

Appendix A: Initial Study

Tasman East Specific Plan Amendment + 1500 Units

SCH No.: 201622027

File No.: PLN22-00359



In Consultation with

DAVID J. POWERS
& ASSOCIATES, INC.
ENVIRONMENTAL CONSULTANTS & PLANNERS

August 2026

Table of Contents

Section 1.0	Introduction and Purpose.....	1
1.1	Purpose of the Initial Study	1
Section 2.0	Project Information	5
2.1	Project Title.....	5
2.2	Lead Agency Contact	5
2.3	Project Location	5
2.4	General Plan Designation and Zoning District	5
2.5	Project-Related Approvals, Agreements, and Permits	5
Section 3.0	Project Description	9
3.1	Project Location	9
3.2	Project Description	10
Section 4.0	Environmental Setting, Checklist, and Impact Discussion.....	16
4.1	Aesthetics	17
4.2	Agriculture and Forestry Resources	31
4.3	Air Quality	35
4.4	Biological Resources	36
4.5	Cultural Resources	37
4.6	Energy	45
4.7	Geology and Soils.....	55
4.8	Greenhouse Gas Emissions.....	64
4.9	Hazards and Hazardous Materials	65
4.10	Hydrology and Water Quality	83
4.11	Land Use and Planning.....	97
4.12	Mineral Resources	103
4.13	Noise	105
4.14	Population and Housing.....	106
4.15	Public Services	107
4.16	Recreation.....	108
4.17	Transportation	109
4.18	Tribal Cultural Resources	110
4.19	Utilities and Service Systems	111

4.20	Wildfire	112
4.21	Mandatory Findings of Significance.....	113
References		116
Section 5.0	Lead Agency and Consultants.....	121
5.1	Lead Agency	121
5.2	Consultants	121
Section 6.0	Acronyms and Abbreviations	122

Figures

Figure 1.1-1:	Specific Plan Map of Approved and Fully Constructed Projects	4
Figure 2.0-1:	Regional Map.....	7
Figure 2.0-2:	Vicinity Map.....	8
Figure 3.2-1:	Specific Plan Land Uses.....	11
Figure 3.2-2:	Specific Plan Circulation Network.....	12
Figure 3.2-3:	Potential Specific Plan Phasing	15
Figure 4.1-1:	Photograph Locations of Specific Plan Area	21
Figure 4.10-1:	Updated FEMA Floodplain Map	89

Photos

Photos 1&2		22
Photos 3&4		23
Photos 5&6		24
Photos 7&8		25
Photo 9		26

Tables

Table 1.1-1:	Development Project Summary in Specific Plan	2
--------------	--	---

Section 1.0 Introduction and Purpose

1.1 Purpose of the Initial Study

The City of Santa Clara, as the Lead Agency, has prepared this Initial Study for the Tasman East Specific Plan Amendment + 1500 Units (proposed project) in compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines (California Code of Regulations §15000 et. seq.) and the regulations and policies of the City of Santa Clara, California.

The project proposes to amend the approved Tasman East Specific Plan (approved project) to accommodate up to 1,500 additional dwelling units, approximately 20,000 square feet of additional retail, 20,000 square feet of co-working space, and a 10,000-square foot daycare. This Initial Study evaluates the environmental impacts that might reasonably be anticipated to result from implementation of the proposed project.

The City of Santa Clara adopted its comprehensive 2010-2035 General Plan in November 2010 which designated nine Future Focus Areas throughout the City to support and foster the City's diverse economic and cultural base. For Phase II of the General Plan (2015-2023), the Future Focus Areas included the Tasman East Area. The Specific Plan area continues to provide an opportunity for reaching housing goals identified in the City's share of the State-required Regional Housing Needs Allocation (RHNA), and for meeting the demand for housing that has resulted from job and retail growth in the City and region. A prerequisite to the development of this Focus Area was the approval of a Specific Plan (General Plan Policy 5.4.6-P19).

In April 2014, the City of Santa Clara initiated its Housing and General Plan Land Use Planning Elements update for the 2015-2023 planning period, including the 2015-2023 State RHNA housing cycle. This update was adopted by the City Council on December 9, 2014. The work on the Housing and General Plan Land Use Element Update helped inform the comprehensive planning process for the Specific Plan. The City of Santa Clara also recently completed an update to its Housing Element which has a planning period of 2023-2031. In addition, the 2023-2031 State RHNA was adopted in December 2021 and updated in November 2022.¹

In November 2018, the City of Santa Clara certified the Tasman East Specific Plan FEIR (Specific Plan FEIR) and approved the project. The Specific Plan was envisioned by the City to create a Transit-Oriented Development (TOD) mixed-use neighborhood and supports existing and planned land uses in the project area. The Specific Plan FEIR analyzed the development of up to 4,500 dwelling units, approximately 106,000 square feet of retail space (including a 25,000 square foot grocery store) and a 600-student school in the City of Santa Clara. To date, the City of Santa Clara has received development applications for approximately 4,183 dwelling units, which includes the abandoned Holland project at 2200 Calle De Luna (580 units) and abandoned Related project at 2101 Tasman Drive (939 units).

¹ The current State RHNA housing cycle (2023-2031) aligns with Phase III of the City's General Plan (2023-2035).

Currently, the total number of dwelling units for active and completed projects is 2,664 dwelling units.² There are approximately 12.0 acres of land remaining within the Specific Plan area that could be redeveloped. As a result, the City of Santa Clara is proposing to amend the approved Specific Plan to accommodate up to 1,500 additional dwelling units, approximately 20,000 square feet of additional retail, 20,000 square feet of co-working space, and a 10,000-square foot daycare.

In September 2020, the City of Santa Clara adopted an amendment to the Tasman East Specific Plan (Amendment #1) which allows the northern extension of Calle Del Sol to be replaced with a pedestrian and bicycle paseo and allows for alternate methods of trip reduction than were previously approved in the Specific Plan FEIR. The approved and fully constructed projects within the Specific Plan area are shown in Table 1.1-1 and Figure 1.1-1 below.

Table 1.1-1: Development Project Summary in Specific Plan

Site No. ¹	Location	Description
Approved		
2	2263 Calle Del Mundo	Construction of a mixed-use, mid-rise building with up to 301 residential units and structured parking.
4	2200 Calle De Luna	Construction of up to 583 residential units in two 12-story buildings and one 11-story building with basement and garage parking.
5	2101 Tasman Drive	Construction of up to 939 multi-family residential units within two high-rise towers or mid-rise buildings over a podium garage and a 1.5 acre public park
8	5185 Lafayette Street	Construction of up to 198 residential units and 24,730 square feet of double height retail/commercial space interconnected on the first two floors with 223 parking spaces within an 18-story building.
10	2354 Calle Del Mundo	Construction of a 89-unit mid-rise apartment community.
Constructed		
1	2343 Calle Del Mundo	Construction of a 347-unit apartment building and construction and dedication of a 0.42 acre park to the City of Santa Clara.
3	2233 Calle Del Mundo	Construction of a 196-unit apartment community.
6	5123 Calle Del Sol	Construction of up to 311 residential units and 23,870 square feet of retail space within two buildings (one mid-rise and one high-rise building), and the construction and dedication of a 0.10-acre park and a 0.02-acre plaza.

² Site Nos. 4 (2200 Calle De Luna) and 5 (2101 Tasman Drive) have been abandoned and are not accounted for.

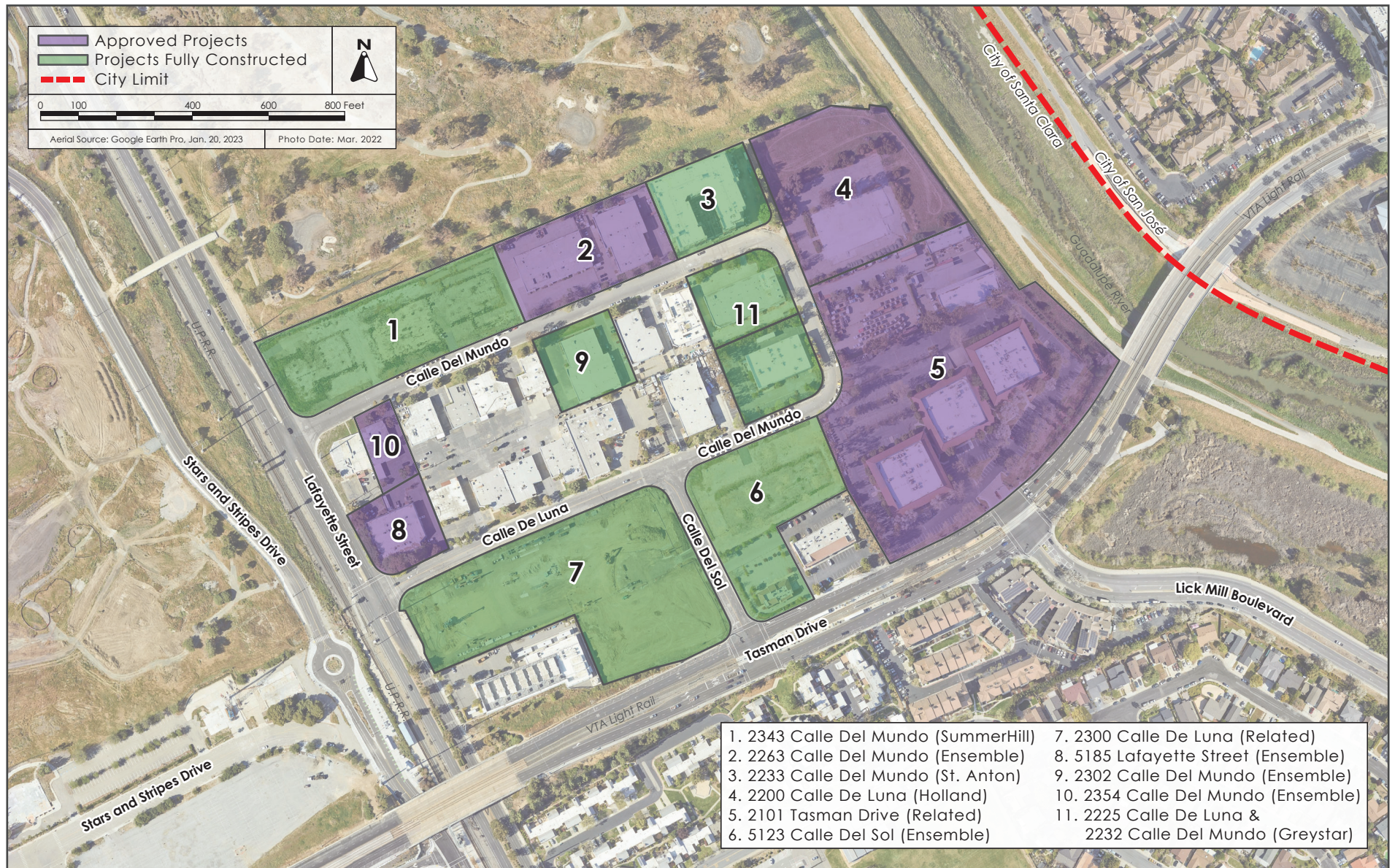
Site No. ¹	Location	Description
7	2300 Calle De Luna	Construction of up to 509 residential units, 191 senior assisted living units, 19,410 square feet of retail within three buildings and a 0.5 acre park.
9	2302 Calle Del Mundo	Construction of up to 151 residential units, a parking structure, and 5,000 square feet of retail space in an eight-story building.
11	2225 Calle De Luna & 2232 Calle Del Mundo	Construction of a 371-unit in two eight-story buildings.

Sources: City of Santa Clara. "Tasman East Specific Plan." Accessed January 24, 2023.

<https://www.santaclaraca.gov/our-city/departments-a-f/community-development/planning-division/specific-plans/tasman-east>.

Davidson, John. City of Santa Clara. Personal Communication. March 25, 2026.

Notes: ¹Refer to Figure 1.1-1 for the Site No. locations.



SPECIFIC PLAN MAP OF APPROVED AND FULLY CONSTRUCTED PROJECTS

FIGURE 1.1-1

Section 2.0 Project Information

2.1 Project Title

Tasman East Specific Plan Amendment + 1500 Units

2.2 Lead Agency Contact

John Davidson, Principal Planner
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050
Email: jdavidson@santaclaraca.gov
Phone: (408) 615-2450

2.3 Project Location

The 46.0-acre Tasman East Specific Plan area (Specific Plan area) is bounded by the former Santa Clara Golf & Tennis Club to the north (future Related Santa Clara), Tasman Drive to the south, the Guadalupe River to the east, and Lafayette Street to the west. The project location is shown in Figures 2.0-1 and 2.0-2.

2.4 General Plan Designation and Zoning District

The Specific Plan area is currently designated as *Transit Neighborhood* under the General Plan and is zoned *Transit Neighborhood*.

2.5 Project-Related Approvals, Agreements, and Permits

- Amendment of the Tasman East Specific Plan
- Design Permits/Site Review and other Permits for Development Consistent with the Specific Plan
- Development Agreements
- Parkland Dedication Agreements
- Park Maintenance Agreements
- Streetscape Improvements
- Acquisition, redevelopment, and/or sale of property
- Disposition and Development Agreements
- Utility Infrastructure Improvements
- United States Army Corps of Engineers (USACE) Section 404 Permit
- Regional Water Quality Control Board (RWQCB) Section 401 Water Quality Certification

- California Department of Fish and Wildlife (CDFW) Section 1602 Lake and Streambed Alteration Agreement
- Santa Clara Valley Water District (Valley Water) Encroachment Permit
- Local Enforcement Agency Clearance

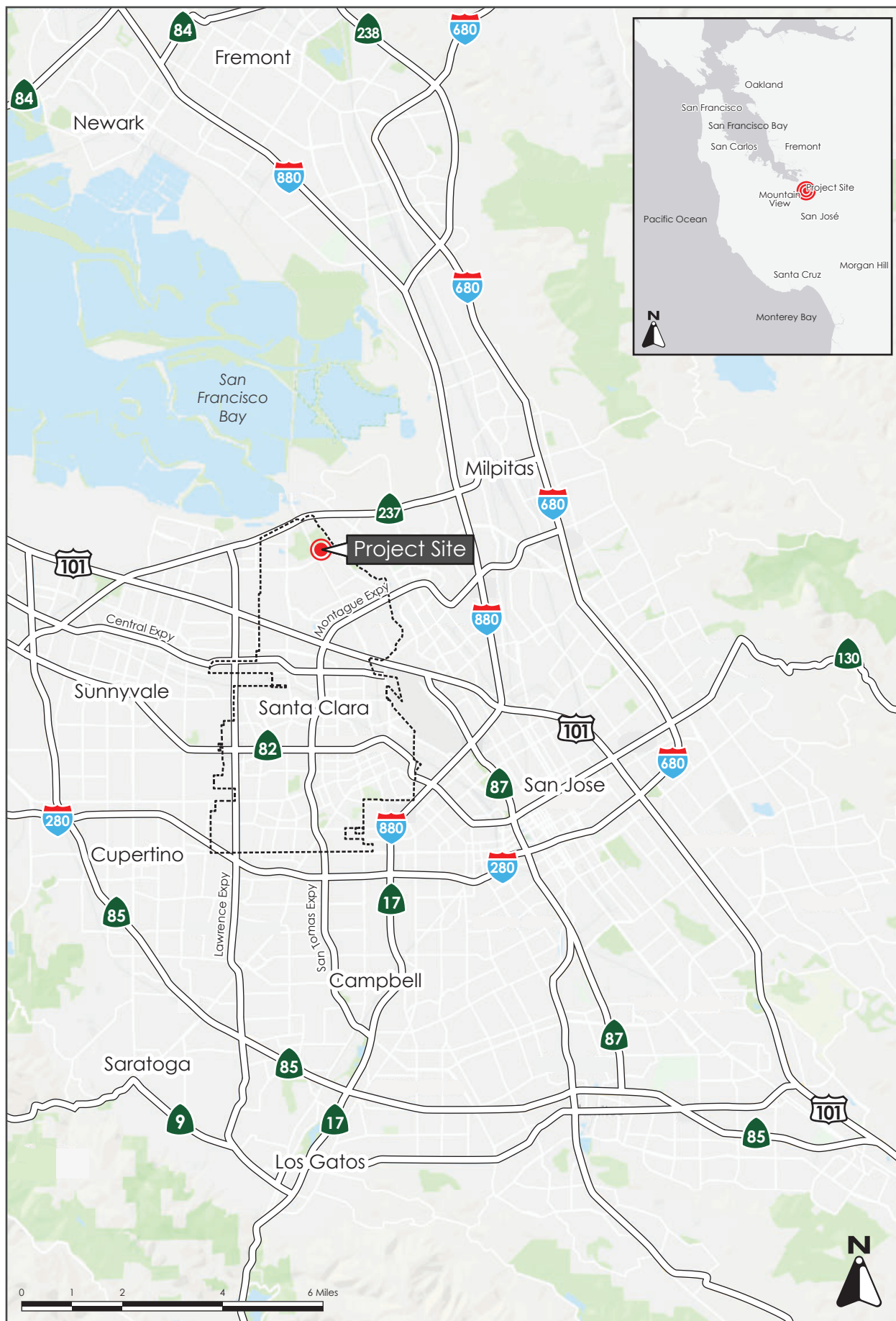


FIGURE 2.0-1



VICINITY MAP

FIGURE 2.0-2

Section 3.0 Project Description

3.1 Project Location

The Tasman East Specific Plan (Specific Plan) is located in an existing industrial neighborhood, 46.0 gross acres in size (Specific Plan area), and is bounded by the former Santa Clara Golf & Tennis Club to the north (future Related Santa Clara), Tasman Drive to the south, the Guadalupe River to the east, and Lafayette Street to the west (refer to Figure 2.0-1 and 2.0-2 above). The Specific Plan is adjacent to the Lick Mill Light Rail Transit Station on Tasman Drive and the Great America Station on the west side of Lafayette Street which is served by both the Altamont Commuter Express (ACE) and Capitol Corridor trains. The Specific Plan includes approximately 36 parcels, including one City-owned utility parcel, and has a total net land acreage of 41.4 acres with approximately 4.6 acres of public right-of-way. Of the 36 parcels, there are five parcels currently approved³ and six parcels that have been redeveloped. The remaining parcels are currently developed with light industrial and commercial uses. The Specific Plan is in a Priority Development Area (PDA) under Plan Bay Area, the region's Sustainable Communities Strategy, pursuant to California Public Resources Code Section 21099 (SB 743).

3.1.1 Existing General Plan Land Use Classification and Zoning District

The Specific Plan area is currently designated as *Transit Neighborhood* (100-350 dwelling units/acre), which allows multi-family residential uses and supportive commercial and public/quasi-public uses. This density range is intended to take advantage of proximity to transit, offering an urban feel, including a positive public realm within a right-of-way accommodating all modes of transportation. Building forms are typically mid- to high-rise buildings featuring structured or below-grade parking, as well as shared outdoor space. Under the Specific Plan, all sites of one acre or more in size are required to accommodate a minimum density of 100 dwelling units per acre (du/ac). Each parcel of less than one acre in size is required to accommodate a minimum density of 60 du/ac.

The Specific Plan area is located in the *Transit Neighborhood* zoning district, which allows for development of a high density residential neighborhood with a mix of uses at the ground floor. As described above, residential densities within the Specific Plan area would range from a minimum of 60 du/ac on sites less than one acre in size to a minimum of 100 du/ac for sites of one acre or larger in size with no maximum density for individual parcels.

³ Two of the approved projects (2200 Calle De Luna and 2101 Tasman Drive) have since been abandoned.

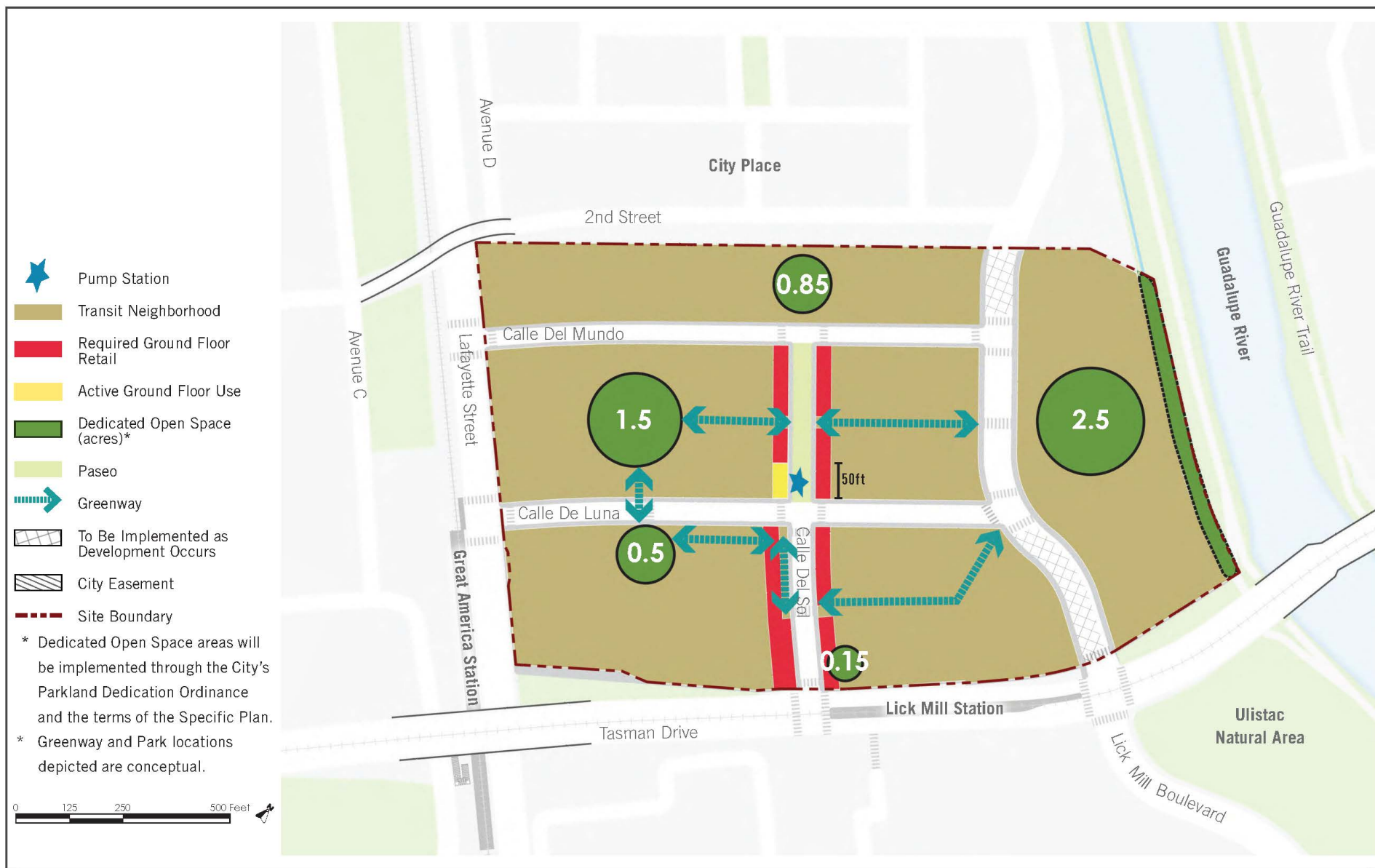
3.2 Project Description

There are approximately 12.0 acres of land remaining that could be redeveloped within the Specific Plan area. The City of Santa Clara is proposing to amend the Specific Plan to accommodate up to 1,500 additional dwelling units, approximately 20,000 square feet of additional retail, 20,000 square feet of co-working space, and a 10,000-square foot day care. Residential densities in the Specific Plan area would range from a minimum of 60 du/ac on sites less than one acre in size to a minimum of 100 du/ac for sites larger than one acre. Maximum densities have not yet been determined for individual properties, but the modifications to the Specific Plan would support a maximum of 6,000 units. Buildings in the Specific Plan area would be, at maximum, 220 feet in height. Given that the majority of the remaining properties which could be redeveloped are located within the “island properties⁴,” the amendment includes an increase from a minimum of one acre to a minimum of 1.5 acres of public parkland within the “island properties.” The size, shape and location(s) of the public open space within the “island properties” would be subject to negotiation with City staff, including the Director of the Parks and Recreation Department by individual projects and would be provided by the dedication of unencumbered land from individual property owners or through land purchase of specific properties by the City of Santa Clara, or some combination thereof.

The physical footprint of the Specific Plan area will not change. The planned circulation network was modified in 2020 to convert the northern extension of Calle Del Sol from a two-lane road into a pedestrian and bicycle paseo. The currently adopted Tasman East Specific Plan includes the addition of a Class II bicycle lanes on Calle Del Mundo. As proposed, the project would modify the Calle Del Mundo right-of-way. Two potential alternate configurations to Calle Del Mundo are proposed: 1) removal of the westbound bicycle lane on Calle Del Mundo and replacing it with on-street parking and 2) removal of the center turn lane in exchange for maintaining parking and bicycle lanes on both sides of the street. In addition, the Specific Plan FEIR assumed that Lick Mill Boulevard would extend north of Tasman Drive (through the Specific Plan area) to connect to the Related Santa Clara project.⁵ The Related Santa Clara project has not begun development; therefore, its construction timeframe is currently unknown. The effects on the proposed modifications and Lick Mill Boulevard extension is discussed further in Section 3.8 of the Draft Subsequent Environmental Impact Report (SEIR). No additional changes to the roadway network and vehicular connections are proposed as part of this Specific Plan amendment (refer to Figure 3.2-1 and Figure 3.2-2).

