
**INITIAL STUDY/ MITIGATED NEGATIVE DECLARATION
("IS/MND") FOR THE PROPOSED UNION SCHOOL DISTRICT
MAINTENANCE AND OPERATIONS BUILDING**

DRAFT

Prepared for:

Union School District
5175 Union Avenue
San Jose, CA 95124

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October 14, 2019

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TABLE OF CONTENTS

Section

Page No.

ENVIRONMENTAL DETERMINATION.....	iv
I. INTRODUCTION	1
II. PROJECT DESCRIPTION.....	3
III. INITIAL STUDY CHECKLIST.....	12
I. AESTHETICS	12
II. AGRICULTURAL AND FORESTRY RESOURCES	17
III. AIR QUALITY	18
IV. BIOLOGICAL RESOURCES	28
V. CULTURAL RESOURCES	30
VI. ENERGY	32
VII. GEOLOGY AND SOILS	34
VIII. GREENHOUSE GAS EMISSIONS	38
IX. HAZARDS AND HAZARDOUS MATERIALS	41
X. HYDROLOGY AND WATER QUALITY	44
XI. LAND USE AND PLANNING	49
XII. MINERAL RESOURCES	50
XIII. NOISE.....	51
XIV. POPULATION AND HOUSING	56
XV. PUBLIC SERVICES	57
XVI. RECREATION.....	59
XVII. TRANSPORTATION/TRAFFIC	60
XVIII. TRIBAL CULTURAL RESOURCES	62
XIX. UTILITIES AND SERVICE SYSTEMS.....	64
XX. WILDFIRE HAZARDS.....	66
IV. MANDATORY FINDINGS OF SIGNIFICANCE.....	67
V. REFERENCES	69
VI. REPORT PREPARERS.....	71
APPENDIX A: CULTURAL AND TRIBAL RESOURCES DOCUMENTATION	
APPENDIX B: COMMENTS AND RESPONSES ADDENDUM *	
APPENDIX C: MITIGATION MONITORING AND REPORTING PROGRAM	

**TO BE INSERTED IN FINAL MND AFTER 30-DAY COMMENT PERIOD*

ACRONYMS AND ABBREVIATIONS

Acronym/Abbreviation	Definition
ADWF	average dry weather flow
APE	Area of Potential Effect
BAAQMD	Bay Area Air Quality Management District
BMP	Best Management Practice
CARB	California Air Resources Board
DPR	California Department of Parks and Recreation
FEMA	Federal Emergency Management Agency
HPD	Historic Property Directory
CO	carbon monoxide
CO ₂ E	carbon dioxide equivalent
GHG	greenhouse gas
gpd	gallons of wastewater per day
LOS	level of service
mgd	million gallons per day
MLD	Most Likely Descendant
NAHC	Native American Heritage Commission
NO _x	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NWIC	Northwest Information Center
OHP	State Office of Historic Preservation
O ₃	ozone
PM ₁₀	particulate matter less than 10 microns
PM _{2.5}	particulate matter less than 2.5 microns
RWQCB	Regional Water Quality Control Board
SCH	State Clearinghouse
SFBAAB	San Francisco Bay Area Air Basin
SFBRWQCB	San Francisco Bay Regional Water Quality Control Board
SLF	Sacred Lands File
SO _x	sulfur dioxide
SWPPP	Stormwater Pollution Prevention Plan
TAC	toxic air contaminant
TMDL	Total Maximum Daily Load
UCMP	University of California Museum of Paleontology
VOC	volatile organic compound
WWTP	Wastewater Treatment Plant

ENVIRONMENTAL DETERMINATION

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

	Aesthetics		Greenhouse Gas Emissions		Public Services
	Agricultural and Forestry Resources		Hazards and Hazardous Materials		Recreation
X	Air Quality	X	Hydrology/Water Quality		Transportation/ Traffic
	Biological Resources		Land Use/Planning	X	Tribal Cultural Resources
X	Cultural Resources		Mineral Resources		Utilities/Service Systems
	Energy	X			Wildfire Hazards
X	Geology/Soils		Population/Housing	X	Mandatory Findings of Significance

DETERMINATION: On the basis of this initial evaluation:

I find that the proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.	
I find that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the Project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.	X
I find that the proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.	
I find that the proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.	
I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.	

Rita Sohal, Union School District

Date

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I. INTRODUCTION

This Initial Study/Mitigated Negative Declaration (IS/MND) has been prepared by the Union School District (USD or District), 5175 Union Avenue, San Jose, CA 95124, pursuant to the California Environmental Quality Act (Public Resources Code Sections 21000 et seq.), CEQA Guidelines (Title 14, Section 15000 et seq. of the California Code of Regulations). It provides documentation to support the conclusion that the proposed Maintenance and Operations Building ("M&O building" or "the Project"), with mitigation identified herein, would not cause a potentially significant impact to the physical environment. The proposed site is located on an undeveloped portion of the District's Cinnabar School campus in San Jose.

This IS/MND describes the location of the Project site, the Project sponsor's objectives, and the details of the proposed Project. The Environmental Checklist Form included as Appendix G of the CEQA Guidelines serves as the basis for the environmental evaluation contained in the IS/MND. The Checklist Form examines the specific potential Project-level physical environmental impacts that may result from the construction and operation of the proposed new and expanded facilities onsite. Mitigation measures have been identified to reduce any potentially significant impacts that would otherwise occur with development and operation of the new facilities to a less-than-significant level.

The District will serve as the "lead agency" (the public agency that has the principal responsibility for carrying out and/or approving a Project) for the proposed Project. The governing board of the District is responsible for ensuring that the environmental review and documentation meet the requirements of CEQA. The draft IS/MND is subject to review and comment by responsible agencies and the public during a statutory public review period (30 days). Any necessary revisions will be incorporated in the Final IS/MND.

The Draft Initial Study will be circulated for a 30-day public and agency review period. Should the District approve the Project, it will file a "Notice of Determination" for posting by the County Clerk and the State Clearinghouse. The filing of the notice and its posting starts a 30-day statute of limitations on court challenges to the CEQA review of the Project.

Organization of the IS

This document is organized into the following sections:

SECTION I – INTRODUCTION: Provides background information about the Project name, location, sponsor, and the date this Initial Study was completed.

SECTION II – PROJECT DESCRIPTION: Includes a Project background and detailed description of the proposed Project.

SECTION III – INITIAL STUDY CHECKLIST AND DISCUSSION: Reviews the proposed Project and states whether the Project would have potentially significant environmental effects.

SECTION IV – MANDATORY FINDINGS OF SIGNIFICANCE: States whether environmental effects associated with development of the proposed Project are significant, and what, if any, added environmental documentation may be required.

SECTION V – REFERENCES: Identifies source materials that have been consulted in the preparation of the IS.

SECTION VI – REPORT PREPARERS: Identifies the firms and individuals who prepared the IS.

APPENDICES: Includes technical reports, the Comments and Responses Addendum and Mitigation Monitoring and Reporting Program.

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II. PROJECT DESCRIPTION

Project Name:	Union School District Maintenance and Operations Building
Project Location:	5670 Camden Avenue, San Jose, CA.
Project Applicant and Lead Agency Contact:	Union School District Ms. Rita Sohal, Assistant Superintendent of Business Services 5675 Union Avenue San Jose, CA 95124 (408) 297-3010 ext. 44202
General Plan Designation:	City of San Jose General Plan 2040, Public/Quasi Public
Zoning:	City of San Jose Zoning Ordinance, Planned Development, Multiple Residence
Project Approvals:	USD approval of new building
Date Initial Study Completed:	October 14, 2019

PROJECT DESCRIPTION

Project Location

The project site is located in the southern portion of San Jose, near Blossom Hill Road and Camden Avenue, in Santa Clara County. (See Figure 1). The project is proposed on an approximately 32,000 sq. ft. (0.69 acre) parcel on the existing Cinnabar School campus, at the northeast corner of Camden Avenue and Singletree Way. Local access to the site from Camden Avenue via the school's existing parking lot. Regionally, the project site is accessed from State Route 85, via Camden Avenue.

Existing Conditions and Land Uses

The proposed new building and parking lot would be constructed on an under-developed site that is part of the existing Cinnabar School campus. The school is currently leased to the Beacon School who subleases a portion to the Champion School. As shown in Figure 2, the project site is the southern portion of a larger parcel housing the schools.

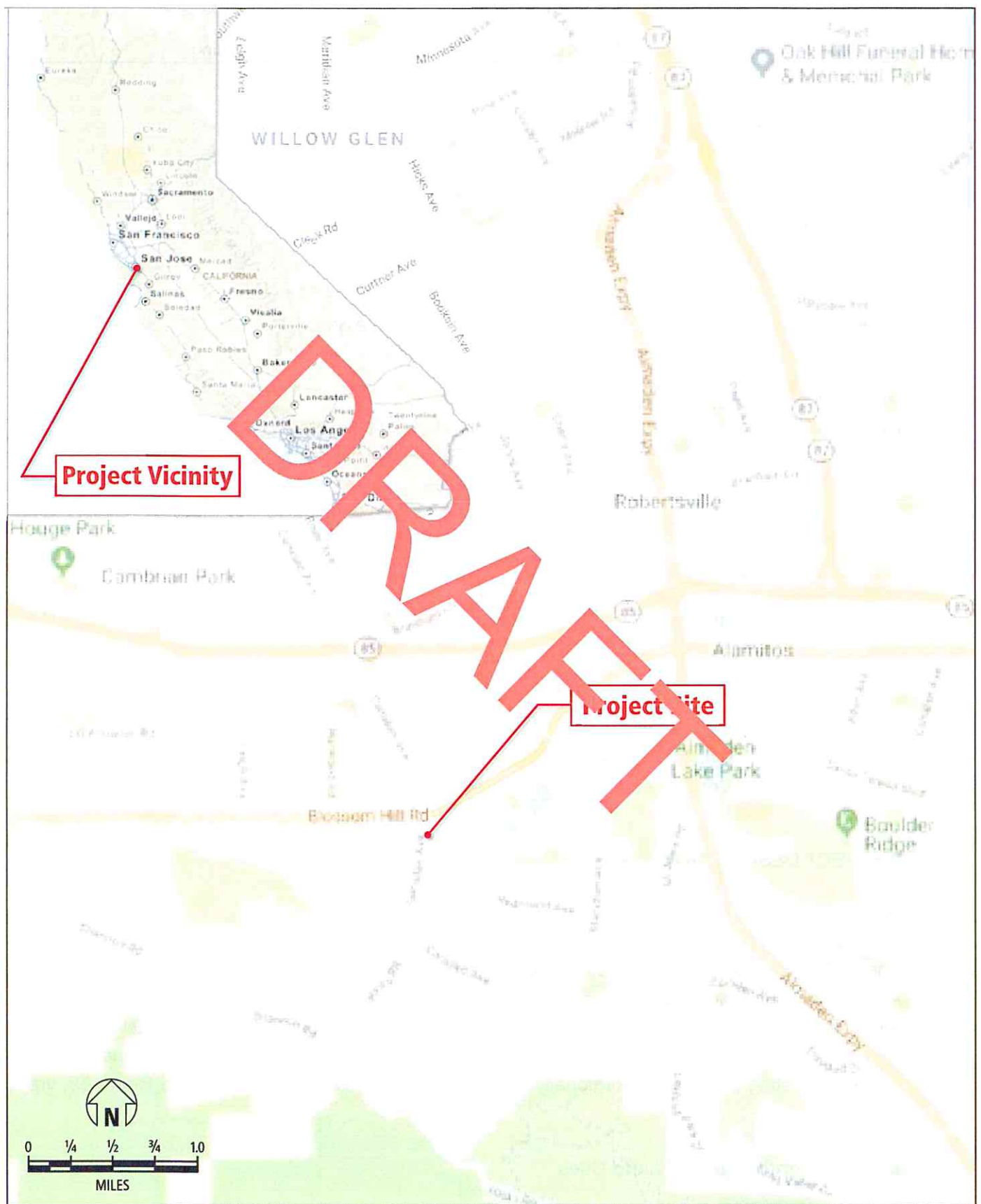


Figure 1
Project Location

Source: Grasseti Environmental and Google Maps



Surrounding Land Uses

The Cinnabar School campus is bounded on the north by single-and multi-family residences; on the south by Singletree Way and, across that street, multi-family residences and a PG&E substation; on the east by multi-family residences; and west by the four-lane Camden Avenue, and, across that street, single-family houses. The Maintenance and Operations (M&O) building site is bounded by school buildings to the north, the school baseball field to the east, Singletree Way to the south, and Camden Avenue to the west (see Figures 2 and 3).

Proposed New Building and Site Improvements

The proposed M&O building is described below, and the site and floor plans are shown below on Figure 4.

The project includes construction of a 500 square foot, one-story (plus small mezzanine) M&O building and associated parking and landscape improvements. The building dimensions would be approximately 50-feet wide by 125-feet wide, with a "top plate" height of 16 feet, and a maximum peak roof height of about 22 feet. It would contain two approximately 950-sq. ft. shop spaces (for maintenance and grounds shops), about 385 sq. ft. of parking/vehicle maintenance space, restrooms, a meeting room, offices, an electrical room, a receiving room, reception area, and a break room. The mezzanine would be about 50 feet wide by 15 feet long, at the southern end of the building. It would be used for storage. A sloping 12-14 foot-highawning would extend about 25 feet from the northern end of the building, surrounded by privacy fencing. The building would house 9 employees (5 maintenance staff and 4 grounds staff). The building would face away from the existing school, towards Singletree Way.

Associated improvements include a new parking lot with 11 spaces plus paving of 8 parking spaces in the existing dirt lot immediately southeast of the proposed building.

