not located within a Comprehensive Land Use Plan (CLUP)-defined safety zone or within the Norman Y. Mineta San José International Airport Influence Area (AIA), which is a composite of the areas surrounding the airport that are affected by noise, height, and safety considerations.

Federal Aviation Regulation Part 77 sets forth standards and review requirements for the protection of airspace. Part 77 is administered by the Federal Aviation Administration (FAA) and includes the restrictions on the height of potential structures, use of reflective surfaces and flashing lights, electronic interference, and other potential hazards to aircraft in flight. Building height restrictions are intended to keep flight paths clear of structures that could interfere with takeoff and landing movements. Based on the Norman Y. Mineta San José International Airport's Notice Requirement

Criteria Map, structures that exceed 100 feet above ground surface at the site would be required to notify the FAA. The proposed development would not exceed 55 feet above ground surface and is, therefore, not considered an aircraft hazard nor does the project require to notice to the FAA. The project site is not located near any private air strip; the project would not result in a hazard to aircrafts leaving from private airstrips. Therefore, implementation of the proposed project would not result in safety hazard impacts due to airport activities. **(No Impact)**

Impact HAZ-6: The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. **(No Impact)**

In June 2016 the Santa Clara City Council adopted a new comprehensive emergency response plan to replace the prior plan adopted in 2008.³⁵ The plan provides a legal framework for the management of emergencies and guidance for the conduct of business in the City's Emergency Operations Center (EOC), including collaboration and coordination between different responsible agencies. The Emergency Operations Plan (EOP) establishes responsibilities and procedures for addressing potential emergencies related to natural disasters such as earthquakes, flooding, and dam failure; technological incidents; hazardous materials spills or releases; and incidents of domestic terrorism involving weapons of mass destruction, such as chemical, biological, radiological, nuclear, and explosive (CBRNE) devices. The EOP conforms to the requirements of the National Incident Management System (NIMS) mandated by the U.S. Department of Homeland Security. The Santa Clara EOP also builds on and coordinates with the State's Standardized Emergency Management System (SEMS) and the California State Emergency Plan.

The EOP does not identify specific emergency shelters or evacuation routes in Santa Clara, though schools are identified as preferred facilities for lodging large numbers of people, with churches, hotels, and motels also likely to function as mass care facilities during large-scale disasters. The proposed project would not interfere with operation of any emergency shelters and would not close off or otherwise alter any existing streets, and therefore would not create any obstructions to potential evacuation routes that might be used in the event of an emergency. Development of the site with 48 new residences would not impair implementation of or physically interfere with the Santa Clara EOP. Therefore, the proposed project would not impair or interfere with the implementation of an adopted emergency response plan or emergency evacuation plan. **(No Impact)**

Impact HAZ-7: The project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. **(No Impact)**

The project site is in a developed urban area and it is not adjacent to any wildland areas that would be susceptible to fire. Therefore, implementation of the proposed project would not expose future site users or the proposed building to wildland fires. **(No Impact)**

³⁵ City of Santa Clara. *Emergency Operations Plan: All Risk/Multi-Hazard Functional Plan*. Adopted June 21, 2016.

4.9.3 Non-CEQA Effects

Per *California Building Industry Association v. Bay Area Air Quality Management District*, 62 Cal. 4th 369 (*BIA v. BAAQMD*), effects of the environment on the project are not considered CEQA impacts. The following discussion is included for informational purposes only because the City of Santa Clara has policies that address existing hazards and hazardous materials conditions affecting a proposed project.

The policies of the Santa Clara 2010-2035 General Plan have been adopted for the purpose of avoiding or mitigating environmental effects resulting from planned development within the City. The following policies apply to the proposed project:

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

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

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

Based on the Phase I ESA, lead based paint and pest control chemicals used on-site around the former structure may have impacted the surface and sub-surface soils on a portion of the property. Consistent with MM HAZ-2.1-MM HAZ-2.3, and Phase II Environmental Assessment, soil sampling is recommended to evaluate the distribution and magnitude of lead and total DDT concentrations. Off-site properties listed in regulatory databases were not considered an environmental concern for the site, due to the distance, gradient, or regulatory status of the properties. Under the oversight of SCCDEH, only soils requiring removal would be transported for disposal off-site. A majority of the project site would be covered by hardscape and the remaining impacted soils within landscaped areas would be placed under concrete foundations. Therefore, the project would be consistent with Policy 5.10.5-P22, Policy 5.10.5-P23, and Policy 5.10.5-P25 and would not pose a safety risk to future residents.

4.10 HYDROLOGY AND WATER QUALITY

4.10.1 Environmental Setting

4.10.1.1 *Regulatory Framework*

Federal, State, and Regional

Water Quality Overview

The federal Clean Water Act and California's Porter-Cologne Water Quality Control Act are the primary laws related to water quality. Regulations set forth by the U.S. Environmental Protection Agency (EPA) and the State Water Resources Control Board (SWRCB) have been developed to fulfill the requirements of this legislation. EPA regulations include the National Pollutant Discharge Elimination System (NPDES) permit program, which controls sources that discharge pollutants into the waters of the United States (e.g., streams, lakes, bays, etc.). These regulations are implemented at the regional level by the water quality control boards. The project site is within the jurisdiction of the San Francisco Bay RWQCB.

Statewide Construction General Permit

The SWRCB has implemented a NPDES General Construction Permit for the State of California. For projects disturbing one acre or more of soil, a Notice of Intent (NOI) and 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 are to minimize the discharge of pollutants and to protect beneficial uses and receiving waters from the adverse effects of construction-related storm water discharges.

Municipal Regional Stormwater NPDES Permit (MRP)/C.3 Requirement

The San Francisco Bay RWQCB has issued a Municipal Regional Stormwater NPDES Permit (Permit Number CAS612008) (MRP) that covers the project area. Under provisions of the NPDES Municipal Permit, redevelopment projects that disturb more than 10,000 square feet are required to design and construct stormwater treatment controls to treat post-construction stormwater runoff. The MRP requires regulated projects to include Low Impact Development (LID) practices, such as pollutant source control measures and stormwater treatment features aimed to maintain or restore the site's natural hydrologic functions. The MRP also requires that stormwater treatment measures are properly installed, operated and maintained.

National Flood Insurance Program

FEMA established the National Flood Insurance Program (NFIP) in order to reduce impacts of flooding on private and public properties. In addition to providing flood insurance, FEMA also publishes Flood Insurance Rate Maps that identify Special Flood Hazard Areas (SFHA). A SFHA is an area that will be inundated by the one-percent annual chance flood, which is also referred to as the base flood or 100-year flood. NFIP floodplain management regulations are required in SFHAs.

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.³⁶ Because dam failure that results in downstream flooding may affect life and property, dam safety is regulated at both the federal and state level. In accordance with the state Dam Safety Act, dams are inspected regularly and detailed evacuation procedures have been prepared for each dam.

As part of its comprehensive dam safety program, the Santa Clara Valley Water District (SCVWD) routinely monitors and studies the condition of each of its 10 dams. The SCVWD 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.

Local

Santa Clara General Plan

General Plan policies related to hydrology and water quality and applicable to the project include the following.

Policies	Description
5.10.5-P11	Require that new development meet stormwater and water management requirements in conformance with state and regional regulations.
5.10.5-P13	Require that development complies with the Flood Damage Protection Code.
5.10.5-P15	Require new development to minimize paved and impervious surfaces and promote on-site Best Management Practices for infiltration and retention, including grassy swales, pervious pavement, covered retention areas, bioswales, and cisterns, to reduce urban water run-off.
5.10.5-P16	Require new development to implement erosion and sedimentation control measures to maintain an operational drainage system, preserve drainage capacity and protect water quality.
5.10.5-P17	Require that grading and other construction activities comply with the Association of Bay Area Governments' Manual of Standards for Erosion and Sediment Control Measures and with the California Stormwater Quality Association, Stormwater Best Management Practice Handbook for Construction.
5.10.5-P18	Implement the Santa Clara Valley Nonpoint Source Pollution Control Program, Santa Clara Valley Urban Runoff Pollution Prevention Program and the Urban Runoff Management Plan.
5.10.5-P20	Maintain, upgrade and replace storm drains in the City to reduce potential flooding.
5.10.5-P21	Require that storm drain infrastructure is adequate to serve all new development and is in place prior to occupancy.

³⁶ State of California. "2013 State Hazards Mitigation Plan." Accessed April 19, 2018.
<http://www.caloes.ca.gov/for-individuals-families/hazard-mitigation-planning/state-hazard-mitigation-plan>.

Santa Clara 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).

4.10.1.2 *Existing Conditions*

Water Quality

The water quality of streams, creeks, ponds, and other surface water bodies can be greatly affected by pollution carried in contaminated surface runoff. Pollutants from unidentified sources, known as non-point source pollutants, are washed from streets, construction-sites, parking lots, and other exposed surfaces into storm drains. Urban stormwater runoff often contains contaminants such as oil and grease, plant and animal debris (e.g., leaves, dust, animal feces, etc.), pesticides, litter, and heavy metals. In sufficient concentration, these pollutants have been found to adversely affect the aquatic habitats to which they drain. The nearest waterway to the project site is Calabazas Creek, approximately 450 feet to the west of the project site.

Groundwater

The project site is located within the Santa Clara Valley Groundwater Basin, Santa Clara Subbasin. The regional topographic gradient is generally north or northeast towards the San Francisco Bay. Historic high groundwater levels in the project area are mapped at a depth of approximately 10 feet below current grade. The depth to groundwater can vary due to seasonal fluctuation, underground drainage patterns, and regional fluctuations.

As noted in the Phase I ESA prepared for the site, there is a former water supply well present on the site.

Storm Drainage System

The City of Santa Clara Public Works Department owns and maintains the municipal storm drainage system which serves the project site. The lines that serve the project site drain into San Tomas Aquino Creek, which is located 0.75 miles east of the site. San Tomas Aquino Creek originates in the forested foothills of the Santa Cruz Mountains and flows approximately 17 miles in a northern direction through the center of the City of Santa Clara, discharging into the Guadalupe Slough at the northwestern corner of the City, which flows to the lower South San Francisco Bay. The major tributaries to San Tomas Aquino Creek include Saratoga, Wildcat, Smith and Vasona Creeks.

The site is currently developed with a one-story commercial building and asphalt paved parking lot on all four sides, and is entirely impervious. There is an existing 12-inch storm drain line within the fifteen (15) foot wide storm drain easement adjacent to the northerly property line. This line flows east and intersects with a line that then travels north. According to City utility map records, two

(2) storm drain inlets (round) and a manhole exist within the fifteen (15) foot wide storm drain easement adjacent to the northerly site parcel boundary. A second 12-inch storm drain line exists along the south side of El Camino Real in the eastbound and most southerly traffic lane.

Flooding

Based on the Federal Emergency Management Agency's (FEMA) Flood Insurance Rate Maps (Map 06085C0226H), the project site is located in Flood Zone X.³⁷ Zone X is designated as areas of 0.2 percent annual chance flood, areas of one percent annual chance flood with average depths of less than one foot or with drainage areas of less than one square mile, and areas protected by levees from one percent annual chance floods.

Dam Failure

Based on the Santa Clara Valley Water District dam failure inundation hazard maps, the project site is within the Lexington Dam failure inundation hazard zone and outside the Anderson Dam failure inundation zone.^{38,39}

Seiches, Tsunamis, and Mudflows

Areas most likely to be inundated by tsunami are marshlands, tidal flats, and former bay margin lands that are now artificially filled, but are still at or below sea level, and are generally within 1.5 miles of the shoreline. The site is approximately 7.5 miles inland from the San Francisco Bay shoreline, and is approximately 80 to 86 feet above mean sea level according to Google Earth. Therefore, the potential for inundation due to tsunami or seiche is considered low. The project area is flat and there are no mountains in proximity that would affect the site in the event of a mudflow.

Hydromodification

In addition to water quality controls, the Municipal Regional Stormwater NPDES permit requires all new 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 beneficial uses of local rivers, streams, and creeks. Projects may be deemed exempt from the permit requirements if they do not meet the size threshold, drain into tidally influenced areas or directly into the Bay, drain into hardened channels, or are infill projects in subwatersheds or catchments areas that are greater than or equal to 65 percent impervious (per the Santa Clara Permittees Hydromodification Management Applicability Map).

³⁷ Federal Emergency Management Agency. *Flood Insurance Rate Map. Map Number 06085C0226H*. May 18, 2009. Accessed August 21, 2018.

³⁸ Santa Clara Valley Water District. *Lexington Reservoir 2009 Flood Inundation Maps*. 2009. Accessed August 23, 2018. <http://www.valleywater.org/Services/LexingtonReservoirAndLenihanDam.aspx>.

³⁹ Santa Clara Valley Water District. *Anderson Dam and Reservoir 2009 Flood Inundation Maps*. 2009. Accessed August 23, 2018. <http://www.valleywater.org/Services/AndersonDamAndReservoir.aspx>.

Based on the SCVUPPP Watershed Map for the City of Santa Clara, the project site is within a subwatershed that drains into a hardened channel or tidal area. As a result, the project is not subject to the NPDES hydromodification peak runoff requirements.⁴⁰

4.10.2 Impact Discussion

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

⁴⁰ Santa Clara Valley Urban Runoff Pollution Prevention Program. Accessed August 23, 2018.
<http://www.scvurppp-w2k.com/hmp_maps.htm>.

Impact HYD-1: The project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. **(Less than Significant Impact)**

Operational Impacts

The project would contribute the same types of stormwater runoff pollutants as the residential and commercial uses surrounding the development. Runoff from streets and parking areas often carry grease, oil, and trace amounts of heavy metals into the storm drainage system. Although the amounts of these pollutants ultimately discharged into the waterways are unknown, over time they could be substantial.

While the proposed project would generate pollutants which would flow into the storm drainage system, the water would be filtered through bio-retention areas and a media filtration system prior to discharge. Treatment of the stormwater exiting the site would improve the quality of stormwater entering the storm drainage system compared to existing conditions.

In order to meet the City's and the NPDES requirements, the project proposes the following design measure to reduce runoff pollutant loads:

Operational Measures

- The walkways, driveways, parking lot, and rooftop runoff would drain into bio-retention areas throughout the site.
- The project would also utilize a stormwater media filtration unit along the northern sides of the project site.

With the incorporation of the above treatment control measures and the above NPDES permit requirements to reduce post-construction water quality impacts, project operations would not substantially degrade water quality or violate water quality standards. With implementation of the project's proposed SWCP, the project would not violate any adopted water quality standards or waste discharge requirements. **(Less Than Significant Impact)**

Construction Impacts

Demolition and construction would temporarily increase the amount of debris on-site and grading activities would increase erosion and sedimentation that could be carried by runoff into Calabazas Creek. Because the proposed project would disturb more than one acre of land, the project would be required to comply with the general stormwater permit and prepare SWPPP for construction activities. In addition, the following measures (based on RWQCB recommendations) have been included in the project as conditions of project approval to reduce potential construction-related water quality impacts:

Conditions of Approval

- Burlap bags filled with drain rock shall be installed around storm drains to route sediment and other debris away from the drains.
- Earthmoving or other dust-producing activities would be suspended during periods of high winds.
- All exposed or disturbed soil surfaces would be watered at least twice daily to control dust as necessary.
- Stockpiles of soil or other materials that can be blown by the wind would be watered or covered.
- All trucks hauling soil, sand, and other loose materials would be covered and all trucks would be required to maintain at least two feet of freeboard.
- All paved access roads, parking areas, staging areas and residential streets adjacent to the construction sites would be swept daily (with water sweepers).
- Vegetation in disturbed areas would be replanted as quickly as possible.

With implementation of the identified construction measures and compliance with the NPDES General Construction Permit, construction of the proposed project would have a less than significant impact on water quality. **(Less Than Significant Impact)**

Former On-site Well

As noted in the Phase I ESA prepared for the site, there is a former water supply well present on the site. If not properly destroyed, the well could serve as a conduit for contaminants to be released into the groundwater table.

Mitigation Measures: The following mitigation measure would be implemented to reduce the risk of groundwater contamination associated with the on-site well:

MM HYD-1.1: The project applicant shall obtain a permit from the Santa Clara Valley Water District to properly destroy the well prior to issuance of a grading permit.

With implementation of these measures, impacts related to release of contaminants in the shallow groundwater table would be less than significant. **(Less Than Significant Impact with Mitigation)**

Impact HYD-2: The project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. **(Less than Significant Impact)**

The project site does not currently contribute to recharging of groundwater aquifers. The depth to groundwater at the project site is approximately nine to 10 feet bgs. The bottom of the half-level below-grade basement is anticipated to extend to approximately seven to 10 feet below grade. Groundwater could potentially be encountered in the garage excavation and deeper excavations for utilities, elevators, or other deep excavations. Impacts associated with high groundwater typically consist of potentially wet and unstable subgrade, difficulty achieving compaction, and difficult underground utility installation. Dewatering and shoring of the below-grade basement and utility trenches may be required. Depending on the final basement depth, below-grade slabs and retaining walls may need to be designed to resist potential hydrostatic uplift pressures from high groundwater. More detailed recommendations and an evaluation of the depth of groundwater would be evaluated further as part of a design-level geotechnical investigation. The project would not use groundwater, deplete groundwater supply, or interfere with groundwater recharge. Therefore, the project would not interfere with groundwater flow. **(Less Than Significant Impact)**

Impact HYD-3: The project would 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 result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; 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 impede or redirect flood flows. **(Less than Significant Impact)**

Under existing conditions, the project site is developed with a building and parking lot and is nearly entirely impervious except for small areas of landscaping. Implementation of the project would decrease impervious surfaces by 22 percent, as seen in Table 4.10-1 below. The decrease in impervious surfaces at the project site would result in an incremental decrease in stormwater runoff.

