Draft
Environmental Impact Report
For Public Review

Saratoga Retirement Community
Campus Master Plan

SCH#2021110366

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AECOM

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EXECUTIVE SUMMARY

This Environmental Impact Report is an informational document prepared pursuant to the California Environmental Quality Act (CEQA), Public Resources Code (PRC) Section 21000 et seq., that is intended to disclose to the public and decision-makers the environmental consequences of the proposed Saratoga Retirement Community Campus Expansion (the Project), proposed by Ankrom Moisan Architects on behalf of the Saratoga Retirement Community/Pacific Retirement Services (the Project Applicant). This report is prepared for the Lead Agency under CEQA, the City of Saratoga (City).

This executive summary highlights the major areas of importance in the environmental analysis for the Project, as required by Title 14, California Code of Regulations (CCR), Section 15123 of the CEQA Guidelines (CEQA Guidelines). This executive summary includes (1) a summary description of the proposed Project, (2) a synopsis of environmental impacts and recommended mitigation measures (Table ES-1), a summary description of cumulative impacts (Table ES-1), (3) identification of the alternatives evaluated, and (4) a discussion of the areas of controversy associated with the Project.

SUMMARY OF THE PROPOSED PROJECT

Project Location and Setting

The Saratoga Retirement Community (SRC) campus is at 14500 Fruitvale Avenue, Saratoga, on three contiguous parcels totaling approximately 37 acres. The Assessor Parcel Numbers (APN) of the parcels are: 397-12-012, 397-12-019, and 397-40-006. The SRC campus is located within a predominantly residential neighborhood, approximately halfway between State Route (SR) 85 to the northeast and SR 9 to the southwest. The West Valley College Campus is located approximately a quarter of a mile to the north of the SRC campus.

The existing SRC campus is a private residential community for seniors, which is centered around the Saratoga Manor (the Manor Building), a Mission Revival-style building that was completed in 1912 by the Independent Order of Odd Fellows to care for older members of the order. The Manor Building, also known as the Odd Fellows Home, is listed on the City's Heritage Resources Inventory but has not been designated as a historic landmark by the City. The Manor Building is also eligible for listing in the California Register of Historical Resources (CRHR) and information relating to the Manor Building as a historical resource is provided in Section 3.5 of this Environmental Impact Report (EIR).

The facility currently has 249 residential units (143 independent living units and 106 assisted living units) and 94 skilled nursing beds. Independent living units are provided within the Manor building, two apartment buildings, and 20 villas/cottages. Assisted living units are provided within an assisted living building which contains 88 assisted living beds and 18 memory care beds. The 94 skilled nursing beds are located within the Health Center. A fitness center is also present at the site.

Project Description

The Project Applicant is seeking approval to construct three new residential buildings, a new meeting room addition to the existing Manor building, and an expansion to the existing fitness center. The proposed Project also includes a reduction in the number of existing memory care

and skilled nursing beds at the facility, to accommodate increased patient preference for private single-occupancy rooms rather than the current double occupancies. If approved, the proposed Project would result in a total of 298 residential units (195 independent living units and 103 assisted living units) and 52 skilled nursing beds at the facility.

Building A would be constructed within the existing garden/recreation area south of the Manor building and north of the Fitness Center. The proposed building would contain 22 independent living residential units on two floors (total area 35,898 square feet [SF]) with one level of below-grade parking (16,879 SF) containing 34 parking spaces. The height of Building A above average grade would be approximately 37 feet, and the total building footprint would be 17,949 SF.

Building B would be constructed within the parking lot north of the Manor building. The proposed building would contain 10 independent living units on two floors (total area 28,475 SF), with a partial level of at-grade parking and one level of below-grade parking. A total of 64 parking spaces (31,710 SF) would be provided. The height of the building above average grade would be approximately 27.5 feet, and the total building footprint would be 24,659 SF.

Building C would be constructed within the parking lot north of the assisted living building. The building would contain 20 independent living units on three floors (total area 41,715 SF), with a partial level of at-grade parking and one level of below-grade parking providing a total of 77 parking spaces (25,899 SF). The height of the building above average grade would be approximately 40.5 feet, and the total building footprint would be 18,509 SF.

The Meeting Room Addition would be attached to the west of side of the Manor building at its existing doorway. The main floor of the addition (4,792 SF) would contain a meeting room (3,259 SF) and associated storage and lobby areas, with one floor of at-grade parking (7,043 SF) below.

The Fitness Center Addition would be constructed west of the existing Fitness Center building, connecting to the southern side of the corridor between the fitness room and pool. This single-story building would be approximately 1,065 SF in area, and just over 16 feet in height above average grade.

A total of 52 new independent living residential units would be constructed as part of the proposed Project (22 in Building A, 10 in Building B, and 20 in Building C), bringing the total number of independent living units on the property to 149. There would be no change to the number of existing independent living units within the Manor building, two Apartment Buildings, and Cottages, and no change to the number of assisted living units within the assisted living building.

The number of memory care beds within the assisted living building would be reduced from 18 to 15 (i.e., a reduction of 3 memory care beds), and the number of skilled nursing beds within the Health Center would be reduced from 94 to 52 (i.e., a reduction of 42 skilled nursing beds). The number of memory care and skilled nursing beds is proposed to be reduced due to conversion of semi-private double-occupancy rooms to private single-occupancy rooms, each with their own fully-accessible bathroom.

Recreational facilities displaced by construction (i.e., the putting green and bocce ball court) would be relocated to the west of Building A. The proposed Project would also include a public trail connection along Odd Fellows Drive, connecting Fruitvale Avenue with the San Marcos Open Space, via Chester Avenue, Gypsy Hill Road, and Via De Marcos.

Project Objectives

The Project Applicant's objectives for the Project are to:

1) Continue to improve this long established and well respected Life Plan Community so that it responds to the changing Senior Housing market, and remains a viable campus for years to come. Continue to provide a campus where seniors can age in place, with independent living, assisted living, memory care, and Skilled Nursing.
2) Add a minimum of 52 new independent living senior housing units to provide the opportunity for more seniors, including many from the city of Saratoga, to enjoy independent living, with access to a high quality continuum of care.
3) Generate an additional income stream from the new independent living units, to help upgrade other parts of the campus including a major renovation of the Health Center. Always maintain a strong financial position to insure the future of the campus.
4) Provide upgrades to the existing Health Center, which would include converting existing semiprivate rooms to private rooms with private baths.
5) Preserve and maintain the existing the buildings on the campus, including the original Manor Building and the Health Center.
6) Provide a new and larger Meeting Room, that will seat all the apartment and cottage residents on the campus.
7) Expand Independent Dining to serve the additional residents that will join the campus and provide more dining choices for existing residents.
8) Provide an additional Fitness Building suitable for more fitness options like floor exercise, aerobics, yoga, tai chi, dance, and more.
9) Ensure that new buildings are designed to blend with the existing independent living buildings and Cottages, and also designed to respect and be sympathetic to the original Manor Building.
10) Augment the existing parking on the campus for the residents, staff, visitors, service providers, and vendors.
11) Maintain a high level of landscape design, amenities, and plant materials on the campus.

SUMMARY OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Table ES-1 (at the end of this section) summarizes all of the impacts of the proposed Project, identifies the significance determination of each impact, and presents the full text of the recommended mitigation measures for each impact. A complete discussion of impacts and associated mitigation measures is presented in Section 3, "Environmental Setting and Impact Assessment," of this EIR.

SUMMARY OF PROJECT ALTERNATIVES

The alternatives discussion of this EIR was prepared in accordance with Section 15126(d) of the CEQA Guidelines and focuses on alternatives that are capable of eliminating or reducing significant adverse effects associated with the Project while feasibly attaining most of the basic

objectives. The following discussion summarizes the alternatives evaluated in this EIR. See Chapter 4, "Alternatives," for additional detail.

- **No Project Alternative:** CEQA Guidelines Section 15126.6(e) requires that an EIR analyze a "No Project" alternative. The purpose of describing and analyzing a No Project Alternative is to allow decision makers to compare the impacts of approving the project with the impacts of not approving the project. The No Project Alternative reflects the conditions that would reasonably be expected to occur in the foreseeable future if the project were not approved (CEQA Guidelines Section 15126.6(e)). Under the No Project Alternative, the proposed campus expansion would not occur and no new facilities would be constructed.
- **Alternative 1 – Residents' Alternative:** Alternative 1 was proposed by a group of existing SRC residents known as "Preserve SRC" as a potential alternative to the proposed Project that would provide the same number of new independent living units (52) on the campus whilst possibly avoiding or minimizing some of the key concerns that many of the existing SRC residents have about the proposed Project. Many public comments received during the EIR Scoping Period requested that a detailed analysis of the Residents' Alternative be included in the EIR. Alternative 1 would involve construction of a new skilled nursing building within the same footprint as the Project's proposed Building C, into which the existing Health Center residents and facilities would be relocated following its completion. The existing Health Center would then be demolished, and a new building (Building D, not part of the proposed Project) would be constructed in its place to house the 52 new independent living units and a meeting room facility. The Fitness Center Addition would be constructed under Alternative 1, exactly as proposed by the Project. Buildings A and B and the proposed Meeting Room adjacent to the Manor building would not be constructed under this alternative.
- **Alternative 2 – Reduced Development Alternative:** Alternative 2 would be identical to the proposed Project, except that Building B and the associated improvements to the north of the Manor Building would not be constructed. The existing circular driveway (Manor Circle) and associated landscaped area and parking spaces in front of the Manor building would remain unchanged, except at the very northeastern extent where Colfax Lane would be realigned to allow construction of Building C. All other components would be as described for the proposed Project, except that Building A and/or Building C would be internally reconfigured to allow for 10 additional independent living units to be incorporated so that the redevelopment under this alternative would have the same number of new independent living units (52 units) as the proposed Project. In addition, the underground parking garages of either Building A and/or Building C and/or the Meeting Room would be expanded and reconfigured to accommodate additional parking spaces so that the total number of parking spaces on site under this alternative would be the same as or similar to the proposed Project.
- **Alternative 3 – Applicant's Alternative**: Alternative 3 was submitted by the Project Applicant as a potential alternative development plan for the campus that would provide the same number of new independent living units (52) on the campus as the proposed Project, without including Building B in front of the existing Manor Building and associated significant and unavoidable historic impacts. Alternative 3 would include the construction of Building A, Building C, the Meeting Room Addition, and Fitness Center Addition, exactly as proposed by the Project. In addition, the internal improvements to the existing Health Center units, Manor Building dining area, installation of a secondary emergency access point, removal of the small traffic circle at the entrance to Odd Fellows Drive, and the proposed public trail connection along Odd Fellows Drive, would also be the same as described for the proposed Project. Alternative 3 would not include construction of Building B in front of the Manor

Building. Instead, a new “Building D” would be constructed within the space currently occupied by the employee parking lot and northernmost duplex cottage (which would be demolished) on the southwest corner of Odd Fellows Drive and West Cottages Lane. Building D would be a 2-story building containing 10 independent living units on the upper floor, and 2 additional independent living units and 32 parking spaces on the lower floor. A new single cottage unit would be constructed further south along West Cottage Lane (opposite the Fitness Center Addition). Additional surface parking would be installed within the grassed area between Manor Circle and Odd Fellows Drive.

ENVIRONMENTALLY SUPERIOR ALTERNATIVE

CEQA requires that, among the alternatives, an “environmentally superior” alternative be selected and that the reasons for such selection be disclosed. In general, the environmentally superior alternative is the alternative that would generate the fewest or least severe adverse impacts. Alternatives are discussed in Section 4 of this EIR.

The No Project Alternative is environmentally superior because it would have no environmental impacts and would avoid the proposed Project’s significant and unavoidable impacts on historical resources and construction noise. When the No Project Alternative is environmentally superior, CEQA requires that another alternative be identified [CEQA Guidelines Section 15126.6(e)(2)].

Alternative 2, the Reduced Development Alternative, would avoid the proposed Project’s significant and unavoidable impact to historical resources, but would require the same mitigation measures as the Project (MM-CUL-1a through MM-CUL-1c) in order to reduce the potential impacts to less than significant with mitigation (Impact CUL-1). Alternative 2 would reduce the intensity of several impacts compared to the proposed Project due to the smaller construction footprint, e.g., construction-related air emissions (Impact AIR-1), tree removal (Impact BIO-5), potential for encountering archaeological, tribal or paleontological resources (Impacts CUL-2, GEO-6, and TCR-1), greenhouse gas emissions (Impact GHG-1), construction noise (Impact NOI-1) and construction vibration (Impact NOI-2), even though the overall level of significance for these impacts would be the same. Unlike Alternative 1, Alternative 2 would not introduce any new or more significant impacts and would not require any additional mitigation measures. Alternative 3 would also avoid the proposed Project’s significant and unavoidable impact to historical resources; but would require an additional mitigation measure (MM-CUL-1d-ALT3) and would also have slightly increased intensity of some construction-related impacts due to the larger construction footprint.

For these reasons, the City has determined that the next environmentally superior alternative to the No Project Alternative would be Alternative 2, the Reduced Development Alternative.

NOTICE OF PREPARATION COMMENTS

Section 15213 of the CEQA Guidelines requires that the lead agency identify areas of controversy and issues to be resolved, including issues raised by other agencies and the public. The Notice of Preparation and written comments received in response to the Notice of Preparation are included in **Appendix A**.

Section 1.2.1, “Notice of Preparation and Scoping Meeting” of this EIR provides a summary of the issues raised during the scoping period and directs readers to where such issues are addressed within the analysis.

ISSUES TO BE RESOLVED

The State CEQA Guidelines require that an EIR present issues to be resolved by the lead agency. These issues include the choice among alternatives and whether or how potentially significant impacts can be mitigated. The major issues to be resolved by the City regarding the Project are:

- whether the recommended mitigation measures should be adopted or modified;
- whether there are any additional mitigation measures that should be applied to the proposed Project; and
- whether the proposed Project, a project alternative, or no project should be approved.

Table ES-1 Summary of Project Impacts and Mitigation Measures

Summary of Impacts and Mitigation	Level of Significance
Impact AES-1: Scenic Vistas The Project would not have a substantial adverse effect on a scenic vista.	Before Mitigation: NI
Mitigation: none required	After Mitigation: N/A
Impact AES-2: Scenic Resources The Project would not substantially damage scenic resources.	Before Mitigation: NI
Mitigation: none required	After Mitigation: N/A
Impact AES-3: Scenic Quality The Project would not conflict with applicable zoning and other regulations governing scenic quality.	Before Mitigation: NI
Mitigation: none required	After Mitigation: N/A
Impact AES-4: Light and Glare The Project would not create a new source of substantial light or glare.	Before Mitigation: LTS
Mitigation: none required	After Mitigation: N/A
Impact AIR-1: Conflict with an Applicable Air Quality Plan The Project would not conflict with or obstruct implementation of applicable air quality plans.	Before Mitigation: LTS
Mitigation: none required	After Mitigation: N/A
Impact AIR-2: Net Increase in Criteria Pollutants The Project could 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.	Before Mitigation: PS
Mitigation MM-AIR-2: Fugitive Dust Reduction Measures A. The construction contractor shall comply with the following BAAQMD BMPs for reducing construction emissions of uncontrolled fugitive dust (PM10 and PM2.5): i. All exposed surfaces (e.g., parking areas, staging areas, soil piles, stockpiles, graded areas, and unpaved access roads) shall be watered twice daily, or as often as needed, treated with non-toxic soil stabilizers, or covered to control dust emissions. Watering should be sufficient to prevent airborne dust from the leaving the site. ii. All haul trucks transporting soil, sand, or other loose material off site shall be covered. iii. All visible mud or dirt track-out onto adjacent public roads and paved access roads shall be removed using wet power (with reclaimed water, if possible) vacuum street sweepers at least once per day, or as often as needed. The use of dry power sweeping is prohibited. iv. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour. v. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.	After Mitigation: LTSM

Summary of Impacts and Mitigation	Level of Significance

vi. Idling times shall be minimized either by shutting equipment off when not in use or by reducing the maximum idling time to 5 minutes (as required by California airborne toxics control measure Title 13 CCR Section 2485). Clear signage shall be provided for construction workers at all access points.

vii. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

viii. A publicly visible sign shall be posted with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 48 hours. BAAQMD's phone number also shall be visible to ensure compliance with applicable regulations.

B. The Project Applicant's project manager or his/her designee shall verify compliance that these measures are included in the Project's grading plan and have been implemented during normal construction site inspections.

Impact AIR-3: Exposure of Sensitive Receptors

Before Mitigation: PS

The Project could expose sensitive receptors to substantial pollutant concentrations.

Mitigation MM-AIR-3: Require Clean Construction Equipment

After Mitigation: LTSM

A. Construction contractors shall use equipment that meets the USEPA's Tier 4 Final emissions standards for off-road diesel-powered construction equipment with engines rated 50 horsepower or greater for all construction activities, unless it can be demonstrated to the City of Saratoga Community Development Department on a case-by-case basis that such equipment is not available. Documentation shall consist of signed written statements from at least three construction equipment rental firms identifying that such equipment is not available. If the City of Saratoga Community Development Department grants the exception, the construction contractor must use the next-cleanest piece of available off-road equipment, according to the step-down alternative compliance table below. If seeking an exception, the construction contractor shall demonstrate to the City of Saratoga Community Development Department's satisfaction that the resulting construction emissions would not exceed the health risk thresholds of significance for cancer risk and $PM_{2.5}$ concentrations with respect to sensitive receptors, as identified within the EIR under Impact AIR-3.

Compliance Alternative	Engine Emissions Standard	Emissions Control
1	Tier 4 Interim	
2	Tier 3	CARB Level 3 VDECS

Notes:
How to use the table: If the City of Saratoga Community Development Department determines that the equipment requirements cannot be met, then the construction contractor must attempt to meet Compliance Alternative 1. If the City of Saratoga Community Development Department determines that the contractor cannot supply off-road equipment that meets Compliance Alternative 1, then the contractor must meet Compliance Alternative 2.
VDECS = Verified Diesel Emissions Control Strategies

B. Prior to construction, the project engineer shall ensure that all construction (e.g., demolition and grading) plans clearly show the requirement for USEPA Tier 4 Final emissions standards for construction equipment over 50 horsepower. During construction, the construction contractor shall maintain a list of all operating equipment in use on the construction site for verification by the City of Saratoga. The construction equipment list shall state the makes, models, and numbers of construction equipment on site in addition to the engine tier rating and CARB engine identification number for each piece of construction equipment.

Summary of Impacts and Mitigation	Level of Significance
Impact AIR-4: Other Emissions Including Those Leading to Odors The Project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people	Before Mitigation: LTS
Mitigation: none required	After Mitigation: N/A
Impact BIO-1: Impacts to Candidate, Sensitive, or Special Status Species The Project could result in a substantial adverse effect on candidate, sensitive, or special status species.	Before Mitigation: PS
Mitigation MM-BIO-1: Nesting Bird Avoidance Measures To the extent practicable, construction activities and any tree trimming/removal shall be performed from September 16 through February 15 to avoid the general nesting period for birds. If construction or tree trimming/removal cannot be performed during this period, nesting bird surveys and active nest buffers (as necessary) will be implemented as follows: A. Nesting Bird Surveys: If Project-related work is scheduled during the nesting season (typically February 15 to August 30 for small bird species such as passerines; January 15 to September 15 for owls; and February 15 to September 15 for other raptors), a qualified biologist will conduct two surveys for active nests of such birds within 14 days prior to the beginning of Project construction, with the final survey conducted within 48 hours prior to construction. Appropriate minimum survey radii surrounding the work area shall be determined by the qualified biologist, but should be at least: i) 50 feet for passerines; ii) 300 feet for raptors. Surveys should be conducted at the appropriate times of day and during appropriate nesting times, as determined by the qualified biologist. B. Active Nest Buffers: If the qualified biologist documents active nests within the survey area, an appropriate buffer between the nest and active construction should be established. The buffer should be clearly marked and maintained until the young have fledged and are foraging independently. Prior to construction, the qualified biologist should conduct baseline monitoring of the nest to characterize "normal" bird behavior and establish a buffer distance which allows the birds to exhibit normal behavior. The qualified biologist should monitor the nesting birds daily during construction activities and increase the buffer if the birds show signs of unusual or distressed behavior (e.g., defensive flights and vocalizations, standing up from a brooding position, and/or flying away from the nest). If buffer establishment is not possible, the qualified biologist or construction foreman should have the authority to cease all construction work in the area until the young have fledged and the nest is no longer active. Construction will only be allowed to impact a migratory bird or its nest, including its young, if a permit from U.S. Fish and Wildlife Service is obtained in accordance with the MTBA.	After Mitigation: LTSM
Impact BIO-2: Impacts to Riparian Habitat or Other Sensitive Natural Communities The project would not have a substantial adverse effect on any riparian habitat or other sensitive natural communities.	Before Mitigation: NI
Mitigation: none required	After Mitigation: N/A
Impact BIO-3: Impacts to State or Federally Protected Wetlands The Project would not have a substantial adverse effect on state or federally protected wetlands.	Before Mitigation: NI
Mitigation: none required	After Mitigation: N/A
Impact BIO-4: Impacts to Fish or Wildlife Movement, Migration or Nursery Sites The Project could interfere substantially with the movement of any native resident or migratory fish or wildlife species.	Before Mitigation: PS

Summary of Impacts and Mitigation	Level of Significance
Mitigation MM-BIO-4: Roosting Bat Surveys and Avoidance The Project Applicant shall retain a qualified biologist to conduct a bat habitat assessment in all project areas that require tree removal. The qualified biologist will identify and document the location of potentially suitable bat roosting habitat prior to construction activities. If no suitable bat habitat is observed, the biologist shall inform the City Planning Department, the Project Applicant and its Construction Contractor, and no further considerations are required. If bat roosting habitat is observed, the location of such habitat areas shall be provided to the City Planning Department, the Project Applicant and its Construction Contractor, and the following requirements shall be implemented throughout the construction period: A. Removal of trees that provide suitable bat roosting habitat shall be conducted outside of the bat maternity season (April 15 to August 31) and overwintering season (October 16 to January 15) to the extent feasible. B. Presence/absence surveys shall be conducted 2 to 3 days prior to removal of any trees in suitable bat habitat, at any time of year. If presence/absence surveys are negative, work may proceed with no restrictions. If presence/absence surveys detect bats within trees planned for removal, work should proceed in accordance with the following restrictions: i. If a maternity colony of bats is observed during maternity season (April 15 to August 31), tree removal shall not occur until August 31 or when maternity season has ended based on surveys conducted by a qualified biologist. ii. If bats are observed during overwintering season (October 16 to January 15), tree removal shall not occur until January 15 or until bats are no longer present based on surveys conducted by a qualified biologist. iii. If bats are present outside of maternity or overwintering seasons, construction shall follow a two-phase tree removal system conducted over 2 consecutive days. On the first day (in the afternoon), limbs and branches will be removed using chainsaws or other hand tools. Limbs with cavities, crevices, or deep bark fissures will be avoided, and only branches or limbs without those features will be removed. On the second day, the entire tree shall be removed.	After Mitigation: LTSM
Impact BIO-5: Conflict with Local Policies or Ordinances Protecting Biological Resources The Project would not conflict with any local policies or ordinances protecting biological resources.	Before Mitigation: LTS
Mitigation: none required	After Mitigation: N/A
Impact BIO-6: Conflict with Habitat Conservation Plans or Natural Community Conservation Plans The Project would not conflict with the provisions of an approved local, regional, or state habitat conservation plan.	Before Mitigation: NI
Mitigation: none required	After Mitigation: N/A
Impact CUL-1: Adverse Change to Historical Resources The Project would have a substantial adverse change in the significance of a historical resource.	Before Mitigation: S&U
Mitigation MM-CUL-1a: Historical Resource Protection Plan Prior to construction, the Project proponent shall prepare a Historical Resource Protection Plan, under the oversight of an architectural historian and/or historian meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61). The Historical Resource Protection Plan shall be implemented throughout the duration of construction activities, and shall include, but not be limited to, the following measures:	After Mitigation: S&U

Summary of Impacts and Mitigation	Level of Significance

A. A pre-construction survey on the Manor Building shall be conducted by an architectural historian who meets the Secretary of the Interior's Historic Preservation Professional Qualification Standards. The Pre-construction survey shall establish a baseline of existing conditions of exterior of the Manor Building with written descriptions, photographs, and sketches of all cracks, spalling, or similar damage.

B. A vibration management and continuous monitoring plan shall be developed and adopted to protect the Manor Building against damage caused by vibration during project construction. The vibration management and monitoring plan related to the Manor Building shall be submitted to the Planning Division prior to issuance of any grading or building permits. The vibration management and monitoring plan shall be at the direction of the qualified structural engineer and shall constitute a blended approach, using both optical survey targets and crack monitors. Use of optical survey targets and crack monitors during construction shall measure whether construction vibration is approaching levels where damage to the historical resource may be possible. The vibration management and monitoring plan shall include site visits every six months by an architectural historian who meets the Secretary of the Interior's Historic Preservation Professional Qualification Standards, during the duration of construction to survey and record any changes to the exterior of the Manor Building. Construction methods shall be reevaluated if measurements and levels of vibration are found to exceed the levels established in the vibration management and monitoring plan and/or if damage to the historical resource may be possible.

C. Pre-construction fencing shall be installed at construction zones around the perimeter of the Manor Building to prevent damage to the building from physical impact of construction equipment and/or vehicles. Such fencing shall be maintained throughout the duration of the construction periods for Building B and the Meeting Room, but shall allow for pedestrian access to and from the Manor Building by residents and others. If it is necessary to temporarily remove the fencing for logistical reasons, the physical and temporal extent of removal shall be minimized to the extent necessary for the task, and the unfenced area shall be monitored by a spotter until the fencing is replaced.

D. A post-construction survey on the Manor Building shall be conducted by an architectural historian who meets the Secretary of the Interior's Historic Preservation Professional Qualification Standards. The post-construction survey shall report any changes that occurred to the exterior of the Manor Building during construction with written descriptions, photographs, and of all pre-construction survey areas that expanded during construction and/or any new cracks, spalling, or similar damage that occurred during construction. If the post-construction survey report documents any damage as a result of Project construction, the architectural historian shall make recommendations for the method of repair for such damage to pre-construction condition, in accordance with the Secretary of the Interior's Standards for Rehabilitation. The Project Applicant shall implement the recommended repairs under the oversight of the architectural historian at the Project Applicant's expense.

Mitigation MM-CUL-1b: Archival Documentation (HABS/HALS)

A. The Manor Building and its associated character-defining features on the Project site shall be documented in accordance with the guidelines established for the Historic American Building Survey/Historic American Landscape Survey (HABS/HALS) program. At a minimum, archival documentation shall include:

i. Large-format photographs

ii. Written narrative following HABS/HALS short format outline

iii. Sketch plan of the Manor Building site, including spatial relationship to Odd Fellows Drive

Summary of Impacts and Mitigation	Level of Significance
B. An architectural historian and/or historian meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61) shall oversee the preparation of the archival documentation. The Level III HABS-equivalent documentation shall cover the Manor Building, along with associated features, spaces, and landscaping. C. Archival-quality prints of the documentation shall be submitted to the City of Saratoga for archival and educational purposes. Additional print copies shall be made available to other local research institutions including the Saratoga Public Library. Mitigation MM-CUL-1c: Interpretive Program A. The Manor Building and its associated features on the Project site shall be commemorated in an interpretive program, the details of which shall be determined in consultation with the City of Saratoga. The interpretive program may include, but shall not be limited to: i. Exhibit, website, pamphlet or similar ii. Historical displays	
Impact CUL-2: Adverse Change to Archaeological Resources The Project could cause a substantial adverse change in the significance of an archaeological resource. Mitigation: MM-CUL-2: Inadvertent Discovery Plan A. Prior to the start of earthmoving activities, the Project Applicant shall retain a qualified archaeologist and a representative from Tamien Nation to develop and implement Archaeological Awareness and Tribal Cultural Resources Sensitivity Training and to develop a Monitoring and Treatment Plan in coordination with the City. i. The training shall include information regarding the possibility of encountering buried cultural resources (including tribal cultural resources), the appearance and types of resources likely to be seen during construction, notification procedures, and proper protocols to be followed should suspected or confirmed resources be encountered. This training shall be provided to all workers prior to their involvement in ground-disturbing activities throughout the duration of construction and shall be documented in training records. ii. The Monitoring and Treatment Plan shall include a project description, background information and context, definitions of monitoring roles and requirements for the project, protocols for discoveries during project work, a list of research questions, and specifications for treatment of finds, including scope of analysis, appropriate analytical techniques, and directions for curation and/or repatriation. This document also describes necessary documentation during project work (e.g., monitoring logs), and defines reporting requirements for results. B. The Project Applicant shall retain a Tamien Nation tribal cultural resources monitor to undertake construction monitoring during initial ground disturbing activities within native soils. Monitoring is not required for redisturbance of soils that have already been monitored. The Project Applicant shall also retain a qualified archaeologist to be on-call during construction and/or to be present for monitoring of initial ground disturbing activities. C. In the event that prehistoric or historic resources (or suspected resources) are encountered during project construction, all activity within a 50-foot radius of the find shall be stopped, the Project Applicant's Project Manager or designee and the City Planning Department shall be notified, and the Tamien Nation tribal monitor and the on-call archaeologist shall examine the find. Project personnel shall not collect or move any cultural material. The archaeologist, in collaboration with the Tamien Nation tribal representative, shall evaluate the find(s) to determine if it meets the definition of a historical, unique archaeological, and/or tribal cultural resource, and follow the further procedures outlined below:	Before Mitigation: PS After Mitigation: LTSM

Summary of Impacts and Mitigation	Level of Significance
i. If the find(s) does not meet the definition of a historical resource or unique archaeological resource, no further study or protection is necessary prior to resuming Project implementation. ii. If the find(s) does meet the definition of a historical resource or unique archaeological resource, then it shall be avoided by Project activities. If avoidance is not feasible, as determined by the City, the qualified archaeologist, in collaboration with the Tamien Nation tribal representative, shall make appropriate recommendations regarding the treatment and disposition of such finds, and significant impacts to such resources shall be mitigated in accordance with the recommendations of the archaeologist, in collaboration with the Tamien Nation tribal representative, prior to resuming construction activities within the 50-foot radius. iii. If the find(s) is potentially a tribal cultural resource, then the Tamien Nation tribal representative shall be consulted. If, after consultation with the Tamien Nation, it is determined that the find(s) is a tribal cultural resource, then the find(s) shall be avoided by Project activities. If avoidance is not feasible, as determined by the City, the qualified archaeologist, in consultation with tribal representatives and the City, shall make appropriate recommendations regarding the treatment and disposition of such finds and significant impacts to such resources shall be mitigated in accordance with the recommendations of the archaeologist, and reasonably agreed upon by the Tamien Nation, prior to resuming construction activities within the 50-foot radius. iv. If the find(s) are human remains or grave goods, the requirements of PRC Section 5097.98, California Health and Safety Code Sections 7050.5, 7051, and 7054, and CEQA Guidelines Section 15064.5(e), shall be followed. v. Recommendations for treatment and disposition of finds could include, but are not limited to, the collection, recordation, and analysis of any significant cultural materials, or the turning over of tribal cultural resources to tribal representatives for appropriate treatment. A report of findings documenting any data recovery shall be submitted to the Northwest Information Center (NWIC). A redacted report of findings shall be submitted to the City's Planning Department. D. Reasonable efforts should be made to ensure that fill soils used for this Project do not contain archaeological materials. If it is found that fill soils used for construction purposes do contain archaeological materials, a different source of fill materials must be retained immediately. E. The Project Applicant shall fabricate and install an interpretive panel or plaque as part of the public trail connection along Odd Fellows Drive, acknowledging the tribal history and indigenous peoples of the area. The content of the panel shall be developed in consultation with the City and Tamien Nation tribal representatives.	
Impact CUL-3: Disturbance of Human Remains The Project would not disturb any human remains. Mitigation: none required	Before Mitigation: LTS After Mitigation: N/A
Impact ENE-1: Wasteful, Inefficient, or Unnecessary Consumption of Energy Resources The Project would not result in wasteful, inefficient, or unnecessary consumption of energy resources. Mitigation: none required	Before Mitigation: LTS After Mitigation: N/A
Impact ENE-2: Conflict with or Obstruct a Renewable Energy or Energy Efficiency Plan The Project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Mitigation: none required	Before Mitigation: LTS After Mitigation: N/A

Summary of Impacts and Mitigation	Level of Significance
Impact GEO-1: Substantial Adverse Effects from Seismic Hazards The Project would not cause potential substantial adverse effects involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, or landslides.	Before Mitigation: LTS
Mitigation: none required	After Mitigation: N/A
Impact GEO-2: Substantial Soil Erosion or Loss of Topsoil The Project would not result in substantial soil erosion or loss of topsoil.	Before Mitigation: LTS
Mitigation: none required	After Mitigation: N/A
Impact GEO-3: Unstable or Expansive Soils The Project would not be located on unstable	Before Mitigation: LTS
soils. Mitigation: none required	After Mitigation: N/A
Impact GEO-4: Expansive Soils The Project would not be located on expansive soils.	Before Mitigation: LTS
Mitigation: none required	After Mitigation: N/A
Impact GEO-5: Soil Suitability for Septic Systems The Project would not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems.	Before Mitigation: NI
Mitigation: none required	After Mitigation: N/A
Impact GEO-6: Damage or Destruction of Unique Paleontological Resources The Project could destroy a unique paleontological resource or site or unique geological feature.	Before Mitigation: PS
Mitigation <u>MM-GEO-6: Paleontological Resource Avoidance Measures</u> A. Before the start of earthmoving activities associated with Project construction, the Project Applicant shall require that all construction personnel involved with earthmoving activities be informed regarding the possibility of encountering fossils, the appearance and types of fossils likely to be seen during construction, and proper notification procedures if such fossils are encountered. This worker training may be prepared and presented by an experienced field archaeologist at the same time as construction worker education on cultural resources, or prepared and presented separately by a qualified paleontologist. B. If paleontological resources are discovered during earthmoving activities, all work within 50 feet of the find shall cease immediately, and the construction contractor shall notify the City of Saratoga Planning Division. The Project Applicant shall retain a qualified paleontologist to evaluate the resource and prepare a recovery plan, based on SVP guidelines (SVP 2010). The recovery plan may include a field survey, construction monitoring, sampling and data recovery procedures, museum curation for any specimen recovered, and a report of findings. Recommendations in the recovery plan that are determined by the City (as the CEQA lead agency) to be necessary and feasible shall be implemented before construction activities resume at the site where the paleontological resources were discovered.	After Mitigation: LTSM
Impact GHG-1: GHG Emissions The Project could generate GHG emissions that may have a significant impact on the environment.	Before Mitigation: PCC

Summary of Impacts and Mitigation	Level of Significance
Mitigation MM-GHG-1a: Require Compliance with Electric Vehicle Requirements in CALGreen Tier 2 Prior to issuance of building permits, Project Building Plans shall demonstrate compliance with the following applicable measure included in the BAAQMD Thresholds for Climate Impacts, to the satisfaction of the City of Saratoga Community Development Department, that the Project achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2. Mitigation MM-GHG-1b: Participation in Silicon Valley Clean Energy Program or On-Site Renewable Energy The Project shall enroll in the Silicon Valley Clean Energy "GreenStart" or "GreenPrime" program, which provide 100 percent GHG emissions free electricity to participating customers or meet 100 percent of their electricity demand through on-site renewable energy, such as solar panels.	After Mitigation: LTSM
Impact GHG-2: GHG Plan, Policy, or Regulation Conflicts The Project could conflict with an applicable plan, policy or regulation adopted for the purpose of reducing GHG emissions.	Before Mitigation: PS
Mitigation: MM-GHG-1a and MM-GHG-1b (detailed for Impact GHG-1)	After Mitigation: LTSM
Impact HAZ-1: Hazards from Routine Use, Transport, Disposal, or Accidental Release of Hazardous Materials The Project would not create a significant hazard through the routine transport, use, or disposal of hazardous materials or reasonably foreseeable upset and accident conditions involving the release of hazardous materials.	Before Mitigation: LTS
Mitigation: none required	After Mitigation: N/A
Impact HAZ-2: Result in Hazardous Emissions within One-Quarter Mile of a School The Project would not emit hazardous emissions or handle hazardous emissions within a quarter mile of a school.	Before Mitigation: NI
Mitigation: none required	After Mitigation: N/A
Impact HAZ-3: Result in Hazards from a Cortese-Listed Site The Project would not create a significant hazard to the public or the environment due to the site being a known hazardous materials site.	Before Mitigation: NI
Mitigation: none required	After Mitigation: LTS
Impact HAZ-4: Airport-related Safety or Noise Hazards The Project would not result in airport-related safety or noise hazards.	Before Mitigation: NI
Mitigation: none required	After Mitigation: N/A
Impact HAZ-5: Interfere with an Emergency Response or Evacuation Plan The Project could impair implementation of an emergency response plan or emergency evacuation plan.	Before Mitigation: PS
Mitigation: MM-TRA-3a and MM-TRA-4 (detailed in Impact TRA-3 and Impact TRA-4, respectively)	After Mitigation: LTSM
Impact HYD-1: Violate Water Quality Standard The Project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.	Before Mitigation: LTS
Mitigation: none required	After Mitigation: N/A

Summary of Impacts and Mitigation	Level of Significance
Impact HYD-2: Substantially Decrease Groundwater Supplies or Interfere with Groundwater Recharge The Project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge.	Before Mitigation: LTS
Mitigation: none required	After Mitigation: N/A
Impact HYD-3: Substantially Alter Drainage Patterns Resulting in Erosion and Sedimentation, Flooding, Pollution, or Impedance of Flood Flows The Project would not substantially alter drainage patterns resulting in erosion or siltation, flooding, pollution, or redirection of flood flows.	Before Mitigation: LTS
Mitigation: none required	After Mitigation: N/A
Impact HYD-4: Release of Pollutants in Flood, Tsunami, or Seiche Hazard Zones The Project would not risk release of pollutants in flood, tsunami, or seiche hazard zones.	Before Mitigation: LTS
Mitigation: none required	After Mitigation: N/A
Impact HYD-5: Obstruct Implementation of a Water Quality Control Plan or Sustainable Groundwater Management Plan The Project would not conflict with a water quality control plan or sustainable groundwater management plan.	Before Mitigation: LTS
Mitigation: none required	After Mitigation: N/A
Impact LUP-1: Physically Divide a Community The Project would not physically divide an established community.	Before Mitigation: NI
Mitigation: none required	After Mitigation: N/A
Impact LUP-2: Land Use Plan, Policy, or Regulation Conflicts The Project would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.	Before Mitigation: LTS
Mitigation: none required	After Mitigation: N/A
Impact NOI-1: Increase in Ambient Noise Levels The Project could result in generation of a substantial temporary increase in ambient noise levels in excess of applicable standards.	Before Mitigation: PS
Mitigation MM-NOI-1a: Update and Implement Construction Noise Mitigation Plan The Project Applicant and its construction contractor(s) shall update the preliminary Construction Noise Management Plan to include the following actions, and shall implement the updated plan throughout the duration of construction activities at the project site: A. Provide ongoing coordination and training to all subcontractors on “Noise Awareness Training”. Training will help ensure the Construction Noise Mitigation Plan is implemented effectively. B. Engage the public and residents for active feedback: i. Provide sufficient notice (no fewer than 14 days prior to onset of any noise-intensive construction activity) to the facility, its residents, and neighboring properties within 200 feet of any construction area, including the anticipated schedule of planned work (if needed) on future construction activities.	After Mitigation: S&U

Summary of Impacts and Mitigation	Level of Significance

ii. Such notices shall include contact information for a point of contact to address questions or noise concerns.

iii. Conduct weekly status meeting with the Facilities team outlining upcoming activities, which shall be verifiably relayed to the residents.

C. Identify noise abatement opportunities below, wherever practicable:

i. Locate haul routes away from active noise-sensitive buildings

ii. Locate storage and construction staff parking areas off site.

iii. Design foundation systems that eliminate noise-intensive creating work, (e.g., pile driving).

iv. Design shoring systems that prevent unnecessary noise or vibration.

D. Mitigation at noise source:.

i. Specify the use of quieter equipment/procedure alternatives, where practicable, in the contract documents.

ii. Require equipment used onsite to produce sound levels below the City of Saratoga 100 dBA limit at 25 feet.

iii. Schedule construction activities that generate higher noise levels at optimal times of the day.

iv. Ensure all construction activities occur within the working hours prescribed by the City of Saratoga.

E. Path mitigation by providing sound barriers.

i. Provide temporary sound barriers along heavy traffic paths and portions of the site haul route as needed.

ii. Provide temporary sound barriers that would obstruct the line-of-sight from receptors to key construction zone areas for all receptors predicted to experience construction noise levels greater than the FTA criterion of 80 dBA ($L_{eq(8\text{-}hour)}$). Such barriers shall be of sufficient mass and dimension to reduce predicted construction noise levels to the FTA criterion or lower wherever practicable. Should barrier implementation be infeasible, or if monitoring shows that noise levels at receptors still exceed the FTA criterion, residence windows shall be acoustically upgraded with sufficient window inserts or affected residents shall be temporarily relocated.

F. Construction Noise Monitoring

i. Noise measurements shall be conducted on a weekly basis to verify that noise barriers are performing as intended and construction noise levels remain at or below the FTA criterion at receptors. Measurements shall be conducted for a period considered representative of noise levels for the given day/week. Noise measurements shall also be conducted at the onset of new construction phases (considering phase changes in nearby work areas as well) and if ongoing construction activities shift drastically toward a receptor.

ii. Measurements shall be conducted using a sound level meter rated by the American National Standards Institute as Class 1 or Class 2 per American National Standards Institute S1.4-2014.

iii. Should monitored noise levels exceed the FTA criterion, construction activities generating the exceedance shall be stopped until either construction noise levels can be reduced to within limits or residents are relocated.

G. Noise Receptor Mitigation

i. The contractor shall coordinate with the facility to move residents temporarily if needed during construction activities that are disruptive.

Summary of Impacts and Mitigation	Level of Significance
ii. Facility management shall ensure that building heating, ventilation, and air conditioning systems are operating at full capacity/function throughout the construction period, to allow residents to maintain closed windows throughout the construction period.	
Mitigation MM-NOI-1b: Limit Sound Power Level of Mechanical Equipment or Implement Additional Noise-Reduction Measures Where possible, the Project Applicant shall install rooftop mechanical (HVAC) equipment with a sound power rating of 91 dBA or less on all proposed buildings. If mechanical equipment with a Sound Power Level rating of more than 91 dBA is to be installed, then prior to building permit issuance, the Project Applicant shall retain a qualified acoustic consultant to model the predicted noise levels on adjacent properties, based on the actual Sound Power Level rating of the units proposed for installation. The qualified acoustic consultant shall submit a report to the City Planning Department showing the predicted noise levels, and recommending additional measures (e.g., additional acoustic screening) to reduce the predicted noise levels at all adjacent properties to below the 40 dBA Leq threshold. The report shall also demonstrate that the recommended additional measures adequately reduce the predicted noise levels to below the 40 dBA Leq threshold.	
Impact NOI-2: Exposure of People to Groundborne Noise and Vibration Levels	
The Project could result in generation of a substantial temporary or permanent increase in ambient noise levels in excess of applicable standards.	Before Mitigation: PS
Mitigation MM-NOI-2: Construction Vibration Minimization Measures	After Mitigation: LTSM
The Project Applicant shall include the following measures in its contractor specifications, and such measures shall be implemented by the Contractor(s) during construction: A. The use of vibratory rollers within a 25-foot buffer zone around the Manor Building, and the use of drill rigs, large bulldozers, or dump trucks within a 15-foot buffer of the Manor Building shall be avoided to the maximum extent practicable. B. Where practicable, smaller equipment which generates lower levels of vibration shall be used within the specified buffer zones. C. Advance notice (at least 14 days) shall be provided to SRC residents, neighboring property owners and the City for construction activities requiring use of vibratory rollers within 75 feet of residential units, or the use of drill rigs, large bulldozers, or dump trucks within 45 feet of residential units.	
Mitigation MM-CUL-1a: Historical Resource Protection Plan (Detailed above under Impact CUL-1)	
Impact NOI-3: Excessive Airport Noise	
The Project would not expose people to excessive noise levels from nearby airports.	Before Mitigation: NI
Mitigation: none required	After Mitigation: N/A
Impact POP-1: Inducement of Unplanned Population Growth	
The Project would not directly or indirectly induce substantial unplanned population growth in an area.	Before Mitigation: NI
Mitigation: none required	After Mitigation: N/A
Impact POP-2: Displacement of People or Housing	
The Project would not displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.	Before Mitigation: NI

Summary of Impacts and Mitigation	Level of Significance
Mitigation: none required	After Mitigation: N/A
Impact PS-1: Impacts Associated with Provision of or Need for New or Altered Government Facilities	
The Project would not result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities.	Before Mitigation: LTS
Mitigation: none required	After Mitigation: N/A
Impact REC-1: Construction or Expansion of New Recreational Facilities	
The Project would not increase the use of existing recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.	Before Mitigation: LTS
Mitigation: none required	After Mitigation: N/A
Impact REC-2: Construction or Expansion of New Recreational Facilities	
The Project would not include or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.	Before Mitigation: LTS
Mitigation: none required	After Mitigation: N/A
Impact TRA-1: Conflict with Transportation Plan, Program, Ordinance or Policy	
The Project would not conflict with a program plan, ordinance or policy addressing the circulation system.	Before Mitigation: LTS
Mitigation: none required	After Mitigation: N/A
Impact TRA-2: Consistency with CEQA Guidelines relating to Vehicle Miles Traveled	
The Project would not conflict with CEQA Guidelines related to vehicle miles traveled.	Before Mitigation: LTS
Mitigation: none required	After Mitigation: N/A
Impact TRA-3: Potential for Creation of Substantial Traffic-Related Hazards	
The Project could substantially increase traffic-related hazards.	Before Mitigation: PS
Mitigation: MM-TRA-3a: Construction Traffic Control Plan. Prior to issuance of demolition or grading permits, the Project Applicant and/or its construction contractor shall develop a traffic control plan in accordance with the City's Standard Details and Specifications for Construction and Temporary Traffic Control Plan Requirements and shall submit the plan to the City for review and approval. The Traffic Control Plan shall be implemented throughout the duration of construction and shall include, but not be limited to, the following: A. Schedule of construction showing each phase of the project, construction hours, and anticipated method of handling traffic for each phase, including drawings identifying lane configurations, haul routes, road and lane closures, detour routes for vehicular and pedestrian traffic, work areas, staging areas, and worker parking areas. The location of signs, barricades, codes, etc., to warn, direct, and guide traffic shall be shown on the plan, as well as any supplementary traffic control devices that might be required. B. Development and implementation of a process for communicating with owners/occupants of properties accessed via Odd Fellows Drive and/or San Marcos Road about Project construction, with at least 72 hours advance notice prior to commencing work on the Project	After Mitigation: LTSM

Summary of Impacts and Mitigation	Level of Significance
and of any temporary lane or road closures (including private roadways within the SRC campus). Notification shall include the construction schedule, the exact location and duration of activities on each roadway, detours and alternative routes that may be available to avoid delays, and contact information for questions and complaints. The City shall be included in any notifications. C. Notification of administrators of any affected police and fire stations, and ambulance service providers regarding the timing, location, and duration of construction activities and the locations of detours and road or lane closures. Access for emergency vehicles on and/or adjacent to roadways affected by construction activities shall be maintained at all times. D. Scheduling equipment/deliveries during off-peak vehicular commuter hours and use of flaggers if oversized loads are required. Mitigation MM-TRA-3b: Implement Recommendations of Traffic Study A. The Project Applicant shall implement all recommendations of the Traffic Study prepared for the Project by Hexagon Transportation Consultants Inc., dated January 22, 2021, which include: i. that the Project Applicant ensure that there is no tall vegetation near the driveways that would block a driver's sight distance for 150 feet; ii. that stop signs should be installed for exiting vehicles at all new intersections, and a drop-off area be maintained in front of the Manor Building; iii. that a sign indicating one-way travel be installed at the exit from Pavilion Circle onto West Cottages Lane; and iv. that the Project Applicant clearly communicate with the delivery vehicles that they need to park in designated areas on site. B. In addition, the Project Applicant shall develop and implement a delivery schedule for vendors so that the number of simultaneous deliveries to campus does not exceed the available designated loading space.	
Impact TRA-4: Project-Related Interference with Emergency Access The Project could result in inadequate emergency access. Mitigation: MM-TRA-3a: Construction Traffic Control Plan (Detailed above under Impact TRA-3)	Before Mitigation: PS After Mitigation: LTSM
Impact TCR-1: Tribal Cultural Resources The Project could cause a substantial adverse change in the significance of an as-yet unidentified tribal cultural resource. Mitigation: MM-CUL-2: Inadvertent Discovery Plan (Detailed above under Impact CUL-2)	Before Mitigation: PS After Mitigation: LTSM
Impact UTI-1: New or Expanded Utility Services The Project would not require new or expanded utility services that could cause significant environmental effects. Mitigation: none required	Before Mitigation: LTS After Mitigation: N/A
Impact UTI-2: Sufficient Water Supplies The Project would have sufficient water supplies available. Mitigation: none required	Before Mitigation: LTS After Mitigation: N/A

Summary of Impacts and Mitigation	Level of Significance
Impact UTI-3: Wastewater Treatment Capacity The Project would not result in determination of inadequate wastewater treatment capacity.	Before Mitigation: LTS
Mitigation: none required	After Mitigation: N/A
Impact UTI-4: Solid Waste Capacity & Solid Waste Statutes and Regulations The Project would not generate solid waste in excess of local standards or capacity of local infrastructure.	Before Mitigation: LTS
Mitigation: none required	After Mitigation: N/A
Impact UTI-5: Solid Waste Statutes and Regulations The Project would comply with solid waste management and reduction statutes and regulations.	Before Mitigation: LTS
Mitigation: none required	After Mitigation: N/A
Impact WF-1: Impairment of Emergency Response Plans or Emergency Evacuation Plans The Project could impair an emergency response plan or emergency evacuation plan.	Before Mitigation: PS
Mitigation MM-TRA-3a: Construction Traffic Control Plan (Detailed above under Impact TRA-3)	After Mitigation: LTSM
Impact WF-2: Exposure of Project occupants to pollutant concentrations from wildfire or uncontrolled spread of wildfire. This project would not expose Project occupants to pollutant concentrations from wildfire or uncontrolled spread of wildfire.	Before Mitigation: LTS
Mitigation: none required	After Mitigation: N/A
Impact WF-3: Installation or maintenance of infrastructure that may exacerbate fire risk The installation or maintenance of infrastructure associated with the Project would not exacerbate fire risk.	Before Mitigation: LTS
Mitigation: none required	After Mitigation: N/A
Impact WF-4: Exposure to significant risks as a result of runoff, post-fire slope instability or drainage changes The Project would not result in significant risks related to downslope or downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes.	Before Mitigation: LTS
Mitigation: none required	After Mitigation: N/A
Impact MFS-1: Effects to Wildlife or Plant Species or Important Examples of California History or Prehistory The impact of the Project would be potentially significant. Implementation of MM-BIO-1 and MM-BIO-4 would reduce potential impacts on wildlife and plants to less than significant with mitigation; and MM-CUL-2 would reduce impacts on examples of California prehistory to less than significant with mitigation; but even with implementation of MM-CUL-1a through 1c the impact to important examples of California history would remain significant and unavoidable.	Before Mitigation: PS
Mitigation: MM-BIO-1, MM-BIO-4, MM-CUL-1a through MM-CUL-1c, MM-CUL-2 (detailed above)	After Mitigation: LTSM or S&U

Summary of Impacts and Mitigation	Level of Significance
Impact MFS-2: Individually Limited but Cumulatively Considerable Impacts	
The cumulative impact would be no impact or less than significant for most resource topics. The overall cumulative impact would be potentially significant for some topics, but the Project's contribution would either be less than cumulatively considerable or could be reduced to less than cumulatively considerable with implementation of project-level or cumulative level mitigation.	Before Mitigation: PS
Mitigation: MM-AIR-2, MM-CUL-2, MM-GEO-6, MM-GHG-1a, and MM-GHG-1b (detailed above) Mitigation C-MM-TRA-1: Cumulative Construction Traffic Noise Reduction Plan In the unlikely event that the construction period for the Project overlaps with the construction period for future development on the adjacent Fellowship Plaza property, the Project Applicant and its construction contractor, in conjunction with the developer and contractor for the Fellowship Plaza project, shall develop a combined construction traffic noise reduction plan. The plan shall be submitted to the City for review and approval and shall be implemented by the Project Applicant and its contractors throughout the duration of overlapping construction. The combined plan shall contain, but not be limited to, the following: A. Identification of anticipated periods when construction of the two projects would overlap, and the estimated level of construction traffic that would utilize Odd Fellows Drive and San Marcos Road from each project during those periods. B. Analysis from a qualified acoustic consultant determining the estimated cumulative increase in traffic noise along Odd Fellows Drive and San Marcos Road during those periods when the two projects would overlap. If the combined increase in traffic noise would exceed 5 dBA above existing levels at any time during the overlapping construction periods, the acoustic consultant shall provide details of the location and design of temporary noise barriers and/or other measures that would be required in order to shield adjacent sensitive receptors such that the combined increase in traffic noise at any receptor would not exceed 5 dBA above existing levels. C. A cost-sharing agreement between the two project proponents for implementation of required shielding measures. Mitigation C-MM-TRA-4: Coordination of Traffic Control Plans In the event that the construction period for the Project overlaps with the construction period for future development on the adjacent Fellowship Plaza property, the Project Applicant and its construction contractor shall coordinate closely with the developer and contractor for that project to develop a combined construction traffic control plan addressing the combined impacts of temporary disruptions to Odd Fellows Drive and San Marcos Road and the secondary emergency access points between Odd Fellows Drive and Chester Avenue. The combined plan shall be submitted to the City for review and approval, and shall be implemented by the Project Applicant and its contractors throughout the duration of overlapping construction. The combined plan shall contain, but not be limited to, the same contents described in MM-TRA-3a, but pertaining to construction of both projects.	After Mitigation: LTSM
Impact MFS-3: Direct or Indirect Adverse Effects on Human Beings	
The impact would be no impact, less than significant, or less than significant with mitigation for all resource topics impacting humans.	Before Mitigation: PS
Mitigation: MM-NOI-1a and MM-NOI-1b (detailed above)	After Mitigation: LTSM

Source: Prepared by AECOM.