Site access would be provided via the existing access from Singletree Way exiting through the school drive on Camden Avenue at the western edge of the site.

Staffing. No staff would be added to the District due to the project. Nine District employees would be relocated from the existing M&O facilities currently located at 5175 Union Avenue, San Jose.

Operational Characteristics. The proposed M&O Building would be the District's central location for the Maintenance and Operations Department. The 9 employees would report to the project site at 6:30 AM to prepare District vehicles for dispatch to the District's schools and the District Office. The M&O employees engage in landscaping and grounds maintenance, carpentry, plumbing, electrical work, heating and ventilation, and painting. Some fabrication work would be undertaken onsite, although a majority of the Department's work takes place at the individual school sites. Employees would return to the project site at approximately 2:30 PM to return the District vehicles and equipment, and finish by 3:00 PM to depart in their personal vehicles. There would also be two administrative/administrator staff on site from 7 AM to 5 PM.



Figure 3
Surrounding Land Uses

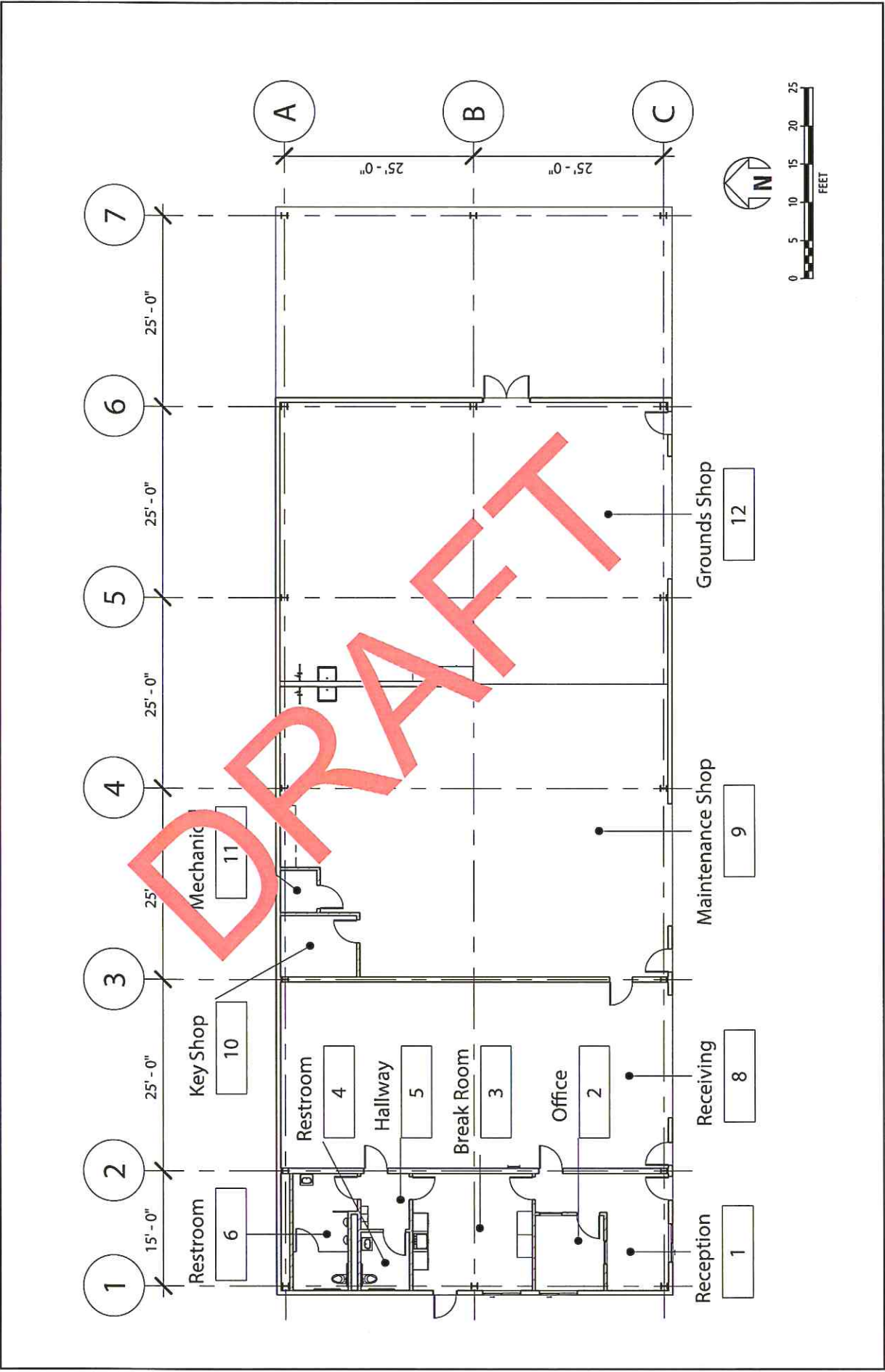


Figure 4

Maintenance & Operations Building Floor Plan

Equipment and materials to be stored at the facility includes (by use):

Warehouse

- Furniture Inventory - Surplus storage; current site needs
- Curriculum Inventory - Surplus; site needs (on pallets)
- Document Storage
- Equipment Storage - Tractor, forklift, pallet inventory
- Vehicle Storage - Delivery van; Science Camp van

Grounds

- Mower Supplies - (4) 55-gallon diesel fuel drums; oil; filters; blades
- Mower Maintenance - Fueling; blade sharpening; deck cleaning/hosing down; oil/filter changes
- Pesticide/Fertilizer Storage - (on pallets)
- Pesticide Application Equipment - 50-Gallon tank (on pallet); backpack sprayers
- Washing Machine/Dryer
- Equipment Storage - Large mower, small mower, backup small mower, tractor attachments (backhoe bucket, forks, aerator), blade sharpener
- Vehicle Storage - 6 trucks, 3 trailers

Maintenance

- Equipment: Welder, Argon gas tank, (2) torches, (2) table saws, band saw, chop saw, drill press, line sprayer, (2) key cutting machines, cement grinder, trencher, (3) plumbing snakes, plumbing camera, pipe locator, gas sniffer, jack hammer, asphalt cutter
- Man-lift, equipment-lift
- Miscellaneous toilets, urinals, sinks, refrigerators, ovens
- Playground parts (borders, stakes, misc. pieces, etc.)
- Building materials: paint, light bulbs, lens covers, ceiling tiles, plumbing fittings, HVAC filters, floor tiles, signage, lock hardware, conduit, pipe, safety barriers
- Hazardous Materials Disposal Storage - fluorescent light bulbs, batteries, paint, oil (hold for pickups)
- Vehicle Storage - 6 trucks

Energy Conservation Features. The building would comply with California Title 24 regulations, which include requirements for energy conservation and green building design.

Tree Removal. No trees would be removed as a result of the project.

Hardscape. The project would have approximately 6,500 square feet of new building area and 25,000 square feet of asphalt paving.

Grading and Earthwork. Minimal grading and topographic changes would occur as a result of the project as the site is relatively flat.

Drainage. The project would result in more impervious surfaces being created on the site. Drainage would be directed into an on-site bio-retention storm drain system that would allow percolation of runoff on-site and discharge into the existing City of San Jose storm drain system on Camden Avenue.

Fencing and Lighting. The building area would be fenced with a 6-foot high privacy fence with a 25-foot wide sliding gate off the proposed new parking lot. There would be security lighting at the building entrances. There also would be lights to illuminate the M&O yard in the early morning and early evening so that maintenance crews can work. Wall lights on the north side of the building would illuminate the area between the new building and the existing school campus. The neighbors are on the south side of the building so the wall lights will not affect them. Pole lights would be used to illuminate the yard to the east and west of the new building. The pole lights would be shielded so that they do not spill light into the streets or onto neighboring properties.

Schedule and Timing

This Project would be constructed in one phase. It is anticipated that construction would begin in May 2020 and would take approximately 9 months to complete, ending in January 2021.

Construction Details

Equipment Use. Equipment used during construction would vary by phase, but would include excavators, backhoes, dump trucks, graders, compactors, water trucks, and similar equipment.

Construction Hours. Typical construction hours would be 7:00 am to 4:30 pm, weekdays only.

Construction Workers. There would be 12 construction workers onsite on an average day.

Land Use Entitlements and other Agency Approvals

USD Approvals. The School District is a local agency with independent discretionary authority over the site's land use for education-related purposes. The District would take approval actions for the Project at a noticed USD Board of Trustees Meeting.

Other Approvals. The project does not house students or teachers, so it does not require Field Act compliance, and is exempt from review by the Division of the State Architect. Because the project is proposed on USD property, it is exempt from City of San Jose land use regulations. It is, however, required to comply with Title 24 and the California Building Code.

Staging Areas. Construction staging would be adjacent to the existing parking lot.

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III. INITIAL STUDY CHECKLIST

The initial study checklist recommended by the CEQA Guidelines is used to describe the potential impacts of the proposed Project on the physical environment.

I. Aesthetics

Would the Project:

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

Discussion

- a, b) The project site and vicinity are in a mostly flat urbanized area adjacent to existing school facilities, roadways, and houses. As shown in Figures 5-9, below, the site is vacant, fenced, and covered with gravel and construction debris. Two isolated, medium-sized trees can be seen on the north side of the site. The dominant features in views from the site are single- and multi-family residences, the school campus and baseball fields, and a PG&E substation. Distant views of the hills to the south, east, and west are also available from the project area. There are no view corridors to unique or large-scale natural or dramatic scenic features within the project viewshed.



Figure 5: View to the Northwest from the northeast corner of the site.



Figure 6: View from the Cinnabar School Parking lot looking west across the site.



Figure 7: View towards the site looking south from southwest corner of Singletree Way and Camden Avenue.



Figure 8: View of southern portion of the site looking southeast.



Figure 9: View of northern edge of the site looking east from Camden Avenue and Singletree Way

The proposed building and parking lot would not affect views from or to nearby hillsides or ridgelines. Views of the proposed building from the existing townhouses to the south across Singletree Way from the site would be limited or blocked by new perimeter fencing and the intervening streetscape. The project also would be visible from a few residences directly across Camden Avenue. The project site but would not be prominent in those views because of the distance and because all of those houses have solid fences along Camden Avenue. The project would be most visible from the school buildings and baseball field but, no scenic views would be affected.

There are no rock outcroppings, historic buildings, or scenic highways on or immediately adjacent to the project site. There are also no designated scenic highways with views of the site. Therefore, the Project would have **no impact** on scenic vistas or scenic resources.

- c) As shown in Figures 3-7, the Project site is within an urbanized area. Although the site is not under City of San Jose planning jurisdiction, plan compliance can be used as an indicator of impact significance. The project site is zoned Planned development - Multiple-Family Residence and the project is consistent with the zoning. The project would not conflict with any City of San Jose ordinances or policies governing scenic quality. Since there would be no conflicts, the project would have **no impact** on visual-quality-related plans or policies.

- d) The Project would include security lighting for the proposed new building however, this lighting would be shielded and would not be expected to generate significant sources of light visible to existing and future residents west and north of the site. Therefore, light and glare impacts would be **less than significant**.

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II. Agricultural and Forestry Resources

Would the Project:

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

Discussion

a-e) The project site is designated Public/Quasi-Public in the San Jose Envision 2040 General Plan (City of San Jose, 2011) and Multiple-Family residential in the City's Zoning map (City of San Jose 2019). The project site is on an existing school campus in a heavily urbanized area, and contains no Prime Farmland, Unique Farmland, Farmland of Statewide Importance, Williamson Act contracted lands, active agricultural operations, or forest. No trees would be removed as part of the project. The project would not result in the conversion of farmland or forestland to non-agricultural uses. For these reasons, there would be **no impact** on agricultural and forestry resources.

III. Air Quality

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

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

Background

According to the Bay Area Air Quality Management District (BAAQMD), the Project site is located in the Bay Area's Santa Clara Valley climatic sub-region. High summer temperatures promote ozone formation. Ozone precursors from local sources are confined by mountainous terrain and precursors from sources in San Francisco, San Mateo, and Alameda counties are carried by prevailing winds into the Santa Clara Valley. In addition, on summer days, when vertical dispersion is limited by warmer air aloft (i.e., a temperature inversion), ozone can be recirculated by southerly drainage flows in the late evening and early morning and by the prevailing northwesterly winds in the afternoon. A similar recirculation pattern occurs in the winter, affecting levels of carbon monoxide and particulate matter generated by motor vehicles, fireplaces/woodstoves, etc. This diurnal movement of the air up and down the valley increases the ambient levels of pollutants significantly.

Ozone and suspended particulate matter (i.e., two types of the latter - particulate matter less than ten microns in diameter [PM_{10}] and particulate matter less than 2.5 microns in diameter [$PM_{2.5}$]) are of particular concern in the Bay Area, which is currently designated "nonattainment" for state and national ozone ambient air quality standards, for the state PM_{10} standards, and for state and national $PM_{2.5}$ standards; it is "attainment" or "unclassified" with respect to all the other major air pollutants. The BAAQMD maintains a number of air quality monitoring stations, which continually measure the ambient concentrations of major air pollutants throughout the Bay Area. The closest station to the Project site, where ozone is monitored, is at 306 University Avenue in Los Gatos, about 4 miles southwest of the Project site; other pollutants are monitored at the 158 Jackson Street station in San Jose, about 8 miles north of the Project site. The data collected show

violations of the ozone and PM_{2.5} particulate standards on at most a few days per year over the last three years, see Table AQ-1.