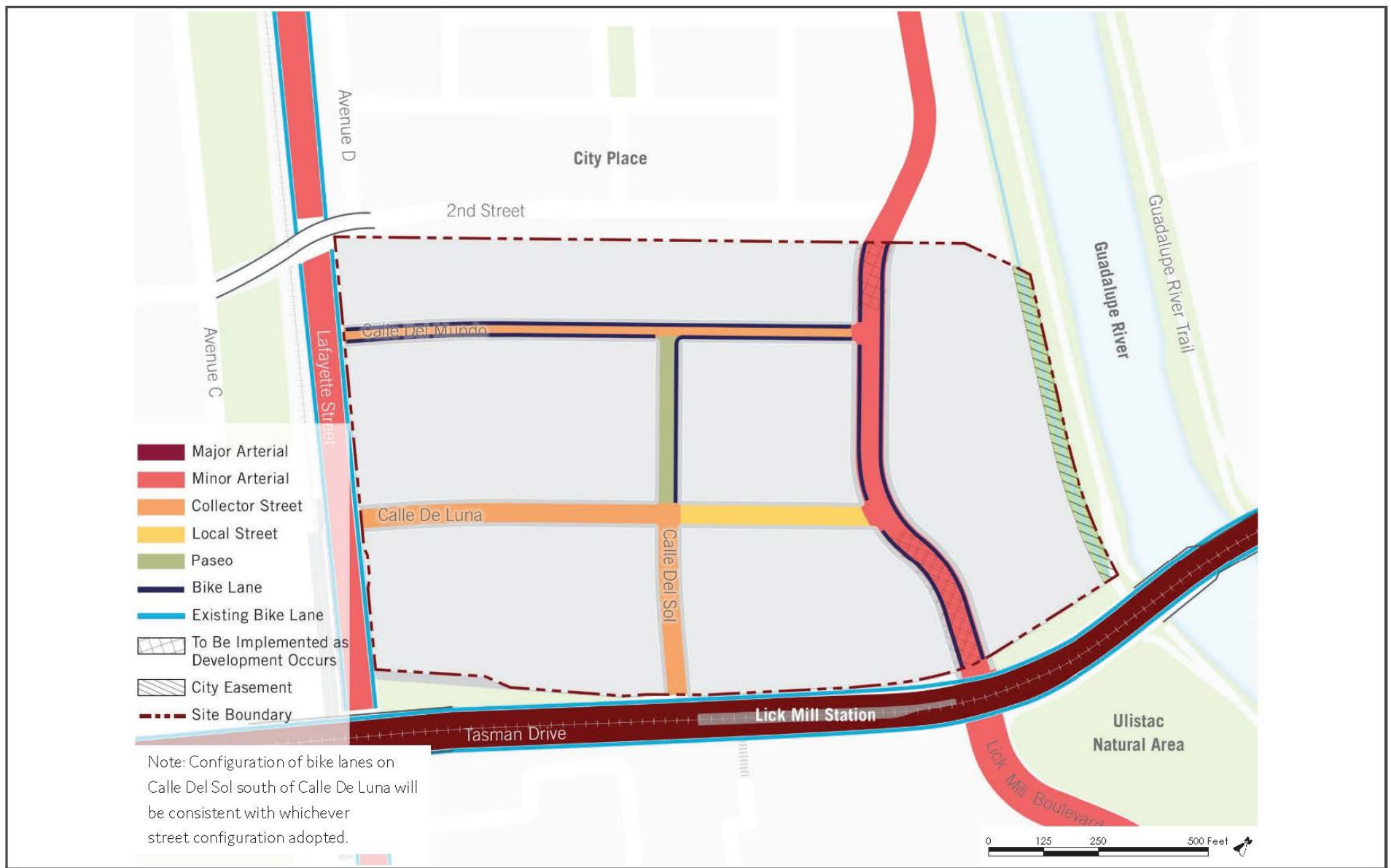
⁴ Island properties include properties at the center bounded by Calle Del Mundo to the north and east, Calle De Luna to the south, and Lafayette Street to the west.

⁵ The extension is a Condition of Approval for the Related Santa Clara project.



SPECIFIC PLAN LAND USES

FIGURE 3.2-1



SPECIFIC PLAN CIRCULATION NETWORK

FIGURE 3.2-2

3.2.1 Green Development Measures

The Specific Plan includes the following range of measures to be implemented on a project-by-project basis to reduce energy use below Title 24 standards and adhere to the City's Climate Action Plan (CAP):

- Energy efficiency – use of Energy Star rated appliances and Dark Sky-compliant⁶ lighting, energy efficient building envelopes, smart controls and switches to reduce energy use in unoccupied spaces, maximization of daylighting for interior spaces, use of operable windows for natural ventilation, where feasible.
- Mechanical systems – best technology furnaces, heat pumps, ventilation systems, and water heaters
- Renewable energy – photovoltaics on rooftops and shade structures, at minimum incorporation of solar ready infrastructure (e.g., solar panel standoffs, conduit, and roof water spigots), low-grade heat recovery from sanitary building flows
- Zero Carbon Development – install best technology and non-combustion appliances such as water heaters and furnace systems, purchase of renewable energy credits through Silicon Valley Power or other off-site sources
- Transportation – reduced parking ratios offset by TDM measures, provide transit passes to residents, all buildings to have conduit rough-ins for Electric Vehicle (EV) charging points, install EV charging points, provide bike kitchen and storage facilities, participate in bike share programs
- The use of locally sourced and sustainable building materials is encouraged.

The Specific Plan requires that buildings, whenever possible, incorporate visible elements of sustainability – such as green roofs, shading devices, or photovoltaic panels – into the fabric of the building, and especially seen at the ground level so as to make visible the building's energy saving features.

The following measures may be incorporated in future development on a project by project basis to efficiently use and treat water resources:

- The Specific Plan area would be connected to the reclaimed water pipeline from the San José-Santa Clara Regional Wastewater Facility (RWF) to maximize the use of recycled water,
- Install internal dual plumbing for selected uses when such practices are permitted,
- All irrigation would be via sub-surface drip systems,
- Stormwater management would be incorporated in landscaping and common open space as bioswales, and in buildings through activated drainage facades, flow-through planters, permeable paving, and green roofs. Private stormwater management plans shall not include public parks.

⁶ Exterior lighting fixtures that meet the International Dark Sky Association's standards for artificial lighting designed to protect the night sky.

3.2.2 Proposed Utility Improvements

The proposed project would require either a new water storage tank and booster pump be located in or near the development, or an approximately 3,000 lineal feet of 12-inch water main be upsized to 16-inch in Lafayette Street, consistent with the approved project. The existing 12-inch water lines within the Specific Plan area streets may also require replacement. The planned pedestrian and bicycle paseo aligned with Calle Del Sol is adjacent to the Primavera Pump Station. Relocation of the City's Primavera Pump Station is no longer planned; however, upgrades (e.g., enclosure) to the pump station and associated equipment will be required. The design of the enclosure shall adhere to building code requirements and be submitted for City approval. One cell tower would be relocated towards the rear of the Specific Plan area, facing Calle De Luna.

The existing sewer piping within the Specific Plan area is 12-inch vitrified clay pipe (VCP). The existing piping will need to be relocated to conform with the new street sections and comply with required clearances to other utilities. In addition, recycled water facilities are currently under construction in Lafayette Street and a portion of Calle De Luna. As discussed in the Water Supply Assessment, the Specific Plan will be required to connect to the existing recycled water system.⁷ Any recycled water line extension for on-site use and demand would require approval from the City, South Bay Water Recycling, and State Water Resources Control Board (SWRCB) - Division of Drinking Water.

3.2.3 Phasing

Although it is not possible to accurately predict if and when each of the individual properties within the Specific Plan would redevelop, the first phase of transformation includes most of the perimeter properties (except the data center near Tasman Drive and Lafayette Street and the strip mall facing Tasman Drive), including the "loop" roads of Calle De Luna, Calle Del Mundo, and the portion of Lick Mill Boulevard which connects these two routes. Lick Mill Boulevard would be constructed as a two-lane roadway to serve build out of the Specific Plan and widened to four-lanes when required by Related Santa Clara at full buildout. With the phasing of the project, the City may require additional operational analysis to ensure the (phased) project is supported by the interim roadway network.

As shown in Figure 1.1-1, there are several parcels within the "island properties" that have projects on file or are approved. Phase two will include redevelopment of the remaining "island properties," construction of the pedestrian and bicycle paseo, and modification to the Primavera Pump Station and cell towers which are affected by the planned pedestrian and bicycle paseo (Amendment #1). The projected potential phasing for the Specific Plan area is shown in Figure 3.2-3.

⁷ City of Santa Clara. *Tasman East Specific Plan Supplemental Water Supply Assessment*. August 2022.



POTENTIAL SPECIFIC PLAN PHASING

FIGURE 3.2-3

Section 4.0 Environmental Setting, Checklist, and Impact Discussion

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

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

The discussion for each environmental subject includes the following subsections:

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

For resource areas where significant impacts were identified, the detailed evaluation of those resource areas are included in the SEIR prepared for this project. This Initial Study is included as Appendix A to the SEIR.

4.1 Aesthetics

4.1.1 Environmental Setting

4.1.1.1 *Regulatory Framework*

State

Senate Bill 743

Senate Bill (SB) 743 was adopted in 2013 and requires lead agencies to use alternatives to level of service (LOS) for evaluating transportation impacts, specifically vehicle miles traveled (VMT). SB 743 also included changes to CEQA that apply to transit-oriented developments, as related to aesthetics and parking impacts. Under SB 743, a project's aesthetic impacts will no longer be considered significant impacts on the environment if:

- The project is a residential, mixed-use residential, or employment center project, and
- The project is located on an infill site within a transit priority area.⁸

SB 743 also clarifies that local governments retain their ability to regulate a project's aesthetics impacts outside of the CEQA process.

Streets and Highway Code Sections 260 through 263

The California Scenic Highway Program (Streets and Highway Code, Sections 260 through 263) is managed by the California Department of Transportation (Caltrans). The program is intended to protect and enhance the natural scenic beauty of California highways and adjacent corridors through special conservation treatment. There are no state-designated scenic highways in the City of Santa Clara. Interstate 280 from the San Mateo County line to State Route (SR) 17, which includes segments in the City of Santa Clara, is an eligible, but not officially designated, State Scenic Highway.⁹

In Santa Clara County, the one state-designated scenic highway is SR 9 from the Santa Cruz County line to the Los Gatos City Limit. Eligible State Scenic Highways (not officially designated) include: SR

⁸ An "infill site" is defined as "a lot located within an urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses." A "transit priority area" is defined as "an area within 0.5 mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program or applicable regional transportation plan." A "major transit stop" means "a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods." Source: Office of Planning and Research. "CEQA Review of Housing Projects Technical Advisory." Accessed November 23, 2022. https://opr.ca.gov/docs/20190208-TechAdvisory-Review_of_Housing_Exemptions.pdf.

⁹ California Department of Transportation. "Scenic Highways." Accessed November 23, 2022.

<https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>.

17 from the Santa Cruz County line to SR 9, SR 35 from Santa Cruz County line to SR 9, Interstate 280 from the San Mateo County line to SR 17, and the entire length of SR 152 within the County.

Local

City of Santa Clara 2010-2035 General Plan

The City of Santa Clara 2010-2035 General Plan includes policies and programs associated with maintaining the City's aesthetic character and neighborhood compatibility. The policies relevant to the proposed project include those listed below.

Policy	Description
5.3.1-P1	Preserve the unique character and identity of neighborhoods through community initiated neighborhood planning and design elements incorporated in new development.
5.3.1-P3	Support high quality design consistent with adopted design guidelines and the City's architectural review process.
5.3.1-P10	Provide opportunities for increased landscaping and trees in the community, including requirements for new development to provide street trees and a minimum 2:1 on- or off-site replacement for trees removed as part of the proposal to help increase the urban forest and minimize the heat island effect.
5.3.1-P24	Coordinate sign programs for commercial uses to promote continuity, improve streetscape design, and reduce visual clutter.
5.3.1-P27	Encourage screening of above-ground utility equipment to minimize visual impacts.
5.3.1-P29	Encourage design of new development to be compatible with, and sensitive to, nearby existing and planned development, consistent with other applicable General Plan policies.
5.3.3-P8	Require quality design for new and redeveloped commercial uses to support the City's economic development objectives.
5.3.4-P7	Use design techniques, such as stepping down building heights, and siting incompatible activities, such as loading and unloading, away from residential uses.
5.4.6-P4	Promote pedestrian-friendly design that includes features such as shade trees, streetscapes that contain lighting and landscaping, street furniture, pedestrian and bike paths, limited driveway curb cuts, traffic-calming features, and pedestrian street crossings.
5.4.6-P9	Provide appropriate transition between new development in the Tasman East Focus Area and adjacent residential uses consistent with General Plan Transition Policies.
5.4.6-P11	Require new buildings to maintain a consistent setback/build-to-line from the public right-of-way in order to create a well-defined public sidewalk and street.
5.4.6-P13	Require that building facades and entrances directly face street frontages, with a high proportion of transparent windows facing the street for non-residential uses.
5.4.6-P14	Encourage sensitive design and site planning to minimize the scale of larger buildings through use of building massing, setbacks, façade articulation, fenestration, varied parapets and roof lines, and pedestrian-scaled architectural details.
5.4.6-P15	Encourage parking to be located in structures to minimize their visibility from streets and public spaces.
5.5.2-P2	Implement design review guidelines for setback, heights, materials, massing, articulation and other standards to support Transition Policies and promote neighborhood compatibility.

Policy	Description
5.5.2-P3	Implement site design solutions, such as landscaping and increased building setbacks, to provide a buffer between non-residential and residential uses.
5.5.2-P6	Adjust new building height, scale, and massing along the site perimeter abutting planned lower-intensity uses.
5.5.2-P10	Encourage below-grade parking to accommodate parking demand in order to reduce overall building height and massing in transition areas.
5.5.2-P12	Screen loading and trash areas to preclude visibility from off-site and public streets.
5.9.1-P5	Encourage public visibility for all parks, trails, and open spaces.
5.10.1-P4	Protect all healthy cedars, redwoods, oaks, olives, bay laurel, and pepper trees of any size, and all other trees over 36 inches in circumference measured from 48 inches above-grade on private and public property as well as in the public right-of-way.
5.10.1-P11	Require use of native plants and wildlife-compatible non-native plants, when feasible, for landscaping on City property.

City Code – Architectural Review

An architectural review process has been established for new developments/redevelopment by the City Council to encourage the orderly and harmonious appearance of structures and property; maintain the public health, safety and welfare; maintain the property and improvement values throughout the City and to encourage the physical development of the City as intended by the General Plan. Before action is taken on an application for the issuance of a permit for any sign, building, structure, or alteration of the exterior of a structure in any zoning district, plans and drawings of such sign, building or alteration shall be submitted to the Community Development Director for approval. Additional details about the architectural review process can be found in City Code Chapter 18.76.

4.1.1.2 *Existing Conditions*

Visual resources in the City of Santa Clara include the Santa Cruz Mountains to the southwest, the Diablo Range to the northeast, and the Ulistac Natural Area (approximately 120 feet south of the site). Other visual resources include the three seasonal creeks which run through the City (San Tomas Aquino, Saratoga and Calabazas Creeks), and the Guadalupe River which borders the northeastern City boundary and is east of the Specific Plan area.

Visual Character of Specific Plan Area

As discussed in *Section 3.1 Project Location*, the Specific Plan is in an existing light industrial neighborhood and is 46.0 gross acres in size. The Specific Plan includes approximately 36 parcels, including one City-owned utility parcel, and has a total net land acreage of 41.4 acres with approximately 4.6 acres of public right-of-way. Of the 36 parcels, there are nine parcels currently under construction and one parcel that has been redeveloped into an apartment complex. The remaining parcels are currently developed with light industrial and commercial uses.

The site primarily consists of one-story industrial buildings. The Specific Plan area also contains three, two-story offices and a one-story restaurant building on Tasman Drive. The existing light industrial and commercial buildings in the Specific Plan area are mostly composed of concrete, flat roofs and tinted windows surrounded by paved parking lots and landscaping. As mentioned above and in *Section 1.1*, there are several parcels that are currently under construction. In addition, the 2233 Calle Del Mundo site has been redeveloped into a six-story apartment complex.

Utility poles on the site are located on Calle Del Sol and Calle De Luna, and above-ground utility lines transect the site. At the street level, existing views of the Specific Plan area are limited to its immediate surroundings due to the low height of the buildings in the area, elevated berms/levees and surroundings, and built environment. Views of the Specific Plan area are shown in Photographs 1-9 and the photograph locations are shown in Figure 4.1-1.

Visual Character of Surrounding Area

The visual character of the area is urban in nature, with structures of various mass, scale, design and materials. The Specific Plan area is surrounded by residential, commercial, recreational, and trail uses. The Specific Plan area is bordered by a golf course to the north and west, the Guadalupe River and Trail to the east, Tasman Drive, the Santa Clara Valley Transportation Authority (VTA) light rail tracks and station, the Ulistac Natural Area and residential development to the south and southeast, and Lafayette Street and the Santa Clara/Great America Station and tracks to the west.

The golf course, which borders the Specific Plan area's northern boundary and is also to the west of Lafayette Street, is elevated and consists of landscaping, including trees. The Guadalupe River to the east is bounded by two earthen levees, with bicycle/pedestrian trails atop the levees. At the eastern boundary of the Specific Plan area is the western river levee that includes an unpaved, gravel trail that is accessible from Tasman Drive. Residential development to the south includes one- to two-story single- and multi-family residences (constructed between 1968 and 1979) comprised of wood and stucco with flat roofs. Three-story multi-family residential apartment developments (constructed between 1998 and 2005) are located at the southwest intersection of Tasman Drive and Lick Mill Boulevard. The apartment buildings are constructed of wood and stucco above a partially below-grade parking garage with ground floor units fronting onto Tasman Drive. The Tasman Drive overcrossing of Lafayette Street is located southwest of the Specific Plan area. The western boundary of the Specific Plan area contains a 115 kilovolt (kV) transmission line on the east side of Lafayette Street. A 200-foot tall steel stadium structure (Levi's Stadium) is approximately 0.2 miles southwest of the Specific Plan area and is visible from the Specific Plan area from Tasman Drive and Lafayette Street.



PHOTOGRAPH LOCATIONS OF SPECIFIC PLAN AREA

FIGURE 4.1-1



Photo 1: View of Calle Del Mundo from Lafayette Street looking northeast.



Photo 2: View of on-site construction from Calle Del Mundo looking south.



Photo 3: View of fully constructed project from Calle Del Mundo looking west.



Photo 4: View of on-site construction from Calle Del Mundo looking northeast.



Photo 5: View of on-site construction from the intersection of Calle De Luna and Calle Del Sol looking south.



Photo 6: View of on-site construction from Calle Del Sol looking northeast.



Photo 7: View from Calle Del Sol and Tasman Drive intersection looking southwest.



Photo 8: View of on-site construction from Tasman Drive looking northwest.



Photo 9: View of Calle De Luna from west side of project site looking northeast.

Light and Glare

Sources of light and glare are abundant in the urban environment of the project area, including but not limited to streetlights, parking lot lights, security lights, vehicular headlights, internal buildings lights, and reflective building surfaces and windows. The existing restaurants are lit during operations, as well as office buildings (e.g., security lighting) throughout the Specific Plan area. In addition, the newly constructed apartment complex at 2233 Calle Del Mundo would include internal and external lights.

Scenic Views and Corridors

No designated view corridors are located within the City; however, the City's General Plan FEIR lists the Santa Cruz Mountains, the Diablo Range, Ulistac Natural Area, San Tomas Aquino Creek, and the Guadalupe River as visual resources of the City. The Guadalupe River and Trail are adjacent to the eastern boundary of the Specific Plan area.

The Specific Plan area and the surrounding area are relatively flat with the exception of the elevated golf course to the north, levee to the east, and Tasman Drive overcrossing to the south. The Specific Plan area, therefore, is only visible from the immediate vicinity. The Specific Plan is not located within a designated scenic area, based on the City's General Plan.

The area has been developed with light industrial uses since the mid-1970s and the surrounding area was developed from farmland beginning in the 1970s. There are no natural scenic resources such as rock outcroppings present in the Specific Plan area or the immediate vicinity.

The 40-acre Ulistac Natural Area, a visual resource located at 4901 Lick Mill Boulevard, approximately 120 feet to the south, is the only natural open space in the City of Santa Clara. Two-story office buildings within the Specific Plan area are visible from the northerly edge of Ulistac Natural Area on Tasman Drive, however, the views are partially blocked by landscaping on Tasman Drive. Trails within Ulistac Natural Area are located approximately one-quarter mile south of the Specific Plan boundary and can be accessed from the Guadalupe River Trail and Lick Mill Boulevard.

4.1.2 Impact Discussion

Except as provided in Public Resources Code Section 21099, would the project:	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
1) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒	☐
2) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒	☐

Except as provided in Public Resources Code Section 21099, would the project:	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
3) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? ¹⁰ If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	☒	☐
4) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☐	☒	☐

4.1.2.1 *Aesthetic Resources Impacts Identified in the Specific Plan FEIR*

Impacts on Scenic Vistas

There are no designated scenic vistas or resources on the project site, and there are no designated scenic vistas within the City limits. The Specific Plan area would be visible from the Ulistac Natural Area, approximately 120 feet south of the Specific Plan area, and the elevated Guadalupe River Trail east of the Specific Plan area. The Santa Cruz Mountains to the west and the Diablo Range to the east are both identified as scenic resources in the City's General Plan. Given that views of these hillsides are partially blocked due to the existing urban development and landscaping, the Specific Plan FEIR concluded that buildout of the Specific Plan would not block views of the hillsides. While Guadalupe River is also considered a visual resource in the City, the Specific Plan FEIR concluded that the surrounding development currently blocks views of the river and this would not change once the Specific Plan is built out. Additionally, there are no scenic highways in the vicinity of the Specific Plan area; therefore, no scenic highways would be impacted by the approved project.

Impacts on Visual Character

Buildings allowed under the Specific Plan would be taller than existing buildings in the area. The change in visual character resulting from higher-intensity development in the Specific Plan area was accounted for in the Santa Clara General Plan.¹¹ Future projects under the Specific Plan would be reviewed for consistency with the design guidelines in the Specific Plan and would be subject to the City's architectural review process prior to issuance of buildings permits (refer to Chapter 18.76 of the City Code). Therefore, compliance with design guidelines, General Plan policies, and the architectural review process would ensure that future development would not detract from the visual character and quality of the Specific Plan area or its surroundings.

¹⁰ Public views are those that are experienced from publicly accessible vantage points.

¹¹ City of Santa Clara 2010-2035 General Plan. 5.4.6 *Tasman East Focus Area Goals and Policies*. December 2014.

Light and Glare Impacts

The Specific Plan FEIR determined that future development in the Specific Plan area could create additional light or glare in the City. Future development under the Specific Plan would be required to comply with the site-wide lighting guidelines in the Specific Plan, Specific Plan Design Guidelines and General Plan policies that pertain to lighting. Conformance with these policies, and the architectural review process would ensure that future development would not result in substantial light or glare impacts in the Specific Plan area.

4.1.2.2 *Aesthetic Impacts Resulting from the Proposed Project*

The proposed project would meet the criteria of SB 743 because 1) the project would construct a mixed-use project and 2) the project is located within a TPA.¹² Consistent with Public Resources Code Section 21099, the project would have a less than significant aesthetics impact. While the project would have a less than significant aesthetic impact, this Initial Study addresses the CEQA checklist questions for informational purposes given the size and location of the project.

Impact AES-1:	The project would not have a substantial adverse effect on a scenic vista. [Same Impact as Approved Project (Less Than Significant Impact)]
---------------	--

As mentioned previously, the Specific Plan and surrounding areas are relatively flat with the exception of the elevated golf course to the north, levee to the east, and Tasman Drive overcrossing to the south. There are no designated scenic vistas or resources on the project site, and there are no designated scenic vistas within the City limits. Therefore, the proposed project would not result in new or more significant impacts on scenic vistas. **[Same Impact as Approved Project (Less Than Significant Impact)]**

Impact AES-2:	The project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. [Same Impact as Approved Project (Less Than Significant Impact)]
---------------	--

As discussed in the Specific Plan FEIR, there are no scenic highways in the vicinity of the Specific Plan area. The nearest state-designated highway is SR 9, located more than 11 miles southwest of the Specific Plan area. Therefore, the proposed project would not result in new or more significant impacts to scenic resources within a state scenic highway. **[Same Impact as Approved Project (Less Than Significant Impact)]**

¹² ArcGIS. Transit Priority Areas (2021). Accessed January 31, 2023.
<https://www.arcgis.com/home/webmap/viewer.html?layers=370de9dc4d65402d992a769bf6ac8ef5>.

Impact AES-3:	The project would not substantially degrade the existing visual character or quality of public views of the site and its surroundings. [Same Impact as Approved Project (Less Than Significant Impact)]
---------------	---

As stated in *Section 4.1.1* and the Specific Plan FEIR, future development projects would be required to undergo architectural review for design, aesthetic considerations, and consistency with zoning standards prior to submittal for building permits. Conformance with design guidelines, General Plan policies, and the architectural review process would ensure that future development would not detract from the visual character and quality of the Specific Plan area or its surroundings. Therefore, the proposed project would not conflict with applicable zoning and other regulations governing scenic quality. **[Same Impact as Approved Project (Less Than Significant Impact)]**

Impact AES-4:	The project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. [Same Impact as Approved Project (Less Than Significant Impact)]
---------------	---

While the up to 1,500 additional dwelling units, approximately 20,000 square feet of additional retail, 20,000 square feet of co-working space, and a 10,000-square foot daycare could create additional light or glare than what was previously approved, future development would go through the City's Architectural Committee prior to issuance of building permits and will be reviewed for consistency with the City's design guidelines. As discussed in the Specific Plan FEIR, future development would be required to comply with the site-wide lighting guidelines in the Specific Plan, Specific Plan Design Guidelines and General Plan policies that pertain to lighting and glare. Therefore, the proposed project would not result in new or more significant light and glare impacts. **[Same Impact as Approved Project (Less Than Significant Impact)]**

4.2 Agriculture and Forestry Resources

4.2.1 Environmental Setting

4.2.1.1 *Regulatory Framework*

State

Farmland Mapping and Monitoring Program

The California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) assesses the location, quality, and quantity of agricultural land and conversion of these lands over time. Agricultural land is rated according to soil quality and irrigation status. The best quality land is identified as Prime Farmland. In CEQA analyses, the FMMP classifications and published county maps are used, in part, to identify whether agricultural resources that could be affected are present on-site or in the project area.¹³

California Land Conservation Act

The California Land Conservation Act (Williamson Act) enables local governments to enter into contracts with private landowners to restrict parcels of land to agricultural or related open space uses. In return, landowners receive lower property tax assessments. In CEQA analyses, identification of properties that are under a Williamson Act contract is used to also identify sites that may contain agricultural resources or are zoned for agricultural uses.¹⁴

Fire and Resource Assessment Program

The California Department of Forestry and Fire Protection (CAL FIRE) identifies forest land, timberland, and lands zoned for timberland production that can (or do) support forestry resources.¹⁵ Programs such as CAL FIRE's Fire and Resource Assessment Program (FRAP) and are used to identify whether forest land, timberland, or timberland production areas that could be affected are located on or adjacent to a project site.¹⁶

¹³ California Department of Conservation. "Farmland Mapping and Monitoring Program." Accessed July 25, 2022. <http://www.conservation.ca.gov/dlrp/fmmp/Pages/Index.aspx>.