Table 4.10-1: Pervious and Impervious Surfaces On-Site						
Site Surface	Existing/Pre-Construction (sf)	%	Project/Post-Construction (sf)	%	Difference (sf)	%
Impervious						
Roof	5,578	7	23,318	28	+17,740	+21
Parking	76,549	93	4,534	6	-72,015	-87
Sidewalks and Streets	0	0	36,462	44	+36,462	+44
Subtotal	82,127	100	64,314	78	-17,813	-22
Pervious						
Pavement and Landscaping	0	0	17,813	22	+17,813	+22
Total:	82,127	100	82,127	100		

The project would add or replace more than 10,000 square feet of impervious surfaces. Conformance with the permit requirements is illustrated in the Conceptual Stormwater Control Plan (See Figure 4.10-1) and would be finalized in the final Stormwater Control Plan at the Development Permit stage

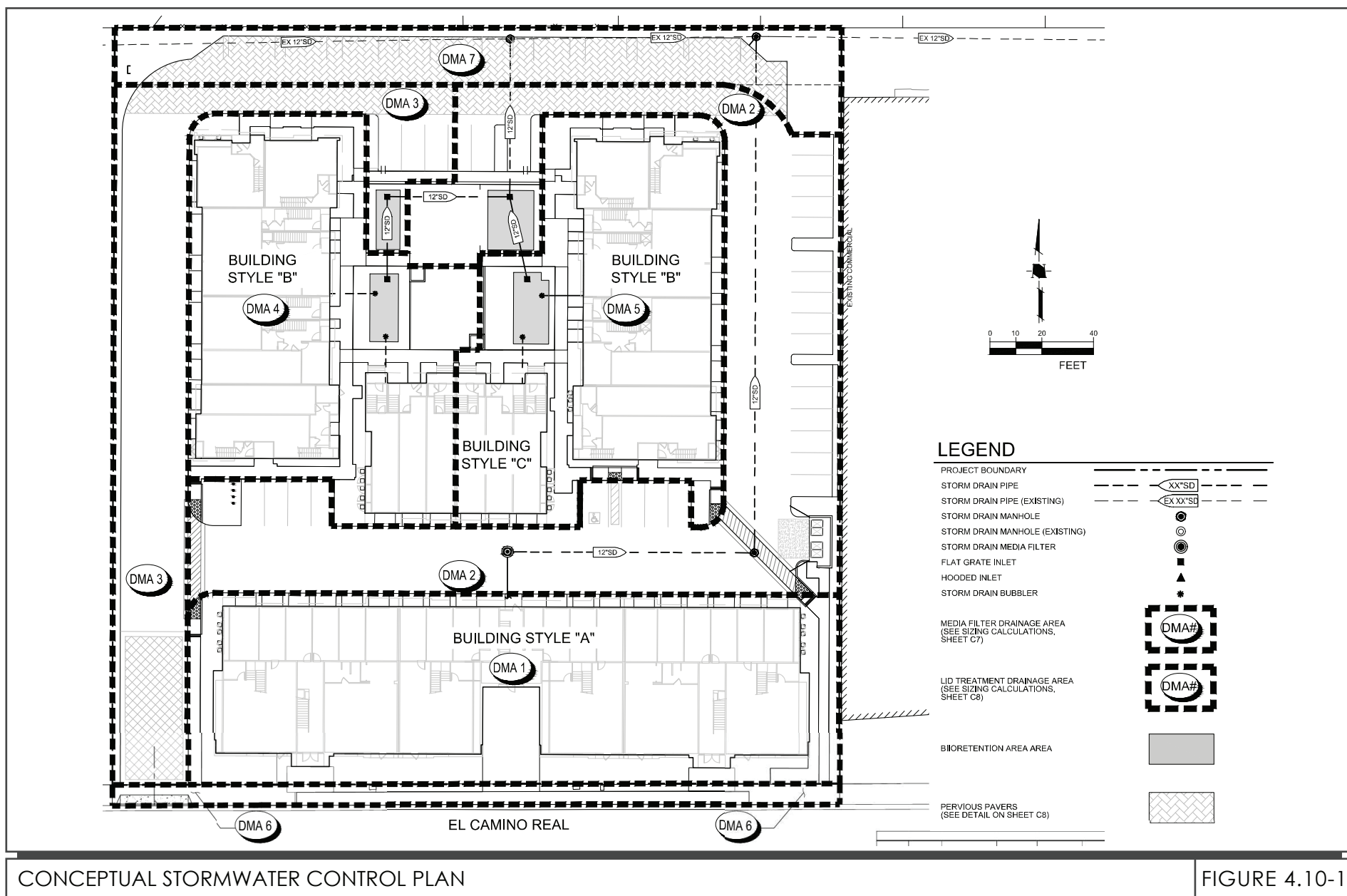
of the project. Plans would be certified by engineers to ensure incorporation of appropriate and effective source control measures to meet Low Impact Development (LID) requirements to prevent discharge of pollutants, reduce impervious surfaces, retain a percentage of runoff on-site for percolation, and treatment control measures to remove pollutants from runoff entering the storm drainage system. In order to meet the City's requirements and the NPDES requirements, the project proposes storm drain inlets, bio-retention areas, and a media filtration unit to reduce urban water runoff. Due to the project's location in a Priority Development Area, it may qualify for a reduction in the proportion of LID treatment controls required, under the Special Projects regulations of Provision C.3.

The proposed treatment facilities would have sufficient capacity to treat the stormwater runoff entering the storm drainage system. In addition, the project would be required to maintain all post-construction treatment control measures, as outlined below, throughout the life of the project. The following measures, based on the RWQCB BMPs and City requirements, are included in the proposed project as conditions of project approval to ensure compliance with NPDES permit requirements to reduce post-construction water quality impacts.

Conditions of Approval

- When the construction phase is complete, a Notice of Termination (NOT) for the General Permit for Construction would be filed with the RWQCB and the City of Santa Clara. The NOT shall document that all elements of the SWPPP have been executed, construction materials and waste have been properly disposed of, and a post-construction stormwater management plan is in place as described in the SWPPP for the project site.
- All post-construction Treatment Control Measures (TCMs) shall be installed, operated, and maintained by qualified personnel. On-site inlets shall be cleaned out at a minimum of once per year, prior to the wet season.
- The property owner/site manager shall keep a maintenance and inspection schedule and record to ensure the TCMs continue to operate effectively for the life of the project. Copies of the schedule and record must be provided to the City upon request and must be made available for inspection on-site at all times.

With implementation of the project's proposed Stormwater Control Plan (SWCP), the project would not violate any adopted water quality standards or waste discharge requirements. Runoff would be routed directly from the treatment facilities to the storm drainage system and would not flow off-site. Installation and maintenance of the proposed stormwater treatment systems would result in a less than significant impact on water quality. **(Less Than Significant Impact)**



Impact HYD-4: The project would not risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones. **(No Impact)**

Based on the FEMA flood insurance rate maps, the project site is located within Flood Zone X; areas of two percent annual chance flood, areas with one percent chance of annual flood with average depths of less than one foot or with drainage areas less than one square mile, and areas protected by levees from a one percent annual flood. The project site is outside the 100-year floodplain; therefore, implementation of the proposed project would not expose people or structures to significant flood hazards. In addition, due to the location of the project site, the project would not be subject to inundation by seiche, tsunami, or mudflow.

As mentioned previously, the project site is within the Lexington Dam failure inundation hazard zone and outside the Anderson Dam failure inundation zone. Part of the California Department of Water Resources (DWR), the Division of Safety of Dams, is responsible for regular inspection of dams in the area and minimizing the risk of dam failure. Implementation of the project would not expose people or structures to significant flooding risks due to dam failure. **(No Impact)**

Impact HYD-5: The project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. **(Less than Significant Impact)**

As stated in Impact HYD-2, the project site is located in a developed urban area and is not within a designated groundwater recharge zone for the groundwater basin. The project would not conflict with the implementation of a water quality control plan or sustainable groundwater management plan. **(Less than Significant Impact)**

4.11 LAND USE AND PLANNING

4.11.1 Environmental Setting

4.11.1.1 *Regulatory Framework*

Regional

Santa Clara Valley Habitat Plan

The Santa Clara Valley Habitat Plan (Habitat Plan) is a conservation program intended to promote the recovery of endangered species and enhance ecological diversity and function, while accommodating planned growth on approximately 500,000 acres of southern Santa Clara County. The City of Santa Clara, including the project site, is not located within the Habitat Plan permit area.

Local

Santa Clara General Plan

The following land-use related General Plan policies are applicable to the proposed project.

Policies	Description
5.3.1-P9	Require new development provide adequate public services and facilities, infrastructure, and amenities to serve the new employment or residential growth.
5.3.1-P13	Support high density and intensity development within a quarter-mile of transit hubs and stations and along transit corridors.
5.3.2-P1	Encourage the annual construction of the housing units necessary to meet the City's regional housing needs assessment by reducing constraints to housing finance and development.
5.3.2-P2	Encourage higher-density residential development in transit and mixed-use areas and in other locations throughout the City where appropriate.
5.3.2-P3	Encourage below-grade parking and parking structures for development in Medium Density and High Density designations.
5.3.2-P6	Provide adequate choices for housing tenure, type and location, including higher density, and affordability for low- and moderate-income and special needs household.
5.3.4-P4	Require mixed-use development to meet the density and intensity specified in the land use classifications.
5.3.4-P6	Locate a neighborhood square or plaza within large mixed-use developments.
5.3.4-P7	Use design techniques, such as stepping down building heights, and siting incompatible activities, such as loading and unloading, away from residential uses.
5.3.4-P11	Foster active, pedestrian-oriented uses at the ground level, such as retail shops, office, restaurants with outdoor seating, public plazas or residential units with front stoops, in mixed-use development.
5.4.1-P3	Allow a ten percent increase in the maximum residential density if access to regularly scheduled transit to the Santa Clara Station, Lawrence Station and employment centers north of the Caltrain corridor is within one-quarter mile.

Policies	Description
5.4.1-P4	Explore allowing higher densities/intensities at key intersections where there are parcels of significant size with primary access to sites, provided that new development will not have an adverse impact on the existing, adjacent residential neighborhoods.
5.4.1-P9	Residential development should include front doors, windows, stoops, porches, and bay windows or balconies along street frontages.
5.4.3-P7	Provide appropriate transition between new development and adjacent uses consistent with General Plan Transition Policies.
5.5.1-P6	For development proposing a minimum LEED Gold or greater equivalent, allow a ten percent increase in residential density and/or a ten percent increase in the maximum allowed nonresidential square-footage, provided that the increased density and/or intensity is compatible with planned uses on neighboring properties and consistent with other applicable General Plan policies.
5.5.2-P1	Require that new development incorporate building articulation and architectural features, including front doors, windows, stoops, porches or bay windows along street frontages, to integrate new development into existing neighborhoods.
5.5.2-P3	Implement site design solutions, such as landscaping and increased building setbacks, to provide a buffer between non-residential and residential uses.
5.5.2-P5	Require that new development provide an appropriate transition to surrounding neighborhoods.
5.5.2-P7	For buildings of three stories or greater, increase the setback of upper stories where they abut lower-intensity residential uses.
5.5.2-P12	Screen loading and trash areas to preclude visibility from off-site and public streets.

El Camino Real Focus Area

The General Plan identifies the site within the *El Camino Real Focus Area*. Goals of the *El Camino Real Focus Area* are to develop the corridor with a mix of residential and commercial uses. The El Camino Real Focus Area is bounded by the Santa Clara/Sunnyvale border near Lawrence Expressway to the west, and the Lafayette Street/El Camino Real intersection to the east. The majority of parcels within the El Camino Real Focus Area are those directly adjacent to El Camino Real. The General Plan vision for El Camino Real is to transform this focus area from a series of automobile-oriented strip-malls to a tree-lined, pedestrian- and transit-oriented corridor with a mix of residential and retail uses. Future development in these areas would be characterized by lower-intensity mixed-, or single-use, development with signature landscaping, streetscape design, signage and public art, to contribute to the area's identity of this Focus Area. Building design and scale should represent the City's historic character, with two-and three-story structures and special attention to articulation and proportion.

Transit, including Bus Rapid Transit or similar facility, is envisioned along the entire El Camino Real corridor and would take priority over single occupancy vehicles. This corridor also emphasizes levels of service for pedestrian and transit circulation rather than single-occupancy vehicles. The following land-use related El Camino Real Focus Area policies are applicable to the proposed project:

Policies	Description
5.4.1-P2	Allow new development under the ‘Community Mixed Use’ designation for exclusively residential or commercial uses provided that it meets the minimum requirements for the Medium Density Residential or Community Commercial land use classifications.
5.4.1-P5	Provide appropriate transition between new development in the Focus Area and adjacent uses consistent with General Plan Transition Policies.
5.4.1-P6	Encourage lower profile development, in areas designated for Community Mixed use in order to minimize land use conflicts with existing neighborhoods.
5.4.1-P8	Orient ground floor retail and residential entries to the public sidewalk on El Camino Real.
5.4.1-P10	Encourage structured and below-grade, rather than surface, parking in new development, to ensure that space at the ground level is devoted to active uses.
5.4.1-P12	Highly encourage the development of affordable housing and senior housing that is well designed and compatible with adjacent uses in the <i>El Camino Real Focus Area</i> .
5.4.1-P23	Prepare a precise plan for the segment of El Camino Real between Scott Boulevard and the western City limits to ensure new development is coordinated and its design is consistent with what is envisioned for a Focus Area.

Santa Clara City Code

The intent of the Zoning Code (Title 18 of the City Code) is to encourage development of various kinds of living, working and commercial activities in specific areas as defined in the General Plan and to segregate and protect the activities of these areas from each other. The intent of the City Code also includes the following:

- To promote the public health, safety, comfort, and general welfare.
- To minimize congestion on the public streets and highways.
- To promote efficient urban design arrangement and to secure economy in governmental expenditures.
- To preserve landmarks which reflect the City’s historical, architectural, cultural and aesthetic traditions and promote a sense of community identity and historic perspective.

4.11.1.2 *Existing Conditions*

Project Site

The 1.88-acre project site is located on the north side of El Camino Real in an urban area of Santa Clara. The project site is currently developed with a one-story commercial building and asphalt paved parking lot on all four sides. Figure 2.2-3 shows an aerial image of the project site.

Surrounding Land Uses

Development in the project area includes a mix of commercial businesses, light industrial uses, and residential uses. South of the project site is El Camino Real, a six-lane thoroughfare with a raised median. On the south side of El Camino Real is a mix of one-story commercial businesses, including restaurants and retail. A residential neighborhood is located north of the project site. To the west of the project site is a 2.4-acre property known as Bower's Plaza, a small retail center and automotive service center that forms the corner of the block. To the east of the project site is a 0.82 acre property: Century Automotive, an automobile repair establishment.

4.11.1.3 *Existing Land Use Designation and Zoning*

The City's General Plan is a Progressive General Plan which provides for multi-horizon sequence within the 2010-2035 timeframe. This progressive approach allows for a property to have multiple land use designations under a single General Plan which would allow for three phases that address the short-, mid-, and long-term goals for City growth and development. The site is designated as *Community Mixed Use* (with a commercial component) under the City's General Plan for Phase II (2015-2023) and Phase III (2023-2035) and is zoned *CT – Thoroughfare Commercial*. The General Plan identifies the site within the *El Camino Real Focus Area*.

The *Community Mixed Use* designation is a combination of the 'Community Commercial' and 'Medium Density Residential' designations and is intended to encourage a mix of residential and commercial uses along major streets. Auto-oriented uses are not appropriate in this designation, except under certain circumstances within the *El Camino Real Focus Area*. Parking should be behind buildings, below-grade or in structures, to ensure that active uses face public streets. Retail, commercial and neighborhood office uses, at a minimum FAR of 0.10, are required in conjunction with residential development between 20 to 36 dwelling units per acre (du/ac).

The *CT – Thoroughfare Commercial* zoning district is intended 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 and other uses that are more suitable for individual auto access than for development within a shopping center (Zoning Ord. 19-2). Structures are limited to three stories plus depressed parking. Total building height measures from adjacent grade and shall not exceed 35 feet. The *CT* district does not allow residential development, and therefore the project proposes a rezoning to the Planned Development district to accommodate the residential uses, including the live/work units.