Table AQ-1: Local Ambient Air Quality Monitoring Summary

Pollutant	Air Quality Standard	Maximum Concentrations and Number of Days Standards Exceeded		
		2016	2017	2018
Ozone				
Maximum 8-hour concentration (ppm)		65	75	67
# Days 8-hour national/California standard exceeded	70 ppb	0	3	0
Nitrogen Dioxide (NO₂)				
Maximum 1-hour concentration (ppb)		51	68	86
# Days national 1-hour standard exceeded	100 ppb	0	0	0
Suspended Inhalable Particulates (PM₁₀)				
Maximum 24-hour concentration (µg/m ³)		41	70	122
# Days national 24-hour standard exceeded	150 µg/m ³	0	0	0
# Days California 24-hour standard exceeded	150 µg/m ³	0	6	4
Suspended Fine Particulates (PM_{2.5})				
Maximum 24-hour concentration (µg/m ³)		22.6	49.7	133.9
# Days national 24-hour standard exceeded	35 µg/m ³	0	6	15

Notes:

Ozone is monitored at the BAAQMD station at 306 University Avenue in Los Gatos (about 4 miles southwest of the Project site); other pollutants are monitored at the 158 Jackson Street station in San Jose (about 8 miles north of the Project site).

µg/m³ = micrograms per cubic meter

ppb = parts per billion.

Source: BAAQMD Air Quality Summary Reports <http://www.baaqmd.gov/about-air-quality/air-quality-summaries>

The Santa Clara Valley contains a dense concentration of stationary industrial/commercial air pollution sources and is crossed by several major freeways and State highways, but stationary sources become relatively sparse in the foothill areas of the surrounding mountains. The only notable stationary sources near the Project site (according to BAAQMD permit files) are an emergency diesel-powered generator (Verizon Wireless at 1552 Singletree Way) and a gas station (ARCO at 5755 Camden Avenue); SR 85 passes about a mile north of the Project site and SR 17 passes about 3 miles west.

Analysis Methodology and Significance Criteria

The air quality analysis addressing this Initial Study checklist items was performed using the methodologies and significance thresholds recommended in *CEQA Air Quality Guidelines (Guidelines)*; BAAQMD, May 2017, Table 2-1). The air pollutant impacts evaluated in the items a and b discussion below are from precursors to ozone formation (i.e., reactive organic compounds [ROG] and nitrogen oxides [NO_x]) and small-diameter particulate matter (i.e., PM₁₀ and PM_{2.5}).

According to the *Guidelines*, any Project would have a significant potential for obstructing air quality plan implementation or making a cumulatively considerable contribution to a regional air quality problem if its pollutant emissions would exceed any of the thresholds presented in Table AQ-2 during construction or operation.

TABLE AQ-2: CEQA Air Quality Significance Thresholds for Air Pollutant Emissions

Pollutant	Construction Average Daily (lbs./day)	Operational	
		Average Daily (lbs./day)	Maximum Annual (tons/year)
Reactive Organic Gases (ROG)	54	54	10
Oxides of Nitrogen (NO _x)	54	54	10
Inhalable Particulate Matter (PM ₁₀)	82 (exhaust)	82	15
Fine Inhalable Particulate Matter (PM _{2.5})	54 (exhaust)	54	10
PM ₁₀ /PM _{2.5} (Fugitive Dust)	BMPs ^a	N/A	N/A
<p>Notes: BMPs = Best Management Practices</p> <p>N/A = Not Applicable</p> <p>^a If BAAQMD Best Management Practices (BMPs) for fugitive dust control are implemented during construction, the impacts of such residual emissions are considered to be less than significant.</p> <p>Source: Bay Area Air Quality Management District, May 2017, <i>CEQA Air Quality Guidelines</i>.</p>			

In addition to the major air pollutants (as identified above), many other chemical compounds, generally termed toxic air contaminants (TACs), pose a present or potential hazard to human health through airborne exposure. A wide variety of sources, stationary (e.g., dry cleaning facilities, gasoline stations, and emergency diesel-powered generators, etc.) and mobile (e.g., motor vehicles, construction equipment, etc.), emit TACs. The health effects associated with TACs are quite diverse. TACs can cause adverse health effects from long-term exposure (e.g., cancer, birth defects, neurological damage, asthma, bronchitis, or genetic damage) and/or from short-term exposure (e.g. eye watering, respiratory irritation, running nose, throat pain, and headaches). Most of the estimated carcinogenic/chronic health risk in California can be attributed to relatively few airborne compounds, the most important being particulate matter from diesel-fueled engines (DPM). The California Air Resources Board (CARB) has identified DPM as being responsible for about 70 percent of the cumulative cancer risk from all airborne TAC exposures in California.

The *Guidelines* establish a relevant zone of influence for an assessment of project-level and cumulative health risk from TAC exposure to an area within 1,000 feet of a project site. Project construction-related or Project operational TAC impacts to sensitive receptors within the zone that exceed any of the following thresholds are considered significant:

- An excess cancer risk level of more than 10 in one million
- A non-cancer hazard index greater than 1.
- An incremental increase of greater than 0.3 microgram per cubic meter ($\mu\text{g}/\text{m}^3$) for annual average $\text{PM}_{2.5}$ concentrations.

Cumulative impacts from TACs emitted from freeway, state highways or high-volume roadways (i.e., the latter defined as having traffic volumes of 10,000 vehicles or more per day or 1,000 trucks per day), and from all BAAQMD-permitted stationary sources within the zone to sensitive receptors within the zone that exceed any of the following thresholds are considered cumulatively significant:

- A combined excess cancer risk level of more than 100 in one million.
- A combined non-cancer hazard index greater than 10.0.
- A combined incremental increase in annual average $\text{PM}_{2.5}$ concentrations greater than $0.8 \mu\text{g}/\text{m}^3$.

Project and cumulative TAC impacts are evaluated in the item c discussion below.

Discussion

- a) The BAAQMD's current *Clean Air Plan: Spare the Air, Cool the Climate* (2017 Plan), focuses on two closely-related goals: protecting public health from air pollutant exposures and reducing Bay Area emissions of heat-trapping gases (termed greenhouse gases [GHG]) that promote global climate change (Project GHG impacts will be addressed in Section VIII below).

Key elements in the 2017 Plan control strategies having particular applicability to the Project, are:

Controls on Transportation Sources:

- Direct new development to areas that are well-served by transit, and conducive to bicycling and walking.

The Project site is served by the Santa Clara Valley Transit Authority (VTA) (i.e., bus lines #65, #328, and #330) that connect it to downtown San Jose and other Santa Clara County communities.

Controls on Buildings and Energy Sources:

- Expand the production of low-carbon, renewable energy by promoting on-site technologies such as rooftop solar, wind and ground-source heat pumps.
- Promote energy and water efficiency in both new and existing buildings.
- Promote the switch from natural gas to electricity for space and water heating in Bay Area buildings.

Project construction will comply with the CALGreen (Title 24) statewide building energy code, a control strategy promoted by the 2017 Plan.

The Project would construct a new office maintenance facility with supporting parking lot that would accommodate the maintenance needs of the Union School District (USD). It would not have the potential to substantially increase regional housing, employment, and/or population levels in Santa Clara County or the Bay Area, which are the bases of the 2017 Plan regional emission inventories and control strategies.

Compliance with BAAQMD-approved CEQA thresholds of significance is another condition for determining Project consistency with 2017 Plan control measures. Thus, the Project would have **less than significant** air quality impacts because it meets all BAAQMD CEQA emission thresholds (as addressed in the Items b discussion below).

- b) The BAAQMD *Guidelines* recommend quantification of Project construction and operational emissions and their comparison to the CEQA significance thresholds. For this, the California Emissions Estimator Model (CalEEMod, Version 2016.3.2) was used. CalEEMod was run using the model's "light industrial" source category for the proposed maintenance and operations building and the "parking lot" source category for the proposed parking lot. The model's default emission estimates for these sources are compatible with Project-specific specifications for daily motor vehicle trips and facility energy use.

Table AQ-3 shows the estimated exhaust air-pollutant emissions for all Project phases from construction equipment, haul/delivery trucks and worker commute vehicles. Tables AQ-4 and AQ-5 show the operational air-pollutant emissions from all Project stationary and mobile sources in the first year of operation (assumed to be 2020). All tables include comparisons with the BAAQMD CEQA significance thresholds. As can be seen, this

impact would be **less than significant**, and no mitigation is required.

**Table AQ-3: Project Construction Pollutant Emissions
(Maximum Pounds per Day)**

Phase	ROG	NO _x	PM ₁₀	PM _{2.5}
	lbs./day			
Demolition	0.99	8.63	0.62	0.53
Site Preparation	0.74	8.93	0.94	0.41
Grading	0.99	8.63	1.37	0.95
Building Construction	1.01	10.22	0.69	0.58
Paving	0.97	7.27	0.54	0.41
Architectural Coating	14.77	1.69	0.13	0.12
Peak Daily Total	14.77	10.22	1.37	0.95
Significance Threshold	54	54	82	54
Significant Impact?	No	No	No	No

**Table AQ-4: Project Operational Pollutant Emissions - Year 2020
(pounds per day)**

Emission Source Category	ROG	NO _x	PM ₁₀	PM _{2.5}
Area	0.16	< 0.01	< 0.01	< 0.01
Energy	0.01	0.05	< 0.01	< 0.01
Mobile	0.08	0.33	0.28	0.08
Total Project	0.25	0.38	0.29	0.08
Significance Thresholds	54	54	82	54
Significant Impact?	No	No	No	No

**Table AQ-5: Project Operational Pollutant Emissions - Year 2020
(tons per year)**

Emission Source Category	ROG	NO _x	PM ₁₀	PM _{2.5}
Area	0.03	< 0.01	< 0.01	< 0.01
Energy	< 0.01	0.01	< 0.01	< 0.01
Mobile	0.01	0.04	0.04	0.01
Total Project	0.04	0.05	0.04	0.01
Significance Thresholds	10	10	15	10
Significant Impact?	No	No	No	No

- c) The Project site is in a residential area of south San Jose. The closest existing residents face the site along the south side of Singletree Way about 150 feet south of Project site center (which would be the maximally exposed sensitive receptor [MESR] to Project construction TAC emissions); other existing residents face the site along the west side of Camden Avenue a few hundred feet to the west. The Cinnabar School and its outdoor athletic fields are adjacent to the site to the north and northeast.

A screening health risk assessment (HRA) for TAC and particulate exposures to nearby sensitive receptors from Project construction activities was conducted following guidelines established by the California Office of Environmental Health Hazard Assessment (OEHHA 2015) and the BAAQMD (2012).

Cancer risk is the probability of developing cancer from a lifetime exposure (i.e., 70 years) to carcinogenic substances. The likelihood of other adverse chronic health impacts unrelated to cancer are measured using a hazard index (HI) defined as the ratio of a project's incremental annual TAC concentration to a published reference exposure level (REL) as determined by OEHHA (which for DPM is 5 $\mu\text{g}/\text{m}^3$). Project incremental cancer risks and HI were estimated by applying established DPM toxicity factors to the construction equipment exhaust DPM concentrations estimated by the SCREEN3 model (Lakes Environmental).

As shown in Table AQ-6, the cancer risk from Project construction DPM at the existing adjacent residential uses most exposed to TACs from Project construction would be 3.65 additional cancer cases per million people exposed, which is below the project-level CEQA threshold for cancer risk. The HI from Project construction DPM would be 0.094, which is well below the BAAQMD threshold for chronic hazard. But the modeled annual $\text{PM}_{2.5}$ concentration from Project construction would be 0.471 $\mu\text{g}/\text{m}^3$, which substantially exceeds the Project-level CEQA threshold (0.3 $\mu\text{g}/\text{m}^3$).

Implementation of mitigation measure AQ-1 would assure that annual average $\text{PM}_{2.5}$ concentrations at the existing adjacent residential receptors due to Project construction would be well below the CEQA $\text{PM}_{2.5}$ threshold (and would substantially reduce cancer risk and chronic hazard, as well), as also shown in Table AQ-6. With this mitigation measure, this impact would be reduced to a **less-than-significant** level.

After it is operational, the Project would not include substantial stationary TAC emission sources nor add substantial mobile TAC emission sources (i.e., by BAAQMD definition, daily incremental traffic volumes of 10,000 or greater) to local streets.

As also shown in Table AQ-6, the cumulative TAC exposure at the MESR would be considerably below the BAAQMD cumulative thresholds for cancer risk, chronic hazard and annual PM_{2.5} concentration.

To reduce the exposure of local sensitive receptors to PM₁₀ and PM_{2.5} in the fugitive dust released during Project construction, the BAAQMD *Guidelines* also require that all Bay Area construction projects implement Best Management Practices (BMPs) to control fugitive dust emissions. Thus, the following basic control measures must be implemented by the Project construction contractor:

BAAQMD Required Dust Control Measures: The construction contractor shall reduce construction-related air pollutant emissions by implementing BAAQMD's basic fugitive dust control measures, including:

- 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 surfaces 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 soon as possible after grading unless seeding or soil binders are used.
- A publicly visible sign shall be posted with the telephone number and person to contact at the Union School District regarding dust complaints. This person shall respond and take corrective action within 48 hours. The BAAQMD's phone number shall also be included to ensure compliance with applicable regulations.