¹⁴ California Department of Conservation. "Williamson Act Program." Accessed July 25, 2022. <http://www.conservation.ca.gov/dlrp/lca>.

¹⁵ Forest Land is land that can support 10 percent native tree cover and allows for management of forest resources (California Public Resources Code Section 12220(g)); Timberland is land not owned by the federal government or designated as experimental forest land that is available for, and capable of, growing trees to produce lumber and other products, including Christmas trees (California Public Resources Code Section 4526); and Timberland Production is land used for growing and harvesting timber and compatible uses (Government Code Section 51104(g)).

¹⁶ California Department of Forestry and Fire Protection. "Fire and Resource Assessment Program." Accessed July 25, 2022. <http://frap.fire.ca.gov/>.

4.2.1.2 Existing Conditions

According to the Santa Clara County Important Farmlands 2018 Map, the Specific Plan area is classified as *Urban and Built-Up Land*.¹⁷ The Specific Plan area does not contain agricultural resources or timberland resources and is not under an existing Williamson Act contract.¹⁸

4.2.2 Impact Discussion

Would the project:	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
1) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒	☐
2) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒	☐
3) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	☒	☐
4) Result in a loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒	☐
5) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒	☐

4.2.2.1 Agriculture and Forestry Resources Impacts Identified in the Specific Plan FEIR

As described in the Specific Plan FEIR, the Specific Plan area is developed, is designated as *Urban and Built-Up Land*, and is not under a Williamson Act contract. It was determined that the approved project would not result in the loss of farmland directly or indirectly, nor the loss of forest or timberlands.

¹⁷ California Department of Conservation. Santa Clara County Important Farmland 2018 Map. June 2021.

¹⁸ County of Santa Clara. Williamson Act Properties Geodatabase. Accessed July 25, 2022.

<https://sccplanning.maps.arcgis.com/apps/webappviewer/index.html?id=1f39e32b4c0644b0915354c3e59778ce>.

4.2.2.2 *Agriculture and Forestry Resources Impacts Resulting from the Proposed Project*

Impact AG-1:	The project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use. [Same Impact as Approved Project (No Impact)]
--------------	--

As mentioned in *Section 4.2.1.2*, the project site is classified as *Urban and Built-Up Land* and does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.¹⁹ Consistent with the Specific Plan FEIR, the proposed project would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use. **[Same Impact as Approved Project (No Impact)]**

Impact AG-2:	The project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. [Same Impact as Approved Project (No Impact)]
--------------	---

As mentioned previously, the project site is not under a Williamson Act contract or currently zoned for agricultural use. Therefore, the proposed project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. **[Same Impact as Approved Project (No Impact)]**

Impact AG-3:	The project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production. [Same Impact as Approved Project (No Impact)]
--------------	--

The project site is not zoned for forest land, timberland, or timberland zoned for Timberland Production. Therefore, the proposed project would not conflict with these designations. **[Same Impact as Approved Project (No Impact)]**

Impact AG-4:	The project would not result in a loss of forest land or conversion of forest land to non-forest use. [Same Impact as Approved Project (No Impact)]
--------------	---

The project site is located in a developed area of Santa Clara and does not contain forest land; therefore, the proposed project would not convert forest land to non-forest use. **(No Impact)**

¹⁹ California Department of Conservation. Santa Clara County Important Farmland 2018 Map. June 2021.

Impact AG-5:	The project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use. [Same Impact as Approved Project (No Impact)]
--------------	---

The project site is in a fully urbanized area and does not contain land designated as or used for forest land. Therefore, the project would not result in a loss of forest land or conversion of forest land to non-forest use. **[Same Impact as Approved Project (No Impact)]**

4.3 Air Quality

4.3.1 Environmental Setting

The project proposes to amend the approved Specific Plan to accommodate up to 1,500 additional dwelling units, approximately 20,000 square feet of additional retail, 20,000 square feet of co-working space, and a 10,000-square foot daycare.

4.3.2 Impact Discussion

Would the project:	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
1) Conflict with or obstruct implementation of the applicable air quality plan?	☒	☐	☐	☐	☐
2) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☒	☐	☐	☐	☐
3) Expose sensitive receptors to substantial pollutant concentrations?	☒	☐	☐	☐	☐
4) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☐	☒	☐

Implementation of the proposed project has the potential to result in significant construction and operational air quality impacts. The project's impact on air quality is evaluated in the SEIR. No further analysis is provided in this Initial Study.

4.4 Biological Resources

The project proposes to amend the approved Specific Plan to accommodate up to 1,500 additional dwelling units, approximately 20,000 square feet of additional retail, 20,000 square feet of co-working space, and a 10,000-square foot daycare.

4.4.1 Impact Discussion

Would the project:	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
1) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or United States Fish and Wildlife Service (USFWS)?	☐	☐	☐	☒	☐
2) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS?	☐	☐	☐	☒	☐
3) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☐	☐	☐	☒	☐
4) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☐	☐	☒	☐
5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒	☐
6) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒	☐

Implementation of the proposed project would result in a significant impact to biological resources. The project's impact on biological resources is evaluated in the SEIR. No further analysis is provided in this Initial Study.

4.5 Cultural Resources

4.5.1 Environmental Setting

4.5.1.1 *Regulatory Framework*

Federal

National Historic Preservation Act

Federal protection is legislated by the National Historic Preservation Act of 1966 (NHPA) and the Archaeological Resource Protection Act of 1979. These laws maintain processes for determination of the effects on historical properties eligible for listing in the National Register of Historic Places (NRHP). Section 106 of the NHPA and related regulations (36 Code of Federal Regulations [CFR] Part 800) constitute the primary federal regulatory framework guiding cultural resources investigations and require consideration of effects on properties that are listed or eligible for listing in the NRHP. Impacts to properties listed in the NRHP must be evaluated under CEQA.

State

California Register of Historical Resources

The California Register of Historical Resources (CRHR) is administered by the State Office of Historic Preservation and encourages protection of resources of architectural, historical, archeological, and cultural significance. The CRHR identifies historic resources for state and local planning purposes and affords protections under CEQA. Under Public Resources Code Section 5024.1(c), a resource may be eligible for listing in the CRHR if it meets any of the NRHP criteria.²⁰

Historical resources eligible for listing in the CRHR must meet the significance criteria described previously and retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. A resource that has lost its historic character or appearance may still have sufficient integrity for the CRHR if it maintains the potential to yield significant scientific or historical information or specific data.

The concept of integrity is essential to identifying the important physical characteristics of historical resources and, therefore, in evaluating adverse changes to them. Integrity is defined as “the authenticity of a historical resource’s physical identity evidenced by the survival of characteristics that existed during the resource’s period of significance.” The processes of determining integrity are similar for both the CRHR and NRHP and use the same seven variables or aspects to define integrity that are used to evaluate a resource’s eligibility for listing. These seven characteristics include 1) location, 2) design, 3) setting, 4) materials, 5) workmanship, 6) feeling, and 7) association.

²⁰ California Office of Historic Preservation. “CEQA Guidelines Section 15064.5(a)(3) and California Office of Historic Preservation Technical Assistance Series #6.” Accessed November 23, 2022.
<http://www.ohp.parks.ca.gov/pages/1069/files/technical%20assistance%20bulletin%206%202011%20update.pdf>.

Assembly Bill 52 – Tribal Cultural Resources

A tribal cultural resource (TCR) can be 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. It also must be either on or eligible for the CRHR, or a local historic register; otherwise, the lead agency, at its discretion and supported by substantial evidence may choose to treat the resource as a significant TCR. Assembly Bill (AB) 52, which amended the Public Resources Code, requires lead agencies to participate in formal consultations with California Native American tribes during the CEQA process, if requested by any tribe, to identify TCRs that may be subject to significant impacts by a project. Where a project may have a significant impact on a TCR, the lead agency's environmental document must discuss the impact and whether feasible alternatives or mitigation measures could avoid or substantially lessen the impact. Consultation is required until the parties agree to measures to mitigate or avoid a significant effect on a TCR or when it is concluded that mutual agreement cannot be reached.

Senate Bill 18

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

California Native American Historical, Cultural, and Sacred Sites Act

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

Public Resources Code Sections 5097 and 5097.98

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

Pursuant to Public Resources Code Section 5097.98, in the event of human remains discovery, no further disturbance is allowed until the county coroner has made the necessary findings regarding the origin and disposition of the remains. If the remains are of a Native American, the county coroner must notify the NAHC. The NAHC then notifies those persons most likely to be related to

the Native American remains. The code section also stipulates the procedures that the descendants may follow for treating or disposing of the remains and associated grave goods.

Local

Santa Clara County Code

Both state law and the Santa Clara County Code (Sections B6-19 and B6-20) require that the Santa Clara County Coroner be notified if cultural remains are found on a site. If the Coroner determines the remains are those of Native Americans, the Native American Heritage Commission and a “most likely descendant” must also be notified.

City of Santa Clara 2010-2035 General Plan

The City of Santa Clara 2010-2035 General Plan includes policies and programs to protect the City’s cultural resources. The policies applicable to cultural resources and the project include, but are not limited to, the following listed below.

Policy	Description
5.6.3-P1	Require that new development avoid or reduce potential impacts to archaeological, paleontological and cultural resources.
5.6.3-P2	Encourage salvage and preservation of scientifically valuable paleontological or archaeological materials.
5.6.3-P4	Require that a qualified paleontologist/archaeologist monitor all grading and/or excavation if there is a potential to affect archeological or paleontological resources, including sites within 500 feet of natural water courses and the Old Quad neighborhood.
5.6.3-P5	In the event that archeological/paleontological resources are discovered, require that work be suspended until the significance of the find and recommended actions are determined by a qualified archeologist/paleontologist.
5.6.3-P6	In the event that human remains are discovered, work with the appropriate Native American representative and follow the procedures set forth in state law.

Santa Clara Criteria for Local Significance

The Criteria for Local Significance were adopted on April 20, 2004, by the Santa Clara City Council. Any building, site, or property in the City that is 50 years old or older and meets certain criteria of architectural, cultural, historical, geographical or archeological significance is potentially eligible.

4.5.1.2 *Existing Conditions*

Historic Resources

Historic resources are buildings, structures, objects, sites, and districts of significance in history, archaeology, architecture, and culture. These resources include intact structures of any type that are 50 years or more of age. The existing buildings in the Specific Plan area were constructed in the late 1970s or subsequent to this period. None of the existing buildings in the Specific Plan area are

50 years old or more, nor is any listed on the NRHP, CRHR, or City's Historic Properties list as historic resources.²¹

The project site is bordered by the former Santa Clara Golf & Tennis Club to the north, the Guadalupe River to the east, and roadways (Tasman Drive and Lafayette Street) to the south and west. Therefore, there are no historic buildings (as opposed to resources) immediately adjacent to the Specific Plan area.

Archaeological Resources

Archaeological resources are the physical remains of past human activities and can be either prehistoric or historic. A cultural resources records search was completed by *Holman & Associates* in January 2017. All recorded cultural resource records and studies in the Specific Plan area, and within 165 feet (50 meters) of the Specific Plan, were reviewed.

Prehistoric Archaeological Resources

Based on the cultural resources records search, there are several known archaeological resources adjacent to the southeast corner of the Specific Plan area and along the leveed Guadalupe River to the south of the Specific Plan area. These resources include an extensive midden, tools, several Native American sites, a large village, and human remains that were part of a cemetery. Based on prior studies, cultural deposits near the Guadalupe River have been identified 6.5 to 10 feet below ground surface.

While there are no known archaeological resources within the Specific Plan area, there have been a number of archaeological resources identified adjacent to the Specific Plan area. For this reason, there is a moderate to high potential for cultural resources within the Specific Plan area.

Historic Archaeological Resources

Based on a review of historic-era maps, there is a low potential for historic-era archaeological deposits to occur within the Specific Plan area.²²

²¹ Sources: 1) National Parks Service. "National Register of Historic Places." Accessed: January 25, 2023. Available at: <https://www.nps.gov/subjects/nationalregister/index.htm>; 2) State of California, Office of Historic Preservation. "Santa Clara." Accessed: January 25, 2023. Available at: http://ohp.parks.ca.gov/?page_id=21522; and 3) City of Santa Clara. "Historic Properties." Accessed: January 25, 2023. Available at: <https://www.santaclaraca.gov/our-city/about-santa-clara/maps/santa-clara-s-historic-properties-story-map/historic-properties>.

²² Holman & Associates. Results of the Cultural Resources Literature Search for the 46.0-acre Tasman East Specific Plan. January 11, 2017.

4.5.2 Impact Discussion

Would the project:	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
1) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?	☐	☐	☐	☒	☐
2) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?	☐	☐	☐	☒	☐
3) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☐	☒	☐

4.5.2.1 Cultural Resources Impacts Identified in the Specific Plan FEIR

Historic Resources Impacts

The existing buildings in the Specific Plan area are less than 50 years in age and none are listed on the NRHP, CRHR, or City's Historic Properties list.²³ The project site is bordered by a golf course to the north, a recreational trail (Guadalupe River Trail) to the east, and roadways (Tasman Drive and Lafayette Street) to the south and west. Therefore, there are no historic buildings (as opposed to resources) immediately adjacent to the Specific Plan area.

Archaeological Resources Impacts/Impacts to Human Remains

While there are no known archaeological resources within the Specific Plan area, there have been a number of archaeological resources identified adjacent to the Specific Plan area. For this reason, there is a moderate to high potential for cultural resources within the Specific Plan area. The Specific Plan FEIR concluded that the project could impact archaeological resources and encounter human remains and included the following mitigation measures to reduce impacts to subsurface cultural resources.

Impact CUL-1: Redevelopment of the Specific Plan area could result in impacts to unknown, buried archaeological resources and human remains. **(Significant Impact)**

Mitigation Measures: The following mitigation measures would reduce impacts to subsurface cultural resources within the entire Specific Plan area:

²³ Sources: 1) National Parks Service. "National Register of Historic Places." Accessed: November 23, 2022. Available at: <https://www.nps.gov/subjects/nationalregister/index.htm>; 2) State of California, Office of Historic Preservation. "Santa Clara." Accessed: April 17, 2018. Available at: http://ohp.parks.ca.gov/?page_id=21522; and 3) City of Santa Clara. "Historic Properties." Accessed: November 23, 2022. Available at: <https://www.santaclaraca.gov/home/showpublisheddocument/12893/635713044859030000>.

- MM CUL-1.1:** A qualified archaeologist shall monitor the demolition of the building foundations and any other below surface disturbances, such as but not limited to, grading, excavation, roadway improvements, potholing for utilities, utility removal, and addressing storm drain issues. After demolition activities and surface improvements are removed for projects involving excavation, and prior to other construction activities, conduct mechanical presence/absence exploration to a depth ranging from 6.5 to 10 feet below ground surface. Presence/absence efforts shall be conducted by a qualified local archaeologist. If any cultural resources are identified, all activity in the vicinity of such resources shall stop until a research design and treatment plan is prepared to address those types of resources encountered and such plan is approved by the City. Any cultural resources identified shall be evaluated to determine if these resources would qualify for the NRHP or CRHR. If no resources are found during presence/absence testing, the implementation of mitigation measures, MM CUL-1.2 and MM CUL-1.3, would ensure any resources discovered during construction are adequately protected.
- MM CUL-1.2:** In the event that buried, or previously unrecognized archaeological deposits or materials of any kind are inadvertently exposed during any construction activity, work within 50 feet of the find shall cease until a qualified archaeologist can assess the find and provide recommendations for further treatment, if warranted. Preservation in place is the preferred treatment of an archeological resource. When preservation in place of an archeological resource is not feasible, data recovery, in accord with a data recovery plan prepared and adopted by the City, is the appropriate mitigation. Construction and potential impacts to the area within a radius determined by the archaeologist shall not recommence until the assessment is complete.
- MM CUL-1.3:** In the event that human remains are discovered during excavation and/or grading of the site, all activity within a 50-foot radius of the find shall be stopped. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner shall notify the Native American Heritage Commission (NAHC) immediately. Once NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.

With the inclusion of mitigation measures MM CUL-1.1 through MM CUL-1.3, the approved project was determined to result in a less than significant impact.

Paleontological Resources²⁴

The Specific Plan FEIR determined that future projects within the Specific Plan area that include excavation to depths of 25 feet or more have the potential to disturb Pleistocene sediments and would require a qualified paleontologist to monitor all grading and/or excavation. The Specific Plan FEIR identified the following paleontological resources impact.

Impact CUL-2: Development proposed under the Specific Plan has the potential to disturb paleontological resources if projects include deep excavations. **(Significant Impact)**

Mitigation Measures: The following mitigation measures would be implemented by development projects to reduce impacts to paleontological resources where deep excavations are proposed within the Specific Plan area:

MM CUL-2.1: Projects involving excavations 25 feet or greater below ground surface would require monitoring by a qualified paleontologist. In the event paleontological resources are discovered all work shall be halted within 50 feet of the find and a Paleontological Resource Mitigation Plan shall be prepared by a qualified paleontologist to address assessment and recovery of the resource. A final report documenting any found resources, their recovery, and disposition shall be prepared in consultation with the Community Development Director and filed with the City and local repository.

With implementation of mitigation measure MM CUL-2.1, the Specific Plan FEIR determined that there would be a less than significant impact to paleontological resources. Refer to *Section 4.7 Geology and Soils* of this document for a discussion of the proposed project's impacts on paleontological resources.

4.5.2.2 *Cultural Resources Impacts Resulting from the Proposed Project*

Impact CUL-1:	The project would not cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5. [Same Impact as Approved Project (Less than Significant Impact)]
---------------	---

As discussed in the Specific Plan FEIR, there are no historic structures located on the project site. The proposed project would not expand the plan area beyond the existing boundaries of the approved Specific Plan. Therefore, the proposed project would not result in any new impacts

²⁴ Since approval of the Specific Plan FEIR, the California Governor's Office of Planning and Research (OPR) issued a new CEQA checklist on December 28, 2018. The checklist question related to paleontological resources was removed from the Cultural Resources checklist and added to the Geology and Soils checklist. Impacts to paleontological resources are analyzed in the *Section 4.7 Geology and Soils*.

related to historical resources pursuant to CEQA Guidelines Section 15064.5. **[Same Impact as Approved Project (Less than Significant Impact)]**

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

As stated above, the proposed project would not result in expansion of the Specific Plan area and resources impacted by the proposed project would be consistent with those of the Specific Plan FEIR. Additionally, the proposed project would be required to implement mitigation measures MM CUL-1.1 through MM CUL-1.3, consistent with the Specific Plan FEIR, to reduce any impacts to undiscovered archaeological resources. Therefore, the proposed project would not result in any new or increase the severity of the previously identified impact related to archaeological resources pursuant to CEQA Guidelines Section 15064.5. **[Same Impact as Approved Project (Less than Significant Impact with Mitigation Incorporated)]**

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

As stated above the proposed project would not result in expansion of the Specific Plan area and resources impacted by the proposed project would be consistent with those of the Specific Plan FEIR. Additionally, consistent with the Specific Plan FEIR, the proposed project would be required to implement mitigation measures MM CUL-1.1 thorough MM CUL-1.3 which would reduce any impacts to undiscovered human remains to a less than significant level. Therefore, implementation of the proposed project would not result in new or more significant impacts to human remains, including those interred outside of dedicated cemeteries. **[Same Impact as Approved Project (Less than Significant Impact with Mitigation Incorporated)]**

4.6 Energy

4.6.1 Environmental Setting

4.6.1.1 *Regulatory Framework*

Federal

Energy Star and Fuel Efficiency

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

State

Renewables Portfolio Standard Program

In 2002, California established its Renewables Portfolio Standard Program, with the goal of increasing the percentage of renewable energy in the state's electricity mix to 20 percent of retail sales by 2010. Governor Schwarzenegger issued Executive Order (EO) S-3-05, requiring statewide emissions reductions to 80 percent below 1990 levels by 2050. In 2008, EO S-14-08 was signed into law, requiring retail sellers of electricity serve 33 percent of their load with renewable energy by 2020. In October 2015, Governor Brown signed SB 350 to codify California's climate and clean energy goals. A key provision of SB 350 requires retail sellers and publicly owned utilities to procure 50 percent of their electricity from renewable sources by 2030. SB 100, passed in 2018, requires 100 percent of electricity in California to be provided by 100 percent renewable and carbon-free sources by 2045.

Executive Order B-55-18 To Achieve Carbon Neutrality

In September 2018, Governor Brown issued an executive order, EO-B-55-18 To Achieve Carbon Neutrality, setting a statewide goal "to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter." The executive order requires CARB to "ensure future Scoping Plans identify and recommend measures to achieve the carbon neutrality goal." EO-B-55-18 supplements EO S-3-05 by requiring not only emissions reductions, but also that, by no later than 2045, the remaining emissions be offset by equivalent net removals of CO₂ from the atmosphere through sequestration.

California Building Standards Code

The Energy Efficiency Standards for Residential and Nonresidential Buildings, as specified in Title 24, Part 6 of the California Code of Regulations (Title 24), was established in 1978 in response to a

legislative mandate to reduce California’s energy consumption. Title 24 is updated approximately every three years.²⁵

California Green Building Standards Code

CALGreen establishes mandatory green building standards for buildings in California. CALGreen was developed to reduce greenhouse gas (GHG) emissions from buildings, promote environmentally responsible and healthier places to live and work, reduce energy and water consumption, and respond to state environmental directives. CALGreen covers five categories: planning and design, energy efficiency, water efficiency and conservation, material and resource efficiency, and indoor environmental quality.

Advanced Clean Cars Program

CARB adopted the Advanced Clean Cars program in 2012 in coordination with the EPA and National Highway Traffic Safety Administration. The program combines the control of smog-causing pollutants and GHG emissions into a single coordinated set of requirements for vehicle model years 2015 through 2025. The program promotes development of environmentally superior passenger cars and other vehicles, as well as saving the consumer money through fuel savings.²⁶

Local

City of Santa Clara 2010-2035 General Plan

General Plan policies applicable to energy include, but are not limited to, the following listed below

Policy	Description
5.10.2-P1	Support alternative transportation modes and efficient parking mechanisms to improve air quality.
5.10.2-P2	Encourage development patterns that reduce vehicle miles traveled and air pollution.
5.10.3-P1	Promote the use of renewable energy resources, conservation and recycling programs.
5.10.3-P2	Transition away from using coal as an energy source to renewable resources by replacing coal in Silicon Valley Power’s portfolio, exploring City owned property for renewable energy projects, developing solar projects, and incentivizing solar projects for residents and businesses, consistent with the CAP.
5.10.3-P3	Maximize the efficient use of energy throughout the community by achieving adopted electricity efficiency targets and promoting natural gas efficiency, consistent with the CAP.
5.10.3-P4	Encourage new development to incorporate sustainable building design, site planning and construction, including encouraging solar opportunities.
5.10.3-P5	Reduce energy consumption through sustainable construction practices, materials, and recycling.

²⁵ California Building Standards Commission. “California Building Standards Code.” Accessed November 23, 2022.

<https://www.dgs.ca.gov/BSC/Codes#@ViewBag.JumpTo>.

²⁶ California Air Resources Board. “The Advanced Clean Cars Program.” Accessed November 23, 2022.

<https://www.arb.ca.gov/msprog/acc/acc.htm>.

Policy	Description
5.10.3-P6	Promote sustainable buildings and land planning for all new development, including programs that reduce energy and water consumption in new development.
5.8.1-P4	Expand transportation options that improve alternate modes that reduce GHG emissions.
5.4.6-P1	Establish Tasman East as a high density residential neighborhood that provides residents with access to commercial services and open space located on-site and in the surrounding areas.
5.4.6-P2	Provide direct linkages from Tasman East to the Santa Clara Valley Transportation Authority, Amtrak, and Altamont Corridor Express stations and transit stops to promote transit use for access to services and jobs.
5.4.6-P3	Work with appropriate transportation agencies, businesses, and surrounding cities to maximize rail and bus transit to and from the stations.
5.4.6-P4	Promote pedestrian-friendly design that includes features such as shade trees, streetscapes that contain lighting and landscaping, street furniture, pedestrian and bike paths, limited driveway curb cuts, traffic-calming features, and pedestrian street crossings.
5.4.6-P7	Provide for future connections, which encourage walking and bicycling, to the new development in the north when it is redeveloped to promote accessibility between the two areas.
5.4.6-P17	Encourage new development to build to a green neighborhood rating standard.

Construction and Demolition Debris Recycling Program

The City of Santa Clara requires applicants seeking building or demolition permits for projects greater than 5,000 square feet to recycle at least 65 percent of discards. Diversion is achieved through recycling or reuse.

Santa Clara Reach Code

The City adopted its first Reach Code in November 2021, following a public process, and adopted a first set of updates in November 2022. The Reach Code increased requirements on new construction to install electric vehicle (EV) infrastructure and imposed new obligations to install solar panels.