Acronyms: LTS = less than significant impact; LTSM = less than significant with mitigation; LTCC = less than cumulatively considerable; NI = no impact; PS = potentially significant; S&U = significant and unavoidable; N/A = not applicable.

Table of Contents

Executive Summary ..... **i**
1 Introduction **1-1**
1.1 Purpose of the EIR and CEQA Process 1-1
1.2 Environmental Review Process 1-2
1.3 Project Background 1-7
1.4 Document Organization 1-7
2 Project Description **2-1**
2.1 Project Location and Setting 2-1
2.2 Project Objectives 2-5
2.3 Proposed Project Characteristics 2-5
2.4 Project Construction 2-33
2.5 Required Permits and Approvals 2-41
3 Environmental Setting and Impact Analysis **3-1**
3.1 Methodology 3-1
3.2 Aesthetics 3-7
3.3 Air Quality 3-21
3.4 Biological Resources 3-53
3.5 Cultural Resources 3-71
3.6 Energy 3-111
3.7 Geology and Soils 3-123
3.8 Greenhouse Gas Emissions 3-143
3.9 Hazards and Hazardous Materials 3-165
3.10 Hydrology and Water Quality 3-179
3.11 Land Use and Planning 3-199
3.12 Noise 3-207
3.13 Population and Housing 3-243
3.14 Public Services 3-249
3.15 Recreation 3-257
3.16 Transportation 3-265
3.17 Tribal Cultural Resources 3-295
3.18 Utility and Service Systems 3-305
3.19 Wildfire 3-321
3.20 Environmental Topics for which No Impacts were Identified 3-329
3.21 Mandatory Findings of Significance 3-331

4 Alternatives 4-1
4.1 Introduction 4-1
4.2 Summary of Alternatives Considered 4-5
4.3 No Project Alternative 4-7
4.4 Alternative 1 – Residents' Alternative 4-9
4.5 Alternative 2 – Reduced Development Alternative 4-77
4.6 Alternative 3 – Applicant's Alternative 4-125
4.7 Environmentally Superior Alternative 4-193
5 Other CEQA Considerations 5-1
5.1 Significant Environmental Effects That Cannot be Avoided if the Project is Implemented 5-1
5.2 Significant Irreversible Environmental Changes 5-1
5.3 Growth Inducement 5-2
6 References 6-1
7 List of Preparers 7-1
7.1 City of Saratoga (Lead Agency) 7-1
7.2 AECOM (CEQA Consultant) 7-1

Appendices

Appendix A Notice of Preparation and Scoping Comments
Appendix B Arborist Report and City Arborist Approval
Appendix C Air Quality and Greenhouse Gas Emissions Supporting Documentation
Appendix D Historic Resources Supporting Documentation
Appendix E Noise and Vibration Supporting Documentation
Appendix F Transportation Supporting Documentation

Figures

Figure 2.1-1 Project Location 2-3
Figure 2.1-2 Project Site 2-4
Figure 2.3-1 Proposed Site Plan 2-13
Figure 2.3-2 Building A – South and East Elevations 2-15
Figure 2.3-3 Building A – North and West Elevations 2-17
Figure 2.3-4 Building B – North and West Elevations 2-19
Figure 2.3-5 Building B – South and East Elevations 2-21
Figure 2.3-6 Building C – North and East Elevations 2-23
Figure 2.3-7 Building C – South and West Elevations 2-25
Figure 2.3-8 Meeting Room – Elevations 2-27
Figure 2.3-9 Fitness Center Addition – Elevations 2-29
Figure 2.3-10 Proposed Site Circulation Changes 2-31
Figure 2.4-1 Proposed On-site Construction Staging 2-37
Figure 2.4-2 Proposed Off-site Staging and Construction Haul Routes 2-39
Figure 3.1-1 Projected Population in City of Saratoga 3-5
Figure 3.2-1 View looking southeast toward SRC campus from San Marcos Road. 3-8

Figure 3.2-2 View looking south toward SRC campus from Chester Avenue. 3-9
Figure 3.2-3 View looking northwest toward SRC campus from Via de Marcos. 3-9
Figure 3.2-4 View looking south toward SRC campus from South College Circle. 3-10
Figure 3.2-5 View looking northeast toward SRC campus from the Villa Montalvo Lookout Point. 3-10
Figure 3.2-6 Viewpoint Locations for preceding figures 3-11
Figure 3.5-1 Ca. 1950 oblique photograph with Manor Building at center 3-73
Figure 3.5-2 View of the existing Manor Building (primary north elevation) atop slight rise from Odd Fellows Drive, with curvilinear driveway 3-88
Figure 3.5-3 Existing view of west elevation of the west wing of the Manor Building. 3-89
Figure 3.5-4 Applicant's rendering of the north elevation of the new Meeting Room Addition to the west elevation of the Manor Building. 3-90
Figure 3.5-5 Manor Building's existing curvilinear driveway, setback from Odd Fellows Drive, and siting atop slight rise from Odd Fellows Drive. 3-91
Figure 3.5-6 Applicant's rendering of Building B and new driveway in relation to the Manor Building 3-92
Figure 3.8-1 California 2019 GHG Inventory 3-145
Figure 3.8-2 Emissions by Sector, 2008 and 2017 3-146
Figure 3.12-1 Typical Indoor/Outdoor Noise Levels 3-208
Figure 3.12-2 Ambient Noise Measurement Sites 3-213
Figure 3.12-3 Predicted Operational Noise Levels – Proposed Project 3-230
Figure 3.12-4 Predicted Operational Noise Levels – Proposed Project (Mitigated) 3-232
Figure 4.4-1 Conceptual Site Plan – Alternative 1 4-11
Figure 4.4-2 Conceptual Building D Layout – Alternative 1 4-13
Figure 4.4-3 Predicted Operational Noise Levels – Alternative 1 4-58
Figure 4.4-4 Predicted Operational Noise Levels – Alternative 1 (Mitigated) 4-60
Figure 4.6-1 Conceptual Site Plan – Alternative 3 4-127
Figure 4.6-2 Building D Elevations – Alternative 3 4-129
Figure 4.6-3 Manor Circle Parking Lot – Alternative 3 4-131
Figure 4.6-4 Predicted Operational Noise Levels – Alternative 3 4-173
Figure 4.6-5 Predicted Operational Noise Levels – Alternative 3 (Mitigated) 4-175

Tables

Table ES-1 Summary of Project Impacts and Mitigation Measures viii
Table 2.3-1 Existing vs Proposed Independent Living Units 2-8
Table 2.3-2 Existing vs Proposed Skilled Nursing, Assisted Living, and Memory Care 2-8
Table 2.3-3 Existing vs Proposed Employment Levels 2-11
Table 2.4-1 Estimated Construction Personnel 2-34
Table 2.4-2 Estimated Cut and Fill Volumes by Location 2-34
Table 3.1-1 List of Cumulative Projects 3-3
Table 3.1-2 List of Sites Identified as Having Potential for Additional Housing Opportunities 3-6
Table 3.3-1 National and California Ambient Air Quality Standards 3-26
Table 3.3-2 San Francisco Bay Area Basin Attainment Status 3-27
Table 3.3-3 Local Air Quality Monitoring Summary 3-28
Table 3.3-4 Average Daily and Annual Criteria Pollutant Emissions Thresholds 3-36
Table 3.3-5 Average Daily and Annual Criteria Pollutant Construction Emissions 3-38

Table 3.3-6 Average Daily and Annual Criteria Pollutant Operational Emissions 3-40
Table 3.3-7 CEQA Health Risk Assessment Thresholds 3-41
Table 3.3-8 Project Construction Maximum Annual $PM_{2.5}$ Concentrations 3-42
Table 3.3-9 Project Construction Maximum Modeled Excess Cancer Risk 3-43
Table 3.3-10 Project Construction Maximum Modeled Excess Chronic Non-Cancer Risk 3-43
Table 3.3-11 Project Construction Mitigated Maximum Annual $PM_{2.5}$ Concentrations..... 3-44
Table 3.3-12 Project Construction Mitigated Maximum Modeled Excess Cancer Risk..... 3-45
Table 3.3-13 Project Construction Mitigated Maximum Modeled Excess Chronic Non-Cancer Risk..... 3-45
Table 3.3-14 Project Operational Maximum Annual $PM_{2.5}$ Concentrations..... 3-46
Table 3.3-15 Project Operational Maximum Modeled Excess Cancer Risk..... 3-47
Table 3.3-16 Project Operational Maximum Modeled Excess Chronic Non-Cancer Risk 3-47
Table 3.4-1 Special-Status Species Potential to Occur in the Project Area 3-59
Table 3.4-2 Open Space and Conservation Element Policy Consistency 3-67
Table 3.5-1 Summary of Project's Adherence to Secretary of the Interior's Standards for Rehabilitation 3-93
Table 3.6-1 Construction-Related Energy Consumption 3-118
Table 3.6-2 Estimated Energy Demand.....3-119
Table 3.7-1 Active Faults in the Project Region..... 3-124
Table 3.7-2 Paleontological Sensitivity Assessment..... 3-129
Table 3.8-1 Adjusted Statewide Emissions Inventory – Land Use–Related Sectors 3-156
Table 3.8-2 Local Service Population Efficiency 2030 Target 3-157
Table 3.8-3 Project Consistency with BAAQMD-Recommended Design Elements..... 3-159
Table 3.8-4 Project Annual Emissions 3-161
Table 3.8-5 Project Mitigated Annual Emissions..... 3-162
Table 3.9-1 Nearby Former Leaking Underground Storage Tank Sites 3-166
Table 3.10-1 Beneficial Uses of Surface Waters in the Project Area 3-181
Table 3.10-2 Section 303(d) List of Impaired Water Bodies 3-182
Table 3.12-1 Summary of Ambient Noise-Level Survey Results – 2021 3-214
Table 3.12-2 Maximum Permissible Outdoor Noise Levels Generated (dBA) 3-217
Table 3.12-3 Anticipated Peak Hour Construction-Related Traffic – Proposed Project ... 3-220
Table 3.12-4 Construction Equipment and Reference Noise Levels – Phases 1 through 3 3-221
Table 3.12-5 Construction Equipment and Reference Noise Levels – Phase 4 3-222
Table 3.12-6 Estimated Construction Noise at Nearby Receptors – Proposed Project ... 3-224
Table 3.12-7 Construction Vibration Damage Criteria 3-233
Table 3.12-8 Indoor Groundborne Vibration Criteria..... 3-233
Table 3.12-9 Typical Construction Equipment Vibration Levels..... 3-234
Table 3.12-10 Estimated Maximum Vibration Levels at Sensitive Receptors - Proposed Project 3-235
Table 3.16-1 Existing Trip Generation from Saratoga Retirement Community Facility 3-267
Table 3.16-2 Estimated Construction Traffic – Proposed Project 3-278
Table 3.16-3 Project Trip Generation Estimates..... 3-280
Table 3.16-4 Existing, Project, and Cumulative Peak Hour Traffic on Project Area Roadways..... 3-290
Table 4.4-1 Estimated Construction Personnel – Alternative 1..... 4-15
Table 4.4-2 Estimated Debris, Cut and Fill Volumes – Alternative 1..... 4-15

Table 4.4-3 Average Daily, Maximum Annual, and Total Criteria Pollutant Construction Emissions for Alternative 1 and the Proposed Project 4-23
Table 4.4-4 Summary of Adherence to Secretary of the Interior's Standards for Rehabilitation – Alternative 1 4-33
Table 4.4-5 Existing Peak Hour Traffic and Construction-Related Traffic – Alternative 1 4-51
Table 4.4-6 Construction Equipment and Reference Noise Levels – Alternative 1, Phase 3 (Demolition) 4-53
Table 4.4-7 Estimated Construction Noise at Closest On-Site Receptors – Alternative 1 4-54
Table 4.4-8 Estimated Maximum Vibration at Sensitive Receptors – Alternative 1 4-61
Table 4.4-9 Estimated Construction Traffic – Alternative 1 4-66
Table 4.5-1 Estimated Construction Personnel – Alternative 2 4-79
Table 4.5-2 Estimated Cut and Fill Volumes by Location – Alternative 2 4-79
Table 4.5-3 Average Daily, Maximum Annual, and Total Criteria Pollutant Construction Emissions for Alternative 2 and the Proposed Project 4-85
Table 4.5-4 Summary of Adherence to Secretary of the Interior's Standards for Rehabilitation – Alternative 2 4-91
Table 4.5-5 Existing Peak Hour Traffic and Construction-Related Traffic – Alternative 2 4-108
Table 4.5-6 Estimated Construction Noise at Nearby Receptors – Alternative 2 4-109
Table 4.5-7 Estimated Construction Traffic – Alternative 2 4-116
Table 4.6-1 Estimated Construction Personnel – Alternative 3 4-133
Table 4.6-2 Estimated Debris, Cut and Fill Volumes by Location – Alternative 3 4-134
Table 4.6-3 Average Daily, Maximum Annual, and Total Criteria Pollutant Construction Emissions for Alternative 3 and the Proposed Project 4-140
Table 4.6-4 Summary of Adherence to Secretary of the Interior's Standards for Rehabilitation – Alternative 3 4-147
Table 4.6-5 Existing Peak Hour Traffic and Construction-Related Traffic – Alternative 3 4-166
Table 4.6-6 Estimated Construction Noise at Closest On-Site Receptors – Alternative 3 4-169
Table 4.6-7 Estimated Maximum Vibration at Sensitive Receptors – Alternative 3 4-176
Table 4.6-8 Estimated Construction Traffic – Alternative 3 4-181
Table 4.7-1 Comparison of Proposed Project and Alternatives 4-195

Acronyms and Abbreviations

AB	Assembly Bill
ABAG	Association of Bay Area Governments
Alquist-Priolo Act	Alquist-Priolo Earthquake Fault Zoning Act
Authority	West Valley Clean Water Program Authority
B.P.	Before Present
BAAQMD	Bay Area Air Quality Management District
BMPs	best management practices
Btu	British thermal units
CAAQS	California Ambient Air Quality Standards
cal BP	calibrated years before present
CAL FIRE	California Department of Forestry and Fire Protection
CalEEMod	California Emissions Estimator Model
CALGreen	California Green Building Standards Code
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CBC	California Building Code
CCR	California Code of Regulations
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CFC	California Fire Code
CFR	Code of Federal Regulations
CGS	California Geological Survey
CH_4	methane
City	City of Saratoga
CMP	Congestion Management Program
CNDDB	California Natural Diversity Data Base
CNEL	community noise equivalent level
CO	carbon monoxide
CO_2	carbon dioxide
CO_2e	CO_2-equivalents
Construction General Permit	SWRCB's statewide NPDES Permit, Storm Water Discharges Associated with Construction and Land Disturbance Activities [Order 2009-009-DWQ as amended by Order No. 2012-0006-DWQ]
CRHR	California Register of Historical Resources
CWA	Clean Water Act
CWPP	Community Wildfire Protection Plan
CY	cubic yards
dB	decibels
dBA	A-weighted dB
DOF	California Department of Finance
DTSC	Department of Toxic Substances Control
DWR	California Department of Water Resources

EIR	environmental impact report
FEMA	Federal Emergency Management Agency
FTA	Federal Transit Administration
GHG	greenhouse gas
gpd	gallons per day
GSAs	groundwater sustainability agencies
GSP	groundwater sustainability plan
HABS	Historic American Building Survey
HALS	Historic American Landscape Survey
HVAC	heating, ventilation, and air conditioning
I-280	Interstate 280
in/sec	inches per second
ITE	Institute of Transportation Engineers
kW	kilowatt
LCFS	low carbon fuel standard
L_{dn}	day-night noise level
LED	light-emitting diode
L_{eq}	equivalent continuous noise level
LID	Low impact design
L_{max}	maximum noise level
L_{min}	minimum noise level
L_n	statistical descriptor
LOS	Level of Service
MMT	million metric tons
mph	miles per hour
MS4	municipal separate storm sewer systems
MTC	Metropolitan Transportation Commission
N_2O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NHTSA	National Highway Traffic and Safety Administration
NO2	nitrogen dioxide
NOX	oxides of nitrogen
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
NWIC	Northwest Information Center
O3	Ozone
OPR	Governor’s Office of Planning and Research
PG&E	Pacific Gas & Electric Company
PM10	particulate matter less than 10 microns in diameter
PM2.5	particulate matter less than 2.5 microns in diameter
PPV	peak particle velocity
PRC	Public Resources Code
Project	Saratoga Retirement Community Campus Expansion
RCRA	Resource Conservation and Recovery Act
ROG	Reactive organic gas

RWF	Regional Wastewater Facility
RWQCB	Regional Water Quality Control Board
RYDE	Reach Your Destination Easily
SAFE	Safer Affordable Fuel Efficient
SB	Senate Bill
SCCFD	Santa Clara County Fire Department
SCCLD	Santa Clara County Library District
SCCSO	Santa Clara County Sheriff's Office
Scoping Plan	Climate Change Scoping Plan: A Framework for Change
SCVURPPP	Santa Clara Valley Urban Runoff Pollution Prevention Program
SF	square feet
SFBAAB	San Francisco Bay Area Air Basin
SFPD	Saratoga Fire Protection District
SGMA	Sustainable Groundwater Management Act
SJWC	San Jose Water Company
SO2	sulfur dioxide
SOI Standards	Secretary of the Interior's Standards
SR	State Route
SRC	Saratoga Retirement Community
SUSD	Saratoga Union School District
SVP	Society of Vertebrate Paleontology
SWPPP	storm water pollution prevention plan
SWRCB	State Water Resources Control Board
TAC	toxic air contaminant
TAZ	transportation analysis zone
UBC	Uniform Building Code
USEPA	United States Environmental Protection Agency
USFWS	U.S. Fish and Wildlife Service
UWMP	Urban Water Management Plan
VdB	vibration decibels
VHFHSZ	Very High Fire Hazard Severity Zones
VMT	vehicle miles travelled
VTA	Valley Transportation Authority
WDRs	waste discharge requirements
WELO	Water Efficient Landscape Ordinance
WUI	Wildland–Urban Interface
WVCR	West Valley Collection and Recycling
WVSD	West Valley Sanitation District

1 Introduction

This environmental impact report (EIR) for the proposed Saratoga Retirement Community Campus Expansion (the Project) has been prepared in accordance with, and complies with, all criteria, standards, and procedures of the California Environmental Quality Act (CEQA) of 1970 as amended (Public Resources Code [PRC] Section 21000 et seq.) and State CEQA Guidelines (California Code of Regulations [CCR], Title 14, Section 15000 et seq.).

Per Section 21067 of CEQA and Sections 15367 and 15050 through 15053 of the State CEQA Guidelines, the City of Saratoga (City) is the lead agency under whose authority this document has been prepared. As an informational document, this EIR is intended for use by the City decision makers and members of the general public in evaluating the potential environmental effects of the Project. The Project Applicant is Ankrom Moisan Architects, on behalf of Saratoga Retirement Community/Pacific Retirement Services, who manage the campus. The property is owned by the Independent Order of Odd Fellows and Rebekahs.

1.1 Purpose of the EIR and CEQA Process

An EIR is an informational document used by a lead agency (in this case, the City of Saratoga) when considering approval of a project. The purpose of an EIR is to provide public agencies and members of the general public with detailed information concerning the environmental effects associated with the implementation of a project, prior to taking action on a project.

An EIR should analyze the environmental consequences of a project, identify ways to reduce or avoid potential environmental effects resulting from the project, and identify alternatives to the project that are capable of avoiding or reducing impacts. CEQA requires that all State and local government agencies consider the environmental consequences of projects over which they have discretionary authority. This EIR provides information to be used in the planning and decision-making process. It is not the purpose of an EIR to recommend approval or denial of a project.

Prior to approval of the Project, the City, as lead agency and the decision-making entity, is required to certify that the EIR has been completed in compliance with CEQA, that the information in this EIR has been considered, and that the EIR reflects the independent judgment of the City. If environmental impacts are identified as significant and unavoidable, and mitigations and alternatives to mitigate those impacts are deemed infeasible due to economic, legal, social, economic, technological or other considerations, then the lead agency may still approve the project if it finds that specific overriding economic, legal, social, technological or other benefits outweigh the significant unavoidable impacts. The lead agency would then be required to state in writing the specific reasons for approving a project, based on information in the EIR and other information sources in the administrative record. This reasoning is called a “statement of overriding considerations” (PRC Section 21081 and State CEQA Guidelines Section 15093).

In addition, the City as lead agency must adopt a Mitigation Monitoring and Reporting Program describing the measures that were made a condition of project approval in order to avoid or mitigate significant effects on the environment (PRC Section 21081.6; State CEQA Guidelines Section 15097). The Mitigation Monitoring and Reporting Program is adopted at the time of project approval and is designed to ensure compliance with the project description and mitigation

measures of the EIR during and after project implementation. If the City decides to approve the Project, it would be responsible for verifying that implementation of the Mitigation Monitoring and Reporting Program for this Project occurs.

The EIR will be used by the City during its consideration and potential approval of the Project.

1.2 Environmental Review Process

Consistent with CEQA Guidelines Sections 15080 to 15097, the CEQA process has multiple phases, many of which require notification to, and opportunity for comments from, the public. The main steps in this process are described below.

1.2.1 Notice of Preparation and Scoping Meeting

Consistent with the requirements of CEQA, a good-faith effort has been made during the preparation of the EIR to contact all responsible and trustee agencies; organizations; persons who may have an interest in the Project; and all government agencies, including the Governor's Office of Planning and Research, State Clearinghouse. This included the circulation of a Notice of Preparation on November 21, 2021, which began a 30-day comment period that ended on December 22, 2021. Sixteen written comment letters were received on the Notice of Preparation during this time. The Notice of Preparation and the comment letters are included in this document as **Appendix A**.

A public scoping meeting was held by the City on December 9, 2021, starting at 6:00 p.m., to inform the public about the Project and receive comments. Due to the restrictions on public gatherings that were in effect in Santa Clara County at that time (due to the Covid-19 global pandemic), the meeting was held virtually with options for joining by phone or computer. At least 50 individuals attended the scoping meeting and 21 attendees provided verbal comments.

The following summarizes the issues raised through scoping and comments on the Notice of Preparation, and directs readers to the appropriate section(s) of the EIR where such issues are addressed:

- Concern that the Project Description included no information regarding proposed conversion of double occupancy rooms within Health Center and assisted living buildings into single occupancy. Requests clarification on the availability of showers and toilets in the new double-occupancy rooms and whether a modern air circulation and filtering system would be installed. *See Section 2.3.2, Residential Facilities.*
- Concerns regarding noise, vibration, air quality, traffic disruption (including emergency access), traffic and pedestrian safety, and stormwater/hydrology impacts during construction. *See Sections 3.3, Air Quality; 3.10, Hydrology and Water Quality; 3.12, Noise; and 3.16, Transportation.* Particular concerns include:
    - that construction-related impacts from previous construction activities at the Saratoga Retirement Community (SRC) campus were not well managed and neighboring landowners are concerned that similar impacts will occur with this Project. *See Section 2.3.7, Project Construction, as well as Sections 3.3, Air Quality; 3.10, Hydrology and Water Quality; 3.12, Noise; 3.16, Transportation; and other topical subsections within Section 3.*
    - that the entire campus would become a construction zone, with particularly bad congestion at the Odd Fellows Drive/West Cottage Lane intersection, through which all

traffic entering the SRC facility and neighboring Fellowship Plaza must pass. *See Section 3.16, Transportation.*

- that contractors would park on campus, which is already a problem with existing contractors at the site for maintenance and/or repairs, particularly at the 4000 and 5000 buildings. *See Section 2.3.7, Project Construction.*
- that the multiple years of proposed construction activities would adversely affect the quality of life for the remaining years of SRC residents' lives, and that previous construction projects at the site by the same architect have taken considerably longer than originally proposed. *See Section 2.3.7, Project Construction, as well as Sections 3.3, Air Quality; 3.12, Noise; 3.16, Transportation; and other topical subsections within Section 3.*
- that existing traffic safety concerns on San Marcos Road would be exacerbated by construction traffic (particularly big trucks). *See Section 3.16, Transportation.*
- that construction traffic would cause additional traffic safety issues for elderly residents walking around the campus. *See Section 3.16, Transportation.*
- that wildlife may permanently abandon the SRC campus, specifically the riparian corridor, as a result of construction. *See Section 3.4, Biological Resources.*
- that air quality impacts during construction may adversely affect patients within skilled nursing facility and whether existing air circulation/filtering system is adequate. *See Section 3.3, Air Quality.*

- Concerns regarding disruption to existing SRC services (e.g., meal deliveries across campus, outpatient services) during construction, and the increased strain on such services with a larger population of residents. *Note: this comment does not appear to concern a physical environmental impact of the Project. Nonetheless, these concerns have been shared with City decision makers and SRC management.*
- Concerns regarding loss of trees, including protected trees, and associated impacts on aesthetics, air quality, climate change, noise-buffering effects, soil stabilization, shading properties, loss of ambience/peaceful setting, wildlife, and quality of life. *See Sections 3.2, Aesthetics; 3.3, Air Quality; 3.4, Biological Resources; 3.7, Geology; 3.8, Greenhouse Gas Emissions; and 3.12, Noise*. Particular concerns include:
  - that no amount of replacement planting could adequately replace the loss of existing trees, some of which are more than 100 years old, 100 feet tall, and/or 6 feet in diameter. *See Section 3.4, Biological Resources.*
  - that there are double standards in the way that the City's tree preservation ordinance is applied to developers compared to other City residents. *See Section 3.4, Biological Resources.*
- Concerns regarding loss of green space, open space, and recreational facilities including the "Historic Oddfellows Park" area and associated picnic tables, bocce ball courts, putting green, horseshoe pits, etc. *See Section 3.15, Recreation.*
- Concerns regarding aesthetic impacts due to tree removal and loss of open vistas, including aesthetic impacts related to the historic Oddfellows Manor building and view of the Manor building from Odd Fellows Drive and neighboring properties. *See Section 3.2, Aesthetics.*

- Concerns regarding historic impacts, particularly to the historic Oddfellows Manor building and its spatial relationship to the surrounding area, loss of the "Historic Oddfellows Park" area and setting of the Manor building, potential damage and impact to aesthetic value from nearby drilling and the proposed attachment of new meeting room directly to the Manor building, and loss of landscaping in front of the Manor building. Concerns that there may be Native American artifacts or possibly burial grounds on campus that could be disturbed during construction, including anecdotal evidence of arrowheads being found in the past. *See Section 3.5, Cultural Resources; and Section 3.17, Tribal Cultural Resources.*
- Concerns that the Project is counter to several of the "Saratoga Values" approved by Council each year including loss of open space and trees, recreation space, and historic resources. *See Sections 3.4, Biological Resources; 3.5, Cultural Resources; and 3.15, Recreation.*
- Concerns that public services such as existing outpatient and skilled nursing facility services would be adversely affected during construction. *Note: services provided by private organizations are not considered "public services" under CEQA, and are therefore not addressed within this EIR. Nonetheless, these concerns have been shared with City decision makers and SRC management. See Section 3.14, Public Services for discussion of impacts to public services such as fire protection, law enforcement, schools, parks, and other government facilities.*
- Concern regarding traffic safety and emergency access as a result of additional population being added to a "flag lot" with limited access, and potential cumulative impacts associated with future construction of 80 new residential units on adjacent Fellowship Plaza property which uses same access. *See Sections 3.9, Hazards and Hazardous Materials; 3.16, Transportation; and 3.19, Wildfire. Cumulative impacts are addressed in subsections 3.1.2 and 3.2.4 through 3.19.4, and Section 3.21.*
- Concern that the project would add more "intersections" (driveways) within the internal roading network and potential for increased safety issues for pedestrians and drivers. *See Section 3.16, Transportation.*
- Concern that the developer would not be required to erect story poles showing bulk and height of proposed buildings. *See Section 3.2, Aesthetics.*
- Concern that reducing the number of assisted living facilities and increasing number of independent living facilities would cause increased traffic and parking issues as well as require additional water and wastewater usage. *See Sections 3.16, Transportation and Section 3.18, Utilities.*
- Concerns about the misalignment between the demographic of people that the project aims to serve, and the demographic (e.g., couples, or "up-scale" retired individuals) that the proposed housing will serve. *Note: this comment does not appear to concern a physical environmental impact of the Project. Nonetheless, these concerns have been shared with City decision makers and SRC management.*
- Concerns about housing for additional employees. *See Section 3.13, Population and Housing. Note: as discussed in Section 2.3.6, the Project would not increase the number of employees at the SRC campus.*
- Request that discussion about the "construction of a new trail," be included. *See Section 2.3.3, Recreational Facilities, Open Space, Landscaping and Other Improvements, and Section 3.15, Recreation.*

- Concerns about the increase in runoff associated with increased impervious surface area and request that a comprehensive hydrology plan be developed for the site, which will include an analysis of the water table issues and underground springs on the property. *See Section 3.10, Hydrology and Water Quality.*
- Concerns about soil stability in the area and request that a geological survey be conducted. *See Section 3.7, Geology.*
- Request the building of a wall in the median between San Marcos Road and Odd Fellows Drive to cut down on noise, air, and light pollution. *See Sections 3.2, Aesthetics; 3.3, Air Quality, and 3.12, Noise.*
- Request for a description of how pollutants will be kept within acceptable levels. *See Section 3.3, Air Quality and Section 3.10, Hydrology and Water Quality.*
- Request that regulations pertaining to the installation of solar panels on new residential buildings be addressed. *See Section 2.3.5, Utilities and Service Systems and Section 3.6, Energy.*
- Concerns about the project's impact on emergency response plans in the event of a wildfire or earthquake. *See Sections 3.9, Hazards and Hazardous Materials; 3.16, Transportation; and 3.19, Wildfire.*
- Request that a detailed analysis of the Residents' Alternative be included in the EIR, as many commenters considered that the Residents' Alternative would avoid or minimize many of the above concerns whilst providing the same number of new units. In particular, the Residents' Alternative would only require construction on the eastern periphery of the campus. *See Section 4.3.2, Alternative 1 - Residents' Alternative.*

CEQA requires the lead agency to consider any scoping comments received that relate to physical impacts on the environment within the EIR. A summary of the comments received during the scoping period which relate to each environmental topic is provided at the beginning of each environmental topic subsection in Section 3.0, "Environmental Setting and Impacts Assessment."

1.2.2 Draft EIR Public Review

The City filed a Notice of Completion with the State Clearinghouse on July 6, 2023 indicating that this Draft EIR has been completed and is available for review. A Notice of Availability of the EIR has been published concurrently with distribution of this document. This Draft EIR is being circulated for a 45-day public review and comment period, commencing on Thursday July 6, 2023 and concluding at 5:00 p.m. on Monday August 21, 2023.

During this period, comments from the general public, organizations, and agencies regarding environmental issues identified in the EIR and the EIR's accuracy and completeness may be submitted to the lead agency at the following address:

City of Saratoga, Community Development Department
Attention: Cynthia Richardson
13777 Fruitvale Avenue
Saratoga, CA 95070
E-mail: crichardson@saratoga.ca.us

The Draft EIR, related technical appendices, and all documents incorporated by reference in the Draft EIR are available for review online at: https://www.saratoga.ca.us/461/Proposed-Saratoga-Retirement-Community-P.

A hard copy of the Draft EIR is also available for public review during normal business hours at:

- City of Saratoga, Community Development Department, 13777 Fruitvale Ave, Saratoga, CA
- Saratoga Library, 13650 Saratoga Ave, Saratoga, CA

For residents of the Saratoga Retirement Community, an additional hard copy is available for review on campus at the Manor Building Administration Office.

During the public review period for the Draft EIR, the City will conduct a public meeting at the following time and location:

6:30 p.m. on Wednesday August 2, 2023
Joan Pisani Community Center
19655 Allendale Avenue
Saratoga, CA 95070

Comments on the Draft EIR must be received before the end of the comment period (5:00 p.m. on Monday August 21, 2023) in order for those comments to be responded to in the Final EIR. Verbal comments made at the public meeting will also be responded to in the Final EIR.

1.2.3 Responses to Comments Document and Final EIR

Upon completion of the public review and comment period for the Draft EIR, the City will prepare a Response to Comments document that addresses written comments received on the Draft EIR and identifies text revisions to the Draft EIR made in response to comments or other changes initiated by City staff. This Response to Comments document, together with the Draft EIR, will constitute the Final EIR. The City Council will consider the adequacy of the Final EIR in accordance with the requirements of CEQA when it considers the Project during a public meeting.

The City Council must certify the Final EIR before deciding to approve the Project or not. Prior to approval of a project that would have a significant environmental effect, CEQA requires the adoption of certain findings (PRC Section 21081; CEQA Guidelines, Sections 15091 through 15093). If the Final EIR identifies significant adverse impacts that cannot be mitigated to less-than-significant levels, the City Council may adopt a Statement of Overriding Considerations if it finds that mitigations and alternatives to address those significant and unavoidable impacts are deemed infeasible, and then finds that specific overriding economical, legal, social, economic, technological or other benefits outweigh the unavoidable adverse environmental effects.

1.2.4 Mitigation Monitoring and Reporting Program

Throughout this EIR, mitigation measures have been recommended in a format that will facilitate preparation of a Mitigation Monitoring and Reporting Program. As required under CEQA (see CEQA Guidelines, Section 15097), a Mitigation Monitoring and Reporting Program will be prepared and presented to the City Council at the time of certification of the Final EIR for the Project and will identify the specific timing and roles and responsibilities for implementation of adopted mitigation measures if the Project is approved.

1.3 Project Background

The SRC campus is an approximately 37-acre private residential community for seniors, which is centered around the Saratoga Manor (also known as the Odd Fellows Home, hereafter referred to as the Manor Building), a Mission Revival-style building that was constructed in the early 1900's by the Independent Order of Odd Fellows to care for older members of the order. The Manor Building is listed on the City's Historic Resources Inventory but has not been designated as a historic landmark by the City. The Manor Building is also eligible for listing in the California Register of Historical Resources (CRHR) and information relating to the Manor Building as a historical resource is provided in Section 3.5 of this EIR.

On February 21, 1996, the City Council approved the reconfiguration of the Manor Building and construction of several new buildings (Apartment Buildings 1 and 2 plus 39 cottages) as part of a Master Plan redevelopment, which allowed an increase to the number of residential units permitted at SRC from 170 to 308 independent living and assisted living units and an increase in the number of skilled nursing beds from 68 to 99 beds. SRC has not built out the maximum number of units that were permitted by the City under the 1995 Master Plan. The facility currently has 249 units (143 independent living units and 106 assisted living units) and 94 skilled nursing beds.

In June 2019, SRC submitted an application to the City seeking approval of three new buildings which would contain 52 independent living units, and other improvements to the campus. This EIR is being prepared by the City to identify the environmental impacts that would occur if the current proposal were approved.

1.4 Document Organization

This EIR is divided into the following sections and appendices:

- Section 1, "Introduction," provides introductory information, including the history of the Project, the purpose of this document, and the lead agency for the Project.
- Section 2, "Project Description," presents a detailed discussion of the location, setting, and characteristics of the Project site, the Project objectives, the Project features, and environmental review requirements.
- Section 3, "Environmental Setting and Impact Assessment," describes the approach to the environmental impact assessment, including the cumulative impact assessment, and contains individual sections that reflect the CEQA Appendix G recommended environmental resource areas and describe existing conditions, detail the regulatory framework, and assess the potential environmental impacts of the Project. When the analysis identifies potentially significant effects, mitigation measures are presented to lessen the impacts. Implementing these measures would reduce potentially significant impacts to less-than-significant levels whenever feasible.
- Section 4, "Alternatives," describes a reasonable range of alternatives to the Project, evaluates the extent to which those alternatives could substantially lessen the Project's significant impacts while attaining most of the Project objectives, and compares the effects of the alternatives to those of the Project. This section also identifies the environmentally superior alternative, as required by CEQA.

- Section 5, “Other CEQA Considerations,” describes the significant and unavoidable environmental impacts of the Project, as well as the significant irreversible environmental changes that would result from Project implementation.
- Section 6, “References,” lists the documents and other sources of information cited within the EIR.
- Section 7, “List of Preparers,” identifies City staff and consultants who helped prepare this document.

Appendices provide additional information regarding multiple issues discussed throughout this document.

2 Project Description

2.1 Project Location and Setting

2.1.1 Project Location and Existing Site Conditions

The SRC campus is at 14500 Fruitvale Avenue, Saratoga, on three contiguous parcels totaling approximately 37 acres. The Assessor Parcel Numbers (APN) of the parcels are: 397-12-012, 397-12-019, and 397-40-006. The project location is shown in Figure 2.1-1.

The existing SRC campus, shown in Figure 2.1-2, contains the 1912-constructed, Mission Revival-style Manor Building, two apartment buildings, and 20 villas/cottages, as well as an assisted living building and a Health Center. A fitness center is also present at the site. Several private roadways provide existing access to the buildings and facilities on site. The SRC campus caters to senior residents with a range of independence levels and healthcare assistance. The existing campus has a total 143 independent living residential units, 88 assisted living beds, 18 memory care beds, and 94 skilled nursing beds.

Throughout this EIR, the term “Project site” refers to the overall SRC campus/property. The term “Project footprint” refers to the area that would be temporarily or permanently disturbed by construction of the Project. The term “Project area” refers to the wider area surrounding the Project site.

The Project site slopes gently eastward, with elevations between approximately 350 and 450 feet above sea level. A small gully passes through the site to the south of Eucalyptus Lane and the Health Center, which contains an unnamed tributary of Vasona Creek that continues along the eastern boundary of the site. The creek area is protected by a riparian open space covenant, established as part of the Master Plan for the campus that was approved in 1996 (City of Saratoga 1996). Further description of existing site conditions, as they relate to the environmental resource area discussed in this EIR, is provided within Section 3.

2.1.2 Existing Land Use Designation and Zoning

The City’s General Plan land use designation for the project site is “Community Facilities Sites” and the City’s zoning map designates the site as “Single Family Residential 1-40,000.” Single Family Residential zoning (referenced in Section 15-12.020 of the Saratoga Municipal Code) permits uses such as single-family dwellings, transitional and supportive housing, accessory structures, home occupations, and rotating emergency shelters, among others. Community facilities, institutional facilities, and nursing homes and day care facilities in excess of six persons being cared for are conditional uses within the zone. This zoning district generally limits structures to 26 feet in height and two stories, although three story structures may be permitted for institutional facilities on sites designated for community facilities under certain circumstances.

2.1.3 Project Site Access

Major regional access to the City is provided by SR 85, a six-lane freeway that runs from U.S. Highway 101 in Mountain View in the north down to reconnect with US 101 in South San Jose. SR-85 provides access from Saratoga to Interstate 280 in north Cupertino, SR-17 in Los Gatos, and SR-87 in San Jose. (Figure 2.1-1).

SR-85 is approximately 1.3 miles northeast of the Project site. Saratoga Avenue, Fruitvale Avenue and San Marcos Road provide local access to the project site. Odd Fellows Drive—a private roadway—extends westward from San Marcos Road to provide access to the Project site and its internal network of roadways.

2.1.4 Surrounding Land Uses

The Project site is located within an established residential neighborhood, with predominantly single-family homes on large (40,000 square feet [SF] minimum lot size) parcels. Fellowship Plaza, an affordable housing community consisting of one- and two-bedroom apartments and community facilities is located immediately east of the Project site (and also accessed via Odd Fellows Drive). The West Valley College Campus is located approximately quarter of a mile to the north of the SRC.

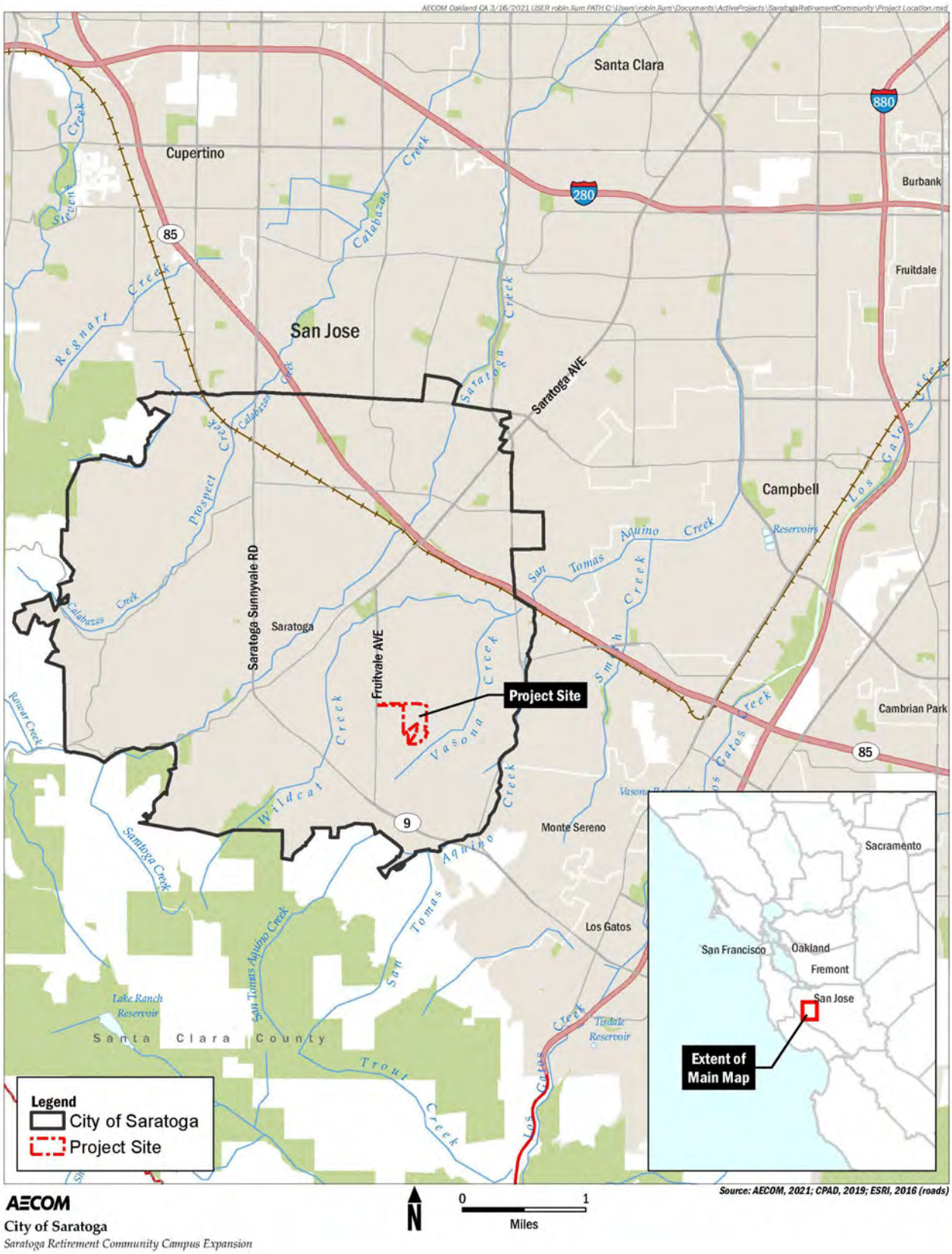


Figure 2.1-1 Project Location

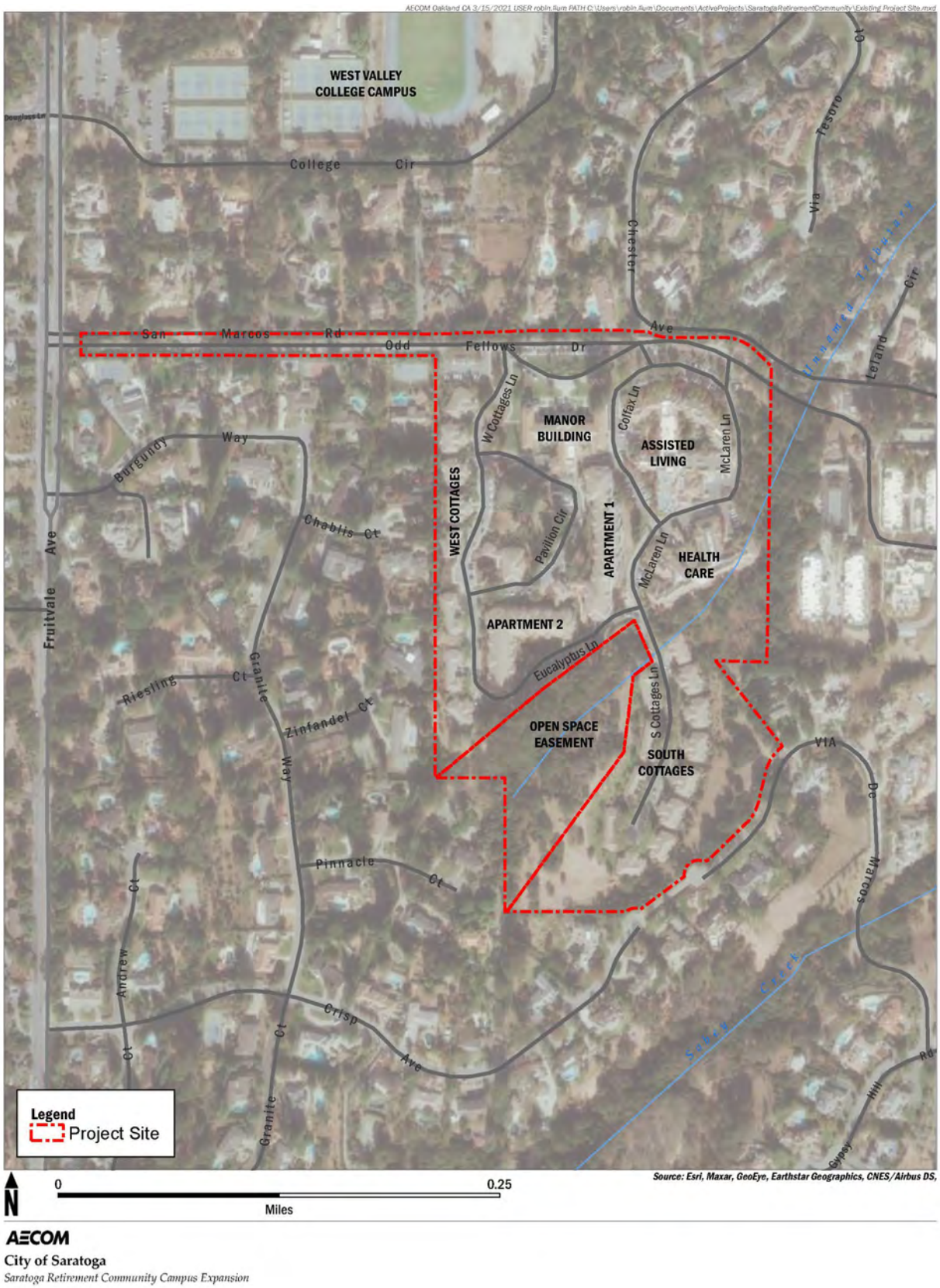


Figure 2.1-2 Project Site

2.2 Project Objectives

The Project Applicant's objectives for the Project are to:

1) Continue to improve this long established and well respected Life Plan Community so that it responds to the changing Senior Housing market, and remains a viable campus for years to come. Continue to provide a campus where seniors can age in place, with independent living, assisted living, memory care, and Skilled Nursing.
2) Add a minimum of 52 new independent living senior housing units to provide the opportunity for more seniors, including many from the city of Saratoga, to enjoy independent living, with access to a high quality continuum of care.
3) Generate an additional income stream from the new independent living units, to help upgrade other parts of the campus including a major renovation of the Health Center. Always maintain a strong financial position to insure the future of the campus.
4) Provide upgrades to the existing Health Center, which would include converting existing semiprivate rooms to private rooms with private baths.
5) Preserve and maintain the existing the buildings on the campus, including the original Manor Building and the Health Center.
6) Provide a new and larger Meeting Room, that will seat all the apartment and cottage residents on the campus.
7) Expand Independent Dining to serve the additional residents that will join the campus, and provide more dining choices for existing residents.
8) Provide an additional Fitness Building suitable for more fitness options like floor exercise, aerobics, yoga, tai chi, dance, and more.
9) Ensure that new buildings are designed to blend with the existing independent living buildings and Cottages, and also designed to respect and be sympathetic to the original Manor Building.
10) Augment the existing parking on the campus for the residents, staff, visitors, service providers, and vendors.
11) Maintain a high level of landscape design, amenities, and plant materials on the campus.