Table AQ-6: Project and Cumulative TAC Impacts on Maximally Exposed Sensitive Receptor (MESR) in the Project Site Vicinity

BAAQMD Source #	Facility	Address	Cancer Risk	Chronic Hazard Index	PM _{2.5} Concentration
From Local Permitted Stationary TAC Sources*					
15104	Verizon Wireless (Emergency Generator)	1552 Singletree Way	0.0092	< 0.0001	< 0.0001
110679	ARCO Gas & Mini Mart (Gasoline Dispensing Facility)	5755 Camden Avenue	0.9548	0.0047	0
From Major Local Roadways**					
Blossom Hill Road			1.65	----	0.041
Camden Avenue			13.70	----	0.3220
From Project Sources***					
Project Construction TAC Impacts <u>before</u> mitigation			3.65	0.0943	0.4715
Project-Level Significance Thresholds			10	1.0	0.3
Significant Project Construction Impact <u>before</u> mitigation			No	No	Yes
Project Construction TAC Impacts <u>after</u> mitigation			1.83	0.0473	0.2367
Significant Project Construction Impact <u>after</u> mitigation?			No	No	No
From Cumulative Sources (after Project Mitigation)					
Cumulative Sources TAC Impact			1.14	0.052	0.600
Cumulative Significance Thresholds			100	10	0.8
Significant Cumulative Impact?			No	No	No

*The BAAQMD's Stationary Source Screening Analysis Tool and Emergency Generator/Gasoline Dispensing Facility Distance Multiplier Tool were used to estimate the maximum cancer risk, hazard index, and PM_{2.5} concentration at the existing residences just south of the Project site.

**The BAAQMD's Roadway Screening Calculator was used to estimate maximum cancer risks, hazard indexes, and PM_{2.5} concentrations at the closest existing residences just south of the Project site.

***Project construction cancer risk, chronic hazard and PM_{2.5} increments were estimated by the SCREEN3 dispersion model using Project construction equipment TAC emission estimates from the CalEEMod model. Project construction cancer risk, chronic hazard and PM_{2.5} would be reduced by about 50% by requiring that Project construction equipment have at least Level 2 diesel particulate filters.

- d) Project operation would not introduce substantial sources of odor emissions to the area. However, the Project's diesel-powered construction equipment would emit odorous exhaust that could impact existing local residents. But since the Project construction activities would be short-term (i.e., about 9 months total) and most local odor-sensitive receptors (i.e., the existing low-density residential neighborhoods) are at distances greater than a few hundred feet from the site center, construction odor emissions would not affect

a substantial number of people for a substantial time, nor be substantially objectionable to any particular receptor while construction is underway. Therefore, this impact would be **less than significant**.

Mitigation Measures

Mitigation Measure AQ-1. The Project construction contractor shall implement the following measures to further reduce construction-related diesel particulate exhaust emissions:

All off-road equipment greater than 25 horsepower (hp) and operating for more than 20 total hours over the entire duration of construction activities shall meet the following requirements:

- All engines shall be equipped with at least a CARB Level 2 Verified Diesel Emissions Control Strategy (VDECS) device.

IV. Biological Resources

Would the Project:

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

Discussion

- a-f) The project site is a gravel-covered portion of a developed school campus in a completely urbanized neighborhood. There are two medium-sized trees on the southern edge of the site, and it has been used for parking. There are no wetlands or riparian features on the site.

There is no potential for special-status species to inhabit the site. The trees provide minimal nesting habitat, and larger, taller trees exist directly across Singletree Way from the site. The site is not within any Habitat Conservation Plan or Natural Communities Conservation Plan area. Because of the lack of biological resources or habitat on the site, the project would not conflict with any local policies or policies protecting those resources.

V. Cultural Resources

Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?			X	
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?		X		
c) Disturb any human remains, including those interred outside of dedicated cemeteries?		X		

Background

This analysis considers the project's impact to historical and archaeological resources, and human remains on the project site. A detailed cultural resources assessment has been conducted for the site by Solano Archaeological Services (SAS, August 1, 2019). That assessment included a literature review, database search, and intensive pedestrian survey. It found no evidence of any cultural resources, historic or archaeological, on the site.

Discussion

- a) Archival research, an intensive archaeological survey, and coordination with the Native American community did not result in the identification of any prehistoric, ethnographic, or historic-era cultural sites, features, artifacts, or other properties within or immediately adjacent to the project site. Consequently, the project site contains no historical resources as defined in CEQA Guidelines Section 15064.5. therefore, the project would have a **less-than-significant** impact on historical resources. No mitigation is necessary.
- b) An intensive archaeological inventory of the project area was conducted, and no cultural resources were encountered. However, it is important to note that surface pedestrian surveys cannot always determine what archaeological resources might be present in subsurface contexts. Such buried resources have the potential to be California Register of Historic Resources (CRHR) -eligible and as such any impacts to them would be considered a potentially significant impact. Mitigation Measures CULT-1 would reduce this **potentially significant** impact to a **less-than-significant** level.

Although no prehistoric or historic-era human remains have been identified within or near

the project site, it is possible that presently undocumented human interments may be uncovered during excavation activities. This **potentially significant** impact would be a potentially significant. Implementation of Mitigation Measures CULT-2 would reduce this impact to a **less-than-significant** level.

Mitigation Measures

Mitigation Measure CULT-1: Archaeological Deposits. If an inadvertent discovery of cultural materials (e.g. unusual amounts of shell, animal bone, bottle glass, ceramics, structure/building remains, etc.) is made during project-related construction activities, ground disturbances in the area of the find will be halted and a qualified professional archaeologist will be notified regarding the discovery. The archaeologist shall determine whether the resource is potentially significant as per the CRHR and develop an appropriate mitigation.

Mitigation Measure CULT-2: Human Remains. In accordance with the California Health and Safety Code, if human remains are uncovered during ground disturbing activities all such activities in the vicinity of the find shall be halted immediately and the District or the District's designated representative shall be notified. The District shall immediately notify the Santa Clara Sheriff/Coroner and a qualified professional archaeologist. The Sheriff/Coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on private or state lands (Health and Safety Code Section 7050.5[b]). If the coroner determines that the remains are those of a Native American, he or she must contact the Native American Heritage Commission by phone within 24 hours of making that determination (Health and Safety Code Section 7050[c]). The responsibilities of the District for acting upon notification of a discovery of Native American human remains are identified in detail in the California Public Resources Code Section 5097.9. The District or their appointed representative and the professional archaeologist will consult with a Most Likely Descendent (MLD) determined by the NAHC regarding the removal or preservation and avoidance of the remains and determine if additional burials could be present in the vicinity.

VI. Energy

Would the Project:

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

Discussion

- a) The project would not result in wasteful, inefficient, or unnecessary consumption of energy, given (1) the relatively small size of the project: 20,500 sq. ft. office/vehicle/equipment maintenance facility for the USD (which would replace similar uses now operating elsewhere in San Jose), and (2) Project compliance with State of California energy conservation regulations, and City of San Jose energy conservation policies (per the Climate Smart San Jose Plan; San Jose' Green Vision [2007]; Emission San Jose' 2040 General Plan [November 2011], see discussion below). Therefore, this impact would be **less than significant**.
- b) The California State Building Standards Commission adopted updates to the California Green Building Standards Code (CALGreen), which went into effect in January 2011. CALGreen contains requirements for construction site selection, storm water control during construction, construction waste reduction, indoor water use reduction, material selection, natural resource conservation, and site irrigation conservation. CALGreen provides for design options allowing the designer to determine how best to achieve compliance for a given site or building condition. CALGreen also requires building commissioning, which is a process for verifying that all building systems, like heating and cooling equipment and lighting systems, are functioning at their maximum efficiency. CALGreen provides the minimum standard that buildings need to meet in order to be certified for occupancy but does not prevent a local jurisdiction from adopting more stringent requirements. CALGreen is intended to (1) reduce GHG emissions from buildings; (2) promote environmentally responsible, cost-effective, healthier places to live and work; and (3) reduce energy and water consumption.

The *San Jose' Green Vision* (2007) and *Envision San Jose' 2040 General Plan* (November 2011) contain the following policies regarding energy efficiency. (Although the site has been withdrawn from City jurisdiction, conformance with City policies may be used in developing CEQA significance criteria.):

- **Goal MS-1 – Green Building Policy Leadership.** Demonstrate San José's commitment to local and global Environmental Leadership through progressive use of green building policies, practices, and technologies to achieve 100 million square feet of new or retrofitted green buildings by 2040.
- **Goal MS-2 – Energy Conservation and Renewable Energy Use.** Maximize the use of green building practices in new and existing development to maximize energy efficiency and conservation and to maximize the use of renewable energy sources.

The Project would be built in accord with California's CALGreen standards and, thus, would not conflict with *Envision San Jose' 2040* energy conservation policies. Therefore, this impact would be **less than significant**.

VII. Geology and Soils

Would the Project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?		X		
iii) Seismic-related ground failure, including liquefaction?		X		
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?		X		
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?			X	

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste-water disposal systems where sewers are not available for the disposal of wastewater?				X
f) Directly or indirectly destroy unique paleontological resources on site, or unique geologic feature?				X

Background

This analysis considers the project's potential impacts on geologic and paleontological features and conditions on the project site.

A geotechnical study of the site was prepared for the site by Cornerstone Earth Group (*Geotechnical Investigation, USD Maintenance and Operations Building, 5670 Camden Avenue, San Jose, California*, August 21, 2019). The discussions below are based on the findings of that study.

Geologic Conditions

Regional geologic mapping indicates that the site is underlain by Holocene (last 11,000 years) and Pleistocene (11,000 to 2 million years old) alluvial deposits, which typically include moderately to poorly sorted and bedded sand, gravel, silt and clay. In the general area of the site, the various published maps show the site as underlain by Pleistocene alluvial fan deposits, which are characterized by unsorted boulders, gravel, sand, silt, and soil.

Exploratory soil borings have been conducted on the site to determine subsurface geologic conditions. Borings encountered 1-4 feet of undocumented fill consisting of poorly graded gravel with sand, dense clayey sand with gravel, and medium dense silty, clayey sand with gravel. Beneath these fill materials layers of mixed sand, silt, and gravel were encountered. To depths of about 8.5 feet, underlain by dense clayey sand with gravel to the maximum boring depths of 20 and 30 feet. Groundwater was not encountered in any of the borings, however, based on other available information, groundwater depths of 18-27 feet to the south of the project site, and 10-15 feet to the north of the site were estimated by Cornerstone's geologists.

Soils on the site were considered moderately corrosive.

Seismic Conditions

The site is located in the seismically active San Francisco Bay Area. While no faults underlie the site, nearby active faults include the San Andreas Fault, approximately 7 miles southwest of the

site; the Calaveras Fault, about 13.5 miles northeast of the site, and the Hayward Fault, about 16 miles east of the site. The Monte Vista-Shannon Fault is located less than a mile southwest of the site. Major earthquakes potentially affecting the project site are possible on all of these faults. Due to their proximity to the site, the San Andreas, Calaveras, and Hayward faults have the greatest likelihood of generating very strong seismic shaking on the site. Studies indicate that the highest probability of a Richter Magnitude 6.7 or above earthquake in the Bay Area would be on those faults, with a 33%, 26%, and 22% likelihood of a major earthquake on the Hayward, Calaveras, and San Andreas Faults, respectively by 2043. During such an earthquake, the danger of fault rupture on the project site would be slight, but very strong ground shaking would occur. The site is not located in an Alquist-Priolo Earthquake Fault Zone. Cornerstone found no evidence of faulting on the site and concluded that fault rupture is not a significant geologic hazard on the site. In addition, no evidence of liquefaction or ground deformation was recorded from the 1989 Loma Prieta earthquake.

There is no landslide hazard on the site due to its gentle slopes and distance from mapped landslides. Similarly, no tsunami or tsunamite hazards occur on the site because of its distance from the Bay and ocean (16 miles inland from the Bay).

Discussion

- a)
 - i. Based on available published geologic information, the project site is not located within an Alquist Priolo Earthquake Fault Zone. The potential for fault rupture on the site is therefore considered to be low and *no impact* would occur. (Cornerstone, 2019)
 - ii. The site would be subject to very-strong ground shaking in the event of a major earthquake on any of the regional fault zones. This shaking could damage improperly constructed buildings and cause ground failures that also could affect the structure and infrastructure (these ground failures are discussed below). This impact is *potentially significant* but can be reduced to a *less-than-significant* level with implementation of Mitigation Measure GEO-1, below.
 - iii. Cornerstone evaluated the site for liquefaction potential and determined that it could be subject to total settlement of up to 0.75 inches, with differential settlement up to about 0.5 inches on the site. Cornerstone evaluated the site for liquefaction potential and determined that it could be subject to total settlement of up to 0.75 inches, with differential settlement up to about 0.5 inches on the site. Cornerstone also evaluated the potential for lateral spreading on the site and determined it to be low.

The impact associated with liquefaction and differential settlement hazards would be reduced to a **less-than-significant** level by implementation of Mitigation Measure GEO-2, below.

- iv. The nearly level site does not contain any slopes that would be subject to landslide hazards.

- b) The site is generally flat and mostly covered by gravel, which is not highly susceptible to erosion. After project construction, runoff from the site would be increased and, if discharges to open ground are concentrated, some erosion could occur. All project runoff would be directed to a bio-retention system and then to existing City storm drain systems, therefore this impact is considered **less than significant**.
- c) Please see response to item a) iii, above. This impact would be reduced to a **less-than-significant** level by implementation of Mitigation Measure GEO-2, below.
- d) Expansive soils shrink and swell with fluctuations in moisture content and are capable of exerting significant expansion pressures on building foundations, interior floor slabs, and exterior flatwork. Distress from expansive soil movement can include cracking of brittle wall coverings (stucco, plaster, dry wall, etc.), cracked door and/or window frames, and uneven floors and cracked slabs. Flatwork, pavements, and concrete slabs-on-grade are particularly vulnerable to damage from soil swelling and shrinking. Highly plastic and/or expansive soils were not observed by Cornerstone during their subsurface exploration. Therefore, the risk of expansive soil affecting the proposed improvements is low. The impact would be **less than significant**.
- e) The proposed project would be served by the City sewer system and would not include any septic systems. Therefore, **no impact** would occur with respect to adequacy of site soils for septic systems.
- f) Because the foundation work would occur primarily within the areas of recent fill, therefore potential impacts to paleontological resources would be considered low.