The 2021 and 2022 Reach Codes also mandated the use of electricity as a power source in most new construction, and limited the installation of natural gas plumbing and meters. However, the City of Berkeley adopted a similar ordinance in 2019 that was challenged by the California Restaurant Association, ultimately resulting in the Ninth Circuit Court of Appeals concluding that the federal law preempted local regulations that prohibited natural gas delivery systems in new development. In response, on January 14, 2025, the Santa Clara City Council indefinitely suspended the all-electric provisions of the Reach Code. On November 4, 2025, the City of Santa Clara adopted its most recent updates to its Reach Code, which makes local amendments to the California Energy Code and California Green Building Standards Code to support sustainability goals.²⁷

²⁷ The current update to the Reach Code does not contain the all-electric requirements.

4.6.1.2 Existing Conditions

Total energy usage in California was approximately 6,923.6 trillion British thermal units (Btu) in the year 2020, the most recent year for which this data was available.²⁸ Out of the 50 states, California is ranked second in total energy consumption and 49th in energy consumption per capita. The breakdown by sector was approximately 21 percent (1,507.8 trillion Btu) for residential uses, 19.6 percent (1,358.4 trillion Btu) for commercial uses, 24.6 percent (1,701.3 trillion Btu) for industrial uses, and 34 percent (2,356.1 trillion Btu) for transportation.²⁹ This energy is primarily supplied in the form of natural gas, petroleum, nuclear electric power, and hydroelectric power.

Electricity

Electricity in Santa Clara County in 2020 was consumed primarily by the non-residential sector (75 percent), followed by the residential sector consuming 25 percent. In 2020, a total of approximately 16,904 gigawatt hours (GWh) of electricity was consumed in Santa Clara County.³⁰

Silicon Valley Power (SVP) is the City of Santa Clara's energy utility and would provide electricity service to the project site. Starting in January 2018, SVP provides residential customers with carbon-free power as their standard, default power supply. This means the power generation produces no net carbon emissions. For commercial customers, SVP offers several options for participation in green energy programs, including a carbon-free energy option.³¹

Natural Gas

PG&E provides natural gas services within the City of Santa Clara. In 2020, approximately two percent of California's natural gas supply came from in-state production, while the remaining supply was imported from other western states and Canada.³² In 2020, California used 2,144 trillion Btu of natural gas.³³ In 2020, Santa Clara County used less than one percent of the state's total consumption of natural gas.³⁴

²⁸ United States Energy Information Administration. "State Profile and Energy Estimates, 2020." Accessed November 23, 2022. <https://www.eia.gov/state/?sid=CA#tabs-2>.

²⁹ United States Energy Information Administration. "State Profile and Energy Estimates, 2020." Accessed November 23, 2022. <https://www.eia.gov/state/?sid=CA#tabs-2>.

³⁰ California Energy Commission. Energy Consumption Data Management System. "Electricity Consumption by County." Accessed November 23, 2022. <http://ecdms.energy.ca.gov/elecbycounty.aspx>.

³¹ Silicon Valley Power. "Did you Know." Accessed November 23, 2022. <https://www.siliconvalleypower.com/svp-and-community/about-svp/faqs>.

³² California Gas and Electric Utilities. 2020 *California Gas Report*. Accessed November 23, 2022. [https://www.socalgas.com/sites/default/files/2020-10/2020 California Gas Report Joint Utility Biennial Comprehensive Filing.pdf](https://www.socalgas.com/sites/default/files/2020-10/2020%20California%20Gas%20Report%20Joint%20Utility%20Biennial%20Comprehensive%20Filing.pdf).

³³ United States Energy Information Administration. "State Profile and Energy Estimates, 2020." Accessed November 23, 2022. <https://www.eia.gov/state/?sid=CA#tabs-2>.

³⁴ California Energy Commission. "Natural Gas Consumption by County." Accessed November 23, 2022. <http://ecdms.energy.ca.gov/gasbycounty.aspx>.

Fuel for Motor Vehicles

In 2019, 15.4 billion gallons of gasoline were sold in California.³⁵ The average fuel economy for light-duty vehicles (autos, pickups, vans, and sport utility vehicles) in the United States has steadily increased from about 13.1 miles per gallon (mpg) in the mid-1970s to 25.4 mpg in 2020.³⁶ Federal fuel economy standards have changed substantially since the Energy Independence and Security Act was passed in 2007. That standard, which originally mandated a national fuel economy standard of 35.0 miles per gallon by the year 2020, was updated in April 2022 to require all cars and light duty trucks achieve an overall industry average fuel economy of 49.0 mpg by model year 2026.^{37,38}

4.6.2 Impact Discussion

Would the project:	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
1) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☐	☒	☐
2) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☐	☒	☐

4.6.2.1 Energy Resources Impacts Identified in the Specific Plan FEIR

Energy Use and Efficiency

Energy would be consumed during both the construction and operational phases of development for the approved Specific Plan. The approved Specific Plan encourages development projects to incorporate various energy efficiency measures, including the following:

- Energy efficiency – use of Energy Star rated appliances and Dark Sky-compliant lighting, energy efficient building envelopes, smart controls and switches to reduce energy use in unoccupied spaces, maximization of daylighting for interior spaces, use of operable windows for natural ventilation.

³⁵ California Department of Tax and Fee Administration. "Net Taxable Gasoline Gallons." Accessed November 23, 2022.

<https://www.cdtfa.ca.gov/dataportal/dataset.htm?url=VehicleTaxableFuelDist>.

³⁶ United States Environmental Protection Agency. "The 2021 EPA Automotive Trends Report: Greenhouse Gas Emissions, Fuel Economy, and Technology since 1975." November 2021. <https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockkey=P1010U68.pdf>

³⁷ United States Department of Energy. *Energy Independence & Security Act of 2007*. Accessed November 23, 2022.

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

³⁸ United States Department of Transportation. USDOT Announces New Vehicle Fuel Economy Standards for Model Year 2024-2026." Accessed November 23, 2022. <https://www.nhtsa.gov/press-releases/usdot-announces-new-vehicle-fuel-economy-standards-model-year-2024-2026>

- Mechanical systems – best technology furnaces, heat pumps, ventilation systems, and water heaters
- Renewable energy – photovoltaics on rooftops and shade structures, at minimum incorporation of solar ready infrastructure (e.g., solar panel standoffs, conduit, and roof water spigots), low-grade heat recovery from sanitary building flows.
- Zero Carbon Development – install best technology and non-combustion appliances such as water heaters and furnace systems, purchase of renewable energy credits through Silicon Valley Power or other off-site sources.
- Transportation – reduced parking ratios offset by TDM measures, provide transit passes to residents, all buildings to have conduit rough-ins for EV charging points, install EV charging points, provide bike kitchen and storage facilities, participate in bike share programs.
- The use of locally sourced and sustainable building materials is encouraged.

The approved Specific Plan requires that buildings, whenever possible, incorporate visible elements of sustainability – such as green roofs, shading devices, or photovoltaic panels – into the fabric of the building, and especially seen at the ground level so as to make visible the building’s energy saving features.

Construction

Development under the approved Specific Plan would require energy for the manufacture and transportation of building materials, preparation of the project site (e.g., grading), fuel use for worker travel and construction equipment, and the actual construction of the buildings and infrastructure. Depending on the size of the proposed development, it is anticipated that each project proposed under the approved Specific Plan would take one to two years to complete from demolition through construction. Grading and excavation for individual projects could take approximately six months and project construction could take 18 months to complete.

As discussed in the Specific Plan FEIR, development under the Specific Plan would be required to comply with mitigation measures MM AQ-1.1 and MM AQ-1.2 to minimize idling times of construction equipment, require properly maintaining construction equipment, and/or mandate use of electrified or alternatively-fueled construction equipment. Prior to any construction within the Specific Plan area, individual projects are required to complete a community health risk assessment of construction emissions (mitigation measure MM AQ-1.2). Construction contractors may be required to limit the hours of operation of diesel-powered equipment and use equipment certified to meet U.S. EPA emissions standards which would further reduce the construction period energy use of projects proposed under the Specific Plan. In addition, development under the Specific Plan would be required to comply with the City’s Construction and Demolition Debris Recycling Program. For these reasons, future construction on individual project sites within the approved Plan Area was determined to not use fuel or energy in a wasteful manner.

Operation

Development under the approved Specific Plan would consume energy for multiple purposes including, but not limited to, building heating and cooling, lighting, appliances, and electronics. Operational energy would also be consumed during each vehicle trip generated by future residents, employees, and customers. The approved Specific Plan allows for the development of modern buildings subject to current building codes which require greater energy efficiency (Title 24) than when the existing development in the Specific Plan Area was constructed.

The approved Specific Plan would use approximately 20 GWh of electricity and 40 billion Btu of natural gas per year at full buildout (as early as 2030). Given the Specific Plan's estimated vehicle miles traveled (refer to *Section 3.7 Greenhouse Gas Emissions* of the Specific Plan FEIR), development under the approved Specific Plan would use approximately 938,576 gallons of gasoline per year (assuming an average fuel economy of 54.5 mpg).

Gasoline use from development proposed under the Specific Plan would be reduced given the project's proximity to existing transit, the proposed mix of uses (residential and commercial), and placement of residential development near jobs. The approved Specific Plan would not use fuel or energy in a wasteful manner, given the project features that reduce energy use, including the following:

- Developing an infill site,
- Proposing a mix of uses,
- Proposing high-density residential uses near existing transit,
- Improving sidewalks to create more walkable neighborhoods and ease non-vehicular traffic
- Providing a network of bicycle-friendly streets
- Promoting a waste reduction program to reduce solid waste disposal,
- Planting trees and natural foliage to reduce the heat island effect,
- Connecting to reclaimed water for landscape irrigation, and
- Providing opportunities for electric vehicle charging points.

Increase in Energy Demand

The annual electricity use in California was projected to be 319,256 GWh in 2027 which was the furthest projection currently available from the California Energy Commission. Improvements in efficiency and production capabilities would help meet increased demand in the future, such as improving energy efficiency in California's existing and future buildings, establishing and achieving energy efficiency targets, inclusion of microgrids and zero-net energy buildings in the state, supporting development and implementation of distributed energy resource technologies, and integrating renewable technologies. The approved project was found to increase annual electricity use at the project site by approximately 13.3 GWh or a net increase of five one thousandths of one

percent of existing supply in California. The project, therefore, was not found to result in a significant increase in demand on electrical energy resources in relation to projected supply.

California uses approximately 2.4 quadrillion Btu of natural gas each year. It is assumed that energy efficiency technology and the RPS targets are likely to reduce demand for natural gas in the state in the future. Additionally, system and drilling efficiencies will continue to enhance production and decrease the overall need for natural gas. Based on the relatively small increase in natural gas demand from the project of 38 billion Btu per year, and compared to the growth trends in natural gas supply and the existing available supply in California, the approved project would not result in a significant increase in natural gas demand relative to projected supplies.

In addition, the General Plan FEIR concluded that buildout of the General Plan (in conformance with applicable regulations) would not result in a significant energy demand impact. The development approved on-site would result in a minor increase in energy demand compared to what was assumed for the Specific Plan area in the existing General Plan and in relation to projected supplies. The Specific Plan, therefore, would not result in a substantial increase in demand relative to available supplies.

Consistency with Plans

The approved Specific Plan is consistent with applicable General Plan policies to reduce energy consumption by developing a high-density mixed-use project near existing transit, proposing site-specific TDM programs as redevelopment occurs per the City's CAP, participating in the City's Construction and Demolition Debris Recycling Program, complying with Title 24, and proposing pedestrian, bicycle, and transit improvements.

4.6.2.2 *Energy Impacts Resulting from the Proposed Project*

Impact EN-1:	The project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation. [Same Impact as Approved Project (Less than Significant Impact)]
--------------	---

Construction Impacts

Consistent with the Specific Plan FEIR and as identified in *Section 3.1 Air Quality* of the SEIR, the proposed project would implement the same mitigation as the Specific Plan FEIR to reduce idling, require properly maintaining construction equipment, and/or mandate use of electrified or alternatively-fueled construction equipment. These mitigation measures would ensure that wasteful, inefficient, or unnecessary consumption of energy is not used during construction. Furthermore, development under the proposed project would also be required to comply with the City's Construction and Demolition Debris Recycling Program, consistent with the Specific Plan FEIR. For these reasons, future construction on individual project sites within the Specific Plan area would not use fuel or energy in a wasteful manner under the proposed project. Therefore, the proposed

project would not result in new or more significant construction energy consumption impacts.
[Same Impact as Approved Project (Less than Significant Impact)]

Operational Impacts

The City's Reach Code, which came into effect on January 1, 2023, prohibited natural gas usage in new residential developments and most businesses. In light of *California Restaurant Association v. City of Berkeley* (9th Cir. 2024) 89 F.4th 1094, the City has suspended enforcement of the all-electric construction requirements in the Reach Code. Since certification of the Specific Plan FEIR, many projects under the Specific Plan were approved prior to the adoption of the City's Reach Code. Therefore, to determine the energy demand for the approved Specific Plan, as well as the proposed project, this analysis assumes build out of the Specific Plan FEIR and the proposed project with California Emissions Estimator Model (CalEEMod) Version 2022.1.1.39 default electricity and natural gas consumption rates.

Updated Specific Plan Energy Demand

The approved Specific Plan would use approximately 16.48 GWh of electricity and 42 million kBtu of natural gas per year at full buildout (as early as 2030).³⁹ Given the approved Specific Plan's estimated vehicle miles traveled, development under the approved Specific Plan would use approximately 935,245 gallons of gasoline per year (assuming an average fuel economy of 54.5 mpg).

Proposed Project Energy Demand

The proposed project would result in the consumption of approximately 5.76 GWh of electricity, approximately 56,487,757 kBtu of natural gas, and approximately 271,426 gallons of gasoline annually.^{40,41}

Buildout of Specific Plan (Approved and Proposed Projects)

Buildout of the Specific Plan (approved and proposed projects) would result in the consumption of approximately 22.24 GWh of electricity, 56,487,757 kBtu of natural gas, and approximately 1,206,671 gallons of gasoline annually.^{42,43} This would result in an increase of 0.007 percent of the total energy of California's projected energy consumption. This fractional increase in energy consumption would not result in a significant energy demand impact.

Projects proposed under the Specific Plan would be subject to current building codes and would include project features that reduce energy use, increase efficiency, and avoid unnecessary

³⁹ Bauer, Jordyn. Illingworth & Rodkin, Inc. Personal Communication. April 10, 2026.

⁴⁰ The fuel economy standard of 54.5 mpg was assumed which is consistent with the assumption in the Specific Plan FEIR. Proposed Project Annual VMT 14,792,711 / 54.5 mpg = 271,426 gallons of gasoline.

⁴¹ Bauer, Jordyn. Illingworth & Rodkin, Inc. Personal Communication. April 10, 2026.

⁴² The fuel economy standard of 54.5 mpg was assumed which is consistent with the assumption in the Specific Plan FEIR. Proposed Project Annual VMT 65,763,544 / 54.5 mpg = 1,206,671 gallons of gasoline.

⁴³ Bauer, Jordyn. Illingworth & Rodkin, Inc. Personal Communication. April 10, 2026.

consumption (refer to *Section 4.6.2.1* above). The proposed project would be developed within the same footprint, density, and location as the previously approved Specific Plan and, on a per unit and square foot basis, would not result in substantially greater energy use than the previously approved Specific Plan. Therefore, implementation of the proposed project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy, or wasteful use of energy resources, during operation of the project. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact EN-2:	The project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. [Same Impact as Approved Project (Less than Significant Impact)]
--------------	---

Consistent with the Specific Plan FEIR, the proposed project would be consistent with the General Plan policies to reduce energy consumption by developing a high-density mixed-use project near existing transit, proposing site-specific TDM programs as redevelopment occurs per the City's CAP, participating in the City's Construction and Demolition Debris Recycling Program, complying with Title 24, and proposing pedestrian, bicycle, and transit improvements. Therefore, the proposed project would not result in a conflict with the state or local renewable energy or energy efficiency policies and would not have new or more significant impacts than the previously approved Specific Plan. **[Same Impact as Approved Project (Less than Significant Impact)]**

4.7 Geology and Soils

4.7.1 Environmental Setting

4.7.1.1 *Regulatory Framework*

State

Alquist-Priolo Earthquake Fault Zoning Act

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

Seismic Hazards Mapping Act

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

California Building Standards Code

The CBC prescribes standards for constructing safe buildings. The CBC contains provisions for earthquake safety based on factors including occupancy type, soil and rock profile, ground strength, and distance to seismic sources. The CBC requires that a site-specific geotechnical investigation report be prepared for most development projects to evaluate seismic and geologic conditions such as surface fault ruptures, ground shaking, liquefaction, differential settlement, lateral spreading, expansive soils, and slope stability. The CBC is updated every three years.

California Division of Occupational Safety and Health Regulations

Excavation, shoring, and trenching activities during construction are subject to occupational safety standards for stabilization by the California Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA) under Title 8 of the California Code of Regulations and Excavation Rules. These regulations minimize the potential for instability and collapse that could injure construction workers on the site.

Public Resources Code Section 5097.5

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

Local

City of Santa Clara 2010-2035 General Plan

General Plan policies applicable to geology and soils include, but are not limited to, the following listed below.

Policy	Description
5.10.5-P5	Regulate development, including remodeling or structural rehabilitation, to ensure adequate mitigation of safety hazards, including flooding, seismic, erosion, liquefaction and subsidence dangers.
5.10.5-P6	Require that new development is designed to meet current safety standards and implement appropriate building codes to reduce risks associated with geologic conditions.
5.10.5-P7	Implement all recommendations and design solutions identified in project soils reports to reduce potential adverse effects associated with unstable soils or seismic hazards.
5.6.3-P1	Require that new development avoid or reduce potential impacts to archaeological, paleontological and cultural resources.
5.6.3-P2	Encourage salvage and preservation of scientifically valuable paleontological or archaeological materials
5.6.3-P4	Require that a qualified paleontologist/archaeologist monitor all grading and/or excavation if there is a potential to affect archeological or paleontological resources, including sites within 500 feet of natural water courses and the Old Quad neighborhood.
5.6.3-P5	In the event that archeological/paleontological resources are discovered, require that work be suspended until the significance of the find and recommended actions are determined by a qualified archeologist/paleontologist.

City Code

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

4.7.1.2 *Existing Conditions*

The City of Santa Clara is located within the Santa Clara Valley, which is a broad alluvial plain between the Santa Cruz Mountains to the southwest and west, and the Diablo Range to the northeast. The San Andreas Fault system, including the Monte-Vista-Shannon Fault, exists within the Santa Cruz Mountains and the Hayward and Calaveras Fault systems exist within the Diablo Range.

Seismicity and Seismic Hazards

The Specific Plan area is located within the San Francisco Bay Area, which is one of the most seismically active regions in the United States. Strong ground shaking can, therefore, be expected at the Specific Plan area during moderate to severe earthquakes in the region.

The significant earthquakes that occur in the Bay Area are generally associated with crustal movement along well defined, active fault zones of the San Andreas Fault system, which regionally trends in a northwesterly direction. The nearest major active faults to the Specific Plan area include the southeast extension of the Hayward Fault located approximately six miles east of the Specific Plan area; the main Hayward Fault located approximately nine miles east of the Specific Plan area; and the San Andreas Fault located approximately 14 miles west of the Specific Plan area.

The Specific Plan area is not located within a currently designated Alquist-Priolo Earthquake Fault Zone or Santa Clara County Fault Hazard Zone; therefore, fault rupture through the site is not anticipated.^{44,45}

Liquefaction

Liquefaction is the transformation of water saturated soil from a solid to a liquid state during ground shaking. Soils most susceptible to liquefaction are loose, non-cohesive soils that are saturated and are bedded with poor drainage. The site is within the Santa Clara County Liquefaction Hazard Zone.⁴⁶

Lateral Spreading

Lateral spreading is horizontal/lateral ground movement of relatively flat-lying soil deposits towards a free face such as an excavation, channel, or open body of water. Typically, lateral spreading is associated with liquefaction of one or more subsurface layers near the bottom of an exposed slope. The Eastside Drainage Swale is along the eastern edge of the Specific Plan area and the Guadalupe River is located just beyond the eastern boundary of the Specific Plan area; therefore, there is a potential for lateral spreading on the eastern portion of the Specific Plan. The Eastside Drainage

⁴⁴ California Department of Conservation. "CGS Information Warehouse: Regulatory Maps." Accessed November 23, 2022. <http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps>.

⁴⁵ Santa Clara County. Santa Clara County Geologic Hazard Zones. Map 11. Accessed November 23, 2022. https://stgenpln.blob.core.windows.net/document/GEO_GeohazardATLAS.pdf.

⁴⁶ Ibid.

Swale and Guadalupe River levees have all been engineered and, therefore, are not anticipated to be subject to lateral spreading.

Soils and Groundwater

Soils

In Santa Clara, the soil is comprised of clay soils that contain groundwater at shallow depths (less than 25 feet). As mentioned in the Specific Plan FEIR, underlying soils of the project site are Urban Land soils, characterized by non-homogenous distribution of soil and fill types. On-site soils have moderate to high expansion potential.

Landslides occur when the stability of a slope changes from a stable to an unstable condition. The stability of a slope is affected by the following primary factors: inclination, material type, moisture content, orientation of layering, and vegetative cover. In general, steeper slopes are less stable than more gently inclined ones. Due to the generally flat topography of the Specific Plan area, the potential for landslides on-site is low. The former Santa Clara Golf & Tennis Club to the north (future Related Santa Clara), the Eastside Drainage Swale and the levees along the Guadalupe River to the east, and roadway embankments to the south have all been engineered and, therefore, are not anticipated to result in landslides in the area.

Groundwater

As stated in the Specific Plan FEIR, groundwater in the Specific Plan area have been recorded at a depth of approximately five to seven feet below the ground surface (bgs). Fluctuations in the level of subsurface water can occur due to variations in rainfall, temperature, and other factors.

Paleontological Resources

The Specific Plan area is situated on alluvial fan deposits of the Holocene age. These sediments have low potential to yield fossil resources or to contain significant nonrenewable paleontological resources. These deposits, however, overlie sediments of older Pleistocene sediments with high potential to contain paleontological resources, which are found at depths of 25 feet or more below the ground surface.⁴⁷

⁴⁷ Helley, E.J. Preliminary Contour Map Showing Elevation of Surface of Pleistocene Alluvium under Santa Clara Valley, California. U.S. Geological Survey Open File Report 90-633. 1990.

4.7.2 Impact Discussion

Would the project:	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
1) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:					
– Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (refer to Division of Mines and Geology Special Publication 42)?	☐	☐	☐	☒	☐
– Strong seismic ground shaking?	☐	☐	☐	☒	☐
– Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒	☐
– Landslides?	☐	☐	☐	☒	☐
2) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☐	☒	☐
3) 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?	☐	☐	☐	☒	☐
4) Be located on expansive soil, as defined in the current California Building Code, creating substantial direct or indirect risks to life or property?	☐	☐	☐	☒	☐
5) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒	☐
6) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	☐	☐	☐	☒	☐

4.7.2.1 *Geology and Soils Impacts Identified in the Specific Plan FEIR*

Seismicity and Seismic Hazards

The Specific Plan area is not located within a state-designated Alquist-Priolo Earthquake Fault Zone or a Santa Clara County Fault Hazard Zone. The Specific Plan area is not subject to fault rupture. The site is located in a seismically active region and, therefore, strong ground shaking would be

expected during the lifetime of the Specific Plan development. In addition, the Specific Plan area is located within a state- and county-designated Liquefaction Hazard Zone and there is a potential for lateral spreading on-site.

Consistent with the requirements of the City of Santa Clara and existing regulations, future development and improvements, under the proposed Specific Plan would be required to submit a design-level geotechnical engineering study to the City for review and approval prior to the issuance of building and grading permits. The applicants for specific development projects shall comply with the specific design measures (including measures to address seismicity and seismic hazards, liquefaction, and lateral spreading) of the geotechnical report to ensure building integrity.

Future development, in compliance with existing regulations, would not exacerbate seismicity and seismic hazard conditions such that it would impact (or worsen) off-site conditions.

Soil and Groundwater Hazards

Soil Hazards

While the Specific Plan area is relatively flat and would not be exposed to landslides hazards, construction activities for buildings and public improvements could result in soil erosion or loss of topsoil. Future development under the Specific Plan would be required to implement a Storm Water Pollution Prevention Plan (SWPPP) under the National Pollutant Discharge Elimination System (NPDES) General Construction Permit and conform with grading and excavation requirements in the City Code to control erosion and sedimentation.

In addition, the Specific Plan area includes moderate to highly expansive soils which could damage the future buildings and improvements on-site without the incorporation of appropriate engineering into the grading and foundation design. Consistent with the requirements of the City of Santa Clara and existing regulations and as identified in the Specific Plan FEIR, future developments and improvements under the Specific Plan shall be required to submit a design-level geotechnical engineering study to the City for review and approval prior to the issuance of building and grading permits. The applicants for specific development projects shall comply with the specific design measures (including measures to address expansive soils) of the geotechnical report to ensure building integrity. Future development, in compliance with existing regulations, would not exacerbate expansive soil conditions such that it would impact (or worsen) off-site conditions.

Groundwater Hazards

Groundwater in the Specific Plan area has been recorded at a depth of approximately five to seven feet bgs. Future development under the Specific Plan could include excavation or structures (e.g., parking garages or basement levels) that would be below existing groundwater levels and could encounter groundwater during construction.

Consistent with the requirements of the City of Santa Clara and existing regulations, future developments and improvements under the Specific Plan shall be required to submit a design-level

geotechnical engineering study to the City for review and approval prior to the issuance of building and grading permits. The applicants for specific development projects shall comply with the specific design measures (including measures to address dewatering) of the geotechnical report to ensure building integrity. The Specific Plan FEIR determined that compliance with existing regulations would not exacerbate groundwater conditions such that it would impact (or worsen) off-site conditions.

Septic Tanks

Future development under the Specific Plan would connect to the existing sanitary sewer system. No septic tanks or alternative wastewater disposal systems is required for the buildout of the Specific Plan.