2.3 Proposed Project Characteristics

The Project Applicant is seeking approval to construct three new residential buildings, a new meeting room addition to the existing Manor, and an expansion to the existing fitness center. The project also includes a reduction in the number of existing memory care and skilled nursing beds at the facility in order to convert existing semi-private double occupancies into private single-occupancy rooms with private bathrooms. The proposed site plan is shown in Figure 2.3-1. The project also includes a zoning change request for a Planned Combined District overlay.

2.3.1 Building Design and Site Layout

Building A would be constructed within the existing garden/recreation area south of the Manor and north of the existing fitness center (see Figure 2.3-1). The proposed building would contain 22 independent living residential units on two floors (total area 35,898 SF) with one level of below-grade parking (16,879 SF) containing 34 parking spots. The height of the building above average grade would be just under 37 feet, and the total building footprint would be 17,949 SF. The Building A parking garage would be accessed from Pavilion Circle on the north side of the building, with additional surface vehicular access (including passenger loading zones) via a new driveway off West Cottage Drive, on the south side of the building. Building A would have smooth, scored stucco exterior walls, a tile roof, vinyl-frame windows and balconies with black metal railings. The building would utilize a similar color scheme, roof material, and window system to other modern buildings on the property. Elevations for Building A are shown in Figure 2.3-2 and Figure 2.3-3.

Building B would be constructed within the parking lot north of the Manor. The proposed building would contain 10 independent living units on two floors (total area 28,475 SF), with a partial level of at-grade parking and one level of below-grade parking. A total of 64 parking spaces (31,710 SF) would be provided. The height of the building above average grade would be approximately 27.5 feet, and the total building footprint would be 24,659 SF. The parking garage would be accessed from Odd Fellows Drive, on the northern side of the new building, with additional vehicular access to the building (including surface parking spaces) via a new driveway connecting West Cottages Lane and Colfax Lane.

Building B would have smooth, scored stucco exterior walls, a tile roof, rectangular vinyl-frame windows and balconies with black metal railings. The building would utilize a similar color scheme, roof material, and window system to the existing Manor. The northern elevation would be two stories with two stepped parapets and three shaped parapets spaced at regular intervals. The southern elevation would be one story with an off-center projecting lobby with a shaped parapet framed by two engaged pilasters, and a shed roofed canopy supported by steel brackets covering a double-leaf entrance. An arcaded porch would be present on either side of the lobby with arched wall openings at the stairwells. Elevations for Building B are shown in Figure 2.3-4 and Figure 2.3-5.

Building C would be constructed within the parking lot north of the assisted living building. The proposed building would contain 20 independent living units on three floors (total area 41,715 SF), with a partial level of at-grade parking and one level of below-grade parking. A total of 77 parking spaces (25,899 SF) would be provided. The height of the building above average grade would be approximately 40.5 feet, and the total building footprint would be 18,509 SF. The parking garage would be accessed from Odd Fellows Drive on the northern side of the building (at-grade parking level), with additional vehicular access to the below-grade parking level from McLaren Lane. Building C would have smooth, scored stucco exterior walls, a tile roof, rectangular vinyl-frame windows and balconies with black metal railings. The building would utilize a similar color scheme, roof material, and window system to other modern buildings on the property. Elevations for Building C are shown in Figure 2.3-6 and Figure 2.3-7.

The meeting room addition would attach to the west of the Manor at the existing doorway. The main floor of the addition (4,792 SF) would contain a meeting room (3,259 SF) and associated

storage and lobby areas, with one floor of at-grade parking (7,043 SF) below. The parking garage would be accessed from West Cottages Lane. The meeting room would have smooth, scored stucco walls, a tile roof, vinyl-frame windows and balconies with black metal railings. The building will utilize a similar color scheme, roof material, and window system to the existing Manor building. The northern elevation would be two-story, with a band of seven arched windows on the upper floor, and a symmetrical arcaded porch on the lower floor. The southern elevation would be one-story, with a band of five arched windows. The eastern elevation of the addition would be two-story, with a double garage door on the lower floor and a four-part window topped with a fanlight window on the upper floor. Meeting room elevations are shown in Figure 2.3-8.

The fitness center addition would be constructed west of the existing fitness center building, connecting to the southern side of the corridor between the fitness room and pool. This single-story addition would be approximately 1,065 SF in area, and just over 16 feet in height above average grade. No parking spaces or vehicular access changes are proposed in the vicinity of the fitness center. The addition would have smooth, scored stucco walls, a composite shingle roof and vinyl-frame windows. Fitness center addition elevations are shown in Figure 2.3-9.

2.3.2 Residential Facilities

A total of 52 new independent living residential units would be constructed as part of the project (22 in Building A, 10 in Building B, and 20 in Building C), bringing the total number of independent living units on the property to 149. There would be no change to the existing independent living units within the Manor, two apartment buildings, or cottages; and no change to the number of assisted living units within the assisted living building.

The number of memory care beds within the assisted living building would be reduced from 18 to 15 (i.e., a reduction of 3 memory care beds), and the number of skilled nursing beds within the Health Center would be reduced from 94 to 52 (i.e., a reduction of 42 skilled nursing beds). The number of memory care and skilled nursing beds is proposed to be reduced due to conversion of semi-private double-occupancy rooms to private single-occupancy rooms in response to changing patient preferences. These changes would involve internal reconfiguration and renovation only—no changes to the building exterior would be undertaken. The reconfiguration would primarily involve the replacement of the existing toilets and sinks in each room with a full accessible bathroom with showers. Some minor interior upgrades to common spaces are also anticipated.

A comparison of existing and proposed residential units and beds at the site is provided in Table 2.3-1 and Table 2.3-2.

Table 2.3-1 Existing vs Proposed Independent Living Units

Building	Number of Existing Units	Number of Units with Proposed Project
Manor Building	14	14
Apartment 1	44	44
Apartment 2	46	46
Cottages	39	39
Proposed Building A	-	22
Proposed Building B	-	10
Proposed Building C	-	20
Total Number of Units	143	195 (52 Unit Increase)

Table 2.3-2 Existing vs Proposed Skilled Nursing, Assisted Living, and Memory Care

Building	Bed Type	Existing Beds	Beds with Proposed Project
Health Center	Skilled Nursing (semi-private)	84	0
Health Center	Skilled Nursing (private)	10	52
Assisted Living Building	Assisted Living	88	88
Assisted Living Building	Memory Care (semi-private)	8	0
Assisted Living Building	Memory Care (private)	10	15
Total	All Bed Types	200	155 (45 Bed Decrease)

2.3.3 Recreational Facilities, Open Space, Landscaping, and Other Improvements

The proposed meeting room would have a maximum occupancy of 25 people and would primarily serve existing and future SRC residents. The meeting room would also be available for public community use on weekday evenings between 5:00 p.m. and 9:00 p.m., with no more than one booking per day. Community users of the meeting room would be directed to use the lower-level garage parking at Building B, and carpooling would be encouraged.

The proposed fitness center addition would serve existing and future SRC residents. The existing bocce ball court and putting green would be removed, with new facilities provided to the west of Building A. The project would also include a public trail connection along Odd Fellows Drive, connecting Fruitvale Avenue with the San Marcos Open Space, via Chester Avenue and Gypsy Hill Road.

Minor renovations would also be made to the interior of the Manor Building, to expand the existing dining room services and better utilize the existing auditorium space (which would no longer be required due to the proposed meeting room addition).

The majority of trees within and around the proposed building footprints (approximately 124 in total) would be removed to enable construction, 65 of which are protected trees under the City's Tree Protection Ordinance (Saratoga Municipal Code Section 15-50). Three protected trees are proposed to be relocated as part of the project, including a Valley oak within the footprint of the fitness center addition, and two Coast redwoods within the footprint of the proposed meeting

room. Several areas of trees that are close to construction zones would be retained and protected with fencing during construction to avoid accidental damage.

The proposed Project would include 240 replacement trees, which would be planted around the new buildings. The new trees would be a mixture of small, medium, and large evergreen and broad leaf deciduous trees, as well as palm and palmetto trees. Lawn, groundcover, seasonal bedding, and various planting beds with shrubs and/or hedges would also be installed. The three relocated trees would be replanted to the north of the existing cottages on the west side of South Cottages Lane. The proposed tree removals and replacements are shown within the Arborist Report and City's Arborist Approval, contained within **Appendix B**. The proposed replanting plans are on Sheets LA-1.10 through LA-4 of the Project Plans (Ankrom Moisan 2022).

2.3.4 Site Access, Parking, and Circulation

No changes are proposed to the existing vehicular access to the project site, which would continue to be accessed from Fruitvale Avenue via San Marcos Road and Odd Fellows Drive.

A parking garage would be provided under each of the new apartment buildings (A through C) and the meeting room, with additional surface parking spaces distributed throughout the site, for a total of 569 parking spaces—an increase of 109 spaces over existing.

The following changes would be made to the internal private roadways at the campus, as shown in Figure 2.3-10.

- Removal of the northernmost "arm" of McLaren Lane (to the north of the assisted living building) to allow for construction of Building C.
- Realignment of the northern portion of Colfax Lane to connect directly with Odd Fellows Drive, to allow for construction of Building C.
- Removal of Manor Circle to allow for construction of Building B, with construction of a new one-way connector road between West Cottages Lane and the realigned portion of Colfax Lane to provide access to Building B and the Manor Building.
- A new one-way entrance loop off West Cottages Lane to provide ground-level access to the western side of Building A.
- New entrances to the proposed parking garages at Building A (from Pavilion Circle), Building B (from Odd Fellows Drive), Building C (from Odd Fellows Drive and McLaren Lane), and the Meeting Room (from West Cottages Lane).

Modifications to the pedestrian network would also be undertaken, with sidewalks along the proposed new driveways/roads and four new crosswalks proposed.

An additional emergency/secondary access point would be provided between Odd Fellows Drive and Chester Avenue (just east of proposed Building C), which would have a sliding, manual gate and fire department Knox Box[1]. This access would meet the width, surface, slope, approach and

[1] A Knox Box is a small, mounted safe that holds building or gate keys for fire departments, emergency medical services, and sometimes police to retrieve and use in emergency situations. Knox Box is a brand name but is also used to refer to such emergency access provisions in general.

departure angles, turning radii, and vertical requirements to allow the passage of fire department vehicles.

The existing resident emergency vehicular access between Odd Fellows Drive and Chester Avenue (north of proposed Building C) would be retained and would also have a sliding manual gate and fire department Knox Box.

2.3.5 Utilities and Service Systems

Utilities to serve the proposed buildings would connect to the existing utilities at the site. Exterior lighting for the proposed buildings would be designed to match existing lighting at the facility, and would utilize cut-off type fixtures (i.e., that emit no light above the horizontal plane). New 125,000 volt-amps (158 horsepower) diesel emergency generators would be provided for each of the proposed apartment buildings.

The Project would be designed to meet “Build It Green” energy and water saving standards, and the City’s Water Efficient Landscape Ordinance (WELO) requirements. Each apartment building would be provided with roof mounted solar photovoltaic system and battery storage. In accordance with the City’s Municipal Code Section 16-51.015, the proposed new buildings would be all-electric, i.e., no natural gas infrastructure would be installed. Low impact design (LID) features such as bioretention basins and flow-through planters are proposed, to allow for stormwater infiltration prior to release to the City’s stormwater network.

2.3.6 Facility Operations

The expanded facility would continue to operate in a similar manner to the existing facility. Details on existing and proposed staffing, visitors, and site deliveries is provided below. The earliest year of operations for the newly constructed components would be 2024.

Facility Staff

The proposed Project would increase the number of independent living units at SRC by 52 units; however, it would also decrease the number of skilled nursing and memory care beds by 45 beds. Because skilled nursing and memory care facilities require a higher level of staffing than independent living facilities, total staff numbers at the project site would be reduced by a total of four employees.

Existing and proposed staff numbers by building are summarized in Table 2.3-3.

Table 2.3-3 Existing vs Proposed Employment Levels

Building	Existing Employees (total)	Existing Employees (day shift only)	Proposed Employees (total)	Proposed Employees (day shift only)
Manor Building	44	31	46	33
Apartment 1	5	5	5	5
Apartment 2	6	6	6	6
Cottages	3	3	3	3
Assisted Living	110	69	110	69
Health Center	124	37	118	34
Maintenance	2	2	2	2
Fitness Center	0	0	0	0
Meeting Room	-	-	0	0
Building A	-	-	0	0
Building B	-	-	0	0
Building C	-	-	0	0
Total	294	153	290	152

Source: SRC Employee Chart updated 5-19-2022

Visitors

Prior to COVID-19 pandemic related restrictions, the campus received approximately 50 visitors per day to the assisted living and memory care building, 40 visitors per day to independent living units within the apartment buildings and cottages, and 30 visitors per day to the Health Center. Visitors typically stay for 15 to 60 minutes.

Once the new facility is operational, total visitor numbers are anticipated to be similar to pre-COVID conditions, as the anticipated minor increase in visitors to new independent living units would be offset by the minor decrease in visitors to the Health Center due to the reduction in number of beds.

Deliveries

Existing regular deliveries to the project site include medical care deliveries, food deliveries, postal and package delivery, and garbage collection. Medical care deliveries are made once per week to the Health Center. Food deliveries are made to the existing loading zones at the Manor and assisted living building. Such deliveries are scheduled throughout the week at different days and times to avoid conflicts. The existing independent living units within the apartment buildings and cottages do not receive recurrent deliveries of goods by truck, and neither would the proposed apartment buildings. Therefore, deliveries to the site are not anticipated to substantially change as a result of the proposed Project.

Postal deliveries are made to the main entry of each building address, and package deliveries (e.g., UPS and FedEx) are made to the main entry of the Manor. Garbage collection occurs three times per week at the two existing loading areas where dumpsters are located. Trash and recycling from the existing independent living units within apartment buildings and cottages is moved to the loading area dumpsters by site staff, and it is anticipated that the same arrangement would occur from the proposed Buildings A through C.

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Figure 2.3-1 Proposed Site Plan

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Figure 2.3-2 Building A – South and East Elevations

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Figure 2.3-3 Building A – North and West Elevations

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Figure 2.3-4 Building B – North and West Elevations

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Figure 2.3-5 Building B – South and East Elevations

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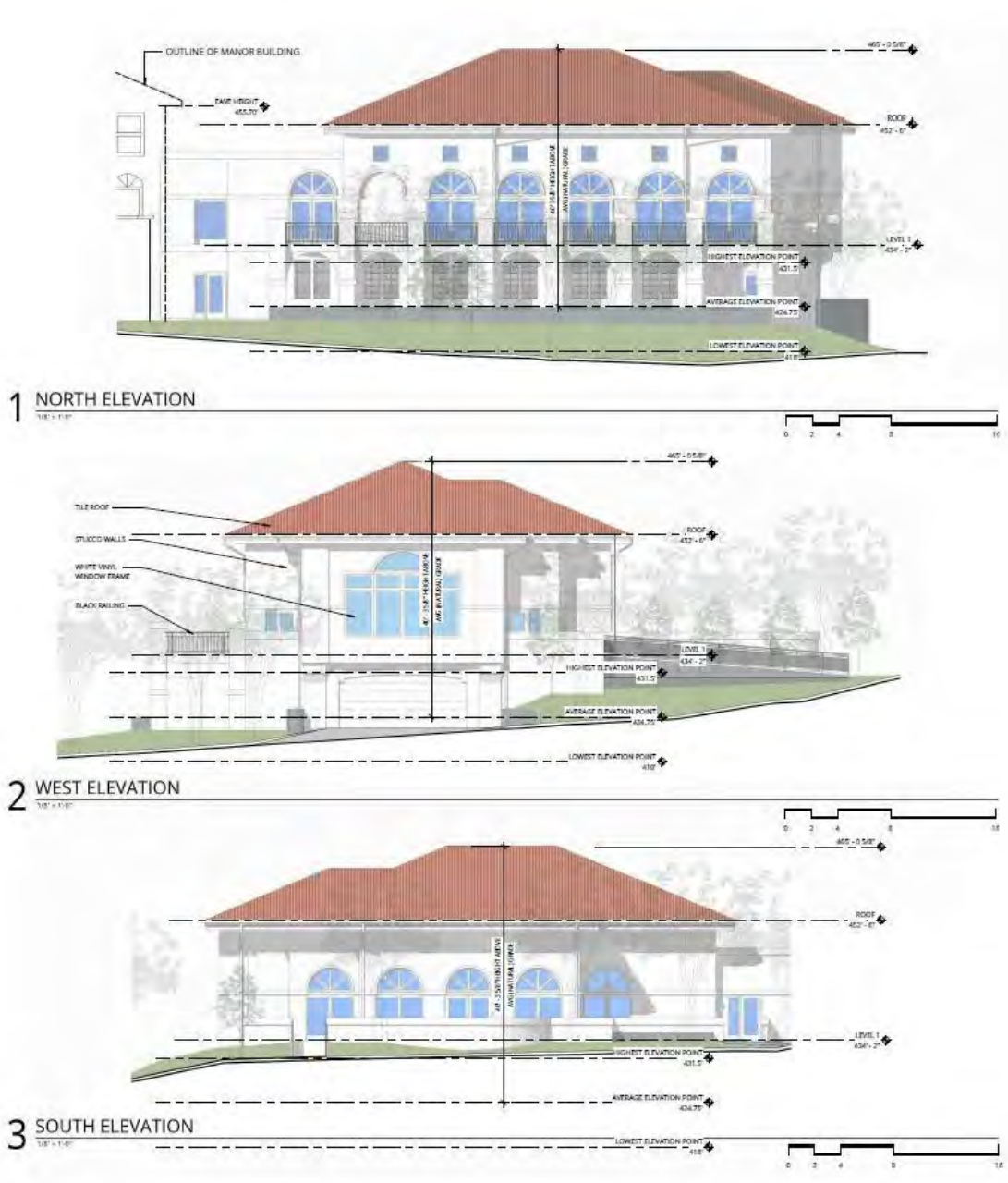
Figure 2.3-6 Building C – North and East Elevations

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Figure 2.3-7 Building C – South and West Elevations

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Meeting Room

HEIGHT	Foot Elevation
Lowest elevation point at the buildings edge from natural grade	418
Highest elevation point at the buildings edge from natural grade	431.5
Average elevation point (based on highest and lowerest points above)	424.75
Top most elevation point - measured from average point (above) to the top most point of the roof.	465' - 0 5/8" (40' - 3 5/8")

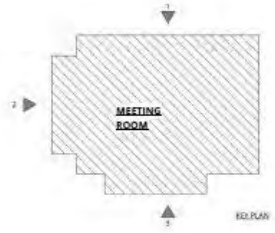


Figure 2.3-8 Meeting Room – Elevations

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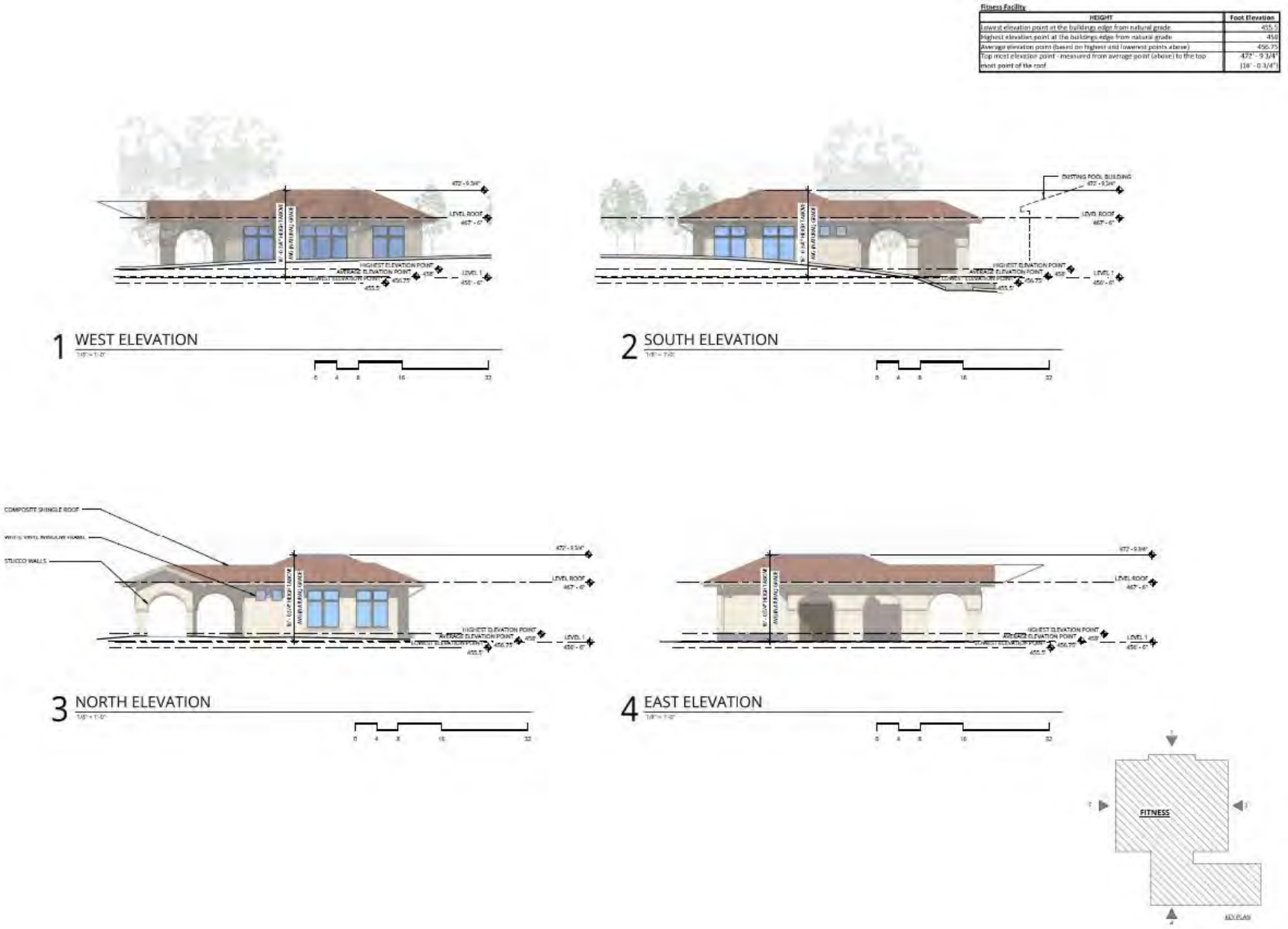


Figure 2.3-9 Fitness Center Addition – Elevations

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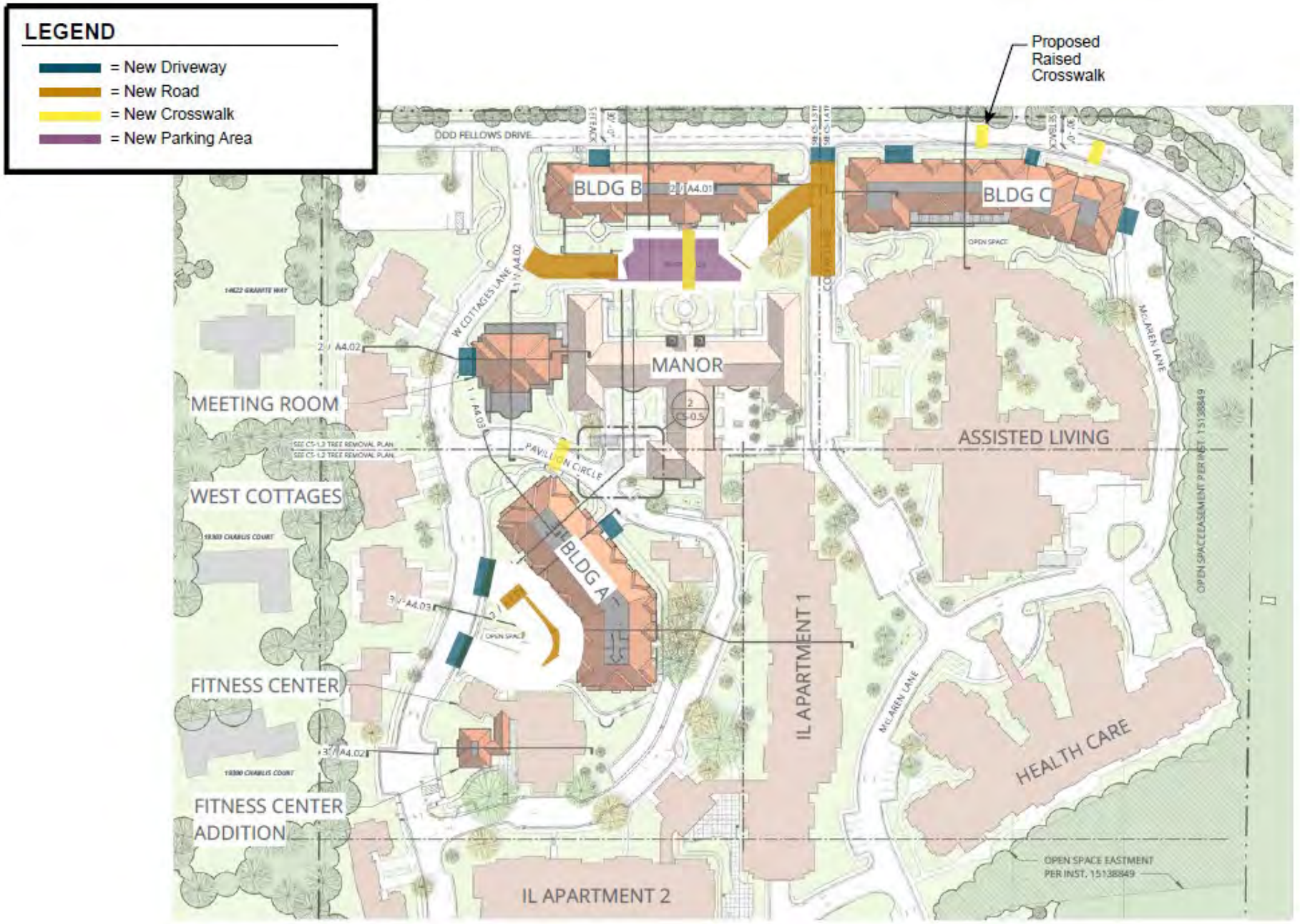


Figure 2.3-10 Proposed Site Circulation Changes

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2.4 Project Construction

2.4.1 Construction Phasing and Schedule

Construction was initially anticipated to begin in July 2023[2] and the main construction period (construction of new buildings) is expected to last approximately 25 months in total. Renovation and conversion of double-occupancy rooms within the existing Health Center and assisted living buildings to single-occupancy rooms would occur in stages over a two-year period.

This project schedule is dependent on market conditions, regulatory approvals, and other factors and, therefore, is subject to change. Construction activities are anticipated to mostly occur between 7:30 a.m. and 4:00 p.m. Monday through Friday, and Saturdays between 9:00 a.m. and 5:00 p.m. On occasion, construction activities may be undertaken outside of these hours, but would be limited[3] to between 7:30 a.m. and 6:00 p.m. Monday through Friday, and between 9:00 a.m. and 5:00 p.m. on Saturdays, in accordance with Section 7-30.060 of the City's Code of Ordinances.

The project would be constructed in overlapping phases:

- Phase 1: Building A and fitness center is estimated to occur from July 2023 through December 2024.
- Phase 2: Building B is estimated to occur from February 2024 through July 2025.
- Phase 3: Building C and meeting room is estimated to occur from November 2023 through August 2025.
- Phase 4: Renovation and conversion of double-occupancy rooms within the existing Health Center and assisted living buildings is estimated to occur in stages between July 2023 through July 2025.

2.4.2 Construction Equipment and Personnel

Anticipated construction equipment for Phases 1 through 3 of the Project would include: aerial lifts, air compressors, bore/drill rigs, cement and mortar mixers, cranes, dozers, excavators, forklifts, generators, soil compactors, pavers and paving equipment, rollers, signal boards, skid steer loaders, sweepers/scrubbers, and welding equipment.

No heavy construction equipment is anticipated for Phase 4. Anticipated construction equipment for Phase 4 would include: air compressors, concrete saws, and power tools.

Construction personnel needs have been estimated for each phase of Project construction, as shown in Table 2.4-1.

[2] Construction start date is dependent on obtaining project approval and all required entitlements.
[3] In special circumstances, work may be requested outside of the hours allowed by the Section 7-30.060 of City of Saratoga Code of Ordinances, to accommodate critical utility outages and change overs.

Table 2.4-1 Estimated Construction Personnel

Construction Phase	Estimated Duration	Workers (average)	Workers (maximum)
Phase 1 – Building A & Fitness Center	17 months (360 working days)	50 per day	74 per day
Phase 2 – Building B	17 months (355 working days)	27 per day	41 per day
Phase 3 – Building C & Meeting Room	21 months (440 working days)	46 per day	75 per day
Phase 4 – Health Center Renovation	24 months (495 working days)	10 per day	16 per day
TOTAL*	25 months (535 working days)	99 per day	206 per day

Source: RCP Construction Inc. 2021, 2022.
** The total average number of workers shown in table is averaged over entire 25-month duration. The total maximum number of workers shown in the table is for the 11-month period (approximately 240 working days) when all four construction phases would overlap (February through December 2024). The total average number of workers over this same 11-month period would be 133.*

2.4.3 Site Preparation and Earthworks

Estimated site grading volumes for each of the proposed buildings are shown in Table 2.4-2. The maximum depth of excavation for the project would be for Building C, at approximately 25 feet below the ground surface. It is estimated that approximately 720 tons (1,440 cubic yards) of mixed construction/demolition debris and approximately 43,000 cubic yards of spoils would be generated throughout Phases 1, 2 and 3, of which approximately 15 percent would be reused as backfill on site. The total volume of material that would be off-hauled (exported) from the site is estimated at approximately 37,100 cubic yards[4] (Ankrom Moisan 2021). Health center refurbishment is anticipated to generate an additional approximately 160 cubic yards of demolition debris (Dalengas, pers. comm. 2022). Construction/demolition debris and excess spoils would be disposed of at the Guadalupe Landfill in San Jose.

Table 2.4-2 Estimated Cut and Fill Volumes by Location

Location	Cut Volume	Fill Volume	Max. Depth of Cut	Max. Height of Fill
Building A	8,400 CY	270 CY	16 feet	6.5 feet
Building B	14,200 CY	590 CY	21 feet	4.5 feet
Building C	6,980 CY	600 CY	25 feet	9 feet
Meeting Room	550 CY	430 CY	8.5 feet	6 feet
Fitness Center	170 CY	0 CY	2.5 feet	0 feet
Health Center	160 CY*	n/a	n/a	n/a
TOTAL	30,460 CY	1,890 CY	n/a	n/a

Source: Ankrom Moisan, 2022. Grading and Drainage Coversheet, Sheet C2..
Acronyms: CY = cubic yards, n/a = not applicable, max. = maximum
*Note: Earthwork quantities are approximate only, based on preliminary grading plans and may not match total estimate for soil export described in the text. *Cut volume for Health Center renovation is estimated quantity of demolition debris.*

2.4.4 Construction Staging, Haul Routes, and Traffic Control

An on-site construction staging area would be established in the parking lot at the northwest corner of the campus, for the entire duration of construction. This area would be fenced with lockable access gates. Additional staging would occur within the fenced construction zones for each building. Figure 2.4-1 shows the proposed on-site construction staging areas.

[4] Volume differs from quantities detailed in Table 2.3-5 due to additional volume of haul materials generated during site grading and other activities not included in building-specific cut/fill estimates (approximately 20% extra over estimated cut/fill volume).

An off-site construction staging area would be provided within Parking Lot #6 of the West Valley College, on the northeast corner of Fruitvale Avenue and South College Circle, approximately 700 feet north of Odd Fellows Drive, as shown in Figure 2.4-2. This area would be used throughout the duration of all construction phases for construction worker parking and material storage, with shuttles used to transport workers from the parking lot to the construction site. Construction haul trucks are anticipated to use Odd Fellows Drive, San Marcos Road, Fruitvale Avenue, Saratoga Avenue to SR 85 (see Figure 2.4-2).

Emergency access routes within the campus would be maintained throughout construction. Colfax Lane and West Cottages Lane would be temporarily rerouted for approximately 3 months during Phases 2 and 3; however, at least two of the three access roads would be open for emergency vehicle access at all times.

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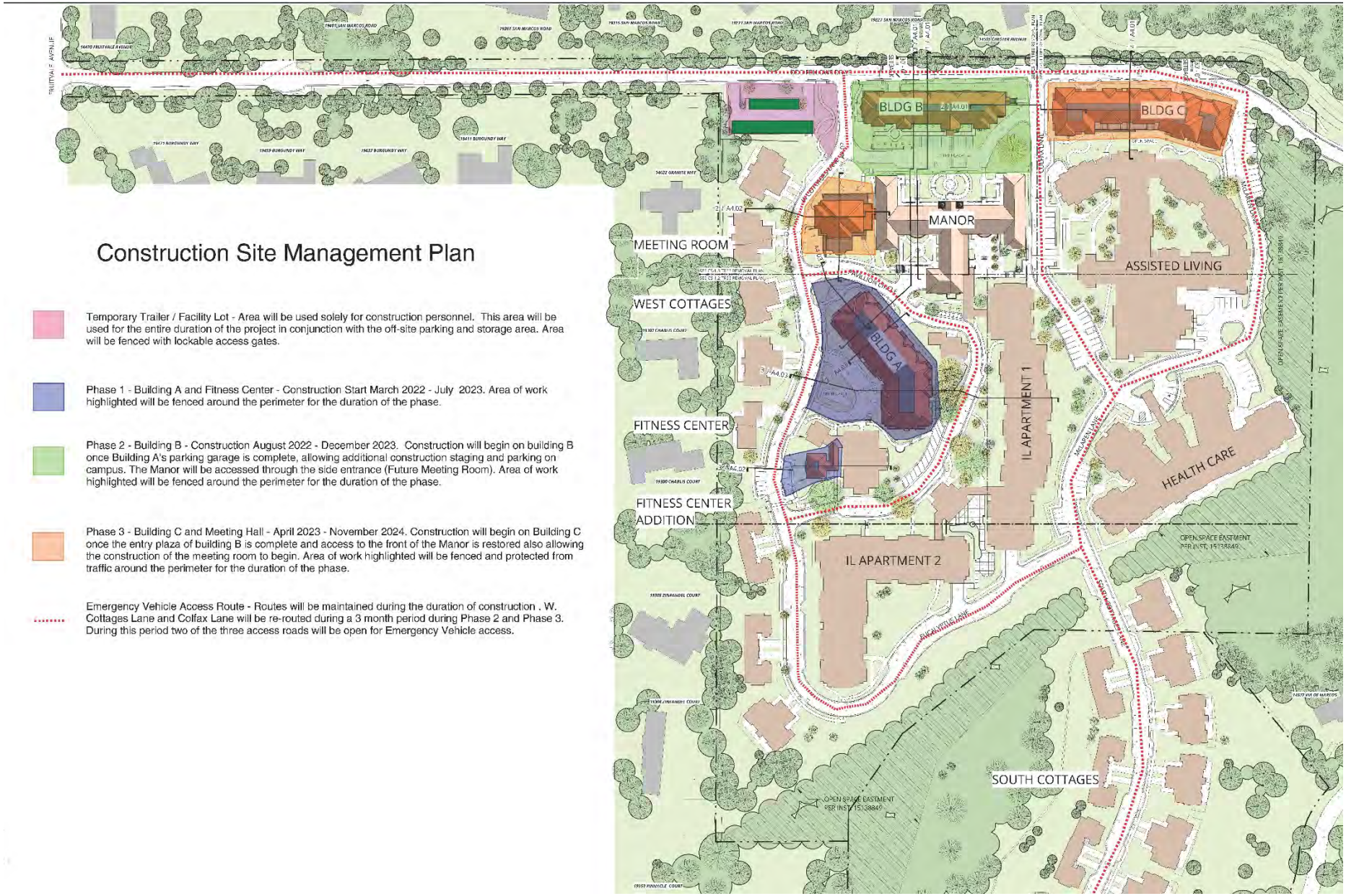


Figure 2.4-1 Proposed On-site Construction Staging

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Figure 2.4-2 Proposed Off-site Staging and Construction Haul Routes

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2.5 Required Permits and Approvals

Consistent with CEQA Guidelines Section 15065(b), the City is the lead agency for the proposed Project. As such, this EIR would be used by the City to both evaluate the environmental impacts created by implementation of the proposed Project and to develop conditions of approval, which would address those impacts for which mitigation measures are proposed in the EIR. The City Council would certify the final EIR and consider approval of the project as part of the City's development review process.

The proposed Project requires various land use approvals from the City including a zone change to add the Planned Combined District overlay to the Single Family Residential R1-40,000 district, master plan update, lot merger, tree removal permit, and other construction-related permits. The City's Heritage Preservation Commission will also review the Project and make recommendations to the Planning Commission and City Council.

Other agencies whose approval may be required (e.g., permits, financing approval, or participation agreements) include the Bay Area Air Quality Management District (BAAQMD), California Department of Fish and Wildlife (CDFW), California Department of Health Care Access and Information, Regional Water Quality Control Board, Santa Clara Valley Water District (Valley Water), West Valley Sanitation District, and the Santa Clara County Fire Department (SCCFD).

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3 Environmental Setting and Impact Analysis

3.1 Methodology

3.1.1 Project Impact Assessment Methodology

Appendix G of the CEQA Guidelines provides a sample initial study checklist that identifies a number of factual inquiries related to various environmental topics. CEQA grants lead agencies discretion to develop their own thresholds of significance. Although lead agencies are not required to use the Appendix G inquiries as thresholds of significance, it is a common practice for lead agencies to do so and the City has done so for this Project. Specific thresholds of significance are established for each of the environmental topics discussed within this section, based on Appendix G of the CEQA Guidelines.

Each environmental topic section within this EIR (Sections 3.2 through 3.21) provides a description of the existing setting with respect to the particular topic, an overview of the applicable regulatory framework at the federal, state, and local levels, and then discusses the impacts of the Project and compares those impacts to the established thresholds of significance. Each environmental topic section also includes an assessment of the cumulative-level impacts.

3.1.2 Cumulative Impact Assessment Methodology

CEQA requires that an EIR include an assessment of the cumulative impacts that could be associated with implementation of a project. This assessment involves examining project-related effects in connection with the environmental effects of past, current, and probable future projects. An EIR must discuss the cumulative impacts of a project when the project's incremental effect would be cumulatively considerable contribution to a significant cumulative impact (CEQA Section 21083(b)(2)).

Although project-related impacts may be individually minor, in combination with other past, present and probable future projects producing related impacts, where the project's incremental effect could be cumulatively considerable, the EIR should evaluate whether the project's effect, in combination with other projects, would be cumulatively significant (CEQA Guidelines Section 15130(a)). CEQA Guidelines Section 15130(b) indicates that the level of detail for the cumulative impact analysis need not be as great as for the project impact analyses, but that it should reflect the severity of the impacts and their likelihood of occurrence, and that it should be focused, practical, and reasonable.

CEQA Guidelines Section 15130(b)(1) identifies two approaches to analyzing cumulative impacts. The first is the list approach, through which a defined set of past, present, and probable future projects producing related or cumulative impacts is considered for analysis. The second is the summary approach (also known as the "plan" approach), wherein the relevant projections, as contained in an adopted general plan or related planning document that evaluates regional or area wide conditions, are summarized. This EIR's cumulative impact analysis is based on a

combination of these approaches, as described below, depending on the resource area being analyzed. Please also see the individual resources sections of this EIR (Sections 3.2 through 3.18) for additional information.

The geographic study area and method for conducting the cumulative analysis also varies by resource area. For example, air quality impacts are evaluated against conditions in the air basin. Other cumulative analyses, such as cultural resources, consider the potential loss of resources in a broader, more regional context. Cumulative impacts for each resource area are discussed within the specific resource sections. The cumulative projects and growth discussed in the subsequent sections is considered conservative as many of these projects will not be completed or fully constructed within the 2027 horizon year of this Project.

List of Cumulative Projects

The effects of past and present projects on the environment are reflected by the existing conditions in the Project area. A list of probable future projects in the vicinity of the project site is provided below in Table 3.1-1. The table is not intended to be an all-inclusive list of projects in the City, but rather probable future projects in the project vicinity that have the possibility of combining with the Project to generate a cumulative impact (based on proximity and construction schedule) and either:

- are partially occupied or under construction at the time of the Notice of Preparation,
- have received final discretionary approvals at the time of the Notice of Preparation, or
- have applications accepted as complete by local agencies and are currently undergoing review at the time of the Notice of Preparation.

Table 3.1-1 identifies current and probable future projects that were considered in the development and analysis of the Project's potential cumulative impacts. The table also includes two projects within the City of San Jose that are in close proximity to the Saratoga city limits.

Table 3.1-1 List of Cumulative Projects

Project Name & Location	Project Type & Status	Details
Quito Village Development, 18764 Cox Avenue 9,200 feet to the north of SRC campus	Residential and Commercial Under Construction	This project would construct a mixed-use townhome project that would include 91 residential units in 17 buildings comprising 253,230 square feet, and 4,999 square feet of commercial uses in 1 building, and 76,529 square feet of open space. This project would also include 53 surface parking spaces and 182 garage spaces.
John Henry House, 14630 Big Basin Way 6,800 feet to the west of SRC campus	Mixed Use (Commercial/Office) MND adopted June 2019	This project includes deconstructing, relocation, and reconstruction of the John Henry House to the southwestern corner of the site facing Sixth Street to make room for the construction of a 2,922-mixed-use commercial/office building. The detached garage constructed circa 1935 and not part of the original structure would not be rebuilt. The reconstructed John Henry House would be used as office space.
Unnamed Project, 20640 Third Street 6,100 feet to the west of SRC campus	Mixed Use (Commercial/Office) CEQA Exempt	This project would construct a three story, 35 feet tall, 5,678 square foot mixed-use building on a vacant 2,527 square foot parcel at 20640 Third Street adjacent to the Sam Cloud Barn. The project also includes a request for variances to locate the site on a slope exceeding 30% and for the project to exceed the 80% maximum allowed building site coverage. The project will include first-floor commercial office space and two residential units on floors two and three. A basement level garage will provide parking for eight vehicles. Three protected trees would be removed.
Marshall Lane Subdivision, 18500 and 18520 Marshall Lane 6,200 and 5,900 feet, respectively, to the northeast of SRC campus	Re-zone Ag (A) to Residential (R) Subdivision MND adopted October 2021	The applicant is proposing to subdivide two (2) properties into 9 new lots. A new road is proposed as a part of this project. In addition, the application is requesting a zoning change from Agricultural (A) to R-1-40,000.
Palm Villas Saratoga, Saratoga Creek Drive (389-06-020 & 389-06-021) 9,300 feet to the north of SRC campus	Residential Care Facility for the Elderly (RCFE) EIR certified November 2020	The applicant is requesting a Conditional Use Permit and Design Review approval for a Residential Care Facility for the Elderly (RCFE). The RCFE would consist of two buildings on two adjacent lots that have been designed to function as a single complex. One building would be for individuals with mild stage Alzheimer's/Dementia and the second for individuals with advanced stage Alzheimer's/Dementia. Five protected trees are requested for removal. The site is zoned Professional and Administrative Office District (PA) with a General Plan Designation of PA (Professional Administrative). An Environmental Impact Report (EIR) has been prepared.

Project Name & Location	Project Type & Status	Details
14521 Quito Road, Saratoga. 3,400 feet east of SRC campus	Residential Tentative Map Approved November 2022	The Project Applicant is proposing to subdivide an existing 11.43-acre parcel into ten-lots ranging in size from 0.92 acres to 1.2 acres. The Project would create a new private cul-de-sac with a connection to Quito Road. The private street would provide access to seven parcels and the remaining three parcels would take access from Vessing Road.
House Family Vineyards Old Oak Way (503-15-079 and APN 503-15-080)	Commercial Under Review	The applicant is requesting a conditional use permit to operate a winery at their property located at the end of Old Oak Way. The proposed project also consists of construction of a new subterranean wine cave, fire access road, design review for a tasting deck (i.e., tasting deck, restrooms and office) as well as an open space easement exchange. The proposed winery operations include public wine tastings (no appointment needed) and private wine tasting and events (by appointment only). In addition to the conditional use permit for the winery operations, the proposed project would require a tree removal permit, as well as geotechnical clearance and building permits for the subterranean wine cave and tasting deck.
1312 El Paseo & 1777 Saratoga Avenue, San Jose.	Mixed Use Residential and Commercial. Approved	City of San Jose. Planned Development Zoning from the Commercial General CG Zoning District and Commercial Pedestrian CP Zoning District to allow the demolition of existing buildings onsite and the development of four mixed use buildings with 994 residential units and 165,949 SF of commercial space. The project is proposed on two sites totaling approximately 10.7-gross acres
Westgate West Costco, 5287 Prospect Road, San Jose	Commercial EIR in progress	City of San Jose. Conditional Use Permit (File No. CP21-022) to allow the partial demolition (approximately 188,265 SF) of the existing Westgate West shopping center to facilitate construction of an approximately 166,058 SF Costco store with an associated tire center, temporary outdoor sales, and rooftop parking on an approximately 19.8-gross acre site.
General Plan 6th Cycle Housing Element Update, Safety Element Update, 2040 General Plan Update and Associated Rezonings	General Plan Update EIR in progress	The Project includes the City of Saratoga's 6th Cycle Housing Element Update for the planning period extending from January 31, 2023 to January 31, 2031. This update will be accompanied by updates to the City's Safety Element pursuant to SB 1035 (2018), updates to the City's General Plan, and associated rezonings required to accommodate the 6th Cycle Housing Element Update.

Source: City of Saratoga, 2021, 2022

Acronyms: SF = square feet

Projected Cumulative Growth

The following discussion is based on an understanding of anticipated growth within the region that would affect the severity of Project impacts identified in this EIR, based on relevant local and regional policy documents. Further discussion is also provided in relation to the cumulative context and impact analysis for each resource topic in Sections 3.2.4 through 3.18.4 of this EIR.

City of Saratoga General Plan

The City's General Plan Land Use element does not project population beyond 2020, however the most recent Housing Element uses Association of Bay Area Governments (ABAG) projections for growth within the City. As shown in Figure 3.1-1, the projected population of the City is anticipated to increase to 31,900 in 2030 and 32,700 in 2040.

The Circulation and Scenic Highway Element notes that the City is essentially built out with the majority of vacant parcels located in the western and southern hillside areas, which are typically zoned for single family residential development at low densities. Some redevelopment in the City is projected, with a total population increase between 2005 and 2030 is approximately 2,400 persons, while the total number of jobs in the City is expected to increase by approximately 950 during this period. The Housing Element includes the City's Regional Housing Needs Assessment allocation of providing a total of 439 new housing units between 2015 and 2023.

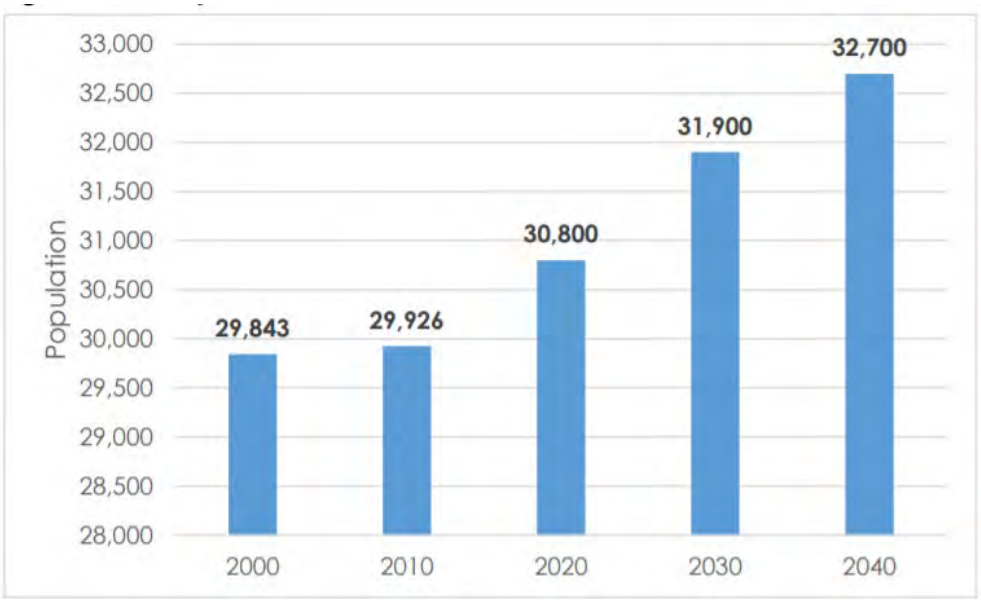


Figure 3.1-1 Projected Population in City of Saratoga

Source: City of Saratoga, 2014. General Plan Housing Element 2015-2023.

A Housing Element Update is currently under preparation by the City but has not yet been adopted. As part of the Housing Element Update, the City's Planning Commission has identified several sites within the City as having potential for additional housing opportunities, as summarized in Table 3.1-2 below. One of these sites, the Fellowship Plaza site, is immediately adjacent to the east of the SRC campus.

Table 3.1-2 List of Sites Identified as Having Potential for Additional Housing Opportunities

Site Name	Site Location	Details
Fellowship Plaza	Immediately adjacent (east) of SRC campus	Up to 80 low-income senior housing units on 10.47 acres (20-30 dwelling units per acre, three stories).
Gateway	12,300 feet to the northwest of SRC campus	Up to 273 units on 18.22 acres (15-60 dwelling units per acre, four stories).
Wardell	12,600 feet to the northwest of SRC campus	Up to 10 units on 7.35 acres (R-1-12,500 zoning, two story single family homes).
Saratoga-Sunnyvale/Pierce	9,600 feet to the northwest of SRC campus	Up to 78 units on 5.24 acres (15-60 dwelling units per acre, four stories).
Village East	4,900 feet to the northwest of SRC campus	Up to 60 units on 3.42 acres (15-60 dwelling units per acre, four stories).
Prospect	13,200 feet to the north of SRC campus	Up to 307 units on 5.12 acres (60-150 dwelling units per acre, ten stories).
Cox/Saratoga	8,300 feet to the north of SRC campus	Up to 815 units on 30.67 acres (15-60 or 30-60 dwelling units per acre, four to five stories).
Allendale	4,600 feet to the northeast of SRC campus	Up to 11 units on 12.13 acres (R-1-40,000 zoning, two story single family homes).

Source: City of Saratoga, no date. Planning Commission Recommended Housing Opportunity Sites.

SRC = Saratoga Retirement Community

3.2 Aesthetics

This section describes the existing visual setting of the Project area and evaluates whether the Project would result in significant adverse effects to aesthetics, including impacts to scenic vistas, scenic resources, scenic quality, and light and glare.

The following comments relating to aesthetics were received during the public scoping period in response to the Notice of Preparation:

- Concerns regarding aesthetic impacts due to tree removal and loss of open vistas, in particular that no amount of replacement planting could adequately replace the loss of existing trees, some of which are more than 100 years old, 100 feet tall, and/or 6 feet in diameter.
- Concerns including aesthetic impacts related to the historic Manor building and view of the Manor building from Odd Fellows Drive and neighboring properties.
- Concerns regarding potential damage and impact to aesthetic value from nearby drilling and the proposed attachment of new meeting room directly to the Manor building, and loss of landscaping in front of the Manor building.
- Concern that the developer would not be required to erect story poles showing bulk and height of proposed buildings.