Mitigation Measures

Mitigation Measure GEO-1: The project structures and foundations shall be designed in accordance with the most recent version of the California Building Code. Recommended seismic coefficients provided in the Cornerstone report shall be included in the project design.

Mitigation Measure GEO-2: The project's site clearing, site preparation, subgrade preparation and stabilization, fill, drainage, and foundation systems shall be designed and constructed per the specifications set forth on the project geotechnical report (Cornerstone 2019).

VIII. Greenhouse Gas Emissions

Would the Project:

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

Background

Greenhouse gases (GHGs) are atmospheric gases that capture and retain a portion of the heat radiated from the earth after it has been heated by the sun. The primary GHGs are carbon dioxide (CO₂), methane (CH₄), and nitrous oxide (N₂O), ozone, and water vapor. While GHGs are natural components of the atmosphere, CO₂, CH₄, and N₂O, are also emitted in substantial quantities from human activities and their accumulation in the atmosphere over the past 200 years has substantially increased their concentrations. This accumulation of GHGs has been implicated as the driving force behind global climate change.

Human emissions of CO₂ are largely by-products of fossil fuel combustion, whereas CH₄ results from off gassing associated with organic decay processes in agriculture, landfills, etc. Other GHGs, including hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride, are generated by certain industrial processes. The global warming potential of GHGs are typically reported in comparison to that of CO₂, the most common and influential GHG, in units of "carbon dioxide-equivalents" (CO₂e).

There is international scientific consensus that human-caused increases in GHGs have and will continue to contribute to global warming. Potential global warming impacts in California may include, but are not limited to, loss in snowpack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years. Secondary effects are likely to include a global rise in sea level, impacts to agriculture, changes in disease vectors, and changes in habitat and biodiversity.

Discussion

- a) The Bay Area Air Quality Management District (BAAQMD) is the primary agency responsible for air quality regulation in the nine-county San Francisco Bay Area Air Basin. As part of that role, the BAAQMD has prepared *CEQA Air Quality Guidelines* that provide CEQA thresholds of significance for operational GHG emissions from land use projects

(i.e., 1,100 metric tons of CO₂e per year, which is also considered the definition of a cumulatively considerable contribution to the global GHG burden and, therefore, of a significant cumulative impact), but has not defined thresholds for project construction GHG emissions. The *Guidelines* methodology and thresholds of significance have been used in this Initial Study's analysis of potential GHG impacts associated with the Project.

The CalEEMod model was used to quantify GHG emissions associated with Project construction activities (for informational purposes), as well as long-term operational emissions produced by Project motor vehicles, energy and water use, and solid waste generation. CalEEMod incorporates GHG emission factors for motor vehicles, electricity from central electric utilities, and water use and solid waste generation.

The estimated construction GHG emissions are 68.3 metric tons of CO₂e (for which there is no BAAQMD CEQ significance threshold). The Project's estimated operational GHG emissions are presented in Table GHG-1. The Project's GHG operational emissions would be 106.0 metric tons per year, which is substantially below the BAAQMD threshold of 1100 metric tons. Therefore, this impact would be **less than significant**.

Table GHG-1: Project Operational Greenhouse Gas Emissions (Metric Tons Per Year)

Project GHG Source	CO ₂	CH ₄	N ₂ O	CO ₂ e
Area	< 0.01	< 0.01	< 0.01	< 0.01
Energy Use	25.94	< 0.01	< 0.01	26.06
Motor Vehicles	38.56	< 0.01	< 0.01	38.59
Solid Waste Disposal	1.64	0.10	< 0.01	4.05
Water Use	2.84	0.05	< 0.01	4.42
Total				73.13
Significance Thresholds				1100
Significant Impact?				No

- b) Assembly Bill 32 (AB32), the California Global Warming Solutions Act, requires the CARB to lower State GHG emissions to 1990 levels by 2020—a 25% reduction statewide with mandatory caps for significant GHG emission sources. AB32 directed CARB to develop discrete early actions to reduce GHG while preparing the Climate Change Scoping Plan in order to identify how best to reach the 2020 goal. Statewide strategies to reduce GHG emissions to attain the 2020 goal include the Low Carbon Fuel Standard (LCFS), the California Appliance Energy Efficiency regulations, the California Renewable Energy Portfolio standard, changes in the motor vehicle corporate average fuel economy (CAFE)

standards, and other early action measures that would ensure the state is on target to achieve the GHG emissions reduction goals of AB 32.

The State Building Standards Commission adopted updates to the California Green Building Standards Code (CALGreen), which went into effect in January 2011. CALGreen contains requirements for construction site selection, storm water control during construction, construction waste reduction, indoor water use reduction, material selection, natural resource conservation, and site irrigation conservation. CALGreen provides for design options allowing the designer to determine how best to achieve compliance for a given site or building condition. CALGreen also requires building commissioning, which is a process for verifying that all building systems, like heating and cooling equipment and lighting systems, are functioning at their maximum efficiency. CALGreen provides the minimum standard that buildings need to meet in order to be certified for occupancy but does not prevent a local jurisdiction from adopting more stringent requirements. CALGreen is intended to (1) reduce GHG emissions from buildings; (2) promote environmentally responsible, cost-effective, healthier places to live and work; and (3) reduce energy and water consumption.

The BAAQMD's *Spare the Air, Cool the Climate* (2017 Plan), focuses on two closely-related goals: protecting public health from air pollutant exposures and protecting the climate. Consistent with the GHG reduction targets adopted by the State of California, the 2017 Plan lays the groundwork for a long-term effort to reduce Bay Area GHG emissions 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050.

The 2017 Plan defines an integrated, multipollutant control strategy to reduce emissions of particulate matter, toxic air contaminants (TACs), ozone precursors and greenhouse gases (GHG).

The 2017 Plan GHG control strategy is based on the following key priorities:

- Reduce emissions of "super-GHGs" such as methane, black carbon and fluorinated gases.
- Decrease demand for fossil fuels (i.e., gasoline, diesel and natural gas).
 - Increase efficiency of the energy and transportation systems.
 - Reduce demand for vehicle travel, and high-carbon goods and services.
- Decarbonize the energy system.
 - Make the electricity supply carbon-free.
 - Electrify the transportation and building sectors.

Thus, the Project would not conflict with the goals and policies of AB32 and the CCAP. The project would have a **less-than-significant** impact related to this issue.

The Project site is accessible by VTA bus routes. The Project would be required to obtain building permits for construction, which would ensure compliance with CALGreen (Title 24). Thus, the Project would not conflict with the goals and policies of AB32 and the Bay Area's 2017 Plan. The project would have a **less-than-significant** impact related to this issue.

IX. Hazards and Hazardous Materials

Would the Project:

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

Background

Discussion

- a) As described in the project description section, some construction-related hazardous materials (lubricants, cleaners, paints, sealants, etc.) would be stored and used on the site during project construction. These include four 55-gallon diesel fuel drums, pesticides and fertilizers, welding gas tanks, and stored hazardous materials from the schools (fluorescent light bulbs, batteries, paint, oil, etc.) that are awaiting pick up. Building materials also would be stored in the building. A 40-cubic yard dumpster would be housed in the paved parking lot, along with twelve trucks and three trailers. All potentially hazardous materials would be stored in contained areas and would be stored and used according to the directions. Therefore, this impact would be **less than significant**.

During project operations, various oils, fuels, solvents, paints, and cleaners may be in use in the building. While these materials could be hazardous if released, they would be stored as required by law and used in accordance with manufacturers' requirements. In addition, all storage and work with these materials would be done in the proposed work bays. These bays would include spill containment and catchment facilities and clean-up supplies. All workers would be trained in emergency response procedures. Therefore, operational impacts would be **less than significant**.

- b, d) The site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962 (Cortese List)¹. Therefore, **no impact** would occur.
- c) Two schools, Champion School and Beacon School, are housed in the former Cinnabar School buildings, adjacent to the project site. However, as described under response to questions IXb and d, above, construction and operation of the project would not emit hazardous materials outside of the contained work bays and indoor storage areas. Therefore, the project would have a **less-than-significant** potential to significantly affect children or adults at the school.
- e) The project site is not within an Airport Land Use Plan area, or within two miles of a public or public-use airport or a private airstrip. Therefore, it would not present a hazard to air safety, and **no impact** would occur.
- f) Construction and operation of the project are not expected to interfere with the City of San Jose's Emergency Preparedness Plan or Emergency Response Plan. There would be approximately 9 workers at the site, as well as adequate parking and emergency access space. The building would be constructed with fire safety and hazardous material storage equipment as required by State and Federal law. It would be sprinklered and constructed under current applicable building codes. It would not in any way adversely affect roadways

¹ https://www.envirostor.dtsc.ca.gov/public/map/?global_id=43990007

or traffic congestion in the project area. Therefore, it would not adversely affect emergency response or access. **No impact** would occur.

- g) The project is in the flat, developed Santa Clara Valley floor. It is completely surrounded by fully developed urban lands, and the nearest wildfire-hazard areas are several miles west of the site, in the Santa Cruz Mountains. Therefore, the project would have **no impact** with respect to wildfire hazards.

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X. Hydrology and Water Quality

Would the Project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?		X		
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?				X
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: <ul style="list-style-type: none"> i) result in substantial erosion or siltation on- or off-site; ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or iv) impede or redirect flood flows? 		X		
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				X
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				X

Discussion

a, c, e) Under Section 402 of the Clean Water Act, the U.S. EPA has established regulations through the National Pollution Discharge Elimination System (NPDES) stormwater program to control stormwater discharges, including those associated with construction activities. The NPDES stormwater permitting program regulates stormwater quality from construction sites. The State Construction General Permit (CGP) requires the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP) and the use of appropriate best management practices (BMPs) for erosion control and spill prevention during construction. Dischargers whose Projects disturb one or more acres of soil or whose Projects disturb less than one acre but are part of a larger common plan of development that in total disturbs one or more acres, are required to obtain coverage under the CGP for Discharges of Stormwater Associated with Construction Activity (CGP Order 2009-0009-DWQ).

City of San José stormwater pollution is regulated under the jurisdiction of the San Francisco Bay Regional Water Quality Control Board, Region 2 (Regional Board), the enforcement arm of the State Water Resources Control Board (Water Board). The Regional Board issues a National Pollutant Discharge Elimination (NPDES) Municipal Regional Permit (MRP) to the City of San José and 15 other co-permittees that covers stormwater activities for most of the Bay Area. Permittees in Santa Clara County, such as the City of San José and the Santa Clara Valley Water District, formed an association called the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) to meet MRP permit regulations by sharing resources and collaborating on projects of mutual benefit. The MRP permit governs a variety of activities in the City of San José such as industrial and commercial businesses, new and redevelopment projects, construction sites, storm drain operation and maintenance, creek monitoring, pesticide applications, and illegal dumping of water and other pollution in the City's storm drain.

The Project site is relatively flat and mostly covered with crushed gravel and bare earth. Development of the proposed Project would require disturbance and light grading, as described in the Project Description. Minimal topographic changes would occur as a result of the project.

During construction activities, there would be a potential for surface water to carry sediment from on-site erosion and small quantities of pollutants into the City's stormwater system and, ultimately, San Francisco Bay. Soil erosion may occur along Project boundaries during construction in areas where temporary soil storage may be required. Small quantities of pollutants may enter the storm drainage system, potentially degrading water quality. The project would include a storm-water bio-retention system that would filter out most of these pollutants.

Construction of the proposed Project also would require the use of gasoline and diesel-powered heavy equipment. Chemicals such as gasoline, diesel fuel, lubricating oil, hydraulic

oil, lubricating grease, automatic transmission fluid, paints, solvents, glues, and other substances would be used during construction. An accidental release of any of these substances could degrade the water quality of the surface water runoff and add additional sources of pollution into the drainage system.

The proposed Project would be required to comply with the State CGP. The District would be required to develop and implement a SWPPP that identifies appropriate construction BMPs in order to minimize potential sedimentation or contamination of storm water runoff generated from the Project site. The SWPPP would identify the risk level for erosion and sedimentation and how much monitoring of potential pollutants is required. Implementation of a SWPPP as required would ensure that the construction of the proposed Project would not violate any water quality standards or waste discharge requirements and reduce potential impacts to a less-than-significant level, as described in Mitigation Measure HYD-1.

As required under the Water Resources Control Board Order No. R2 2009-0074, the City of Novato requires regulated projects, such as this one, to prepare a Stormwater Control Plan (SWCP). The SWCP would include pre-construction stormwater treatment measures such as bio-retention facilities and source controlled BMPs. The SWCP also would address ongoing maintenance of those facilities.

Prior to the issuance of grading permits or building permits (whichever occurs first), the Project would be required to obtain coverage under the State CGP (NPDES General Permit for Stormwater Discharges Associated with Construction Activity Order 2009-0009 DWQ) by preparing a Stormwater Pollution Prevention Plan (SWPPP) and submitting it along with a notice of intent, to the San Francisco Bay RWQCB. The SWPPP shall identify a practical sequence for BMP implementation and maintenance, site restoration, contingency measures, responsible parties, and agency contacts. The SWPPP would include but not be limited to the following elements:

- Temporary erosion control measures would be employed for disturbed areas.
- No disturbed surfaces would be left without erosion control measures in place during the winter and spring months. Cover disturbed areas with soil stabilizers, mulch, fiber rolls, or temporary vegetation.
- Sediment would be retained on site by a system of sediment basins, traps, or other appropriate measures. Drop inlets shall be lined with filter fabric/geotextile.
- The construction contractor would prepare Standard Operating Procedures for the handling of hazardous materials on the construction site to eliminate or reduce discharge of materials to storm drains. This may include locating construction-related equipment and processes that contain or generate pollutants in a secure area, away from storm drains and gutters, and wetlands; parking, fueling, and cleaning all vehicles and equipment in the secure area; designating concrete washout areas; and preventing or containing potential leakage or spilling from sanitary facilities.