Paleontological Resources⁴⁸

The Specific Plan area is situated on alluvial fan deposits of the Holocene age. These sediments have low potential to yield fossil resources or to contain significant nonrenewable paleontological resources. These deposits, however, overlie sediments of older Pleistocene sediments with high potential to contain paleontological resources, which are found at depths of 25 feet or more below the ground surface.⁴⁹

4.7.2.2 *Geology and Soils Impacts Resulting from the Proposed Project*

Impact GEO-1:	The project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; strong seismic ground shaking; seismic-related ground failure, including liquefaction; or landslides. [Same Impact as Approved Project (Less than Significant Impact)]
---------------	--

As discussed in *Section 4.7.1.2* of this document, the Specific Plan area is not located within a state-designated Alquist-Priolo Earthquake Fault Zone or a Santa Clara County Fault Hazard Zone; therefore, the Specific Plan area is not subject to fault rupture. Since the project site is located within one of the most seismically active areas in the U.S., strong to very strong ground shaking would be expected to occur at the project site during a major earthquake which could threaten the welfare of the occupants within the Specific Plan developments. As mentioned previously, the site is located within a liquefaction zone. The Eastside Drainage Swale and Guadalupe River levees have all been engineered and, therefore, are not anticipated to be subject to lateral spreading.

⁴⁸ Since approval of the Specific Plan FEIR, the California Governor's Office of Planning and Research (OPR) issued a new CEQA checklist on December 28, 2018. The checklist question related to paleontological resources was removed from the Cultural Resources checklist and added to the Geology and Soils checklist.

⁴⁹ Helley, E.J. Preliminary Contour Map Showing Elevation of Surface of Pleistocene Alluvium under Santa Clara Valley, California. U.S. Geological Survey Open File Report 90-633. 1990.

Consistent with the requirements of the City of Santa Clara and existing regulations and as identified in the Specific Plan FEIR, future development and improvements, under the Specific Plan shall be required to submit a design-level geotechnical engineering study to the City for review and approval prior to the issuance of building and grading permits. Consistent with the Specific Plan FEIR, the applicants for specific development projects shall comply with the specific design measures (including measures to address seismicity and seismic hazards, liquefaction, and lateral spreading) of the geotechnical report to ensure building integrity.

By complying with existing regulations, the proposed project would not expose people or structures to substantial adverse effects due to ground shaking. The project would not exacerbate existing geological hazards on-site such that it would impact (or worsen) off-site geological and soil conditions. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact GEO-2:	The project would not result in substantial soil erosion or the loss of topsoil. [Same Impact as Approved Project (Less than Significant Impact)]
---------------	---

As discussed in the Specific Plan FEIR, future development proposed under the Specific Plan would be required to implement a SWPPP under the NPDES General Construction Permit and conform with grading and excavation requirements in the City Code to control erosion and sedimentation. With implementation of these measures, the potential for soil erosion or loss of topsoil would be less than significant. **[Same Impact as Approved Project (Less than Significant Impact)]**

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

Due to the flat topography of the Specific Plan area, the potential for landslides on-site is low. As discussed under Impact GEO-1, the Specific Plan area is located within a liquefaction zone. The Eastside Drainage Swale and Guadalupe River levees have all been engineered and, therefore, are not anticipated to be subject to lateral spreading or landslides. Consistent with the requirements of the City of Santa Clara and existing regulations, future developments under the proposed Specific Plan shall be required to submit a design-level geotechnical engineering study to the City for review and approval prior to the issuance of building and grading permits. While soils on-site have moderate to high expansion potential, the applicants for specific development projects would be required to comply with the specific design measures (including measures to address seismicity and seismic hazards, liquefaction, and lateral spreading) of the geotechnical report to ensure building integrity. With implementation of City requirements and existing regulations, the proposed project would not result in destabilization of the project site as a result of on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse consistent with the Specific Plan FEIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

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

Soils within the Specific Plan area consist of moderate to high expansion potential. Expansive soil conditions could potentially damage the future development on-site without the incorporation of appropriate engineering into the grading and foundation design. Consistent with the requirements of the City of Santa Clara and existing regulations and as identified in the Specific Plan FEIR, future developments proposed under the Specific Plan shall be required to submit a design-level geotechnical engineering study to the City for review and approval prior to the issuance of building and grading permits. The applicants for specific development projects shall comply with the specific design measures (including measures to address expansive soils) of the geotechnical report to ensure building integrity. Therefore, the project would not result in substantial direct or indirect risks to life or property. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact GEO-5:	The project would not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. [Same Impact as Approved Project (Less than Significant Impact)]
---------------	--

Consistent with the Specific Plan FEIR, the proposed project would connect to the existing sanitary sewer system; therefore, no septic tanks or alternative wastewater disposal systems are required for buildout of the Specific Plan. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact GEO-6:	The project would not directly or indirectly destroy a unique paleontological resource or site or unique geological feature. [Same Impact as Approved Project (Less than Significant Impact with Mitigation Incorporated)]
---------------	--

Future development projects within the Specific Plan area that include excavation to depths of 25 feet or more have the potential to disturb Pleistocene sediments and would require a qualified paleontologist to monitor all grading and/or excavation. Consistent with the Specific Plan FEIR, the proposed project would be required to implement mitigation measure MM CUL-2.1 to reduce construction impacts to paleontological resources. With implementation of the identified mitigation measure, implementation of the proposed project would have a less than significant paleontological resources impact. **[Same Impact as Approved Project (Less Than Significant Impact with Mitigation Incorporated)]**

4.8 Greenhouse Gas Emissions

The project proposes to amend the approved Specific Plan to accommodate up to 1,500 additional dwelling units, approximately 20,000 square feet of additional retail, 20,000 square feet of co-working space, and a 10,000-square foot daycare.

4.8.1 Impact Discussion

Would the project:	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less then Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
1) Generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment?	☒	☐	☐	☐	☐
2) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs?	☒	☐	☐	☐	☐

Since approval of the Specific Plan FEIR, the City of Santa Clara adopted the updated Climate Action Plan (2022 CAP) on June 7, 2022, which is considered a qualified GHG reduction strategy. The project's impact on GHG emissions is discussed in the SEIR. No further analysis is provided in the Initial Study.

4.9 Hazards and Hazardous Materials

4.9.1 Environmental Setting

4.9.1.1 *Regulatory Framework*

Overview

The storage, use, generation, transport, and disposal of hazardous materials and waste are highly regulated under federal and state laws. In California, the EPA has granted most enforcement authority over federal hazardous materials regulations to the California Environmental Protection Agency (CalEPA). In turn, local agencies have been granted responsibility for implementation and enforcement of many hazardous materials regulations under the Certified Unified Program Agency (CUPA) program.

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

Federal and State

Federal Aviation Regulations Part 77

Federal Aviation Regulations, Part 77 Objects Affecting Navigable Airspace (FAR Part 77) sets forth standards and review requirements for protecting the airspace for safe aircraft operation, particularly by restricting the height of potential structures and minimizing other potential hazards (such as reflective surfaces, flashing lights, and electronic interference) to aircraft in flight. These regulations require that the Federal Aviation Administration (FAA) be notified of certain proposed construction projects located within an extended zone defined by an imaginary slope radiating outward for several miles from an airport's runways, or which would otherwise stand at least 200 feet in height above the ground.

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, was enacted by Congress on December 11, 1980. This law created a tax on the chemical and petroleum industries and provided broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. Over five years, \$1.6 billion was collected and the tax went to a trust fund for cleaning up abandoned or uncontrolled hazardous waste sites. CERCLA accomplished the following objectives:

- Established prohibitions and requirements concerning closed and abandoned hazardous waste sites;
- Provided for liability of persons responsible for releases of hazardous waste at these sites; and
- Established a trust fund to provide for cleanup when no responsible party could be identified.

The law authorizes two kinds of response actions:

- Short-term removals, where actions may be taken to address releases or threatened releases requiring prompt response; and
- Long-term remedial response actions that permanently and significantly reduce the dangers associated with releases or threats of releases of hazardous substances that are serious, but not immediately life-threatening. These actions can be completed only at sites listed on the EPA's National Priorities List.

CERCLA also enabled the revision of the National Contingency Plan (NCP). The NCP provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The NCP also established the National Priorities List. CERCLA was amended by the Superfund Amendments and Reauthorization Act on October 17, 1986.⁵⁰

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA), enacted in 1976, is the principal federal law in the United States governing the disposal of solid waste and hazardous waste. RCRA gives the EPA the authority to control hazardous waste from the “cradle to the grave.” This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also sets forth a framework for the management of non-hazardous solid wastes.

The Federal Hazardous and Solid Waste Amendments (HSWA) are the 1984 amendments to RCRA that focused on waste minimization, phasing out land disposal of hazardous waste, and corrective action for releases. Some of the other mandates of this law include increased enforcement authority for the EPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program.⁵¹

⁵⁰ United States Environmental Protection Agency. “Superfund: CERCLA Overview.” Accessed November 23, 2022.

<https://www.epa.gov/superfund/superfund-cercla-overview>.

⁵¹ United States Environmental Protection Agency. “Summary of the Resource Conservation and Recovery Act.” Accessed November 23, 2022. <https://www.epa.gov/laws-regulations/summary-resource-conservation-and-recovery-act>.

Government Code Section 65962.5

Section 65962.5 of the Government Code requires CalEPA to develop and update a list of hazardous waste and substances sites, known as the Cortese List. The Cortese List is used by state and local agencies and developers to comply with CEQA requirements. The Cortese List includes hazardous substance release sites identified by the Department of Toxic Substances Control (DTSC) and State Water Resources Control Board (SWRCB).⁵²

Toxic Substances Control Act

The Toxic Substances Control Act (TSCA) of 1976 provides the EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. Certain substances are generally excluded from TSCA, including, among others, food, drugs, cosmetics, and pesticides. The TSCA addresses the production, importation, use, and disposal of specific chemicals including polychlorinated biphenyls (PCBs), asbestos, radon, and lead-based paint (LBP).

Asbestos-Containing Materials

Friable asbestos is any asbestos-containing material (ACM) that, when dry, can easily be crumbled or pulverized to a powder by hand, allowing the asbestos particles to become airborne. Common examples of products that have been found to contain friable asbestos include acoustical ceilings, plaster, wallboard, and thermal insulation for water heaters and pipes. Common examples of non-friable ACMs are asphalt roofing shingles, vinyl floor tiles, and transite siding made with cement. The EPA began phasing out use of friable asbestos products in 1973 and issued a ban in 1978 on manufacture, import, processing, and distribution of some asbestos-containing products and new uses of asbestos products.⁵³ The EPA is currently considering a proposed ban on on-going use of asbestos.⁵⁴ National Emission Standards for Hazardous Air Pollutants (NESHAP) guidelines require that potentially friable ACMs be removed prior to building demolition or remodeling that may disturb the ACMs.

CCR Title 8, Section 1532.1

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

⁵² California Environmental Protection Agency. "Cortese List Data Resources." Accessed November 23, 2022. <https://calepa.ca.gov/sitecleanup/corteselist/>.

⁵³ United States Environmental Protection Agency. "EPA Actions to Protect the Public from Exposure to Asbestos." Accessed November 23, 2022. <https://www.epa.gov/asbestos/epa-actions-protect-public-exposure-asbestos>

⁵⁴ Ibid.

Regional and Local

Municipal Regional Permit Provision C.12.f

Polychlorinated biphenyls (PCBs) were produced in the United States between 1955 and 1978 and used in hundreds of industrial and commercial applications, including building and structure materials such as plasticizers, paints, sealants, caulk, and wood floor finishes. In 1979, the EPA banned the production and use of PCBs due to their potential harmful health effects and persistence in the environment. PCBs can still be released to the environment today during demolition of buildings that contain legacy caulks, sealants, or other PCB-containing materials.

With the adoption of the San Francisco Bay Region Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) Permit (MRP) by the San Francisco Bay Regional Water Quality Control Board on November 19, 2015, Provision C.12.f requires that permittees develop an assessment methodology for applicable structures planned for demolition to ensure PCBs do not enter municipal storm drain systems.⁵⁵ Municipalities throughout the Bay Area are currently modifying demolition permit processes and implementing PCB screening protocols to comply with Provision C.12.f. Buildings constructed between 1950 and 1980 that are proposed for demolition must be screened for the presence of PCBs prior to the issuance of a demolition permit. Single family homes and wood-frame structures are exempt from these requirements.

City of Santa Clara 2010-2035 General Plan

General Plan policies applicable to hazard and hazardous materials include, but are not limited to, those listed below.

Policy	Description
5.10.5-P23	Require appropriate clean-up and remediation of contaminated sites.
5.10.5-P24	Protect City residents from the risks inherent in the transport, distribution, use and storage of hazardous materials.
5.10.5-P25	Use Best Management Practices to control the transport of hazardous substances and to identify appropriate haul routes to minimize community exposure to potential hazards.
5.10.5-P29	Continue to refer proposed projects located within the Airport Influence Area to the Airport Land Use Commission.
5.10.5-P30	Review the location and design of development within Airport Land Use Commission jurisdiction for compatibility with the Airport Land Use Compatibility Plan.
5.10.5-P32	Encourage all new projects within the Airport Influence Area to dedicate an aviation easement.
5.10.5-P33	Limit the height of structures in accordance with the Federal Aviation Administration Federal Aviation Regulations, FAR Part 77 criteria.

⁵⁵ California Regional Water Quality Control Board. *San Francisco Bay Region Municipal Regional Stormwater NPDES Permit*. November 2015.

Santa Clara Emergency Operations Plan

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

4.9.1.2 *Existing Conditions*

Historic Uses

Based on the Screening Level Phase I Environmental Site Assessment prepared by *Cornerstone Earth Group, Inc.*, for the Specific Plan, the project site historically consisted mainly of agricultural land including row crops and orchards. Three residences with associated outbuildings and 11 apparent farm laborer dwellings were previously located on the western portion of the site. By 1974, the former residential structures had been removed and the existing on-site roadways had been constructed. The project site was developed with the existing on-site structures between the late 1970's and 1990's.

Based on a review of historical resources, the Specific Plan area was utilized for agricultural production from as early as the 1930s to the 1960s and 1970s. As a result, local soils may have been impacted by agricultural contaminants, such as lead and pesticides, used within the project site. In addition, pesticides that have partially broken down over time may have released heavy metals into the soil.

Soil and Groundwater Contamination

Hazardous materials are commonly used by large institutions, industrial, commercial, and agricultural businesses. Hazardous materials include a broad range of common substances such as motor oil and fuel, pesticides, detergents, paint, and solvents. A substance may be considered hazardous if, due to its chemical and/or physical properties, it poses a substantial hazard to the environment when it is improperly treated, stored, transported, disposed, or released into the atmosphere in the event of an accident. Many of the existing on-site businesses are likely to use and store hazardous materials, including several machine shops, metal finishing and plating businesses, and electronics manufacturers, along with a data center and glass blowing facility.

Leaking Underground Storage Tank (LUST) Cases

Known sources of hazardous material contamination within or near the project area in the past, as in most cities in the Bay Area, are the result of LUSTs. There is one known LUST case located at 2200 Calle De Luna (Bill Doran Company) which was closed by the Valley Water in 1995. A 2,000-gallon gasoline underground storage tank (UST) was removed from the site in 1988. The sampling event

from 2015 reported residual total petroleum hydrocarbons (TPH) as gasoline (TPHg) and benzene concentrations still present at the property.

Spills, Leaks, Investigations, and Cleanup (SLIC) Sites

Four on-site properties were identified on the Regional Water Quality Control Board's (RWQCB) SLIC database. Of the four on-site SLIC, three are currently identified as open cases.

The SLIC case at 2339 Calle Del Mundo was closed by the RWQCB in 1997; however, residual concentrations of volatile organic compounds (VOCs) remained in soil and groundwater that pose a potential vapor intrusion concern. The VOC impacted groundwater appears to have migrated below the northerly adjacent landfill property (current golf course).

VOCs also were identified in groundwater at 2301 Calle De Luna and have migrated below the easterly adjacent on-site parcel at 2281 Calle De Luna. This open SLIC case is currently being overseen by the RWQCB.

The two remaining on-site SLIC cases at 2278 Calle De Luna (Coatek, Inc.) and 2220 & 2222 Calle De Luna (Air Flight Service) are being overseen by the Santa Clara County Department of Environmental Health (DEH). The Air Flight Service property was found to have elevated levels of TPH as diesel (TPHd) that are unrelated to the prior film processing done on the property. The Coatek property was found to have elevated nickel and copper concentrations related to the industrial land use activities on the site. Oil, grease, trichloroethene (TCE), TPH as motor oil (TPHmo), hexavalent chromium, and benzene concentrations were also found to be elevated above residential screening levels. As described above, both facilities entered into Voluntary Cleanup Agreements with DEH.

All Purpose Landfill

The former Santa Clara All Purpose Landfill (landfill) is an approximately 136.0-acre closed municipal landfill located adjacent to the project site. Portions of the landfill have been converted into a public golf course, and the remainder is open space. The landfill consists of four parcels: 1, 2, 3/6, and 4. Parcel 2 is located adjacent to the north of the Specific Plan area and Parcel 4 is across Lafayette Street to the west. Parcels 1 and 3/6 are located further to the north and northwest. Parcels 2 and 4 were both constructed without clay liners. All parcels include a landfill gas collection system consisting of 75 active vertical extraction wells connected by horizontal laterals to a landfill gas-to-energy flare system.

Groundwater beneath the landfill, primarily on parcel 4, is impacted with VOCs. The primary VOCs detected in groundwater samples collected during the first quarter of 2016 were 1,1 dichloroethene, *cis*-1,2-dichloroethene, *trans*-1,2-dichloroethene, TCE, and vinyl chloride. The area of VOC impacted on Parcel 4 is located cross-gradient from the site with respect to groundwater flow direction (northeast) and, therefore, is not expected to have migrated below the site.

Two groundwater monitoring wells are located on the southern border of the landfill (Parcel 2) and immediately north of the Specific Plan area. Low concentrations of VOCs have been detected in groundwater from both monitoring wells, one of which is located down-gradient of 2339 Calle Del Mundo, an identified SLIC site discussed above.

Landfill gas investigations were conducted at the landfill and identified several VOCs in landfill gas. Benzene, ethylbenzene, and vinyl chloride were reported in landfill gas at concentrations exceeding residential and commercial Environmental Screening Levels (ESLs).

Hazardous Materials Use, Storage, and Disposal

Several regulatory agency databases provide information on hazardous material use, storage, and disposal within Santa Clara. Most of the light industrial and commercial uses within the project area were listed on regulatory databases as using, storing, or disposing of hazardous materials on-site. Six sites were listed on the Envirostor database which indicates that these facilities were subject to the Department of Toxic Substances Control's (DTSC) tiered permit program for hazardous waste treatment or storage. The "facility status" for one of the sites, Paragon Electronics, is listed as "No Action Needed." For each of the five remaining facilities, the status is listed as "inactive-needs evaluation." These listings are an indication that hazardous wastes were generated and treated at these facilities; however, these listings are not necessarily an indication that releases have occurred.

The storage, use, or disposal of hazardous materials at a site can result in contamination of soil and/or groundwater; a thorough site reconnaissance, a more detailed review of site history, and/or soil and groundwater sampling would be necessary to determine if use, storage, or disposal of hazardous materials have affected subsurface conditions at a particular site.

Hazardous Building Materials

Hazardous materials are commonly found in building materials that may be affected during demolition and renovation activities associated with redevelopment of the project site. Prior to 1978, lead compounds were commonly used in interior and exterior paints. Prior to the 1980s, building materials often contained asbestos fibers, which were used to provide strength and fire resistance. Building demolition can release lead particles and/or asbestos fibers into the air, where they may be inhaled by construction workers and the general public. Many structures on-site were built prior to the 1970s and are likely to contain asbestos and lead-based building materials. Other common hazardous materials include fluorescent lighting, electrical switches, heating/cooling equipment, chemically-treated wood, and thermostats, which may pose a health risk if not handled and disposed of properly.

Other Hazards

The Specific Plan area is not located within two miles of a public airport. The Specific Plan area is not located within a very high fire hazard severity zone. The Specific Plan area, however, is within

the Airport Influence Area (AIA) of the Norman Y. Mineta San José International Airport. The FAR Part 77 airspace notification surface over the project site ranges from approximately 175 feet to 185 feet above ground level from the southerly end to the northerly end of the site, respectively. Buildings above 175 feet would require FAA review for a determination of “no hazard”.

4.9.2 Impact Discussion

Would the project:	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
1) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒	☐
2) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☐	☒	☐
3) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒	☐
4) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒	☐
5) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒	☐
6) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒	☐
7) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	☐	☒	☐

4.9.2.1 *Hazards and Hazardous Materials Impacts Identified in the Specific Plan FEIR*

Impacts from On-Site Hazardous Materials

Given the industrial use of the site and prior agricultural uses and LUST case, residual hazardous materials contamination is anticipated to be present on-site which could be disturbed by the approved project.

Impact HAZ-1: Existing hazardous materials contamination in soils and groundwater on the site has the potential to impact construction workers and adjacent land uses if disturbed during demolition or construction of new buildings and structures on the site. **(Significant Impact)**

Mitigation Measures: As conditions of approval to redevelop a site within the Specific Plan area, the project proponent shall implement the following mitigation measures to reduce impacts from hazardous materials to a less than significant level:

MM HAZ-1.1: Prior to the start of any demolition or construction activity, a property-specific Phase I ESA shall be completed in accordance with ASTM Standard Designation E 1527-13 (or most recent version) to identify Recognized Environmental Conditions, evaluate the property history, identify active and abandoned wells, and establish if the property is likely to have been impacted by chemical releases. Soil, soil vapor and/or groundwater quality studies shall subsequently be conducted, if warranted based on the findings on the property-specific Phase I ESAs to evaluate if mitigation measures are needed to protect the health and safety of site occupants. All site mitigation measures identified in the property-specific Phase I and II ESAs shall be completed under the oversight of an appropriate regulatory agency, such as the DEH, DTSC, or RWQCB. Any required cleanup/remediation of the site during development activities shall meet all applicable federal, state and local laws, regulations, and requirements. The project applicant shall provide the appropriate oversight agency's written approval of the site mitigation measures to the City of Santa Clara prior to the issuance of a demolition and/or grading permit.

MM HAZ-1.2: At properties where VOCs are identified as contaminants of concern (COC), the potential for vapor intrusion shall be evaluated. A Vapor Intrusion Investigation Work Plan shall be submitted to the overseeing regulatory agency for review and approval. The plan shall include soil vapor sampling for VOCs in areas of concern. The soil vapor sampling shall be conducted in conformance with DTSC's July 2015 advisory titled *Active Soil Gas Investigations*. A minimum of two soil vapor sampling events (with soil vapor concentrations less than the most conservative residential or commercial

screening levels – as appropriate) is required to document that mitigation measures are not required; additional sampling events may be required by the overseeing regulatory agency.

MM HAZ-1.3: The need for vapor intrusion mitigation measures will be dependent upon the planned building design and the results of the Vapor Intrusion Investigation. Prior to redevelopment of the site, a report assessing the potential for vapor intrusion shall be submitted to and approved by the overseeing regulatory agency. The assessment shall be conducted in general conformance with DTSC's *Guidance for the Evaluation and Mitigation of Subsurface Vapor Intrusion to Indoor Air (Vapor Intrusion Guidance)* dated October 2011.

MM HAZ-1.4: Prior to the start of any construction activity on properties with known contaminants of concern (COC) exceeding the lower of the then-current DTSC, the RWQCB or Environmental Protection Agency (EPA) residential screening levels, the project proponent shall submit the following plans to the overseeing regulatory agency for review and approval:

- *Corrective Action Plan.* An appropriate corrective action plan (e.g. remedial action plan, removal action workplace, etc.) shall be prepared that reflects the results of the above investigations. Site cleanup levels presented in the plan shall be based on a target cancer risk of 0.00001 or, for non-carcinogens, a target hazard quotient (THQ) of 1.0. The lower of the then-current DTSC, RWQCB, or EPA residential screening levels shall be used to interpret the TR and THQ levels or, alternatively, a site-specific human health risk assessment shall be prepared and approved by the overseeing regulatory agency. Higher cleanup goals may be acceptable, if approved in writing by the oversight agency. The project applicant shall provide an oversight agency's written approval of the corrective action plan to the City of Santa Clara prior to issuance of a demolition and/or grading permit. Leaving contaminated soil (above residential screening levels and, for metals, above background concentrations) in-place or re-using contaminated soil shall require the oversight agency's written approval. At a minimum, if contaminated soil is left in-place, a deed restriction or land use covenant shall detail the location of the soil. This document shall include a surveyed map of the location of the impacted soil and shall restrict future excavation in the impacted area unless approved in writing by an oversight agency.
- *Air Monitoring Plan.* This plan shall assess the potential for exposure of construction workers and neighboring occupants adjoining the property to COCs during construction activities; this plan shall specify measures to be implemented if COC concentrations exceed threshold values.

- *Vapor Intrusion Mitigation Plan and Associated Documents.* If the Vapor Intrusion Investigation identifies the need for mitigation measures, a Vapor Intrusion Mitigation Plan shall be prepared that describes the measures to be a result of vapor intrusion. The Vapor Intrusion Mitigation Plan will require the project applicant to design the proposed occupied spaces with appropriate structural and engineering features to reduce risk of vapor intrusion into buildings. At a minimum, this design shall include: 1) passive sub-slab ventilation with a spray applied vapor barrier (And with the ability to convert the system from passive to active ventilation), 2) monitoring to ensure the long-term effectiveness of the remedy, and 3) the implementation of institutional controls. Other designs would be acceptable is approved in writing by the overseeing regulatory agency. The Vapor Intrusion Mitigation Plan shall be submitted for agency review and approval. DTSC's October 2011 *Vapor Intrusion Mitigation Advisory* provides useful guidance in selecting, designing, and implementing appropriate response actions for sites where a potential vapor intrusion risk has been identified. A completed report shall be submitted to the overseeing regulatory agency upon completion of construction of the mitigation system. The report shall document installation of the vapor control measures identified in the Vapor Intrusion Mitigation Plan and present final as-built design drawings. A Long-Term Operations, Maintenance, and Monitoring Plan (OMMP) also shall be submitted for agency approval that presents the actions to be taken following construction to maintain and monitor the vapor intrusion mitigation system, and a contingency plan should the vapor mitigation system fail. A financial assurance mechanism shall additionally be established (i.e. proof that adequate funds are available for long-term maintenance and monitoring of the vapor intrusion mitigation system) and described in the OMMP.