3.2.1 Environmental Setting

Aesthetic resources include a combination of numerous elements, such as landforms, vegetation, water features, urban design, and/or architecture, that impart an overall visual impression that is pleasing to, or valued by, its observers.

Visual Character of the Project Site

The approximately 37-acre Project site is an existing retirement community within an urbanized area, surrounded by single family residential neighborhoods to the north, west and south, and by a multi-family residential development to the east. The topography is undulating, with a heavily-vegetated riparian corridor containing an unnamed tributary of Vasona Creek passing through the center of the campus and along its eastern boundary.

Existing development on the Project site is largely centered in the northern portion of the campus, with the Manor Building in the center-north of the site. The Manor Building was constructed in 1912 and is listed on the City's Historic Resources Inventory. The Manor Building features a typical Mission Revival architectural style, with two prominent bell towers framing the entry to the building, a stucco-clad primary façade, a shallow roofline with red clay tile, balconies, wrought iron railings, arched windows and doorways, and curved architectural details. The Manor Building has two stories plus basement, with the roof line approximately 32 feet above grade. See Section 3.5, *Cultural Resources,* for more information on the building's history and architectural features.

To the south of the Manor Building is an open area with lawn, landscaping, and mature trees with a variety of recreational facilities including a putting green, bocce ball court, horseshoe pits and picnic tables, with a single-story fitness center to the south. Surrounding this area to the

east and south are two large two- to -three- story independent living apartment buildings (Apartment Buildings 1 and 2, which are approximately 57,000 SF and 50,000 SF, respectively, and have a maximum height of approximately 30 feet above grade), and eight single-story duplex cottages to the west.

The northeastern portion of campus contains two other large buildings—the two- to three-story assisted living building (approximately 120,000 SF with a maximum height of approximately 42 feet above grade) and the single-story Health Center (approximately 33,000 SF with maximum height of approximately 30 feet above grade). A network of internal, private access roads meander throughout the campus with sidewalks, parking areas, and landscaped verges.

In the southern portion of the campus, a dozen single-story duplex cottages line a single dead-end roadway, surrounded by a large grassed open space with clusters of mature trees and vegetation.

The buildings in the vicinity of the Project site are generally one to two stories, including predominantly single-family residences, schools, and religious facilities, with the exception of the Fellowship Plaza multi-family residential development to the east of the SRC campus, which is up to three stories in height.

The SRC campus has limited visibility from surrounding public streets or other public vantage points due to intervening topography and vegetation, which include boundary plantings between the site and San Marcos Road, as well as Chester Avenue and Via Marcos (see Figures 3.2-1 through 3.2-4). In addition, views of the Project site from elevated public viewpoints in the Saratoga foothills are barely distinguishable from surrounding urban development (see Figure 3.2-5). Figure 3.2-6 indicates the locations of the viewpoints shown in the preceding figures.



Figure 3.2-1 View looking southeast toward SRC campus from San Marcos Road.

Source: Google Street View 2021.



Figure 3.2-2 View looking south toward SRC campus from Chester Avenue.

Source: Google Street View 2021.



Figure 3.2-3 View looking northwest toward SRC campus from Via de Marcos.

Source: Google Street View 2021.



Figure 3.2-4 View looking south toward SRC campus from South College Circle.

Source: Google Street View 2021.



Figure 3.2-5 View looking northeast toward SRC campus from the Villa Montalvo Lookout Point.

Source: Google Street View 2021.

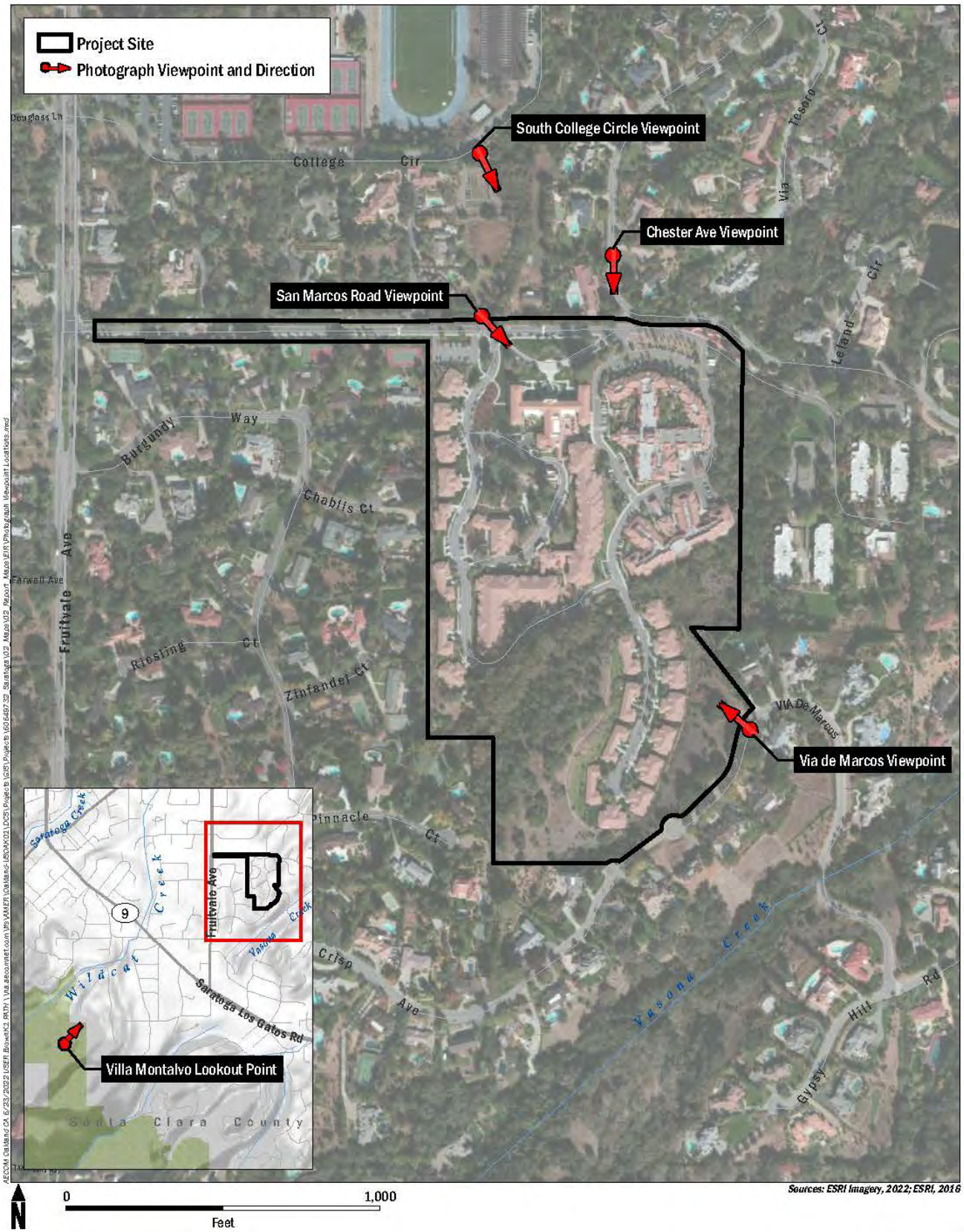


Figure 3.2-6 Viewpoint Locations for preceding figures

In addition to the SRC campus, the Project would include the use of a temporary off-site construction staging area at Parking Lot #6 of the West Valley College, on the northeast corner of Fruitvale Avenue and South College Circle for worker parking and material storage. This parking lot is largely screened from surrounding streets by trees and shrubs along the border of the site.

Scenic Highways and Corridors

The California Department of Transportation (Caltrans) manages the State's Scenic Highways Program. The nearest officially designated State Scenic Highway is the portion of SR-9 between the Saratoga/Los Gatos boundary and Skyline Boulevard, which passes within approximately 0.6 mile of the Project site, to the southwest. Additionally, SR-35 in Saratoga and SR-17 near Los Gatos are listed as eligible, but have not been officially designated by Caltrans (Caltrans 2018).

Scenic Vistas

There are no designated scenic vistas in Saratoga; however, the City recognizes existing open spaces and connections through various trail linkages as important scenic systems. These trail linkages include Parker Ranch Loop, which connects the City to the Fremont Older Open Space, and which shares an eastern boundary with Upper Stevens Creek Park (City of Saratoga 2020). Similarly, the City recognizes the foothills and view of the Santa Cruz mountains as valuable scenic hillsides and open space resources.

Light and Glare

The Project site is in a developed area with existing sources of light and glare. Existing lighting includes parking lot and building façade lighting, interior illumination passing through windows, and illumination from vehicle headlights. Sensitive receptors relative to lighting and glare include existing SRC residents and employees as well as residents of neighboring properties.

Glare can emanate from many different sources, some of which include direct sunlight, sunlight reflecting from buildings, and bright outdoor or indoor lighting. Currently, there are no buildings, structures, or facilities in the Project site that generate substantial glare, as most of the buildings are constructed of non-reflective materials and do not have a substantial number of windows adjacent to one another that would create a large reflective area.

3.2.2 Regulatory Framework

Federal

There are no relevant federal regulations regarding aesthetics applicable to the Project.

State

There are no relevant federal regulations regarding aesthetics applicable to the Project.

Local

City of Saratoga General Plan

City policies pertaining to scenic quality and visual character are contained in the Land Use Element and Open Space Element of the City's General Plan[5]. The City's General Plan policies relating to aesthetics primarily encourage maintenance of the predominantly small-town character, and preservation of scenic hillsides and open space areas.

The following goals and policies from the City's General Plan relating to aesthetics apply to the Project:

Land Use Element

Goal LU 1: Maintain the predominantly small-town residential character of Saratoga which includes semi-rural and open space areas.

> **Policy LU 1.2:** Continue to review all residential development proposals to ensure consistency with Land Use Element goals and Policies.

Goal LU 5: Relate development proposals to existing and planned street capacities to avoid excessive noise, traffic, and other public safety hazards so as to protect neighborhoods. If it is determined that existing streets need to be improved to accommodate a project, such improvements shall be in place or bonded for prior to issuance of building permits.

> **Policy LU 5.2:** Development proposals shall be evaluated against City standards and guidelines to assure that the related traffic, noise, light, appearance, and intensity of the proposed use have limited adverse impact on the area and can be fully mitigated.
>
> **Policy LU 5.4:** Through the development review process, ensure that adjoining neighborhoods are protected from noise, light, glare and other impacts resulting from new or expanded non-residential developments.

Goal LU 12: Recognize the heritage of the City by seeking to protect historic and cultural resources, where feasible.

> **Policy LU 12.1:** Enhance the visual character of the City by encouraging compatibility of architectural styles that reflect established architectural traditions.

Goal LU 13: The City shall use the design review process to assure that new construction and major additions thereto are compatible with the site and the adjacent surroundings.

> **Policy LU 13.1:** Utilize the design review process and the California Environmental Quality Act in the review of proposed residential and non-residential projects to promote high quality design, to ensure compliance with applicable regulations, to ensure

[5] In February 2018, the City of Saratoga began the process of making minor policy updates to three elements of the City's General Plan (Land Use, Circulation, and Open Space & Conservation) and formatting the elements to provide a cohesive document. These updated elements are collectively known as the "2040 General Plan Update" but have not yet been adopted. In addition, the City is currently in the process of updating its Housing Element for the "6th Cycle" planning period extending from January 31, 2023 through January 31, 2031, and updating its Safety Element to reflect the updated Housing Element. On February 28, 2022 the City published a Notice of Preparation of a Draft Program Environmental Impact Report for the 6th Cycle Housing Element, Safety Element, and 2040 General Plan Update. At present, there is no confirmed timeframe for completion and certification of the Program EIR and adoption of the updated General Plan elements; therefore, the policies cited within this EIR reflect the current General Plan Elements.

compatibility with surrounding properties and use, and to minimize environmental impacts. Special attention shall be given to ensuring compatibility between residential and non-residential uses (e.g., land use buffering).

Open Space Element

Goal OSC 2: To preserve the City's existing character which includes small town residential, rural/semi-rural areas and open spaces.

Policy OSC 2.1: Ensure that all development proposals, public and private, are sensitive to the natural environment and the community's open space resources.

Goal OSC 11: Protect and enhance sensitive vegetative and wildlife habitat in the Saratoga Planning area.

Policy OSC 11.3: The design of parking lots shall be evaluated for opportunities to reduce large continuous expanses of asphalt and to promote the establishment of visually interesting and aesthetically pleasing parking lots.

City of Saratoga Municipal Code

Chapter 15, Article 15-46, *Design Review: Multi-Family Dwellings and Commercial Structures.* This section of the Saratoga Municipal Code regulates design review approval of multi-family dwellings and commercial structures, and sets out the associated requirements for public hearing, application contents, story poles, and creek protection setbacks.

Section 15-46.040, *Design Review Findings*, states that the Planning Commission shall not grant design review approval unless it is able to make the following findings:

a) Where more than one building or structure will be constructed, the architectural features and landscaping thereof shall be harmonious. Such features include height, elevations, roofs, material, color and appurtenances.

b) Where more than one sign will be erected or displayed on the site, the signs shall have a common or compatible design and locational positions and shall be harmonious in appearance.

c) Landscaping shall integrate and accommodate existing trees and vegetation to be preserved; it shall make use of water-conserving plants, materials, and irrigation systems to the maximum extent feasible; and, to the maximum extent feasible, it shall be clustered in natural appearing groups, as opposed to being placed in rows or regularly spaced.

d) Colors of wall and roofing materials shall blend with the natural landscape and be nonreflective.

e) Roofing materials shall be wood shingles, wood shakes, tile, or other materials such as composition as approved by the Planning Commission. No mechanical equipment shall be located upon a roof unless it is appropriately screened.

f) The proposed development shall be compatible in terms of height, bulk, and design with other structures in the immediate area.

Chapter 15, Article 15-50, Tree Regulations. The purpose of this article is to establish basic standards and measures for the maintenance, removal, and replacement of trees. Thus, the ordinance codified in this Section is designed to provide a stable and sustainable urban forest to preserve and protect significant historic heritage values, and to enhance the unique aesthetic character and environment of this City.

Chapter 15, Article 15-80, Section 15-80.030, Special rules for accessory uses and structures in residential districts. This section requires that outdoor lighting fixtures shall be located, aimed, and shielded to prevent excessive glare or direct illumination onto adjacent properties and public street rights of way; notwithstanding the minimum lighting necessary to ensure adequate safety, night vision, and comfort.

3.2.3 Project Impacts and Mitigation

This section addresses the following potential impacts relating to aesthetics:

- Impact AES-1: Would the Project have a substantial adverse effect on a scenic vista?
- Impact AES-2: Would the Project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?
- Impact AES-3: Would the Project, for non-urbanized areas substantially degrade the existing visual character or quality of public views of the site and its surroundings (public views are those that are experienced from a publicly accessible vantage point)? In an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?
- Impact AES-4: Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

These impacts are addressed in turn, below.

Impact AES-1: Scenic Vistas

Impact AES-1 would be **no impact**. No mitigation is required.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would have a substantial adverse effect on a scenic vista.

Impact Analysis

Scenic vistas consist of expansive, panoramic views of important, unique, or highly valued visual features that are seen from public viewing areas. This definition combines visual quality with information about view exposure to describe the level of interest or concern that viewers may have for the quality of a particular view or visual setting. A scenic vista can be impacted by development projects in two ways: (1) the project could directly diminish the scenic quality of the vista by introducing new visual elements that are incompatible with the balance of built and open space, that substantially alter the landform, or that detract from the qualities that contribute to the scenic vista, or (2) the project could block the view corridors or “vista” of the scenic resource from public vantage points. Important factors in determining whether a proposed project would block scenic vistas include the project’s proposed height, mass, and location relative to

surrounding land uses and travel corridors, as well as to the number of viewers potentially affected and the length of exposure (e.g., residential land uses are typically more sensitive than land uses with only short-term occupants such as employees, students, or visitors).

The City's General Plan and Municipal Code do not have any regulations governing scenic vistas. However, Saratoga's low-lying foothills and the Santa Cruz Mountains beyond are considered valuable scenic open space resources. In addition, the City recognizes existing open spaces and connections through various trail linkages as important scenic elements. Intermittent long-range views of the mountains can be seen from the Project site and surrounding areas in between existing buildings, fencing, and trees, and from the surrounding roadways, but the majority of these views are partially or fully obstructed due to existing structures, vegetation, and undulating topography.

The Project includes the construction of three new residential buildings up to three stories in height, a two-story meeting room addition to the existing Manor, a single-story expansion of the existing fitness center, and associated improvements. Elevations of the proposed site improvements are contained within Figures 2.3-2 through 2.3-9 in Section 2, Project Description. The maximum height above average (natural) grade, would be approximately 37 feet for Building A, approximately 27.5 feet for Building B, and approximately 40.5 feet for Building C and the meeting room addition.

Overall, the Project would be consistent in height, size, and scale with the existing buildings at the site and in the surrounding area. While these new buildings may alter the views for individual residents within the campus or on neighboring properties, they would not substantially affect views of scenic vistas from public vantage points or for a substantial number of City residents.

Furthermore, the Project would not have impacts on scenic vistas or panoramas due to its design or location. As demonstrated in Figure 3.2-5, the SRC campus is not distinguishable from surrounding developments when viewed from scenic vantage points in the foothills, such as the Villa Montalvo Lookout Point (approximately 1.8 miles to the south); therefore, the proposed new development would substantially alter views from these public vantage points.

For the reasons detailed above, the Project would not have a substantial adverse effect on a scenic vista and there would be no impact.

Impact AES-2: Scenic Resources

Impact AES-2 would be **no impact**. No mitigation is required.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.

Impact Analysis

The Project site is not located within or adjacent to a State Scenic Highway. The nearest officially designated State Scenic Highway, SR-9, is located approximately 0.6 mile southwest of the Project site; however, views of the Project site are not visible from this section of the highway due to intervening topography and vegetation. Therefore, the proposed Project would not result

in impacts to scenic resources such as trees, rock outcroppings, or historic buildings within a State Scenic Highway, and no impacts to scenic resources would occur.

Impact AES-3: Scenic Quality

Impact AES-3 would be **no impact**. No mitigation is required.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, a project may have a significant impact if, in non-urbanized areas, it would substantially degrade the existing visual character or quality of public views of the site and its surroundings (public views are those that are experienced from a publicly accessible vantage point) or in urbanized areas, it would conflict with applicable zoning and other regulations governing scenic quality. The Project site is in an urbanized area, and as such, would have a significant impact if it would conflict with applicable zoning and other regulations governing scenic quality.

Impact Analysis

Implementation of the proposed Project would result in visual changes to the site because of the three new apartment buildings, the meeting room addition to the existing Manor, fitness center addition, changes to internal campus roads, and the proposed removal of trees to facilitate the proposed development. However, as noted above, the threshold of significance for development in urbanized areas is limited to whether the Project would conflict with applicable zoning or other regulations governing scenic quality.

The Project site is currently zoned as Single-Family Residential (R-1-40,000; 40,000 square-foot minimum lot size), and the existing use of the facility for senior residential care has been established on the site since 1912. The proposed Project would include an intensification of the existing senior residential and related uses at the site and includes a request for a Planned Combined District overlay. Consideration of the request by the City requires design review in accordance with Section 15-46 of the City's Municipal Code. With approval of the requested overlay, the proposed Project would not conflict with applicable zoning.

As discussed in more detail in Section 3.4, Biological Resources, the Project's proposed tree removal and replacement would also comply with the requirements of the City's Tree Ordinance (Article 15-50 of the City's Municipal Code). Although the proposed removal of trees would change the visual appearance of the site for SRC residents and visitors, and neighboring property owners/occupants, the City's Tree Ordinance allows for tree removal to accommodate proposed development, provided certain conditions are met. The City's arborist has reviewed the Project application and concluded that the 65 protected trees proposed for removal meet the City's criteria allowing their removal, provided the conditions of the City arborist's approval are adhered to (see **Appendix B**). There are no other regulations governing scenic quality that are applicable to the Project.

Because the proposed Project would not conflict with applicable zoning or other regulations governing scenic quality, there would be **no impact**.

With respect to scoping period comments relating to views of the project site (and particularly of the Manor Building) from surrounding areas and changes to the visual character of the area, under CEQA, the applicable threshold of significance for impacts to scenic quality within

urbanized areas do not include degradation to visual character or the quality of public views of the site and its surroundings.

Furthermore, CEQA is typically concerned about impacts on the environment of persons generally, rather than impacts on particular persons.[6] Therefore, although the Project would alter the visual character of the project site due to removal of mature trees and construction of additional buildings, such changes would only be partially visible from neighboring private properties and a limited number of public streets in the vicinity of the Project site, and to residents of the adjacent Fellowship Plaza who utilize Odd Fellows Drive to access their homes, due to the intervening topography and vegetation, and would not be a significant aesthetic impact under CEQA. Further discussion regarding impacts to views of the historic Manor Building are discussed in Section 3.5, Cultural Resources.

Impact AES-4: Light and Glare

Impact AES-4 would be **less than significant**. No mitigation is required.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Impact Analysis

Existing development at the SRC campus includes the Manor building, two apartment buildings, 20 villas/cottages, as well as an assisted living building, Health Center and a fitness center. Existing sources of light in the vicinity of the Project include parking lot lighting, building illumination, security lighting, landscape lighting, lighting from building interiors that passes through windows and lighting at building entrances.

The proposed development would include nighttime lighting for security purposes around all of the proposed buildings and parking areas. Implementation of the proposed Project would result in higher intensity development on the site than currently exists, some of which would be closer to nearby residents than the existing structures, which would contribute additional sources to the overall ambient nighttime lighting conditions. However, all outdoor lighting would comply with the City's Municipal Code Section 15-80.030, which requires that outdoor lighting fixtures shall be located, aimed, and shielded to prevent excessive glare or direct illumination onto adjacent properties and public street rights of way; notwithstanding the minimum lighting necessary to ensure adequate safety, night vision, and comfort. The Project site is within a developed area with various sources of existing nighttime lighting such as streetlights and lighting associated with residential dwellings.

Reflective light (glare) can be caused by sunlight or artificial light reflecting from finished surfaces such as window glass or other reflective materials. Generally, darker or mirrored glass would have a higher visible light reflectance than clear glass. Buildings constructed of highly reflective materials from which the sun reflects at a low angle can cause adverse glare. However, the proposed Project does not include buildings that would use highly reflective surfaces or include glass-sided buildings. The Project also would not include large surface parking areas with

[6] https://ceqaportal.org/tp/CEQA%20Portal%20Topic%20Paper_Thresholds%20of%20Signifcance_2020%20Update.pdf

potential for reflection from multiple car windshields. Although the proposed residential buildings would contain windows, the windows would be separated by stucco and architectural treatments, which would limit the potential for substantial glare.

Because the new development would be required to comply with the City's lighting regulations, because of existing perimeter vegetation would partially screen new sources of lighting or glare from adjacent properties, and because the Project would not include use of highly reflective surfaces, the Project would not generate substantial sources of light or glare that would adversely affect day or nighttime views in the area. The impact would be **less than significant**.

3.2.4 Cumulative Impacts and Mitigation

As discussed in Section 3.2.3 above, the Project would have no impact related to scenic vistas (Impact AES-1), scenic resources (Impact AES-2), or scenic quality (Impact AES-3). Therefore, the Project would not contribute to potential cumulative impacts for these issues. This section analyzes the potential of the Project to contribute to the following cumulative aesthetics impacts:

- **Impact C-AES-4:** Contribution to cumulative effects from Light and Glare

Cumulative Impact C-AES-4: Cumulative Impacts to Light and Glare

The overall cumulative impact would be **less than significant**.

Cumulative Context

As discussed for Impact AES-4 in Section 3.2.3 above, the Project would have less than significant impacts related to light and glare. The context for analysis of cumulative impacts is limited to those past, present, and probable future projects in proximity to the Project site that that could generate daytime glare or nighttime lighting that could combine with lighting or glare from the Project.

Cumulative Impact Analysis

None of the cumulative projects listed in Table 3.1-1 are located close enough to the Project site that new lighting or glare associated with those cumulative developments would combine with lighting or glare from the proposed Project. The nearest cumulative project is the potential development of up to 80 new senior residential units on the Fellowship Plaza property immediately east of the Project site. However, there is substantial riparian vegetation between the two sites, which would not be removed by the Project, and which would provide a screening effect for light and glare. Thus, new lighting from the Project site would not combine with lighting from nearby projects. In addition, Municipal Code 15-80.030, which requires that outdoor lighting fixtures shall be located, aimed, and shielded to prevent excessive glare or direct illumination onto adjacent properties and public street rights of way would apply to both the Project and to cumulative projects within the City. Therefore, the overall cumulative impact related to light and glare would be **less than significant**.

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3.3 Air Quality

This section describes the regulatory framework and existing conditions of the Project area related to air quality and evaluates whether the Project would result in adverse effects on air quality. This analysis is based on the methodology recommended by BAAQMD for Project-level review, using information available. Mitigation measures are recommended, as necessary, to reduce potentially significant adverse air quality impacts.

The following comments relating to air quality were received during the public scoping period in response to the Notice of Preparation:

1. Concerns regarding air quality impacts during construction from dust and construction-related traffic.
2. Concerns regarding loss of trees and associated impacts on air quality.
3. Request that a wall be constructed between San Marcos Road and Odd Fellows Drive to cut down on air pollution and other effects of the Project
4. Request for a description of how pollutants will be kept within acceptable levels.

3.3.1 Environmental Setting

Topography, Meteorology, and Climate

Regional

The Project site is in the City, within Santa Clara County. Saratoga is in the San Francisco Bay Area Air Basin (SFBAAB), which consists of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara counties; the western portion of Solano County; and the southern portion of Sonoma County. Air quality is determined by natural factors such as topography, meteorology, and climate, in addition to the presence of existing air pollution sources and ambient conditions. These factors along with applicable regulations are discussed below.

The SFBAAB is characterized by complex terrain consisting of coastal mountain ranges, inland valleys, and bays, which distort normal wind flow patterns. The Coast Range is not continuous, with a western coast gap, Golden Gate, and an eastern coast gap, Carquinez Strait, which allow air to flow in and out of the SFBAAB and the Central Valley. The climate is dominated by the strength and location of a semi-permanent, subtropical high-pressure cell.[7] During the summer, the Pacific high-pressure cell is centered over the northeastern Pacific Ocean resulting in stable meteorological conditions and a steady northwesterly wind flow. Upwelling of cold ocean water from below to the surface because of the northwesterly flow produces a band of cold water off the California coast. The cool and moisture-laden air approaching the coast from the Pacific Ocean is further cooled by the presence of the cold water band resulting in condensation and the presence of fog and stratus clouds along the Northern California coast. In the winter, the Pacific high-pressure cell weakens and shifts southward resulting in wind flow offshore, the

[7] The Pacific high pressure cell is a large-scale meteorological condition which involves a semi-permanent, subtropical area of high pressure in the North Pacific Ocean. It is strongest in the Northern Hemispheric summer and is displaced towards the equator during the winter when the Aleutian Low becomes more dominant. This high pressure cell keeps storms from affecting the California coast (BAAQMD 2017a, NOAA 2009).

absence of upwelling, and the occurrence of storms. Weak inversions[8] coupled with moderate winds result in a low air pollution potential (BAAQMD 2017a).

Local

The Santa Clara Valley is bounded by the San Francisco Bay to the north and by mountains to the east, south and west. During the summer, mostly clear skies result in warm daytime temperatures and cool nights. Winter temperatures are mild, except for very cool but generally frost-less mornings. Further inland where the moderating effect of the bay is not as strong, temperature extremes are greater. Wind patterns are influenced by local terrain, with a northwesterly sea breeze typically developing during the daytime. Winds are usually stronger in the spring and summer. Annual rainfall amounts are modest, ranging from 13 inches in the lowlands to 20 inches in the hills (BAAQMD 2019a).

Air Pollutants of Concern

Criteria Air Pollutants

The United States Environmental Protection Agency (USEPA) and the California Air Resources Board (CARB) have identified six air pollutants that can cause harm to human health and the environment: ozone, carbon monoxide (CO), nitrogen dioxide (NO2), sulfur dioxide (SO2), particulate matter less than 10 microns in diameter (PM10) and particulate matter less than 2.5 microns in diameter (PM2.5), and lead. Because the ambient air quality standards for these air pollutants are regulated using human health and environmentally based criteria, they are commonly referred to as “criteria air pollutants.” Reactive organic gases (ROGs) and oxides of nitrogen (NOX) are criteria pollutant precursors that form ozone through chemical and photochemical reactions in the atmosphere. In general, the State of California’s standards, particularly those for ozone and PM (PM10 and PM2.5), are more stringent than the federal standards.

This section provides a brief description of criteria air pollutants and health effects of exposure:

- **Ozone (O3)** is a colorless gas that is odorless at ambient levels. Ozone is the primary component of urban smog. It is not emitted directly into the air but is formed through a series of reactions involving ROGs and NOX in the presence of sunlight. ROG and NOX are referred to as “ozone precursors.” Because ozone is not directly emitted, air quality regulations focus on reducing the ozone precursors of ROG and NOX. Meteorology and terrain play a major role in ozone formation. Generally, low wind speeds or stagnant air coupled with warm temperatures and clear skies provide the optimum conditions for formation. As a result, summer is generally the peak ozone season. Because of the reaction time involved, peak ozone concentrations often occur far downwind of the precursor emissions. Therefore, ozone is a regional pollutant that often affects large areas. Individuals exercising outdoors, children, and people with lung disease, such as asthma and chronic pulmonary lung disease, are considered to be the most susceptible subgroups for ozone effects. Short-term ozone exposure (lasting for a few hours) can result in changes in breathing patterns, reductions in breathing capacity, increased susceptibility to infections,

[8] An inversion is a layer of warmer air over a layer of cooler air. Inversions affect air quality conditions significantly because they influence the mixing depth, i.e., the vertical depth in the atmosphere available for diluting air contaminants near the ground. The highest air pollutant concentrations in the SFBAAB generally occur during inversions (BAAQMD 2017a).

inflammation of lung tissue, and some immunological changes. Chronic exposure to high ozone levels can permanently damage lung tissue (BAAQMD 2017a).

- **Carbon Monoxide (CO)** is a colorless and odorless gas that, in the urban environment, is produced primarily by the incomplete burning of carbon in fuels; primarily, from mobile (transportation) sources. Relatively high concentrations are typically found near crowded intersections and along heavily used roadways carrying slow-moving traffic. Even under the most severe meteorological and traffic conditions, high concentrations of CO are limited to locations within a relatively short distance (300 to 600 feet) of heavily traveled roadways. Vehicular traffic emissions can cause localized CO impacts, and severe vehicle congestion at major signalized intersections can generate elevated CO levels, called “hot spots,” which can be hazardous to human receptors adjacent to the intersections. CO enters the bloodstream through the lungs by combining with hemoglobin, which normally supplies oxygen to the cells. However, CO combines with hemoglobin much more readily than oxygen does, drastically reducing the amount of oxygen available to the cells. Adverse health effects from exposure to high CO concentrations, which typically can occur only indoors or within similarly enclosed spaces, include dizziness, headaches, and fatigue. CO exposure is especially harmful to individuals who suffer from cardiovascular and respiratory diseases (USEPA 2021a).
- **Nitrogen Dioxide (NO2)** is one of a group of highly reactive gases known as oxides of nitrogen, or NOX. NO2 is formed when ozone reacts with nitric oxide (i.e., NO) in the atmosphere, and is listed as a criteria pollutant because NO2 is more toxic than nitric oxide. The major human-made sources of NO2 are combustion devices, such as boilers, gas turbines, and mobile and stationary reciprocating internal combustion engines. Inhalation is the most common route of exposure to NO2. Breathing air with a high concentration of NO2 can lead to respiratory illness. Short-term exposure can aggravate respiratory diseases, particularly asthma, resulting in respiratory symptoms (such as coughing, wheezing, or difficulty breathing), hospital admissions, and visits to emergency rooms. Longer exposures to elevated concentrations of NO2 may contribute to the development of asthma, and potentially increase susceptibility to respiratory infections (USEPA 2021b).
- **Sulfur Dioxide (SO2)** is one component of the larger group of gaseous oxides of sulfur. SO2 is used as the indicator for the larger group of oxides of sulfur because it is the component of greatest concern and found in the atmosphere at much higher concentrations than other gaseous oxides of sulfur. SO2 is typically produced by such stationary sources as coal and oil combustion facilities, steel mills, refineries, and pulp and paper mills. The major adverse health effects associated with SO2 exposure pertain to the upper respiratory tract. On contact with the moist mucous membranes, SO2 produces sulfurous acid, a direct irritant. Concentration rather than duration of exposure is an important determinant of respiratory effects. Children, the elderly, and those who suffer from asthma are particularly sensitive to effects of SO2 (USEPA 2021c).
- **Suspended Particulate Matter (PM10 and PM2.5)** is a complex mixture of extremely small particles and liquid droplets made up of a number of components, including acids (such as nitrates and sulfates), organic chemicals, metals, and soil or dust particles. Natural sources of particulates include windblown dust and ocean spray. The major areawide sources of PM2.5 and PM10 are fugitive dust, especially from roadways, agricultural operations, and

construction and demolition. Other sources of PM10 include crushing or grinding operations. PM2.5 sources also include all types of combustion, including motor vehicles, power plants, residential wood burning, forest fires, agricultural burning, and some industrial processes. Exhaust emissions from mobile sources contribute only a very small portion of directly emitted PM2.5 and PM10 emissions; however, they are a major source of ROGs and NOX, which undergo reactions in the atmosphere to form PM, known as secondary particles. These secondary particles make up the majority of PM pollution. Effects from short- and long-term exposure to elevated concentrations of PM10 include respiratory symptoms, aggravation of respiratory and cardiovascular diseases, and cancer (World Health Organization 2021). PM2.5 poses an increased health risk because these very small particles can be inhaled deep in the lungs and may contain substances that are particularly harmful to human health.

- **Lead** is a highly toxic metal that may cause a range of human health effects. Lead is found naturally in the environment and is used in manufactured products. Previously, the lead used in gasoline anti-knock additives represented a major source of lead emissions to the atmosphere. Metal processing is currently the primary source of lead emissions. The highest levels of lead in air are generally found near lead smelters. Other stationary sources are waste incinerators, utilities, and lead-acid battery manufacturers. Although the ambient lead standards are no longer violated, lead emissions from stationary sources still pose “hot spot” problems in some areas. Fetuses, infants, and children are more sensitive than others to the adverse effects of lead exposure. Exposure to low levels of lead can adversely affect the development and function of the central nervous system, leading to learning disorders, distractibility, inability to follow simple commands, and lower intelligence quotients. In adults, increased lead levels are associated with increased blood pressure. Lead poisoning can cause anemia, lethargy, seizures, and death (USEPA 2021d).
- **Reactive Organic Gases (ROGs)/Volatile Organic Compounds** are compounds composed primarily of hydrogen and carbon atoms. Internal combustion associated with motor vehicle usage is the major source of ROGs. Other sources of ROGs include evaporative emissions from paints and solvents, the application of asphalt paving, and the use of household consumer products such as aerosols. Adverse effects on human health are not caused directly by ROGs, but rather by reactions of ROGs to form secondary pollutants such as O3. There are no AAQS established for ROGs. However, because they contribute to the formation of O3, the BAAQMD has established a significance threshold for this pollutant.

Toxic Air Contaminants

In addition to criteria air pollutants, concentrations of toxic air contaminants are also used as indicators of air quality conditions that can harm human health. Air pollutant human exposure standards are identified for many toxic air contaminants including the following common toxic air contaminants relevant to development Projects: particulate matter, fugitive dust, lead, and asbestos. These air pollutants are termed toxic air contaminants because they are air pollutants that may cause or contribute to an increase in mortality or in serious illness or that may pose a hazard to human health. Toxic air contaminants are usually present in minute quantities in the ambient air; however, their high toxicity or health impact may pose a threat to public health even at low concentrations. Toxic air contaminants can cause long-term health effects (such as cancer, birth defects, neurological damage, asthma, bronchitis, or genetic damage) or short-term acute affects (such as eye watering, respiratory irritation, runny nose, throat pain, or headaches).

Toxic air contaminants are separated into carcinogens and noncarcinogens based on the nature of the physiological effects associated with exposure to a particular toxic air contaminant. Carcinogens are assumed to have no safe threshold below which health impacts would not occur. Cancer risk is typically expressed as excess cancer cases per million exposed individuals, typically over a lifetime exposure or other prolonged duration. For noncarcinogenic substances, there is generally assumed to be a safe level of exposure below which no negative health impact is believed to occur. These levels may vary depending on the specific pollutant. Acute and chronic exposure to noncarcinogens is expressed as a hazard index, which is the ratio of expected exposure levels to acceptable reference exposure levels.

Diesel Particulate Matter

The majority of the estimated health risks from toxic air contaminants can be attributed to relatively few compounds, the most important being particulate matter from diesel-fueled engines. In 1998, CARB identified diesel particulate matter as a toxic air contaminant based on evidence of a relationship between diesel exhaust exposure and lung cancer and other adverse health effects. Almost all diesel exhaust particles are 10 microns or less in diameter. Because of their extremely small size, these particles can be inhaled, and eventually trapped in the bronchial and alveolar regions of the lungs.

Air Quality

Regional – San Francisco Bay Area Air Basin

The determination of whether a region's air quality is healthful or unhealthful is made by comparing contaminant levels in ambient air samples to the National Ambient Air Quality Standards (NAAQS) and the California Ambient Air Quality Standards (CAAQS).

Ambient air concentrations are monitored throughout the SFBAAB to designate the Basin's attainment status with respect to the NAAQS and CAAQS for criteria air pollutants. The purpose of these designations is to identify areas with air quality problems and thereby initiate planning efforts for improvement. The three basic designation categories are "nonattainment," "attainment," and "unclassified" (the latter is used in an area that cannot be classified on the basis of available information as meeting or not meeting the standards). Table 3.1-1 lists the CAAQS and NAAQS values for each pollutant, and Table 3.1-2 presents the recent attainment designations for the SFBAAB. With respect to the NAAQS, the SFBAAB is designated as a nonattainment area for ozone and PM2.5, and as an attainment or unclassified area for all other pollutants. With respect to the CAAQS, the SFBAAB is designated as a nonattainment area for ozone, PM10, and PM2.5, and as an attainment area for all other pollutants.

Table 3.3-1 National and California Ambient Air Quality Standards

Pollutant	Averaging Time	CAAQS[1]	NAAQS[2,3]	
			Primary	Secondary
CO	1 Hour	20 ppm (23 mg/m^3)	35 ppm (40 mg/m^3)	NA
CO	8 Hour	9.0 ppm (10 mg/m^3)	9 ppm (10 mg/m^3)	NA
NO_2	1 Hour	0.18 ppm (339 µg/m^3)	100 ppb (188 µg/m^3)	NA
NO_2	Annual Arithmetic Mean	0.030 ppm (57 µg/m^3)	0.053 ppm (100 µg/m^3)	Same as Primary
Ozone	1 Hour	0.09 ppm (180 µg/m^3)	NA[5]	NA
Ozone	8 Hour	0.070 ppm (137 µg/m^3)[8]	0.070 ppm (137 µg/m^3)[4]	Same as Primary
PM_{10}	24 Hour	50 µg/m^3	150 µg/m^3	Same as Primary
PM_{10}	Annual Arithmetic Mean	20 µg/m^3 [6]	NA	NA
$PM_{2.5}$	24 Hour	NA	35 µg/m^3	Same as Primary
$PM_{2.5}$	Annual Arithmetic Mean	12 µg/m^3 [6]	12 µg/m^3 [10]	15.0 µg/m^3
SO_2	1 Hour	0.25 ppm (655 µg/m^3)	0.075 ppm (196 µg/m^3)	NA
SO_2	24 Hour	0.04 ppm (105 µg/m^3)	0.14 ppm (365 µg/m^3)	NA
SO_2	Annual Arithmetic Mean	NA	0.030 ppm (80 µg/m^3)	NA
Sulfates	24 Hour	25 µg/m^3	NA	NA
H_2S	1 Hour	0.03 ppm (42 µg/m^3)	NA	NA
Lead	30 Day Average	1.5 µg/m^3	NA	NA
Lead	Calendar quarter	NA	1.5 µg/m^3	Same as Primary
Lead	Rolling 3 Month Average	NA	0.15 µg/m^3 [9]	
Vinyl Chloride	24 Hour	0.01 ppm (26 µg/m^3)	NA	NA
Visibility-Reducing Particles	8 Hour	See Note 7	NA	NA

Source: BAAQMD 2017b

Key: µg/m3 = micrograms per cubic meter; mg/m3 = milligrams per cubic meter; CO = carbon monoxide; NO2 = nitrogen dioxide; O3 = ozone; PM10 = particulate matter 10 microns in diameter or less; PM2.5 = particulate matter 2.5 microns in diameter or less; ppm = parts per million; ppb = parts per billion; SO2 = sulfur dioxide; H2S = hydrogen sulfide

[1] California standards for ozone, carbon monoxide (except Lake Tahoe), sulfur dioxide (1-hour and 24-hour), nitrogen dioxide, suspended particulate matter - PM10, and visibility reducing particles are values that are not to be exceeded. The standards for sulfates, Lake Tahoe carbon monoxide, lead, hydrogen sulfide, and vinyl chloride are not to be equaled or exceeded. If the standard is for a 1-hour, 8-hour or 24-hour average (i.e., all standards except for lead and the PM10 annual standard), then some measurements may be excluded. In particular, measurements are excluded that CARB determines would occur less than once per year on the average. The Lake Tahoe CO standard is 6.0 ppm, a level one-half the national standard and two-thirds the state standard.

[2] National standards shown are the "primary standards" designed to protect public health. National standards other than for ozone, particulates and those based on annual averages are not to be exceeded more than once a year. The 1-hour ozone standard is attained if, during the most recent three-year period, the average number of days per year with maximum hourly concentrations above the standard is equal to or less than one. The 8-hour ozone standard is attained when the 3-year average of the 4th highest daily concentrations is 0.070 ppm (70 ppb) or less. The 24-hour PM10 standard is attained when the 3-year average of the 99th percentile of monitored concentrations is less than 150 µg/m3. The 24-hour PM2.5 standard is attained when the 3-year average of 98th percentiles is less than 35 µg/m3. Except for the national particulate standards, annual standards are met if the annual average falls below the standard at every site. The national annual particulate standard for PM10 is met if the 3-year average falls below the standard at every site. The annual PM2.5 standard is met if the 3-year average of annual averages spatially-averaged across officially designed clusters of sites falls below the standard.

[3] National air quality standards are set by the USEPA at levels determined to be protective of public health with an adequate margin of safety.

[4] On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 to 0.070 ppm. An area will meet the standard if the fourth-highest maximum daily 8-hour ozone concentration per year, averaged over three years, is equal to or less than 0.070 ppm. USEPA will make recommendations on attainment designations by October 1, 2016, and issue final designations October 1, 2017. Nonattainment areas will have until 2020 to late 2037 to meet the health standard, with attainment dates varying based on the ozone level in the area.

[5] The national 1-hour ozone standard was revoked by the USEPA on June 15, 2005.

[6] In June 2002, CARB established new annual standards for PM2.5 and PM10.

[7] Statewide VRP Standard (except Lake Tahoe Air Basin): Particles in sufficient amount to produce an extinction coefficient of 0.23 per kilometer when the relative humidity is less than 70 percent. This standard is intended to limit the frequency and severity of visibility impairment due to regional haze and is equivalent to a 10-mile nominal visual range.

[8] The 8-hour CA ozone standard was approved by the Air Resources Board on April 28, 2005 and became effective on May 17, 2006.

[9] National lead standard, rolling 3-month average: final rule signed October 15, 2008. Final designations effective December 31, 2011.

[10] In December 2012, USEPA strengthened the annual PM 2.5 National Ambient Air Quality Standards (NAAQS) from 15.0 to 12.0 micrograms per cubic meter (µg/m3). In December 2014, USEPA issued final area designations for the 2012 primary annual PM 2.5 NAAQS. Areas designated “unclassifiable/attainment” must continue to take steps to prevent their air quality from deteriorating to unhealthy levels. The effective date of this standard is April 15, 2015.

Table 3.3-2 San Francisco Bay Area Basin Attainment Status

Pollutant	State Attainment Status	Federal Attainment Status
CO (1 Hour and 8 Hour)	Attainment	Attainment
Ozone (1 Hour)	Nonattainment	--
Ozone (8 Hour)	Nonattainment	Nonattainment
NO_2 (1 Hour)	Attainment	--
NO_2 (Annual)	--	Attainment
PM_{10} (24 Hour)	Nonattainment	Unclassified
PM_{10} (Annual)	Nonattainment	--
$PM_{2.5}$ (24 Hour)	--	Nonattainment [1]
$PM_{2.5}$ (Annual)	Nonattainment	Unclassified/Attainment
SO_2 (1 Hour and 24 Hour)	Attainment	Unclassified/Attainment [2]
Lead (30 Day)	Attainment	Attainment
Lead (Quarter)	--	Attainment
Lead (3 Month)	--	--
H_2S (1 Hour)	Unclassified	--
Vinyl Chloride	No information available	--
Visibility Reducing Particles	Unclassified	--

Source: BAAQMD 2017b

[1] On January 9, 2013, USEPA issued a final rule to determine that the Bay Area attains the 24-hour $PM_{2.5}$ national standard. Despite this action, the Bay Area will continue to be designated as "non-attainment" for the national 24-hour $PM_{2.5}$ standard until such time as the BAAQMD submits a "redesignation request" and a "maintenance plan" to USEPA, and USEPA approves the proposed redesignation.

[2] On June 2, 2010, the USEPA established a new 1-hour SO_2 standard, effective August 23, 2010, which is based on the 3-year average of the annual 99th percentile of 1-hour daily maximum concentrations. The existing 0.030 ppm annual and 0.14 ppm 24-hour SO_2 NAAQS, however, must continue to be used until 1 year following USEPA initial designations of the new 1-hour SO_2 NAAQS.

Local - Project Vicinity

The BAAQMD maintains multiple air quality monitoring stations that continually measure the ambient concentrations of major air pollutants throughout the SFBAAB. Table 3.3-3, Air Quality Monitoring Summary, summarizes published monitoring data for 2018 through 2020. The nearest monitoring station to the Project site is the Los Gatos monitoring station, which monitors ozone, approximately 2.5 miles southeast of the Project site. Data for NO_2, PM_{10} and $PM_{2.5}$ were obtained from the San Jose-Jackson Street monitoring station approximately 8.8 miles northeast from the Project site. In general, the ambient air quality measurements from this station are representative of the air quality in the Project vicinity. As shown in Table 2.3-3, the ozone state and national standards were exceeded in 2019 and 2020. The PM_{10} state standard was exceeded from 2018 to 2020. The $PM_{2.5}$ national standard was exceeded in 2018 and 2020.

Local - Project Site

As described in Section 2, *Project Description*, the Project site consists of the existing SRC campus, which consists of the Manor Building, apartment buildings, cottages, assisted living building, fitness center, and a Health Center. As such, existing emissions from the Project site are typical of residential and medical facilities, which include emissions from area, mobile, energy, and stationary sources. Area source emissions are associated with activities such as the use of consumer products, parking lot degreasers, fertilizers/pesticides, and cleaning supplies. Mobile source emissions include vehicle trips from residents, visitors, and employees. Energy source emissions are associated with the combustion of natural gas for uses such as space and water heating. Stationary source emissions include emissions from the operation of diesel emergency generators.

Table 3.3-3 Local Air Quality Monitoring Summary

Pollutant and Averaging Period	Item	2018	2019	2020
Ozone 1 Hour	Max 1 Hour (ppm)	0.082	0.087	0.107
Ozone 1 Hour	Days > State Standard (0.09 ppm)	0	0	1
Ozone 8 Hour	Max 8 Hour (ppm)	0.067	0.078	0.085
Ozone 8 Hour	Days > State Standard (0.070 ppm)	0	2	3
Ozone 8 Hour	Days > National Standard (0.070 ppm)	0	2	3
NO_2 Annual	Annual Average (ppm)	0.012	0.011	0.010
NO_2 1 Hour	Max 1 Hour (ppm)	0.086	0.059	0.051
NO_2 1 Hour	Days > State Standard (0.18 ppm)	0	0	0
PM_{10} Annual	Annual Average (µg/m^3)	23.1	19.1	24.8
PM_{10} 24 hour	Max 24 Hour (µg/m^3)	121.8	77.1	137.1
PM_{10} 24 hour	Days > State Standard (50 µg/m^3)	12.2	11.8	29.9
PM_{10} 24 hour	Days > National Standard (150 µg/m^3)	0	0	0
$PM_{2.5}$ Annual	Annual Average (µg/m^3)	12.9	9.1	11.5
$PM_{2.5}$ 24 hour	Max 24 Hour (µg/m^3)	133.9	34.4	120.5
$PM_{2.5}$ 24 hour	Days > National Standard (35 µg/m^3)	15.5	0	12.0

Source: CARB 2022
Notes: ppm = parts per million; µg/m3 = micrograms per cubic meter; - = insufficient data

3.3.2 Regulatory Framework

Federal

Clean Air Act

The USEPA's air quality mandates are drawn primarily from the federal Clean Air Act, which was enacted in 1970 and amended in 1977 and 1990 (Clean Air Act Amendments). The Clean Air Act requires the USEPA to establish the NAAQS, as shown in Table 3.3-1 above. NAAQS have been established for the six major air pollutants described in Section 3.3.1: ozone, CO, NO2, SO2, lead, PM10 and PM2.5. The Clean Air Act identifies two types of NAAQS. Primary standards provide public health protection, including protecting the health of "sensitive" populations such as asthmatics, children, and the elderly. Secondary standards provide public welfare protection, including protection against decreased visibility and damage to animals, crops, vegetation, and buildings.

The Clean Air Act requires each state with regions that have not attained the NAAQS to prepare a State Implementation Plan, detailing how these standards are to be met in each local area. The State Implementation Plan is a legal agreement between each state and the federal government to commit resources to improving air quality. It serves as the template for conducting regional and project-level air quality analyses. The State Implementation Plan is not a single document, but a compilation of new and previously submitted attainment plans, emissions reduction programs, district rules, state regulations, and federal controls.

Nonroad Sources and Emission Standards

Before 1994, there were no standards to limit emissions from off-road equipment. In 1994, the USEPA established emission standards for hydrocarbons, NO_X, CO, and PM to regulate new pieces of off-road equipment. These emission standards came to be known as Tier 1. This rule was issued under the USEPA's authority in Section 213 of the Clean Air Act. Since that time, increasingly more stringent Tier 2, Tier 3, and Tier 4 (interim and final) standards were adopted by the USEPA, as well as by CARB. Tier 1 emission standards became effective in 1996. The more stringent Tier 2 and Tier 3 emission standards became effective between 2001 and 2008, with the effective date dependent on engine horsepower. Tier 4 interim standards became effective between 2008 and 2012, and Tier 4 final standards became effective in 2014 and 2015. Each adopted emission standard was phased in over time. New engines built in and after 2015 across all horsepower sizes must meet Tier 4 final emission standards. In other words, new manufactured engines cannot exceed the emissions established for Tier 4 final emissions standards (USEPA 2021e).