4.11.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact LU-1: The project would not physically divide an established community. **(No Impact)**

Impacts to an established community can occur if the project physically divides a community. The project site is located in an urban area developed with residential and commercial uses. The project proposes to demolish the existing one-story commercial building and develop mixed-use buildings at a higher density and with taller building heights, as shown in Figure 3.1-1 through 3.1-4. The existing sidewalks along the project frontage on El Camino Real would be widened to provide pedestrian access to the proposed retail and residential buildings. A driveway onto El Camino Real would provide access to parking. Roadways in the vicinity would remain; therefore, the community would not be divided by new roadways. The project's residential and retail development is consistent with the surrounding uses of the site. The layout and design of the proposed project does not include any features that would physically divide the surrounding community. Given that the existing development in the project area consists of a mix of land uses and connectivity between communities would not be lost as a result of the project, the proposed project would not physically divide an established community. **(No Impact)**

Impact LU-2: The project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. **(Less than Significant Impact)**

Consistency with the General Plan Land Use Designation and Zoning

As proposed, the project would demolish the existing one-story commercial building and construct a three- to four- story multi-family housing complex, including 42 residential units and six live/work units (in Building A), which include 8,189 square feet of retail space, 27,438 square feet of private open space, 33,002 square feet of landscape/hardscape space, and 102 parking spaces. The development would include four buildings - A, B, B and C

General Plan

As stated in *Section 4.10.1* above, the project site is designated *Community Mixed Use* under the City's General Plan. The proposed project fits within the *Community Mixed Use* designation. This designation has a density range of 20 to 36 dwelling units per gross acre (du/ac). Additionally, this designation calls for retail, commercial and neighborhood offices at a minimum of 0.10 FAR. The project proposes 48 multi-family residential units on approximately 1.88 acres at a residential density of 25.5 du/ac that is consistent with the General Plan. The requirement to meet the 0.10 FAR for commercial/office/retail use would equal approximately 8,189 square feet. As proposed, the commercial space defined by the six live work units would total 8,189 square feet, with a FAR of approximately 0.10. Therefore, the commercial density of the project is consistent with the General Plan.

Zoning

The *CT – Thoughtfare Commercial* zoning district allows commercial and service uses but does not allow housing as a permitted or conditional use (Santa Clara City Code 18.38). As a result, a *PD-Planned Development* rezoning is being proposed as part of the project. The PD zoning district is intended to accommodate development that is compatible with the existing community. This zoning district utilizes imaginative planning and design concepts that would be restricted in other zoning districts and integrates uses that are not permitted to be combined in other zoning districts. The proposed rezoning would allow for mixed-use development consistent with the General Plan.

The proposed *PD-Planned Development* zoning would allow for the 55-foot tall development and proposed setback distances. The proposed development's uses would be consistent with the surrounding residential and commercial land uses in the area. The proposed retail storefront would be similar in visual character to retail businesses along El Camino Real.

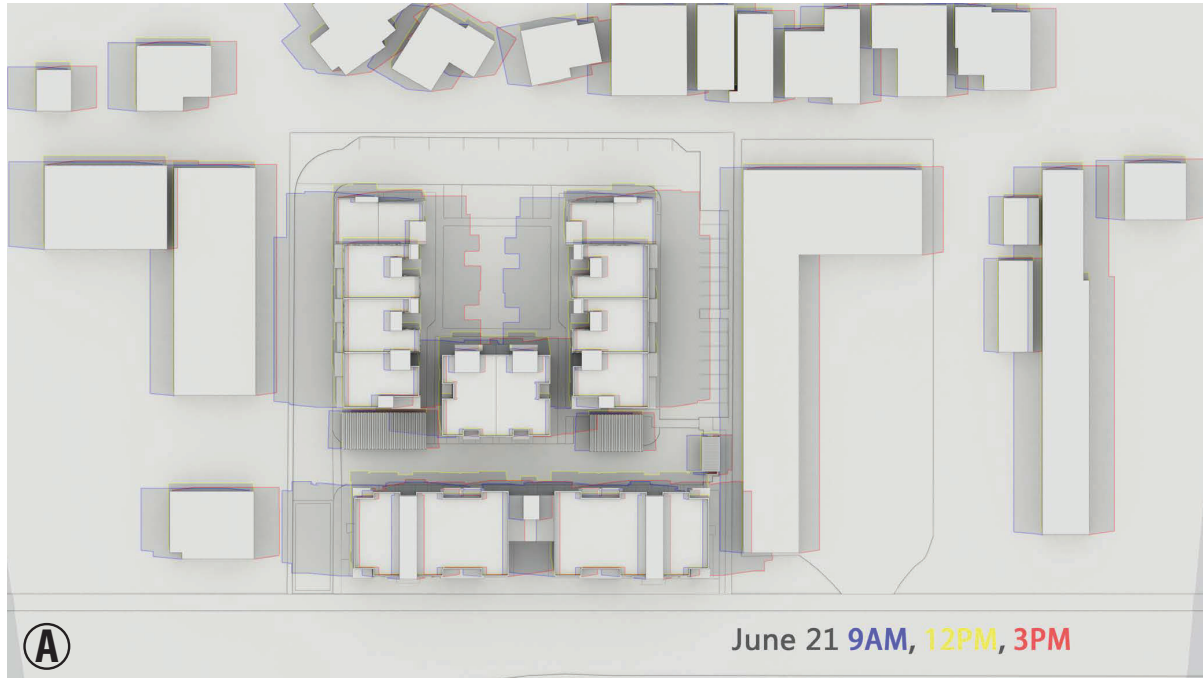
The proposed project would meet the City's architectural standards. Approval of the PD zoning would not result in an incompatible land use or a built environment on-site that would preclude the continued operation of the surrounding land uses. The proposed rezoning would be consistent with the existing General Plan designation and the proposed project, and would not result in a significant land use impact. **(Less Than Significant Impact)**

Consistency with Habitat Conservation Plan

The project is not located within an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or any other approved habitat conservation plan. Therefore, the project would not conflict with any habitat conservation plan or natural community conservation plan. **(No Impact)**

Shade and Shadow Analysis

The proposed development would be comprised of three- to four-story buildings with a maximum height of 51 feet in Building A along El Camino Real, and steps down to three-story buildings at 37-foot heights within 71 feet of the north property line. The proposed buildings would be located approximately 44 feet from the north property line bordering single family residential properties to the north.



Shadow Study

- Ⓐ Summer Solstice: June 21, 2018: 9AM, 12PM, 3PM
- Ⓑ Winter Solstice: December 21, 2018: 9AM, 12PM, 3PM

To determine the specific shading of the proposed building on the surrounding land uses, a shade and shadow analysis was completed by the project architect. As shown on Figure 4.11-1, the maximum shading from the project would occur in the winter months during morning and afternoon hours. In the winter morning hours, the project would cast shadows to the northwest, extending onto the commercial buildings west of the project site and residences to the north. In the afternoon, the project would cast shadows to the northeast, extending onto the existing residences to the north and commercial building (Century Automotive) located east of the project.

The City of Santa Clara does not have a quantifiable threshold for increased shading on public or private property. The project would not shade any public properties. The shading of the commercial buildings and parking lots to the east and west of the site would not preclude use of the property or interfere with business operations.

There are no existing solar collectors on the roofs of houses on adjacent residential properties that would be impacted by shading from the project. Shading from the project would not occur year-round on any property and would not substantially impair the beneficial use of adjacent parcels by the residents. Furthermore, the City of San Clara does not recognize the shading of private residential open space as a significant land use impact. As a result, implementation of the proposed project would not result in a significant shade and shadow impact. **(Less Than Significant Impact)**

4.12 MINERAL RESOURCES

4.12.1 Setting

The City of Santa Clara is located in an area zoned MRZ-1 for aggregate materials by the State of California. 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 mineral resources of any type. No mineral resources are currently being extracted in the City of Santa Clara. The State Office of Mine Reclamation's list of mines (AB 3098 list) regulated under the Surface Mining and Reclamation Act does not include any mines within the City.

4.12.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Result in the loss of availability of a known mineral resource that will be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Impact MIN-1: The project would not result in the loss of availability of a known mineral resource that would be of value to the region and residents of the state. **(No Impact)**

The proposed project site does not have any known mineral resources, and there are no mineral extraction-sites present in the immediate area around the project. The proposed project, therefore, would not result in significant impacts to mineral resources. **(No Impact)**

Impact MIN-2: The project would not 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)**

Refer to Impact MIN-1. **(No Impact)**

4.13 NOISE AND VIBRATION

The following discussion is based in part on a Noise Study prepared by *Illingworth & Rodkin* in June 2018. A copy of this report is provided in Appendix D.

4.13.1 Environmental Setting

4.13.1.1 *Noise Overview*

Several factors influence sound as it is perceived by the human ear, including the actual level of sound, the period of exposure to the sound, the frequencies involved, and the fluctuation in the noise level during exposure. Noise is measured on a “decibel” scale which serves as an index of loudness. The zero on the decibel scale is based on the lowest sound level that the healthy, unimpaired human ear can detect. Each 10 decibel increase in sound level is perceived as approximately a doubling of loudness over a fairly wide range of intensities. Because the human ear cannot hear all pitches or frequencies, sound levels are frequently adjusted or weighted to correspond to human hearing. This adjusted unit is known as the A-weighted decibel, or dBA.

Since excessive noise levels can adversely affect human activities and human health, federal, state, and local governmental agencies have set forth criteria or planning goals to minimize or avoid these effects. Noise guidelines are almost always expressed using one of several noise averaging methods, such as L_{eq} , DNL, or CNEL.⁴¹ Using one of these descriptors is a way for a location’s overall noise exposure to be measured, given that there are specific moments when noise levels are higher (e.g., when a jet is taking off from an airport or when a leaf blower is operating) and specific moments when noise levels are lower (e.g., during lulls in traffic flows on freeways or in the middle of the night). L_{max} is the maximum A-weighted noise level during a measurement period.

4.13.1.2 *Vibration Overview*

Ground vibration consists of rapidly fluctuating motions or waves with an average motion of zero. Vibration amplitude can be quantified using Peak Particle Velocity (PPV), which is defined as the maximum instantaneous positive or negative peak of the vibration wave. Because of the impulsive nature of construction activities, the use of the PPV descriptor has been routinely used to measure and assess ground-borne vibration. Studies have shown that the threshold of perception for average persons is in the range of 0.008 to 0.012 in/sec PPV.

4.13.1.3 *Regulatory Framework*

State

California Building Code

The State Building Code, Title 24, Part 2 of the State of California Code of Regulations establishes uniform minimum noise insulation performance standards to protect persons within new buildings

⁴¹ L_{eq} is a measurement of average energy level intensity of noise over a given period of time. Day-Night Level (DNL) is a 24-hour average of noise levels, with a 10 dB penalty applied to noise occurring between 10:00 p.m. and 7:00 a.m. Community Noise Equivalent Level (CNEL) is similar to the DNL except that there is an additional five dB penalty applied to noise occurring between 7:00 p.m. and 10:00 p.m. As a general rule of thumb where traffic noise predominates, the CNEL and DNL are typically within two dBA of the peak-hour L_{eq} .

which house people, including hotels, motels, dormitories, apartment houses and dwellings other than single-family dwellings. Title 24 mandates that interior noise levels attributable to exterior sources shall not exceed 45 dBA DNL or CNEL⁴² in any habitable room.

2016 California Green Building Standards Code (Cal Green Code)

The State of California established exterior sound transmission control standards for new non-residential buildings as set forth in the 2016 California Green Building Standards Code (Section 5.507.4.1 and 5.507.4.2). Section 5.507 states that either the prescriptive (Section 5.507.4.1) or the performance method (Section 5.507.4.2) shall be used to determine environmental control at indoor areas. The prescriptive method is very conservative and not practical in most cases; however, the performance method can be quantitatively verified using exterior-to-interior calculations. For the purposes of this report, the performance method is utilized to determine consistency with the Cal Green Code. These standards would only be applicable to non-residential or commercial structures. The sections that pertain to this project are as follows:

5.507.4.1 Exterior noise transmission, prescriptive method. Wall and roof-ceiling assemblies exposed to the noise source making up the building or addition envelope or altered envelope shall meet 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 building falls w]ithin the 65 dBA CNEL or L_{dn} noise contour of a freeway or expressway, railroad, industrial source or fixed-guideway source as determined by the Noise Element of the General Plan.

5.507.4.2 Performance method. For buildings located as defined by Section 5.507.4.1 or 5.507.4.1.1, wall and roof-ceiling assemblies exposed to the noise source making up the building or addition envelope or altered envelope shall be constructed to provide an interior noise environment attributable to exterior sources that does not exceed an hourly equivalent noise level (L_{eq} - 1 Hr) of 50 dBA in occupied areas during any hour of operation.

The performance method, which establishes the acceptable interior noise level, is the method typically used when applying these standards.

Local

Santa Clara General Plan

The City of Santa Clara's General Plan establishes policies to control noise within the community. Table 4.13-1 shows the noise levels considered compatible with specific land uses. Residential land uses are considered compatible with the noise levels up to 55 dBA CNEL. Where exterior noise levels are greater than 55 dBA CNEL and less than 70 dBA CNEL, the design of the project should include measures to reduce noise to acceptable levels. Noise levels exceeding 70 dBA L_{dn} /CNEL at residential land uses are considered incompatible.

⁴² DNL (or L_{dn}) stands for Day-Night Level and is a 24-hour average of noise levels, with 10 dB penalties applied to noise occurring between 10:00 PM and 7:00 AM. CNEL stands for Community Noise Equivalent Level; it is similar to the DNL except that there is an additional five (5) dB penalty applied to noise which occurs between 7:00 PM and 10:00 PM. Title 24 states that the determination of whether to apply DNL or CNEL should be consistent with the metric used in the local general plan. The Santa Clara General Plan utilizes the CNEL metric.

Table 4.13-1: Noise and Land Use Compatibility (CNEL)								
Land Use	50	55	60	65	70	75	80	85
Residential								
Educational								
Recreational								
Commercial								
Industrial								
Open Space								
	Normally Acceptable – Compatible							
	Conditionally Acceptable – Require Design and insulation to reduce noise levels							
	Unacceptable – Incompatible, avoid except when the use is entirely indoors and an interior noise level of 45 dBA can be maintained							
Source: City of Santa Clara 2010-2035 General Plan								

City of Santa Clara General Plan policies related to noise are included in the following table.

Policies	Description
5.10.6-P1	Review all land use and development proposals for consistency with the General Plan compatibility standards and acceptable noise exposure levels shown in Table 4.13-1.
5.10.6-P2	Incorporate noise attenuation measures for all projects that have noise exposure levels greater than General Plan “normally acceptable” levels (as defined above).
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).
5.10.6-P4	Encourage the control of noise at the source through site design, building design, landscaping, hours of operation and other techniques.
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.
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.

Santa Clara City Code

The Santa Clara City Code establishes noise and vibration level performance standards for fixed sources. Section 9.10.040 limits noise levels at residences to 55 dBA during daytime hours (7:00 a.m.

to 10:00 p.m.) and 50 dBA at night (10:00 p.m. to 7:00 a.m.), noise levels at commercial uses to 65 dBA during daytime hours and 60 dBA during nighttime hours. The City Code does not define the acoustical time descriptor such as L_{eq} (the average noise level) or L_{max} (the maximum instantaneous noise level) that is associated with the above limits. A reasonable interpretation of the City Code would identify the ambient base noise level criteria as an average or median noise level (L_{eq}/L_{50}), and the City has taken this approach in throughout its environmental documents.

Section 9.10.230 states construction activities are not permitted within 300 feet of residentially zoned property except within the hours of 7:00 a.m. and 6:00 p.m. on weekdays and 9:00 a.m. and 6:00 p.m. on Saturdays. Construction is not permitted on Sundays or holidays.

Section 9.10.050 states this it is unlawful for any person to operate or cause, permit, or allow the operation of, any fixed source of vibration of disturbing, excessive, or offensive vibration on property owned, leased, occupied, or otherwise controlled by such person, such that the vibration originating from such source is above the vibration perception threshold of an individual at the closest property line point to the vibration source on the real property affected by the vibration.

4.13.1.4 *Existing Conditions*

The project site is located along El Camino Real in the City of Santa Clara. Noise in the project area is generated primarily from vehicular traffic along El Camino Real. Occasional overhead aircraft associated with the Mineta San José International Airport are also audible at times at the project site. A noise monitoring survey was performed on-site between March 26, 2018 and March 29, 2018 and in the project vicinity between September 1, 2016 and September 6, 2016. The noise monitoring surveys included two long-term noise measurements (LT-1 and LT-2).

LT1 and LT2 were measured approximately 60 feet and 100 feet respectively, from the centerline of El Camino Real. The community noise equivalent level during the monitoring period ranged from 71 to 72 dBA CNEL for LT-1 and from 69 to 70 dBA CNEL for LT-2.

Sensitive receptors are located immediately adjacent to the project site on the north.