- BMP performance and effectiveness would be determined either by visual means where applicable (e.g., observation of above-normal sediment release), or by actual water sampling in cases where verification of contaminant reduction or elimination (such as inadvertent petroleum release) is required by the RWQCB to determine adequacy of the measure.
- In the event of significant construction delays or delays in final landscape installation, native grasses or other appropriate vegetative cover would be established on the construction site as soon as possible after disturbance, as an interim erosion-control measure throughout the wet season.

The project would result in new impervious surfaces being created. Drainage would be directed into an on-site storm drain bio-retention system which, in high flows, would discharge into the City's storm drain system in Camden Avenue. The District would coordinate any new connections with the City. Therefore, impacts to runoff would be **less than significant**.

Potentially contaminated runoff from the new impervious areas would occur. Implementation of the Construction General Permit requirements described above, as well as Mitigation Measures HYD-1 and HYD-2, below, would reduce the other water quality impacts described above to a **less-than-significant** level.

- b) Water is provided by the San Jose Water Company, which relies on local groundwater wells for 40% of its supply, imported water from the Santa Clara Valley Water District for 50% of its supply, and local mountain surface runoff for 10% of its supply (<https://www.sjwater.com/customer-care/help-information/water-supply-faqs>). M&O facility staff would be relocated from elsewhere in San Jose as a result of the project, so there would be no net increase for water demand. The project would include low-flow fixtures and water-conserving landscaping, which would provide water supply efficiencies. No groundwater wells or other supplies would be required. Therefore, the proposed Project would not contribute to depletion of groundwater supplies and **no impact** would occur to groundwater. Similarly, the project would not affect any groundwater management plan.
- d) This site is not located in a mapped flood hazard zone (FEMA Flood Hazard Map Panel No. 06085C0382H, effective on 05/18/2009, accessed July 10, 2019), and is located in a Zone D area, described as "areas in which flood hazards are undetermined but possible". Cornerstone recommends that the project civil engineer verify base flood elevations. (Cornerstone 2019).

The site is not in a mapped tsunami runup zone. Because the project site is not mapped within a mapped flood hazard zone, flooding-related impacts of the project (such as impeding flood flows or flood-related release of pollutants) would be unlikely. The project would have **no impact** on flood-related hazards.

The project site is not within the area of inundation from potential failure of Anderson Dam (<https://www.valleywater.org/sites/default/files/Anderson%20Dam%20Inundation%20Maps>

%202016.pdf). Therefore, the project would not impede flood waters nor increase flood hazards from that source.

Seiches and tsunamis are seismically induced large waves of water. Because of the distance of the site from any large water body and the elevation of the site well above sea level, there is no potential for a tsunami to affect this part of San Jose. Therefore, the proposed Project would have **no impact** to future occupants of the project due to inundation by seiche, tsunami or mudflow.

Mitigation Measure

Mitigation Measure YD-1: Prior to the issuance of grading permits for the proposed Project, the Project engineers shall prepare a Stormwater Control Plan. The Stormwater Control Plan shall identify pollution prevention measures and practices to prevent polluted runoff from leaving the Project site.

Mitigation Measure HYD-2: The District shall maintain in perpetuity the post-construction BMPs listed in the Stormwater Operations and Management Plan. The District shall make changes or modifications to the BMPs to ensure peak performance. The District shall be responsible for costs incurred in operating, maintaining, repairing, and replacing the BMPs. The District shall conduct inspection and maintenance activities and complete annual reports.

XI. Land Use and Planning

Would the Project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Discussion

- a) The proposed building and parking lot would be located within an urbanized area on an existing school campus. Because the project would redevelop a site with a use that generally consistent with nearby land uses and the hazardous materials, noise, and air quality assessments indicate that the project would not have significant impacts, the project would not have the potential to create substantial conflicts between uses or divide an established community. There would be **no impact**.
- b) The project site is designated as Public/Quasi Public in City of San Jose General Plan 2040, and zoned Planned Development, Multiple Residence by the City of San Jose Zoning Ordinance. The proposed use that would support the USD's schools is consistent with the General Plan and Zoning designations. The Project would have **no impact** on plan conformance.
- c) The Project site is not located within the boundaries of a habitat conservation plan or a natural community conservation plan; therefore, the Project would not conflict with any habitat plans and there would be **no impact**.

XII. Mineral Resources

Would the Project:

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

Discussion

- a, b) The Project site is a developed school campus in an urban area, and is not identified in the City of San Jose's General Plan as a site containing mineral resources that would be of local, regional, or statewide importance; therefore, the Project is not considered to have any impacts on mineral resources. The Project site is also outside of any areas designated by the State Mining and Geology Board as containing regionally significant PCC-grade aggregate resources (used in concrete). The Project site does not contain any known mineral deposits or active mineral extraction operations. Therefore, there would be **no impact** to mineral resources.

XIII. Noise

Would the Project result in:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?		X		
b) Generation of excessive groundborne vibration or groundborne noise levels?			X	
c) For a Project 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?			X	

Background

Sound is created when vibrating objects produce pressure variations that move rapidly outward into the surrounding air. The more powerful the pressure variations, the louder the sound perceived by a listener. The decibel (dB) is the standard measure of loudness relative to the human threshold of perception. Noise is a sound or series of sounds that are intrusive, objectionable or disruptive to daily life. Many factors influence how a sound is perceived and whether it is considered disturbing to a listener; these include the physical characteristics of sound (e.g., loudness, pitch, duration, etc.) and other factors relating to the situation of the listener (e.g., the time of day when it occurs, the acuity of a listener's hearing, the activity of the listener during exposure, etc.). Environmental noise has many documented undesirable effects on human health and welfare, either psychological (e.g., annoyance and speech interference) or physiological (e.g., hearing impairment and sleep disturbance).

The Project site is located in southern San Jose, in a predominantly residential area close to the foothills of the Santa Cruz Mountains. Noise-sensitive receptors abound near Project site including the existing residential neighborhoods to the west across Camden Avenue and to the south across Singletree Way (the latter being the closest residential uses, about 150 feet from Project site center). The Cinnabar School and its outdoor sports fields are adjacent to and north/northeast of the Project site.

The Project site and vicinity were surveyed (July 8, 2019) to observe influential local noise sources and to measure typical daytime noise levels that future Project site occupants (mostly USD employees) would be exposed to, as reported in Table NOI-1.

TABLE NOI-1: Noise Measurement Data and Survey Observations

Measurement Location	L _{min}	L ₉₀	L _{eq}	L ₁₀	L _{max}	Observations
In front of existing residential south of Project site, south side of Singletree Way. Begin 11:07	44.1	47.4	57.6	56.2	77.4	Motor vehicle traffic is the predominant noise source; midday traffic on Singletree Way very light; most of the contribution to average noise level came from traffic passing on Camden Avenue, the few peak events from vehicles passing on Singletree.
At western boundary of Project site facing Camden Avenue. Begin 11:25	46.7	50.3	68.1	72.1	76.3	Motor vehicle traffic is the predominant noise source; midday traffic on Camden Avenue is moderate; higher average and peak noise levels due to more frequent vehicle passage and their being closer to the meter.
The unit of measurement for table entries is the decibel (dB) , the standard measure of a sound's loudness relative to the human threshold of perception. Decibels are said to be A-weighted (dBA) when corrections are made to a sound's frequency components during a measurement to reflect the known, varying sensitivity of the human ear to different frequencies. The Equivalent Sound Level (L_{eq}) is a constant sound level that carries the same sound energy as the actual time-varying sound over the measurement period. Statistical Sound Levels - L_{min}, L₉₀, L₁₀ and L_{max} - are the minimum sound level, the sound level exceeded 90 percent of the time, the sound level exceeded 10 percent of the time and the maximum sound level, respectively; all as recorded during the sampling times , which for the two cases above was ten minutes .						

CEQA noise and vibration issues are typically addressed in relation to the policies and standards set in the applicable General Plan or City Municipal Code.

For the Project, the applicable planning code is **Envision 2040 San Jose General Plan** (Adopted 2012; Amended 2018). Its Chapter 3 Environmental Leadership, Environmental Considerations/Hazards section defines the following policies and standards to maintain/achieve acceptable noise exposures.

- **Policy EC-1.1.** "Locate new development in areas where noise levels are appropriate for the proposed uses. Consider federal, state and City noise standards and guidelines as a part of new development review."

The General Plan specifies *Land Use Compatibility Guidelines for Community Noise in San José* that use the L_{dn} metric² and define the following standards for existing land uses proximate to the Project site:

For residential and schools:

- “Normally Acceptable” – $L_{dn} < 60$ dBA
- “Conditionally Acceptable” – $L_{dn} > 60$ dBA, but < 75 dBA
- “Unacceptable” – $L_{dn} > 75$ dBA

For office/commercial land uses:

- “Normally Acceptable” – $L_{dn} < 70$ dBA
- “Conditionally Acceptable” – $L_{dn} > 70$ dBA, but < 80 dBA
- “Unacceptable” – $L_{dn} > 80$ dBA

- **Policy EC-1.7.** “Require construction operations within San José to use best available noise suppression devices and techniques to limit construction hours near residential uses per the City’s Municipal Code. The City considers significant construction noise impacts to occur if a project located within 500 feet of residential uses or 200 feet of commercial or office uses would:”
 - “Involve substantial noise generating activities (such as building demolition, grading, excavation, pile driving, use of impact equipment, or building framing) continuing for more than 12 months.”

For such a construction project with “substantial noise generating activities”

“... a construction noise logistics plan [is required] that specifies hours of construction, noise and vibration minimization measures, posting or notification of construction schedules, and designation of a noise disturbance coordinator who would respond to neighborhood complaints ...”

According to the **San Jose Municipal Code** (Title 20 – Zoning, Section 100.450 - Hours of construction within 500 feet of a residential unit):

“Unless otherwise expressly allowed in a development permit or other planning approval, no applicant or agent of an applicant shall suffer or allow any construction activity on a site located within 500 feet of a residential unit before 7:00 a.m. or after 7:00 p.m., Monday through Friday, or at any time on weekends.”

- **Policy EC-2.3.** “Require new development to minimize continuous vibration impacts to adjacent uses during demolition and construction ... A continuous vibration limit of 0.20

² L_{dn} , is a 24-hour average sound level (L_{eq}) with a 10-decibel “penalty” added to sound levels occurring at night between 10:00 p.m. and 7:00 a.m.

in/sec PPV [peak particle velocity] will be used to minimize the potential for cosmetic damage at buildings of normal conventional construction. Equipment or activities typical of generating continuous vibration [at or above the vibration limit] include, but are not limited to, excavation equipment, static compaction equipment, vibratory pile drivers, pile-extraction equipment, and vibratory compaction equipment."

Discussion

- a) Potentially disturbing noise increments associated with development can occur temporarily during project construction and/or permanently after construction if the project would introduce new substantial noise sources to the site or in its vicinity.

The Federal Highway Administration (FHWA) Roadway Construction Noise Model (RCNM) was used to estimate the noise levels at various distances from the locus of construction work produced by a typical working group of Project construction equipment (i.e., a dump truck, a backhoe and a crane) likely to be used for the Project buildings, as shown in Table NOI-2.

Table NOI-2: Modeled Project Construction Noise Levels

Distance from Area of Construction Activity (feet)	Average Construction Daytime Noise Level L_{eq} (dBA)	Maximum Construction Daytime Noise Level L_{max} (dBA)
25	84	87
50	78	81
100	72	75
200	66	69

Source: Federal Highway Administration, Roadway Construction Noise Model (RCNM).

To protect existing adjacent residents from substantial Project construction noise intrusions, the following measures shall be implemented as part of the project:

- **Mitigation Measure NOI-1:** The following Best Management Practices shall be incorporated into the construction documents to be implemented by the Project contractor:
 - Provide enclosures and noise mufflers for stationary equipment, shrouding or shielding for impact tools, and barriers around particularly noisy activity areas on the site.
 - Use quietest type of construction equipment whenever possible, particularly air compressors.
 - Provide sound-control devices on equipment no less effective than those provided by the manufacturer.

- Locate stationary equipment, material stockpiles, and vehicle staging areas as far as practicable from sensitive receptors.
- Prohibit unnecessary idling of internal combustion engines.
- Require applicable construction-related vehicles and equipment to use designated truck routes when entering/leaving the site.
- Designate a noise disturbance coordinator at the Union School District who shall be responsible for responding to complaints about noise during construction. The telephone number of the noise disturbance coordinator shall be conspicuously posted at the construction site. Copies of the project purpose, description and construction schedule shall also be distributed to the surrounding residences.

After Project construction is complete, no substantial noise level increase will occur from Project operational sources in this case exclusively motor vehicle traffic. The noise increment added by the introduction of the motor vehicles from the 1500 sq. ft. of new office/maintenance space to local streets would have minimal noise impact (i.e., a fraction of a dBA).

- b) General Plan **Policy EC-2.3** notes that equipment or activities capable of generating continuous vibration at or above the 0.20 in/sec PPV damage threshold include *"excavation equipment, static compaction equipment, vibratory pile drivers, pile-extraction equipment, and vibratory compaction equipment."* No such equipment will be required for Project construction. Project construction of a 6500 sq. ft. maintenance/office building will not require demolition of existing on-site structures, nor substantial excavation/compaction activities, nor any form of pile driving. Thus, the potential for Project construction vibration impact is **less than significant**.
- c) The Project site is about 8 miles south of San Jose's Mineta International Airport. It is far outside the airport's existing or future 65 dBA daily average noise contours, which is the usual metric for determining the potential for substantial aircraft noise impact on new noise-sensitive uses. Thus, the potential for annoyance to future Project site occupants from aircraft operation at Mineta International Airport is **less than significant**.