Regulations for On-road Vehicles and Engines

The USEPA also has certain regulations for on-road vehicles and engines, including passenger vehicles, commercial trucks and buses, and motorcycles (USEPA 2020). In 2001, the USEPA issued a Final Rule on Controlling Emissions of Hazardous Air Pollutants from Mobile Sources. This rule was issued under the USEPA's authority in Section 202 of the Clean Air Act. Passenger cars and trucks are regulated by the USEPA under "light-duty" vehicle programs. The USEPA regulates passenger vehicles to reduce harmful emissions. There are regulations for multiple aspects of passenger vehicles, including: standards for exhaust and evaporative emissions; control of hazardous air pollutants and air toxics; National Low Emission Vehicle Program; Compliance Assurance Program 2000; onboard refueling vapor recovery; and inspection and maintenance.

On March 31, 2022, the National Highway Traffic and Safety Administration (NHTSA) finalized Corporate Average Fuel Economy Standards for model years 2024 through 2026. The final rule established standards that would require an industry-wide fleet average of approximately 49 miles per gallon for passenger cars and light trucks in model year 2026, by increasing fuel efficiency by 8 percent annually for model years 2024 and 2025, and 10 percent annually for model year 2026 (NHTSA 2022).

Safer Affordable Fuel Efficient Vehicle Rule

In September 2019, the NHTSA and the USEPA published the Safer Affordable Fuel Efficient (SAFE) Vehicle Rule Part One: One National Program. The SAFE Part One Rule revoked California's authority and vehicle waiver to set its own emissions standards and set zero emission vehicle mandates in California for passenger cars and light duty trucks and establish new standards, covering model years 2021 through 2026. In April 2020, the USEPA and NHTSA issued the second part of the proposed SAFE Vehicles Rule, which addressed the stringency of federal vehicle emission standards and fuel economy regulations for passenger cars and light duty trucks by requiring a 1.5 percent increase in fuel economy each year from model years 2021 to 2026. This final rule was made effective on June 29, 2020. However, on December 21, 2021, the NHTSA finalized the Corporate Average Fuel Economy Preemption rulemaking to withdraw its portions of the SAFE Part One Rule (NHTSA 2021) and with this action, California's authority under the Clean Air Act to implement its own emission standards and zero emission vehicle sales mandate is restored. On March 31, 2022, the NHTSA finalized the Corporate

Average Fuel Economy Standards for model years 2024 through 2026 which included higher stringency than the SAFE Vehicles Rule, Part Two.

State

CARB is the lead agency responsible for developing the State Implementation Plan in California. Local air districts and other agencies prepare air quality attainment plans or air quality management plans, and submit them to CARB for review, approval, and incorporation into the applicable State Implementation Plan.

California Clean Air Act

CARB is also responsible for coordination and oversight of state and local air pollution control programs in California and for implementing the California Clean Air Act. The California Clean Air Act was adopted in 1988 and requires CARB to establish CAAQS, as shown in Table 3.3-1 above. In most cases, CAAQS are more stringent than NAAQS.

Other CARB responsibilities include, but are not limited to, overseeing local air district compliance with state and federal laws; approving local air quality plans; submitting State Implementation Plans to the USEPA; monitoring air quality; determining and updating area designations and maps; and setting emission standards for new mobile sources, consumer products, small utility engines, off-road vehicles, and fuels. CARB maintains air quality monitoring stations throughout the state in conjunction with local air districts. Data collected at these stations are used by CARB to classify air basins as being in attainment or nonattainment with respect to each pollutant and to monitor progress in attaining air quality standards.

California Health and Safety Code Section 40914

The California Clean Air Act requires that each area exceeding the CAAQS for ozone, CO, SO2, and NO2 develop a plan aimed at achieving those standards. California Health and Safety Code Section 40914 requires air districts to design a plan that achieves an annual reduction in district-wide emissions of 5 percent or more, averaged every consecutive 3-year period. To satisfy this requirement, the local air districts have to develop and implement air pollution reduction measures, which are described in their air quality attainment plans, and outline strategies for achieving the CAAQS for any criteria pollutants for which the region is classified as nonattainment.

In-Use Off-Road Diesel Vehicle Regulation, On-Road Light-Duty Certification, and California Reformulated Gasoline Program

CARB has established emission standards for vehicles sold in California and for various types of equipment. California gasoline specifications are governed by both state and federal agencies. During the past decade, federal and state agencies have imposed numerous requirements on the production and sale of gasoline in California. CARB has also adopted control measures for diesel PM and more stringent emissions standards for various on-road mobile sources of emissions, including transit buses and off-road diesel equipment (e.g., tractors, generators).

Tanner Air Toxics Act and the Air Toxics Hot Spots Information and Assessment Act

In addition to criteria pollutants, both federal and state air quality regulations also focus on toxic air contaminants. Toxic air contaminants in California are regulated primarily through the Tanner Air Toxics Act (Assembly Bill [AB] 1807, Chapter 1047, Statutes of 1983) and the Air Toxics Hot

Spots Information and Assessment Act (Chapter 1252, Statutes of 1987). AB 1807 sets forth a formal procedure for CARB to designate substances as toxic air contaminants. Research, public participation, and scientific peer review must occur before CARB can designate a substance as a toxic air contaminant. The Air Toxics Hot Spots Information and Assessment Act requires that toxic air contaminant emissions from stationary sources be quantified and compiled into an inventory according to criteria and guidelines developed by CARB, and if directed to do so by the local air district, a health risk assessment must be prepared to determine the potential health impacts of such emissions.

CARB has adopted a Diesel Risk Reduction Plan, which recommends control measures to achieve a diesel PM reduction of 85 percent by 2020 from year 2000 levels. Recent regulations and programs include the low-sulfur diesel fuel requirement and more stringent emission standards for heavy-duty diesel trucks and off-road in-use diesel equipment. As emissions are reduced, it is expected that the risks associated with exposure to the emissions will also be reduced.

Air Quality and Land Use Guidance

CARB developed the Air Quality and Land Use Handbook: A Community Health Perspective to provide guidance on land use compatibility with sources of toxic air contaminants (CARB 2005). These sources include freeways and high-traffic roads, commercial distribution centers, rail yards, refineries, dry cleaners, gasoline stations, and industrial facilities. The handbook is not a law or adopted policy but offers advisory recommendations for the siting of sensitive receptors near uses associated with toxic air contaminants. The handbook acknowledges that land use agencies must balance health risks with other considerations, including housing and transportation needs, economic development priorities, and quality of life issues. The recommendations include avoidance of siting new sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles per day, or rural roads with 50,000 vehicles per day.

In response to new research demonstrating benefits of compact, infill development along transportation corridors, CARB released a technical supplement, Technical Advisory: Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways (Technical Advisory; CARB 2017), to the 2005 Air Quality and Land Use Handbook. This Technical Advisory was developed to identify strategies that can be implemented to reduce exposure at specific developments or as recommendations for policy and planning documents. It is important to note that the Technical Advisory is not intended as guidance for a specific project and does not discuss the feasibility of mitigation measures for the purposes of compliance with CEQA. Some of the strategies identified in the Technical Advisory include implementation of speed reduction mechanisms, including roundabouts, traffic signal management, and speed limit reductions; design that promotes air flow and pollutant dispersion along street corridors, such as solid barriers and vegetation for pollutant dispersion; and indoor high efficiency filtration (CARB 2017).

Local

BAAQMD is the agency responsible for protecting public health and welfare in the San Francisco Bay Area Air Basin through the administration of federal and state air quality laws and policies. Included in BAAQMD's tasks are monitoring of air pollution, preparation of air quality plans, and promulgation of rules and regulations.

BAAQMD 2017 Bay Area Clean Air Plan

BAAQMD adopted the Bay Area Clean Air Plan: Spare the Air, Cool the Climate (Bay Area Clean Air Plan) on April 19, 2017, to provide a regional strategy to improve Bay Area air quality and meet public health goals (BAAQMD 2017c). The control strategy described in the Bay Area Clean Air Plan includes a wide range of control measures designed to reduce emissions and decrease ambient concentrations of harmful pollutants in the region, safeguard public health by reducing exposure to air pollutants that pose the greatest health risk, and reduce greenhouse gas (GHG) emissions to protect the climate. To protect public health, the Bay Area Clean Air Plan describes how BAAQMD will continue progress toward attaining all state and federal air quality standards in the region and eliminating health risk disparities from exposure to air pollution among Bay Area communities.

The Bay Area Clean Air Plan addresses four categories of pollutants: (1) ground-level ozone and its key precursors, ROGs and NOX; (2) PM, primarily PM2.5, and precursors to secondary PM2.5; (3) air toxics; and (4) GHGs. The control measures are categorized based upon the economic sector framework including stationary sources, transportation, energy, buildings, agriculture, natural and working lands, waste management, and water measures (BAAQMD 2017c).

BAAQMD Particulate Matter Plan

To fulfill federal air quality planning requirements, BAAQMD adopted a PM2.5 emissions inventory for year 2010 at a public hearing on November 7, 2012. The Bay Area 2017 Clean Air Plan also included several measures for reducing PM emissions from stationary sources and wood burning. On January 9, 2013, the USEPA issued a final rule determining that the San Francisco Bay Area has attained the 24-hour PM2.5 NAAQS, suspending federal State Implementation Plan planning requirements for the SFBAAB. Despite this USEPA action, the SFBAAB will continue to be designated as nonattainment for the national 24-hour PM2.5 standard until such time as BAAQMD submits a redesignation request and a maintenance plan to the USEPA, and the USEPA approves the proposed redesignation.

BAAQMD Regulation 6, Rule 6

BAAQMD Regulation 6, Rule 6 (adopted August 1, 2018) limits the quantity of particulate matter in the atmosphere through control of trackout of solid materials onto paved public roads outside the boundaries of sites, including but not limited to large construction sites and landfills.

BAAQMD Regulation 8, Rule 3

BAAQMD Regulation 8, Rule 3 (adopted March 1, 1978) limits the quantity of volatile organic compounds in architectural coatings supplied, sold, offered for sale, applied, or manufactured for use within the BAAQMD.

BAAQMD Regulation 11, Rule 2

BAAQMD Regulation 11, Rule 2 (adopted December 15, 1976) regulates hazardous pollutants from asbestos demolition, renovation, and manufacturing activities. The purpose of the rule is to control emissions of asbestos to the atmosphere during demolition, renovation, milling and manufacturing and establish appropriate waste disposal procedures.

City of Saratoga General Plan

The City included the following goals and policies related to Air Quality in the Open Space/Conservation and Land Use Elements of the City's General Plan[9] (City of Saratoga 2007):

Goal OSC 15: Improve local and regional air quality by ensuring that all development projects incorporate all feasible measures to reduce air pollutants.

> **Policy OSC 15.1:** Require development projects to comply with BAAQMD measures to reduce dust emissions due to grading and construction activities.
>
> **Policy OSC 15.2:** Encourage use of trip demand measures as part of major commercial and office development projects to reduce dependence on automobile use.

Goal LU 15: Improve local and regional air quality by ensuring all development projects incorporate all feasible measures to reduce air pollutants.

> **Policy LU 15.1:** Require development projects to comply with BAAQMD measures to reduce fugitive dust emissions due to grading and construction activities.
>
> **Policy LU 15.2:** Encourage use of trip demand measures as part of major commercial and office development projects to reduce dependence on auto use.
>
> **Policy LU 15.3:** Discourage use of wood-burning fireplaces by limiting to one per residence, including outdoor/patio fireplaces.

City of Saratoga Municipal Code

Chapter 16, Article 16-51, *Energy Code*. This article adopts by reference the 2019 California Energy Code; and makes specific amendments applicable in the City. Section 16-51.015 requires all newly constructed buildings to use electricity for space and water heating instead of natural gas.

3.3.3 Project Impacts and Mitigation

This section addresses the following potential impacts relating to air quality:

- **Impact AIR-1:** Would the Project conflict with or obstruct implementation of an applicable air quality plan?
- Impact AIR-2: Would the Project result in a cumulative 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?
- Impact AIR-3: Would the Project expose sensitive receptors to substantial pollutant concentrations?

[9] In February 2018, the City of Saratoga began the process of making minor policy updates to three elements of the City's General Plan (Land Use, Circulation, and Open Space & Conservation) and formatting the elements to provide a cohesive document. These updated elements are collectively known as the "2040 General Plan Update" but have not yet been adopted. In addition, the City is currently in the process of updating its Housing Element for the "6th Cycle" planning period extending from January 31, 2023 through January 31, 2031, and updating its Safety Element to reflect the updated Housing Element. On February 28, 2022 the City published a Notice of Preparation of a Draft Program Environmental Impact Report for the 6th Cycle Housing Element, Safety Element, and 2040 General Plan Update. At present, there is no confirmed timeframe for completion and certification of the Program EIR and adoption of the updated General Plan elements; therefore, the policies cited within this EIR reflect the current General Plan Elements.

- Impact AIR-4: Would the Project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

These impacts are addressed in turn, below.

Impact AIR-1: Conflict with Applicable Air Quality Plan

Impact AIR-1 would be **less than significant**. No mitigation is required.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would result in a conflict with or obstruct implementation of the applicable air quality plan.

The applicable air quality plan for the SFBAAB is the 2017 Clean Air Plan developed by BAAQMD. The Project would not result in a conflict with the 2017 Clean Air Plan if it supports the goals of the Clean Air Plan, includes applicable control measures from the Clean Air Plan, and would not disrupt or hinder implementation of any control measures from the Clean Air Plan.

The primary goals of the Bay Area 2017 Clean Air Plan are to protect public health and protect the climate by reducing emissions, decreasing concentrations of harmful pollutants, and reducing exposure to air pollutants that pose the greatest health risk. To meet the primary goals, the 2017 Clean Air Plan includes individual control measures that describe specific actions to reduce emissions of air and climate pollutants categorized into various categories including but not limited to mobile and stationary sources, and land use and local impacts.

Consistency with the 2017 Clean Air Plan also is determined through evaluation of project-related air quality impacts and demonstration that project-related emissions would not increase the frequency or severity of existing violations or contribute to a new violation of the NAAQS or CAAQS. The BAAQMD CEQA Air Quality Guidelines include thresholds of significance that are applied to evaluate regional impacts of project-specific emissions of air pollutants and their impact on BAAQMD's ability to reach attainment (BAAQMD 2017a). Emissions that are above these thresholds have not been accommodated in the air quality plans and would not be consistent with the air quality plans.

Impact Analysis

Construction

Project construction activities would involve the temporary use of off-road equipment, haul trucks, and worker commute trips. As discussed for Impact AIR-2 below, construction-related emissions of the Project would not exceed the thresholds of significance recommended by the BAAQMD. In addition, consistent with Stationary Source Control Measures SS36 (PM from Trackout) and SS38 (Fugitive Dust) of the 2017 Clean Air Plan, the Project would implement BAAQMD's Basic Construction Mitigation Measures as identified in Mitigation Measure MM-AIR-2, which would reduce fugitive dust emissions during construction. Project construction and demolition activities would also be consistent with 2017 Clean Air Plan Measure WA4, Recycling and Waste Reduction, which calls for the recycling of construction and demolition materials. The Project would maximize salvage and recycling of materials. A minimum of 65 percent of the solid waste generated would be diverted from landfill disposal as required by the California Green Building Standards Code (CALGreen). Therefore, construction of the Project would not conflict

with the BAAQMD 2017 Clean Air Plan. This construction-related impact would be **less than significant.**

Operation

Projects that are consistent with the assumptions used in development of the air quality plan are considered to not conflict with or obstruct the attainment of air quality levels identified in the plan. Assumptions for emission estimates are based on population, employment, and land use projections taken from local and regional planning documents. As discussed in more detail in Section 3.11, *Land Use and Planning*, the Project would expand and complement the existing uses onsite. Overall, the land uses proposed for the site are consistent with the land uses designated for the Project site by the City's General Plan. Thus, the intensity of operational emissions has been accounted for in the air quality plan. Furthermore, as described in Impact AIR-2 below, operational emissions of the Project would not exceed the thresholds of significance recommended by the BAAQMD. Therefore, the Project's emissions would not increase the frequency or severity of existing violations or contribute to a new violation of the NAAQS or CAAQS, and thus, would not conflict with the purpose of the 2017 Clean Air Plan of attaining the state and federal air quality standards.

Operation of the Project would also support the goals of the 2017 Clean Air Plan and includes applicable control measures from the Clean Air Plan. The Clean Air Plan includes Building Control Measures, BL1: Green Buildings and BL2: Decarbonize Buildings, which prioritize energy efficiency, renewable energy sources, and replacement of fossil fuel-based space and water heating systems (e.g., natural gas) in residential and commercial buildings. Each proposed residential apartment building (Buildings A, B and C) would be provided in roof mounted solar photovoltaic system and battery storage. In accordance with the City's Municipal Code Section 16-51.015, the proposed new buildings would be all-electric, i.e., no natural gas infrastructure would be installed. The Clean Air Plan also includes Water Control Measures, WR2: Support Water Conservation, which encourage reducing water consumption. The Project would be designed to meet "Build It Green" energy and water saving standards, and the City's WELO requirements. In addition, as discussed in Section 3.16, *Transportation*, the Project's average daily vehicle miles travelled (VMT) per capita would be more than 15 percent lower than the average daily VMT per capita for the City. SRC management provides private shuttle buses for its residents as needed for their daily activities. As such, the Project would also not conflict with the 2017 Clean Air Plan's goals to reduce vehicle travel and emissions from on-road vehicles. Therefore, operation of the Project would not conflict with or obstruct implementation of the 2017 Bay Area Clean Air Plan. This impact would be **less than significant.**

Impact AIR-2: Net Increase in Criteria Pollutants

Impact AIR-2 would be **potentially significant**. However, with implementation of mitigation measure MM AIR-2 the impact would be reduced to **less than significant with mitigation**.

Standards of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would 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.

The BAAQMD has prepared CEQA Air Quality Guidelines to assist in the evaluation of air quality impacts of Projects and plans proposed in the SFBAAB. The guidelines provide recommended procedures for evaluating potential air impacts during the environmental review process, consistent with CEQA requirements; and include recommended thresholds of significance, mitigation measures, and background air quality information. They also include recommended assessment methodologies for air toxics, odors, and GHG emissions.

The following sections describe the BAAQMD thresholds of significance to analyze the Project's impact with respect to air quality per the BAAQMD May 2017 CEQA Guidelines. BAAQMD has stated that its CEQA Guidelines are for informational purposes only and should be followed by local governments at their own discretion (BAAQMD 2017a). The BAAQMD CEQA Guidelines may inform environmental review for development Projects in the Bay Area, but do not commit local governments or the BAAQMD to any specific course of action. The thresholds for criteria pollutants were developed through a quantitative examination of the efficacy of fugitive dust mitigation measures and a quantitative examination of statewide nonattainment emissions and are used for the analysis of Project-generated emissions.

Table 3.3-4 presents the BAAQMD-recommended thresholds of significance for construction-related and operations-related criteria air pollutant and precursor emissions. These thresholds represent the levels at which a Project's individual emissions of criteria air pollutants or precursors would result in a cumulatively considerable contribution to the SFBAAB's existing air quality conditions. If daily average or annual emissions of construction-related or operational criteria air pollutants or precursors would exceed any applicable threshold listed in Table 3.3-4, the Project would result in a cumulatively significant impact.

Table 3.3-4 Average Daily and Annual Criteria Pollutant Emissions Thresholds

Pollutant	Construction Phase Average Daily Emissions (lbs/day)	Operational Phase Average Daily Emissions (lbs/day)	Operational Phase Maximum Annual Emissions (tons/year)
ROG	54	54	10
NO_X	54	54	10
PM_{10}	82 (exhaust)[2]	82	15
$PM_{2.5}$	54 (exhaust)[2]	54	10

Source: BAAQMD 2017a

Notes: ROG = reactive organic gases; NO_x = nitrogen oxides; PM_{10} = particulate matter less than 10 microns in diameter; $PM_{2.5}$ = particulate matter less than 2.5 microns in diameter.; lbs/day = pounds per day

[1] ROG and NOx are not criteria air pollutants; however, they are criteria pollutant precursors that form ozone through chemical and photochemical reactions in the atmosphere. Since ozone is not directly emitted, thresholds of significance have been established for these ozone precursors.

[2] The BAAQMD does not have quantitative mass emissions thresholds for fugitive PM10 and PM2.5 dust. Instead, the BAAQMD recommends that all projects, regardless of the level of average daily emissions, implement applicable best management practices, including those listed as Basic Construction Measures in the BAAQMD CEQA Guidelines (BAAQMD 2017a).

Impact Analysis

By its very nature, air pollution is largely a cumulative impact. The nonattainment status of regional pollutants is a result of past and present development within the SFBAAB, and this regional impact is cumulative rather than being attributable to any one source. A project's emissions may be individually limited, but cumulatively considerable when taken in combination with past, present, and future development projects. Cumulative air quality impacts are discussed in more detail in Section 3.3.4 below.

Construction

Construction emissions are described as “short-term” or temporary; however, they have the potential to represent a significant impact with respect to regional and localized air quality. Project construction activities would temporarily generate emissions of ROGs, NO_X, PM_{10}, and $PM_{2.5}$. ROGs, NO_X, PM_{10}, and $PM_{2.5}$ emissions are associated primarily with mobile equipment exhaust, including off-road construction equipment and on-road motor vehicles. PM_{10}, and $PM_{2.5}$ emissions are also associated with fugitive dust emissions from site preparation and grading activities. Fugitive PM emissions vary as a function of parameters such as soil silt content, soil moisture, wind speed, acreage of disturbance area, and the miles traveled by construction vehicles on- and off-site. Earthmoving and material-handling operations would be the primary sources of fugitive PM dust emissions from Project construction activities.

As described in more detail in Section 2, *Project Description*, construction of the Project is expected to begin in July 2023 and last approximately 25 months in total. Renovation and conversion of double-occupancy rooms within the existing Health Center to single-occupancy rooms would occur in stages over a two-year period. Emissions associated with typical construction activities were modeled using the California Emissions Estimator Model (CalEEMod), Version 2020.4.0. CalEEMod allows the user to enter project-specific construction information, such as types, number, usage duration, and horsepower of construction equipment, and number and length of off-site motor vehicle trips. It is estimated that approximately 720 tons (1,440 cubic yards) of mixed construction/demolition debris and approximately 43,000 cubic yards of spoils would be generated throughout Project construction, of which approximately 15 percent would be reused as backfill on site. The total volume of material that would be off hauled (exported) from the site is estimated at approximately 37,100 cubic yards. Health center refurbishment is anticipated to generate an additional approximately 160 cubic yards of demolition debris. Material export would require approximately 2,042 loaded haul trucks, or 4,084 one-way trips, throughout the construction duration. It is estimated that construction activities would require an average of 10 to 50 workers per day per phase. Additional modeling assumptions and details are provided in **Appendix C**.

As shown in Table 3.3-5, construction-related emissions associated with the Project would not exceed the average daily thresholds of significance. Because construction-related exhaust emissions would not exceed the significance thresholds, the Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard.

Table 3.3-5 Average Daily and Annual Criteria Pollutant Construction Emissions

Year/Description	ROG	NO_X	PM_{10} (Exhaust)	$PM_{2.5}$ (Exhaust)
2023 Total Emissions (tons)	0.22	1.07	0.05	0.04
2023 Average Daily Emissions (lbs/day)[1]	3.33	16.44	0.71	0.68
2024 Total Emissions (tons)	2.21	3.25	0.14	0.13
2024 Average Daily Emissions (lbs/day)[1]	16.87	24.83	1.04	0.98
2025 Total Emissions (tons)	2.74	1.65	0.07	0.06
2025 Average Daily Emissions (lbs/day)[1]	33.83	20.40	0.80	0.76
Threshold of Significance (lbs/day)	54	54	82	54
Exceeds Threshold?	No	No	No	No

*Source: Estimated by AECOM. See **Appendix C** for detailed modelling assumptions, outputs, and results.*
Notes:
ROG = reactive organic gases; NO_x = nitrogen oxides; PM_{10} = particulate matter less than 10 microns in diameter; $PM_{2.5}$ = particulate matter less than 2.5 microns in diameter.; lbs/day = pounds per day

[1] Average daily emission estimates calculated based on the approximate construction workdays in 2023, 2024, and 2025, which is assumed to be 130 days, 262 days, and 162 days, respectively.

The BAAQMD does not have quantitative mass emissions thresholds for fugitive PM_{10} and $PM_{2.5}$ dust. Instead, the BAAQMD recommends that all projects, regardless of the level of average daily emissions, implement applicable best management practices (BMPs), including those listed as Basic Construction Measures in the BAAQMD CEQA Guidelines (BAAQMD 2017a). Fugitive dust emissions are considered to be significant unless the project implements the BAAQMD's BMPs for fugitive dust control during construction. Construction-related impacts from the Project would therefore be **potentially significant**. Mitigation Measure MM-AIR-2 is recommended to address this potentially significant impact.

MM-AIR-2: Fugitive Dust Reduction Measures

A. The construction contractor shall comply with BAAQMD BMPs for reducing construction emissions of uncontrolled fugitive dust (PM10 and PM2.5), which require:

i. All exposed surfaces (e.g., parking areas, staging areas, soil piles, stockpiles, graded areas, and unpaved access roads) shall be watered twice daily, or as often as needed, treated with non-toxic soil stabilizers, or covered to control dust emissions. Watering should be sufficient to prevent airborne dust from leaving the site.

ii. All haul trucks transporting soil, sand, or other loose material off site shall be covered.

iii. All visible mud or dirt track-out onto adjacent public roads and paved access roads shall be removed using wet power (with reclaimed water, if possible) vacuum street sweepers at least once per day, or as often as needed. The use of dry power sweeping is prohibited.

iv. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.

v. All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.

vi. Idling times shall be minimized either by shutting equipment off when not in use or by reducing the maximum idling time to 5 minutes (as required by California airborne toxics control measure Title 13 CCR Section 2485). Clear signage shall be provided for construction workers at all access points.

vii. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

viii. A publicly visible sign shall be posted with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 48 hours. BAAQMD's phone number also shall be visible to ensure compliance with applicable regulations.

B. The Project Applicant's project manager or his/her designee shall verify compliance that these measures are included in the Project's grading plan and have been implemented during normal construction site inspections.

As explained previously, fugitive dust emissions are considered to be significant unless the Project implements the BAAQMD's BMPs for fugitive dust control during construction. MM-AIR2 would require implementation of the BAAQMD's BMPs to minimize fugitive dust emissions from Project-related construction activities; therefore, Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard. Implementation of MM-AIR-2 would therefore reduce Project impacts to **less than significant with mitigation.**

Operation

After construction, long-term emissions of criteria air pollutants would be generated from area, stationary, and mobile sources during operation of the Project. Area sources would include emissions from use of consumer products, periodic architectural coatings, and landscape equipment. Since the Project would not utilize any natural gas for water or space heating, the Project is not anticipated to result in any energy-source emissions of criteria air pollutants. Mobile sources would involve vehicle trips associated with residential, visitor, and employee commute activities (e.g., work, shopping, and other trips). Project-generated vehicle trips would be the primary source of long-term criteria air pollutant emissions. As described in Section 3.16, *Transportation*, the Project would generate approximately 192 daily vehicle trips. Stationary source emissions would be associated with the 158-horsepower emergency generator proposed at each of Buildings A, B, and C. Emergency generators were assumed to operate 50 hours per year based on the maintenance and testing limits per BAAQMD regulations. Additional modeling details are provided in **Appendix C**.

As shown in Table 3.3-6, the total and net increase in operational emissions generated by the Project would not exceed the BAAQMD daily or annual thresholds.

Table 3.3-6 Average Daily and Annual Criteria Pollutant Operational Emissions

Description	ROG	NO_X	PM_{10}	$PM_{2.5}$
Annual Emissions (tons)	0.62	0.10	0.17	0.05
Threshold of Significance (tons/year)	10	10	15	10
Exceeds Threshold?	No	No	No	No
Average Daily Emissions (lbs/day)[1]	3.40	0.53	0.94	0.27
Threshold of Significance (lbs/day)	54	54	82	54
Exceeds Threshold?	No	No	No	No

*Source: Estimated by AECOM. See **Appendix C** for detailed modelling assumptions, outputs, and results.*
Notes: lbs/day = pounds per day; ROG = reactive organic gases; NO_X = oxides of nitrogen; PM_{10} = particulate matter less than 10 microns in diameter; $PM_{2.5}$ = particulate matter less than 2.5 microns in diameter.

[1] *Average daily emission estimates are based on the annual operational emissions divided by 365 days.*

Because operational emissions from the Project would not exceed the BAAQMD daily or annual thresholds, the Project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state AAQS. Therefore, operational activities associated with the Project would be **less than significant**.

Impact AIR-3: Exposure of Sensitive Receptors to Pollutants

Impact AIR-3 would be **potentially significant**. However, with implementation of mitigation measure MM AIR-3 the impact would be reduced to **less than significant with mitigation**.

Standards of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would expose sensitive receptors to substantial pollutant concentrations.

Some members of the population are especially sensitive to air pollutant emissions and should be given special consideration when evaluating air quality impacts from projects. Sensitive receptors are facilities that house or attract children, the elderly, people with illnesses, or others who are especially sensitive to the effects of air pollutants, such as schools and residences. The nearest off-site sensitive receptors to the Project footprint are the single-family residential properties north of San Marcos Road. Fellowship Plaza, an affordable senior housing community consisting of one- and two-bedroom apartments and community facilities, is located immediately east of the Project site. In addition to off-site receptors, the existing residents of the SRC are considered to be sensitive on-site receptors. Existing SRC residential and healthcare buildings such as the Manor Building, apartment buildings, cottages, assisted living building and Health Center, as well as outdoor seating and recreational areas on the campus, are sensitive land uses.

For the health risk assessment (cancer, non-cancer chronic and acute risk, and annual $PM_{2.5}$ concentration), the modeling results are compared to the BAAQMD recommended health risk thresholds (BAAQMD 2017a), which are summarized in Table 3.3-7.

Table 3.3-7 CEQA Health Risk Assessment Thresholds

Health Risk	Threshold
Maximum Incremental Cancer Risk	10 in 1 million
Chronic Non-Cancer, 8-hour Chronic Non-Cancer & Acute Hazard Index	1.0
Annual PM2.5 Concentration	0.3 µg/m^3

Source: BAAQMD 2017a

Notes: µg/m^3 = micrograms per cubic meter

Impact Analysis

Construction

Construction-related Project activities would result in emissions of criteria air pollutants and toxic air contaminants, which are addressed in turn, below.

As shown in Table 3.3-5, the Project is estimated to generate a total of approximately 6.8 tons of NO_x emissions and 5.4 tons of ROG emissions during construction, which would not exceed the BAAQMD regional thresholds of significance. The regional thresholds of significance were designed to identify those projects that would result in significant levels of air pollution and to assist the region in attaining the applicable state and federal ambient air quality standards. The ambient air quality standards were established using health-based criteria to protect the public with a margin of safety from adverse health impacts due to exposure to air pollution.

As discussed above, ROG and NO_x are ozone precursors. Individuals exercising outdoors, children, and people with lung disease, such as asthma and chronic pulmonary lung disease, are considered to be the most susceptible subgroups for ozone effects. Short-term ozone exposure (lasting for a few hours) can result in changes in breathing patterns, reductions in breathing capacity, increased susceptibility to infections, inflammation of lung tissue, and some immunological changes. Chronic exposure to high ozone levels can permanently damage lung tissue (BAAQMD 2017a). Because of the reaction time and other factors involved in ozone formation, ozone is considered a regional pollutant that is not linearly related to emissions (i.e., ozone impacts vary depending on the location of the emissions, the location of other precursor emissions, meteorology, and seasonal impacts). Peak ozone concentrations often occur far downwind of the precursor emissions. Thus, ozone is considered a regional pollutant that often affects large areas. There currently is no way to accurately quantify ozone-related health impacts from NOX emissions from small projects. These limitations are due to photochemistry and regional model limitations; it takes a large amount of additional precursor emissions to cause a modeled increase in ambient ozone levels (SCAQMD 2015). Further, in a File Brief of Amicus Curiae in the *Sierra Club v. County of Fresno* (2018) 6 Cal.5th 502, commonly known as "*Friant Ranch*," the South Coast Air Quality Management District states that a project emitting only 10 tons per year of NOX or VOC/[ROG] (higher emissions than those generated during construction and operation of the Project) is small enough that its regional impact on ambient ozone levels may not be detected in the regional air quality models used to determine ozone levels" (SCAQMD 2015). Therefore, in this case, it would not be feasible to directly correlate project emissions of NOX and ROG with specific health impacts from ozone. However, because the BAAQMD regional thresholds of significance for ozone precursors were established with these

factors in mind, the Project's compliance with the BAAQMD thresholds indicates that the Project's NOX and ROG emissions would not expose sensitive receptors to substantial concentrations of ozone or any other criteria air pollutant.

The greatest potential for exposure during construction would be related to toxic air contaminant emissions, including diesel PM, associated with heavy-duty equipment operations and on-road motor vehicles. Diesel PM is a subset of the $PM_{2.5}$ exhaust emissions; $PM_{2.5}$ exhaust is used as a surrogate for diesel PM for health risk assessment purposes. Construction of the Project would occur in the vicinity of the surrounding off-site and on-site sensitive residential land uses (i.e., receptors). A health risk assessment was prepared to evaluate the Project's sources of toxic air contaminant emissions and exposure to on-site and off-site sensitive receptors and is included as **Appendix C** of this Draft EIR.

Sources evaluated in the health risk assessment include construction-related emissions from the Project to existing sensitive receptors (on-site and off-site residents and schools) located within 1,000 feet of the proposed Project footprint and 500 feet of off-site construction traffic. This analysis utilized the USEPA's AERMOD air dispersion modeling program and the latest health risk assessment guidance from the Office of Environmental Health Hazard Assessment to estimate excess lifetime cancer risks and $PM_{2.5}$ annual concentrations. Consistent with BAAQMD and Office of Environmental Health Hazard Assessment requirements, for off-site sensitive receptors, the probability of contracting cancer risk from the Project's emission sources was evaluated over the construction duration beginning at the age of the 3rd trimester in the womb. For on-site residential receptors, the probability of contracting cancer risk from the Project's emission sources was evaluated over the construction duration beginning at the exposure age of 55 years. For on-site worker receptors, the probability of contracting cancer risk from the Project's emission sources was evaluated over the construction duration beginning at a possible exposure age of 16 years. Additional modeling details and assumptions are provided in **Appendix C**. Although studies indicate that vegetation has the potential to reduce pollutant transport and dispersion[10], the model assumptions do not account for potential screening effects from existing vegetation on the Project site.

Table 3.3-8, Table 3.3-9, and Table 3.3-10 summarize maximum PM2.5 annual concentrations, excess cancer risk, and chronic non-cancer risks, respectively, associated with Project construction emissions.

Table 3.3-8 Project Construction Maximum Annual $PM_{2.5}$ Concentrations

Year	Maximum Annual $PM_{2.5}$ (µg/m³)	BAAQMD Threshold (µg/m³)	Exceeds Threshold?
2023[1]	0.67	0.3	Yes
2024[2]	4.81	0.3	Yes
2025[3]	0.93	0.3	Yes

*Source: Modeled by AECOM. See **Appendix C** for additional details.*
Notes: BAAQMD = Bay Area Air Quality Management District; UTM = Universal Transverse Mercator; µg/m³ = micrograms per cubic meter
1. Receptor location: X (UTM) = 588,058.72, Y (UTM) = 4,123,705.09.
2. Receptor location: X (UTM) = 588,038.72, Y (UTM) = 4,123,725.09.
3. Receptor location: X (UTM) = 588,078.72, Y (UTM) = 4,123,725.09.

[10] Vegetation, including plants and trees, has been studied as a means of improving air quality by assisting in the dispersion of near-roadway pollution (CARB 2017).

Table 3.3-9 Project Construction Maximum Modeled Excess Cancer Risk

Year	Duration	Cancer Risk – Onsite Residences (in a million)[1,5]	Cancer Risk – Offsite Residences (in a million)[2,4]	Cancer Risk – Worker (in a million)[3,6]
2023	0.5 year	0.03	1.61	0.10
2024	1 year	0.15	8.72	0.48
2025	0.8 year	0.20	2.99	0.62
Total Excess Cancer Risk	2.3 years[7]	0.39	13.32	1.20
Threshold	-	10	10	10
Exceeds Threshold?	-	No	Yes	No

*Source: Modeled by AECOM. See **Appendix C** for additional details.*
Notes: UTM = Universal Transverse Mercator

[1] Receptor location: X (UTM) = 587,898.72, Y (UTM) = 4,123,825.09
[2] Receptor location: X (UTM) = 588,138.72, Y (UTM) = 4,123,685.09.
[3] Receptor location: X (UTM) = 587,898.72, Y (UTM) = 4,123,825.09.
[4] Starting age for off-site residences: 3rd trimester (2023), 0 year (2024), 1 years (2025).
[5] Starting age for on-site residences: 55 for all years.
[6] Starting age for workers: 16 years (2023), 16 years (2024), 17 years (2025).
[7] Conservatively modeled a longer duration at 2.3 years (27 months) compared to the actual 25 months as 6 months per year is the shortest duration available in HARP.

Table 3.3-10 Project Construction Maximum Modeled Excess Chronic Non-Cancer Risk

Year	Maximum Chronic Non-Cancer Risk[1] (in a million)	BAAQMD Threshold (in a million)	Exceeds Threshold?
2023	0.007	1.0	No
2024	0.012	1.0	No
2025	0.014	1.0	No

*Source: Modeled by AECOM. See **Appendix C** for additional details.*
Notes: BAAQMD = Bay Area Air Quality Management District

[1] Maximum risk within entire modeling domain

As shown in Table 3.3-10, Project construction activities would not exceed the BAAQMD threshold of significance for excess chronic non-cancer risk. As shown in Table 3.3-8, the maximum annual $PM_{2.5}$ concentrations would result in exceedances of the threshold for every year of construction. As shown in Table 3.3-9, Project construction emissions would result in an excess cancer risk for off-site residential that would exceed the BAAQMD threshold of significance. Thus, this impact would be **potentially significant.** Mitigation Measure MM-AIR-3 is recommended to address this potentially significant impact.

MM-AIR-3: Require Clean Construction Equipment

A. Construction contractors shall use equipment that meets the USEPA's Tier 4 Final emissions standards for off-road diesel-powered construction equipment with engines rated 50 horsepower or greater for all construction activities, unless it can

be demonstrated to the City of Saratoga Community Development Department on a case-by-case basis that such equipment is not available. Documentation shall consist of signed written statements from at least three construction equipment rental firms identifying that such equipment is not available. If the City of Saratoga Community Development Department grants the exception, the construction contractor must use the next-cleanest piece of available off-road equipment, according to the step-down alternative compliance table below. If seeking an exception, the construction contractor shall demonstrate to the City of Saratoga Community Development Department's satisfaction that the resulting construction emissions would not exceed the health risk thresholds of significance for cancer risk and $PM_{2.5}$ concentrations with respect to sensitive receptors, as identified within the EIR under Impact AIR-3.

Compliance Alternative	Engine Emissions Standard	Emissions Control
1	Tier 4 Interim	
2	Tier 3	CARB Level 3 VDECS

Notes:
How to use the table: If the City of Saratoga Community Development Department determines that the equipment requirements cannot be met, then the construction contractor must attempt to meet Compliance Alternative 1. If the City of Saratoga Community Development Department determines that the contractor cannot supply off-road equipment that meets Compliance Alternative 1, then the contractor must meet Compliance Alternative 2.
VDECS = Verified Diesel Emissions Control Strategies

B. *Prior to construction, the project engineer shall ensure that all construction (e.g., demolition and grading) plans clearly show the requirement for USEPA Tier 4 Final emissions standards for construction equipment over 50 horsepower. During construction, the construction contractor shall maintain a list of all operating equipment in use on the construction site for verification by the City of Saratoga.*

C. *The construction equipment list shall state the makes, models, and numbers of construction equipment on site in addition to the engine tier rating and CARB engine identification number for each piece of construction equipment.*

Table 3.3-11 through Table 3.3-13 summarize the maximum $PM_{2.5}$ annual concentrations during Project construction with implementation of MM-AIR-3, the maximum modeled excess cancer risk with implementation of MM-AIR-3, and the maximum modeled excess non-cancer risk with implementation of MM-AIR-3, respectively.

Table 3.3-11 Project Construction Mitigated Maximum Annual $PM_{2.5}$ Concentrations

Year	Maximum Annual $PM_{2.5}$ (µg/m^3)	BAAQMD Threshold (µg/m^3)	Exceeds Threshold?
2023[1]	0.10	0.3	No
2024[2]	0.22	0.3	No
2025[3]	0.11	0.3	No

*Source: Modeled by AECOM. See **Appendix C** for additional details.*
Notes: BAAQMD = Bay Area Air Quality Management District; UTM = Universal Transverse Mercator; µg/m^3 = micrograms per cubic meter
1. Receptor location: X (UTM) = 588,018.72, Y (UTM) = 4,123,725.09.
2. Receptor location: X (UTM) = 588,038.72, Y (UTM) = 4,123,725.09.
3. Receptor location: X (UTM) = 588,078.72, Y (UTM) = 4,123,725.09.

Table 3.3-12 Project Construction Mitigated Maximum Modeled Excess Cancer Risk

Year	Duration	Cancer Risk – Onsite Residences (in a million)[1,5]	Cancer Risk – Offsite Residences (in a million)[2,4]	Cancer Risk – Worker (in a million)[3,6]
2023	0.5 year	0.01	0.13	0.02
2024	1 year	0.03	0.89	0.08
2025	0.8 year	0.04	0.40	0.13
Total Excess Cancer Risk	2.3 years[7]	0.08	1.42	0.23
Threshold	-	10	10	10
Exceeds Threshold?	-	No	No	No

*Source: Modeled by AECOM. See **Appendix C** for additional details.*
Notes: UTM = Universal Transverse Mercator
[1] Receptor location: X (UTM) = 587,898.72, Y (UTM) = 4,123,825.09
[2] Receptor location: X (UTM) = 587,958.72, Y (UTM) = 4,123,945.09.
[3] Receptor location: X (UTM) = 587,898.72, Y (UTM) = 4,123,825.09.
[4] Starting age for off-site residences: 3rd trimester (2023), 0 year (2024), 1 years (2025).
[5] Starting age for on-site residences: 55 for all years.
[6] Starting age for workers: 16 years (2023), 16 years (2024), 17 years (2025).
[7] Conservatively modeled a longer duration at 2.3 years (27 months) compared to the actual 25 months as 6 months is the shortest duration available in HARP.

Table 3.3-13 Project Construction Mitigated Maximum Modeled Excess Chronic Non-Cancer Risk

Year	Maximum Chronic Non-Cancer Risk[1] (in a million)	BAAQMD Threshold (in a million)	Exceeds Threshold?
2023	0.001	1.0	No
2024	0.002	1.0	No
2025	0.003	1.0	No

*Source: Modeled by AECOM. See **Appendix C** for additional details.*
Notes: BAAQMD = Bay Area Air Quality Management District
[1] Maximum risk within entire modeling domain

As shown in Table 3.3-11, with implementation of MM-AIR-3, the maximum annual $PM_{2.5}$ concentrations would be reduced below the recommended threshold of significance. As shown in Table 3.3-12, with implementation of MM-AIR-3, the maximum excess chronic cancer would be reduced below the recommended threshold of significance. Since implementation of MM-AIR-3 would also reduce the excess non-cancer risk, Table 3.3-13 also summarizes the excess non-cancer risk associated with Project construction emissions, with implementation of MM-AIR-3.

Therefore, as shown in Table 3.3-11 through Table 3.3-13, with implementation of mitigation measure MM-AIR-3, Project construction activities would not expose sensitive receptors to substantial pollutant concentrations. As such, additional mitigation measures, such as the construction of a wall between San Marcos Road and Odd Fellows Drive, as suggested during public scoping comments on the Draft EIR, would not be necessary to reduce potential health

risks from construction activities. Thus, with implementation of MM-AIR-3, the construction-related impact would be reduced to **less than significant with mitigation.**

Operation

As shown in Table 3.3-6, Project operation would result in emissions of criteria air pollutants, with an estimated 0.1 ton of NOx emissions and 0.6 ton of ROG emissions per year. As discussed for Impact AIR-2, these levels of operational emissions would not exceed the BAAQMD regional thresholds of significance. For the same reasons described above for construction-related criteria air pollutant emissions, it would not be feasible to directly correlate Project emissions of NOX and ROG with specific health impacts from ozone. However, because the BAAQMD regional thresholds of significance for ozone precursors were established with these factors in mind, the Project's compliance with the BAAQMD thresholds indicates that the Project's NOX and ROG emissions would not expose sensitive receptors to substantial concentrations of ozone or any other criteria air pollutant.

The greatest potential for exposure during operation of the Project would be related to toxic air contaminant emissions, including diesel PM, associated with the emergency generators and increased traffic to/from the Project site. A health risk assessment was prepared to evaluate the Project's sources of toxic air contaminant emissions and exposure to on-site and off-site sensitive receptors and is included as **Appendix C** of this Draft EIR.

Sources evaluated in the health risk assessment include operation-related emissions from the Project to existing sensitive receptors (on-site and off-site residents and schools) located within 1,000 feet of the Project footprint and 500 feet of off-site traffic routes. Consistent with BAAQMD and Office of Environmental Health Hazard Assessment requirements, operational exposure for off-site sensitive receptors were assessed for a 30-year period with a beginning age of 2 years. On-site residential receptors were considered to reside within the SRC and therefore, the analysis evaluated a starting exposure age of 55 years for a 30-year period for residents. On-site workers at the SRC were evaluated at a starting exposure age of 16 years for a 25-year period.

Table 3.3-14, Table 3.3-15, and Table 3.3-16 summarize maximum PM2.5 annual concentrations, excess cancer risk, and chronic non-cancer risks, respectively, associated with Project operational emissions. As shown in those tables, Project operational activities would not expose off-site and on-site sensitive receptors to substantial pollutant concentrations. Thus, the operational impact of the Project would be **less than significant.**

Table 3.3-14 Project Operational Maximum Annual $PM_{2.5}$ Concentrations

Scenario	Maximum Annual $PM_{2.5}$ ($\mu g/m^3$)	BAAQMD Threshold ($\mu g/m^3$)	Exceeds Threshold?
Operations – On-site [1]	0.033	0.3	No
Operations – Off-site [2]	0.012	0.3	No

*Source: Modeled by AECOM. See **Appendix C** for additional details.*

Notes: BAAQMD = Bay Area Air Quality Management District; HRA = health risk assessment; UTM = Universal Transverse Mercator

1. Receptor location: X (UTM) = 587,918.72, Y (UTM) = 4,123,765.09.
2. Receptor location: X (UTM) = 587838.72, Y (UTM) = 4,123,945.09.

Table 3.3-15 Project Operational Maximum Modeled Excess Cancer Risk

Maximum Sensitive Receptor	Years of Age	Cancer Risk (in a million)	BAAQMD Threshold (in a million)	Exceeds Threshold?
On-site Residential [1]	55 to 85 (30 years)	0.88	10	No
Off-site Residential [2]	2 to 32 (30 years)	1.93	10	No
Worker [3]	16 to 41 (25 years)	2.18	10	No

Notes: BAAQMD = Bay Area Air Quality Management District; HRA = health risk assessment; UTM = Universal Transverse Mercator
1. Receptor location: X (UTM) = 588,018.72, Y (UTM) = 4,123,825.09.
2. Receptor location: X (UTM) = 588,139.72, Y (UTM) = 4,123,725.09.
3. Receptor location: X (UTM) = 588,018.72, Y (UTM) = 4,123,825.09.

Table 3.3-16 Project Operational Maximum Modeled Excess Chronic Non-Cancer Risk

Maximum Chronic Non-Cancer Risk[1] (in a million)	BAAQMD Threshold (in a million)	Exceeds Threshold?
0.0021	1.0	No

*Source: Modeled by AECOM. See **Appendix C** for additional details.*
Notes: BAAQMD = Bay Area Air Quality Management District
[1] Maximum risk within entire modeling domain

Impact AIR-4: Other Emissions Including Those Leading to Odors

Impact AIR-4 would be **less than significant**. No mitigation is required.

Standards of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

The occurrence and severity of odor impacts depend on numerous factors, including the nature, frequency, and intensity of the source; wind speed and direction; and the sensitivity of the receptors. Although offensive odors rarely cause any physical harm, they can be very unpleasant, leading to considerable distress among the public, and causing citizens to submit complaints to local governments and regulatory agencies. Typical facilities that generate odors include wastewater treatment facilities, sanitary landfills, composting facilities, petroleum refineries, chemical manufacturing plants, and food processing facilities.

Impact Analysis

Construction

During Project-related construction activities, construction equipment exhaust, application of asphalt, and architectural coatings may temporarily generate odors. The Project would use typical construction techniques, and the odors would be typical of most construction sites and temporary in nature. The BAAQMD does not identify construction sites as containing activities that would generate objectionable odors. Additionally, odors would be confined to the immediate vicinity of the construction equipment and construction activities that would generate other emissions, such as those leading to odors, would be intermittent in nature (i.e., the duration of these activities would not be continuous for an extended period of time). In addition, odor

concentrations in the air decline with increasing distance. Furthermore, nuisance odors are regulated under the BAAQMD's Regulation 7, Odorous Substances, which requires abatement of any nuisance generating an odor complaint. Regulation 7 places general limitations on odorous substances, and specific emission limitations on certain odorous compounds. Therefore, Project construction would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people and impacts during construction would be **less than significant**.

Operation

The Project would add to the existing residential, office, and healthcare uses on the Project site and would expand and complement the existing uses onsite. The type of facilities that are considered to result in other emissions such as those leading to objectionable odors include wastewater treatments plants, compost facilities, landfills, solid waste transfer stations, fiberglass manufacturing facilities, paint/coating operations (e.g., auto body shops), dairy farms, petroleum refineries, asphalt batch plants, chemical manufacturing, and food processing facilities (BAAQMD 2017a). Thus, the Project's proposed land uses are not typical odor-generating facilities. Therefore, the Project would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. This impact would be **less than significant.**

3.3.4 Cumulative Impacts and Mitigation

This section addresses the potential of the Project to contribute to the following cumulative air quality impacts:[11]

- **Impact C-AIR-1:** Contribution to cumulative effects related to conflict with or obstruct implementation of an applicable air quality plan or net increases of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard.
- **Impact C-AIR-2:** Contribution to cumulative effects related to exposure of sensitive receptors to substantial pollutant concentrations or other emissions (such as those leading to odors).

Impact C-AIR-1: Air Quality Plan Conflicts or Net Increase in Criteria Pollutants

The overall cumulative impact to air quality would be **potentially significant**. However, with implementation of MM-AIR-2, the Project's contribution would be **less than significant with mitigation**.

Cumulative Context

This section describes the potential cumulative air quality impacts resulting from the Project in conjunction with past, present, and future projects. The geographic scope for the cumulative analysis of criteria pollutants is considered to be the SFBAAB. It is appropriate to consider the entire air basin because air emissions can travel substantial distances and are not confined by

[11] Note that project-level impacts have been combined for the purposes of cumulative analysis. Cumulative impact C-AIR-1 addresses the same issues as project-level impacts AIR-1 and AIR-2, while cumulative impact C-AIR-2 addresses the same issues as project-level impacts AIR-3 and AIR-4.

jurisdictional boundaries; rather, they are influenced by large-scale climatic and topographical features. Although some air quality emissions can be localized, such as a toxic air contaminant impact or odor, the overall consideration of cumulative air quality is typically more regional. By its very nature, air pollution is largely a cumulative impact.