4.13.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in:				
1) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in:				
3) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact NOI-1: The project would not result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies. **(Less than Significant Impact)**

CEQA does not define what noise level would be substantial. The following criteria (based on standards identified in the CBC, General Plan, Santa Clara City Code, and City practice) were used to evaluate the significance of environmental noise resulting from the project:

- A significant noise impact would be identified if the project would expose persons to or generate noise levels that would exceed applicable noise standards presented in the General Plan or City Code.
- A significant impact would be identified if the construction of the project would expose persons to excessive vibration levels. Ground-borne vibration levels exceeding 0.3 inches/second PPV would have the potential to result in cosmetic damage to normal buildings.
- A significant impact would be identified if traffic generated by the project or project improvements/operations would substantially increase noise levels at sensitive receptors in the vicinity. A substantial increase would occur if the noise level increase is five dBA CNEL or greater, with a future noise level less than the “normally acceptable” standard, or noise level increase is three dBA CNEL or greater, with a future noise level equal to or greater than the “normally acceptable” standard.
- A significant noise impact would be identified if construction-related noise would temporarily increase ambient noise levels at sensitive receptors. Hourly average noise levels exceeding 60 dBA L_{eq} , and the ambient by at least five dBA L_{eq} , for a period of more than one year would constitute a significant temporary noise increase at adjacent residential land uses. Where noise from construction activities exceeds 70 dBA L_{eq} and the ambient noise environment by at least five dBA L_{eq} at commercial land uses in the project vicinity for a period exceeding one year, the impact would be considered significant.
-

Project-Generated Traffic Noise Impacts

A noise increase is considered substantial if it increases the ambient noise level by three decibels or more in noise sensitive areas. A three decibel increase is equivalent to a doubling of traffic on local

roadways. Future traffic noise increases along El Camino Real were estimated assuming a one percent to two percent increase in traffic volumes per year over the next 20 years, resulting in a future noise increase of one dBA CNEL above existing conditions. The increase in traffic by the project would result in traffic noise increases; however, it would not double the amount of traffic on any local roadways and would not noticeably increase the ambient noise level of the project area. Therefore, the project-generated traffic would result in a less than significant noise impact. **(Less than Significant Impact)**

Project-Generated Rooftop Equipment Noise Impacts

The proposed project would include various mechanical equipment such as ventilation systems, air conditioning, exhaust fans, etc. The City Code limits noise levels from building equipment to 55 dBA Leq during the daytime (7:00 am to 10:00 pm) and 50 dBA Leq during the evening (10:00 pm to 7:00 am) at adjacent noise sensitive land uses. It is unlawful for any person to operate disturbing or excessive noise on property such that the noise level exceeds the maximum noise levels set forth in the City Code. The project would be required to install screening and/or other noise attenuation measures to comply with City Code requirements. Compliance with the City's requirements would be documented in a design-level acoustical analysis during the building permit review stage. As a result, noise produced by mechanical equipment during project operations would not impact any sensitive receptors near the project site. **(Less than Significant Impact)**

Construction Impacts

Construction activities associated with implementation of the proposed project would temporarily increase noise levels in the project area. Construction activities generate considerable amounts of noise, especially during demolition and construction of project infrastructure when heavy equipment is used.

The construction of the proposed project would temporarily increase noise levels in the immediate vicinity of the project site and would be audible at the adjacent residences. Compliance with City Code requirements for construction (Chapter 9.10, listed below) will reduce impacts from construction activities on the project site.

- Construction and demolition activities shall be limited to the period between 7:00 AM and 6:00 PM Monday through Friday and 9:00 AM to 6:00 PM on Saturdays. No construction or demolition activities are permitted on Sundays or holidays.
- Construction crews will be required to use available noise suppression devices and properly maintain and muffle internal combustion engine-driven construction equipment.
- The applicant shall designate a disturbance coordinator and post the name and phone number of this person at easy reference points for the surrounding land uses. The disturbance coordinator shall respond to and address all complaints about noise.

Compliance with City Code requirements during construction activities on the project site will result in a less than significant construction noise impact. **(Less than Significant Impact)**

Impact NOI-2: The project would not result in generation of excessive groundborne vibration or groundborne noise levels. **(Less than Significant Impact)**

The construction of the project may generate perceptible vibration when heavy equipment or impact tools (e.g. jackhammers, hoe rams) are used. Construction activities would include site preparation work, foundation work, paving, and new building framing, and finishing. The proposed project would not require pile driving, which can cause excessive vibration.

For structural damage, the California Department of Transportation recommends a vibration limit of 0.3 in/sec PPV as the ‘threshold at which there is a risk of damage to older residential structures’ and 0.5 in/sec PPV as the ‘threshold at which there is a risk of damage to new residential and modern commercial/industrial structures’. Table 4.13- presents typical vibration levels that could be expected from construction equipment at a distance of 25 feet. Vibration energy spreads out as it travels through the ground, causing the vibration level to diminish with distance away from the source.⁴³

Table 4.13-2: Vibration Source Levels for Construction Equipment	
Equipment	PPV at 25 feet
Clam Shovel Drop	0.202
Hydromill (slurry wall) – in soil	0.008
Hydromill (slurry wall) – In Rock	0.017
Vibratory Roller	0.210
Hoe Ram	0.089
Large Bulldozer	0.089
Loaded Trucks	0.076
Jackhammer	0.035
Bulldozer	0.003
Source: U.S. Department of Transportation, Office of Planning and Environment, Federal Transit Administration. Transit Noise and Vibration Impact Assessment. May 2006.	

Heavy construction located within 20 feet of structures would have the potential to exceed the 0.3 in/sec PPV threshold for older residential structures and heavy construction within 12 feet of construction would have the potential to exceed the 0.5 in/sec PPV threshold for modern commercial/industrial structures. Residential structures are located as close as 20 feet to the north of the site. At a distance of 20 feet, vibration levels from construction would range from 0.004 to 0.268 in/sec PPV, which would be below the 0.3 in/sec PPV threshold. Commercial/industrial structures adjoin the site to the east and are located about 25 feet west of the site. Major construction and demolition would occur as close as 12 feet from the eastern property line, shared with the Century Automotive building, during construction of the townhome building. At a distance of 12 feet, vibration from construction activities would range from 0.007 to 0.471 in/sec PPV, which would be

⁴³ Vibration Damage. *Vibration Damage 101*. Accessed March 27, 2018.
http://vibrationdamage.com/vibration_101.htm.

below the 0.5 in/sec PPV threshold. At commercial structures to the west, located 25 feet from the site, construction vibration levels would be 0.21 in/sec PPV or less, also below the 0.5 in/sec PPV threshold. This is a less-than-significant impact. **(Less than Significant Impact)**

Impact NOI-3: The project would not be 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. The project would not expose people residing or working in the project area to excessive noise levels. **(Less than Significant Impact)**

Mineta San José International Airport is a public-use airport located approximately 2.5 miles northeast of the project site. Although aircraft-related noise could occasionally be audible at the project site, noise from aircraft would not substantially increase ambient noise levels due to vehicle traffic. The project site lies outside the 2017 and 2027 noise contours shown in the *Norman Y. Mineta San José International Airport Master Plan Update Project* report published as an addendum to the Environmental Impact Report.⁴⁴ Exterior and interior noise levels resulting from aircraft would be compatible with the proposed project. **(Less than Significant Impact)**

4.13.3 Non-CEQA Effects

Per *California Building Industry Association v. Bay Area Air Quality Management District*, 62 Cal. 4th 369 (*BIA v. BAAQMD*), effects of the environment on the project are not considered CEQA impacts. The following discussion is included for informational purposes only because the City of Santa Clara has policies that address existing noise conditions affecting a proposed project.

As established in Table 5.10-2 of the City's General Plan, noise levels at residential outdoor use areas should be maintained at or below 55 dBA CNEL to be considered "normally acceptable" by the City of Santa Clara. A multi-use lawn area with picnic benches, a BBQ area, a shade canopy, and a variety of seating is proposed in the center of the site, well shielded from the surrounding land uses by project buildings. The City's exterior noise standard would apply to common outdoor use areas but would not be applied at small private decks or balconies proposed by the project. A noise standard of 45 dBA CNEL would apply to residential interiors proposed by the project.

Exterior Noise

Traffic along El Camino Real

The future noise environment at the project site would continue to result primarily from traffic along El Camino Real. The future exterior noise levels are calculated to be approximately 72 dBA CNEL at the south facing façade of Building A. At the south facing façade of both Building B locations, future exterior noise levels are calculated to be approximately 60 dBA CNEL, taking into account the shielding provided by Building A. At the south facing façade of Building C, future exterior noise levels are calculated to be approximately 55 to 57 dBA CNEL, taking into account the shielding

⁴⁴ City of San José. *Norman Y. Mineta San José International Airport Master Plan Update Project: Eighth Addendum to the Environmental Impact Report*. City of San José Public Project File No. PP 10-024, February 10, 2010.

provided by Buildings A and B. Exterior noise levels in the multi-use lawn area are calculated to be below 55 dBA CNEL, given the well shielded location within the center of the site.

Mechanical Equipment

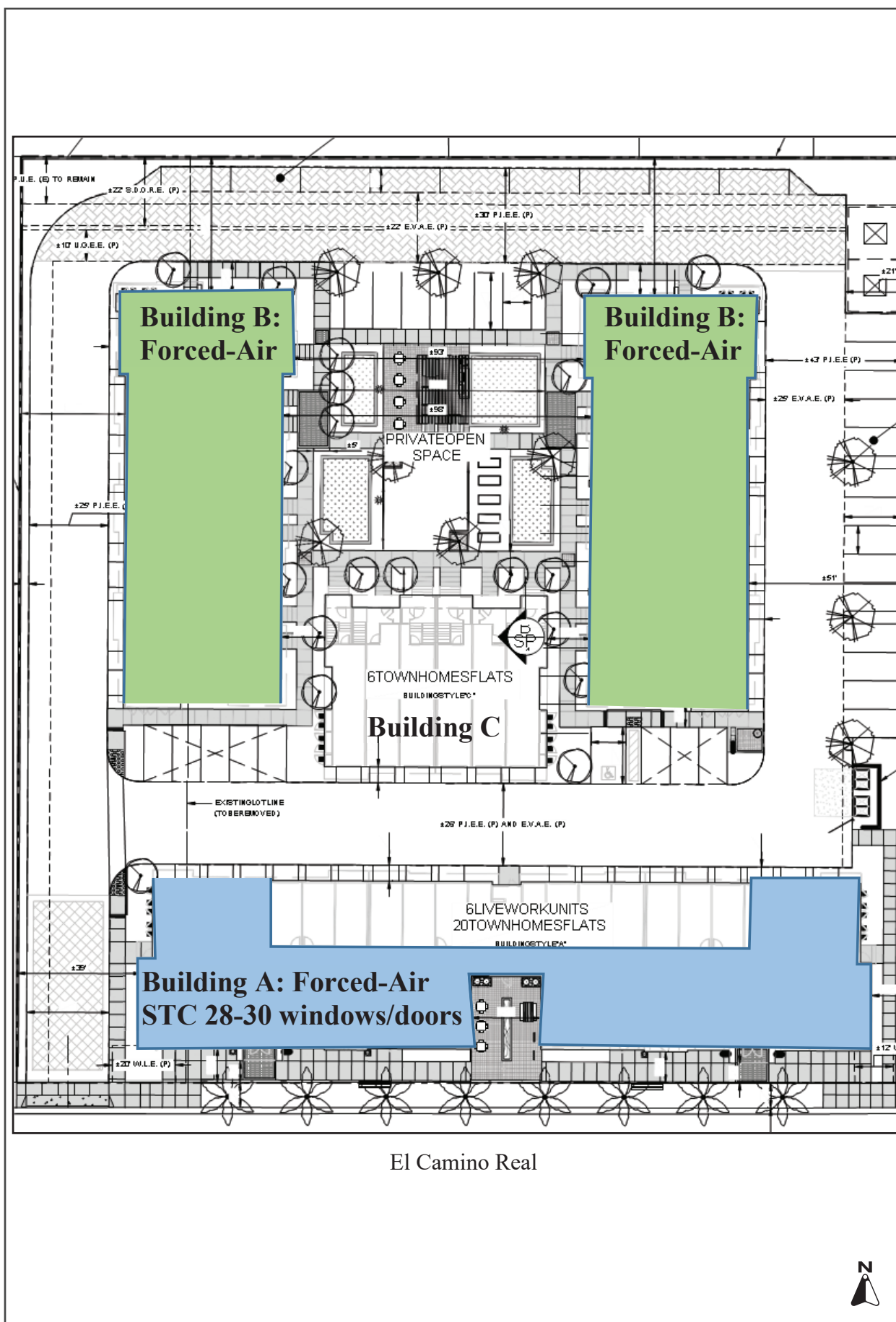
Noise sources at adjacent restaurant uses to the west include rooftop mechanical equipment and outdoor seating. Rooftop equipment associated with the adjacent restaurants would be anticipated to generate noise levels of 50 to 55 dBA Leq at a distance of 50 feet. Project Buildings A and B are located about 75 feet from rooftop equipment, resulting in mechanical equipment generated noise levels of 46 to 51 dBA. Both adjacent restaurants structures have rooftop parapet walls, which would provide considerable shielding to ground level land uses, but not to upper stories. Assuming continuous operation of the rooftop equipment, this would result in community noise equivalent levels of 53 to 58 dBA CNEL. At ground level, mechanical equipment noise would be lower due to shielding by the rooftop itself and the parapet walls. Conversations occurring in the outdoor seating area, located along El Camino Real, would not be anticipated to be distinguishable in level from traffic noise, but may at times be audible during lulls in traffic.

The service center and tire shop located to the east of the site has bays that open to the east of the service building, away from the project site. The façade of the service facility that adjoins the site is of solid masonry block construction with no opening or doors/windows facing the site. Based on data from other facilities in the Bay Area, tire shop and service center activities typically generate maximum noise levels of 60 to 80 dBA at a distance of 25 feet from the opening of a service bay. Such noise levels would be expected with the operation of impact wrenches, dropping of metal plates, air-release, radio playing, and miscellaneous tools. The average noise level generated during continuous service center and tire shop operations at a distance of 25 feet from an open bay was 66 dBA Leq. Given the significant shielding provided by the tire shop and service center building, noise levels would be anticipated to be about 25 dBA lower at the project site, resulting in an average noise level of 41 dBA Leq. Tire shop and service center activities would not be anticipated to be distinguishable in level from traffic noise generated by vehicles on El Camino Real, but may be audible at times.

Interior Noise

Residential/Hotel Uses

City Code and the CBC require that interior noise levels be maintained at or below 45 dBA for residential land uses. To ensure the 45 dBA standard is met, the following noise control treatments are recommended.



RECOMMENDED PRELIMINARY NOISE INSULATION FEATURES

FIGURE 4.13-1

Noise Insulation Features to Reduce Future Interior Noise Levels:

The following noise insulation features shall be incorporated into the proposed project to reduce interior noise levels to 45 dBA CNEL or less (shown graphically in Figure 4.13-1):

- Provide a suitable form of forced-air mechanical ventilation, as determined by the local building official, for all Building A units with south, east, or west facing façades and all Building B units with façades facing south or adjacent to the western and eastern property line, so that windows can be kept closed at the occupant's discretion to control interior noise and achieve the interior noise standards.
- Preliminary calculations indicate that the residential units along the eastern, southern, and western building façades of Building A would require windows and doors with a minimum STC ratings of 28 to 30 and an adequate form of forced-air mechanical ventilation to meet the interior noise threshold of 45 dBA CNEL.
- A qualified acoustical specialist shall prepare a detailed analysis of interior noise levels resulting from all exterior noise sources during the design phase pursuant to requirements set forth in the State Building Code and the California CalGreen Code. The study will review the final site plan, building elevations, and floor plans prior to construction and recommend building treatments to reduce residential interior noise levels to 45 dBA CNEL or lower. Treatments would include, but are not limited to, sound-rated windows and doors, sound-rated wall and window constructions, acoustical caulking, protected ventilation openings, etc. The specific determination of what noise insulation treatments are necessary shall be conducted on a unit-by-unit basis during final design of the project. Results of the analysis, including the description of the necessary noise control treatments, shall be submitted to the City, along with the building plans and approved design, prior to issuance of a building permit.

The implementation of these noise insulation features would reduce interior noise levels to 45 dBA CNEL or less.

4.14 POPULATION AND HOUSING

4.14.1 Environmental Setting

4.14.1.1 *Regulatory Framework*

State

California's Housing Element Law requires all cities to: 1) zone adequate lands to accommodate its Regional Housing Needs Allocation (RHNA); 2) produce an inventory of sites that can accommodate its share of the RHNA; 3) identify governmental and non-governmental constraints to residential development; 4) develop strategies and work plan to mitigate or eliminate those constraints; and 5) adopt a housing element and update it on a regular basis. The City of Santa Clara's Housing Element and related land use policies were last updated in 2014.

Regional

The Association of Bay Area Governments (ABAG) allocates regional housing needs to each city and county within the nine-county Bay Area, based on statewide goals. ABAG also develops forecasts for population, households, and economic activity in the Bay Area. ABAG, Metropolitan Transportation Commission, and local jurisdiction planning staff created the Regional Forecast of Jobs, Population and Housing (upon which Plan Bay Area 2040 is based), which is an integrated land use and transportation plan looking out to the year 2040 for the nine-county San Francisco Bay Area.