XIV. Population and Housing

Would the Project:

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

Discussion

- a) The proposed District M&O building would not directly increase population growth because there is no housing component and would not indirectly increase housing (through increased demand) because the Project would not, in itself, generate any new demand. No new permanent jobs would be generated by the project – all of the 9 facility-based employees are currently employed by the District and would be relocated into this building from existing facilities. The site and surrounding areas have been or are developed with urban land uses and no extensions of roads or other infrastructure would be required that would indirectly induce growth. Therefore, the project would not induce new development on nearby lands, and **no impact** would occur.
- b) The Project site is a vacant uninhabited site on a school campus. The proposed project would not displace existing housing or people, so there would be **no impact**.

XV. Public Services

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

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Fire protection?			X	
b) Police protection?			X	
c) Schools?				X
d) Parks?				X
e) Other public facilities?				X

Discussion

- a) The City of San Jose Fire Department (SJFD) provides fire protection and emergency medical services for the Project site. The SJFD station nearest to the site is Station 17, at 5170 Coniston Way. Station 17 is approximately 0.25 miles north of the site. Implementation of the project may result in a slight increased demand for fire protection services. However, the project is located on a site in a highly developed area already served by the Fire Department. Operations could be relocated from other nearby sites, so net fire protection demand would not increase. The project would not require the provision of or need for new or physically altered facilities to continue to serve the project site. As a result, the project would not result in a substantial adverse physical impact nor would it substantially affect response times for fire services. The project's impact related to the provision of fire services would be **less than significant**.
- b) The City of San Jose Police Department (SJPD) provides police protection services for the Project site. The SJPD currently provides police protection to the Project area and would continue to provide service when the new building is constructed. The Project plans would be reviewed by the SJPD for safety provisions. Full emergency access to the site would be provided. Because there would be minimal demand for police protection services, the impact would be **less than significant**.

- c) The proposed facilities would not increase the population or otherwise increase demands for school services. Therefore, the Project would have **no impact** on schools.
- d) As described above, the proposed Project would not result in an increase in residents and therefore, would not increase demand for any parks facilities. For this reason, the project would be expected to have no impact on recreational facilities
- e) No other public facilities would be required by the proposed Project. Therefore, there would be no impact to other facilities.

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XVI. Recreation

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that physical deterioration of the facility would occur or be accelerated?				X
b) Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

Discussion

- a) As described in response to question d) under Public Services, above, the Project would have **no impact** on parks and other recreational facilities such that physical deterioration of the facility would occur or be accelerated.
- b) The project is a workshop, operations, and parking area. It would not construct any recreational facilities. The Union Little League fields, just south of the site, would not be affected by the project. Therefore, **no impact** would occur.

XVII. Transportation/Traffic

Would the Project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness in the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X	
b) 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?			X	
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X
d) Substantially increase hazards due to design features (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
e) Result in inadequate emergency access?			X	

f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X
--	--	--	--	---

Discussion

- a, b, d) Primary vehicular access to and from the site would be via the existing driveway on Singletree Way. The project would generate about 40 daily trips from the 9 employees (at 4 trips per day per employee, with a small number of additional trips (under 20/day) generated by other USD personnel visiting the site, deliveries, etc. Peak-hour trips would be under 20 trips in the AM and PM peak hours. This level of traffic would not have the potential to significantly affect traffic conditions on Singletree Way, Camden Avenue, or any of the local or regional feeder streets that site workers may travel on. These trips would be relocated from trips to and from the existing M&O facilities elsewhere in west San Jose, so vehicle miles traveled are likely to not change substantially from existing levels. The minimal increase in traffic from the project would have no impact to any local or regional congestion management plans.

The project would use the existing driveway on Singletree Way, which has good sight distances and does not impose any hazardous conditions. The minimal traffic from the proposed Project also would minimize any hazards associated with project access. Therefore, project traffic and safety impacts would be **less than significant**.

- c) Mineta San Jose International Airport is located approximately 8 miles north of the Project site. The proposed Project would not extend into the protected air space, would not create aviation safety hazards for persons residing or working in the Project vicinity, and would not be subject to airport noise issues. Therefore, it would have **no impact** on air traffic patterns.
- e) The Projects have been designed to allow adequate emergency access. The City of San Jose Fire Department (SFPD) would review the Project plans for adequacy of emergency access. Any temporary lane closures during project construction would be subject to City of San Jose review approval. Therefore, the Project would include adequate emergency access to the site and surrounding area. Impacts would be **less than significant**.
- f) The Project would have no effect on existing bus, bicycle and pedestrian access; therefore it would not conflict with any adopted plans, policies, or programs that address alternative transportation, and there would be **no impact**.

XVIII. Tribal Cultural Resources

Would the project:

Environmental Issue	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
a) Would the project cause a significant adverse change in the significance of a tribal cultural resource defined in Public Resource Code section 21074 as either a site, feature, place, or 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:			X	
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or			X	
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code section 5024.1. In applying 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.			X	

Background

Solano Archaeological Services (SAS) has prepared a technical memorandum summarizing the background research, Native American community outreach, and findings for the project. This included consultation with local Native American representatives regarding Tribal Cultural Resources. A cultural resources assessment of the site identified no known cultural resources on the site. (See Cultural Resources discussion for a summary of that study.)

Discussion

a) i., ii. On July 3, 2019, SAS emailed a letter and a map depicting the project area and surrounding vicinity to the Native American Heritage Commission (NAHC). On behalf of the City, the letter requested a Sacred Land File search of the project area, facilitation of AB 52 consultation, and a list of Native American consultants who should be contacted about the proposed Project (see Attachment B of the Cultural Resources Report for Native American consultation documentation). On July 8, 2018, Ms. Gayle Totton, Associate Governmental Program Analyst for the NAHC, replied in an emailed letter that the Sacred Lands File search was completed with negative results. Ms. Totton also supplied a list of local Native Americans to inform about the Project, request information on unrecorded cultural resources that may exist in the project area, and gather official Project recommendations. On July 12, 2019, SAS mailed letters to the following Native Americans identified by the NAHC:

- Valentine Lopez, Chair – Sanah Mission Tribal Band
- Irenne Zwierlein, Chair – Amah Mission Tribal Band of Mission San Juan Bautista
- Ann Marie Sayers, Chair – Indian Canyon Patsun Band of Costanoan
- Charlene Nijmeh, Chair – Muwekma Ohlone Indian Tribe of the San Francisco Bay Area
- Katherine Erolinda Perez, Chair – North Valley Yokuts Tribe
- Andrew Galvan, Chair – The Ohlone Indian Tribe

On July 22, and 28, SAS contacted the above tribal contacts via email to gather their input about the Project. On July 22, Ms. Katherine Erolinda Perez emailed back to SAS stating that she had no information regarding Native American tribal resources in the project area but asked that the cultural resources report include an inadvertent discovery clause. That clause is incorporated into this Initial Study as Mitigation Measures CULT-1.1 and CULT-2. If any additional substantive information or inquiries are received from other tribal representatives, that information will be provided as an addendum to the cultural resources report.

XIX. Utilities and Service Systems

Would the Project:

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

Background

The city of San Jose provides wastewater collection, treatment, and disposal services for the project area. Wastewater is treated at The San José-Santa Clara Regional Wastewater Facility, which is the largest advanced wastewater treatment facility in the western United States. The Facility is jointly owned by the cities of San José and Santa Clara and is managed and operated by the City of San José's Environmental Services Department. The Facility serves 1.4 million residents and over 17,000 businesses in eight cities and four sanitation districts:

- Cities of San José, Santa Clara, Milpitas
- Cupertino Sanitary District (Cupertino), West Valley Sanitation District (Campbell, Los Gatos, Monte Sereno, and Saratoga)
- County Sanitation Districts 2-3 and Burbank Sanitary District (both unincorporated)

Water supplies are provided by the San Jose Water Company, which relies on local groundwater wells for 40% of its supply, imported water from the Santa Clara Valley Water District for 50% of its supply, and local mountain surface runoff for 10% of its supply (<https://www.sjwater.com/customer-care/help-information/water-supply-faqs>).

Discussion

- a, b, c) The project would generate wastewater that would be treated by the Regional Wastewater Facility. However, the project wastewater generation would be relocated from the District's existing facilities in San Jose, so there would be no net increased wastewater treatment demand. A new development project is required to pay a sewer connection fee, provide the fee structure for the installation and connection of sanitary sewers, regulate the discharge of waters and wastes into the public sewer systems. As a result, the project would have a **less-than- significant** impact related to wastewater treatment facilities.

Similarly, Project water use would be relocated from the existing facilities in San Jose, resulting in no or minimal net increase in SJWC water demand.

The project area is developed, and no substantial expansion or extensions of utility services would be required.

- d, e) The Green Team of San Jose provides recycling, organics (green waste), and garbage collection services to the project area. The Green Team disposes of non-recyclable or compostable garbage disposed of at the Zanker Road Landfill. Because the Project building would replace the District's existing M&O facilities in this area of San Jose, there would be no net increase in solid waste generation as a result of the project, and there would be **no impact** on solid waste.

XX. Wildfire Hazards

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:

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

Discussion

a, b, c) The project site is adjacent to developed urban uses and the nearest wildfire-hazard areas are several miles west of the site, in the Santa Cruz Mountains. Therefore, the project would have **no impact** with respect to wildfire hazards, associated hazards, and equipment /infrastructure needs.

IV. MANDATORY FINDINGS OF SIGNIFICANCE

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

- a) As described in the Biological Resources section of this IS, there are no sensitive biological resources on the site and no potentially significant biological resource impacts are anticipated. The site is not likely to contain any known historic resources or prehistoric resources, as discussed above in Section V. Cultural Resources. Compliance with the mitigation measures for the unearthing of any unknown cultural resources would ensure all

potential impacts associated with cultural resources would be reduced to a **less-than-significant** level.

- b) The proposed Project would not result in cumulative impacts that could be cumulatively considerable and potentially affect the general public and the environment. According to data obtained from the City of San Jose website, there are no pending or recently approved projects that could contribute to cumulative conditions. In addition, because the Project would generate fewer than 40 ongoing daily trips that would significantly impact traffic, the Project would not significantly affect cumulative noise, or air quality in the study area or region, nor would that level of traffic contribute in a cumulatively considerable manner to any of those impacts. It is further noted that the trips would be relocated from trips to the District's existing M&O facilities. Therefore, **no cumulative impacts** would occur.
- c) The proposed Project would not increase long-term air pollutant emissions and greenhouse gasses because it would not add any net new workers – Project workers are currently working at District facilities elsewhere in San Jose. Mitigation measures for emissions from construction emissions would reduce any such emissions to less than significant levels. The project's noise impacts also would be less than significant. The Project's hazards to human health and safety would be less than significant, as described in Section VIII of this Initial Study. The impact would be reduced to **less than significant** with mitigation measures identified in this document.

V. REFERENCES

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DRAFT

VI. REPORT PREPARERS

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Jason Coleman, Solano Archaeological Services, Cultural and Tribal Resources

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Greystone West Company

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Theresa Novotny, Project Administrator

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APPENDIX A: CULTURAL AND TRIBAL RESOURCES DOCUMENTATION

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UNION SCHOOL DISTRICT

5175 Union Avenue, San Jose, CA 95124

Phone: 408-377-8010

www.unionsd.org

Denise Coleman
Superintendent

August 12, 2019

The Ohlone Indian Tribe

Andrew Galvan

P.O. Box 3388

Fremont, CA, 94539

RE: Request for Initiation of AB52 Consultation -- Cinnabar School Site M&O Building Project, Santa Clara County, California

Dear Andrew Galvan:

The Union School District is proposing to conduct a CEQA level cultural resources inventory of an approximate 0.7-acre project area located in Santa Clara County, for the proposed Cinnabar School Site M&O Building Project (Project).

The Project proposes to construct an approximate 6500 square foot building and associated parking infrastructure (18,000 square feet) to be used for operations and maintenance by Union School District. The project is located at the corner of Camden Avenue and Singletree Way in the City of San Jose, Santa Clara County. The project area also lies in the *San Juan Bautista* land grant, with an approximated Township and Range of 8 South and 1 East, as depicted on the *Los Gatos, California* USGS 7.5' topographic quadrangle map (see attached map).

The review of the Native American Heritage Commission Sacred Land File, the records search at the Northwest Information Center at Sonoma State University, and the pedestrian survey conducted by Solano Archaeological Services were all negative for prehistoric resources in the project area. We are formally requesting AB 52 consultation so that we may address any issues or concerns you may have for this Project. Additionally, if you have any official recommendations you would like to make in regards to the Project and its undertaking, or have any questions about the Project, please feel free to contact us.

Sincerely,

Denise Coleman, Superintendent



UNION SCHOOL DISTRICT

5175 Union Avenue, San Jose, CA 95124

Phone: 408-377-8010

www.unionsd.org

Denise Coleman
Superintendent

August 12, 2019

Amah Mutsun Tribal Band

Valentin Lopez, Chairperson

P.O. Box 5272

Galt, CA, 95632

RE: Request for Initiation of AB52 Consultation -- Cinnabar School Site M&O Building Project, Santa Clara County, California

Dear Valentin Lopez:

The Union School District is proposing to conduct a CEQA level cultural resources inventory of an approximate 0.7-acre project area located in Santa Clara County, for the proposed Cinnabar School Site M&O Building Project (Project).