Cumulative Impact Analysis

As described above, the SFBAAB is in nonattainment of ozone, PM10, and PM2.5 with respect to the CAAQS. The nonattainment status of regional pollutants is a result of past and present development in the SFBAAB, and this regional impact is cumulative rather than attributable to any one source and is **potentially significant**.

Cumulative projects throughout the air basin would generate construction and operational air emissions that could contribute to regional air quality impacts. Generally, projects that are consistent with the applicable planning documents used to formulate the Clean Air Plan and State Implementation Plan would not produce emissions beyond what is forecast and would not hinder the ability to meet air quality standards.

A project's emissions may be individually limited, but cumulatively considerable when taken in combination with past, present, and future development projects. As discussed in relation to project-level impacts AIR-1 and AIR-2, the thresholds of significance are relevant to whether a project's individual emissions would result in a cumulatively considerable incremental contribution to the existing cumulative air quality conditions. If a project's emissions would be less than those threshold levels, the project would not be expected to result in a cumulatively considerable incremental contribution to the significant cumulative impact (BAAQMD 2017a).

Construction-related emissions of the Project would not exceed the thresholds of significance for criteria pollutants recommended by the BAAQMD. These thresholds are designed to identify those projects that would result in significant levels of air pollution, and to assist the region in attaining the applicable CAAQS and NAAQS. As mentioned in the BAAQMD CEQA Guidelines, the thresholds represent levels above which a project's individual emissions would be a cumulatively considerable contribution to the SFBAAB's existing air quality conditions (BAAQMD 2017a). In addition, with implementation of MM-AIR-2 (fugitive dust reduction measures), the Project would also not generate any substantial fugitive dust emissions. Furthermore, operational emissions associated with the Project would also not exceed the thresholds of significance recommended by the BAAQMD. Therefore, in relation to the potentially significant cumulative impacts on criteria air pollutants or conflicts with applicable air quality plans, the Project's incremental contribution would not be cumulatively considerable. Therefore, the Project would have a **less than significant with mitigation** cumulative impact with regard to C-AIR-1.

Cumulative Impact C-AIR-2: Exposure of Sensitive Receptors to Pollutants or Other Emissions

The overall cumulative impact to air quality would be **potentially significant**. However, with implementation of MM-AIR-3, the Project's contribution would be **less than significant with mitigation.**

Cumulative Context

The geographic context for the cumulative analysis of air quality impact C-AIR-2 would be the immediate vicinity of the Project site. For the cumulative analysis of exposure of sensitive

receptors to sources that generate toxic air contaminant (TAC) and/or PM2.5 emissions, the BAAQMD considers a 1,000-foot radius (BAAQMD 2017a). The temporal context would include those probable future projects that have the potential to emit pollutants or other emissions that could result in exposure of the same sensitive receptors as the Project during the same time period.

Cumulative Impact Analysis

Construction

As identified in Table 3.1-1, all but one of the identified cumulative projects in the project vicinity are well beyond the 1,000-foot BAAQMD-recommended radius for analyzing cumulative impacts. As such, toxic air contaminant emissions or other emissions resulting from the construction of the other projects, except for the Fellowship Plaza property, are not anticipated to result in a cumulative considerable impact for the receptors surrounding this Project site. The construction activities and the associated emissions of these projects, with the exception of the Fellowship Plaza property, and this Project would not occur within the same 1,000-foot radius. Therefore, any overlapping activities and associated emissions would not be generated from the same location or concentrated on the same single receptor.

The Fellowship Plaza property was identified as a potential opportunity site for up to 80 low-income senior housing during the General Plan Housing Element Update Process. Environmental review of the Housing Element Update has not yet been completed[12]; therefore, no specific information regarding the potential impacts of future additional development at the Fellowship Plaza property, nor any details such as construction timeframe or specific project details, are available at this time. However, because the Housing Element EIR that identifies this potential housing opportunity has not yet been completed, and no specific project to develop the potential housing units has yet been promulgated, is it unlikely that construction of that cumulative project would overlap with the Project's construction period. In addition, the adjacent Fellowship Plaza property is more than 300 feet from the closest of the Project's proposed new buildings and is separated by a dense vegetated riparian corridor which would act as a buffer and separate the nearest sensitive receptors from project work areas and limit exposure to substantial pollutant concentrations. Studies indicate that vegetation has the potential to reduce pollutant transport and dispersion,[13] and that diesel PM emissions and the relative health risk can decrease substantially within 300 feet (CARB 2005; Zhu et al. 2002). Therefore, even in the unlikely event that construction activities from both sites would overlap, it is not anticipated that the cumulative cancer risk associated with overlapping construction activities in the project vicinity would exceed the BAAQMD cumulative threshold for cancer risk of 100 in a million or the 0.8 micrograms per cubic meter annual PM2.5 concentration threshold. Furthermore, as described in impact AIR-3, the Project would be required to implement MM-AIR-3, which requires the use of Tier 4 Final equipment for all diesel-powered construction equipment greater than 50-horsepower to reduce the annual PM2.5 concentrations. With implementation of MM-AIR-3, the annual PM2.5 concentration would be reduced a less-than-significant level. Therefore, criteria pollutant, TAC, or odorous emissions from the Project combined with other nearby construction

[12] The Notice of Preparation for the Housing Element EIR was released on February 28, 2022. The EIR is in preparation and a date for its public release has not yet been determined.
[13] Vegetation, including plants and trees, has been studied as a means of improving air quality by assisting in the dispersion of near-roadway pollution (CARB 2017).

emissions would not adversely affect nearby sensitive receptors and the overall cumulative impact would be **less than significant with mitigation**.

Operation

The Project would not add any new substantial sources of TAC emissions during operation, and the probable future projects in the vicinity of the project site, with the exception of the Fellowship Plaza development, would not be located within a 1,000-foot radius of the Project site nor add any substantial sources of TAC emissions (the probable future projects consist of residential, mixed use, and commercial projects, which are not typical toxic air contaminant emissions-generating land uses). Operational activity associated with the Fellowship Plaza development may occur within 1,000 feet of the Project site. As described previously, environmental review of the Housing Element Update has not yet been completed[14]; therefore, no specific information regarding the potential impacts of future additional development at the Fellowship Plaza property, nor any specific project details, are available at this time. However, the potential for future development at the Fellowship Plaza property to cause combined impacts with the Project was raised as a specific concern during the scoping period for this EIR; therefore, consideration is given to this potential cumulative impact based on general assumptions, even though such impacts are currently speculative.

The Fellowship Plaza development would consist of a residential development, which is not a typical toxic air contaminant emissions-generating land use as the increase in vehicle trips will primarily be light-duty vehicles, which are not substantial sources of TAC emissions (e.g., diesel PM) that are primarily associated with diesel-fueled vehicles. Therefore, the cumulative cancer risk in the project vicinity would also not exceed the BAAQMD cumulative threshold for cancer risk of 100 in a million. Therefore, the overall impact to sensitive receptors from pollutant or other emissions (such as those leading to odors) from cumulative projects, including the Project, would be **less than significant.**

[14] The Notice of Preparation for the Housing Element EIR was released on February 28, 2022. The EIR is in preparation and a date for its public release has not yet been determined.

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3.4 Biological Resources

This section describes the existing biological setting of the Project area and evaluates whether the Project would result in adverse effects on biological resources. The following comments relating to biological resources were received during the public scoping period in response to the Notice of Preparation:

- Concerns regarding impacts to biological resources during construction, e.g., that wildlife may permanently abandon the SRC campus, specifically the riparian corridor, as a result of construction.
- Concerns regarding loss of trees, including protected trees, and associated impacts on aesthetics, air quality, climate change, noise-buffering effects, shading properties, loss of ambience/peaceful setting, wildlife, and quality of life.
- Concern that no amount of replacement planting could adequately replace the loss of existing trees, some of which are more than 100 years old, 100 feet tall, and/or 6 feet in diameter.
- Concern that there are double standards in the way that the City's tree preservation ordinance is applied to developers compared to other City residents.
- Concerns that the Project is counter to Saratoga's identity as a "City of Trees" and several of the "Saratoga Values" approved by Council each year including loss of open space and trees.

3.4.1 Environmental Setting

This section describes the existing biological setting within the Project site, which consists of two adjacent parcels. While an analysis of the entire Project site (SRC campus) was conducted, the focus of the analysis was based on the areas potentially directly or indirectly affected by construction of the Project, referred to herein as the Project footprint.

Saratoga and its sphere of influence are characterized by a diverse array of wildlife and plant species, with two discrete habitat types—the flatter urbanized portion of the City and the hillside areas. The Project site is located within the urbanized area, which exhibits plant and animal species typical of urbanized areas including a combination of native and introduced trees, grasses and shrubs used for landscaping purposes. Undeveloped areas are typified by native grasses and ruderal species. The one special status bird species that may still exist in the urbanized area is the burrowing owl, which is listed as a Species of Special Concern by the California Department of Fish and Game. Local creeks and streams extending through the flatter, urbanized portion of the Saratoga Planning Area may include the California tiger salamander and red-legged frog. Both species are listed as Threatened under the Federal Endangered Species Act.

The proposed Project footprint is completely developed with buildings, hardscape, and landscaped areas. Vegetation within landscaped areas of the footprint is comprised of sod, various ornamental shrubs, various ornamental tree species, as well as native trees such as coast redwood trees (*Sequoia sempervirens*), coast live oak trees (*Quercus agrifolia*), and valley oak (*Quercus lobata*). No natural habitats occur within the Project footprint.

The Project site is primarily developed with buildings, hardscape, and landscaped areas associated with the existing SRC campus; however, less developed areas are present to the east of McLaren Lane, and to the south of Eucalyptus Lane (see Figure 2.1-2 in Section 2).

East of McLaren Lane, there is an approximately 4-acre open space comprised of a mix of ornamental trees and oak woodland habitat which is bisected by an unnamed tributary to Vasona Creek and its associated riparian corridor. Along the eastern boundary of the Project Site, the riparian corridor varies in width from approximately 100 to 200 feet and contains a variety of mature trees and other vegetation.

South of Eucalyptus Lane, there is an approximately 5-acre open space comprised of a mix of ornamental trees, eucalyptus grove, and oak woodland. In addition, there is an approximately 10-acre open space (San Marcos Open Space) which lies south of the Project site (south of Via de Marcos) which is bisected by a recreational trail and is separated from the Project site by residential development. These three small open space areas are also surrounded by residential development and do not have connectivity to larger open space areas.

The nearest large open space begins at the Santa Cruz Mountains, approximately 1.5 miles southeast of the Project site near Camp Stuart Boy Scout Camp. Between the Project site and the Santa Cruz Mountains lies dense residential development, as well as Highway 9, a major thoroughfare.

Vegetation Communities

Vegetation communities within the Project footprint are limited to landscaped areas comprised of sod, various ornamental shrubs, various ornamental tree species, as well as a large number of native trees such as coast redwood trees and coast live oak trees.

Wildlife

Wildlife in the Project site is likely to be limited to those species which become easily habituated to human activity, and which typically occupy urban areas or interfaces between urban and open space areas, including riparian habitats. Larger fauna may include white-tailed deer (*Odocoileus virginianus*), raccoon (*Procyon lotor*), and skunk (*Mephitis mephitis*), while smaller fauna would include species such as western fence lizards (*Sceloporus occidentalis*), southern alligator lizard (*Elgaria multicarinata*), deer mice (*Peromyscus maniculatus*), and Botta's pocket gopher (*Thomomys bottae)*.

A wide variety of bird species likely utilizes the small open space areas within the Project site, as well as the ornamental vegetation and trees within the Project footprint and in the riparian corridor. These species include red-tailed hawk (*Buteo jamaicensis*), house finch (*Haemorhous mexicanus*), mourning dove (*Zenaida macroura*), bushtit (*Psaltriparus minimus*), western bluebird (*Sialia mexicana*), American robin (*Turdus migratorius*), Anna's hummingbird (*Calypte anna*), and others.

3.4.2 Regulatory Framework

Federal

Migratory Bird Treaty Act

The Migratory Bird Treaty Act of 1918 makes it illegal to take, possess, import, export, transport, sell, purchase, barter, or offer for sale, purchase, or barter any migratory bird, or the parts, nests, or eggs of such bird, except under the terms of a valid federal permit. Migratory bird species protected by the act are listed in the Code of Federal Regulations (CFR) in 50 CFR Part 10.13. The U.S. Fish and Wildlife Service (USFWS) has statutory authority for enforcing the Migratory Bird Treaty Act (16 United States Code Sections 703-712).

Federal Endangered Species Act

The Federal Endangered Species Act of 1973 (16 United States Code Section 1531 et seq.) provides a regulatory program for the conservation of threatened and endangered plants and animals and the habitats in which they are found. The USFWS and National Marine Fisheries Service are the lead agencies responsible for implementing the Federal Endangered Species Act. The USFWS maintains a list of endangered species that includes birds, insects, fish, reptiles, mammals, crustaceans, plants, and trees. USFWS and/or National Marine Fisheries Service requires authorization for any actions that they authorize, carry out, or fund, that may jeopardize the continued existence of any listed species or result in the destruction or adverse modification of designated critical habitat.

State

California Endangered Species Act

The California Endangered Species Act conserves and protects animals at risk of extinction. Plants and animals may be designated as threatened or endangered under the California Endangered Species Act after a formal listing process by the California Fish and Game Commission. A California Endangered Species Act-listed species may not be killed, possessed, purchased, or sold without authorization from the CDFW.

California Fish and Game Code Fully Protected Species

Sections 3511, 4700, 5050, and 5515 of the California Fish and Game Code designate 37 species of wildlife as Fully Protected in California. Fully Protected species may not be taken or possessed at any time, and no licenses or permits may be issued for their take, except for the authorized collection of these species for necessary scientific research and relocation of bird species for the protection of livestock.

California Fish and Game Code Section 2081 Incidental Take Permits

Section 2081(b) of the California Fish and Game Code allows the CDFW to authorize take of California Endangered Species Act -listed species categorized as endangered, threatened, candidate, or rare plant species if that take is incidental to otherwise lawful activities, and if certain conditions are met. Section 2081(b) permits are commonly referred to as an Incidental Take Permit.

Local

City of Saratoga Code of Ordinances

The Saratoga Code of Ordinances, Chapter 15 – Zoning Regulations, Article 15-50 (Tree Regulations) requires a tree removal, pruning, or encroachment permit to authorize tree removal, pruning or encroachment. Section 15-50.080 of the Ordinance includes specific criteria against which any permit application must be reviewed prior to determination.

All trees are protected if they have a trunk diameter of 10 inches or more (31 inches in circumference measured from 4.5 feet above the ground).

The following native trees are also protected if they have a diameter of 6 inches or more (or 19-inch circumference or more measured at 4.5 feet above ground):

- big leaf maple (*Acer macrophyllum*)
- black oak (*Quercus kelloggii*)
- blue oak (*Quercus douglasii*)
- California buckeye (*Aesculus californica*)
- coast live oak (*Quercus agrifolia*)
- coast redwood (*Sequoia sempervirens*)
- Douglas fir (*Pseudotsuga menziesii*)
- scrub oak (*Quercus dumosa*)
- tan oak (*Lithocarpus desniflorus*)
- valley oak (*Quercus lobate*)

The City also maintains an inventory of “Heritage Trees” which are recommended by the Heritage Preservation Commission and designated by the City Council as having historic value related to the heritage of the City (Section 15-50.020[n]). Trees listed on the Heritage Tree Inventory are classified as protected trees regardless of their size.

Tree preservation plans and an arborist report are needed before any construction work is performed near protected trees.

City of Saratoga General Plan

The Open Space and Conservation Element (City of Saratoga 2007) of the City’s General Plan provides guidance for the protection of biological resources in Saratoga and includes objectives, goals, and policies regarding biological resources.

The following goals and policies from the City’s General Plan relating to biological resources apply to the Project[15]:

[15] In February 2018, the City of Saratoga began the process of making minor policy updates to three elements of the City’s General Plan (Land Use, Circulation, and Open Space & Conservation) and formatting the elements to provide a cohesive document. These updated elements are collectively known as the “2040 General Plan Update” but have not yet been adopted. In addition, the City is currently in the process of updating its Housing Element for the “6th Cycle” planning period extending from January 31, 2023 through January 31, 2031, and

Goal OSC 11: Protect and enhance sensitive vegetative and wildlife habitat in the Saratoga Planning area

> **Policy OSC 11.1:** Minimize development that would encroach into important wildlife habitats, limit or restrict normal range areas, or restrict access to water food or shelter. This includes limitations on the installation of barrier fencing in hillside areas.
>
> **Policy OSC 11.2:** Through the development and CEQA process, preserve, protect, and maintain riparian habitats and creek corridors. This includes requiring biological surveys of parcels of land that could contain sensitive species or their habitats prior to allowing development on these parcels.
>
> **Policy OSC 11.5:** Mature vegetation shall be preserved wherever possible.

Goal OSC 12: Support appropriate management for sustaining the health and increasing the extent of arbor resources in the City. The specific vision is to increase overall tree cover, tree health and consequent tree benefits in an equitable, cost beneficial and sustainable manner.

> **Policy OSC 12.1:** Development Projects should include the preservation of protected trees and other significant trees. Any adverse effect on the health and longevity of native oak trees, protected or other significant trees should be avoided through appropriate design measures and construction practices. When tree preservation is not feasible, individual development Projects shall include appropriate tree replacement as approved by the City.
>
> **Policy OSC 12.2:** Trees used for new or replacement plantings should be selected primarily for low water use characteristics.

3.4.3 Project Impacts and Mitigation

This section addresses the following potential impacts relating to biological resources:

- **Impact BIO-1:** Would the Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species?
- **Impact BIO-2:** Would the Project have a substantial adverse effect on any riparian habitat or other sensitive natural community?
- **Impact BIO-3:** Would the Project have a substantial adverse effect on state or federally protected wetlands?
- **Impact BIO-4:** Would the Project interfere substantially with the movement of any native resident or migratory fish or wildlife species?
- **Impact BIO-5:** Would the Project conflict with any local policies or ordinances protecting biological resources?

updating its Safety Element to reflect the updated Housing Element. On February 28, 2022 the City published a Notice of Preparation of a Draft Program Environmental Impact Report for the 6th Cycle Housing Element, Safety Element, and 2040 General Plan Update. At present, there is no confirmed timeframe for completion and certification of the Program EIR and adoption of the updated General Plan elements; therefore, the policies cited within this EIR reflect the current General Plan Elements.

- **Impact BIO-6:** Would the Project conflict with the provisions of an approved local, regional, or state habitat conservation plan?

Each impact is addressed in turn, below.

Impact BIO-1: Impacts to Candidate, Sensitive, or Special Status Species

Impact BIO-1 would be potentially significant, due to potential impacts to nesting birds that are protected by the Migratory Bird Treaty Act. With implementation of mitigation measure MM-BIO-1 the impact would be reduced to **less than significant with mitigation**.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS.

Impact Analysis

Construction

Special-Status Plants

As discussed previously, the Project site is largely developed, and the entirety of the Project footprint is either paved or landscaped. There is no potential for special-status plant species to occur in the sod or landscaped areas present within the areas that would be disturbed during Project construction. Therefore, the Project would have no impact on special status plant species.

Special-Status Wildlife

A desktop analysis was conducted to identify special-status wildlife species that may be present in the vicinity of the Project site. Google Maps, Google Earth, and photographs of the site were used to identify potential habitats that may be impacted by the Project. In addition, the following online resources were used to identify special-status wildlife species with the potential to occur on or near the Project site:

- USFWS: Information for Planning and Consulting (USFWS 2021)
- CDFW: California Natural Diversity Data Base (CNDDB): The search area consisted of a 2.5-mile buffer on the Project site. (CDFW 2021)

As described in the Environmental Setting, natural habitats are absent from the Project footprint. None of the special status species identified in the desktop analysis have life history requirements associated with buildings, hardscape, and landscape areas present in the Project footprint. As summarized in Table 3.4-1, the Project footprint does not provide suitable habitat for any of the special-status wildlife species identified during the records search.

Table 3.4-1 Special-Status Species Potential to Occur in the Project Area

Common Name	Scientific Name	Class	Status	Habitat Present
Western bumble bee	*Bombus occidentalis*	Invertebrate	SE (Candidate)	None
Bay checkerspot butterfly	*Euphydryas editha bayensis*	Invertebrate	FT	None
San Bruno elfin butterfly	*Callophrys mossii bayensis*	Invertebrate	FE	None
American peregrine falcon	*Falco peregrinus anatum*	Bird	FP	None in Project footprint. Possible in riparian corridor.
California ridgeway's rail (a.k.a. clapper rail)	*Rallus obsoletus*	Bird	FE, SE, FP	None
California least tern	*Sternula antillarum browni*	Bird	FE, SE, FP	None
Marbled murrelet	*Brachyramphus marmoratus*	Bird	FT, SE	None
Western pond turtle	*Emys marmorata*	Reptile	SSC	None in Project footprint. Possible in riparian corridor.
California tiger salamander	*Ambystoma californiense*	Amphibian	FT, ST	None
Santa Cruz black salamander	*Aneides niger*	Amphibian	SSC	None
California giant salamander	*Dicamptodon ensatus*	Amphibian	SSC	None
California red-legged frog	*Rana draytonii*	Amphibian	FE, SSC	None
Delta smelt	*Hypomesus transpacificus*	Fish	FT, ST	None
Steelhead – central California coast DPS	*Oncorhynchus mykiss irideus*	Fish	FT	
San Francisco dusky-footed woodrat	*Neotoma fuscipes annectens*	Mammal	SSC	None in Project footprint. Possible in riparian corridor.
Woodland woollythreads	*Monolopia gracilens*	Plants	1B.2	None
Bent-flowered fiddleneck	*Amsinckia lunaris*	Plants	1B.2	None
Loma Prieta hoita	*Hoita strobilina*	Plants	1B.1	None
Western leatherwood	*Dirca occidentalis*	Plants	1B.2	None

Status:

Federal

FE – listed as Endangered under the Federal Endangered Species Act

FT – listed as Threatened under the Federal Endangered Species Act

State

SE – Listed as Endangered under the California Endangered Species Act

ST – Listed as Threatened under the California Endangered Species Act

SSC – State species of special concern

FP – Fully protected under California Fish and Game Code

California Rare Plant Rank

1B.1 - Rare or endangered in California and elsewhere – seriously threatened in California (more than 80 percent of occurrences threatened)

1B.2 - Rare or endangered in California and elsewhere – moderately threatened in California (20 to 80 percent of occurrences threatened)

The riparian corridor associated with the unnamed Vasona Creek tributary that passes through the wider SRC campus may provide suitable habitat for American peregrine falcon, San Francisco dusky-footed woodrat and/or western pond turtle. The closest Project component to the riparian corridor would be Building C, which is separated from the riparian/open space area by McLaren Lane. Because the Project would not involve direct disturbance within the riparian corridor, it would not directly destroy or alter such habitat. However, if American peregrine falcons were utilizing the riparian area for nesting during the construction period, noise associated with construction activities could cause indirect impacts to this species. These impacts are discussed further below in relation to all nesting birds.

Migratory Birds

The various ornamental shrubs, ornamental trees, and native trees in the Project footprint and wider Project site may provide suitable habitat for common nesting birds, such as house finch, mourning dove, common raven, and other birds that typically occupy urban environments. The USFWS Information for Planning and Consulting tool also lists the following species for this Project: Allen's hummingbird (*Selasphorus sasin*), bald eagle (*Haliaeetus leucocephalus*), Clark's grebe (*Aechmophorus clarkia*), common yellowthroat (*Geothlypis trichas sinuosa*), golden eagle, (*Aquila chrysaetos*), Lawrence's goldfinch (*Carduelis lawrencei*), Nuttall's woodpecker (*picoides nuttallii*), oak titmouse (*Baeolophus inornatus*), rufous hummingbird (*selasphorus rufus*), song sparrow (*melospiza melodia*), spotted towhee (*Pipilo maculatus clementae*) and wrentit (*Chamaea fasciata*).

As discussed in the regulatory section, these birds, their nests, and eggs are protected under the Migratory Bird Treaty Act. Noise and vibration from proposed construction activities associated with the Project could disturb birds that are nesting on and near the Project site, for both common nesting birds and American peregrine falcon. Although nesting birds in this urban setting are typically habituated to human activity and associated noise, the increased level of human activity at the site during construction could temporarily disturb nesting birds.

In addition, the Project would involve the removal of approximately 120 trees (65 of which are protected by the City's Tree Ordinance), which could be used by birds during the nesting season. None of the trees to be removed are within the riparian area associated with the unnamed tributary to Vasona Creek. If a tree containing an active nest were to be removed during construction, such removal would result in nest destruction and failure. Due to this potential for loss of nests, and due to potential disturbance of nesting birds from noise and vibration during Project construction, the impact to nesting birds would be **potentially significant**.

Mitigation measure MM-BIO-1, detailed below, is recommended to address this potentially significant impact to nesting birds.

MM-BIO-1: Nesting Bird Avoidance Measures

A. To the extent practicable, construction activities and any tree trimming/removal shall be performed from September 16 through February 15 to avoid the general nesting period for birds. If construction or tree trimming/removal cannot be performed during this period, nesting bird surveys and active nest buffers (as necessary) shall be implemented as follows:

i. *Nesting Bird Surveys: If Project-related work is scheduled during the nesting season (typically February 15 to August 30 for small bird species such as passerines; January 15 to September 15 for owls; and February 15 to September 15 for other raptors), a qualified biologist shall conduct two surveys for active nests of such birds within 14 days prior to the beginning of Project construction, with the final survey conducted within 48 hours prior to construction. Appropriate minimum survey radii surrounding the work area shall be determined by the qualified biologist but should be at least: i) 50 feet for passerines; ii) 300 feet for raptors. Surveys shall be conducted at the appropriate times of day and during appropriate nesting times, as determined by the qualified biologist.*

ii. *Active Nest Buffers: If the qualified biologist documents active nests within the survey area, an appropriate buffer between the nest and active construction shall be established. The buffer shall be clearly marked and maintained until the young have fledged and are foraging independently. Prior to construction, the qualified biologist shall conduct baseline monitoring of the nest to characterize "normal" bird behavior and establish a buffer distance which allows the birds to exhibit normal behavior. The qualified biologist shall monitor the nesting birds daily during construction activities and shall increase the buffer if the birds show signs of unusual or distressed behavior (e.g., defensive flights and vocalizations, standing up from a brooding position, and/or flying away from the nest). If buffer establishment is not possible, the qualified biologist shall have the authority to cease all construction work in the area until the young have fledged and the nest is no longer active. Construction shall only be allowed to impact a migratory bird or its nest, including its young, if a permit from USFWS is obtained in accordance with the MTBA and all permit conditions are adhered to.*

MM-BIO-1 would protect nesting birds by ensuring that all active nests with the potential to be impacted by tree removal, construction noise, or human presence would be identified, appropriate avoidance buffers would be applied to active nests, and biologists would monitor active nests and bird behavior during construction so that the effectiveness of the buffer zone can be determined, and the buffer distance can be adjusted if needed. Given the urban setting of the Project and presence of visual barriers such as other buildings and vegetation in the vicinity of the construction zone, the minimum search radii specified in MM-BIO-1 (50 feet for passerines and 300 feet for raptors) are considered appropriate to reduce potential disturbance of nesting birds to a less than significant level.

With the implementation of MM-BIO-1, proposed construction and associated activities would not disturb nesting birds or destroy their nests; therefore, potential Project impacts to candidate, sensitive, or special status species would be reduced to **less than significant with mitigation**.

Operation

Ongoing operation of the Project would be similar to existing operations at the SRC campus, with no further substantial ground or vegetation disturbance other than ongoing maintenance

and landscaping activities similar to existing operations. The proposed replacement of trees removed during Project construction with smaller trees could temporarily reduce nesting habitat for migratory birds. However, urban nesting habitat is abundant in the vicinity of the Project, and higher quality nesting habitat is present in the riparian corridor immediately east and south of the Project footprint. As such, the proposed reduction in size and maturity of trees in the landscaped areas of the campus would not result in a significant impact to migratory birds.

As discussed in Sections 3.12, *Noise*, and 3.16, *Transportation*, the minor net increase in residents at the Project site would not substantially increase operational noise or traffic. Nesting birds in the vicinity of the Project site are habituated to the existing level of human and traffic activities in the vicinity. No additional disturbance would occur; therefore, Project operation would have no impact on candidate, sensitive, or special status species.

Impact BIO-2: Impacts to Riparian Habitat or Other Sensitive Natural Communities

Impact BIO-2 would be **no impact**. No mitigation is required.

Standards of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would 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.

Impact Analysis

No riparian habitat or other sensitive natural communities are located within or immediately adjacent to the Project footprint; therefore, Project construction or operation would not disturb any such areas. The Project would not alter or impact the riparian corridor associated with the unnamed tributary to Vasona Creek, because the Project footprint would not extend into this natural area. The Project footprint is approximately 150 feet from the riparian habitat and is separated from it by McLaren Lane. The Project would therefore have no impact on riparian habitat or other sensitive natural communities.

Mitigation Measures

No mitigation measures are required.

Impact BIO-3: Impacts to State or Federally Protected Wetlands

Impact BIO-3 would be **no impact**. No mitigation is required.

Standards of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would 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.

Impact Analysis

No state or federally protected wetlands are located in the Project footprint. One potentially jurisdictional water feature is located within the SRC campus; an unnamed drainage that runs east of McLaren Lane which is a tributary to Vasona Creek. This feature is approximately 150 feet away from the Project footprint; therefore, proposed construction activities and continued

operation of the site would not removal, fill, or hydrologically interrupt this feature. As discussed further in Section 3.10, Hydrology, the Project would also not have a significant impact on water quality within the Vasona Creek tributary, due to the required implementation of erosion and sediment control measures during construction, and the installation of permanent stormwater drainage infrastructure incorporating LID features in accordance with municipal separate storm sewer systems (MS4) Permit requirements. The Project would therefore have no impact on state or federally protected wetlands.

Impact BIO-4: Impacts to Fish or Wildlife Movement, Migration or Nursery Sites

Impact BIO-4 would be potentially significant, due to potential impacts to roosting bats. With implementation of mitigation measure MM-BIO-4 the impact would be reduced to **less than significant with mitigation**.

Standards of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would 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.

Impact Analysis

Construction

There are no documented migratory wildlife corridors, wildlife nursery sites, or large waterbodies or rivers in the vicinity of the Project site. The nearest open space that could be used as a wildlife corridor is Santa Cruz Mountain Range, which is located approximately 1.5 miles southwest of the Project site. Resident and migratory waterfowl are not anticipated to use the Project site because it is already developed and contains no open waterbodies or other habitat frequented by such species.

The open space areas which are present on the Project site to the east of McLaren Lane and to the south of Eucalyptus Lane, and the off-site open space area to the south of Via de Marcos could be used as habitat for migratory birds; however, these open space areas are relatively small (each less than 10 acres) and none are connected to larger open space areas due to surrounding residential development. The Project would not directly disturb these open space areas. *Indirect impacts to migratory birds from construction noise is addressed under Impact BIO-1, above.*

Riparian corridors to the east and south of the Project footprint could be used as foraging habitat for common bats. As such, trees that would be removed as part of the Project may provide suitable day or night roosting habitat for common bat species. Given the availability of alternative natural habitat for hibernaculum in the vicinity of the Project and based on planned tree replacement, impacts to habitat for bats are not expected to be significant. However, if construction were to remove trees containing bats during the maternity or winter season, bat mortality could occur, and the impact to common bat species would be **potentially significant**.

Mitigation measure MM-BIO-4, detailed below, is recommended to address this potentially significant impact to roosting bats.

MM-BIO-4: Roosting Bat Surveys and Avoidance

A. The Project Applicant shall retain a qualified biologist to conduct a bat habitat assessment in all project areas that require tree removal. The qualified biologist shall identify and document the location of potentially suitable bat roosting habitat prior to construction activities. If no suitable bat habitat is observed, the biologist shall inform the City Planning Department, the Project Applicant and its Construction Contractor, and no further considerations are required. If bat roosting habitat is observed, the location of such habitat areas shall be provided to the City Planning Department, the Project Applicant and its Construction Contractor, and the following requirements shall be implemented throughout the construction period:

i. Removal of trees that provide suitable bat roosting habitat shall be conducted outside of the bat maternity season (April 15 to August 31) and overwintering season (October 16 to January 15) to the extent feasible.

ii. Presence/absence surveys shall be conducted 2 to 3 days prior to removal of any trees in suitable bat habitat, at any time of year. If presence/absence surveys are negative, work may proceed with no restrictions. If presence/absence surveys detect bats within trees planned for removal, work should proceed in accordance with the following restrictions:

- *If a maternity colony of bats is observed during maternity season (April 15 to August 31), tree removal shall not occur until August 31 or when maternity season has ended based on surveys conducted by a qualified biologist.*
- *If bats are observed during overwintering season (October 16 to January 15), tree removal shall not occur until January 15 or until bats are no longer present based on surveys conducted by a qualified biologist.*
- *If bats are present outside of maternity or overwintering seasons, construction shall follow a two-phase tree removal system conducted over 2 consecutive days. On the first day (in the afternoon), limbs and branches will be removed using chainsaws or other hand tools. Limbs with cavities, crevices, or deep bark fissures will be avoided, and only branches or limbs without those features will be removed. On the second day, the entire tree shall be removed.*

MM-BIO-4 would ensure that construction activities do not have the potential to result in significant impacts to roosting bats, by avoiding tree removal during times of the year when bats are most sensitive to disruption (maternity and overwintering seasons) to the extent feasible and by either confirming that bats are absent prior to tree removal and/or following protocols that provide an opportunity for bats to relocate prior to tree removal. With the implementation of MM-BIO-4, potential Project impacts to wildlife movement, migration, or nursery sites would be reduced to **less than significant with mitigation**.

Operation

Ongoing operation of the Project would be similar to existing operations at the SRC campus, with no further substantial ground or vegetation disturbance other than ongoing maintenance and landscaping activities similar to existing operations. As discussed in Sections 3.12, *Noise*, and 3.16, *Transportation*, the minor net increase in residents at the Project site would not substantially increase operational noise or traffic. No additional disturbance would occur; therefore, Project operation would have no impact on candidate, sensitive, or special status species.

Impact BIO-5: Conflict with Local Policies or Ordinances Protecting Biological Resources

Impact BIO-5 would be **less than significant**. No mitigation is required.

Standards of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Local policies and ordinances that are applicable to the Project include the City's Tree Preservation Ordinance and policies from the Open Space and Conservation Element of the General Plan, as described in Section 3.3.2, Regulatory Setting, above.

Impact Analysis

Tree Preservation Ordinance

Construction of the Project would require the removal of 65 trees that are protected by the City's tree ordinance. Three additional protected trees would be retained and relocated as part of the Project. An additional 17 protected trees were identified in the vicinity of the proposed Project footprint, which would be retained and protected in place during construction. None of the trees proposed for removal are designated as "Heritage Trees" by the City but are protected due to their size and/or species.

The trees planned for removal and protected by the ordinance include:

- 3 Canary Island date palms (*Phoenix canariensis*),
- 16 Coast live oaks (*Quercus agrifolia*),
- 13 Coast redwoods (*Sequoia sempervirens*),
- 1 cork oak (*Quercus suber*).
- 8 fan palms (*Washingtonia* spp.),
- 10 London planes (*Platanus spp.*),
- 1 purple-leaf cherry plum (*Prunus c.* 'Atropurpurea'),
- 7 tulip trees (*Liriodendron tulipifera*),
- 3 crape myrtles (*Lagerstroemia* spp.), and
- 3 valley oaks (*Quercus lobata*).

A tree removal permit from the City of Saratoga would be required for the removal of these trees. The tree removal permit would include the arborist report prepared for the Project and a Tree Preservation Plan, as stipulated in the ordinance. For conformance to City standards, tree replacements to mitigate removals are required and would adhere to the following:

1) The size and number of new trees would equate to the combined value of the trees removed.
2) The new trees should be installed within property limits or, where approved by the City, within the public right-of-way; be beyond canopies of retained trees; and be at least 10 feet from any future wall, hardscape or utility line.
3) The new trees should be installed, including necessary irrigation, by an experienced state-licensed landscape contractor (C-27) or a state-licensed tree service company (D-49), and performed to professional industry standards.
4) Irrigation would meet City standards.

The Project Applicant has conducted an arborist survey and developed an arborist report which has been reviewed by the City Arborist (see **Appendix B**). The City Arborist has confirmed that the trees proposed for removal meet the City's criteria[16] and findings can be met allowing them to be removed and replaced as part of the Project once building permits have been obtained. The City Arborist has also confirmed the value of the tree replacement planting that would be required for the Project, which was calculated in accordance with the International Society of Arboriculture Tree Valuation Formula, as specified in the City's tree ordinance. The City Arborist has also recommended various conditions of approval for the Project, which would be imposed as part of the tree removal permit. With adherence to the permit conditions, the Project would not conflict with the City's tree ordinance.

Open Space and Conservation Elements

Table 3.4-2 below addresses whether the Project would conflict with any of the policies within the Open Space and Conservation Elements described in Section 3.3.2.

Because the Project would not conflict with any applicable local policies or ordinances protecting biological resources and would comply with all requirements of the City's Tree Preservation Ordinance, potential impacts relating to local policy conflicts would be **less than significant.**

[16] The City Arborist concludes that all 65 trees to be removed meet criteria 3 through 9 from Article 15-50.080 of the Tree Ordinance, and that eight of the 65 trees to be removed also meet criterion 8.

Table 3.4-2 Open Space and Conservation Element Policy Consistency

Policy	Discussion
OSC 11.1: Minimize development that would encroach into important wildlife habitats, limit or restrict normal range areas, or restrict access to water food or shelter. This includes limitations on the installation of barrier fencing in hillside areas.	The Project footprint is entirely within previously developed areas of the Project site, and would not encroach wildlife habitats, riparian areas, or creek corridors. The Project would not limit or restrict normal range areas or restrict access to water, food, or shelter for wildlife.
OSC 11.2: Through the development and CEQA process, preserve, protect, and maintain riparian habitats and creek corridors. This includes requiring biological surveys of parcels of land that could contain sensitive species or their habitats prior to allowing development on these parcels.	The Project footprint would not encroach upon riparian habitats or creek corridors. As discussed for Impact BIO-1, no special-status species have the potential to occur in the Project footprint, and no impacts to special-status species are anticipated other than potential disturbance of nesting birds during construction, which would be avoided through implementation of MM-BIO-1.
OSC 11.5: Mature vegetation shall be preserved wherever possible.	As described previously in this section, removal of mature trees will be required to facilitate construction, including 65 protected trees. The trees to be removed would be limited to those directly within the proposed disturbance footprint; all other trees on the Project site would be retained and those in close proximity to construction activities would be protected in place with tree fencing. The Project will comply with the City's Tree Preservation Policy regarding tree replacement and maintenance standards.
OSC 12.1: Development Projects should include the preservation of protected trees and other significant trees. Any adverse effect on the health and longevity of native oak trees, protected or other significant trees should be avoided through appropriate design measures and construction practices. When tree preservation is not feasible, individual development Projects shall include appropriate tree replacement as approved by the City.	As described previously in this section, removal of 65 protected trees would be required to facilitate Project construction. No "heritage trees" as defined by the City's Tree Preservation Policy will be removed during construction. The trees to be removed would be limited to those directly within the proposed disturbance footprint; all other trees on the Project site would be retained and those in close proximity to construction activities would be protected in place with tree fencing. The Project will comply with the City's Tree Preservation Policy regarding tree replacement and maintenance standards.
OSC 12.2: Trees used for new or replacement plantings should be selected primarily for low water use characteristics.	The Project includes replacement planting that would comply with the City's Tree Preservation Policy and Water Efficient Landscape Ordinance.

Impact BIO-6: Conflict with Habitat Conservation Plans or Natural Community Conservation Plans

Impact BIO-6 would be **no impact**. No mitigation is required.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Impact Analysis

The Project is not located within a Habitat Conservation Plan or Natural Communities Conservation Plan Permit Area. The Santa Clara Valley Habitat Conservation Plan permit area includes the City of San Jose, Morgan Hill, and Gilroy, as well as unincorporated areas in southern Santa Clara County, but does not include the City. Because there are no Habitat Conservation Plans or Natural Communities Conservation Plans that apply to the Project site, the Project would not conflict with any such plans. There would be no impact.

3.4.4 Cumulative Impacts and Mitigation

As discussed in Section 3.3.3 above, the Project would have no impact on riparian habitats or sensitive communities, state or federally protected wetlands, or from conflicts with natural community or habitat conservation plans. Therefore, the Project would not contribute to potential cumulative impacts on those biological resources. The following section analyzes the potential of the Project to contribute to cumulative impacts on the following biological resources where the Project would have a less-than-significant or potentially significant impact:

- Impact C-BIO-1: Contribution to cumulative effects on special-status species
- Impact C-BIO-4: Contribution to cumulative effects to fish or wildlife movement, migration, or nursery sites
- Impact C-BIO-5: Cumulative conflicts with local policies or ordinances protecting biological resources

These cumulative impacts are addressed below.

Impact C-BIO-1: Cumulative Impacts to Special-Status Species

The overall cumulative impact for C-BIO-1 would be **less than significant.**

Cumulative Context

As discussed for Impact BIO-1 in Section 3.4.3 above, the Project would have impacts on nesting birds (potentially including American peregrine falcon) in the vicinity of the Project site during the construction period. The context for analysis of cumulative impacts is therefore limited to those past, present, and probable future projects that would also have impacts to the same types of nesting birds.

Cumulative Impact Analysis

The cumulative projects that may result in potential impacts to nesting birds would be subject to applicable federal, state, regional, and local regulations discussed previously in Section 3.3.2,

including the Endangered Species Act and Migratory Bird Treaty Act, and, therefore, would also be required to implement typical nesting bird avoidance measures, similar to those described for the Project in MM-BIO-1. Because these standard avoidance measures would reduce the impacts of all cumulative Projects, the overall cumulative impact to nesting birds in the City would be **less than significant**.

Impact C-BIO-4: Cumulative Impacts to Fish or Wildlife Movement, Migration, or Nursery Sites

The overall cumulative impact for C-BIO-4 would be **potentially significant.** The Project's contribution to the overall impact would be **less than cumulatively considerable**.

Cumulative Context

As discussed for Impact BIO-4 in Section 3.4.3 above, the Project could have potential impacts on common bat species due to removal of potential roosting habitat, particularly if tree removal would occur during maternity or overwintering seasons. The context for analysis of cumulative impacts is therefore limited to those past, present, and probable future projects that would also have impacts to roosting habitat for common bat species.

Cumulative Impact Analysis

Because common bat species are not protected by other regulations such as the Endangered Species Act, it is possible that some cumulative projects could include removal of trees or structures that are used as bat roosting habitat without appropriate precautions being taken to prevent bat mortality. The overall cumulative impact could be **potentially significant**. However, because the Project would include mitigation measures to avoid bat mortality, the Project's contribution to the cumulative impact would be **less than cumulatively considerable**.

Impact C-BIO-5: Cumulative Conflicts with Local Policies or Ordinances Protecting Biological Resources

The overall cumulative impact for C-BIO-5 would be **less than significant.**

Cumulative Context

As discussed for Impact BIO-5 in Section 3.4.3 above, the Project would require tree removal permits for the proposed removal of 65 protected trees that would be impacted by the proposed construction. The context for analysis of cumulative impacts is therefore limited to those past, present, and probable future projects that would also require removal of protected trees within the City limits.

Cumulative Impact Analysis

All projects within the City are required to comply with the City's tree ordinance, which requires the City Arborist to assess the proposed development to confirm if the requirements of the ordinance are being met and/or impose conditions to ensure compliance. In addition, the City's tree ordinance includes measures for enforcement and for subjecting violators to penalties and remedies to address non-compliance issues.

The City would also consider compliance of cumulative projects with General Plan policies during consideration of their associated development and/or permit applications. The nearest cumulative project to the Project site is the potential future development of additional senior

housing on the adjacent Fellowship Plaza property. If that project had the potential to result in General Plan policy conflicts that could cause adverse environmental impacts to biological resources, the City would require mitigation or conditions of approval to address such impacts.

Because all projects are required to comply with the City's tree preservation ordinance and would be subject to conditions of approval to address potential General Plan policy conflicts, the overall cumulative impact would be **less than significant**.

3.5 Cultural Resources

This section describes the existing cultural resources setting of the Project area and evaluates whether the Project would result in adverse effects to cultural resources. The following comments relating to cultural resources were received during the public scoping period in response to the Notice of Preparation:

- Concerns regarding historic impacts, particularly to the historic Manor Building and its spatial relationship to the surrounding area, loss of the "Historic Odd Fellows Park" area and setting of the Manor Building, potential damage and impact to the building from nearby drilling and the proposed attachment of new meeting room directly to the Manor Building, and loss of landscaping in front of the Manor Building.
- Concerns that there may be Native American artifacts or possibly burial grounds on campus that could be disturbed during construction, including anecdotal evidence of arrowheads being found in the "Community Gardens" area.
- Concerns that the Project is counter to several of the "Saratoga Values" approved by Council each year including loss of historic resources.

3.5.1 Environmental Setting

The Project area is in the City, in the western portion of Santa Clara County. Saratoga is a primarily residential community and is bounded by the jurisdictions of Cupertino, San Jose, Campbell, Los Gatos, and Monte Sereno. The Project site is within the partially developed and landscaped Odd Fellows property. The Project area is nearly level at approximately 400 feet above mean sea level and is between Vasona Creek to the west and Sobey Creek to the east. Soils in the Project area are comprised of Urban Land-Flaskan complex, 0 to 2 percent slopes. "Urban Land" suggests the Project area is highly developed and modified by humans. Flaskan series soils are deep, well-drained soils formed on alluvial fans (National Cooperative Soil Series 2009). The underlying alluvial landform is Pleistocene to Pliocene in age (Dibblee and Minch 2007).

Cultural Context

The historic period context is discussed below. The precontact and ethnographic context is provided in Section 3.17, *Tribal Cultural Resources.*

Historic Period Context

The first recorded Spanish expedition into the Santa Clara Valley was that of Gaspar de Portolá, which took place in 1769. Two subsequent expeditions occurred in the 1770s: Pedro Fages (1772) and Juan Bautista de Anza (1776) (Kyle et al. 2002). The de Anza party traveled along the west end of the valley following the trail blazed by Fages, which would become part of the El Camino Real, or "the king's highway," connecting the missions of the south with the settlements in the San Francisco Bay area (Gudde 1998; Kyle et al 2002). de Anza passed in the vicinity of modern-day Saratoga (City of Saratoga 2021).

On January 12, 1777, Misión de Santa Clara de Asís (Mission Santa Clara) was established. The City of Santa Clara, Santa Clara University, and eventually the region that would become Santa Clara County, developed around this mission. Before the turn of the century, nearly all the

Muwekma Ohlone were forcefully removed from the vicinity to Mission Santa Clara (Milliken 1995). Please see Section 3.17, *Tribal Cultural Resources* for an ethnographic history.

Following Mexico's independence from Spain in 1810, Spanish missions were secularized, and settlement of large tracts of land was promoted to stimulate colonization of the Mexican territory of California. Modern-day Saratoga was part of Rancho Quito, which was granted by Governor Alvarado to José Noriega and José Zenon Fernández in 1841 and sold to Manuel Alviso in 1844 (Kyle et al. 2002). After the Mexican-American War and California's entrance into the United States, the rancho was subdivided and sold.

The boom of the Gold Rush in the Sierra foothills of California correlated with the development of livestock and grain-farming ventures, such as wheat, barley, and oats, in the Santa Clara Valley (Anthropological Studies Center 2008). Even before the Gold Rush, the Santa Cruz Mountains were recognized for their timber and "abundant redwood forests gave rise to a thriving lumber industry" in the Saratoga area (City of Saratoga 2021). The first sawmill in the Saratoga vicinity was constructed on Rancho Quito in 1847 by William Campbell and his sons (Kyle et al. 2002). A toll road into the mountains was established by 1851 and, at the lower end of the road, a settlement known as Toll Gate began to grow. After several name changes, Toll Gate eventually became Saratoga in 1865. Along with lumbering, Saratoga was a center for health resorts, as well as fruit raising, drying, and packing.

While the frenzy over gold eventually declined, California's population did not. In fact, it was the state's agricultural economy that fueled rapid growth in California after the Gold Rush. The natural setting of the Santa Clara Valley, in a fertile alluvial valley at the edge of one of the largest natural bays in the world and bordered by well-timbered mountains positioned it for continued growth throughout the nineteenth century.

The Odd Fellows Home

The Independent Order of Odd Fellows is a fraternal and benevolent society. The origin of its name is believed to come from a group of laborers, in odd trades or doing odd jobs, who formed a fraternity for fellowship and self-insurance to provide help in times of illness or injury when they were unable to work. The first Odd Fellows Home in California was established in Thermalito in 1895; in 1906, an effort began to establish a new, modern Odd Fellows Home. Ultimately, Oakwood Farm in Saratoga, 82 acres of rolling hills, over 60 acres of which were orchards: apricots, pears, prunes, plums, apples and citrus, was chosen as the site for new home. The Independent Order of Odd Fellows Committee bought the farm for $16,000 in March 1908 (Kolsky, ed. 2006).

A competition was held for designing plans for a new Home to be placed on the Oakwood Farm site. Less than a year later, the $400 first prize was awarded to San Francisco design team Ralph Warren Hart and J. Henry Boehrer. The plans called for common cottage plan with an administration building of two stories and basement containing offices, reception room, kitchen, storerooms in the basement, and rooms on the second floor for 75 residents. There was to be a hospital building for 40 patients, 11 cottage bungalows for residents, separate buildings for laundry, stables for six horses, wagon and buggy sheds, and a cow barn for 20 cows. Promissory notes totaling $150,000 were sold at 6% interest payable in 10 years; these were quickly snapped up by Odd Fellows Lodges and members of the Order. John McLaren of Golden Gate Park fame laid out the grounds at no expense to the Order, as he was a brother Odd Fellow.

Before the Odd Fellows' Home was completed, a cemetery was constructed on a hill south of the community. Burials were conducted here from 1911 to the present (Urban Programmers 2019; Kolsky, ed. 2006).

On October 7, 1911, the cornerstone was laid for the Administration Building during a ceremony with over 1,500 members from all over the state in attendance. On May 15, 1912, with an estimated construction cost of $300,000, the Odd Fellows' Home was officially opened during a commencement ceremony attended by 2,000 people. It was subsequently established under the name Odd Fellows Home of California, as a nonprofit public benefit corporation. The Odd Fellows of California then moved 150 elderly residents 200 miles by train from Thermalito to Saratoga on November 18th of that year (Urban Programmers 2019; Kolsky, ed. 2006).

The current three-story (including basement) Manor Building includes a 180-seat dining room, and living room with a library nook, an assembly hall, administrative offices, and a small sitting room. The assembly room was furnished by Independent Order of Odd Fellows member William H. Barnes with a carpeted area containing heavy oak chairs, a raised stage, and a pipe organ. The hall was subsequently named in his honor (Urban Programmers 2019; Kolsky, ed. 2006).

Five large cottage bungalows (reduced from the 11 bungalows proposed in the original plans) containing twelve to 20 rooms in each arranged in a symmetrical north-south row located southeast of the Manor Building. The gardener's cottage, cook building, and chicken coop buildings (later repurposed as the Nursery and Educational building for the Saratoga Community Garden in 1972) were all built in 1915, at the far southern end of the property. The hospital/ infirmary was constructed in 1912 and located south of the Manor Building.