Plan Bay Area 2040 is a state-mandated, integrated 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 promotes compact, mixed-use residential and commercial neighborhoods near transit, particularly within identified Priority Development Areas (PDAs). The project site is located within the Mixed-Use Corridor PDA.

Local

Santa Clara General Plan

General Plan policies related to population and housing that are relevant to the project include the following.

Policy	Description
5.3.2-P1	Encourage the annual construction of the housing units necessary to meet the City's regional housing needs assessment by reducing constraints to housing finance and development.
5.3.2-P2	Encourage higher-density residential development in transit and mixed-use areas and in other locations throughout the City where appropriate.
5.3.2-P6	Provide adequate choices for housing tenure, type and location, including higher density, and affordability for low- and moderate-income and special needs households.

Applicable population and housing policies in the City's Housing Element include the following.

Policy	Description
B-2	Encourage the building of higher density housing on appropriate in vacant or underutilized sites.
B-6	Encourage higher density residential development in transit-oriented and mixed use areas where appropriate.

4.14.1.2 *Existing Conditions*

As of May 2018, the City of Santa Clara had a total population of approximately 129,604 residents in 48,144 households, which means an average of 2.72 persons per household.⁴⁵ According to the City's General Plan, the projected population in 2035 would be 154,835 residents with an estimated 2.5 persons per household.⁴⁶

The jobs/housing relationship is quantified by the jobs/employed resident ratio. When the ratio reaches 1.0, a balance is struck between the supply of local housing and jobs. The jobs/housing resident ratio is determined by dividing the number of local jobs by the number of employed residents that can be housed in local housing. The City of Santa Clara had an estimated 2.50 jobs for every employed resident in 2010.⁴⁷ The General Plan focuses on increased housing and the placement of housing near employment. As a result, the overall jobs/employed residents ratio is expected to slightly decrease to 2.48 by 2040. Some employees who work within the City are, and still will be, required to seek housing outside the community with full implementation of the General Plan.

4.14.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

⁴⁵ California Department of Finance. *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2018 with 2010 Census Benchmark*. May 2018.

<<http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/>>. Accessed August 23, 2018.

⁴⁶ City of Santa Clara, 2010. *City of Santa Clara 2010-2035 General Plan*.

⁴⁷ City of Santa Clara. 2010-2035 General Plan. December 2014. Appendix 8.12 (Housing Element), page 8.12-25.

Impact POP-1: The project would not induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).
(Less than Significant Impact)

As proposed, the project would replace approximately 5,200 square feet of commercial building and associated parking lot with 42-multi-family units and six live/work units with 8,189 square feet of retail space. Assuming 2.72 persons per household, development of the proposed project would generate approximately 131 new residents in the City of Santa Clara. Furthermore, increasing housing availability would lower the overall jobs/housing imbalance. The proposed project is consistent with the current General Plan land use designation and growth projections. The project would not require substantial changes to existing roads or infrastructure (e.g., utilities). As a result, the project would result in a less than significant population and housing impact. **(Less Than Significant Impact)**

Impact POP-2: The project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. **(No Impact)**

The project site is not currently used for residential purposes; therefore, the proposed project would not displace existing housing or people or require replacement housing to be constructed elsewhere. **(No Impact)**

4.15 PUBLIC SERVICES

4.15.1 Environmental Setting

4.15.1.1 *Regulatory Framework*

State

Quimby Act

The Quimby Act (California Government Code Sections 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 due 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 Santa Clara City Council adopted Ordinance No. 1928 adding Chapter 17.35 (Park and Recreational Land) to Title 17 (Development) of the Santa Clara City Code.

School Impact Fees

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. Sections 65995-65998 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 goes on to say that the payment of school impact fees "are hereby deemed to provide full and complete school facilities mitigation" under CEQA (Section 65996[b]).

In accordance with California Government Code Section 65996, developers pay a school impact fee to the school district to offset the increased demands on school facilities caused by their proposed residential development project. The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code.

Local

Santa Clara General Plan

Public services-related General Plan policies applicable to the project include the following.

Policies	Description
5.1.1-P5	Prior to the implementation of Phase III of the General Plan, evaluate the appropriate measures to maintain emergency response time standards.
5.4.3-P3	Provide pedestrian-oriented ground floor uses and a network of parks and public spaces to serve both residential and non-residential development.

Policies	Description
5.9.1-P1	Develop additional parkland in the City so that it is integrated into neighborhoods and meets the standards for size, amenities and location to serve residents and employees.
5.9.1-P2	Develop new parks to serve the needs of the surrounding community based on the criteria defined on Table 5.9-1. Mini parks (less than one acre): Appropriate in all areas, including residential and commercial, especially in high-intensity areas because of high demand. Neighborhood parks (one to 15 acres): Medium- and high-density residential areas serving individual neighborhoods. Typically contain both passive and active uses, with one or more sports facilities. Community parks (over 15 acres): Medium- and high-density residential areas serving not just surrounding neighborhoods, but the City as a whole; contain more specialized recreation/sports facilities.
5.9.1-P5	Encourage public visibility for all parks, trails and open spaces.
5.9.1-P14	Encourage publicly accessible open space in new development.
5.9.1-P15	Provide opportunities for private maintenance of publicly accessible open space and trails.
5.9.1-P17	Foster site design for new development so that building height and massing do not overshadow new parks and plazas.
5.9.1-P18	Promote open space and recreational facilities in large-scale developments in order to meet a portion of the demand for parks generated by new development.
5.9.1-P20	Promote the continuation of parks per population ratio of 2.4 per 1,000 residents and explore the potential to increase the ratio to 3.0, based on the Parks and Recreation Needs Assessment (Parks Master Plan), referenced in Plan Prerequisite 5.1.1-P24 of the General Plan.
5.9.3-P1	Encourage design techniques that promote public and property safety in new development and public spaces.
5.9.3-P3	Maintain a City-wide average three minute response time for 90 percent of police emergency service calls.
5.9.3-P4	Maintain a City-wide average three minute response time for fire emergency service calls.

Santa Clara City Code

Santa Clara City Code Chapter 17.35 requires new residential developments to provide adequate park and recreational land and/or pay a fee in lieu of parkland dedication, at the discretion of the City, to help mitigate the impacts of housing development growth on existing parkland and recreational facilities, pursuant to the Quimby Act and/or the Mitigation Fee Act.

4.15.1.2 *Existing Conditions*

Fire Protection Services

Fire protection services are provided by the City of Santa Clara Fire Department (SCFD). The Fire Department currently has ten fire stations, 137 sworn firefighters, and approximately 38 (thirty-eight) volunteers. The volunteer firefighters are a vital resource, but they cannot be utilized to

supplement required staffing given their transient nature. SCFD receives an average of 10,000 calls per year. The nearest fire station is Station #5 located at 1912 Bowers Avenue, approximately 0.7 mile northeast of the project site. The following are the current Fire Department performance measures for response types:

Emergency Response Time Performance Measures

- *Medical Responses & Small Fires:*
First-due unit(s) to treat medical patients and control small fires arrives within 7 minutes from the receipt of the 911 call 90% of the time.
- *Advance Medical Care:*
First-due paramedics unit(s) arrive within 7:59 minutes/seconds from receipt of the 911 call 90% of the time.
- *Serious Emergencies:*
Multiple unit response of 20 personnel to confine fires near the room or origin, contain wildland fires to under three acres, and treat up to five medical patients at once arrive within 11 minutes from receipt of 911 90% of the time.
- *Hazardous Materials Response:*
First-due unit(s) capable of investigating a hazardous materials release at the operations level arrive within 6-minutes from receipt of the 911 call 90% of the time.
- *Technical Rescue:*
First-due unit(s) for size-up of the rescue arrive within 6-minutes from receipt of the 911 call 90% of the time. Additional resources for technical rescue capable of initiating a rescue arrive within 11 minutes 90% of the time.

Police Protection Services

Police protection services are provided by the Santa Clara Police Department (SCPD). The SCPD is divided into four divisions: Services, Field Operations, Investigations, and Special Operations and has approximately 149 sworn officers and 67 civilians.⁴⁸ There are currently two police stations: the headquarters located at 601 El Camino Real and a substation located at 3992 Rivermark Parkway. The distance between the project site and police headquarters is approximately 2.5 miles. The distance between the project site and substation is approximately 4.5 miles. The General Plan identifies a service goal of a City-wide average three minute response time for 90 percent of emergency service calls.

Schools

Schools that serve children in grades K-12 who reside in the City of Santa Clara are operated by six school districts: Santa Clara Unified School District (SCUSD), San José Unified School District, Cupertino Union School District, Fremont Union High School District, Campbell Union

⁴⁸ City of Santa Clara. *Divisions*. Accessed August 23, 2018.
<http://santaclaraca.gov/government/departments/police-department/about-us/divisions>

School District, and Campbell Union High School District.

According to the General Plan, new development projected under the General Plan would fall primarily within the jurisdiction of SCUSD. The project site would be served by the schools listed in Table 4.15-1 below.

Table 4.15-1: Local Schools		
School	Location	Direction and Distance from Site
Bowers Elementary School (K-5 th grade)	2755 Barkley Avenue	0.7 miles northeast
Juan Cabrillo Middle School (6 th to 8 th grades)	2550 Cabrillo Avenue	1.3 miles northeast
Adrian Wilcox High School (9 th to 12 th grades)	3250 Monroe Street	1.5 miles northwest

Parks

The Santa Clara Parks and Recreation Department (Department) provides parks and recreational services in the City. The Department is responsible for maintaining and programming the various parks and recreational facilities and works cooperatively with public agencies in coordinating all recreational activities within the City. Overall, as of May 2019, the Department maintains and operates Central Park, a 45.04-acre community park, 26 neighborhood parks (121.261 acres improved and 5.22 acres unimproved resulting in 126.481 acres), five mini parks (2.59 acres improved and 3.189 acres unimproved resulting in 5.779 acres), public open space (16.13 acres improved and 40.08 acres unimproved resulting in 56.21 acres), recreational facilities (14.86 acres improved, 9.038 acres unimproved, excluding Santa Clara Golf & Tennis Club/BMX, resulting in 23.898 acres), recreational trails (7.59 acres improved and 0.20 acres unimproved resulting in 7.79 acres), and joint use facilities (47.52 acres improved and 1.068 acres unimproved resulting in 48.588 acres) throughout the City, totaling approximately 254.991 improved acres. Community parks are over 15 acres, neighborhood parks are one to fifteen acres and mini parks are typically less than one acre in size.

The closest neighborhood park to the project site, is Bowers Park, but it is more than a 10-minute walk. Bowers Park, is an 8.7-acre park that includes a children's play area, picnic area, open grass area, BBQs, pathways, trees for shade, and a restroom.

Libraries

There are three libraries in the City of Santa Clara. Central Park Library is the largest Santa Clara City Library facility located at 2635 Homestead Road, approximately 1.4 mile southeast of the project site. The Mission Library Family Reading Center is located at 1098 Lexington Street, approximately 2.6 mile southeast of the project site. The Northside Branch Library is located at 695 Moreland Way, approximately 4.7 miles northeast of the project site. The City does not currently have service ratios or other performance objectives for library services.

4.15.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the 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:				
1) Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact PS-1: The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the 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 fire protection services. **(Less than Significant Impact)**

The project site is currently developed with a one-story commercial building that is already served by fire protection services. The project proposes to construct a three- to four-story, 48-unit multifamily housing complex with up to 8,189 square feet of commercial space, which would place more people on-site. The increase in the resident population of Santa Clara and persons on-site could result in an increase in demand for fire protection services. The proposed project would be built to applicable Fire Code standards in use when construction permits are issued, including sprinklers and smoke detectors, and would include features that would reduce potential fire hazards. The City of Santa Clara General Plan concluded that new SCFD facilities or expansion of current facilities would not be required to provide adequate fire protection services to serve the proposed project. For these reasons, the project would not result in a significant impact to fire protection services or facilities. **(Less Than Significant Impact)**

Impact PS-2: The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the 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 police protection services. **(Less than Significant Impact)**

The proposed development would increase the total population of Santa Clara, resulting in an increase in the need for police protection services. The project would be constructed in conformance with current codes and the project design would be reviewed by the SCPD to ensure that it incorporates appropriate safety features to minimize criminal activity. The City's General Plan concluded that although the demand for police services would increase, new SCPD facilities or expansion of existing facilities would not be required to provide adequate police services to serve the proposed project. **(Less Than Significant Impact)**

Impact PS-3: The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the 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 schools. **(Less than Significant Impact)**

The City recognizes in the General Plan that planned residential growth within the City would eventually require additional school facilities to serve the increased population. Construction of 48 multifamily residential units would result in the addition of approximately 10 new K-12 students attending the local schools.⁴⁹ Table 4.15-2 provides the current enrollment of schools the students living on-site would likely attend.

Table 4.15-2: Local Schools	
Schools	Current Enrollment (2017-2018)¹
Bowers Elementary School (K-5 th grade)	274
Juan Cabrillo Middle School (6 th to 8 th grades)	893
Adrian Wilcox High School (9 th to 12 th grades)	1,966
¹ California Department of Education. <i>Dataquest</i> . Accessed August 23, 2018. https://dq.cde.ca.gov/dataquest/	

According to California Government Code Section 66000, a qualified agency, such as a local school district, may impose fees on developers to compensate for the impact a project would have on existing facilities and services. The California Legislature passed Senate Bill 50 (SB 50) in 1998 to insert new language into the Government Code (Sections 65995.5-65885.7), which authorized school districts to impose fees on developers of new residential construction in excess of mitigation fees authorized by Government Code Section 66000. SB 50 restricts the ability of local agencies to deny project approvals on the basis that public school facilities are inadequate. School districts must meet a list of specific criteria in order to impose additional fees.

Under SB 50, school districts may collect fees to offset the costs associated with increasing school capacity as a result of development. Under the terms of this statute, payment of statutory fees by property owners or property developers is considered to mitigate in full for the purpose of CEQA any

⁴⁹ The number of students generated by the project is based upon the 0.2061 student generation factor for multi-family units in the Santa Clara Unified School District School Fee Justification Study. Santa Clara Unified School District. *Residential Development School Fee Justification Study*. September 2016.

impacts to school facilities associated with a qualifying project. The fees are assessed based upon the proposed square footage of the new or expanded development.

The addition of 10 students to the Santa Clara Unified School District would make up a small percentage of the total student population. As a result, implementation of the proposed project would not substantially degrade existing school facilities and would not result in the need for new permanent facilities to be constructed. The payment of school impact fees would allow the local school district to provide sufficient services for students generated by the project. **(Less Than Significant Impact)**

Impact PS-4:	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the 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 parks. (Less than Significant Impact)
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On July 15, 2014, the Santa Clara City Council adopted Ordinance No. 1928 adding Chapter 17.35 “Park and Recreational Land” to Title 17 “Development” of the Santa Clara City Code. The Ordinance ensures that new residential development provides adequate park and recreational land and/or pays a fee in lieu of parkland dedication, at the discretion of the City, to mitigate the impacts of new population growth.

The City is meeting 2.53 acres per 1,000 residents per the Mitigation Fee Act provisions of the City Code and 3.0 acres per 1,000 residents per the Quimby provisions of the City Code with regard to neighborhood parks. Implementation of the proposed project would contribute to an increase in demand for parkland because the proposed project would potentially add an additional 108 new residents to the City.⁵⁰ The increased population associated with the proposed project (approximately 108 residents) would contribute to the overuse of existing parks near the project site that would potentially lead to physical deterioration of park facilities and overcrowding. In addition, the project would require the City to add more parkland to the City’s inventory of parkland in order to continue to meet the City’s minimum standard of 2.53 acres of parkland per 1,000 residents under the Mitigation Fee Act and 3.0 acres of parkland per 1,000 residents under the Quimby Act. Based on the City’s minimum standard, the proposed project is required to provide approximately 0.324 acres of parkland to serve the increased population in the City, although as a project of less than 51 dwelling units, the City can only require the payment of in-lieu fees and not an actual dedication. Nevertheless, the project proposes a courtyard with a multi-use lawn, BBQ grills and outdoor seating. The private on-site recreational areas devoted to active recreational uses will not satisfy the City’s parkland dedication requirement; therefore, to address the park needs of the proposed project, avoid

⁵⁰ The City relies upon California Department of Finance (DOF) data to calculate anticipated population size for a development in most contexts, as the DOF releases annual updates and this represents the most current population data. The one exception to this is in the context of parkland, where state law provides that if a City’s parkland ordinance uses U.S. Census data for population calculations, the ordinance cannot be challenged on that basis. Consequently, following the City’s ordinance, the City uses U.S. Census data to calculate anticipated population for parkland dedication requirements. According to the Census Bureau, the average density for a multifamily dwelling is 2.24 persons per household, which would result in a population of 108 new residents for this analysis.

overuse of existing parks, and avoid a deficiency of parkland acreage in the City, the proposed project would be required to pay fees in-lieu of parkland dedication per City Code (Chapter 17.35) to provide for the necessary parkland to serve the increased population. The fee shall be due and payable to the City prior to issuance of a building permit for each dwelling unit. As a result, the project's impact to existing parks and recreational facilities would be less than significant (**Less Than Significant Impact**)

Impact PS-5:	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the 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 other public facilities. (Less than Significant Impact)
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Implementation of the project would increase the Santa Clara resident population by approximately 131 people consistent with the planned growth and increased resident population in the first Phase of the General Plan buildout. The addition of approximately 131 new residents in the City would increase demand for library facilities. Because the project site is located in the southern portion of Santa Clara, the Central Park Library would be able to serve the new development.⁵¹ The Santa Clara General Plan concluded that Central Park Library could serve the anticipated new development along El Camino Real, Homestead Road, Kiely Boulevard, and Stevens Creek Boulevard. The increase in the resident population of Santa Clara would not result in a substantial impact to library services or result in the need for new library facilities. (**Less than Significant Impact**)

⁵¹ City of Santa Clara. *City of Santa Clara 2010-2035 General Plan Integrated Final Environmental Impact Report*. 2011.