MM HAZ-1.5:

A Site Management Plan (SMP) and Health and Safety Plan (HSP) shall be developed to establish appropriate management practices for handling and monitoring of impacted soil, soil vapor, and groundwater that potentially may be encountered during construction activities. The SMP shall be prepared by an Environmental Professional and be submitted to the overseeing regulatory agency (e.g. RWQCB, DTSC and/or DEH) for review and approval prior to commencing construction activities. The SMP also shall be provided to the City of Santa Clara. Prior to the start of any construction activity that involves below ground work (i.e. mass grading, foundation construction, excavating or utility trenching), information regarding site risk management procedures, including copies of the HSP and SMP, shall be provided to the contractors for their review, and each contractor shall provide such information to its subcontractors. The SMP and HSP measures shall be incorporated into the project design documents:

- Site control procedures to control the flow of personnel, vehicles and materials in and out of the site;
- Measures to minimize dust generation, stormwater runoff and tracking of soil off-site;
- Protocols for conducting earthwork activities in areas where impacted soil, soil vapor and/or groundwater are present or suspected. Worker training requirements, health and safety measures and material handling procedures shall be described;
- Perimeter air monitoring for dust during any activity that significantly disturbs impacted site soil (i.e. mass grading, foundation construction, excavating or utility trenching) to document the effectiveness of dust control measures;
- Protocols to be implemented if buried structures, wells, debris, or unidentified areas of impacted soil are encountered during site development activities;
- Protocols to characterize/profile soil suspected of being contaminated so appropriate mitigation, disposal or reuse alternatives, if necessary, can be implemented. Soil in contact with impacted groundwater shall be assumed contaminated. All soil excavated and transported from this site shall be appropriately disposed of at a permitted facility;
- Stockpiling protocols for “clean” and “impacted” soil;
- Decontamination procedures to reduce the potential for construction equipment and vehicles to release contaminated soil onto public roadways or other off-site transfer;
- Procedures to evaluate and document the quality of any soil imported to the site. Soil containing chemicals exceeding residential (unrestricted use) screening levels or typical background concentrations of metals shall not be accepted. The DTSC’s Clean Fill Advisory (October 2001 or latest version) provides useful guidance on evaluating imported fill;
- Methods to monitor excavations and trenches for the potential presence of VOC impacted vapors. Mitigation protocols shall be developed and implemented in the event elevated VOC vapors are released during excavation activities that may pose a risk to construction worker health and/or risk to the health of occupants of neighboring properties;
- Protocols to evaluate if the residual contaminants will adversely impact the integrity of below ground utility lines and/or structures (i.e. the potential for corrosion due to subsurface contamination)
- Measures to reduce soil vapor and groundwater migration through trench backfill and utility conduits. Such measures shall include placement of low-permeability backfill “plugs” at specified intervals on-

site and at all locations where the utility trenches (within impacted soil or groundwater) extend off-site. In addition, utility conduits that are placed below groundwater shall be installed with water-tight fittings to reduce the potential for groundwater to migrate into the conduits.

- Measures to help reduce the potential for the downward migration of contaminated groundwater if deep foundation systems are proposed. These measures shall be identified in the geotechnical investigation report and implemented as part of the development plans.

MM HAZ-1.6: The project applicant's environmental professional shall assist in the implementation of the SMP and shall, at a minimum, perform part-time observation services during demolition, excavation, grading and trenching activities. Upon completion of construction activities, the environmental professional shall prepare a report documenting compliance with the SMP; this report shall be submitted to the oversight regulatory agency and the City of Santa Clara.

Implementation of the identified mitigation measures above would ensure that development under the approved Specific Plan would not exacerbate existing unknown hazardous materials contamination that may be present in the Specific Plan area.

ACMs and LBP

Given the age of the existing on-site buildings, structures on the project site were determined to have been constructed using materials containing asbestos such as mastics in flooring and roofing materials. LBP also may have been used on existing structures that would be demolished or modified under the approved project.

Demolition or construction of structures on the project site could expose construction workers or residents in the vicinity of the project site to harmful levels of ACMs or lead.

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

- In conformance with State and local laws, a visual inspection/pre-demolition survey, and possible sampling, shall be conducted prior to the demolition of on-site buildings to determine the presence of asbestos-containing materials.
- All potentially friable ACMs shall be removed in accordance with National Emission Standards for Hazardous Air Pollutants (NESHAP) guidelines prior to any building demolition or renovation that may disturb the materials. All demolition activities will be undertaken in accordance with Cal/OSHA standards contained in Title 8 of CCR, Section 1529, to protect workers from exposure to asbestos.

- A registered asbestos abatement contractor shall be retained to remove and dispose of ACMs identified in the asbestos survey performed for the site in accordance with the standards stated above.
- Materials containing more than one percent asbestos are also subject to Bay Area Air District (formerly known as the Bay Area Air Quality Management District) regulations. Removal of materials containing more than one percent asbestos shall be completed in accordance with Bay Area Air District requirements.

Any ACMs or LBP found to be present in buildings or structures proposed for demolition will be removed in accordance with uniformly applied federal, state, and local regulations to ensure worker safety.

Airport Safety Hazards

The project site is located approximately 2.5 miles northwest from the Norman Y. Mineta San José International Airport. Federal Aviation Regulations, Part 77, “Objects Affecting Navigable Airspace” (referred to as FAR Part 77) sets forth standards and review requirements for protecting the airspace for safe aircraft operation, particularly by restricting the height of potential structures and minimizing other potential hazards to aircraft such as reflective surfaces, flashing lights, and electronic interference. These regulations require that the FAA be notified of certain proposed construction projects located within an extended zone defined by an imaginary slope radiating outward for several miles from an airport’s runways, or which would otherwise stand at least 200 feet in height above ground. The approved Specific Plan allows building heights up to 220 feet above ground which would be subject to ALUC and FAA review.

The FAR Part 77 airspace notification surface over the project site ranges from approximately 175 feet to 185 feet above ground level from the southerly end to the northerly end of the site, respectively. Notification to the FAA would therefore be required for proposed structures that would exceed this airspace surface. As mentioned previously, the City would submit the Specific Plan for a determination of consistency to the ALUC, given that the Plan Area is located within the Airport Influence Area (AIA), as defined by the Airport’s CLUP. Consistent with County Airport Land Use Commission (ALUC) and City General Plan policy, FAA issuance of “no hazard” determinations, with any conditions set forth in an FAA no-hazard determination also incorporated into the City’s development permit, would ensure that development under the approved Specific Plan was not found to be a hazard to aircraft operation. No buildings would be constructed above the notification surface without this prior documentation.

Impacts to Schools

The Specific Plan is approximately 0.1 miles northwest of Kathryn Hughes Elementary School. Future residents, employees, and students on-site would likely use and store small quantities of common household hazardous wastes (i.e., ammonia, paints, oils) which would not be considered significant. Therefore, the approved project would not use or emit significant quantities of hazardous materials that would have any effect on Kathryn Hughes Elementary School.

Development of a school on the site would require further environmental review to address any potential soil and groundwater contamination on the approved school site and the proximity of industrial uses, their potential hazardous materials use, and potential to impact the school operations and students. The approved residential and retail uses on-site would not use or emit significant quantities of hazardous materials that would have any effect on a school located within the approved Specific Plan area.

Emergency Operations Plan

The project site is located in a developed area and would not change the local roadway circulation pattern and access, or otherwise physically interfere with the Santa Clara Emergency Operations Plan or other emergency response or evacuation plan. The lack of modifications to the approved Specific Plan area access and general vehicular circulation through the Specific Plan area and considering no emergency facilities are present within the Plan Area would not affect the City's emergency operations.

Wildland Fires

The Specific Plan is not located in an area that is exposed to wildland fire hazards.

4.9.2.2 *Hazards and Hazardous Materials Impacts Resulting from the Proposed Project*

Impact HAZ-1:	The project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. [Same Impact as Approved Project (Less than Significant Impact)]
---------------	---

Any hazardous materials (e.g., debris or soil containing LBP or coatings) that would be removed from the site during project construction would be properly disposed of. As mentioned previously, there is residual hazardous materials contamination from existing and former uses of the site. The project applicant shall implement mitigation measures MM HAZ-1.1 through HAZ-1.6 listed above, which would reduce potential impacts associated with transporting and disposing of contaminated soil and other hazardous material to a less than significant level.

Additionally, the development under the Specific Plan would likely include the use and storage of cleaning supplies and maintenance chemicals in small quantities similar to operation of the existing buildings on-site. The small quantities of cleaning supplies and maintenance chemicals used on-site would not pose a risk to adjacent land uses.

Therefore, implementation of the proposed project would not result in new or more significant impacts from routine transport, use, or disposal of hazardous materials. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact HAZ-2:	The project would not 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. [Same Impact as Approved Project (Less than Significant Impact with Mitigation Incorporated)]
---------------	--

On-Site Contamination

The proposed project would not expand the Specific Plan area. As discussed in the Specific Plan FEIR, residual hazardous materials contamination is anticipated to be present on the site which could be disturbed by proposed new buildings and infrastructure. Consistent with the Specific Plan FEIR, the proposed project would be required to incorporate the mitigation measures MM HAZ-1.1 through MM HAZ-1.6 to reduce impacts from hazardous materials to a less than significant level. Therefore, the proposed project would not result in new or more significant impacts from reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. **[Same Impact as Approved Project (Less than Significant Impact with Mitigation Incorporated)]**

ACMs and LBP

Due to the age of the buildings on-site, it is reasonable to assume that ACMs and LBP materials are present on-site. Demolition of the existing structures on-site could expose construction workers or occupants of adjacent buildings to harmful levels of ACMs or lead. Consistent with the Specific Plan FEIR, the proposed project would be required to implement the measures identified above in *Section 4.9.2.1* to reduce potential hazardous materials impacts from demolition of buildings containing ACMs and LBP to construction workers, adjacent uses, and nearby residences to a less than significant level. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact HAZ-3:	The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. [Same Impact as Approved Project (Less than Significant Impact)]
---------------	---

As stated in the Specific Plan FEIR, although there are school sites near the project site, the Specific Plan land uses would not result in the release of hazards or hazardous materials which would affect school sites near the Specific Plan area. Additionally, the proposed project would not add uses to the Specific Plan area that would use or store hazardous materials in sufficient quantities (other than common cleaning chemicals) than what previously analyzed in the Specific Plan FEIR. Therefore, the proposed project would not result in new or more significant impacts from hazards or hazardous materials on nearby school sites. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact HAZ-4:	The project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment. [Same Impact as Approved Project (Less than Significant Impact)]
---------------	---

The Specific Plan area contains multiple sites on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.⁵⁶ The proposed project would add density within the existing approved plan area and would not result in expansion of the Specific Plan area. Nevertheless, the proposed project would be required to comply with the previously identified Specific Plan FEIR mitigation measures (mitigation measures MM HAZ-1.1 through MM HAZ-1.6) to address potential impacts. Therefore, the proposed project would not create a significant hazard to the public or the environment. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact HAZ-5:	The project would not be located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport. The project would not result in a safety hazard or excessive noise for people residing or working in the project area. [Same Impact as Approved Project (Less than Significant Impact)]
---------------	--

The proposed project would not expand beyond the boundaries of the Specific Plan area and would not be located closer to the airport or result in more safety hazards from airport operations. Additionally, the proposed project would still be required to comply with the FAR Part 77 and buildings over 175 feet to 185 feet tall, depending on their location within the Specific Plan area, would require ALUC and FAA review. The proposed project would not change the height limits of any structures and would remain consistent with the approved Specific Plan requirements; therefore, the proposed project would not result in new or more significant impacts from airport hazards. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact HAZ-6:	The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. [Same Impact as Approved Project (Less than Significant Impact)]
---------------	---

The project site is located in a developed area and would not change the local roadway circulation pattern and access, or otherwise physically interfere with the Santa Clara Emergency Operations Plan or other emergency response or evacuation plan. The proposed project would not modify the Specific Plan area access and general vehicular circulation through the Specific Plan area. As no emergency facilities are present within the Specific Plan area, the proposed project would not affect the City's emergency operations. Therefore, the proposed project would not result in new or more significant impacts to an adopted emergency response plan or emergency evacuation plan. **[Same Impact as Approved Project (Less than Significant Impact)]**

⁵⁶ CalEPA. "Cortese List Data Resources." Accessed January 27, 2023. <https://calepa.ca.gov/sitecleanup/corteselist>.

Impact HAZ-7:	The project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires. [Same Impact as Approved Project (Less than Significant Impact)]
---------------	--

The project site is located in a highly urbanized area in the City of Santa Clara. This area is not located within a Fire Hazard Severity Zone as designated by Cal Fire’s Fire and Resource Assessment Program.⁵⁷ Additionally, the proposed project would not expand the area of the Specific Plan nor would the project expose the Specific Plan area to greater risk of loss, injury, or death involving wildland fires. Therefore, the proposed project would not result in new or more significant impacts resulting from wildland fire hazards. **[Same Impact as Approved Project (Less than Significant Impact)]**

⁵⁷ California Department of Forestry and Fire Protection. Fire and Resource Assessment Program. Very High Fire Hazard Severity Zones in LRA: As Recommended by Calfire. October 8, 2008.

4.10 Hydrology and Water Quality

4.10.1 Environmental Setting

4.10.1.1 *Regulatory Framework*

Federal and State

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

Under Section 303(d) of the federal Clean Water Act, the SWRCB and RWQCBs are required to identify impaired surface water bodies that do not meet water quality standards and develop total maximum daily loads (TMDLs) for contaminants of concern. The list of the state's identified impaired surface water bodies, known as the "303(d) list" can be found on the RWQCB's website.⁵⁸

National Flood Insurance Program

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

Statewide Construction General Permit

The SWRCB has implemented an NPDES General Construction Permit for the State of California (Construction General Permit). For projects disturbing one acre or more of soil, a Notice of Intent (NOI) must be filed with the RWQCB by the project sponsor, and a SWPPP must be prepared by a qualified professional prior to commencement of construction and filed with the RWQCB by the project sponsor. The Construction General Permit includes requirements for training, inspections, record keeping, and, for projects of certain risk levels, monitoring. The general purpose of the

⁵⁸ San Francisco Regional Water Quality Control Board. "The 303(d) List of Impaired Water Bodies." Accessed August 25, 2022. https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/TMDLs/303dlist.html.

requirements is to minimize the discharge of pollutants and to protect beneficial uses and receiving waters from the adverse effects of construction-related storm water discharges.

Regional

San Francisco Bay Basin Plan

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

Municipal Regional Permit Provision C.3

The San Francisco Bay RWQCB re-issued the Municipal Regional Stormwater NPDES Permit (MRP) in May 2022 to regulate stormwater discharges from municipalities and local agencies (co-permittees) in Alameda, Contra Costa, San Mateo, and Santa Clara Counties, and the cities of Fairfield, Suisun City, and Vallejo.⁵⁹ Under Provision C.3 of the MRP, new and redevelopment projects that create or replace 5,000 square feet or more of impervious surface area are required to implement site design, source control, and Low Impact Development (LID)-based stormwater treatment controls to treat post-construction stormwater runoff. LID-based treatment controls are intended to maintain or restore the site's natural hydrologic functions, maximizing opportunities for infiltration and evapotranspiration, and using stormwater as a resource (e.g., rainwater harvesting for non-potable uses). The MRP also requires that stormwater treatment measures are properly installed, operated, and maintained.

In addition to water quality controls, the MRP requires new development and redevelopment projects that create or replace one acre or more of impervious surface to manage development-related increases in peak runoff flow, volume, and duration, where such hydromodification is likely to cause increased erosion, silt pollutant generation, or other impacts to local rivers, streams, and creeks. Projects may be deemed exempt from these requirements if: (1) the post-project impervious surface area is less than, or the same as, the pre-project impervious surface area; (2) the project is located in a catchment that drains to a hardened (e.g., continuously lined with concrete) engineered channel or channels or enclosed pipes, which extend continuously to the Bay, Delta, or flow controlled reservoir, or, in a catchment that drains to channels that are tidally influenced; or

⁵⁹ California Regional Water Quality Control Board San Francisco Region. Municipal Regional Stormwater NPDES Permit, Order No. R2-2022-0018, NPDES Permit No. CAS612008. May 11, 2022.

(3) the project is located in a catchment or subwatershed that is highly developed (i.e., that is 70 percent or more impervious).⁶⁰

Municipal Regional Permit Provision C.12.f

Provision C.12.f of the MRP requires co-permittee agencies to implement a control program for PCBs that reduces PCB loads by a specified amount during the term of the permit, thereby making substantial progress toward achieving the urban runoff PCBs wasteload allocation in the Basin Plan by March 2030.⁶¹ Programs must include focused implementation of PCB control measures, such as source control, treatment control, and pollution prevention strategies. Municipalities throughout the Bay Area are updating their demolition permit processes to incorporate the management of PCBs in demolition building materials to ensure PCBs are not discharged to storm drains during demolition. Buildings constructed between 1950 and 1980 that are proposed for demolition must be screened for the presence of PCBs prior to the issuance of a demolition permit. Single-family residential and wood frame structures are exempt.

Water Resources Protection Ordinance and District Well Ordinance

Valley Water operates as the flood control agency for Santa Clara County. Their stewardship also includes creek restoration, pollution prevention efforts, and groundwater recharge. Permits for well construction and destruction work, most exploratory boring for groundwater exploration, and projects within Valley Water property or easements are required under Valley Water's Water Resources Protection Ordinance and District Well Ordinance.

2021 Groundwater Management Plan

The 2021 Groundwater Management Plan (GWMP) describes Valley Water's comprehensive groundwater management framework, including existing and potential actions to achieve basin sustainability goals and ensure continued sustainable groundwater management. The GWMP covers the Santa Clara and Llagas subbasins, which are located entirely in Santa Clara County. Valley Water manages a diverse water supply portfolio, with sources including groundwater, local surface water, imported water, and recycled water. About half of the county's water supply comes from local sources and the other half comes from imported sources. Imported water includes the District's State Water Project and Central Valley contract supplies and supplies delivered by the San Francisco Public Utilities Commission (SFPUC) to cities in northern Santa Clara County. Local sources include natural groundwater recharge and surface water supplies. A small portion of the county's water supply is recycled water.

Local groundwater resources make up the foundation of the county's water supply, but they need to be augmented by the District's comprehensive water supply management activities to reliably

⁶⁰ The Hydromodification Applicability Maps developed the permittees under Order No. R2-2009-0074 were prepared using this standard, adjusted to 65 percent imperviousness to account for the presence of vegetation on the photographic references used to determine imperviousness. Thus, the maps for Order No. R2-2009-0074 are accepted as meeting the 70 percent requirement.

⁶¹ California Regional Water Quality Control Board San Francisco Region. *Municipal Regional Stormwater NPDES Permit, Order No. R2-2022-0018, NPDES Permit No. CAS612008*. May 11, 2022.

meet the county's needs. These include the managed recharge of imported and local surface water and in-lieu groundwater recharge through the provision of treated surface water and raw water, acquisition of supplemental water supplies, and water conservation and recycling.⁶²

Dam Safety

Dam failure is the uncontrolled release of impounded water behind a dam. Flooding, earthquakes, blockages, landslides, lack of maintenance, improper operation, poor construction, vandalism, and terrorism can all cause a dam to fail. Because dam failure that results in downstream flooding may affect life and property, dam safety is regulated at both the federal and state level. Dams under the jurisdiction of the California Division of Safety of Dams are identified in California Water Code Sections 6002, 6003, and 6004 and regulations for dams and reservoirs are included in the California Code of Regulations. In accordance with the state's Dam Safety Act, dams are inspected regularly and detailed evacuation procedures have been prepared for each dam.

As part of its comprehensive dam safety program, Valley Water routinely monitors and studies the condition of each of its 10 dams. SCVWD also has its own Emergency Operations Center and a response team that inspects dams after significant earthquakes. These regulatory inspection programs reduce the potential for dam failure.

Local

City of Santa Clara 2010-2035 General Plan

General Plan policies applicable to hydrology and water quality include, but are not limited to, those listed below.

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

⁶² Valley Water. 2021 *Groundwater Management Plan, Santa Clara and Llagas Subbasins*. November 2021.

Policies	Description
5.10.5-P20	Maintain, upgrade and replace storm drains throughout the City to reduce potential flooding.
5.10.5-P21	Require that storm drain infrastructure is adequate to serve all new development and is in place prior to occupancy.

City Code

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

4.10.1.2 *Existing Conditions*

Surface Water Quality

The storm drains that serve the project site drain to the Eastside Storm Retention Basin, the Eastside Pump Station, and the Eastside Drainage Swale which all, ultimately, lead to the Guadalupe River. Beneficial uses of Guadalupe River include habitat and recreation. The water quality of Guadalupe River is directly affected by pollutants contained in stormwater runoff from a variety of urban and non-urban uses. Stormwater from urban uses contains metals, pesticides, herbicides, and other contaminants, including oil, grease, asbestos, lead, animal wastes, and trash. Beneficial uses of Guadalupe River include habitat and recreation.

Groundwater

Groundwater in the Specific Plan area has been recorded at depths of approximately five to seven feet below ground surface (bgs). Groundwater generally flows in a northeasterly direction in the Specific Plan area. The groundwater elevations near water features in the site area may be elevated. Fluctuations in the level of subsurface water can occur due to variations in rainfall, temperature, and other factors.

Stormwater Drainage System

Storm drainage facilities in and around the Specific Plan area are owned and maintained by private property owners, the City of Santa Clara Department of Public Works, and the Valley Water. Private systems in the individual parcels typically discharge through 12- to 24-inch storm drain lines into public catch basins in the public rights-of-way. The public system consists of surface inlets and 12- to 33-inch storm drain lines in streets. The stormwater generally flows in a northeasterly direction to Calle Del Mundo and Calle De Luna. Stormwater flows are also conveyed in a 33-inch storm drain line that runs in the north-south section of Calle De Luna. The stormwater in the storm drain lines flow into the City's Eastside Drainage Swale in the northeast corner of the project site along the Guadalupe River's western levee. The Eastside Drainage Swale carries flows north to the Eastside

Retention Basin where it is pumped through the levee and into the Guadalupe River. The Guadalupe River, which is under SCVWD jurisdiction, flows to the San Francisco Bay.

The storm drain system serving the development area is not directly connected to surrounding systems and generally receives only local drainage. Surface runoff to the project site from the surrounding area comes from Lafayette Street and Tasman Drive, although some overflow from the existing storm drain system on Lafayette Street enters the area from the northwest. The system drains to the Eastside Drainage Swale to the east, combining local gravity drainage and discharges from the Tasman Pump Station, located south of Tasman Drive adjacent to the Ulistac Natural Area. In the existing condition during a one-percent storm event, stormwater runoff is unable to enter the storm drain system due to a lack of capacity, which causes the storm drain system to surcharge (pressurize) and force water out of the storm drain system through the open inlets and catch basins. Flooding from these stormwater spills is mostly contained within the street rights of way, and some overland flow enters the project site from Lafayette Street from the northwest.

Flooding

In December 2019, a Letter of Map Revision (LOMR) was approved by FEMA that removed most of the Specific Plan area (except for portions of Lafayette Street and Tasman Drive) from Zone AH.⁶³ The LOMR indicates the bulk of the Specific Plan area as Zone X, areas with reduced flood risk due to a levee system along Guadalupe River. The updated FIRM is shown below in Figures 4.10-1.

Dam Inundation

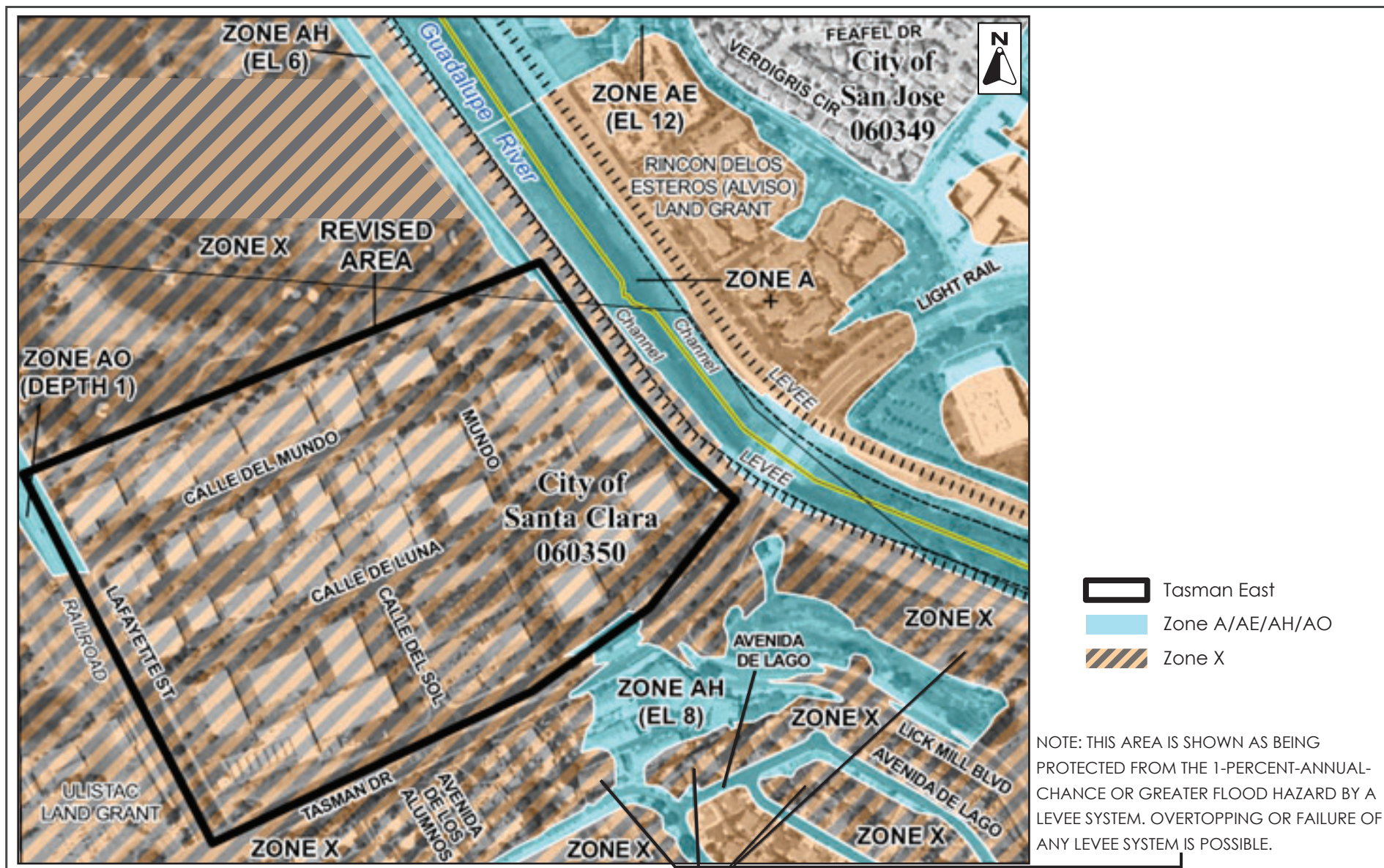
The Specific Plan area is located within the inundation area of three dams: Anderson Dam, Lenihan Dam, and Guadalupe Dam. The Specific Plan area is located approximately 26 miles northwest downstream of the Anderson Dam and 17 miles downstream of the Lenihan and Guadalupe Dams. In the unlikely event dam failure occurs, the maximum inundation depth expected on-site is nine feet.⁶⁴ Anderson Reservoir is currently limited to approximately 59 percent of its maximum capacity due to the findings of the SCVWD's Anderson Dam Seismic Retrofit Project.⁶⁵ The California Department of Safety of Dams determined that the dam may experience significant damage in an earthquake and the water level should remain approximately 45 feet below the spillway until seismic retrofits can be completed.⁶⁶ The seismic retrofit improvements are currently underway for Anderson Dam.