An oblique photograph of the Manor Building and its surrounds, circa 1950, is provided in Figure 3.5-1.



Figure 3.5-1 Ca. 1950 oblique photograph with Manor Building at center

Photograph view towards southwest. Odd Fellows Drive visible in foreground.
Source: https://www.cardcow.com/730105/saratoga-california-odd-fellows-home/.

In July of 1956, a fire occurred in the hospital/infirmary, causing $2,000 worth of damage. No residents were harmed, but this led to the building of a new infirmary. At a cost of $80,000 the new infirmary wing was opened on Sunday, May 10, 1959. The infirmary was rebuilt yet again in 1973 (Urban Programmers 2019; Kolsky, ed. 2006).

The Grand Fellows Lodge was constructed in 1960 and located east of the Manor Building. The property was later expanded to 101 acres, but by the early 1970s, the orchard was sold off. A ten-acre section of land in the far south of the property was leased to the City for $1 per year. On June 13, 1987, the Saratoga Community Garden was closed by the Odd Fellows who were considering developing the land. Over the years, the campus shrunk until now it comprises only 37 acres– less than half of its original size (Urban Programmers 2019; Kolsky, ed. 2006).

The “California Villas” apartment building addition was added in 1979 and located to the east of the Manor Building with 79 rooms. It was designed by HKIT Architects and built by Barry Swenson Builder of San Jose. This new development was concurrent with the razing of the original five cottages built in 1912 (Urban Programmers 2019; Kolsky, ed. 2006).

In the early 1990s, a major rehabilitation and expansion was planned for the property. The Health Center was built in 2000-2002. Between 2002-2005, the Community built a $50.4 million expanded campus by renovating the Manor Building’s administration offices, the Seven Stars Tavern, a large library, beauty and massage salon, a gift shop, arts and crafts rooms, a woodworking center, a computer lab, and a wine tasting room. In addition, the renovation project included constructing a fitness center, indoor pool, an outdoor recreation area with walking trails, picnic tables, bocce ball court, putting green, and horseshoe pits, adding one-bedroom apartments, two-bedroom cottages, and laying completely new roadways. This included the removal of the old cow barns, gardener's cottage, cook building, and chicken coop buildings. As part of the work, the Manor Building was seismically upgraded, new electrical, plumbing, windows, light fixtures, heating and air conditioning systems were installed, and ramps to meet the accessibility code were installed. The exterior plaster was repaired or removed, and the building completely covered with new stucco (Urban Programmers 2019; Kolsky, ed. 2006).

The 2002-2005 campus expansion project also included a reconfiguration of the curvilinear driveway (Manor Circle) and terraced area in front of the Manor Building. The curvilinear driveway along the façade of the 1912-constructed Manor House was slightly reconfigured to include 22 parking spaces, a sidewalk, and retaining wall at the base of the sloped landscape area along Odd Fellows Drive. All of the landscaping, save for a mature oak tree on the east end of the sloped landscape area and a mature California fan palm on the west end of the landscape area, were removed but the slope was maintained. After the new driveway was completed, grass, shrubs, and a half-circle of five California fan palms were planted in the landscape area. The terraced area immediately in front of the Manor Building was also reconfigured when the paved walkways, grass, shrubs, and two mature Cypress trees that abutted the east end of the façade were removed. They were replaced with a centrally located fountain, flanked by symmetrical curved ramps that lead to the primary entrance of the Manor Building that are lined with Classical-inspired concrete balustrades; walkways that lead to four external concrete staircases that provide access to the raised walkways that line the façade of the Manor Building; two mature Canary Date Palms planted north of the fountain, flanking the walkway from the driveway; and new grass and shrubs planted in the terraced area. Three mature redwood trees (two on the east end and one on the west end) of the terraced area next to the curvilinear

driveway were retained (Google Earth Pro 2003 April; Google Earth Pro 2003 July; Google Earth Pro 2005 August).

Records Search Results

AECOM conducted a records search at the Northwest Information Center (NWIC) of the California Historical Resources Information System at Sonoma State University (File No. 20-1770). The records search reviewed the Project site (defined for the records search as the SRC campus) and a 0.25-mile radius on the *Cupertino, Calif.* topographic quadrangle in order to: (1) determine whether known cultural resources have been recorded within the vicinity of the Project; (2) assess the likelihood of unrecorded cultural resources based on historical references; and (3) develop a context for identification and preliminary evaluation of cultural resources.

AECOM also reviewed the Built Environment Resources Directory, the National Register of Historic Places (NRHP), the CRHR, the California Historical Landmarks, California Points of Historical Interest, and the 1979 Heritage Resource Inventory of the City. Files provided by the City were also reviewed.

Studies

Two prior studies are on file at the NWIC that include the Project site. These studies are:

- S-4344: This letter reports on the findings of an archaeological survey for a proposed development at the Saratoga Retirement Community east of Fruitvale Avenue (Chavez 1976). The survey was negative and noted that the survey area was covered with artificial fill.
- S-9911: This letter reports on the findings of an archaeological survey of a portion of the Saratoga Retirement Community property (Roop 1988). The survey was negative. It noted that it is unlikely for precontact archaeological resources to be present due to the age of the soils on the property, although they did note the potential for historic-period resources associated with the Odd Fellows to be encountered.

Two additional studies that include the Project site are on file with the City. These studies address evaluations of the CRHR-eligibility of the Odd Fellows Home (Manor Building) (Urban Programmers 2019; Garavaglia Architecture 2020). Copies of these reports are included in **Appendix D**.

Resources

No previously recorded archaeological resources are within the Project site or a 0.25-mile radius. Tribal cultural resources are discussed in Section 3.17.

One built environment resource, P-43-001485, is within a 0.25 mile of the Project site. This resource was a two-story Craftsman bungalow and outbuildings that were constructed c. 1906-1910 at 14625 Fruitvale Avenue. This resource was not found eligible for the CRHR and has since been demolished.

One previously recorded built environment resource, the Odd Fellows Home, is within the Project site and is listed in the Heritage Resource Inventory of the City. The Manor Building (also known as the Odd Fellows Home) has been recorded and evaluated three times with copies on file with the City (Baily 1981, Saratoga Heritage Preservation Commission 1988, and Maggi et al. 2009).

The three evaluations concluded that the Manor Building was an eligible local Saratoga landmark, and the 2009 evaluation found the Manor Building eligible for the CRHR, therefore, it is considered a historical resource for the purposes of CEQA. Although eligible, the Manor Building is not currently listed as a Saratoga landmark or in the CRHR; but is listed in the City's Historic Resources Inventory (#27).

Previous Historic Studies of the Manor Building

In 1981, Sandy Baily recorded the Manor Building on a City Planning Department Cultural Resources Inventory form. The form included a brief description of the Manor Building and a paragraph of historic context regarding initial construction and more recent changes to the property. The 1981 recordation lacked photographs, a significance statement, and an integrity statement (Baily 1981).

A member of the Saratoga Heritage Preservation Commission recorded the Manor Building in 1988 on a Historic Resources Inventory form as part of the effort to create a local inventory. The 1988 Historic Resources Inventory reiterated much of the same information provided in the 1981 form, but added a photograph of the Manor Building, and checked a box on the form to indicate that the building was significant for its architecture and social/education but did not provide any historic context or an evaluation to substantiate those findings. The 1988 Historic Resources Inventory form was submitted with forms for 79 other buildings/properties, as part of a resolution of the Saratoga Preservation Commission (HP-88-01) that was passed in 1988 that created the City's Heritage Resource Inventory. The Manor Building is identified as #27 on the City's inventory list as "Odd Fellows Home" and as having eligibility for listing in the Inventory under Criteria a, b, c, d, but the Manor Building was not formally evaluated under these criteria in the 1988 Historic Resources Inventory. Regardless, the Manor Building/Odd Fellows Home is listed in the City's Heritage Resource Inventory and is considered a historical resource for the purpose of CEQA (Saratoga Heritage Preservation Commission 1988).

Frank Maggi, L. Dill, and J. Kuss of Archives & Architecture LLC recorded the Manor Building in 2009 on a California Department of Parks and Recreation (DPR) 523 form for the "City of Saratoga Statement of Historic Context." In addition to reiterating the property was listed in the City's Heritage Resource Inventory, the property was evaluated for eligibility for in the CRHR. Maggi stated that the Manor Building was listed in the Saratoga Heritage Resources Inventory under local Criteria a, b, c, and d:

a) the property exemplifies and reflects special elements of the cultural, social, economic, aesthetic, and architectural history of the City;

b) the property is identified with persons and events significant in local history;

c) the property embodies distinctive characteristics of the Mission Revival style, type and period; and

d) the property is representative of a notable design of architect Ralph Warren Hart.

Maggi et al. (2009) stated that the Manor Building appeared eligible for the CRHR under Criterion 1 (Associated with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States; Criterion 2 (Embodies the distinctive characteristics of a type, period, region, or method of construction; and

Criterion 3 (Represents the work of a master or possesses high artistic values). Maggi summarized the evaluation statement as “the property is significant as a special building type created to serve elderly residents during the pre-social security era, for its association with numerous important Californians during the time of construction, and as a distinctive architectural work within Saratoga's City of Homes period, representing the work of master architect Ralph Warren Hart.” The 2009 DPR 523 form did not identify the boundary of the CRHR-eligible property or any character-defining features. A period of significance of 1912-1958 was assigned to the Manor Building but did not provide a clear justification for that date range beyond a mention that a new infirmary was constructed in 1958 (Maggi et al. 2009).

In 2019, Urban Programmers completed an architectural plan review of Ankrom-Moisan Associated Architects’ proposed development plan for the SRC campus regarding the “Secretary of the Interior’s Standards (SOI Standards) for Rehabilitation of Historic Buildings” and prepared an historic evaluation study for the City to use in evaluating the proposed development, titled “Historic Background Report and Review of Proposed Development Plans for the Saratoga Retirement Community” (Urban Programmers 2019, see **Appendix D**).

Urban Programmers noted that the 2009 DPR 523 by Maggi, et al. did not evaluate the integrity of the Manor Building or site in detail, and that despite the large building program undertaken in 2002-2005 that demolished all of the historic-era buildings save for the Manor Building, the Manor Building was found eligible for listing in the CRHR. Urban Programmers stated that their project review relied upon and agreed with the 2009 DPR’s determination that the Manor Building is eligible for listing in the CRHR. Urban Programmers also stated that the purpose of their report was to consider the proposed expansion project and was not intended to provide a Statement of Effect for past alterations and changes that have occurred since the Manor Building was constructed in 1912 and did not provide a new or updated DPR 523 for the Manor Building or property. Ultimately, Urban Programmers recommended preparation of an updated or new DPR 523 to incorporate all the changes to the property after the current phase of construction is complete and concluded that the proposed Project did “not create a significant impact or change to the environment because the expansion plan follows the Secretary of the Interior’s Standards for Rehabilitating Historic Buildings and the Illustrated Guidelines for Rehabilitating Historic Buildings” (Urban Programmers 2019, see **Appendix D**).

SOI Guidelines for Rehabilitating Historic Buildings state that the first step for Rehabilitation is to “identify the form and detailing of those architectural materials and features that are important in defining the building’s historic character and which must be retained to preserve that character” [a.k.a. character-defining features] (NPS 2017: 77). Character-defining features are specifically mentioned in the portion of the Urban Programmers’ report discussing Standards 9 and 10 analyses in the plan review conformance to SOI Standards for Rehabilitation; however, this portion of their report did not identify character-defining features as needed to reach a determination of conformance with respect to Standards 9 and 10. Urban Programmers concluded that a redesign of Building B by Ankrom-Moisan Associated Architects to reduce the height of the facade facing the Manor Building and incorporation of a color palette that differs from the historic building would bring the architectural plans of the proposed development into conformation with the SOI Standards. They also concluded that implementation of these proposed changes to the design would not result in a significant adverse impact to the historical environment and would also conform with the General Plan and Preservation Ordinance of the City (Urban Programmers 2019). Because character-defining features had not been identified,

the conclusions regarding the effects on the historical environment lacked sufficient information. Urban Programmers' "Historic Background Report and Review of Proposed Development Plans for the Saratoga Retirement Community" document was then sent to Garavaglia Architecture for peer review.

Garavaglia Architecture made several recommendations to Urban Programmers' report, in a memorandum titled "Saratoga Retirement Community-Peer Review" (Garavaglia Architecture 2020a). The majority of their recommendations were addressed in Urban Programmers' report revisions prepared in March and September 2020, including a chronology of changes to the Manor Building and campus/property and an integrity evaluation. But again, no character-defining features were requested of, or identified by, either firm.

After the recommendations were integrated into the Urban Programmers' 2020 report, Garavaglia Architecture concurred with Urban Programmers' conclusion that the project was compliant with the SOI Standards for Rehabilitation of Historic Buildings (Garavaglia Architecture 2020b) but did so without regarding character-defining features.

In 2021, AECOM was retained by the City to prepare CEQA documentation for campus expansion of the Saratoga Retirement Community. To facilitate the CEQA analysis, including impacts to historical resources, the City asked AECOM to review the Urban Programmers and Garavaglia Architecture technical studies prepared for the Project pertaining to historical resources for completeness and adequacy. AECOM prepared a memorandum (AECOM 2021a, see **Appendix D**) that provided a summary of the previous historic studies, identified missing information and data gaps, and suggested supplemental studies that would be needed to complete the CEQA analysis for the project.

Based on the peer review of the prior Urban Programmer and Garavaglia reports, AECOM recommended, and the City agreed, that additional information was needed to arrive at a determination of conformance, including:

- Supplemental survey effort to record the entire property, including any buildings, structures, landscape and site features excluded from the earlier surveys, to be recorded on an updated or new DPR 523 form, before construction of the proposed Project;
- Establishment of a period of significance to justify and identify appropriate theme(s) of significance;
- Compilation of additional historical context regarding the development history of the property for analysis of the seven aspects of historic integrity of the property;
- Compilation of historical context to evaluate the entire property for eligibility for listing in the Saratoga Heritage Resources Inventory and the CRHR;
- Identification of contributing and non-contributing features of the Manor Building and/or to the property as a whole; and
- Identification of character-defining features of contributing buildings and/or the property as a whole.

After reviewing AECOM's memorandum, the City tasked AECOM to prepare a supplemental evaluation addressing these matters, to support CEQA analysis for the Project. The

supplemental evaluation, and other supporting documentation pertaining to historical resources is contained in **Appendix D**.

As part of the supplemental evaluation, AECOM conducted a survey to record the Saratoga Retirement Community property, including buildings, structures, landscape and site features excluded from the earlier surveys; compiled additional historical context regarding development history of the property and relevant historical themes; evaluated the Saratoga Retirement Community under the criteria for the CRHR and the Saratoga Heritage Resources Inventory; established a period of significance; assessed integrity; and identified character-defining features of eligible historical resources. AECOM conducted an updated evaluation of the Manor Building and of the Saratoga Retirement Community property as a whole, including recordation of the property on a new DPR 523 form (AECOM 2021b; see **Appendix D**).

The supplemental evaluation of the property as a campus or potential historic district concluded that, although the property is significant under CRHR Criterion 1 (as a pre-Social Security elder care home that provided a full suite of services, including lodging, medical care, and recreation, in early twentieth century California), and under Saratoga Heritage Resources Inventory Criterion a, (because it once exemplified an aesthetically pleasing, Mission Revival-style, pre-Social Security, full service elder care home), the entire campus does not retain sufficient integrity to be eligible for listing in either the CRHR or the Saratoga Heritage Resources Inventory as a historic district. The campus as a whole lacks historic integrity to any potential period of significance because of changes to the setting, including removal of buildings and structures, alterations to the landscaping and hardscaping throughout the campus, and addition of non-historic landscaping including the park with bocce ball and horseshoe courts, putting green, and other recreational amenities south of the Manor Building within the “Odd Fellows Historical Park” that was added to the property in the early 2000s. This park was a new development on the campus as part of the major rehabilitation and expansion project in the early 2000s and does not contribute to the significance of the potential historic district or to the individually eligible Manor Building.

The supplemental evaluation of the Manor Building concluded that the Manor Building is already listed in the Saratoga Heritage Resources Inventory under Criterion c and also meets CRHR Criterion 3 for its architectural significance as a grand, Mission Revival-style elder care home hospitality building that retains sufficient integrity to convey its significance. The Manor Building retains integrity of location, design, workmanship, feeling, and association. The building has not been moved from its original location and retains many of its original design elements and character defining features. The Manor Building’s 2004 alterations—including two-story additions added to the rear of building with newly designed patio areas, a south wing addition, and a raised walkway and staircases—have diminished the building’s integrity of materials. Despite the alterations, the primary façade remains largely intact and consistent to its 1912 construction, therefore it retains integrity of design and workmanship. The Manor Building continues to convey the feeling of a grand, Mission Revival-style hospitality building and its association because the facility still functions as an elder care home. Although the hardscaping and landscaping changes made to the area in front of the Manor Building altered their original design, the formality of the Manor Building has been preserved through its position atop a slight rise from Odd Fellows Drive, access via a curvilinear driveway, and the sloped landscape area below. Therefore, the setting of the Manor Building retains sufficient integrity and the curvilinear driveway, the sloped landscape area, and the setback of the Manor Building from Odd Fellows

Drive are still considered character-defining features of the Manor Building. As such, the Manor Building is a historical resource for the purposes of CEQA and impacts to its character-defining features may compromise its integrity and present significant impacts under CEQA.

Pedestrian Survey

AECOM archaeologist Serah Timm conducted a pedestrian survey of the Project area on May 13, 2021.

Survey Methods

The archaeological pedestrian survey consisted of walking crisscrossing transects no greater than five meters apart. The entire survey area was covered by these methods. In areas where ground surface was obscured by leaves and duff, periodic boot scrapes were employed to expose the surface. Digital geographic information system maps on a handheld device were utilized to navigate the survey area and plot in cultural resources identified. Digital photographs were taken using a personal smartphone and fieldnotes were taken manually.

Survey Results

In the proposed footprints of the Fitness Center Addition and Building A, ground visibility was excellent overall (90-100 percent), except where the existing buildings, putting green, and bocce court were located. Soils consisted of a light yellowish brown, hard, sandy clay loam with common gravels. One piece of obsidian was noted in open area to the west of proposed Building A. However, since it was not determinately cultural (i.e., no flaking or apparent human modifications), and no other obsidian or lithic debitage observed, it was not considered significant and was not considered an artifact with the potential to be a historical resource under the CRHR. At the northwest end of proposed location of Building A, the ground surface was obscured by oak leaves and duff, and periodic boot scrapes were employed to expose the surface. No significant cultural materials were observed in these areas. Based on these observations, the proposed footprints of the Fitness Center Addition and Building A are considered to have low potential for cultural resources.

The western half of the proposed footprint for the Meeting Room had very good visibility (50-75 percent), although the surface was disturbed by landscaping activities. Periodic boot scrapes were used to observe surface beneath the landscaping bark chips. Surface soils consisted of a light yellowish brown, hard, sandy clay loam with common gravels. The eastern half of this area had no surface visibility, as it was obscured by the lawn. No cultural materials were observed in this area. Based on these observations, the proposed Meeting Room footprint is considered to have low potential for cultural resources.

Except in a few places in between landscaped plants, visibility at the proposed footprint of Building B was 0-10 percent, being obscured by lawn, landscaping, pavement, and asphalt. No cultural materials were observed in this area. Based on these observations, the proposed Building B footprint is considered to have low potential for cultural resources.

Visibility at the proposed Building C ranged significantly (between 0-85 percent), due to lawn, pavement, and asphalt. In areas where visibility was greater (above 50 percent) surfaces were modified by landscaping. Surface soils consisted of a light yellowish brown, hard, sandy clay loam with common gravels. At the eastern end of Building C, a scatter of historic-era debris was observed, consisting of 20+ glass fragments of various colors, 15+ ceramics, some of which

have evidence of being burned, and two metal fragments. This debris is likely associated with the original Odd Fellows Home and may have originally been in an intact refuse pit. However, the scatter observed during the survey appears to be a secondary deposit and is quite disturbed, as it is scattered throughout the existing landscaping and mixed with modern refuse. The debris scatter continues to the east, outside of the Project area and planned developments. Based on these factors, the proposed Building C footprint is considered to have low to moderate potential for historic-period resources.

A limited archaeological testing program was also undertaken at the site on June 9, 2022, by AECOM archaeologists Karen Gardner and Joshua McWaters, accompanied by tribal monitor, James Camarena. Results of the test excavations were negative in both locations (AECOM 2022, see **Appendix D**).

3.5.2 Regulatory Framework

Federal

Although this Project is not subject to federal regulations, the criteria for the NRHP and the Secretary of the Interior's Standards for the Treatment of Historic Properties are referenced due to their role in analyzing impacts and formulating mitigation for the purposes of CEQA.

National Register of Historic Places

The NRHP was established by the National Historic Preservation Act of 1966 as "an authoritative guide to be used by federal, State, and local governments, private groups and citizens to identify the Nation's cultural resources and to indicate what properties should be considered for protection from destruction or impairment" (CFR 36 CFR 60.2). The NRHP recognizes properties that are significant at the national, state, and local levels. To be eligible for listing in the NRHP, a resource must be significant in American history, architecture, archaeology, engineering, or culture. Districts, sites, buildings, structures, and objects of potential significance must also possess integrity of location, design, setting, materials, workmanship, feeling, and association. A property is eligible for the NRHP if it is significant under one or more of the following criteria:

A. It is associated with events that have made a significant contribution to the broad patterns of our history;

B. It is associated with the lives of persons who are significant in our past;

C. It embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction; and/or

D. It has yielded, or may be likely to yield, information important in prehistory or history

Historic properties that are listed in the NRHP are automatically listed in the CRHR.

Secretary of the Interior's Standards for Rehabilitation

The Secretary of the Interior's Standards for Rehabilitation (Standards) as set forth in 36 CFR Section 67.7 are used as the criteria to determine if a Project will have a significant impact on a historical resource under CEQA (CEQA Guidelines Section 15064.5(b)(3)). The intent of the

Standards is to assist the long-term preservation of a property's significance through the preservation of historic materials and features, including buildings, additions, and related landscape features.

The Standards are:

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
8. Significant archeological resources affected by a Project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

State

California Environmental Quality Act

CEQA requires the lead agency to determine whether a Project could have a significant effect on historical resources and equates a substantial adverse change in the significance of an historical resource with a significant effect on the environment (Section 21084.1). CEQA

Guidelines Section 15064.5 outlines the process for determining the significance of impacts to archaeological and historical resources.

CEQA Guidelines Section 15064.5(a) defines “historical resources” as:

- A resource listed, or determined to be eligible by the State Historical Resources Commission for listing, in the CRHR (PRC Section 5024.1, Title 14, CCR Section 4850 et seq.).
- A resource included in a local register of historical resources, as defined in Section 5020.1(k) of the PRC, or identified as significant in a historical resource survey meeting the requirements of Section 5024.1(g) of the PRC, shall be presumed to be historically or culturally significant. Public agencies must treat any such resource as significant unless the preponderance of evidence demonstrates that it is not historically or culturally significant.
- Any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California may be considered to be a historical resource provided the lead agency’s determination is supported by substantial evidence in light of the whole record. Generally, a resource shall be considered by the lead agency to be historically significant if the resource meets the criteria for listing in the CRHR (PRC Section 5024.1, Title 14, CCR Section 4852(b)), including the following:
    1. Is associated with events that have made a significant contribution to the broad patterns of California’s history and cultural heritage;
    2. Is associated with the lives of persons important in our past;
    3. Embodies the distinctive characteristics of a type, period region, or method of construction or represents the work of an important creative individual/ or possesses high artistic values; or
    4. Has yielded, or may be likely to yield, information important in prehistory or history
- Historical resources eligible for listing in the CRHR must meet one of the four criteria of significance listed above and retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. Integrity is the authenticity of an historical resource’s physical identity evidenced by the survival of characteristics that existed during the historical resource’s period of significance. Integrity is evaluated with regard to the retention of location, design, setting, materials, workmanship, feeling, and association. It must also be judged with reference to the particular criteria under which a resource is proposed for eligibility. Alterations over time to a resource or historic changes in its use may themselves have historical, cultural, or architectural significance. It is possible that historical resources may not retain sufficient integrity to meet the criteria for listing in the NRHP, but thy may still be eligible for listing in the California Register. A resource that has lost its historic character or appearance may still have sufficient integrity for the California Register if it maintains the potential to yield significant scientific or historical information or specific data (PRC Section 5024.1, Title 14, CCR Section 4852 (c)),
- The fact that a resource is not listed or not determined eligible for listing in the CRHR or not included in a local register of historical resources (pursuant to Section 5020.1(k) of the PRC),

or not identified in a historical resources survey (meeting the criteria in Section 5024.1[g] of the PRC) does not preclude a lead agency from determining that the resource may be a historical resource, as defined in PRC Sections 5020.1(j) and 5024.1.

CEQA Guidelines Section 15064.5(b) defines "substantial adverse change" as "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired." Further, that the significance of an historical resource is "materially impaired" when a Project:

- Demolishes or materially alters in an adverse manner those physical characteristics of an historical resource that convey its historical significance and that justify its inclusion in, or eligibility for inclusion in the CRHR; or
- Demolishes or materially alters in an adverse manner those physical characteristics that account for its inclusion in a local register of historical resources… or its identification in an historical resources survey..., unless the public agency reviewing the effects of the Project establishes by a preponderance of evidence that the resource is not historically or culturally significant; or
- Demolishes or materially alters in an adverse manner those physical characteristics of a historical resource that convey its historical significance and that justify its eligibility for inclusion in the CRHR as determined by a lead agency for purposes of CEQA.
- However, generally, a Project that follows the *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (Weeks and Grimmer 1995)[17], shall be considered as mitigated to a level of less than a significant impact on the historical resource.

CEQA also requires lead agencies to consider whether a Project will impact "unique archaeological resources." PRC Section 21083.2(g) defines a unique archaeological resource as "an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information.
- Has a special and particular quality such as being the oldest of its type or the best available example of its type.
- Is directly associated with a scientifically recognized important prehistoric or historic event or person."

The CEQA Guidelines provide detailed direction on the requirements for avoiding or mitigating significant impacts to historical and archaeological resources. Section 15064.5(b)(4) states that a lead agency shall identify mitigation measures and ensure that the adopted measures are fully

[17] *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* was revised by Anne E. Grimmer in 2017.

enforceable through permit conditions, agreements, or other measures. In addition, Section 15126.4(b)(3) states that public agencies should, whenever feasible, seek to avoid damaging effects on any historical resources of an archaeological nature. Preservation in place is the preferred manner of avoiding impacts to archaeological sites, although data recovery through excavation is acceptable if preservation is not feasible. If data recovery through excavation is the only feasible mitigation, a data recovery plan, which makes provisions for adequately recovering the scientifically consequential information from and about the historical resource, needs to be prepared and adopted prior to any excavation being undertaken.

California Health and Safety Code

Human remains are protected under California code. If human remains are encountered, the remains must be treated in accordance with the requirements of Section 7050.5(b) of the California Health and Safety Code, which states that it is a misdemeanor to knowingly disturb a human burial. If human remains are encountered, work must halt in the vicinity of the remains; and as required by law, the Santa Clara County Coroner must be notified immediately. If human remains are of Native American origin, the coroner must notify the Native American Heritage Commission (NAHC) within 24 hours of that determination. Pursuant to PRC 5097.98, the NAHC will in turn immediately contact an individual who is the most likely to be descended from the remains (i.e., Most Likely Descendent). The most likely descendent has 48 hours to inspect the site and recommend treatment of the remains.

Local

City of Saratoga Code of Ordinances

The Saratoga, California Code of Ordinances, Chapter 13 – Heritage Preservation declares that it is a matter of public policy that the recognition, preservation, enhancement, and use of heritage resources within the City is required in the interest of the health, economic prosperity, cultural enrichment and general welfare of the people. The purposes of Chapter 13 are to:

(a) Safeguard the heritage of the City by providing for the protection of irreplaceable heritage resources representing significant elements of its history;

(b) Enhance the visual character of the City by encouraging and regulating the compatibility of architectural styles within historic areas which reflect established architectural traditions;

(c) Encourage public knowledge, understanding and appreciation of the City's past, and foster civic and neighborhood pride and sense of identity based upon the recognition and use of the City's heritage resources;

(d) Stabilize and improve property values within the City and increase the economic and financial benefits to the City and its inhabitants derived from the preservation, rehabilitation, and use of heritage resources;

(e) Integrate the conservation of heritage resources into the public and private development process and identify as early as possible and resolve conflicts between the preservation of such resources and alternative land uses.

City of Saratoga General Plan

The Land Use Element provides guidance for the protection of cultural resources in Saratoga as set by its citizens and elected officials and includes objectives, goals, and policies regarding cultural resources.

The following goals and policies from the City's General Plan relating to cultural resources apply to the Project[18]:

Goal LU 12: Recognize the heritage of the City by seeking to protect historic and cultural resources, where feasible.

> **Policy LU 12.1:** Enhance the visual character of the City by encouraging compatibility of architectural styles that reflect established architectural traditions
>
> **Policy LU 12.5:** Encourage public knowledge, understanding and appreciation of the City's past and foster civic and neighborhood pride and sense of identity based upon the recognition and use of the City's heritage resources.
>
> **Policy LU 12.8:** For any project development affecting structures that are 50 years of age or older, conduct an historic review.
>
> **Policy LU 12.9:** Conduct reconnaissance level analyses of new development projects to ensure that no significant archeological, prehistoric, paleontological Native American resources would be disturbed. If such resources are found, appropriate steps shall be taken, consistent with CEQA requirements to protect these resources.

3.5.3 Project Impacts and Mitigation

This section addresses the following potential impacts relating to cultural resources:

- **Impact CUL-1:** Would the Project cause a substantial adverse change in the significance of a historical resource?
- **Impact CUL-2:** Would the Project cause a substantial adverse change in the significance of an archaeological resource?
- **Impact CUL-3:** Would the Project disturb any human remains?

These impacts are addressed in turn, below.

[18] In February 2018, the City of Saratoga began the process of making minor policy updates to three elements of the City's General Plan (Land Use, Circulation, and Open Space & Conservation) and formatting the elements to provide a cohesive document. These updated elements are collectively known as the "2040 General Plan Update" but have not yet been adopted. In addition, the City is currently in the process of updating its Housing Element for the "6th Cycle" planning period extending from January 31, 2023 through January 31, 2031, and updating its Safety Element to reflect the updated Housing Element. On February 28, 2022 the City published a Notice of Preparation of a Draft Program Environmental Impact Report for the 6th Cycle Housing Element, Safety Element, and 2040 General Plan Update. At present, there is no confirmed timeframe for completion and certification of the Program EIR and adoption of the updated General Plan elements; therefore, the policies cited within this EIR reflect the current General Plan Elements.

Impact CUL-1: Adverse Change to Historical Resources

Impact CUL-1 would be **significant and unavoidable**, even with the implementation of mitigation measures MM-CUL-1a through MM-CUL-1c.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5.

"Substantial adverse change" is defined in CEQA Guidelines Section 15064.5(b), as the "physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired," as detailed further in Section 3.5.2 above.

Impact Analysis

One historical resource, the Manor Building, would be affected by the Project. The Manor Building is listed on the City's Heritage Resources Inventory and is significant for its Mission Revival-style architectural design as a grand, elder care home hospitality building (Figure 3.5-1 and Figure 3.5-2). The Mission Revival style, popular from 1890 through 1920 in California, is characterized by stucco siding, red tile roofs, shaped parapets and/or dormers, arched porches, elaborate bell towers, quatrefoil windows, wide overhanging eaves, stonework, and decorative tiles. Built in 1912, the Manor Building embodies distinctive characteristics of the Mission Revival style, including stucco siding, red tile roof, arched porches and windows, and a grand, high-style façade at the central entrance with domed bell towers, shaped parapet, and ornate metal balcony and lamps.

Although the Manor Building and its setting have undergone several changes since its period of significance (discussed in Section 3.5.1), it currently remains eligible for listing on the CRHR, and has the following character-defining features:

- Centrally located, two-story Mission Revival-style projection entrance with domed bell towers, shaped parapet, and metal balcony
- Red tile roof with moderate overhang and a block modillion cornice
- Stucco siding
- Arched wall openings
- Arched windows
- One-over-one sash windows
- T-shaped plan
- Metal balconets/balconies
- Setback of the building from Odd Fellows Drive
- Curvilinear driveway at primary elevation of the Manor Building
- Centrally located sloped landscaped area along the primary elevation of the Manor Building, and
- The siting of the building atop a slight rise from Odd Fellows Drive.



Figure 3.5-2 View of the existing Manor Building (primary north elevation) atop slight rise from Odd Fellows Drive, with curvilinear driveway

Source: AECOM staff, February 2021.

The Project would construct an addition to the Manor Building and three new buildings within its immediate vicinity (see Figure 2.3-1 in Section 2). Construction activities would include demolition and removal of existing site features, grading, soil removal, and building construction. Due to the proximity of the new construction to the Manor Building, potential impacts include direct alteration of the building and its setting, and indirect alteration of its setting, which are discussed in turn below.

Direct impacts to the Manor Building would include the addition of the new Meeting Room. The Meeting Room would connect to the Manor Building via a narrow hyphen that would serve as an enclosed, interior lobby between the buildings. The connecting hyphen would project perpendicularly from the approximate center of the west (secondary) elevation of the Manor Building, enclosing an existing door at the ground level and the sixth, seventh, and eighth window bays in the first story (Figure 3.5-3). Construction of the hyphen would remove and/or alter character-defining features represented in the west (secondary) elevation, including the stucco siding, arched windows, and one-over-one sash windows that would be encompassed by the

new construction of the connecting building hyphen. The design for the hyphen features a simple rectilinear plan, a flat roof, stucco exterior siding, and interior elevator, sliding glass or French exterior doors on the north and south sides, and a large, fixed window in the second story of the north elevation. Interior doors include a single door in the west elevation of the Manor Building at the ground level to access the garage and double doors in the first story to the lobby of the meeting room. The addition of the new Meeting Room would also have a direct impact to the T-shaped plan of the Manor Building which is a character-defining feature of the historical resource.

The two-story Meeting Room Addition would include a garage with 16 parking spaces and a 3,300 SF meeting room above (Figure 3.5-4). The building would have a roughly rectilinear plan with stucco walls, a complex, hipped Spanish tile roof with a low pitch, and an assortment of white vinyl-framed windows, including large arched windows in the north and south elevations. The north elevation would feature a full-length, seven-bay arcaded loggia with a balcony above enclosed by black metal railings between stucco piers. The north elevation would also feature fixed windows and clerestory windows with crisscrossed mullions. The south elevation would have a rear patio enclosed by a curved retaining wall, and the west elevation would provide access to the garage through a two-car rollup garage door at grade. The second story would feature a large, fixed window with an arch above.



Figure 3.5-3 Existing view of west elevation of the west wing of the Manor Building.

Source: AECOM staff, December 2021.



Figure 3.5-4 Applicant's rendering of the north elevation of the new Meeting Room Addition to the west elevation of the Manor Building.

Source: Ankrom Moison 2022.

Direct impacts to character-defining features of the historical resource's setting include the alteration of the Manor Building's setback from Odd Fellows Drive, demolition of the curvilinear driveway (Manor Circle), grading of the sloped landscaped area in front of the Manor Building to accommodate new Building B and therefore, diminishing the slight rise of the Manor Building atop the site from Odd Fellows Drive (Figure 3.5-5).



Figure 3.5-5 Manor Building's existing curvilinear driveway, setback from Odd Fellows Drive, and siting atop slight rise from Odd Fellows Drive.

Source: AECOM staff, December 2021.
Notes: View is along Manor Circle towards the southeast from near the intersection of Oddfellows Drive (at the left of the image) and West Cottage Lane (out of image to right). Manor Building is visible at far right of image.

Construction of Buildings A, B, and C would result in indirect impacts to the Manor Building, which would be within view of the Manor Building. Building B would be located within the space of the demolished curvilinear driveway and sloped landscaped area directly facing the Manor Building within its setback from Odd Fellows Drive (Figure 3.5-6).



Figure 3.5-6 Applicant's rendering of Building B and new driveway in relation to the Manor Building

Source: Ankrom Moison 2022.
Notes: View is towards east along new driveway, with West Cottage Lane in foreground and Oddfellows Drive at left. Building B is shown at the left of the image, and Manor Building at the right.

To determine whether these impacts would cause a substantial adverse change to the historical resource, this analysis focuses on the potential for the significance of the historical resource to be materially impaired by the Project based on the design's adherence to the SOI Standards. The National Park Service's *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring & Reconstructing Historic Buildings* (Grimmer 2017) (SOIS Guidelines) are referenced in the following analysis under each of the ten SOI Standards.

As summarized in Table 3.5-1 below, and discussed in more detail following the table, the construction of Building B would conflict with SOI Standards 2, 9, and 10. The Meeting Room could also potentially conflict with SOI Standard 9. Therefore, overall, the Project would conflict with SOI Standards 2, 9, and 10 and would materially impair the significance of the historical resource.

Table 3.5-1 Summary of Project's Adherence to Secretary of the Interior's Standards for Rehabilitation

SOI Standard	Building A	Building B	Building C	Meeting Room	Fitness Center
1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.	No conflict				
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.	No conflict	Conflict	No conflict	No conflict	No conflict
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.	No conflict				
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.	No conflict				
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.	No conflict				
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.	No conflict				
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible	No conflict				
8. Significant archaeological resources affected by a Project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.	No conflict				
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.	No conflict	Conflict	No conflict	Potential conflict	No conflict
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.	No conflict	Conflict	No conflict	No conflict	No conflict

The following analysis addresses each of the SOI standards in turn.

1. *A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.*

   The Manor Building would continue to be used for its historic purpose. None of the proposed Project components would alter the use or purpose of the Manor Building.

   The Project **would not conflict** with SOI Standard 1.

2. *The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.*

   Building A: The proposed construction of Building A to the south of the Manor Building in the existing garden/recreation area ("Historic Odd Fellows Park" area) would require removal of the existing bocce ball court, picnic tables, putting green, horseshoe pits in the existing garden/recreation area, as well as several large trees. However, these trees and modern recreation amenities are not character-defining features of the Manor Building. This Project element (Building A) **would not conflict** with SOI Standard 2.

   Building B: With the proposed construction of Building B, the Project would demolish several character-defining features of the Manor Building's setting including the curvilinear driveway, the sloped landscaped area at the front of the building, the setback of the building from Odd Fellows Drive, and would also diminish the "slight rise of the Manor Building atop the site from Odd Fellows Drive". These character-defining features provide a sense of grandeur and perspective with the spatial relation to the Manor Building that would not be retained or preserved. The SOIS Guidelines do not recommend removing or substantially changing site features which are important in defining the overall historic character of the property so that, as a result, the character is diminished. Therefore, the proposed construction of Building B would remove and alter the features and spaces that characterize the Manor Building. This Project element (Building B) **would conflict** with SOI Standard 2.

   Building C: The proposed construction of Building C would not remove or alter any character-defining features of the Manor Building, including its setting, due to the distance of this proposed building from the Manor. This Project element (Building C**) would not conflict** with SOI Standard 2.

   Meeting Room Addition: The proposed construction of the Meeting Room Addition and its attachment to the west elevation of the Manor Building through a building hyphen would also remove and/or alter character-defining features represented in the west (secondary) elevation, including stucco siding, arched windows, and one-over-one sash windows, that would be encompassed by the new construction of the connecting building hyphen. The SOIS Guidelines do not recommend removing these features; however, due to the proportion of these features on a secondary elevation to the quantity represented throughout the entire building and on its primary elevation, the loss of these features would not substantially diminish the character of the Manor Building. The Meeting Room Addition would also alter the original T-shaped plan of the Manor Building, which is a character-defining feature, and create an asymmetrical design of the Manor Building

footprint. While the loss of these character-defining features cannot be avoided by the Project, the majority of character-defining features of the Manor Building and its setting would remain, including all of its Mission Revival-style architectural features. Therefore, this Project element (Meeting Room Addition) **would not conflict** with SOI Standard 2.

Fitness Center Addition: The proposed construction of the Fitness Center Addition would not remove or alter any character-defining features of the Manor Building, including its setting, due to the distance of this proposed building from the Manor Building. This Project element (Fitness Center Addition) **would not conflict** with SOI Standard 2.

In conclusion, the overall Project would conflict with SOI Standard 2, because Building B would conflict with this standard. None of the other Project elements **would conflict** with this standard.

3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

Built in 1912, the Manor Building embodies distinctive characteristics of the Mission Revival style. Buildings A, B, and C, the Fitness Center Addition, and the Meeting Room Addition to the Manor Building are designed using a combination of Mission Revival-style architectural influences including stucco siding, tile roofs, arched wall openings and/or arched windows, balconies, and shaped parapets, which are all character-defining features of the Manor Building. Overall, the use of stucco siding, tile roofs, arched wall openings and/or arched windows, balconies, and shaped parapets in the designs of all of the new buildings is executed in a modern interpretation that plays with massing and stylizes details to differentiate the new buildings from the 1912-constructed Manor Building in order to prevent a false sense of history.

Building A: For the proposed construction of Building A, the use of the design elements from the Manor Building including stucco siding, tile roofs, and balconies are compatible with the Manor Building in order to sustain the character of the existing setting and also maintain a sense of continuity while utilizing compatible elements that are scaled relative to the Manor Building. Additionally, the design, massing, and color palette of Building A would be compatible with the style of the existing, adjacent apartment buildings that were completed in 2004. This Project element (Building A) **would not conflict** with SOI Standard 3.

Building B: The majority of the design features on Building B, including arched wall openings, arched windows, stucco siding, tile roof, balconies, and shaped parapets in the design would be differentiated, but compatible with, the Manor Building in order to sustain the character of the existing setting and also to maintain a sense of continuity while utilizing compatible elements that are scaled relative to the Manor Building. The arched wall openings along the south side of Building B are wider than those in the Manor Building and have a shouldered arch cut-out design. The same shouldered arch design is also utilized in wall openings on the south side of the Manor Building and is utilized as two-story tall, recessed panels in the domed bell towers on the Manor Building. The stucco siding and red tile roof is nearly identical, but Building B lacks the modillion cornice that underscores the Manor Building roof eaves. Unlike the Manor Building, the balconies

on Building B are functional. The proposed parapets on the north side of the building would consist of repeating shaped and stepped parapets. While the shaped parapets relate to the shaped parapet on the Manor Building, stepped parapets are a design feature that is not utilized on the Manor Building or any of the other buildings at the facility and helps differentiate the building as modern construction. A shaped parapet is utilized on the façade at the main entrance of Building B that faces the Manor Building. The shaped parapet above the façade entry is similar in shape and design to the parapet on the Manor Building but is differentiated with sections of roof coping (rather than continuous) and features a concentric circle panel below the apex. The parapet and entry are flanked by square towers with rectangular recessed panels that somewhat mimic the bell towers, but in a prosaic fashion. A conjectural landscape feature added in relation to the design of Building B is the Classical-inspired concrete balustrade on top of a retaining wall and patio area at the west end of the south side of Building B. This balustrade is designed to match the balustrade that was added to the front approach of the Manor Building in 2004, which was already an added conjectural feature to the Manor. Therefore, although the design of **Building B** includes a conjectural landscape feature, the majority of the design features on Building B do not create a false sense of historical development and this Project element (Building B) **would not conflict** with SOI Standard 3.

Building C: For the proposed construction of Building C, the use of the design elements from the Manor Building including stucco siding, tile roofs, arched wall openings, and balconies are compatible with the Manor Building in order to sustain the character of the existing setting and also maintain a sense of continuity while utilizing compatible elements that are modestly scaled relative to the Manor Building. Additionally, the design, massing and color palette of Building C would be compatible with the style of the existing apartment buildings that were completed in 2004. This Project element (Building C) **would not conflict** with SOI Standard 3.

Meeting Room Addition: The proposed Meeting Room Addition would not add conjectural features or architectural elements from other buildings, but rather includes sympathetic design elements from the Manor Building. Most of the design features, including arched wall openings, arched windows, stucco siding, tile roof, and balconies in the Meeting Room Addition would be differentiated from, but compatible with, the Manor Building in order to sustain the character of the existing setting and also to maintain a sense of continuity while utilizing compatible elements that are scaled relative to the Manor Building. The arched wall openings along the ground floor on the north side of the Meeting Room Addition are similar to those in the Manor Building, but the arch imposts are at different heights. The arched window mullions and frames are thicker and larger in scale than those on the Manor Building and are situated above large two-part fixed windows. The stucco siding and red tile roof is nearly identical, but the Meeting Room Addition lacks the modillion cornice that underscores the Manor Building roof eaves. Unlike the Manor Building, the balconies in the Meeting Room Addition are functional. While the overall design of the Meeting Room Addition is differentiated, but compatible with, the Manor Building, the new Meeting Room Addition may not be readily discernable as new construction because of the sympathetic design elements and color palette, comparable height to the adjacent Manor Building, and its location on the west (secondary) elevation of the Manor Building. Therefore, because the majority of the

design features of the Meeting Room Addition do not create a false sense of historical development, this Project element (Meeting Room Addition) **would not conflict** with SOI Standard 3.

Although the proposed design of the Meeting Room Addition would be differentiated but compatible with the Manor Building and this Project component would not conflict with SOI Standard 3; because of the sympathetic design elements and color palette, comparable height to the adjacent Manor Building, and its location on the west (secondary) elevation of the Manor Building, the new Meeting Room Addition may not be readily discernable as new construction, particularly to members of the general public. Therefore, to further improve the Meeting Room's adherence to SOI Standard 3, it is recommended that the Project Applicant install a cornerstone with a date stamp in the proposed Meeting Room Addition to further differentiate the new construction from the original 1912-constructed Manor Building, in accordance with IM-CUL-1. This Implementation Measure is not required in order for the Meeting Room to meet SOI Standard 3, but rather, is recommended as an optional design improvement.

IM-CUL-1: Meeting Room Cornerstone.

The Meeting Room Addition to the Manor Building should include a cornerstone with the construction date. Details of any additional information to include on the cornerstone shall be determined in consultation with the City of Saratoga.

Fitness Center Addition: The proposed Fitness Center Addition would be compatible with the style of the existing fitness center that was constructed in 2004. The proposed design includes similar stucco siding, tile roofs, rectangular windows, and color palette used in the 2004-constructed fitness center. A connecting breezeway to the existing fitness center features arched wall openings similar to those on the Manor Building, but they would not create a false sense of history. This Project element (Fitness Center Addition) **would not conflict** with SOI Standard 3.

In conclusion, the overall Project **would not conflict** with SOI Standard 3, because none of the Project elements would conflict with this standard.

4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

The predominant change to the property was the campus expansion which occurred in the early 2000s. This expansion included renovating the Manor Building with seismic upgrades and installing new electrical, plumbing, heating and air conditioning systems and ramps to meet the accessibility code. The exterior plaster was repaired or removed, and the building completely covered with new stucco. Changes to the property included the removal of original structures including the old cow barns, gardener's cottage, cook building, and chicken coop buildings; construction of a fitness center with indoor pool; redesign of the front lawn; addition of a park and walking trails, bocce ball court, the Seven Stars Tavern, a large library, beauty and massage salon, a gift shop, arts and crafts rooms, a woodworking center, a computer lab, a wine tasting room, one-bedroom apartments, and two-bedroom cottages; and installation of completely new roadways. As part of the work, the Manor Building was renovated; however, there have been no

changes to the Manor Building that have acquired their own historic significance and that would warrant retention or preservation.

The Project **would not conflict** with SOI Standard 4.

5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.

None of the distinctive techniques or craftsmanship related to the Manor Building's architectural significance would be compromised by the Project.

The construction of **Buildings A, B, and C** and the **Fitness Center Addition** would not directly impact the Manor Building; therefore, these Project elements would not impact its features, finishes, construction techniques, or examples of craftmanship. These Project elements (Buildings A, B, and C and the Fitness Center Addition) **would not conflict** with SOI Standard 5.

Meeting Room Addition: The Meeting Room Addition would attach to the west (secondary) elevation of the Manor Building, obscuring some of the original one-over-one windows and an entry way; however, due to the proportion of these features on a secondary elevation to the quantity represented throughout the entire building and on its primary elevation, the loss of these features would not result in a substantial loss of distinctive features, finishes, construction techniques, or examples of craftsmanship that characterize the property. This Project element (Meeting Room Addition) **would not conflict** with SOI Standard 5.

In conclusion, the overall Project **would not conflict** with SOI Standard 5, because none of the Project elements would conflict with this standard.

6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

The Project would not include work to repair or replace any deteriorated historic features.

The Project **would not conflict** with SOI Standard 6.

7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

There are no chemical or physical treatments proposed for the Project.

The Project **would not conflict** with SOI Standard 7.

8. Significant archeological resources affected by a Project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.

As discussed for Impact CUL-2 below, there do not appear to be any significant archeological resources identified in conjunction with the Manor Building; however, the standard development requirements for inadvertent discoveries would be applicable to the Project and would be implemented by the City.

The Project **would not conflict** with SOI Standard 8.

9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

Per NPS guidance, new construction proposed as part of a rehabilitation project on a site should be compatible with the size, scale, and character of the historic property in order to meet the SOI Standards for Rehabilitation. Most importantly, new construction should not destroy historic features nor significantly alter the historic relationship of the existing building or buildings to their immediate surroundings (NPS 2017: 142).

Building A: The proposed construction of Building A would not result in the destruction of historic materials that characterize the property as the new construction would be physically separate from the Manor Building and its character-defining features within its immediate setting. This Project element (Building A) **would not conflict** with SOI Standard 9.

Building B: The proposed construction of **Building B** would significantly alter the immediate setting of the Manor Building because it would result in the physical destruction of the setback of the building from Odd Fellows Drive, the curvilinear driveway at primary elevation of the Manor Building, the centrally located sloped landscaped area along the primary elevation of the Manor Building, the siting of the building atop a slight rise from Odd Fellows Drive, which are character-defining features of the Manor Building, and would alter the view of the landscaping from the front of the Manor Building which would be removed due to the size, scale, and location of the new building. Construction of Building B would require removal of the curvilinear driveway, clearing all of the landscaping on the sloped landscape area, removal of a substantial volume of soil from the sloped landscape area for the construction of Building B within the former sloped area and within the setback of the Manor Building from Odd Fellows Drive. Grading of this area, construction of Building B, and new vehicular access roads would also diminish the siting of the Manor Building atop a slight rise from Odd Fellows Drive. While Building B would be physically separate from the Manor Building, its construction would destroy character-defining features of the setting of the Manor Building and alter the historic relationship of the Manor Building to its immediate setting. Therefore, this Project element (Building B) **would conflict** with SOI Standard 9.

Building C: The proposed construction of Building C would not result in the destruction of historic materials that characterize the property as the new construction would be physically separate from the Manor Building and its character-defining features within its immediate setting. This Project element (Building C) **would not conflict** with SOI Standard 9.