4.16 RECREATION

4.16.1 Environmental Setting

4.16.1.1 *Regulatory Framework*

State

Government Code Section 66477 - Quimby Act

The Quimby Act (California 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 due 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 of Santa Clara. The Santa Clara City Council adopted Ordinance No. 1928 adding Chapter 17.35 (Park and Recreational Land) to Title 17 (Development) of the Santa Clara City Code.

Government Code 65560-70

According to Government Code Sections 65560-65570, the preservation of open space land is necessary for numerous reasons, including the enjoyment of scenic beauty, recreation, and natural resources. Cities, including charter cities, counties, and the State at the earliest possible date should make definite plans for the preservation of valuable open space land and to take positive action to carry out such plans by the adoption and strict administration of laws, ordinances, rules and regulations. These statutes have broader application in rural parts of California with significant forest lands, rangelands, and agricultural lands. In a built-out City like Santa Clara, open space policies apply primarily to recreational areas and open space necessary for public safety. Through its policies, the City discourages the premature and unnecessary conversion of open space land to urban uses. No building permit may be issued, no subdivision map approved, and no open space zoning ordinance adopted, if the proposed construction, subdivision or ordinance would be inconsistent with a local open space plan or policy (65567).

Local

Santa Clara General Plan

General Plan policies related to recreation that are relevant to the project include the following.

Policies	Description
5.4.3-P3	Provide pedestrian-oriented ground floor uses and a network of parks and public spaces to serve both residential and non-residential development.
5.9.1-P11	Encourage the shared use of open space resources, such as school grounds, for neighborhood recreation to maximize public accessibility.

Policies	Description
5.9.1-P2	Develop new parks to serve the needs of the surrounding community based on the criteria defined on Table 5.9-1. Mini (less than one acre): Appropriate in all areas, including residential and commercial, especially in high-intensity areas because of high demand. Neighborhood (one to 15 acres): Medium- and high-density residential areas serving individual neighborhoods. Typically contain both passive and active uses, with one or more sports facilities. Community (over 15 acres): Medium- and high-density residential areas serving not just surrounding neighborhoods, but the City as a whole; contain more specialized recreation/sports facilities.
5.9.1-P5	Encourage public visibility for all parks, trails and open spaces.
5.9.1-P14	Encourage publicly accessible open space in new development.
5.9.1-P15	Provide opportunities for private maintenance of publicly accessible open space and trails.
5.9.1-P17	Foster site design for new development so that building height and massing do not overshadow new parks and plazas.
5.9.1-P18	Promote open space and recreational facilities in large-scale developments in order to meet a portion of the demand for parks generated by new development.
5.9.1-P20	Promote the continuation of parks per population ratio of 2.4 per 1,000 residents and explore the potential to increase the ratio to 3.0, based on the Parks and Recreation Needs Assessment (Parks Master Plan), referenced in Plan Prerequisite 5.1.1-P24 of the General Plan.
5.9.3-P1	Encourage design techniques that promote public and property safety in new development and public spaces.

Santa Clara City Code

Santa Clara City Code Chapter 17.35 requires new residential developments to provide adequate park and recreational land and/or pay a fee in lieu of parkland dedication, at the discretion of the City, and pursuant to the State of California Quimby Act and/or Mitigation Fee Act, to help mitigate the impacts of housing development growth on existing parkland and recreational facilities, pursuant to the Quimby Act and/or the Mitigation Fee Act.

4.16.1.2 *Existing Conditions*

The Santa Clara Parks and Recreation Department (Department) provides parks and recreational services in the City. The department is responsible for maintaining and programming the various parks and recreation facilities and works cooperatively with public agencies in coordinating all recreational activities within the City. Overall, as of May 2019, the Department maintains and operates Central Park, a 45.04-acre community park, 26 neighborhood parks (121.261 acres improved and 5.22 acres unimproved resulting in 126.481 acres), five mini parks (2.59 acres improved and 3.189 acres unimproved resulting in 5.779 acres), public open space (16.13 acres improved and 40.08 acres unimproved resulting in 56.21 acres), recreational facilities (14.86 acres improved, 9.038 acres unimproved and excluding the Santa Clara Golf and Tennis Club/BMX track resulting in 23.898 acres), recreational trails (7.59 acres improved and 0.20 acres unimproved resulting in 7.79 acres), and joint use facilities (47.52 acres improved and 1.068 acres unimproved resulting in 48.588 acres) throughout the City totaling approximately 254.991 improved acres.

Community parks are over fifteen acres, neighborhood parks are one to fifteen acres and mini parks are typically less than one acre in size.

The closest neighborhood park to the project site, is Bowers Park, but it is more than a 10-minute walk. Bowers Park, is an 8.7-acre park that includes a children's play area, picnic area, open grass area, BBQs, pathways, trees for shade, and a restroom.⁵²

4.16.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
1) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility will occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact REC-1: The project would not 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. **(Less than Significant Impact)**

As stated in Impact PS-4, the proposed project would increase the use of the existing neighborhood and regional parks or other recreational facilities. The increased population associated with the proposed project (approximately 108 residents) would contribute to the overuse of existing parks near the project site that would potentially lead to physical deterioration of park facilities and overcrowding. The project is not proposing any public parkland as part of the development and a fee would be paid in lieu of parkland dedication to provide for the necessary parkland in order to mitigate impacts from population growth. Such fee would be used for the acquisition or expansion of parks and recreational facilities reasonably related to serving the public, and as a second priority, for the improvement and rehabilitation of existing land and facilities for park and recreational purposes. As a result, impacts to parks and recreational facilities would be less than significant **(Less than Significant Impact)**

Impact REC-2: The project would not include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. **(Less than Significant Impact)**

Refer to Impact REC-1. **(Less than Significant Impact)**

⁵² City of Santa Clara. *Bowers Park*. Accessed August 23, 2018.
<http://santaclaraca.gov/Home/Components/ServiceDirectory/ServiceDirectory/320/2654>.

4.17 TRANSPORTATION/TRAFFIC

The following discussion is based upon a Traffic Demand Management Plan prepared by *Fehr & Peers* in June 2019. A copy of this report is included in Appendix E of this document.

4.17.1 Environmental Setting

4.17.1.1 *Regulatory Framework*

Regional

Congestion Management Program

The Santa Clara Valley Transportation Authority (VTA) oversees the Congestion Management Program (CMP), a program aimed at reducing regional traffic congestion. The relevant state legislation requires that all urbanized counties in California prepare a CMP in order 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, a land use impact analysis program, and a capital improvement element. VTA has review responsibility for proposed development projects that are expected to affect CMP designated intersections.

Local

Santa Clara General Plan

General Plan policies applicable to transportation/traffic relevant to the proposed project include the following.

Policies	Description
5.3.2-P21	Encourage new housing developments to incorporate design features, programs and incentives for increased transit ridership and decreased parking demand.
5.4.1-P11	Locate parking at the side or rear of parcels and active uses along street frontages.
5.4.1-P13	Encourage the retention of on-street parking, particularly adjacent to Community Mixed Use designated properties.
5.4.1-P20	Exempt El Camino Real intersections within this Focus Area from the City-wide LOS standard for vehicles on a case-by-case basis or until an alternate standard is adopted in conformance with the Prerequisite requirements.
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.
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.
5.8.3-P8	Require new development to include transit stop amenities, such as pedestrian pathways to stops, benches, traveler information and shelters.
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.

Policies	Description
5.8.4-P6	Require new development to connect individual sites with existing and planned bicycle and pedestrian facilities, as well as with on-site and neighborhood amenities/services, to promote alternate modes of transportation.
5.8.4-P8	Require new development and public facilities to provide improvements, such as sidewalks, landscaping and bicycling facilities, to promote pedestrian and bicycle use.
5.8.4-P9	Encourage pedestrian- and bicycle-oriented amenities, such as bicycle racks, benches, signalized mid-block crosswalks, and bus benches or enclosures.
5.8.4-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.
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.
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.
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.
5.8.6-P11	Encourage development to “unbundle” parking spaces from leases and purchases to provide greater choices.
8.8.3-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.

Climate Action Plan

The City’s 2013 Climate Action Plan (2013 CAP) specifies strategies and measures for the City to achieve its overall greenhouse gas emission reduction target. Applicable transportation-related CAP measures include, but are not limited to, the following listed below.

Measures	Description
6.1 Transportation Demand Management Program	Requires new developments greater than 25 housing units or more than 10,000 non-residential square feet to implement a Vehicle Miles Travelled (VMT) reduction strategy that reduces drive-alone trips. The City’s 2013 CAP requires a minimum 20 percent reduction in VMT for Community Mixed-Use development along the El Camino Real corridor.
6.2 Municipal Transportation Demand Management	Calls for the development and implementation of a TDM plan to encourage alternative modes of travel and reduce single-occupant vehicle use.

4.17.1.2 Existing Conditions

Roadway Network

El Camino Real (SR 82) is a six-lane state arterial that extends from Santa Clara County northerly to San Mateo County. El Camino Real is oriented in an east-west direction in the project vicinity. Near

the project site, El Camino Real has a raised, landscaped median with left-turn pockets provided at intersections.

San Tomas Expressway is a six to eight lane roadway that extends from State Highway 101 (US 101) southward through Santa Clara and San José into Campbell, where it transitions into Camden Avenue at State Route 17 (SR 17). In the vicinity of the project site, San Tomas Expressway is an eight-lane expressway with carpool (HOV) lanes.

Lawrence Expressway begins at SR 237 and extends southward through Santa Clara and San Jose, where it transitions into Quito Road at Saratoga Avenue. In the project vicinity, Lawrence Expressway is an eight-lane roadway including carpool (HOV) lanes. The HOV lane designation is in effect in both directions of travel during both the AM and PM peak commute hours. During other times, the lane is open to all users. At El Camino Real, Lawrence Expressway is grade-separated with two ramp intersections on El Camino Real.

Existing Transit Service

The City of Santa Clara encourages the use of transit as an alternative mode of transportation. The Valley Transportation Authority (VTA) provides bus transit services to the cities in Santa Clara County. Bus lines nearest the project site include the following:

Route 22/(Rapid) 522 - Runs between the Palo Alto Transit Center and the Eastridge Transit Center along El Camino Real. Route 22 operates with about 15-minute headways with service all day for weekdays and weekends in both the eastbound and westbound directions. Rapid 522 operates with about 12-minute headways from 4:40 AM to 11:45 PM on weekdays in both directions.

Route 57/58 - Runs along Bowers Ave-Kiely Boulevard in the vicinity of the project site. Line 57 runs between West Valley College and Tasman Drive/Old Ironsides Drive with 30-minute headways from 5:30 AM to 11:00 PM on weekdays. Line 58 runs between West Valley College and Liberty Street/Taylor Street on weekdays with 30-minute headways from 6:00 AM to 8:15 PM.

Bus stops serving these routes are accessible within a five-minute walk to and from the site; the closest stops are located on El Camino Real and Alpine Avenue. Paratransit services are also available for seniors and people with disabilities.

Existing Pedestrian and Bicycle Facilities

Pedestrian Facilities

Pedestrian facilities near the site include sidewalks, crosswalks, curb ramps, and pedestrian signals. There is a continuous sidewalk along the site frontage on the north side of El Camino Real that measures eight feet in width. To access the south side of El Camino Real from the site, there are two intersections with crosswalks within 500 feet walking distance from the project site; one is located at the intersection of El Camino Real and Calabazas Boulevard on the west side of the Project site and the other one is located to the east at the intersection of El Camino Real and Alpine Avenue.

Bicycle Facilities

Bicycle facilities are comprised of paths (Class I), lanes (Class II), routes (Class III) and separated bikeway (Class IV). According to the City's Bike Route Map, El Camino Real, along the project site frontage, is designated as an "advanced undesignated rated street" which means that El Camino Real is not currently striped for bike lanes adjacent to the site frontage. Class II striped bike lanes are present along Calabazas Boulevard and Cabrillo Avenue. Calabazas Boulevard, located approximately 500 feet to the west of the Project site, has buffered bike lanes and serves local trips with north-south connectivity along the Calabazas Creek.

4.17.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) For a land use project, conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact TRN-1: The project would not conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle lanes and pedestrian facilities. **(Less than Significant Impact)**

The City of Santa Clara does not currently have an adopted Vehicle Miles Traveled (VMT) policy. The VTA Congestion Management Plan (CMP) guidelines state that a project's traffic impacts should be analyzed during the weekday AM and PM peak periods if it will add more than 100 peak hour trips to the roadway network. The project will construct 48 housing units. Based upon Trip Generation analysis below, the project would not exceed the 100 peak hour trips threshold. As a result, no formal traffic impact analysis to evaluate changes in intersection level of service is required or proposed.

Trip Generation

The City of Santa Clara uses the VTA Congestion Management Plan (CMP) guidelines, which state that a project's traffic impacts should be analyzed during the weekday AM and PM peak periods if the project will generate 100 or more net new AM or PM peak-hour trips. Using the multifamily housing (Mid-Rise) trip generation rates (0.36 and 0.44 trips per unit during the AM and PM peak hour, respectively) published in the ITE Trip Generation Manual, 10th Edition, the proposed 42 multifamily units is estimated to generate 15 AM and 18 PM peak hour trips. Also adding the six live/work units component of the project site, there would be an additional two (2) AM and two (2) PM peak hour trips (using the Mid-rise Residential with 1st floor Commercial trip generation rate of 0.30 and 0.36 trips per unit during the AM and PM peak hour, respectively). The ITE trip generation rates for the existing used car dealership are 2.13 and 3.75 trips per 1000 square feet during the AM and PM peak hour, respectively. Using these rates, the existing 5,200 square feet of commercial uses on the site is estimated to generate 11 AM and 20 PM peak hour trips. Therefore, the project would generate 6 and 0 net new AM and PM peak hour trips, respectively, which is below the 100 peak hour trip threshold and no intersection level of service traffic analysis is required. This very small amount of traffic generated by the project would not conflict with an applicable program plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system. **(Less Than Significant Impact)**

Pedestrian and Bicycle Access

Pedestrian access to the proposed development would be via sidewalks on El Camino Real. As part of the proposed project, the existing sidewalk in front of the project site on the north side of El Camino Real would be enhanced with building setbacks, street trees and landscaping. The project would include wider sidewalks on El Camino Real to enhance the pedestrian environment. A pedestrian path/outdoor seating area would be provided between the sidewalks and Building A.

There are no bicycle lanes on West El Camino Real in the vicinity of the site. From West El Camino Real, bicyclists can connect to bike lanes on Calabazas Boulevard and Lawrence Expressway or connect to the adjacent low volume streets; Bowers Avenue and Cabrillo Avenue. On the project site, 15 Class I long-term bicycle parking spaces, and eight secure short-term bicycle parking spaces (bike racks) would be provided on site.

Implementation of the proposed project would not interfere with existing or proposed pedestrian/bicycle facilities in the project area. Therefore, the proposed project would not result in unsafe conditions for pedestrian or bicyclists. **(Less Than Significant Impact)**

Transit Operations

The nearest transit service within walking distance of the project site is Local Route 22 which runs along West El Camino Real. The bus stops for this route are located approximately 100 feet from the project site. The project site is also served by bus routes 522, 57 and 58 that have stops within one to three blocks of the project site. Guidelines for transit accessibility are that bus stops should be within one-quarter mile (or 1,350 feet) of a site. Bus routes 522 and 22 provide direct access to the Santa Clara train station which serves both Caltrain and Ace and provides train services to San Francisco, Oakland and surrounding Bay Area communities. Bay Area Rapid Transit (BART) has a planned

extension to Santa Clara that will serve as the terminus of the VTA's BART Silicon Valley Extension. Its Santa Clara station will be located at the train station and will be adjacent to Santa Clara University. The site is considered to be within an area well-served by transit.