⁶³ Federal Emergency Management Agency. "Letter of Map Revision Determination Document." August 7, 2019. Accessed January 27, 2023. https://map1.msc.fema.gov/data/06/L/19-09-0759P_060350.pdf?LOC=9bcfa99eee696b6f328389af20289c40.

⁶⁴ Schaaf & Wheeler. East Tasman Area Floodplain Impact Study. December 23, 2016.

⁶⁵ Valley Water. "Local Dams and Reservoirs." 2023. Accessed May 8, 2023. <https://www.valleywater.org/your-water/local-dams-and-reservoirs>.

⁶⁶ Ibid.



UPDATED FEMA FLOODPLAIN MAP

FIGURE 4.10-1

Sea Level Rise

Global climate change has the potential to cause sea level rise, which can inundate low-lying areas. Based on a U.S. Geological Survey analysis which predicted areas in the San Francisco Bay Area region that are subject to inundation due to future sea level rise (up to 60 inches in year 2100), the Specific Plan area is subject to increased flooding due to sea level rise.⁶⁷

Seiche, Tsunami, and Mudflows

The resonant oscillation of water in an enclosed body of water is a seiche. The San Francisco Bay is considered to be an enclosed body of water and is in the general vicinity of the project site. Existing levees positioned between the Bay and the Specific Plan area would dampen any effects of a seiche. There are no other enclosed bodies of water in the vicinity of the Plan Area that would produce seiche events. The Specific Plan area is not located within a tsunami inundation area. The Specific Plan area is flat and not downslope of any natural steeply sloped areas. The Specific Plan area is not located within an identified landslide or mudflow hazard area.⁶⁸

4.10.2 Impact Discussion

Would the project:	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
1) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☐	☒	☐
2) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☐	☒	☐
3) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☐	☒	☐
– result in substantial erosion or siltation on- or off-site;	☐	☐	☐	☒	☐
– substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☐	☒	☐

⁶⁷ NOAA. "Sea Level Rise Viewer." Accessed: January 27, 2023. <https://coast.noaa.gov/slr/>.

⁶⁸ Schaaf & Wheeler. East Tasman Area Floodplain Impact Study. December 23, 2016.

Would the project:	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
- 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	☐	☐	☐	☒	☐
- result in substantial erosion or siltation on- or off-site;	☐	☐	☐	☒	☐
4) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒	☐
5) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☐	☒	☐

4.10.2.1 *Hydrology and Water Quality Impacts Identified in the Specific Plan FEIR*

Water Quality Impacts

During Construction

Because redevelopment within the Specific Plan area would disturb more than one acre of ground surface, it is subject to compliance with the Construction General Permit and is required to develop and implement SWPPPs, as a condition of approval. The SWPPPs would contain erosion and sediment controls designed to minimize stormwater pollution by reducing sediment loads in runoff from construction sites. The SWPPP would also contain a list of measures and best management practices (BMPs) that would be used to reduce pollutant loads in runoff generated by materials, equipment, and other construction activities. An NOI would also be filed with the RWQCB in conformance with NPDES Permit requirements for sites over one acre. Implementation of the SWPPP and conformance to drainage standards required by the City were determined to reduce the construction phase stormwater pollution impacts individual development sites within the Specific Plan area to less than significant levels.

Post-Construction

Various stormwater treatment measures shall be included in future redevelopment sites within the Specific Plan area to meet the MRP and LID requirements. Designed treatment systems such as bioswales, flow-through planters, permeable paving, and greenroofs should be utilized as part of a comprehensive approach to stormwater management. Smaller parcels, if developed concurrently with neighboring parcels, are encouraged to coordinate stormwater design in shared private open spaces. Single parcels without concurrent adjacent development will treat their stormwater on site as per state stormwater C.3 regulations. As discussed in the Specific Plan FEIR, the use of various treatment measures within each redevelopment project, consistent with MRP and NPDES

requirements, would ensure that impacts to stormwater quality from implementation of the Specific Plan would be less than significant.

Groundwater Impacts

Groundwater in the Specific Plan area has been recorded at depths of approximately five to seven feet bgs. Excavation for building foundations and subgrade parking is expected to encounter groundwater in the Specific Plan area and required appropriate design to address high groundwater. The Specific Plan area is not located in an area used for groundwater recharge and, therefore, would not interfere with groundwater recharge or deplete supplies. The City may pump more groundwater during drought years to serve the Plan Area and other development. Groundwater throughout the Santa Clara Valley is managed by the SCVWD to ensure adequate recharge of the aquifer and limit pumping to not exceed the maximum sustainable yield. While the Specific Plan was found to contribute toward the need for additional pumping, given the active management of groundwater in the area, the Specific Plan would not interfere with groundwater recharge or deplete supplies.

Flooding Impacts

On-Site Flooding (Planning Consideration)

A majority of the approved Specific Plan area is located in Zone X and is not subject to a 100-year flood hazard.

Future development under the Specific Plan was required to be constructed in conformance with General Plan Policy 5.10.5-P13, FEMA SFHZ regulations, and the City's Flood Damage Prevention Code which would require residential developments and school facilities within Zone AH to elevate habitable and other structures with sensitive populations above the base flood elevation (BFE). The Flood Damage Prevention Code includes requirements for flood-proofing subgrade garages. The Specific Plan FEIR concluded that future residential development would be elevated above the BFE and not expose people or habitable structures to flooding. With approval of the LOMR for the Specific Plan area in 2019, only limited areas of Lafayette Street and Tasman Drive are within a 100-year flood hazard area.

Off-Site Flooding

Development under the approved Specific Plan was expected to import fill material to raise buildings above the 100-year floodplain and elevate the extension of Lick Mill Road to tie in with the Related Santa Clara development to the north. These elevation changes within the Specific Plan area would block overland flows. Furthermore, the existing storm drain system was found to be insufficient to handle flows during storms under existing conditions.

Due to the developed nature of the Specific Plan area and requirements for stormwater treatment and retention, redevelopment of the Specific Plan area would not contribute substantial additional runoff during storm events. While the proposed development itself does not create additional

stormwater runoff that would exceed the capacity of the storm drain system at Lafayette Street, the placement of fill associated with the development would block overland flow and without that release, the runoff tributary to the Lafayette Street storm drain system would increase. The Specific Plan FEIR determined that the overland flow path at the northwest corner of the site would be blocked and, therefore, improvements to the storm drain system would be required to offset any significant off-site effects of the development. The Summerhill development at the northwest corner of the site adjacent to Lafayette Street and Calle Del Mundo is extending an 18-inch storm drain line in Calle Del Mundo to connect to the 21-inch storm drain line in Lafayette Street consistent with mitigation measure HYD-1.1 in the Specific Plan FEIR. With the implementation of mitigation measure MM HYD-1.1, off-site flooding impacts were determined to be mitigated to a less than significant level.

Drainage Impacts

The high density residential development analyzed in the Specific Plan FEIR would likely consist of comparable impervious area as to the existing land uses. With planned changes to the street system within the approved Specific Plan area (including an extension of Lick Mill Blvd, extension of Calle Del Sol, and the widening of Calle De Luna), the peak runoff rate would increase by approximately two percent (less than one cfs). This was a relatively minor change in runoff and was not determined to cause any significant increase in flooding on-site or downstream of the project boundary based on post-project modeling.

The approved Specific Plan also allowed for the potential conversion of the Eastside Drainage Swale at the toe of the Guadalupe River levee to a concrete box culvert. The conversion of the open channel to a concrete box culvert was assumed to involve a 12-foot-wide by four-foot-deep rectangular section (or two parallel six-foot-wide sections) that would minimize upstream impacts. The new culvert was found to minimally increase flows from 110 cfs to 115 cfs and, therefore it would not significantly alter flow in the remaining downstream portion of the open channel. The conversion of the open channel drainage, would not increase flow depths significantly, increase stormwater flow rates such that erosion would result, nor would it impact operation of the Eastside Detention Basin and Pump Station.

Other Inundation Hazards (Planning Considerations)

The Specific Plan area is located within the inundation area of Anderson Dam and Guadalupe Dam. While the Specific Plan area is subject to inundation if Anderson Dam or Guadalupe Dam fail catastrophically, the dams are inspected twice a year by Valley Water in conjunction with the California Division of Safety of Dams and the Federal Energy Regulatory Commission and both reservoirs are managed to prevent significant damage during a maximum credible earthquake. Therefore, the probability of dam failure is extremely remote and therefore not considered a significant hazard.

In addition, the Guadalupe River levees are designed to meet FEMA standards to provide protection from the 100-year flood. The probability of dam or levee failure is low given the regular inspection

and maintenance makes the risk of loss, injury, or death less than significant; as it is highly unlikely that the levee will fail in the 100-year event. Therefore, inundation from dam or levee failures was found to be less than significant.

4.10.2.2 *Hydrology and Water Quality Impacts Resulting from the Proposed Project*

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

Construction

The proposed project would disturb more than one acre of ground surface during construction and would be required to comply with the Construction General Permit, as a condition of approval, as well as develop and implement SWPPPs, consistent with the Specific Plan FEIR. SWPPPs for all project sites within the Specific Plan area, including those less than one acre in size, would be required. An NOI would also be filed with the RWQCB in conformance with NPDES Permit requirements for sites over one acre. Therefore, implementation of the SWPPP and conformance to drainage standards required by the City would reduce the construction phase stormwater pollution impacts from individual development sites proposed under the amended Specific Plan to less than significant levels. Because the project would not expand the size of the Specific Plan area, the proposed project would not result in new or more significant impacts to water quality during construction than was previously identified in the Specific Plan FEIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

Operations

As discussed in the Specific Plan FEIR, future redevelopment sites within the Specific Plan area would be required to include various stormwater treatment measures to meet the MRP and LID requirements. The use of various treatment measures within each redevelopment project, consistent with MRP and NPDES requirements, would ensure that impacts to stormwater quality from implementation of the Specific Plan would be less than significant. The proposed project would be required to comply with the stormwater treatment measures included in the Specific Plan FEIR and would not result in greater impacts to areas outside the approved Specific Plan area. Therefore, the proposed project would not result in new or more significant operational impacts on water quality than was previously identified in the Specific Plan FEIR. **[Same Impact as Approved Project (Less than Significant Impact)]**

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

Groundwater in the approved Specific Plan area has been recorded at depths of approximately five to seven feet bgs. Excavation for building foundations and subgrade parking is expected to encounter groundwater in the Specific Plan area and would require appropriate design to address high groundwater. The Specific Plan area is not located in an area used for groundwater recharge and, therefore, the proposed project would not interfere with groundwater recharge or deplete supplies. As discussed in *Section 3.10.2.1 Water Service and Supply Impacts* of the SEIR, the City may pump more groundwater during drought years and implementation of drought conservation programs to meet projected demands.

Groundwater throughout the Santa Clara Valley is managed by the Valley Water to ensure adequate recharge of the aquifer and limit pumping to not exceed the maximum sustainable yield. The proposed project would increase the density of development on-site which would increase the demand for water and could increase the need for groundwater in Santa Clara. Although the proposed project may contribute toward the need for additional pumping, given the active management of groundwater in the area, the proposed project would not interfere with groundwater recharge or deplete supplies. Therefore, the proposed project would not result in new or more significant interference with groundwater recharge or depletion of supplies. **[Same Impact as Approved Project (Less than Significant Impact)]**

Impact HYD-3:	The project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impede or redirect flood flows. [Same Impact as Approved Project (Less than Significant Impact with Mitigation Incorporated)]
---------------	--

The proposed project would not alter the existing drainage pattern of the site or area through the alteration of any waterway. As discussed in the Infrastructure Capacity Analysis (Appendix F of the SEIR), as projects are implemented that comply with the NPDES MRP requirements, it is anticipated that impervious surfaces within the Specific Plan area will likely decrease; therefore, additional stormwater peak flow conveyance (e.g., either additional detention or upsizing of existing conveyance facilities) is not anticipated for the proposed project. Additionally, the proposed project would include all drainage improvements included in the Specific Plan FEIR and mitigation measure MM HYD-1.1 to prevent off-site flooding. Most of the Specific Plan area has been removed from Zone AH of the 100-year flood hazard maps due to the implementation of required drainage improvements and completion of a LOMR through FEMA. Therefore, the proposed project would not result in new or more significant impacts to existing drainage patterns or inclusion of a significant amount of new impervious surfaces which would contribute runoff from the site. **[Same Impact as Approved Project (Less than Significant Impact with Mitigation Incorporated)]**

Impact HYD-4:	The project would not risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones. [Same Impact as Approved Project (Less than Significant Impact)]
---------------	--

In 2019, the LOMR was approved and the FIRM was revised to show that the Specific Plan area is mostly within Zone X, areas with reduced flood risk due to a levee system (refer to Figure 4.10-1). As described previously, the Specific Plan area is not subject to inundation in seiche or tsunami zones. The additional development allowed under the proposed project would not result in changes to flood risk in the Specific Plan area. Therefore, the proposed project would not result in new or more significant impacts associated with release of pollutants due to floods, tsunamis, or seiches. **[Same Impact as Approved Project (Less than Significant Impact)]**

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

Consistent with the approved project, the proposed project would be required to comply with all applicable federal, state, regional, and local water quality and stormwater control standards and permits, as well as all regulations pertaining to flood zones. The Specific Plan area is not located in an area used for groundwater recharge and, therefore, would not interfere with groundwater recharge or deplete supplies. Therefore, the proposed project would not conflict with implementation of a water quality or groundwater management plan. **[Same Impact as Approved Project (Less than Significant Impact)]**

4.10.3 Non-CEQA Effects

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

As discussed previously, the FIRM was updated per the LOMR to show that most of the Specific Plan area is now within Zone X, areas with reduced flood risk due to a levee system. There are still portions of Lafayette Street and Tasman Drive that are located within a 100-year flood area. Future development under the Specific Plan would be required to be constructed in conformance with General Plan Policy 5.10.5-P13, FEMA SFHZ regulations, and the City's Flood Damage Prevention Code which would require residential developments within Zone AH to elevate habitable and other structures with sensitive populations above the BFE. The Flood Damage Prevention Code includes requirements for flood-proofing subgrade garages. Therefore, while the proposed project would allow for residential uses within a 100-year floodplain, future residential development would be elevated above the BFE and not expose people or habitable structures to flooding.

4.11 Land Use and Planning

4.11.1 Environmental Setting

4.11.1.1 *Regulatory Framework*

Regional

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

The Tasman East Specific Plan is located within the Airport Influence Area (AIA), as defined by the Airport's CLUP, adopted by the Santa Clara County Airport Land Use Commission (ALUC) on May 25, 2011. The CLUP includes land use compatibility policies and standards, which form the basis for evaluating the land use compatibility of individual projects with the Airport and its operations. Standards in the CLUP focus on the three areas of ALUC responsibility: 1) aircraft noise, 2) the safety of persons on the ground and in aircraft, and 3) the control of objects in navigable airspace.

Proposals for amendments to general or specific plans and either building or zoning regulations by local agencies must be submitted to the ALUC for a determination of consistency. In addition, development projects that are higher than 200 feet above ground level are also encouraged to be submitted for review by the ALUC. Recommendations made by the ALUC are advisory to local jurisdictions, not mandatory.

Applicable CLUP land use policies to the project include the following listed below.

Policy	Description
G-5	Where legally allowed, dedication of an aviation easement to the City of San José shall be required to be offered as a condition of approval on all projects located within an Airport Influence Area, other than reconstruction projects.
G-7	All new exterior lighting within the AIA shall be designed so as to create no interference with aircraft operations. Such lighting shall be constructed and located so that only the intended area is illuminated and off-site glare is fully controlled. The lighting shall be arrayed in such a manner that it cannot be mistaken for airport approach or runway lights by pilots.
O-1	All new projects within the AIA that are subject to discretionary review and approval shall be required to dedicate in compliance with state law, an aviation easement to the City of San José.

Local

City of Santa Clara 2010-2035 General Plan

The Tasman East Focus Area in the City's General Plan is intended as a high density neighborhood that provides housing in close proximity to jobs, retail, services and entertainment. As envisioned in the General Plan, the Focus Area would be transformed into a high density residential community with mid-rise buildings that are served by neighborhood commercial, shared open space areas, and structured parking.

General Plan policies applicable to land use, and safety related to airspace protection, include but are not limited to, the following listed below.

Policies	Description
5.3.1-P13	Support high density and intensity development within a quarter-mile of transit hubs and stations and along transit corridors.
5.3.1-P18	Meter net new industrial and commercial development excluding “Approved/Not Constructed and Pending Projects” identified on Figure 2.1-1 so as not to exceed 2.75 million square feet in Phase I, 5.5 million square feet in Phase II and 5.5 million square feet in Phase III in order to maintain the City’s jobs/housing balance and ensure adequate infrastructure and public services.
5.3.1-P30	Resolve any conflicts between proposed development, plans or funding for improvements and the Land Use Diagrams, Transportation and Mobility Diagrams or text through a General Plan Amendment in order to evaluate the implications of the proposal as well as to ensure the required internal consistency for the Plan.
5.3.2-P1	Encourage the annual construction of the housing units necessary to meet the City’s regional housing needs assessment by reducing constraints to housing finance and development.
5.3.4-P4	Require mixed-use development to meet the density and intensity specified in the land use classifications.
5.3.2-P2	Encourage higher-density residential development in transit and mixed-use areas and in other locations throughout the City where appropriate.
5.3.2-P3	Encourage below-grade parking and parking structures for development in Medium Density and High Density designations.
5.3.2-P6	Provide adequate choices for housing tenure, type and location, including higher density, and affordability for low- and moderate-income and special needs households.
5.3.4-P6	Locate a neighborhood square or plaza within large mixed-use developments.
5.3.4-P11	Foster active, pedestrian-oriented uses at the ground level, such as retail shops, office, restaurants with outdoor seating, public plazas or residential units with front stoops, in mixed-use development.
5.4.6-P1	Establish Tasman East as a high density residential neighborhood that provides residents with access to commercial services and open space located on-site and in the surrounding areas.
5.4.6-P2	Provide direct linkages from Tasman East to the Santa Clara Valley Transportation Authority, Amtrak, and Altamont Corridor Express stations and transit stops to promote transit use for access to services and jobs.
5.4.6-P4	Promote pedestrian-friendly design that includes features such as shade trees, streetscapes that contain lighting and landscaping, street furniture, pedestrian and bike paths, limited driveway curb cuts, traffic-calming features, and pedestrian street crossings.
5.4.6-P5	Provide publicly accessible open space within the Tasman East Focus Area that is accessible to all residents, adequate to meet their activity needs, and consistent with the General Plan requirements and other City regulations.

Policies	Description
5.4.6-P6	Ensure new residential development contains public open spaces that are connected by trails and bikeways, and to other open space networks such as the Guadalupe River Trail, Ulistac Natural Area, San Tomas Aquino Creek Trail, and the Santa Clara Golf and Tennis Club.
5.4.6-P9	Provide appropriate transition between new development in the Tasman East Focus Area and adjacent residential uses consistent with General Plan Transition Policies.
5.4.6-P20	Allow higher residential densities through the specific plan process.
5.10.5-P29	Continue to refer proposed projects located within the Airport Influence Area to the Airport Land Use Commission.
5.10.5-P30	Review the location and design of development within Airport Land Use Commission jurisdiction for compatibility with the Airport Land Use Compatibility Plan.
5.10.5-P32	Encourage all new projects within the Airport Influence Area to dedicate an aviation easement.
5.10.5-P33	Limit the height of structures in accordance with the Federal Aviation Administration Federal Aviation Regulations, FAR Part 77 criteria.

City of Santa Clara Zoning Code

The City's Zoning Code regulates land uses within the boundaries of Santa Clara. The overall goals of the Zoning Code are to promote the city's growth in an orderly manner and to promote and protect the public health, safety, peace, comfort, and general welfare in conformance with the General Plan. For each of the zoning districts in the city, the Code identifies land uses that are permitted, conditionally permitted, and not permitted. It also establishes standards such as minimum lot size, maximum building height, and the minimum distance buildings must be set back from the street. Provisions for parking, landscaping, lighting, and other rules that guide the development of projects in the city are also included.

4.11.1.2 *Existing Conditions*

Existing Land Use

Tasman East is a 46.0-acre industrial neighborhood in northern Santa Clara that spans west-east from Lafayette Street to the Guadalupe River and north-south from the former Santa Clara Golf & Tennis Club to Tasman Drive along Calle Del Mundo and Calle De Luna. The Specific Plan includes approximately 36 parcels, including one City-owned utility parcel, and has a total net land acreage of 41.4 acres with approximately 4.6 acres of public right-of-way. Of the 36 parcels, there are nine parcels currently under construction and one parcel that has been redeveloped into an apartment complex. The remaining parcels are currently developed with light industrial and commercial uses.

The Specific Plan area is currently designated as *Transit Neighborhood* (100-350 dwelling units/acre), which allows multi-family residential uses and supportive commercial and public/quasi-public uses. Under the Specific Plan, all sites of one acre or more in size are required to accommodate a minimum density of 100 dwelling units per acre (du/ac). Each parcel of less than one acre in size is required to accommodate a minimum density of 60 du/ac. The Specific Plan area

is zoned *Transit Neighborhood*, which allows for development of a high density residential neighborhood with a mix of uses at the ground floor. As described above, residential densities within the Specific Plan area would range from a minimum of 60 du/ac on sites less than one acre in size to a minimum of 100 du/ac for sites of one acre or larger in size with no maximum density for individual parcels.

Surrounding Land Uses

The project site is surrounded by properties designated for Regional Commercial, Parks/Open Space, Low Density Residential, High Density Residential, and Urban Center/Entertainment District land uses in the 2010-2035 General Plan. Existing development surrounding the project site includes the former Santa Clara Golf & Tennis Club (approved for the Related Santa Clara development) to the north of the site, the Guadalupe River and levee trail to the east, Kathryn Hughes Elementary School and several residential neighborhoods to the south, Levi's Stadium to the southwest, and commercial uses to the west across Lafayette Street (future Related Santa Clara).

The Guadalupe River, which runs along the eastern edge of the site and also marks the boundary between Santa Clara and San José. This area of San José is home to a mix of high-density housing and office parks, most notably the Cisco and Samsung campuses that front onto Tasman Drive.

The Norman Y. Mineta San José International Airport is located approximately 2.5 miles southeast of the project site. The site is located within the ALUC referral boundary and AIA for the Norman Y. Mineta San José International Airport.

4.11.2 Impact Discussion

Would the project:	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
1) Physically divide an established community?	☐	☐	☐	☒	☐
2) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☐	☒	☐

4.11.2.1 Land Use Impacts Identified in the Specific Plan FEIR

Land Use Impacts

Development under the approved Specific Plan would transform an industrial/commercial area into a high-density residential neighborhood with close proximity to transit. The existing businesses in the project area were highly diverse and do not represent an established community of businesses

that are dependent on one another such that redevelopment of some parcels in the Specific Plan area would reduce interactions amongst the businesses or isolate individual businesses. Furthermore, the Specific Plan FEIR determined that the approved project would not create new physical barriers or divisions within the Specific Plan area such that the existing development would be isolated from the larger community. With adoption of the General Plan Amendment (GPA) from *High Density Residential* to *Transit Neighborhood* and rezoning of the zoning district from *Light Industrial* to *Transit Neighborhood*, land use impacts were determined to be less than significant.

Consistency with Adopted Plans

Implementation of the approved Specific Plan, which included the GPA and rezoning, would bring the area into conformance with the General Plan policy that this transit-oriented site become an opportunity to develop high-density housing with direct walking access to many community amenities and a robust transit network. The increased density was found to be consistent with the major strategies of the General Plan and General Plan policies 5.4.6-P1 and 5.4.6-P20. Given the consistency with these major strategies, and the proposed amendment to the General Plan, the inconsistency of the approved Specific Plan with the current General Plan assumptions for the Specific Plan area was not found to result in a significant land use impact. The approved Specific Plan concluded that rezoning the Specific Plan area from *Light Industrial* to *Transit Neighborhood* would comply with applicable zoning requirements.