The Project proposes to construct an approximate 6500 square foot building and associated parking infrastructure (18,000 square feet) to be used for operations and maintenance by Union School District. The project is located at the corner of Camden Avenue and Singletree Way in the City of San Jose, Santa Clara County. The project area also lies in the *San Juan Bautista* land grant, with an approximated Township and Range of 8 South and 1 East, as depicted on the *Los Gatos, California* USGS 7.5' topographic quadrangle map (see attached map).

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Sincerely,

Denise Coleman, Superintendent



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Denise Coleman
Superintendent

August 12, 2019

*Amah Mutsun Tribal Band of
Mission San Juan Bautista*

Irenne Zwierlein, Chairperson
789 Canada Road
Woodside, CA, 94062

RE: Request for Initiation of AB52 Consultation -- Cinnabar School Site M&O Building Project,
Santa Clara County, California

Dear Irenne Zwierlein:

The Union School District is proposing to conduct a CEQA level cultural resources inventory of an approximate 0.7-acre project area located in Santa Clara County, for the proposed Cinnabar School Site M&O Building Project (Project).

The Project proposes to construct an approximate 6500 square foot building and associated parking infrastructure (18,000 square feet) to be used for operations and maintenance by Union School District. The project is located at the corner of Camden Avenue and Singletree Way in the City of San Jose, Santa Clara County. The project area also lies in the *San Juan Bautista* land grant, with an approximated Township and Range of 8 South and 1 East, as depicted on the *Los Gatos, California* USGS 7.5' topographic quadrangle map (see attached map).

The review of the Native American Heritage Commission Sacred Land File, the records search at the Northwest Information Center at Sonoma State University, and the pedestrian survey conducted by Solano Archaeological Services were all negative for prehistoric resources in the project area. We are formally requesting AB 52 consultation so that we may address any issues or concerns you may have for this Project. Additionally, if you have any official recommendations you would like to make in regards to the Project and its undertaking, or have any questions about the Project, please feel free to contact us.

Sincerely,

Denise Coleman, Superintendent



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Denise Coleman
Superintendent

August 12, 2019

North Valley Yokuts Tribe

Katherine Erolinda Perez, Chairperson

P.O. Box 717

Linden, CA, 95236

RE: Request for Initiation of AB52 Consultation -- Cinnabar School Site M&O Building Project, Santa Clara County, California

Dear Katherine Erolinda:

The Union School District is proposing to conduct a CEQA level cultural resources inventory of an approximate 0.7-acre project area located in Santa Clara County, for the proposed Cinnabar School Site M&O Building Project (Project).

The Project proposes to construct an approximate 6500 square foot building and associated parking infrastructure (18,000 square feet) to be used for operations and maintenance by Union School District. The project is located at the corner of Camden Avenue and Singletree Way in the City of San Jose, Santa Clara County. The project area also lies in the *San Juan Bautista* land grant, with an approximated Township and Range of 8 South and 1 East, as depicted on the *Los Gatos, California* USGS 7.5' topographic quadrangle map (see attached map).

The review of the Native American Heritage Commission Sacred Land File, the records search at the Northwest Information Center at Sonoma State University, and the pedestrian survey conducted by Solano Archaeological Services were all negative for prehistoric resources in the project area. We are formally requesting AB 52 consultation so that we may address any issues or concerns you may have for this Project. Additionally, if you have any official recommendations you would like to make in regards to the Project and its undertaking, or have any questions about the Project, please feel free to contact us.

Sincerely,

Denise Coleman, Superintendent



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Denise Coleman
Superintendent

August 12, 2019

***Muwekma Ohlone Indian Tribe
of the SF Bay Area***

Charlene Nijmeh, Chairperson
20885 Redwood Road, Suite 232
Castro Valley, CA, 94546

RE: Request for Initiation of AB52 Consultation -- Cinnabar School Site M&O Building Project,
Santa Clara County, California

Dear Charlene Nijmeh:

The Union School District is proposing to conduct a CEQA level cultural resources inventory of an approximate 0.7-acre project area located in Santa Clara County, for the proposed Cinnabar School Site M&O Building Project (Project).

The Project proposes to construct an approximate 6500 square foot building and associated parking infrastructure (18,000 square feet) to be used for operations and maintenance by Union School District. The project is located at the corner of Camden Avenue and Singletree Way in the City of San Jose, Santa Clara County. The project area also lies in the *San Juan Bautista* land grant, with an approximated Township and Range of 8 South and 1 East, as depicted on the *Los Gatos, California* USGS 7.5' topographic quadrangle map (see attached map).

The review of the Native American Heritage Commission Sacred Land File, the records search at the Northwest Information Center at Sonoma State University, and the pedestrian survey conducted by Solano Archaeological Services were all negative for prehistoric resources in the project area. We are formally requesting AB 52 consultation so that we may address any issues or concerns you may have for this Project. Additionally, if you have any official recommendations you would like to make in regards to the Project and its undertaking, or have any questions about the Project, please feel free to contact us.

Sincerely,

Denise Coleman, Superintendent



UNION SCHOOL DISTRICT

5175 Union Avenue, San Jose, CA 95124

Phone: 408-377-8010

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Denise Coleman
Superintendent

August 12, 2019

***Indian Canyon Mutsun Band of
Costanoan***

Ann Marie Sayers, Chairperson
P.O. Box 28
Hollister, CA, 95024

RE: Request for Initiation of AB52 Consultation -- Cinnabar School Site M&O Building Project,
Santa Clara County, California

Dear Ann Marie Sayers:

The Union School District is proposing to conduct a CEQA level cultural resources inventory of an approximate 0.7-acre project area located in Santa Clara County, for the proposed Cinnabar School Site M&O Building Project (Project).

The Project proposes to construct an approximate 6500 square foot building and associated parking infrastructure (18,000 square feet) to be used for operations and maintenance by Union School District. The project is located at the corner of Camden Avenue and Singletree Way in the City of San Jose, Santa Clara County. The project area also lies in the *San Juan Bautista* land grant, with an approximated Township and Range of 8 South and 1 East, as depicted on the *Los Gatos, California* USGS 7.5' topographic quadrangle map (see attached map).

The review of the Native American Heritage Commission Sacred Land File, the records search at the Northwest Information Center at Sonoma State University, and the pedestrian survey conducted by Solano Archaeological Services were all negative for prehistoric resources in the project area. We are formally requesting AB 52 consultation so that we may address any issues or concerns you may have for this Project. Additionally, if you have any official recommendations you would like to make in regards to the Project and its undertaking, or have any questions about the Project, please feel free to contact us.

Sincerely,

Denise Coleman, Superintendent

APPENDIX B: COMMENTS AND RESPONSES ADDENDUM

The Proposed Mitigated Negative Declaration (MND) was circulated for public and agency review from October 15 through November 15, 2019.

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APPENDIX C: MITIGATION MONITORING AND REPORTING PROGRAM

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APPENDIX C

MITIGATION MONITORING AND REPORTING PROGRAM – PROPOSED UNION SCHOOL DISTRICT M&O BUILDING PROJECT

When adopting a Mitigated Negative Declaration, CEQA Guidelines Section 15074(d) require that Lead Agencies adopt a program for reporting on or monitoring the changes that it has required in the project or made a condition of approval to mitigate or avoid significant environmental effects.

This monitoring program for mitigation measures identified by the Mitigated Negative Declaration includes:

1. A list of mitigation measures with space for the completion date;
2. The full text of the mitigation measure; and
3. Monitoring details, including: 1) entity responsible for implementation, 2) timing of implementation and monitoring, and 3) monitoring verification.

Identified Impact	Related Mitigation Measure	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
AIR QUALITY						
Construction Emission Impacts	<p>Mitigation Measure AQ-1: The Project construction contractor shall implement the following measures to further reduce construction-related diesel particulate and exhaust emissions:</p> <p>All off-road equipment greater than 25 horsepower (hp) and operating for more than 20 total hours of the entire duration of construction activities shall meet the following requirements:</p> <ul style="list-style-type: none"> All engines shall be equipped with CARB Level 2 Verified Diesel Emissions Control Strategy (VECS) device. 	USD Construction Contractor	USD Project Manager	Condition of construction contract; field verify implementation during grading and construction		

Identified Impact	Related Mitigation Measure	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
CULTURAL RESOURCES						
Potential Historic and Archaeological Resource Impacts and Potential Disturbance of Buried Human Remains	<p>Mitigation Measure CUL-1:</p> <p>Archaeological Deposits: If an inadvertent discovery of cultural materials (e.g. unusual amounts of shell, animal bone, bottle glass, ceramics, etc.) is made during project-related construction activities, ground disturbance in the area of the find will be halted and a qualified professional identified archaeologist will be notified regarding the discovery. The archaeologist shall determine whether the resource is potentially significant as per the CRHR and develop appropriate mitigation.</p> <p>Mitigation Measure CUL-3: Human Remains: In accordance with the California Health and Safety Code, if human remains are uncovered during ground disturbing activities all such activities in the vicinity of the find shall be halted immediately and the District or the District's designated representative shall be notified. The District shall immediately notify the county coroner and a qualified professional archaeologist. The coroner is required to examine all discoveries of human remains within 48 hours of receiving notice of a discovery on</p>	USD Construction Contractor	USD Consultant	Condition of construction contract; field verify implementation during grading and/or construction		
		USD Construction Contractor	USD Consultant	Condition of construction contract, prior to commencement of construction		

Identified Impact	Related Mitigation Measure	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	<p>private or state lands (Health and Safety Code Section 7050.5[b]).</p> <p>If the contractor determines that the remains are those of a Native American, he or she must contact the Native American Heritage Commission (NAHC) by phone within one hour of making that determination (Health and Safety Code Section 7050.5[d]). The contractor has the responsibility for acting upon notification of a discovery of Native American human remains as identified in detail in the California Public Resources Code Section 5097.9. The District or their appointed representative and the professional archaeologist will consult with a Most Likely Descendant determined by the NAHC regarding the removal or preservation and avoidance of the remains and determine if additional burials could be present in the vicinity.</p>	<p>USD Construction Contractor</p>	<p>USD Consultant</p>	<p>Condition of construction contract, prior to commencement of construction</p>		

Identified Impact	Related Mitigation Measure	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
GEOLOGY AND SOILS						
Potential Fault Rupture, Ground Shaking, and Ground Failure Impacts	Mitigation Measure GEO-1: The project structures and foundations shall be designed in accordance with the most recent version of the California Building Code. Recommended seismic coefficients provided in the Cornerstone report shall be included in the design.	USD Project Manager	USD Project Manager; Project geologist	Prior to submittal of final design plans for review by the District		
	Mitigation Measure GEO-2: The project site clearing, site preparation and subgrade preparation and stabilization, fill, drainage and foundation systems shall be designed and constructed per the specifications set forth on the project geotechnical report (Cornerstone 2019).	Project geologist, civil engineer and architect	USD Project Manager; Project geologist	Prior to submittal of final design plans for review by the District		
HYDROLOGY AND WATER QUALITY						
Impacts on Water Quality and Drainage	Mitigation Measure HYD-1: Prior to the issuance of grading permits for the proposed Project, the Project engineers shall prepare a Stormwater Control Plan. The Stormwater Control Plan shall identify pollution prevention measures and practices to prevent polluted runoff from leaving the Project site.	Project Engineer	USD Project Manager	Prior to submittal of final design plans for review by the District		
	Mitigation Measure HYD-2: The District shall maintain in perpetuity the post-construction BMPs listed in the Stormwater	USD Project Manager	USD Project Manager	Annually		

Identified Impact	Related Mitigation Measure	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	<p>Operations and Management Plan. The District shall make any changes or modifications to the BMPs to ensure peak performance. The District shall be responsible for costs incurred in operating, maintaining, repairing, and replacing the BMPs. The District shall conduct inspection and maintenance activities and complete annual reports.</p>					
NOISE						
Project Construction Noise	<ul style="list-style-type: none"> Mitigation Measure NOISE-1: The following Best Management Practices shall be incorporated into the construction documents to be implemented by the Project contractor: <ul style="list-style-type: none"> Provide enclosures and noise mufflers for stationary equipment, shrouding or shielding for impact tools, and barriers around particularly noisy activity areas on the site. Use quietest type of construction equipment whenever possible, particularly air compressors. Provide sound-control devices on equipment no less effective than those provided by the manufacturer. Locate stationary equipment, material stockpiles, and vehicle staging areas as far as practicable from sensitive 					

Identified Impact	Related Mitigation Measure	MONITORING			VERIFICATION	
		Implementation Entity	Monitoring and Verification Entity	Timing Requirements	Signature	Date
	<p>receptors.</p> <ul style="list-style-type: none"> Prohibit unnecessary idling of internal combustion engines. Require applicable construction-related vehicles and equipment to use designated routes when entering/leaving the site. Designate a noise disturbance coordinator at the Union School District who shall be responsible for responding to complaints about noise during construction. The telephone number of the noise disturbance coordinator shall be conspicuously posted at the construction site. Copies of the project purpose, description and construction schedule shall also be distributed to the surrounding residences. 					

<p><i>NOISE</i></p>	<p>Construction Period Noise Impacts</p>	<p><i>Mitigation Measure NOI-1:</i> The following Best Management Practices shall be incorporated into the construction documents to be implemented by the Project contractor:</p> <ul style="list-style-type: none"> Limit Project construction activity to between 7 a.m. and 5 p.m. on weekdays, to between 10 a.m. and 5 p.m. on Saturdays, and prohibit it on Sundays or official federal or national holidays. Provide enclosures and noise mufflers for stationary equipment, shrouding or shielding of impact tools, and barriers around particularly noisy activity areas on the site. Use quietest type of construction equipment whenever possible, particularly air compressors. 	<p>USD Construction Contractor</p>	<p>USD Project Manager</p>	<p>Condition of construction contract; field verify implementation during demolition, grading, and construction</p>		
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