The proposed project would not alter existing transit facilities or conflict with the operation of existing or planned facilities. Therefore, the project would have a less than significant impact on transit operations. **(Less Than Significant Impact)**

Impact TRN-2: The project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). **(Less than Significant Impact)**

VMT is identified in CEQA Guidelines Section 15064.3 as the most appropriate measure of transportation impacts. Additionally, with the December 28, 2018 effective date of the amended Guidelines, a project's effect on automobile delay shall not constitute a significant environmental impact (CEQA Guidelines Section 15064.3[a]). The City of Santa Clara has not yet adopted a standard approach or guidelines to evaluate a project's VMT impact.

Due to the fact that the project proposes a mixed-use development in proximity to existing/proposed/planned pedestrian, bicycle, and transit facilities, most of the trips to and from the project would be made by residents of the building (except visitors, which is a small percentage compared to the number of residents). According to the amended CEQA Guidelines pertaining to VMT, infill development projects within ½ mile from a major transit stop are presumed to result in less than significant VMT. In addition, the project would implement TDM measures, as described below, to encourage alternative and active commuting behavior that would reduce single occupant vehicle trips. **(Less than Significant Impact)**

Transportation Demand Management Program

The project proposes a TDM program which includes design features, programs, and services that promote sustainable modes of transportation and reduce the number of vehicle trips that would be generated by the project. The goal of this TDM plan is to reduce vehicle trips and parking demand. Table 4.17-1 presents the TDM Measures that would be implemented by 3035 El Camino Real in conformance with the City of Santa Clara Climate Action Plan (CAP) Section 6.1 and the Mobility and Transportation policies of the Santa Clara General Plan.

Table 4.17-1: TDM Measures and Strategies For 3035 El Camino Real		
TDM Measure	Description	Santa Clara General Plan & Zoning Ordinance
Transit Use Incentive Program	The Transit Use Incentive Program will provide all tenants with free transit passes. Participation in the region-wide Clipper Card or VTA SmartPass system will satisfy this requirement.	Policy 5.8.5-P5 Zoning Ordinance 10.15
Free Use of Bicycles on Site	Two bicycles will be available for free use to all residents and will be stored in two secure bicycle parking spaces on site. Property management will be responsible for maintenance of the bicycles.	Policy 5.8.1-P5 Zoning Ordinance 10.15
Unbundled Parking	Unbundled parking, which separates the sale or lease of a vehicular parking space from the sale or lease of living units, will be provided for all units.	Policy 5.8.1-P5 Zoning Ordinance 10.15
New Residents Alternative Travel Modes Informative Packet	New resident packets including information about available alternative modes of transportation and nearby transit, bike and pedestrian facilities will be provided upon move-in.	Policy 5.8.1-P5 Zoning Ordinance 10.15
Bike Parking	Per VTA Bicycle Technical Guideline, for residential uses such as apartments, condominiums and townhomes, one Class I bicycle parking per three units and one class II bicycle parking per 15 units are recommended.	Policy 5.8.5-P1 Policy 8.8.3-P10 Zoning Ordinance 10.15

The nearby transit and bicycle services and facilities plus the measures provided in this TDM Plan as listed in Table 4.17-1 above, will allow the project to meet Section 6.1 of the City's Climate Action Plan (CAP), according to which residential developments with over 25 units are required to reduce VMT by 20 percent with 10 percent from TDM measures.

Impact TRN-3: The project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). **(Less than Significant Impact)**

The project proposes one driveway on El Camino Real on the southwestern edge of the site, which would replace the existing two driveways along El Camino Real. The proposed project driveway would allow right-turns in and out only. The driveway would be 26 feet wide. There are no existing trees or visual obstructions along the project frontage. Frontage improvements would be constructed including an approximate 10-foot building setback and upgraded sidewalk with landscaping.

There is not enough height clearance for trucks to access the parking garage; therefore, a designated loading area is proposed at the western entrance. The loading area would serve service trucks and garbage pickup. The trash bins for garbage pickup would be pushed out to the loading area.

Based upon a review of the conceptual site plan, the proposed project would provide adequate site access for vehicles. No hazards due to the design of the buildings, parking garage, or parking lot were identified. **(Less Than Significant Impact)**

Impact TRN-4: The project would not result in inadequate emergency access. **(Less than Significant Impact)**

As stated in Impact TRN-3, the design of the project and access would not result in inadequate emergency access. The final site design would be reviewed for consistency with applicable fire department standards. As such, the proposed project would have a less than significant emergency vehicle access impact. **(Less Than Significant Impact)**

Impact TRN-5: The project would not conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways? **(Less than Significant Impact)**

See response to Impact TR-1. As such, the very small amount of traffic generated by the project would not conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways. **(Less Than Significant Impact)**

4.17.3 Non-CEQA Effects

Per *California Building Industry Association v. Bay Area Air Quality Management District*, 62 Cal. 4th 369 (*BIA v. BAAQMD*), effects of the environment on the project are not considered CEQA impacts. The following discussion is included for informational purposes only because the City of Santa Clara has policies that address existing transportation/traffic conditions affecting a proposed project.

Parking

The project proposes 42 townhouse-style condominiums and six live/work condominium units (approximately 8,190 square feet of commercial space) According to the City of Santa Clara Municipal Code (Chapter 18.54.060), the required parking for single family attached units with private attached two-car garages equates to two-garage spaces per unit plus an additional 10 percent uncovered guest parking distributed evenly across the site. For attached apartment units this equates to one covered and one uncovered space per unit with at least 10 percent of the uncovered spaces allocated to be identified/signed as visitor parking. The project proposes to provide 71 assigned and covered parking spaces – a minimum of one covered assigned space for each unit. In addition, the project proposes to provide 31 uncovered and unbundled parking spaces for use by visitors and residents. Four of the 31 spaces closest to El Camino Real would be assigned for live/work unit customer parking during business hours. The proposed project would have a total of 102 vehicular parking spaces on-site. In addition, the project proposes 15 Class I long-term bicycle parking spaces, and eight short-term bicycle parking facilities (bike racks) on site which would be available for free

to all residents. The project proposes one parking space to be designated as Americans with Disabilities Act (ADA) compliant parking stall. Mixed use development located near transit, and TDM measures can accommodate reduced parking because increased transit accessibility and mixed land uses can reduce vehicle trips and vehicle demand per household or by land use. Please see Impact TRN-2 for a list of TDM measures. The project would, therefore, provide an adequate amount of parking per use and meet the City's minimum parking requirement.

4.18 TRIBAL CULTURAL RESOURCES

4.18.1 Environmental Setting

4.18.1.1 *Regulatory Framework*

State

Assembly Bill (AB) 52, effective July of 2015, established a new category of resources for consideration by public agencies when approving discretionary projects under CEQA, called Tribal Cultural Resources (TCRs). AB 52 requires lead agencies to provide notice of projects to tribes that are traditionally and culturally affiliated with the geographic area if they have requested to be notified. Where a project may have a significant impact on a tribal cultural resource, consultation is required until the parties agree to measures to mitigate or avoid a significant effect on a tribal cultural resource or when it is concluded that mutual agreement cannot be reached.

Under AB 52, a TCRs are defined as follows:

- Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are also either:
 - Included or determined to be eligible for inclusion in the California Register of Historic Resources⁵³
 - Included in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)
- A resource determined by the lead agency to be a TCR.

4.18.1.2 *Existing Conditions*

The City of Santa Clara has not received a written project notification request from any tribe pursuant to AB 52 to be notified of projects.

⁵³ See Public Resources Code section 5024.1. The State Historical Resources Commission oversees the administration of the CRHR and is a nine-member state review board that is appointed by the Governor, with responsibilities for the identification, registration, and preservation of California's cultural heritage. The CRHR “shall include historical resources determined by the commission, according adopted procedures, to be significant and to meet the criteria in subdivision (c) (Public Resources Code, Section 5024.1 (a)(b)).

4.18.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project cause a substantial adverse change in the significance of a tribal cultural 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:				
1. 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact TCR-1: The project would not cause a substantial adverse change in the significance of a tribal cultural resource that is 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 located approximately 0.1 mile east of Calabazas Creek, which is considered sensitive for prehistoric and archaeological deposits, which could include tribal cultural objects. No other tribal cultural features, including sites, features, places, cultural landscapes or sacred place have been identified based on available information. In addition, any prehistoric surface features or landscapes have been modified due to development of the project site and area.

No tribes have sent written requests for notification of projects to the City of Santa Clara under AB 52. Based on available data, there are no recorded tribal cultural objects in the project area. Any subsurface artifacts found on-site would be addressed consistent with mitigation measures CUL-2.1 and CUL-2.2. Therefore, the proposed project would have a less than significant impact on tribal cultural resources. **(Less than Significant Impact)**

Impact TCR-2: A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. **(Less than Significant Impact)**

Refer to Impact TCR-1. **(Less than Significant Impact)**

4.19 UTILITIES AND SERVICE SYSTEMS

The following information is partly based upon a Flow Monitoring Study prepared by V&A Consulting Engineers in October 2018. Copy of the report is provided in Appendices G.

4.19.1 Environmental Setting

4.19.1.1 *Regulatory Framework*

State and Regional

Urban Water Management Plan

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 November 2016.

Wastewater Management

The San Francisco Bay Regional Water Quality Board (RWQCB) includes regulatory requirements that each wastewater collection system agency shall, at a minimum, develop goals for the City's Sewer System Management Plan to provide adequate capacity to convey peak flows.

Assembly Bill 939 and Senate Bill 1016

The California Integrated Waste Management Act of 1989, or Assembly Bill 939 (AB 939), established the Integrated Waste Management Board, required the implementation of integrated waste management plans, and mandated that local jurisdictions divert at least 50 percent of solid waste generated (from 1990 levels), beginning January 1, 2000, and divert at least 75 percent by 2010. Projects that would have an adverse effect on waste diversion goals are required to include waste diversion mitigation measures.

Assembly Bill 341

Assembly Bill (AB) 341 sets forth the requirements of the statewide mandatory commercial recycling program in the Public Resources Code. All 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 sets a statewide goal for 75 percent disposal reduction by the year 2020.

Senate Bill 1383

Senate Bill (SB) 1383 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 not less than 20 percent of currently disposed edible food is recovered for human consumption by 2025.

Local

Santa Clara General Plan

General Plan policies applicable to utilities and service systems that are relevant to the project include the following.

Policies	Description
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.
5.1.1-P8	Prior to approval of residential development for Phase III in any Future Focus Area, complete a comprehensive plan for infrastructure and utilities, that specifies provisions for sufficient storm drain, sanitary sewer conveyance, wastewater treatment, water, solid waste disposal and energy capacity.
5.1.1-P21	Prior to 2023, identify and secure adequate solid waste disposal facilities to serve development in Phase III.
5.10.1-P6	Require adequate wastewater treatment and sewer conveyance capacity for all new development.
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.
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 Climate Action Plan.
5.3.1-P17	Promote economic vitality by maintaining the City's level of service for public facilities and infrastructure, including affordable utilities and high quality telecommunications.
5.3.1-P27	Encourage screening of above-ground utility equipment to minimize visual impacts.
5.3.1-P28	Encourage undergrounding of new utility lines and utility equipment throughout the City.
5.10.5-P20	Maintain, upgrade and replace storm drains throughout the City to reduce potential flooding.
5.10.5-P21	Require that storm drain infrastructure is adequate to serve all new development and is in place prior to occupancy.

4.19.1.2 *Existing Conditions*

Water Supply

Water is provided to the site by the City of Santa Clara Water Utility. The system consists of more than 335 miles of water mains, 26 active wells, and seven storage tanks with approximately 28.8

million gallons of water capacity.⁵⁴ Drinking water is provided by an underground aquifer (access by the City's wells) and by two wholesale water importers: the Santa Clara Valley Water District (SCVWD) (imported from the Sacramento-San Joaquin Delta) and the San Francisco Hetch-Hetchy System (imported from the Sierra Nevada). The three sources are used interchangeably or are blended together. A water recharge program administered by SCVWD from local reservoirs and imported Sacramento-San Joaquin Delta water enhances the dependability of the underground aquifer.

Water would be provided via 10-inch water line (in the El Camino Real right-of-way adjacent to the site frontage) for residential, retail, fire service, and irrigation uses. The site is currently developed with approximately 5,200 square feet of commercial use. The current water use on-site is approximately 1,957 gallons per day (gpd).⁵⁵

The administrative agency for the region's recycled water system is the South Bay Water Recycling (SBWR) Program, and the City of Santa Clara is a "partner" agency. No recycled water facilities are located near the project site, and it is not anticipated that the site will incorporate the use of recycled water.

Wastewater/Sanitary Sewer System

Wastewater from the City of Santa Clara is treated at the San José-Santa Clara Regional Wastewater Facility (RWF). The RWF is owned jointly by the cities of Santa Clara and San José and is operated by the City of San Jose's Department of Environmental Services. The RWF is one of the largest advanced wastewater treatment facilities in California and serves over 1,400,000 people in Santa Clara, San José, Milpitas, Campbell, Cupertino, Los Gatos, Saratoga, and Monte Sereno.⁵⁶ RWF provides primary, secondary, and tertiary treatment of wastewater and has the capacity to treat 167 million gallons per day (mgd) of wastewater. Approximately 10 percent of the RWF's effluent is recycled for non-potable uses and the remainder flows into San Francisco Bay. The NPDES permit for RWF includes wastewater discharge requirements.

Wastewater from the project site is directed to six-inch sanitary sewer lines, which would be directed to an existing 10-inch sanitary sewer line on El Camino Real. The current land use on-site generates approximately 1,761 gpd of wastewater.⁵⁷

4.19.1.3 Storm Drainage

The City of Santa Clara owns and maintains the municipal storm drainage system which serves the project site. The site has an existing 12-inch storm drain line located within the 15 foot wide storm drain easement adjacent to the northerly property line (rear of project site). This line flows east and

⁵⁴ City of Santa Clara. *Water Utility*. Accessed August 24, 2018.

<http://santaclaraca.gov/government/departments/water-sewer-utilities/water-utility>.

⁵⁵ California Air Pollution Control Officers Association (CAPCOA). CalEEMod. Appendix D Calculation Detail for CalEEMod. October 2017. Table 9.1 Water Use Rates. Accessed August 24, 2018. Available at:

http://www.aqmd.gov/docs/default-source/caleemod/05_appendix-d2016-3-2.pdf?sfvrsn=4, 5,200 square feet of existing uses, 94,081 gallons/year/1,000 square feet for automobile care center (5,200) = 489,221 gallons/year or 1,957 gallons/day based on a 250-day year for the use.

⁵⁶ City of San Jose. "San Jose-Santa Clara Regional Wastewater Facility". Accessed on August 24, 2018.

<http://www.sanjoseca.gov/index.aspx?NID=1663>.

⁵⁷ This number equates to 90 percent of the water usage in the buildings.

intersects with a line that then travels north. According to City utility map records, two (2) storm drain inlets and a manhole exist within the 15 foot wide storm drain easement adjacent to the northerly site parcel boundary. A second 12-inch storm drain line exists along the south side of El Camino Real in the eastbound and most southerly traffic lane. These lines are part of a network of storm drain lines that discharge to San Tomas Aquino Creek, which flows to the San Francisco Bay.

4.19.1.4 *Solid Waste*

The Santa Clara County's Integrated Waste Management Plan (IWMP) was approved by the California's Department of Resources Recycling and Recovery (CalRecycle) in 1996 and has since been reviewed in 2004, 2007, and 2011. According to the IWMP, the County has adequate disposal capacity beyond 2026.⁵⁸ Solid waste generated within the County is landfilled at Guadalupe Mines, Kirby Canyon, Newby Island, Zanker Road Materials Processing Facility, and Zanker Road landfills.

Mission Trail Waste System provides solid waste collection services in the City of Santa Clara. Solid waste collected in Santa Clara is disposed of at Newby Island Sanitary Landfill (NISL) located in San José. The City has a contract with the owners of the NISL to dispose of solid waste through 2024. As of January 2017, NISL has approximately 18 million cubic yards of remaining capacity. Recycling services in the City are provided by Stevens Creek Disposal and Recycling.

The site is currently occupied by approximately 5,200 square feet of commercial space, which houses a used car sales business. The existing uses would generate approximately 19.8 tons of solid waste per year.⁵⁹

4.19.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2) Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

⁵⁸ Santa Clara County. *Five-Year CIWMP/RAIWMP Review Report*. May 2011.