Airport Land Use Compatibility

The approved Specific Plan would construct midrise and high-rise multi-family housing structures. Midrise multi-family housing products are typically between four and eight stories tall. These developments would be up to five stories tall and utilize relatively inexpensive wood frame construction (i.e., below 55 feet), but sometimes incorporate a one- to two-story concrete parking podium in order to reach heights of six to eight stories (under 85 feet tall). High-rise towers are built of relatively expensive steel and concrete, and are generally twelve or more stories tall.

The project site is located approximately 2.5 miles from the Norman Y. Mineta San José International Airport. The FAR Part 77 airspace notification would be required for future high-rise structures exceeding 175 to 185 feet above ground level. Notification to the FAA would therefore be required for proposed structures that would exceed this airspace surface. Consistency with the ALUC and City General Plan policy, FAA issuance of “no hazard” determinations, with any conditions set forth in an FAA no-hazard determination also incorporated into the City’s development permit, would ensure that project development would not be a hazard to aircraft operation.

Future development in the Specific Plan area would incorporate Dark Sky-compliant exterior lighting, which would ensure that proposed development is consistent with CLUP policies for exterior lighting and avoiding off-site glare. As a condition of approval, proposed development projects would also be required to dedicate avigation easements to the City of San José per CLUP policies for properties located within the AIA. Implementation of the approved Specific Plan,

therefore, would be consistent with applicable CLUP policies and would not result in significant hazards to aircraft operations.

4.11.2.2 *Land Use and Planning Impacts Resulting from the Proposed Project*

Impact LU-1:	The project would not physically divide an established community. [Same Impact as Approved Project (Less than Significant Impact)]
--------------	--

The proposed project would amend the approved Specific Plan to accommodate up to 1,500 additional dwelling units, approximately 20,000 square feet of additional retail, 20,000 square feet of co-working space, and a 10,000-square foot daycare. The proposed project does not include any physical features that would physically divide the community (e.g., roadway, railway, or highway); therefore, the proposed project would not result in new or more significant impacts by separating an established community. **[Same Impact as Approved Project (Less than Significant Impact)]**

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

The proposed project would not result in changes to the uses allowed under the approved project. As mentioned under Impact LU-1, the proposed project would accommodate up to 1,500 additional dwelling units, approximately 20,000 square feet of additional retail, 20,000 square feet of co-working space, and a 10,000-square foot daycare in the Specific Plan area. These uses would be consistent with the *Transit Neighborhood* General Plan and zoning designations. The proposed project would not change the height requirements or expand the plan area beyond what was analyzed in the Specific Plan FEIR. As discussed in the Specific Plan FEIR, FAR Part 77 airspace notification would be required for future high-rise structures exceeding 175 to 185 feet above ground level and future development in the Specific Plan area would be required to incorporate Dark Sky-compliant exterior lighting to comply with CLUP policies related to exterior lighting and glare. As a condition of approval, proposed development projects would be required to dedicate aviation easements to the City of San José per CLUP policies for properties located within the AIA. Therefore, the proposed project would not result in new or more significant environmental impacts through conflicts with land use plans. **[Same Impact as Approved Project (Less than Significant Impact)]**

4.12 Mineral Resources

4.12.1 Environmental Setting

4.12.1.1 *Regulatory Framework*

State

Surface Mining and Reclamation Act

The Surface Mining and Reclamation Act (SMARA) was enacted by the California legislature in 1975 to address the need for a continuing supply of mineral resources, and to prevent or minimize the negative impacts of surface mining to public health, property, and the environment. As mandated under SMARA, the State Geologist has designated mineral land classifications in order to help identify and protect mineral resources in areas within the state subject to urban expansion or other irreversible land uses which would preclude mineral extraction. SMARA also allowed the State Mining and Geology Board (SMGB), after receiving classification information from the State Geologist, to designate lands containing mineral deposits of regional or statewide significance.

4.12.1.2 *Existing Conditions*

The City of Santa Clara is located in an area zoned MRZ-1, which classifies an area where adequate information indicates that no significant mineral deposits are present. The area is not known to support significant resources of any other type. No mineral resources are currently being extracted in the City. The State Office of Mine Reclamation's list of mines (the AB 3098 List) regulated under SMARA does not include any mines within the City.⁶⁹

4.12.2 Impact Discussion

Would the project:	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
1) 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?	☐	☐	☐	☒	☐
2) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	☒	☐

⁶⁹ City of Santa Clara. 2010-2035 General Plan Integrated Final Environmental Impact Report. SCH# 2008092005. January 2011.

4.12.2.1 *Mineral Resources Impacts Identified in the Specific Plan FEIR*

As described in the Specific Plan FEIR, there are no mineral resources present within the City of Santa Clara boundaries. Therefore, the approved project would not result in the loss of any mineral resources, or result in the loss of availability of any locally-important mineral resource recovery sites.

4.12.2.2 *Mineral Resources Impacts Resulting from the Proposed Project*

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

The proposed project is located in an area where no mineral resources exist or are expected to be encountered. Therefore, the proposed project would not result in the loss of availability of any mineral resources. **[Same Impact as Approved Project (No Impact)]**

Impact MIN-2:	The project would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. [Same Impact as Approved Project (No Impact)]
---------------	---

As stated above, the proposed project is located in an area where no mineral resources exist or are expected to be encountered. Therefore, the proposed project would not result in the loss of any locally-important mineral resource recovery sites. **[Same Impact as Approved Project (No Impact)]**

4.13 Noise

The project proposes to amend the approved Specific Plan to accommodate up to 1,500 additional dwelling units, approximately 20,000 square feet of additional retail, 20,000 square feet of co-working space, and a 10,000-square foot daycare.

4.13.1 Impact Discussion

Would the project:	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
1) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☒	☐	☐	☐	☐
2) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☐	☒	☐
3) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒	☐

Implementation of the proposed project would increase traffic and construction noise levels on-site. The project's impact on noise is evaluated in the SEIR. No further analysis is included in this Initial Study.

4.14 Population and Housing

The project proposes to amend the approved Specific Plan to accommodate up to 1,500 additional dwelling units, approximately 20,000 square feet of additional retail, 20,000 square feet of co-working space, and a 10,000-square foot daycare.

4.14.1 Impact Discussion

Would the project:	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less then Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
1) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☒	☐	☐	☐	☐
2) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	☐

Implementation of the project would allow up to 1,500 additional dwelling units to be constructed in the Specific Plan area. The project's impact on population and housing are addressed in the SEIR. No further analysis is provided in the Initial Study.

4.15 Public Services

The project proposes to amend the approved Specific Plan to accommodate up to 1,500 additional dwelling units, approximately 20,000 square feet of additional retail, 20,000 square feet of co-working space, and a 10,000-square foot daycare.

4.15.1 Impact Discussion

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

	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less then Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
1) Fire Protection?	☒	☐	☐	☐	☐
2) Police Protection?	☒	☐	☐	☐	☐
3) Schools?	☒	☐	☐	☐	☐
4) Parks?	☒	☐	☐	☐	☐
5) Other Public Facilities?	☒	☐	☐	☐	☐

Implementation of the project would allow up to 1,500 additional dwelling units to be constructed in the Specific Plan area which may increase demand for public services. The project's impact on public services are addressed in the SEIR. No further analysis is provided in the Initial Study.

4.16 Recreation

The project proposes to amend the approved Specific Plan to accommodate up to 1,500 additional dwelling units, approximately 20,000 square feet of additional retail, 20,000 square feet of co-working space, and a 10,000-square foot daycare.

4.16.1 Impact Discussion

Would the project:	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
1) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☒	☐	☐	☐	☐
2) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒	☐

Implementation of the project would allow up to 1,500 additional dwelling units to be constructed in the Specific Plan area which may increase demand on existing parks and other recreational facilities. The project's impact on recreational facilities are addressed in the SEIR. No further analysis is included in this Initial Study.

4.17 Transportation

The project proposes to amend the approved Specific Plan to accommodate up to 1,500 additional dwelling units, approximately 20,000 square feet of additional retail, 20,000 square feet of co-working space, and a 10,000-square foot daycare.

4.17.1 Impact Discussion

Would the project:	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
1) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle lanes, and pedestrian facilities?	☒	☐	☐	☐	☐
2) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	☒	☐	☐	☐	☐
3) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒	☐
4) Result in inadequate emergency access?	☐	☐	☐	☒	☐

Since approval of the Specific Plan FEIR, the City of Santa Clara adopted a new transportation analysis policy in June 2020 which established Vehicle Miles Traveled (VMT) as the CEQA transportation analysis methodology, replacing level of service (LOS), the previously established CEQA transportation analysis methodology. Therefore, the project's transportation impacts are analyzed in the SEIR. No further analysis is provided in this Initial Study.

4.18 Tribal Cultural Resources

The project proposes to amend the approved Specific Plan to accommodate up to 1,500 additional dwelling units, approximately 20,000 square feet of additional retail, 20,000 square feet of co-working space, and a 10,000-square foot daycare.

4.18.1 Impact Discussion

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less then Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?	☐	☐	☐	☒	☐
2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☒	☐

Since approval of the Specific Plan FEIR, the CEQA Appendix G checklist was updated to include the “Tribal Cultural Resources” section. Therefore, the project’s impacts to TCRs are evaluated in the SEIR. No further analysis is provided in this Initial Study.

4.19 Utilities and Service Systems

The project proposes to amend the approved Specific Plan to accommodate up to 1,500 additional dwelling units, approximately 20,000 square feet of additional retail, 20,000 square feet of co-working space, and a 10,000-square foot daycare.

4.19.1 Impact Discussion

Would the project:	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
1) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☒	☐	☐	☐	☐
2) Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☒	☐	☐	☐	☐
3) Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☒	☐	☐	☐	☐
4) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☐	☒	☐
5) Be noncompliant with federal, state, or local management and reduction statutes and regulations related to solid waste?	☐	☐	☐	☒	☐

Implementation of the proposed project would increase the density of development within the Specific Plan area. The project's impacts to utilities and service systems are further analyzed in the SEIR. No further analysis is provided in this Initial Study.

4.20 Wildfire

The project proposes to amend the approved Specific Plan to accommodate up to 1,500 additional dwelling units, approximately 20,000 square feet of additional retail, 20,000 square feet of co-working space, and a 10,000-square foot daycare.

4.20.1 Impact Discussion

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
1) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒	☐
2) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒	☐
3) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒	☐
4) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒	☐

Since approval of the Specific Plan FEIR, the CEQA Appendix G checklist was updated to include the “Wildfire” resource section. The project’s impact on wildfire is addressed in the SEIR. No further analysis is included in this Initial Study.

4.21 Mandatory Findings of Significance

Would the project:	New Potentially Significant Impact	New Less than Significant with Mitigation Incorporated	New Less than Significant Impact	Same Impact as Approved Project	Less Impact than Approved Project
1) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☒	☐	☐	☐	☐
2) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☒	☐	☐	☐	☐
3) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☒	☐	☐	☐	☐

Impact MFS-1: The project may have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. [New Potentially Significant Impact (Significant Unavoidable Impact)]

Implementation of the proposed project could result in a significant impact on air quality, biological resources, GHG, noise, population and housing, public services, recreation, transportation, TCRs, utilities and service systems, and wildfire. The project's impact on the identified resource sections are evaluated in detail in the SEIR. **[New Potentially Significant Impact (Significant Unavoidable Impact)]**

Impact MFS-2:	The project does not have impacts that are individually limited, but cumulatively considerable. [New Potentially Significant Impact (Significant Unavoidable Cumulative Impact with Mitigation Incorporated)]
---------------	---

Under Section 15065(a)(3) of the CEQA Guidelines, a Lead Agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has potential environmental effects “that are individually limited, but cumulatively considerable.” As defined in Section 15065(a)(3) of the CEQA Guidelines, cumulatively considerable means “that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.”

The proposed project would amend the approved Specific Plan to accommodate up to 1,500 additional dwelling units, approximately 20,000 square feet of additional retail, 20,000 square feet of co-working space, and a 10,000-square foot daycare. As discussed in their respective sections, the proposed project would have no impact or less than significant impact on aesthetics, agriculture and forestry resources, cultural resources, energy, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, and mineral resources. The project would not have a cumulatively considerable impact on these resource areas.

The cumulative air quality, biological resources, GHG, noise, population and housing, public services, recreation, transportation, TCRs, utilities and service systems, and wildfire impacts are discussed in detail in the SEIR. **[New Potentially Significant Impact (Significant Unavoidable Cumulative Impact with Mitigation Incorporated)]**

Impact MFS-3:	The project does not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. [New Potentially Significant Impact (Less than Significant Impact with Mitigation Incorporated)]
---------------	---

Consistent with Section 15065(a)(4) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has the potential to cause substantial adverse effects on human beings, either directly or indirectly. Under this standard, a change to the physical environment that might otherwise be minor must be treated as significant if people would be significantly affected. This factor relates to adverse changes to the environment of human beings generally, and not to effects on particular individuals. While changes to the environment that could indirectly affect human beings would be represented by all of the designated CEQA issue areas, those that could directly affect human beings include air quality, hazardous materials, and noise. As discussed in *Section 4.9.2.2*, of this document, the project applicant shall implement mitigation measures MM HAZ-1.1 through HAZ-1.6 and the measures for ACMs and LBP, consistent with the Specific Plan FEIR, to reduce impacts associated with hazardous materials and/or buildings containing ACMs and LBP to construction workers, adjacent uses, and nearby residences.

Air quality and noise impacts are discussed in detail in the SEIR. **[Same Impact as Approved Project (Less than Significant Impact with Mitigation Incorporated)]**

References

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

ArcGIS. Transit Priority Areas (2021). Accessed January 31, 2023.

<https://www.arcgis.com/home/webmap/viewer.html?layers=370de9dc4d65402d992a769bf6ac8ef5>.

Bauer, Jordyn. Illingworth & Rodkin, Inc. Personal Communication. April 10, 2026.

CalEPA. "Cortese List Data Resources." Accessed January 27, 2023.

<https://calepa.ca.gov/sitecleanup/corteselist>.

California Air Resources Board. "The Advanced Clean Cars Program." Accessed November 23, 2022.

<https://www.arb.ca.gov/msprog/acc/acc.htm>.

California Building Standards Commission. "California Building Standards Code." Accessed November 23, 2022. <https://www.dgs.ca.gov/BSC/Codes#@ViewBag.JumpTo>.

California Department of Conservation. "CGS Information Warehouse: Regulatory Maps." Accessed November 23, 2022.

<http://maps.conservation.ca.gov/cgs/informationwarehouse/index.html?map=regulatorymaps>.

California Department of Conservation. "Farmland Mapping and Monitoring Program." Accessed July 25, 2022. <http://www.conservation.ca.gov/dlrp/fmmp/Pages/Index.aspx>.

California Department of Conservation. "Williamson Act Program." Accessed July 25, 2022.

<http://www.conservation.ca.gov/dlrp/lca>.

California Department of Conservation. Santa Clara County Important Farmland 2018 Map. June 2021.

California Department of Forestry and Fire Protection. "Fire and Resource Assessment Program." Accessed July 25, 2022. <http://frap.fire.ca.gov/>.

California Department of Forestry and Fire Protection. Fire and Resource Assessment Program. Very High Fire Hazard Severity Zones in LRA: As Recommended by Calfire. October 8, 2008.

California Department of Tax and Fee Administration. "Net Taxable Gasoline Gallons." Accessed November 23, 2022.

<https://www.cdtfa.ca.gov/dataportal/dataset.htm?url=VehicleTaxableFuelDist>.

California Department of Transportation. "Scenic Highways." Accessed November 23, 2022.

<https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>.

California Energy Commission. "Natural Gas Consumption by County." Accessed November 23, 2022. <http://ecdms.energy.ca.gov/gasbycounty.aspx>.

California Energy Commission. Energy Consumption Data Management System. "Electricity Consumption by County." Accessed November 23, 2022.

<http://ecdms.energy.ca.gov/elecbycounty.aspx>.

California Environmental Protection Agency. "Cortese List Data Resources." Accessed November 23, 2022. <https://calepa.ca.gov/sitecleanup/corteselist/>.

California Gas and Electric Utilities. 2020 California Gas Report. Accessed November 23, 2022.

https://www.socalgas.com/sites/default/files/2020-10/2020_California_Gas_Report_Joint_Utility_Biennial_Comprehensive_Filing.pdf.

California Office of Historic Preservation. "CEQA Guidelines Section 15064.5(a)(3) and California Office of Historic Preservation Technical Assistance Series #6." Accessed November 23, 2022.

<http://www.ohp.parks.ca.gov/pages/1069/files/technical%20assistance%20bulletin%206%202011%20update.pdf>.

California Regional Water Quality Control Board San Francisco Region. Municipal Regional Stormwater NPDES Permit, Order No. R2-2022-0018, NPDES Permit No. CAS612008. May 11, 2022.

California Regional Water Quality Control Board. San Francisco Bay Region Municipal Regional Stormwater NPDES Permit. November 2015.

City of Santa Clara 2010-2035 General Plan. 5.4.6 Tasman East Focus Area Goals and Policies. December 2014.

City of Santa Clara. "Historic Properties." Accessed: January 25, 2023. Available at:

<https://www.santaclaraca.gov/our-city/about-santa-clara/maps/santa-clara-s-historic-properties-story-map/historic-properties>.

- City of Santa Clara. "Tasman East Specific Plan." Accessed January 24, 2023. <https://www.santaclaraca.gov/our-city/departments-a-f/community-development/planning-division/specific-plans/tasman-east>.
- City of Santa Clara. 2010-2035 General Plan Integrated Final Environmental Impact Report. SCH#2008092005. January 2011.
- City of Santa Clara. Tasman East Specific Plan Supplemental Water Supply Assessment. August 2022.
- County of Santa Clara. Williamson Act Properties Geodatabase. Accessed July 25, 2022. <https://sccplanning.maps.arcgis.com/apps/webappviewer/index.html?id=1f39e32b4c0644b0915354c3e59778ce>.
- Davidson, John. City of Santa Clara. Personal Communication. March 25, 2026.
- Federal Emergency Management Agency. "Letter of Map Revision Determination Document." August 7, 2019. Accessed January 27, 2023. <https://map1.msc.fema.gov/data/06/L/19-09-0759P060350.pdf?LOC=9bcfa99eee696b6f328389af20289c40>.
- Federal Emergency Management Agency. Flood Insurance Rate Map, Community Panel No. 06085C0062J. February 19, 2014.
- Helley, E.J. Preliminary Contour Map Showing Elevation of Surface of Pleistocene Alluvium under Santa Clara Valley, California. U.S. Geological Survey Open File Report 90-633. 1990.
- Holman & Associates. Results of the Cultural Resources Literature Search for the 46.0-acre Tasman East Specific Plan. January 11, 2017.
- Illingworth & Rodkin, Inc. *Update to the Tasman East Specific Plan and FEIR – Air Quality and Greenhouse Gas Assessment*. May 23, 2023.
- Illingworth & Rodkin, Inc. *Updated Operational CalEEMod Modeling of Air Pollutant and GHG Emissions*. March 1, 2026.
- National Parks Service. "National Register of Historic Places." Accessed: January 25, 2023. Available at: <https://www.nps.gov/subjects/nationalregister/index.htm>.
- NOAA. "Sea Level Rise Viewer." Accessed: January 27, 2023. <https://coast.noaa.gov/slr/>.
- Office of Planning and Research. "CEQA Review of Housing Projects Technical Advisory." Accessed November 23, 2022. https://opr.ca.gov/docs/20190208-TechAdvisory-Review_of_Housing_Exemptions.pdf.

- San Francisco Regional Water Quality Control Board. "The 303(d) List of Impaired Water Bodies." Accessed August 25, 2022. https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/TMDLs/303dlist.html.
- Santa Clara County. Santa Clara County Geologic Hazard Zones. Map 11. Accessed November 23, 2022. https://stgenpln.blob.core.windows.net/document/GEO_GeohazardATLAS.pdf.
- Schaaf & Wheeler. East Tasman Area Floodplain Impact Study. December 23, 2016.
- Silicon Valley Power. "Did you Know." Accessed November 23, 2022. <https://www.siliconvalleypower.com/svp-and-community/about-svp/faqs>.
- State of California, Office of Historic Preservation. "Santa Clara." Accessed: January 25, 2023. Available at: http://ohp.parks.ca.gov/?page_id=21522.
- United States Department of Energy. Energy Independence & Security Act of 2007. Accessed November 23, 2022. <http://www.afdc.energy.gov/laws/eisa>.
- United States Department of Transportation. USDOT Announces New Vehicle Fuel Economy Standards for Model Year 2024-2026." Accessed November 23, 2022. <https://www.nhtsa.gov/press-releases/usdot-announces-new-vehicle-fuel-economy-standards-model-year-2024-2026>.
- United States Energy Information Administration. "State Profile and Energy Estimates, 2020." Accessed November 23, 2022. <https://www.eia.gov/state/?sid=CA#tabs-2>.
- United States Environmental Protection Agency. "EPA Actions to Protect the Public from Exposure to Asbestos." Accessed November 23, 2022. <https://www.epa.gov/asbestos/epa-actions-protect-public-exposure-asbestos>.
- United States Environmental Protection Agency. "Summary of the Resource Conservation and Recovery Act." Accessed November 23, 2022. <https://www.epa.gov/laws-regulations/summary-resource-conservation-and-recovery-act>.
- United States Environmental Protection Agency. "Superfund: CERCLA Overview." Accessed November 23, 2022. <https://www.epa.gov/superfund/superfund-cercla-overview>.
- United States Environmental Protection Agency. "The 2021 EPA Automotive Trends Report: Greenhouse Gas Emissions, Fuel Economy, and Technology since 1975." November 2021. <https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=P1010U68.pdf>.
- Valley Water. "Local Dams and Reservoirs." 2023. Accessed May 8, 2023. <https://www.valleywater.org/your-water/local-dams-and-reservoirs>.

Valley Water. *2021 Groundwater Management Plan, Santa Clara and Llagas Subbasins*. November 2021.

Witt, Jay. Illingworth & Rodkin, Inc. Personal Communication. April 18, 2023.

Section 5.0 Lead Agency and Consultants

5.1 Lead Agency

City of Santa Clara

Community Development Department

Afshan Hamid, Director

John Davidson, Principal Planner

5.2 Consultants

David J. Powers & Associates, Inc.

Environmental Consultants and Planners

Will Burns, Principal Project Manager

Fiona Phung, Project Manager

Patrick Kallas, Associate Project Manager

Ryan Osako, Graphic Artist

Illingworth and Rodkin, Inc.

Air Quality and Noise Consultants

James Reyff, Principal

Michael Thill, Principal

Jay Witt, Senior Consultant

William Popenuck, Consultant

Jordyn Bauer, Staff Consultant

Fehr & Peers

Traffic Consultants

Matt Haynes, Principal

Huimei Jiang, Transportation Engineer

Section 6.0 Acronyms and Abbreviations

Acronym	Definition
AB	Assembly Bill
ACE	Altamont Commuter Express
ACM	asbestos-containing material
AIA	Airport Influence Area
ALUC	Airport Land Use Commission
BFE	base flood elevation
bgs	below ground surface
BMPs	best management practices
Btu	British thermal units
CAL FIRE	California Department of Forestry and Fire Protection
Cal/OSHA	Division of Occupational Safety and Health
CalEEMod	California Emissions Estimator Model
CalEPA	California Environmental Protection Agency
CAP	Climate Action Plan
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CGS	California Geological Survey
COC	contaminants of concern
CRHR	California Register of Historical Resources
CUPA	Certified Unified Program Agency
DEH	Department of Environmental Health
DTSC	Department of Toxic Substances Control
du/ac	dwelling units per acre
EO	Executive Order
EOP	Emergency Operations Plan
EPA	Environmental Protection Agency
ESLs	Environmental Screening Levels
EV	electric vehicle
FAA	Federal Aviation Administration
FEIR	Final Environmental Impact Report
FIRM	Flood Insurance Rate Maps
FMMP	Farmland Mapping and Monitoring Program
FRAP	Fire and Resource Assessment Program

Acronym	Definition
GHG	greenhouse gas
GWh	gigawatt hours
HSP	Health and Safety Plan
HSWA	Federal Hazardous and Solid Waste Amendments
kV	Kilovolt
LBP	lead-based paint
LOMR	Letter of Map Revision
LUST	Leaking Underground Storage Tank
mpg	miles per gallon
MRP	Municipal Regional Stormwater Permit
NAHC	Native American Heritage Commission
NCP	National Contingency Plan
NESHAP	National Emission Standards for Hazardous Air Pollutants
NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Act of 1966
NOI	Notice of Intent
NPDES	National Pollutant Discharge Elimination System
OMMP	Operations, Maintenance, and Monitoring Plan
OPR	Office of Planning and Research
PCBs	chlorinated biphenyls
RCRA	Resource Conservation and Recovery Act
RHNA	Regional Housing Needs Allocation
RWF	San José-Santa Clara Regional Wastewater Facility
RWQCB	Regional Water Quality Control Board
SCVNSPC	Santa Clara Valley Nonpoint Source Pollution Control Program
SCVURPPP	Santa Clara Valley Urban Runoff Pollution Prevention Program
SEIR	Subsequent Environmental Impact Report
SFHA	special flood hazard area
SFHAs	Special Flood Hazard Areas
SFPUC	San Francisco Public Utilities Commission
SHMA	Seismic Hazards Mapping Act
SMARA	Surface Mining and Reclamation Act
SMGB	State Mining and Geology Board
SMP	Site Management Plan
SR	State Route
SVP	Silicon Valley Power

Acronym	Definition
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TCE	Trichloroethene
TCR	tribal cultural resource
THQ	target hazard quotient
TMDLs	total maximum daily loads
TOD	Transit-Oriented Development
TPA	Transit Priority Area
TPH	total petroleum hydrocarbons
TPHg	total petroleum hydrocarbons as gasoline
TSCA	Toxic Substances Control Act
URMP	Urban Runoff Management Plan
USACE	United States Army Corps of Engineers
USFWS	United States Fish and Wildlife Service
UST	underground storage tank
Valley Water	Santa Clara Valley Water District
VCP	vittrified clay pipe
VMT	vehicle miles traveled
VOCs	volatile organic compounds
VTA	Santa Clara Valley Transportation Authority
Williamson Act	California Land Conservation Act