⁵⁹ California Emissions Estimator Model. Users Guide. Appendix D, Table 10.1 *Solid Waste Disposal Rates*. Accessed August 24, 2018. http://www.aqmd.gov/docs/default-source/caleemod/05_appendix-d2016-3-2.pdf?sfvrsn=4. 5,200 square feet of existing uses, 3.82 tons waste/year/1,000 square feet (5,200) = 19.8 tons/year.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
3) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5) Be noncompliant with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact UTL-1: The project would not 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. **(Less than Significant Impact)**

The project would utilize existing utility connections to connect to the City's stormwater, electric, and telecommunications systems. The project proposes to run a new sanitary sewer line across the rear yards of the commercial properties to the east to connect to the existing line on Santa Cruz Avenue. Although the addition of residential uses would increase the demand on existing facilities in the City of Santa Clara, the analysis in the following Impact questions discusses the potential impacts of the project on existing facilities. Based on the following analysis, no relocation of existing or construction of new facilities are needed to serve the proposed project. As a result, the proposed project would have a less than significant impact on these facilities. **(Less than Significant Impact)**

Impact UTL-2: The project would not have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years. **(Less than Significant Impact)**

As proposed, the project would demolish the existing building and construct four three- to four-story, 48-unit multifamily housing complex with 8,189 square feet of ground floor commercial space in six live/work units. Under existing conditions, the existing commercial businesses generate a water demand of approximately 1,957 gpd. The proposed residential project would use approximately

12,510 gallons of water daily.^{60,61} The additional 10,553 gallons of water per day would not exceed the capacity of Santa Clara Water Utility to provide water services to the project site since the project is consistent with the General Plan and the most recent UWMP accounts for planned growth in the General Plan.⁶² Therefore, the project would have a less than significant impact on water supply. **(Less Than Significant Impact)**

Impact UTL-3: The project would not 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. **(Less than Significant Impact)**

San José/Santa Clara Regional Water Facility

As of 2017, the City has a treatment allocation at the RWF of approximately 25.0 mgd, and has a peak week dry weather flow of approximately 16.2 mgd.⁶³ The proposed project would generate approximately 11,259 gpd of wastewater.⁶⁴ The additional 9,498 gpd of wastewater⁶⁵ would equate to less than one tenth of one percent of the City's total allocation of treatment capacity. The proposed project would not increase the need for wastewater treatment beyond the capacity of the Facility. Therefore, the Facility has the ability to treat wastewater generated by the proposed project and the project would not have a significant impact on the capacity of the Facility. **(Less Than Significant Impact)**

Sanitary Sewer

The proposed project would connect to existing sewer lines in the project area. As mentioned above, the proposed project would generate approximately 25,609 gpd of wastewater. Based on a Sanitary Sewer Flow Monitoring and Capacity Study, there is sufficient capacity in the sanitary sewer system to serve the proposed development under typical and peak flow conditions. The proposed project would not exceed the capacity of the existing sewer lines; therefore, the project would have a less than significant impact on the sanitary sewer system. **(Less Than Significant Impact)**

⁶⁰ California Air Pollution Control Officers Association (CAPCOA). CalEEMod. Appendix D Calculation Detail for CalEEMod. October 2017. Table 9.1 Water Use Rates. Accessed August 24, 2018. Available at:

http://www.aqmd.gov/docs/default-source/caleemod/05_appendix-d2016-3-2.pdf?sfvrsn=4. 48 multi-family units, 65,154 gallons/year/dwelling unit (48) = 3,127,392 gallons/year or 12,510 gallons/day based on a 250-day year for the use.

⁶¹ Since the six live/work units are primarily for residential uses, the water supply is calculated for 48 residential units.

⁶² Proposed water use - Existing use: 12,510-1,957 gpd = 10,553 gpd

⁶³ City of San José, Environmental Services Department. *Tributary Agencies' Estimated Available Plant Capacity – 2017*. December 20, 2017.

⁶⁴ This number equates to 90 percent of the water usage in the buildings.

⁶⁵ Proposed wastewater generation – Existing wastewater generated by the site = 11,259 – 1,761 gpd = 9,498 gpd of wastewater.

Impact UTL-4: The project would not 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 Newby Island Landfill, located in San José, has an agreement with the City to provide disposal capacity through 2024. On a tons-per-day basis, the Newby Island Landfill has spare daily capacity of 860 tons. The proposed project would generate approximately 22.1 tons of solid waste per year.⁶⁶ This comes out to a net 2.3 tons per year or 18.4 pounds per day⁶⁷ more than the solid waste currently generated on-site. The solid waste generated would represent a very small percentage of Newby Island's capacity. In addition, the City of Santa Clara continues to exceed its waste diversion goal of 50 percent, which would result in an even smaller contribution.

If the Newby Island Landfill is not available to accept waste after 2024, the City shall prepare a contract with another landfill with capacity, such as Guadalupe Mines in San José, which is not anticipated to close until 2048. Because the project can be served by a landfill with capacity and would not result in a significant increase in solid waste or recyclable materials, the project's impacts related to solid waste and landfill capacity would be less than significant. **(Less Than Significant Impact)**

Impact UTL-5: The project would not be noncompliant with federal, state, and local management and reduction statutes and regulations related to solid waste. **(Less than Significant Impact)**

Refer to Impact UTL-4. The project would not generate solid waste in excess of state or local standards or in excess of the capacity of local infrastructure. In addition, the project would comply with any applicable federal, state, policies, and regulations related to solid waste. **(Less Than Significant Impact)**

⁶⁶ California Emissions Estimator Model. Users Guide. Appendix D, Table 10.1 *Solid Waste Disposal Rates*. Accessed August 24, 2018. http://www.aqmd.gov/docs/default-source/caleemod/05_appendix-d2016-3-2.pdf?sfvrsn=4. 48 dwelling units, 0.46 tons waste/year/dwelling unit (48) = 22.1 tons/year.

⁶⁷ Proposed solid waste – existing solid waste generated on site = 22.1 tons – 19.8 tons = 2.3 tons per year or 0.0092 tons/day assuming a 250-day year for the use, which is equivalent to 18.4 pounds per day.

4.20 WILDFIRE

4.20.1 Environmental Setting

4.20.1.1 *Existing Conditions*

The California Department of Forestry and Fire Hazard Protection is responsible for the identification of very high fire hazard severity zones and transmission of these maps to local government agencies. Based on the Fire Hazard Severity Zone (FHSZ) Map, the project site is not located within a FHSZ area.⁶⁸

4.20.2 Impact Discussion

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

The project site is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones; therefore, the project would not result in wildfire impacts. **(No Impact)**

⁶⁸ CALFIRE. "Wildland Hazard & Building Codes". Accessed: March 8, 2019. <http://egis.fire.ca.gov/FHSZ/>.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
1) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2) 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)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Impact MFS-1: The project does not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. **(Less than Significant Impact with Mitigation Incorporated)**

As discussed in the individual sections, the proposed project would not degrade the quality of the environment with the implementation of identified mitigation measures. Identified mitigation measures in *Section 4.4 Biological Resources* would avoid or reduce impacts to sensitive habitat or species. Identified mitigation measures in *Section 4.5 Cultural Resources* would avoid or reduce impacts to unknown subsurface cultural resources. Identified mitigation measures in *Section 4.8 Hazards and Hazardous Materials* would reduce the risk of exposure to residual contaminated soils from lead based paint and pest control chemicals sprayed along the former building on site. A former water supply well located on the site would be destroyed in accordance with Santa Clara Valley Water District requirements to ensure no contaminants reached the groundwater table. **(Less Than Significant Impact with Mitigation Incorporated)**

Impact MFS-2: The project does not have impacts that are individually limited, but cumulatively considerable. **(Less than Significant Impact with Mitigation Incorporated)**

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 site is part of the El Camino Real area. The City is currently in the process of preparing a Specific Plan for the El Camino Real Area to refine and implement the General Plan vision for the properties along the El Camino Real by creating goals, policies and design standards for future development. The El Camino Real Specific Plan project area is comprised of approximately 250 acres of properties that are located immediately adjacent to the segment of the El Camino Real between Alviso Street on the east and the City limits on the west. The detailed analysis of the implementation of the El Camino Real Specific Plan has not been completed; however, the future development will occur consistent with the General Plan vision for the El Camino Real, which calls for 6,200 housing units.⁶⁹

The proposed project would result in temporary air quality and biological impacts during construction. The GP EIR concluded that the projects would conform with the current and proposed long-range air quality plans for the Bay Area, and therefore would result in a less than cumulatively considerable contribution to cumulative air quality impacts. Similarly, new development allowed under the 2035 General Plan would not have a significant contribution to biological resources and water quality. With implementation of General Plan policies, as well as identified mitigation measures (MM AIR-2.1 and 3.1, MM BIO-4.1 and 4.2, and MM HYD-1.1), construction impacts would be mitigated to a less than significant level. As a result, the project would not have a cumulatively considerable impact during construction on air quality, water quality, and biology impacts in the project area.

There are no known subsurface cultural resources on or adjacent to the project site; however, measures are included to reduce impacts, in the event subsurface resources were discovered as part of project construction. Because the potential for cultural resource impacts from implementation of the project would be mitigated (MM CUL-2.1, 2.2 and 2.3), the proposed project would not have a cumulatively considerable impact on cultural resources in the project area.

The proposed project would not generate GHG emissions above the Substantial Progress ‘brightline’ threshold of 660 MTCO₂e/year under SB 32 and would not preclude the City or State from meeting emission reduction goals by the horizon year 2030.

The project site has potential for soil contamination due to flaking lead based paint and pest control chemicals sprayed around the former structure on site. In addition, the existing building likely contains asbestos and/or lead based paint. Conformance with the regulatory requirements and the

⁶⁹ 6,200 units includes some units that are also envisioned in the City’s General Plan and some that have already been constructed.

identified mitigation measures (MM HAZ-2.1, 2.2 and 2.3) would not result in a cumulatively considerable impact.

The proposed project is consistent with the General Plan and proposing a rezoning to support the General Plan designation. The project would be consistent with all applicable City land use regulations.

As discussed in *Section 4.17.2.4 Solid Waste Impacts*, the new development on-site would generate approximately 18.4 pounds of solid waste per day. The City has several large projects currently under review that are outside the scope of the General Plan. Approval of the large projects under review would result in a cumulative solid waste impact due to the uncertainty of future disposal capacity at existing landfills and the probability of new landfills. The additional 18.4 pounds per day of solid waste that would be generated by the project above the General Plan assumptions represents less than one percent of the total cumulative increase in solid waste generation. Therefore, this project's solid waste contribution is not cumulatively considerable.

The project would have no significant impacts to geology and soils, hydrology and water quality, noise, and traffic, and would not contribute to cumulative impacts to these resources. The project would not impact agricultural and forest resources or mineral resources. Therefore, the project would not contribute to a significant cumulative impact on these resources. **(Less Than Significant Impact with Mitigation Incorporated)**

Impact MFS-3: The project does not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. **(Less than Significant Impact)**

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 of human beings generally, and not to effects on particular individuals. While changes to the environment that could indirectly affect human beings would be represented by all of the designated CEQA issue areas, those that could directly affect human beings include construction air quality, hazardous materials and noise. However, implementation of mitigation measures and General Plan policies would reduce these impacts to a less than significant level. No other direct or indirect adverse effects on human beings have been identified. **(Less Than Significant Impact)**

SECTION 5.0 REFERENCES

The analysis in this Initial Study is based on the professional judgement and expertise of the environmental specialists preparing this document, based upon review of the site, surrounding conditions, site plans, and the following references:

Bay Area Air Quality Management District. *Annual Bay Area Air Quality Summaries*. Accessed August 20, 2018. <http://www.baaqmd.gov/about-air-quality/air-quality-summaries>

California Department of Conservation. *CGS Information Warehouse*. Accessed August 23, 2018. <http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps>.

California Department of Forestry and Fire Protection. *Santa Clara County Very High Fire Hazard Zones in LRA*. October 8, 2008. http://frap.fire.ca.gov/webdata/maps/santa_clara/fhszl_map.43.pdf

California Department of Transportation. *California Scenic Highway Mapping System*. Available at: http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/. Accessed August 22, 2018.

California Natural Resources Agency. *Santa Clara County Important Farmlands 2014*. Accessed July 6, 2018. <ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2014/scl14.pdf>.

CalEEMod. *California Emissions Estimator Model. Users Guide. Appendix D, Table 9.1 Water Use Rates*. Accessed August 24, 2018. Available at: http://www.aqmd.gov/docs/default-source/caleemod/05_appendix-d2016-3-2.pdf?sfvrsn=4

CalEEMod. *California Emissions Estimator Model. Users Guide. Appendix D, Table 10.1 Solid Waste Disposal Rates*. Accessed August 24, 2018. http://www.aqmd.gov/docs/default-source/caleemod/05_appendix-d2016-3-2.pdf?sfvrsn=4

City of San José. *San José-Santa Clara Regional Wastewater Facility*. Accessed August 24, 2018. <http://www.sanjoseca.gov/index.aspx?NID=1663>

City of San Jose, Environmental Services Department. *Tributary Agencies' Estimated Available Plant Capacity – 2017*. December 20, 2017.

City of Santa Clara. *Bowers Park*. Accessed August 23, 2018. <http://santaclaraca.gov/Home/Components/ServiceDirectory/ServiceDirectory/320/2654>.

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

City of Santa Clara. *Divisions*. Accessed August 23, 2018. <http://santaclaraca.gov/government/departments/police-department/about-us/divisions>

City of Santa Clara. *History of the Fire Department*. Accessed August 23, 2018. <http://santaclaraca.gov/government/departments/fire/about-us/history>

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

City of Santa Clara. *Santa Clara City Code*. Accessed July 16, 2018.

<http://www.codepublishing.com/ca/santaclarita/>

City of Santa Clara. *Water Utility*. Accessed August 24, 2018.

<<http://santaclarita.ca.gov/government/departments/water-sewer-utilities/water-utility>>

Cornerstone Earth Group. *Geotechnical Feasibility Study*. June 23, 2017.

Cornerstone Earth Group. *Phase I Environmental Site Assessment*. October 27, 2015.

Cornerstone Earth Group. *Phase II Soil Quality Evaluation*. August 25, 2017.

DTSC. *Hazardous Waste and Substances Site List (Cortese)*. Accessed June 27, 2018. Available at

[http://www.envirostor.dtsc.ca.gov/public/search?cmd=search&reporttype=cortese&site_type=csites,open,fuds,close&status=act,bklg,com,colur&reporttitle=hazardous+waste+and+subst+ances+site+list+\(cortese\)](http://www.envirostor.dtsc.ca.gov/public/search?cmd=search&reporttype=cortese&site_type=csites,open,fuds,close&status=act,bklg,com,colur&reporttitle=hazardous+waste+and+subst+ances+site+list+(cortese))

Federal Emergency Management Agency. *Flood Insurance Rate Map. Map Number 06085C0226H*. May 18, 2009. Accessed August 21, 2018.

Fehr & Peers. *Transportation Demand Management*. April 16, 2019.

Holman & Associates. *CEQA Cultural Resources Literature Search for 3035 El Camino Real, Santa Clara*. July 3, 2018.

Illingworth & Rodkin, Inc. *Community Risk Assessment*. August 31, 2018.

Illingworth & Rodkin, Inc. *Noise Assessment*. June 26, 2018.

Santa Clara County, Department of Planning and Development. *Interactive Map of Williamson Act Properties*. June 2017. Available at:

<https://www.sccgov.org/sites/dpd/programs/wa/pages/wa.aspx>. Accessed July 14, 2018.

Santa Clara County. *Santa Clara County Geologic Hazard Zones. Map 19*. Accessed May 30, 2018.

https://www.sccgov.org/sites/dpd/DocsForms/Documents/GEO_GeohazardATLAS.pdf.

Santa Clara Valley Water District. *Lexington Reservoir 2009 Flood Inundation Maps. 2009*.

Accessed August 23, 2018.

<http://www.valleywater.org/Services/LexingtonReservoirAndLenihanDam.aspx>.

Santa Clara Valley Water District. *Anderson Dam and Reservoir 2009 Flood Inundation Maps. 2009*.

Accessed August 23, 2018.

<http://www.valleywater.org/Services/AndersonDamAndReservoir.aspx>.

Santa Clara Valley Urban Runoff Pollution Prevention Program. Accessed August 23, 2018.

http://www.scvurppp-w2k.com/hmp_maps.htm.

State of California Department of Finance. *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2018 with 2010 Census Benchmark*. May 2018. Assessed August 23, 2018. <http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/>

U.S. Census. 2012-16. Accessed August 13, 2018.
<https://www.census.gov/quickfacts/fact/table/sanjosecitycalifornia,US/HSD310216#viewtop>.

U.S. Geological Survey. *Earthquake Outlook for the San Francisco Bay Region 2014-2043. Fact Sheet 2016–3020*. August 2016. Accessed July 30, 2018. Available at <https://pubs.er.usgs.gov/publication/fs20163020>.

V&A Consulting Engineers – *3035 El Camino Real Flow Monitoring Study*. October 24, 2018.

SECTION 6.0 LEAD AGENCY AND CONSULTANTS

6.1 LEAD AGENCY

City of Santa Clara

Andrew Crabtree, Director of Community Development
Jeff Schwilk, Associate Planner

6.2 CONSULTANTS

David J. Powers & Associates, Inc.

Environmental Consultants and Planners

Akoni Danielsén, Principal Project Manager
Pooja Nagrath, Project Manager
Amie Ashton, Project Manager (GHG Analysis)
Tali Ashurov, Associate Project Manager
Zach Dill, Graphic Artist

Holman & Associates

Archaeological Consultants

Sunshine Psota, Senior Associate

Illingworth & Rodkin, Inc.

Acoustical & Air Quality Consultants

Casey Zaglin, Associate
William Popenuck, Associate
Dana M. Lodico, Senior Consultant
Michael Thill, Principal
James A. Reyff, Principal