Meeting Room Addition: The proposed Meeting Room Addition would be connected to the Manor Building by a narrow hyphen on the west side of the building. This addition would be sited along a secondary elevation of the Manor Building and would be set back from the primary north-facing elevation. Some window openings and stucco-clad exterior wall would be removed for the construction of the building hyphen for the addition; however, the removal of historic materials within this area of the Manor Building would not result in a substantial loss of historic materials that characterize the property due to the proportion of these features on a secondary elevation to the quantity represented throughout the entire building and on its primary elevation. However, due to the close proximity to the Manor Building, construction of the Meeting Room Addition could result in damage to the Manor Building and its historic materials from physical impact from construction equipment and vehicles. The Meeting Room Addition size and scale would be slightly subordinate to the Manor Building. The use of the arched wall openings, arched windows, stucco siding, and tile roof in the new addition would be compatible and modestly scaled in relation to the architectural features of the Manor Building in order to sustain the historic integrity of the property and environment while sustaining a sense of design continuity and character. Construction of the proposed Meeting Room Addition alone would not demolish any of the character-defining features of the Manor Building's setting which include the curvilinear driveway (Manor Circle), the sloped landscaped area at the front of the building, the setback of the building from Odd Fellows Drive, or the slight rise of the Manor Building atop the site from Odd Fellows Drive. Therefore, this Project element (Meeting Room Addition) **could conflict** with SOI Standard 9 if damage were to occur during construction.

Fitness Center Addition: The proposed construction of the Fitness Center Addition would not result in the destruction of historic materials that characterize the property as the new construction would be physically separate from the Manor Building and its character-defining features within its immediate setting. This Project element (Fitness Center Addition) **would not conflict** with SOI Standard 9.

In conclusion, the overall Project **would conflict** with SOI Standard 9, because Building B would conflict with this standard and the Meeting Room could conflict with this standard if damage to the Manor Building were to occur during its construction. None of the other Project elements would conflict with SOI Standard 9.

10. *New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

Building A: The new construction of Building A, if removed in the future would not affect the form and historic integrity of the character-defining features of the Manor Building, due to the physical distance of this element from the Manor Building. This project element (Building A) **would not conflict** with SOI Standard 10.

Building B: The proposed construction of **Building B** would result in the permanent and irreversible removal of character-defining features of the setting of the Manor Building. The centrally located sloped landscape along the primary elevation of the Manor Building and the curvilinear driveway would be graded, and a substantial volume of soil would be

removed for the construction of Building B within the former sloped area and within the setback of the Manor Building from Odd Fellows Drive. The grading of this area and construction of Building B and new associated vehicular access roads would also diminish the siting of the Manor Building atop a slight rise from Odd Fellows Drive. If Building B were to be removed in the future, the character-defining features of the setting of the Manor Building and its historic integrity would be severely impaired. Therefore, this Project element **(Building B) would conflict** with SOI Standard 10.

Building C: The new construction of Building C, if removed in the future would not affect the form and historic integrity of the character-defining features of the Manor Building, due to the physical distance of this element from the Manor Building. This project element (Building C) **would not conflict** with SOI Standard 10.

Meeting Room Addition: If the Meeting Room Addition was removed in the future, the essential form and integrity of the Manor Building and its immediate setting would be unimpaired. This Project element (Meeting Room Addition) **would not conflict** with SOI Standard 10.

Fitness Center Addition: The new construction of the Fitness Center Addition, if removed in the future would not affect the form and historic integrity of the character-defining features of the Manor Building, due to the physical distance of this element from the Manor Building. This project element (Fitness Center Addition) **would not conflict** with SOI Standard 10.

In conclusion, the overall Project **would conflict** with SOI Standard 10, because Building B would conflict with this standard. None of the other Project elements would conflict with SOI Standard 10.

SOI Standards Summary and Impact Assessment

Overall, the Project as proposed would not meet SOI Standards 2, 9, and 10, because of the proposed construction of Building B. The proposed construction of the Meeting Room Addition to the Manor Building could also conflict with SOI Standard 9 if damage were to occur during construction.

The other Project elements (Building A, Building C, and the Fitness Center Addition) would meet all of the SOI standards.

The proposed construction of Building B as part of this Project could potentially result in the substantial adverse change to the Manor Building due to the physical demolition, destruction, and alteration of all four of the character-defining features of the setting of the Manor Building to the extent that the physical characteristics of the features that convey its historical significance as a historical resource are materially impaired and would no longer be eligible for inclusion in the CRHR per CEQA 15064.5(b).

The proposed construction of the Meeting Room Addition as part of the Project could potentially result in the substantial adverse change to the Manor Building due to the potential for damage during construction.

Therefore, the Project would cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5 and the impact would be **potentially significant**.

Mitigation Measures

The following mitigation measures are recommended to reduce impacts to the Manor Building historical resource:

MM-CUL-1a: Historical Resource Protection Plan

A. Prior to construction, the Project proponent shall prepare a Historical Resource Protection Plan, under the oversight of an architectural historian and/or historian meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61). The Historical Resource Protection Plan shall be implemented throughout the duration of construction activities, and shall include, but not be limited to, the following measures:

*i. **A pre-construction survey** on the Manor Building shall be conducted by an architectural historian who meets the Secretary of the Interior's Historic Preservation Professional Qualification Standards. The pre-construction survey shall establish a baseline of existing conditions of exterior of the Manor Building with written descriptions, photographs, and sketches of all cracks, spalling, or similar damage.*

*ii. **A vibration management and continuous monitoring plan** shall be developed and adopted to protect the Manor Building against damage caused by vibration during project construction. The vibration management and monitoring plan related to the Manor Building shall be submitted to the Planning Division prior to issuance of any grading or building permits. The vibration management and monitoring plan shall be at the direction of the qualified structural engineer and shall constitute a blended approach, using both optical survey targets and crack monitors. Use of optical survey targets and crack monitors during construction shall measure whether construction vibration is approaching levels where damage to the historical resource may be possible. The vibration management and monitoring plan shall include site visits every six months by an architectural historian who meets the Secretary of the Interior's Historic Preservation Professional Qualification Standards, during the duration of construction to survey and record any changes to the exterior of the Manor Building. Construction methods shall be reevaluated if measurements and levels of vibration are found to exceed the levels established in the vibration management and monitoring plan and/or if damage to the historical resource may be possible.*

*iii. **Pre-construction fencing** shall be installed at construction zones around the perimeter of the Manor Building to prevent damage to the building from physical impact of construction equipment and/or vehicles. Such fencing shall be maintained throughout the duration of the construction periods for Building B and the Meeting Room Addition but shall allow for pedestrian access to and from the Manor Building by residents and others. If it is necessary to temporarily remove the fencing for logistical reasons, the physical and temporal*

extent of removal shall be minimized to the extent necessary for the task, and the unfenced area shall be monitored by a spotter until the fencing is replaced.

iv. ***A post-construction survey*** *on the Manor Building shall be conducted by an architectural historian who meets the Secretary of the Interior's Historic Preservation Professional Qualification Standards. The post-construction survey shall report any changes that occurred to the exterior of the Manor Building during construction with written descriptions, photographs, and of all pre-construction survey areas that expanded during construction and/or any new cracks, spalling, or similar damage that occurred during construction. If the post-construction survey report documents any damage as a result of Project construction, the architectural historian shall make recommendations for the method of repair for such damage to pre-construction condition, in accordance with the Secretary of the Interior's Standards for Rehabilitation. The Project Applicant shall implement the recommended repairs under the oversight of the architectural historian at the Project Applicant's expense.*

The proposed Project (in particular the construction of the Meeting Room Addition and Building B) could result in construction damage to the Manor Building that could result in a potentially significant impact to the historical resource. Implementation of Mitigation Measure MM-CUL-1a would require preparation of a Historical Resource Protection Plan that includes protocols to be followed before, during, and after construction of the Meeting Room Addition and other Project elements to ensure that the Project is undertaken in a consistent manner with the requirements of the SOI Guidelines, and that any incidental damage to the historical resource that might occur during construction is repaired in accordance with the SOI Guidelines. With implementation of MM-CUL-1a, the Meeting Room Addition would be consistent with SOI Standard 9.

MM-CUL-1b: Archival Documentation (HABS/HALS)

A. Prior to the initiation of any construction activities, the Manor Building and its associated character-defining features on the Project site shall be documented in accordance with the guidelines established for the Historic American Building Survey/Historic American Landscape Survey (HABS/HALS) program. At a minimum, archival documentation shall include:

- *i. Large-format photographs of any areas of the Manor Building and its setting that would be altered (e.g., secondary west elevation, spatial relationship to Odd Fellows Drive)*
- *ii. Written narrative following HABS/HALS short format outline*
- *iii. Sketch plan of the Manor Building site, including any areas of the Manor Building and its setting that would be altered*

B. An architectural historian and/or historian meeting the Secretary of the Interior's Professional Qualification Standards (36 CFR Part 61) shall oversee the preparation of the archival documentation. The Level III HABS-equivalent documentation shall cover the Manor Building, along with associated features, spaces, and landscaping that would be altered.

C. Archival-quality prints of the documentation shall be submitted to the City for archival and educational purposes. Additional print copies shall be made available to other local research institutions including the Saratoga Public Library.

The proposed construction of Building B would also result in a substantial adverse change to the Manor Building because it would result in the physical demolition, destruction, and alteration of all four of the character-defining features of the setting of the Manor Building to the extent that the physical characteristics of the resources that convey its historical significance as a historical resource are materially impaired and would no longer be eligible for inclusion in the CRHR. Implementation of MM-CUL-1b, Archival Documentation, would record these features for archival and educational purposes, but would not mitigate the Project impacts to a less-than-significant level. Therefore, even with implementation of MM-CUL-1b, the proposed construction of Building B would still not meet SOI Standards 2, 9, and 10.

MM-CUL-1c: Interpretive Program

A. The Manor Building and its associated features on the Project site shall be commemorated in an interpretive program, the details of which shall be determined in consultation with the City. The interpretive program may include, but shall not be limited to:

- *Exhibit, website, pamphlet or similar*
- *Historical displays*

The proposed construction of Building B would result in a substantial adverse change to the Manor Building because it would result in the physical demolition, destruction, and alteration of all four of the character-defining features of the setting of the Manor Building to the extent that the physical characteristics of the resources that convey its historical significance as a historical resource are materially impaired and would no longer be eligible for inclusion in the CRHR. Implementation of MM-CUL-1c, Interpretive Program, would commemorate the Manor Building for the public, but would not mitigate Project impacts to a less-than-significant level. Therefore, even with implementation of MM-CUL-1c, the proposed construction of Building B would still not meet SOI Standards 2, 9 and 10.

As discussed above, implementation of recommended Mitigation Measures MM-CUL-1a though MM-CUL-1c would reduce some of the impacts of the Project on historical resources, by allowing the proposed Meeting Room Addition to conform with SOI Standard 9. However, even with implementation of the recommended mitigation measures, the proposed Building B would not conform with SOI Standards 2, 9, and 10, and therefore would not reduce the impact of the Project to a less-than-significant level.

The only other potentially feasible mitigation measure that could reduce the Project's impact to a less-than-significant level would be to avoid the proposed construction of Building B altogether. This option is assessed in Section 4.5 of this EIR as an Alternative to the Project, and therefore is not recommended as a mitigation measure for the Project. No other feasible mitigation measures are available to further reduce the impact of Building B under the proposed Project.

For this reason, the impact of the Project on historical resources would be **significant and unavoidable.**

Impact CUL-2: Adverse Change to Archaeological Resources

Impact CUL-2 would be **potentially significant**. However, with implementation of mitigation measure MM-CUL-2 the impact would be reduced to **less than significant with mitigation**.

Standards of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would cause a substantial adverse change in the significance of an archaeological resource pursuant Section 15064.5. “Substantial adverse change” is defined in CEQA Guidelines Section 15064.5(b), as detailed in Section 3.5.2 above.

Impact Analysis

Soils in the Project area are comprised of Urban Land-Flaskan complex, 0 to 2 percent slopes. “Urban Land” suggests the Project area is highly developed and modified by humans. Flaskan series soils are deep, well-drained soils formed on alluvial fans (National Cooperative Soil Series 2009). The underlying alluvial landform is Pleistocene to Pliocene in age (Dibblee and Minch 2007).

The Project area has low sensitivity for buried precontact archaeological deposits based on the pre-Holocene age of the mapped soils and geology, the negative records search results, and the negative pedestrian survey results for precontact resources. Based on the development history of the property and the results of the pedestrian survey, there is a low to moderate potential for encountering intact historic-period features associated with the Odd Fellows Home. Although specific features such as potential privies, wells, or other hollow-fill features were not identified during the survey or background research, highly disturbed historic-period refuse was identified during the survey within the footprint of proposed Building C. Although the Project site is largely disturbed and the potential for encountering intact archaeological resources is generally low, implementation of the Project could uncover as yet unrecorded subsurface precontact and historic period archaeological resources on the Project site. Such impacts could be **potentially significant.**

The following mitigation measure is recommended to reduce impacts to subsurface cultural resources on the Project site:

MM-CUL-2: Inadvertent Discovery Protocols

A. Prior to the start of earthmoving activities, the Project Applicant shall retain a qualified archaeologist and a representative from the Tamien Nation to develop and implement Archaeological Awareness and Tribal Cultural Resources Sensitivity Training and to develop a Monitoring and Treatment Plan in coordination with the City.

i. The training shall include information regarding the possibility of encountering buried cultural resources (including tribal cultural resources), the appearance and types of resources likely to be seen during construction, notification procedures, and proper protocols to be followed should suspected or confirmed resources be encountered. This training shall be provided to all workers prior to their involvement in ground-disturbing activities throughout the duration of construction and shall be documented in training records.

ii. The Monitoring and Treatment Plan shall include a project description, background information and context, definitions of monitoring roles and requirements for the project, protocols for discoveries during project work, a list of research questions, and specifications for treatment of finds, including scope of analysis, appropriate analytical techniques, and directions for curation and/or repatriation. This document also describes necessary documentation during project work (e.g., monitoring logs), and defines reporting requirements for results.

B. The Project Applicant shall retain a Tamien Nation tribal cultural resources monitor to undertake construction monitoring during initial ground disturbing activities within native soils. Monitoring is not required for redisturbance of soils that have already been monitored. The Project Applicant shall also retain a qualified archaeologist to be on-call during construction and/or to be present for monitoring of initial ground disturbing activities.

C. In the event that prehistoric or historic resources (or suspected resources) are encountered during project construction, all activity within a 50-foot radius of the find shall be stopped, the Project Applicant's Project Manager or designee and the City Planning Department shall be notified, and the Tamien Nation tribal monitor and the on-call archaeologist shall examine the find. Project personnel shall not collect or move any cultural material. The archaeologist, in collaboration with the Tamien Nation tribal representative, shall evaluate the find(s) to determine if it meets the definition of a historical, unique archaeological, and/or tribal cultural resource, and follow the further procedures outlined below:

i. If the find(s) does not meet the definition of a historical resource or unique archaeological resource, no further study or protection is necessary prior to resuming Project implementation.

ii. If the find(s) does meet the definition of a historical resource or unique archaeological resource, then it shall be avoided by Project activities. If avoidance is not feasible, as determined by the City, the qualified archaeologist, in collaboration with the Tamien Nation tribal representative, shall make appropriate recommendations regarding the treatment and disposition of such finds, and significant impacts to such resources shall be mitigated in accordance with the recommendations of the archaeologist, in collaboration with the Tamien Nation tribal representative, prior to resuming construction activities within the 50-foot radius.

iii. If the find(s) is potentially a tribal cultural resource, then the Tamien Nation tribal representative shall be consulted. If, after consultation with the Tamien Nation, it is determined that the find(s) is a tribal cultural resource, then the find(s) shall be avoided by Project activities. If avoidance is not feasible, as determined by the City, the qualified archaeologist, in consultation with tribal representatives and the City, shall make appropriate recommendations regarding the treatment and disposition of such finds and significant impacts to such resources shall be mitigated in accordance with the recommendations of the archaeologist, and

reasonably agreed upon by the Tamien Nation, prior to resuming construction activities within the 50-foot radius.

iv. *If the find(s) are human remains or grave goods, the requirements of PRC Section 5097.98, California Health and Safety Code Sections 7050.5, 7051, and 7054, and CEQA Guidelines Section 15064.5(e), shall be followed.*

v. *Recommendations for treatment and disposition of finds could include, but are not limited to, the collection, recordation, and analysis of any significant cultural materials, or the turning over of tribal cultural resources to tribal representatives for appropriate treatment. A report of findings documenting any data recovery shall be submitted to the Northwest Information Center (NWIC). A redacted report of findings shall be submitted to the City's Planning Department.*

D. *Reasonable efforts should be made to ensure that fill soils used for this Project do not contain archaeological materials. If it is found that fill soils used for construction purposes do contain archaeological materials, a different source of fill materials must be retained immediately.*

E. *The Project Applicant shall fabricate and install an interpretive panel or plaque as part of the public trail connection along Odd Fellows Drive, acknowledging the tribal history and indigenous peoples of the area. The content of the panel shall be developed in consultation with the City and Tamien Nation tribal representatives.*

Mitigation measure MM-CUL-2, which requires that specified procedures be followed if precontact or historic period archaeological resources are encountered during Project construction, is recommended to reduce impacts to subsurface cultural resources on the Project site. This mitigation measures would require stoppage of work while a qualified archaeologist evaluates the find to determine if it meets the definition of a historical or archaeological resource, and that the archaeologist's recommendations regarding the disposition of such finds be implemented. Therefore, with implementation of MM-CUL-2, Project impacts to subsurface cultural resources would be reduced to **less than significant with mitigation**.

Impact CUL-3: Disturbance of Human Remains

Impact CUL-3 would be **less than significant**. No mitigation would be required.

Standards of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would disturb human remains, including those interred outside of dedicated cemeteries.

Impact Analysis

Human burials, in addition to being potential archaeological resources, have specific provisions for treatment in Section 5097.98 of the California PRC. The California Health and Safety Code (Sections 7050.5, 7051, and 7054) has specific provisions for the protection of human burial remains. Existing regulations address the illegality of interfering with human burial remains, and protects them from disturbance, vandalism, or destruction, and established procedures to be implemented if Native American skeletal remains are discovered. PRC Section 5097.98 also addresses the disposition of Native American burials, protects such remains, and established the NAHC to resolve any related disputes.

The Project site has a low sensitivity for buried Native American archaeological deposits and cultural materials, which could include human remains. However, human remains can be encountered in fill, re-deposited, or disturbed soils, as well as intact soils. If human remains were uncovered during demolition activities, the procedures in California Health and Safety Code Sections 7050.5, 7051, and 7054, PRC Section 5097, and CEQA Guidelines Section 15064.5(e) would be followed, which would reduce potential impacts to **less than significant**.

3.5.4 Cumulative Impacts and Mitigation

This section addresses the following potential cumulative impacts[19] relating to cultural resources:

- **Impact C-CUL-1:** Contribution to cumulative effects to historical resources.
- **Impact C-CUL-2:** Contribution to cumulative effects to archaeological resources and human remains.

These cumulative impacts are addressed in turn, below.

Cumulative Impact C-CUL-1: Impacts to Historical Resources

The overall cumulative impact for C-CUL-1 would be **significant.** Even with implementation of MM-CUL-1a through MM-CUL-1c, the Project's contribution would be **cumulatively significant**.

Cumulative Context

The cumulative context for historical resources would be any past, present, or reasonably foreseeable future projects that have or would significantly impact the Manor Building or its setting, or historical resources that may share the Manor Building's historic or architectural contexts and significance.

Cumulative Impact Analysis

None of the reasonably foreseeable future projects identified in Section 3.1.2 have the potential to adversely affect the Manor Building or any of the character-defining features of its setting. The closest of the identified cumulative projects is the potential development of senior low-income housing on the adjacent Fellowship Plaza property, approximately 650 feet east of the Manor Building. Future development on the Fellowship Plaza property would not modify the Manor Building or cause changes to its setting, due to the distance between the adjacent property and the Manor Building. Further, there are no known historical resources in the project vicinity that share the Manor Building's historic or architectural contexts or significance that may be impacted by cumulative projects.

As discussed in Section 3.5.3 (Impact CUL-1) the Project would adversely impact the Manor Building and its setting and would result in the Manor Building no longer being eligible for listing on the CRHR, which would be a significant and unavoidable impact of the Project. However, because there are no other cumulative projects that would affect historical resources, the effects of the Project would not combine with the impacts of other current or future projects to cause

[19] Note that Project-level impacts have been combined for the purposes of cumulative analysis. Cumulative impact C-CUL-2 addresses the same issues as Project-level impacts CUL-2 and CUL-3.

additional cumulative impacts beyond the significant and unavoidable project-level impact discussed previously. The overall cumulative impact would be less than significant.

Cumulative Impact C-CUL-2: Impacts to Archaeological Resources or Human Remains

The overall cumulative impact for C-CUL-2 would be **potentially significant.** Implementation of mitigation measure MM-CUL-2 would reduce the Project's contribution to **less than significant**.

Cumulative Context

The cumulative context for archaeological resources and human remains addresses the impacts of the Project along with other closely related past, present, and reasonably foreseeable probable future Projects, and specifically focuses on local developments in Saratoga that could potentially change the environment by affecting archaeological resources or human remains.

Cumulative Impact Analysis

Past, present, and future developments within the City could impact known or unknown archaeological resources and/or human remains, depending on the proximity to known resources, sensitivity of the Project area, and the extent of the proposed ground-disturbing activities. Such impacts would be **potentially significant**; however, for other developments that would have potentially significant impacts on cultural resources, similar mitigation measures described herein would be imposed on those other developments consistent with the requirements of CEQA, along with requirements to comply with all applicable laws and regulations governing said resources, which would minimize impacts to cultural resources. Therefore, cumulative impacts on cultural resources would be less-than-significant and would not be cumulatively considerable. Furthermore, existing laws relating to the treatment of human remains would apply to all Projects. If human remains were uncovered during activities for other projects, the procedures in California Health and Safety Code Sections 7050.5, 7051, and 7054, PRC Section 5097, and CEQA Guidelines Section 15064.5(e) are required to be followed. With implementation of such mitigation measures, the cumulative effects on archaeological resources or human remains would be less than significant. Therefore, the overall cumulative impact due to the Project and reasonably foreseeable development would be **less than significant with mitigation**.

Cumulative Mitigation Measures

See MM-CUL-2 in Section 3.5.3 above.

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3.6 Energy

This section describes the existing energy setting of the Project area and evaluates the potential for the Project to result in the wasteful, inefficient, and unnecessary consumption of energy; and whether the Project would conflict with a plan for renewable energy or energy efficiency.

Energy efficiency is a possible indicator of environmental impacts. The actual adverse physical environmental effects of energy use and the efficiency of energy use are detailed throughout this EIR in the environmental topic–specific sections. For example, the use of energy for transportation leads to air pollutant emissions, the impacts of which are addressed in Section 3.2, *Air Quality*, of this EIR. The use of energy for electricity leads to indirect GHG emissions, the impacts of which are addressed in Section 3.7, *Greenhouse Gas* Emissions, of this EIR. There is no physical environmental effect associated with energy use that is not addressed in the environmental topic-specific sections of this EIR.

The following comments relating to renewable energy were received during the public scoping period in response to the Notice of Preparation:

- Request that regulations pertaining to the installation of solar panels on new residential buildings be addressed.

3.6.1 Environmental Setting

Statewide and Regional

In 2020, California generated a total of 272,576 gigawatt-hours of electricity, of which approximately 190,913 gigawatt-hours were generated in-state (CEC 2022a). The total non-residential and residential electricity consumption for Santa Clara County in 2020 was estimated to be approximately 16,436 gigawatt-hours (CEC 2022b).

In 2020, California consumed approximately 2,144 trillion British thermal units (Btu) of natural gas, of which the majority was delivered to consumers which include residential, commercial, industrial, vehicle fuel, and electric power uses (EIA 2022). The total non-residential and residential natural gas consumption for Santa Clara County in 2020 was estimated to be approximately 418 million therms (CEC 2021c).

Electrical and natural gas service in Santa Clara County is provided by the Pacific Gas & Electric Company (PG&E). In 2020, PG&E delivered approximately 78,519 gigawatt-hours of electricity within its service area (California Energy Commission 2022d). PG&E's total natural gas throughput was approximately 849,705 million cubic feet in 2021 (PG&E 2021). PG&E provides power from a variety of sources: biomass and waste, geothermal, small and large hydroelectric, solar, wind, natural gas, and nuclear (PG&E 2021). Based on information provided by the Project Applicant, the existing buildings at the Project site receive power through the community choice aggregation program, the Silicon Valley Clean Energy. Silicon Valley Clean Energy program provides 100 percent greenhouse gas emissions free electricity to participating customers, including the City. In 2017, the City began purchasing 100 percent renewable electricity from Silicon Valley Clean Energy for all municipal facilities (City of Saratoga 2020a).

Transportation is the largest energy-consuming sector in California, accounting for approximately 39 percent of all energy use in the state in 2019 (EIA 2022). More motor vehicles

are registered in California than in any other state, and commute times in California are among the greatest in the country (EIA 2021a). Gasoline and diesel fuel constitute 50 and 16 percent of petroleum-based fuels consumed in California, respectively (EIA 2021b). While gasoline and diesel fuels remain the primary fuels used for transportation in California, the types of transportation fuel have diversified in California and elsewhere. Various statewide regulations and plans (e.g., Low Carbon Fuel Standard, AB 32 Scoping Plan) encourage the use of a variety of alternatives to reduce demand for petroleum-based fuel. Depending on the vehicle capability, conventional gasoline and diesel are increasingly being replaced by alternative transportation fuels including biodiesel, electricity, ethanol, hydrogen, natural gas, and other synthetic fuels. California has a growing number of alternative fuel vehicles through the joint efforts of the California Energy Commission (CEC), CARB, local air districts, federal government, transit agencies, utilities, and other public and private entities. By the end of September 2021, California drivers owned almost 931,000 electric and plug-in hybrid vehicles (EIA 2022).

3.6.2 Regulatory Framework

The federal, state, and local regulatory background of energy plans, policies, regulations, and laws is presented below. Generally, these plans, policies, regulations, and laws do not directly apply to the Project, but are presented to provide context to the regulatory framework.

Federal

Energy Policy and Conservation Act of 1975

The Energy Policy and Conservation Act of 1975 established the first fuel economy standards for on-road motor vehicles sold in the United States. The NHTSA is responsible for establishing standards for vehicles and revising the existing standards. The Corporate Average Fuel Economy program was created to determine vehicle manufacturers' compliance with the fuel economy standards. The USEPA administers the testing program that generates the fuel economy data.

National Energy Act of 1978

The National Energy Act of 1978 includes the Public Utility Regulatory Policies Act (Public Law 95-617), Energy Tax Act (Public Law 95-318), National Energy Conservation Policy Act (Public Law 95-619), Power Plant and Industrial Fuel Use Act (Public Law 95-620), and Natural Gas Policy Act (Public Law 95-621).

The intent of the National Energy Act was to promote greater use of renewable energy, provide residential consumers with energy conservation audits to encourage slower growth of electricity demand, and promote fuel efficiency. The Public Utility Regulatory Policies Act created a market for nonutility electric power producers to permit independent power producers to connect to their lines and to pay for the electricity that was delivered.

The Energy Tax Act promoted fuel efficiency and renewable energy through taxes and tax credits. The National Energy Conservation Policy Act required utilities to provide residential consumers with energy conservation audits and other services to encourage slower growth of electricity demand.

Energy Policy Acts of 1992 and 2005

The Energy Policy Act of 1992 was enacted to reduce dependence on imported petroleum and improve air quality by addressing all aspects of energy supply and demand, including alternative fuels, renewable energy, and energy efficiency. This law requires certain federal, state, and local government and private fleets to purchase alternate fuel vehicles. The act also defines "alternative fuels" to include fuels such as ethanol, natural gas, propane, hydrogen, electricity, and biodiesel.

The Energy Policy Act of 2005 was enacted on August 8, 2005. This law set federal energy management requirements for energy-efficient product procurement, energy savings performance contracts, building performance standards, renewable energy requirements, and use of alternative fuels. The Energy Policy Act of 2005 also amends existing regulations, including fuel economy testing procedures.

Energy Independence and Security Act of 2007

Signed into law in December 2007, the Energy Independence and Security Act was enacted to increase the production of clean renewable fuels; increase the efficiency of products, buildings, and vehicles; improve the federal government's energy performance; and increase U.S. energy security, develop renewable fuel production, and improve vehicle fuel economy. The Energy Independence and Security Act included the first increase in fuel economy standards for passenger cars since 1975. The act also included a new energy grant program for use by local governments in implementing energy-efficiency initiatives, as well as a variety of green building incentives and programs.

Executive Order 13514

On October 5, 2009, President Barack Obama signed Executive Order 13514, Federal Leadership in Environmental, Energy, and Economic Performance (Title 3, Section 13514 of the Code of Federal Regulations). The executive order set sustainability goals for federal agencies and focuses on improving their environmental, energy, and economic performance. The executive order required agencies to meet a number of energy, water, and waste reduction targets.

Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards

On May 7, 2010, the final Light-Duty Vehicle GHG Emissions Standards and Corporate Average Fuel Economy Standards were published in the Federal Register. Phase 1 of the emissions standards required that model year 2012–2016 vehicles meet an estimated combined average emissions level of 250 grams of carbon dioxide (CO_2) per mile, which is equivalent to 35.5 miles per gallon, if the automobile industry were to meet this CO_2 level solely through fuel economy improvements.

On March 31, 2022, the NHTSA finalized the Corporate Average Fuel Economy Standards for model years 2024-2026. The final rule establishes standards that would require an industry-wide fleet average of approximately 49 miles per gallon for passenger cars and light trucks in model year 2026, by increasing fuel efficiency by 8 percent annually for model years 2024 and 2025, and 10 percent annually for model year 2026.

Heavy-Duty Engine and Vehicle Standards

In September 2011, in response to a Presidential Memorandum issued in May 2010, USEPA in coordination with NHSTA issued GHG emissions and fuel economy standards for medium and heavy-duty trucks manufactured in model years 2014-2018, known as Phase 1 GHG Rule.

In October 2016, USEPA and NHTSA jointly finalized Phase 2 standards for medium- and heavy-duty vehicles through model year 2027 that will improve fuel efficiency and cut carbon pollution to reduce the impacts of climate change, while bolstering energy security and spurring manufacturing innovation.

On March 28, 2022, USEPA published a proposed rule that would set new, more stringent standards to reduce pollution from heavy-duty vehicles and engines starting in model year 2027. This proposal is consistent with President Biden's Executive Order, "Strengthening American Leadership in Clean Cars and Trucks" and would ensure the heavy-duty vehicles and engines that drive American commerce are as clean as possible while charting a path to advance zero-emission vehicles in the heavy-duty fleet.

Renewable Fuel Standard Program

Created by the Energy Policy Act of 2005, which amended the federal Clean Air Act, the Renewable Fuel Standard Program established requirements to replace certain volumes of petroleum-based fuels with renewable fuels. The four renewable fuel types accepted as part of the Renewable Fuel Standard Program are biomass-based diesel, cellulosic biofuel, advanced biofuel, and total renewable fuel. The 2007 Energy Independence and Security Act expanded the program and its requirements to include long-term goals of using 36 billion gallons of renewable fuels and extending annual renewable-fuel volume requirements to year 2022. "Obligated parties," such as refiners and importers of gasoline or diesel fuel must meet specific blending requirements for the four renewable fuel types. The USEPA implements the program in consultation with U.S. Departments of Agriculture and Energy. The obligated parties are required to demonstrate their compliance with the Renewable Fuel Standard Program.

State

Senate Bills 1078 and 107, Executive Orders S-14-08 and S-21-09, and Senate Bills 350 and 100

Senate Bill (SB) 1078 (Chapter 516, Statutes of 2002) required retail sellers of electricity, including investor-owned utilities and community choice aggregators, to provide at least 20 percent of their supply from renewable sources by 2017. SB 107 (Chapter 464, Statutes of 2006) changed the target date to 2010.

Executive Order S-14-08 expanded the state's Renewables Portfolio Standard to 33 percent renewable power by 2020. Executive Order S-21-09 directs the CARB, under its AB 32 authority, to enact regulations to help the state meet its Renewables Portfolio Standard goal of 33 percent renewable energy by 2020.

The 33 percent-by-2020 goal and requirements were codified in April 2011 with SB X1-2. This new Renewables Portfolio Standard applies to all electricity retailers in the state, including publicly owned utilities, investor-owned utilities, electricity service providers, and community choice aggregators. SB 350 (2015) increased the renewable-source requirement to 50 percent by 2030. This was followed by SB 100 in 2018, which further increased the Renewables Portfolio

Standard to 60 percent by 2030 and added the requirement that all state's electricity come from carbon-free resources by 2045.

California Green Building Standards Code

In January 2010, the State of California adopted the California Green Building Standards Code (also known as CALGreen), which establishes mandatory green building standards for all buildings in California. The code covers five categories: planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and indoor environmental quality. These standards include a set of minimum requirements and more rigorous voluntary measures for new construction projects to achieve specific green building performance levels. This code went into effect as part of local jurisdictions' building codes on January 1, 2011. CALGreen goes through an update and approval process by the California Energy Commission every three years. The most recent 2022 CALGreen became effective on January 1, 2023. The City has adopted the 2022 CALGreen by reference, with specific amendments, and codified them in Chapter 16-49 of the Municipal Code.

Executive Order B-18-12

Executive Order B-18-12 orders all new State buildings and major renovations beginning design after 2025 be constructed as Zero Net Energy facilities. The Executive Order sets an interim target for 50 percent of new facilities beginning design after 2020 to be Zero Net Energy. It directs State agencies to take measures toward achieving Zero Net Energy for 50 percent of the square footage of existing State-owned building area by 2025.

Local

City of Saratoga General Plan

Multiple chapters of the City's General Plan contain policies pertaining to improving air quality and transportation strategies, many of which would also result in co-benefits with reducing energy consumption. Specifically, the Open Space and Conservation Element (City of Saratoga and Land Use Element of the City's General Plan[20] (City of Saratoga 2007) include goals and policies designed to help improve air quality within the City. Additionally, trip reduction strategies are addressed in the Circulation and Scenic Highway Element. To reduce vehicle traffic and congestion within the City, the Circulation Element and Scenic Highway Element includes policies to encourage the use of alternative forms of transportation and strategies including promoting bicycling, walking, and transit use, which would reduce single-occupant vehicle VMT and associated petroleum consumption.

The City included the following goals and policies related to energy in the Land Use Element of the City's General Plan (City of Saratoga 2007):

[20] In February 2018, the City of Saratoga began the process of making minor policy updates to three elements of the City's General Plan (Land Use, Circulation, and Open Space & Conservation) and formatting the elements to provide a cohesive document. These updated elements are collectively known as the "2040 General Plan Update" but have not yet been adopted. In addition, the City is currently in the process of updating its Housing Element for the "6th Cycle" planning period extending from January 31, 2023 through January 31, 2031, and updating its Safety Element to reflect the updated Housing Element. On February 28, 2022 the City published a Notice of Preparation of a Draft Program Environmental Impact Report for the 6th Cycle Housing Element, Safety Element, and 2040 General Plan Update. At present, there is no confirmed timeframe for completion and certification of the Program EIR and adoption of the updated General Plan elements; therefore, the policies cited within this EIR reflect the current General Plan Elements.

Goal LU 6: Protect natural resources and amenities through appropriate land use and related programs.

Policy 6.5: Encourage the use of renewable resources and energy conservation.

City of Saratoga Municipal Code

Chapter 16, Article 16-47, *Green Building Regulations*. The purpose of this article is to promote the environmental sustainability of natural resources, including reducing the energy consumption needs of structures by making use of efficient construction methods.

Chapter 16, Article 16-49, *Green Building Standards Code*. The purpose of this article is to adopt the 2022 CALGreen, Title 24, Part 11 as the Green Building Standards Code of the City.

Chapter 16, Article 16-51, *Energy Code*. This article adopts by reference the 2019 California Energy Code; and makes specific amendments applicable in the City. Section 16-51.015 requires all newly constructed buildings to use electricity for space and water heating instead of natural gas.

City of Saratoga Climate Action Plan

In December 2020, the City adopted Climate Action Plan 2030. Climate Action Plan 2030 compiles existing and potential actions that the City's government and the community can take to address climate change. Climate Action Plan 2030 includes the following actions related to energy consumption and renewable energy:

- RE-1: GHG-Free Electricity. Support Silicon Valley Clean Energy in the continued delivery of 100% greenhouse gas free electricity and its 100% renewable electricity option (which is also 100% GHG-free).
- RE-2: Renewable Energy Generation and Storage. Accelerate installation of solar and other renewable energy installations and energy storage systems at residential and commercial buildings and sites and community facilities through the following provisions:
  - Provide solar permit streamlining and reduce or eliminate fees, as feasible.
  - Amend building codes, development codes, design guidelines, and zoning ordinances, as necessary, to facilitate small (up to 10 kilowatt [kW] direct current), medium (10 to 250 kW direct current), and large-scale (over 250 kW direct current) solar power installations.
  - Encourage installation of solar panels on rooftops and over parking areas on commercial projects, schools, and residential developments.
  - Identify and promote incentives and financing and loan programs for residential and nonresidential solar projects.
  - Encourage installation of battery storage in conjunction with renewable energy generation projects.
- RE-3: Building and Appliance Electrification. Promote electrification of building systems and appliances that currently use natural gas, including heating systems, hot water heaters, stoves, and clothes dryers. See also Action EE-1 in the Energy Efficiency section.

- RE-4: Innovative Technologies. Investigate and pursue or adopt policies to allow the commercial and residential sectors to pursue innovative technologies such as microgrids (a group of interconnected loads and distributed energy resources that can disconnect from the grid and operate independently in “island mode”), battery storage, and demand-response programs that will improve the electric grid’s resiliency and help to balance demand and renewable energy production.
- RE-5: Municipal 100% Renewable Electricity. Continue to purchase Silicon Valley Clean Energy 100% GHG-free and renewable energy for all facilities.
- EE-1: Green Building Reach Code. Implement the City’s green building ordinance that requires all new residential and non-residential buildings to use electric heat pump technology for their space and water heating and requires natural gas appliances, if installed, to be electric-ready.
- EE-2: Energy Efficiency. Promote and expand participation in residential and commercial energy efficiency and electrification programs.
- EE-3: Public Lighting. Replace energy-inefficient street, parking lot, and other municipal outdoor lights with light-emitting diode lights.
- EE-4: Municipal Energy Efficiency Audit and Retrofits. Identify and implement energy efficiency projects in municipal buildings and facilities and electrification of existing building systems and equipment that use natural gas.

3.6.3 Project Impacts and Mitigation

This section addresses the following potential impacts relating to energy:

- Impact ENE-1: Would the Project result in wasteful, inefficient, or unnecessary consumption of energy resources?
- Impact ENE-2: Would the Project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Impact ENE-1: Wasteful, Inefficient, or Unnecessary Consumption of Energy Resources

Impact ENE-1 would be **less than significant**. No mitigation is required.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation.

Impact Analysis

Construction

Project construction would consume energy associated with the use of transportation fuels (e.g., gasoline, diesel fuel). Transportation energy use during construction would come from the transport and use of construction equipment (off-road), delivery and haul trucks (on-road), and construction employee passenger vehicles and shuttles (on-road). Construction-related

transportation energy use depends on the type and number of trips, VMT, fuel efficiency of vehicles, and travel mode. The majority of construction equipment during excavation, site work, building construction, and paving would be gas or diesel powered. The use of fuel by on-road and off-road vehicles would be temporary and would fluctuate according to the phase of construction. Construction fuel use for the Project would cease upon completion of the construction activities.

Table 3.6-1 shows the estimated total and annual energy consumption as a result of the fuel used during Project construction activities. The annual energy consumption was estimated using the CalEEMod CO_2 emissions calculations for the proposed construction activities and application of the U.S. Energy Information Administration's CO_2 emissions coefficients (EIA 2021c) to estimate fuel consumption for construction activities. Additional modeling assumptions and more details are provided in Section 3.2, *Air Quality*, and **Appendix C.**

Table 3.6-1 Construction-Related Energy Consumption

Fuel Type	Total Energy Requirement (gallons)	Annual Energy Requirement (gallons) [1]	Energy Consumption (MMBtu)
Diesel	114,745	3,816	527
Gasoline	36,720	1,224	153

*Source: Estimated by AECOM. See **Appendix C** for detailed modelling assumptions, outputs, and results.*
Notes:
MMBtu/year = million British thermal units per year

[1] Since construction-related energy demand would cease upon completion of construction, energy demand associated with construction of the Project was amortized over the Project lifetime. The assumed amortization period is 30 years, based on the typically assumed project lifetime based on other air districts (e.g., South Coast Air Quality Management District [2008]).

Based on the anticipated phasing of the Project construction activities, the anticipated equipment and construction work staff, the temporary nature of construction, and the project type, the Project would not include unusual characteristics that would necessitate the use of construction equipment that is less energy-efficient than the equipment used at comparable construction sites.

In addition, construction contractors are required, in accordance with MM-AIR-2 (see Section 3.3.3) and the CARB Airborne Toxic Control Measure for Diesel-Fueled Commercial Motor Vehicle Idling, to minimize the idling time of construction equipment by shutting equipment off when it is not in use or reducing the idling time to 5 minutes. Per MM-AIR-2, construction contractors would also be required to maintain and properly tune all construction equipment in accordance with the manufacturer's specifications. Further, the Project would also ensure that a minimum of 65 percent of the solid waste generated during construction activities would be diverted from landfill disposal as required by the current version of the CALGreen. These required practices would limit wasteful and unnecessary energy consumption. Therefore, this impact would be **less than significant**.

Operation

Operation of the Project would result in energy consumption from building operations (e.g., building heating and cooling, lighting, appliances) and transportation fuel (e.g., fuel usage for vehicle trips from residents, employees, and visitors). As described in Section 3.3.1, the proposed new buildings would be all-electric, i.e., no natural gas infrastructure in accordance

with the City's Municipal Code Section 16-51.015. In order to account for the increased electricity consumption that would result from the reduction in natural gas usage during modeling, electricity consumption was increased accordingly assuming a conversion factor of 1 kilowatt-hour for 3.142 kilo-British thermal units. Transportation fuel demand was estimated based on the estimated annual vehicle miles traveled as provided by CalEEMod (approximately 455,257 miles[21]) and EMFAC2021 fleet mix data for Santa Clara County in 2025. Based on EMFAC2021 fleet mix data, the analysis assumed approximately 87 percent of the vehicle trips to/from the Project would be gasoline-fueled, 2 percent would be plug-in hybrid, 5 percent would be diesel-fueled, and 6 percent would be electric. Refer to **Appendix C** for detailed model inputs, assumptions, and calculations. The amortized construction-related and total energy requirements associated with the Project are shown in Table 3.6-2. Operation of the Project would consume approximately 5,673 metric million British thermal units (MMBtu) per year.

Table 3.6-2 Estimated Energy Demand

Energy Consuming Activity	Energy Requirement	Unit	Annual Energy Consumption (MMBtu)
Construction Diesel Consumption (amortized)	3,816	gal/year	527
Construction Gasoline Consumption (amortized)	1,224	gal/year	153
Construction Fuel Subtotal (amortized)	-	-	680
Building Electricity Consumption	924,162	kWh/year	3,153
Emergency Generator Diesel Consumption	1,204	gal/year	166
Building Operations Energy Subtotal	-	-	3,320
Transportation Electricity Consumption	659	kWh/year	2
Transportation Diesel Consumption	135	gal/year	19
Transportation Gasoline Consumption	13,219	gal/year	1,652
Transportation Subtotal	-	-	1,673
Total Project Energy Requirement	-	-	5,673

*Source: Estimated by AECOM See **Appendix C** for detailed modelling assumptions, outputs, and results.*
Notes:
"-" = not applicable; MMBtu= Million British thermal units; kWh = kilowatt-hours; kBtu = thousand British thermal unit; gal = gallons

Building operations would account for approximately 58 percent of the total energy consumption. The Project would be required to comply with energy efficiency standards set forth by Title 24 of the California Administrative Code and the Appliance Efficiency Regulations. Title 24 requires that the project meet a number of conservation standards, including installation of water-efficient fixtures and energy-efficient appliances. Title 24 also regulates energy consumption for the heating, cooling, ventilation, and lighting of residential buildings. The Project would also be designed to meet "Build It Green" energy and water saving standards, and the City's WELO requirements. Each of the proposed apartment buildings would be provided in roof mounted

[21] For the purposes of the energy consumption calculations, annual vehicle miles traveled are based on conservative CalEEMod default assumptions for trip lengths based on the default trip type, trip purpose percentages, and fleet mix for the proposed land uses. The SRC also provides shuttle bus services for its residents as needed for their daily activities. Therefore, the energy consumption calculations, which are based on primarily light-duty automobile trips from private vehicle trips, are conservative. As such, this value should not be utilized for the determination of the VMT impact of the project.

solar photovoltaic system and battery storage. In accordance with the City's Municipal Code Section 16-51.015, the proposed new buildings would be all-electric, i.e., no natural gas infrastructure would be installed. Therefore, the Project would not result in inefficient, wasteful, and unnecessary consumption of energy, and this impact would be **less than significant**.

Impact ENE-2: Conflict with or Obstruct a Renewable Energy or Energy Efficiency Plan

Impact ENE-2 would be **less than significant**. No mitigation is required.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would conflict with or obstruct a state or local plan for renewable energy of energy efficiency.

Impact Analysis

As described above in the discussion of Impact ENE-1, implementation of the Project would result in the development of new land uses that result in an increase in electricity consumption, as well as additional vehicle miles traveled that would result in the consumption of fossil fuels. However, design and construction of buildings would comply with the most recently adopted California Building Energy Efficiency Standards Code, CALGreen, and the City's Municipal Code. Specifically, the Project would be all-electric (i.e., no natural gas infrastructure), install photovoltaic solar panels and battery storage on each apartment building, and include the City's WELO requirements. As such, the Project would be consistent with the actions and strategies included in the City's Climate Action Plan for renewable energy and energy efficiency, including RE-2 (Renewable Energy Generation and Storage), RE-3 (Building and Appliance Electrification), EE-1 (Green Building Reach Code), and EE-2 (Energy Efficiency). The Project would also be consistent with the energy efficiency measures included in the BAAQMD 2017 Clean Air Plan, such as Building Control Measures, BL1: Green Buildings and BL2: Decarbonize Buildings, which prioritize energy efficiency, renewable energy sources, and replacement of fossil fuel-based space and water heating systems (e.g., natural gas) in residential and commercial buildings. Therefore, the Project would not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. This impact is **less than significant.**

3.6.4 Cumulative Impacts and Mitigation

The following discussion analyzes the potential of the Project to contribute to the following cumulative impacts[3] related to the use of gasoline and diesel energy:

- **Impact C-ENE-1:** Contribution to cumulative effects due to wasteful, inefficient, or unnecessary consumption of energy resources or conflict with an applicable state or local plan for renewable energy or energy efficiency.

Cumulative Impact C-ENE-1: Wasteful, Inefficient or Unnecessary Consumption of Energy or Conflict with Energy Plan

The overall cumulative impact for C-ENE-1 would be **less than significant**. No mitigation is required.

Cumulative Context

The study area for cumulative impacts on gasoline and diesel energy is the state of California, as standards for fuel efficiency are promulgated at the state level.

Cumulative Impact Analysis

Past, present, and probable future projects throughout the state would result in the irreversible use of diesel and gasoline resources during construction, as well as the incremental increase in energy consumption from operational building energy and traffic associated with those projects. However, the use of such resources would be subject to the same regulatory framework relating to energy and fuel efficiency as the Project and would be anticipated to become more energy efficient over time as regulatory requirements change and technological advancements are made.

Due to the urbanized nature of the City and surrounding areas, future projects are expected to result in a similar development pattern—while the overall use of electricity and natural gas on the site and surrounding areas may increase, the energy use per square foot is expected to decrease due to compliance with modern standards and incorporation of modern technologies and design standards. Specifically, regarding petroleum use during construction, the Project and other future projects would consume energy associated with the off-road equipment, truck trips, and worker vehicle trips. However, construction of the Project and future projects would be temporary, and compliance with increasingly stringent local and state regulations for fleet efficiency, and construction best practices limiting vehicle idling would help reduce construction-related fuel usage. During operation of the Project and future projects, increased land use intensity would result in additional vehicles miles traveled in the area. However, over the lifetime of the Project and past, present, and future projects, the fuel efficiency of vehicles is expected to increase. Similarly, with increasingly stringent local and state regulations for energy efficiency in buildings, such as Title 24 of the California Administrative Code and the Appliance Efficiency Regulations, operational building energy consumption is also expected to decrease. Therefore, the overall cumulative impact relating to energy consumption and consistency with energy plans would be **less than significant.**

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3.7 Geology and Soils

This section describes the existing geologic, soils, and paleontological resources setting of the Project area and evaluates whether the Project would result in adverse effects on these resources.

The following comments relating to soils were received during the public scoping period in response to the Notice of Preparation:

- Concerns regarding loss of trees and associated impacts on soil stabilization.
- Concerns about soil stability in the area and request that a geological survey be conducted.
- Concerns that the existing retaining wall between SRC campus and neighboring properties is already in poor condition and that extra traffic will speed its decline.

3.7.1 Environmental Setting

Regional Setting

The Project site is located on a broad alluvial plain in the foothills of the Santa Cruz Mountains. Elevations at the Project site range between approximately 350 and 450 feet above sea level, and natural slopes on the property vary from relatively flat to very steep at the open space easement on the southern portion of the site.

The bedrock units that comprise the Santa Cruz Mountains have been divided into several different stratigraphic assemblages. These assemblages were deposited and deformed in separate depositional basins and were later cutoff and repositioned by a complex system of Tertiary and Quaternary faults, which resulted in both horizontal and vertical movement of the underlying rocks. The San Andreas, Berrocal, and Monte Vista Faults are the faults in the Project area that are primarily responsible for this deformation (California Geological Survey [CGS] 2002, Brabb et al. 2000).

The Project site and off-site staging area lie within the Woodside stratigraphic assemblage. The Woodside assemblage includes a sequence of Plio-Pleistocene through Eocene-age rocks (approximately 2.6 to 56 million years Before Present [B.P.]) that unconformably overlie a Mesozoic Era (65 to 251 million years B.P.) basement assemblage consisting of the Franciscan Complex, the Coast Range Ophiolite, and the Great Valley Sequence (CGS 2002, Brabb et al. 2000).

Faults and Ground Shaking

Ground shaking—motion that occurs as a result of energy released during faulting—could potentially result in the damage or collapse of buildings and other structures, depending on the magnitude of the earthquake, the distance to the epicenter, and the character and duration of the ground motion. Other important factors to be considered are the characteristics of the underlying soil and rock and, where structures exist, the building materials used and the workmanship of the structures.

The Project site and the off-site staging area are located in a seismically active area. The U.S. Geological Survey indicates that the estimated probability of one or more magnitude 6.7 earthquakes occurring during the period 2014–2043 in the San Francisco Bay

Area is 72 percent (Aagaard et al. 2016). In the Project region, the faults with the highest estimated probability of generating damaging earthquakes are the Hayward (33 percent), Rodgers Creek (33 percent), Calaveras (26 percent), and San Andreas Faults (22 percent). The distance from the Project site to the nearest active faults is shown in Table 3.7-1.

Table 3.7-1 Active Faults in the Project Region

Fault Name	Distance and Direction from Project Site
Monte Vista-Shannon	0.5 mile northwest
Berrocal	0.75 mile southwest
San Andreas Santa Cruz Mountains Section	3 miles southwest
Hayward	13 miles east
Calaveras	16 miles east
San Gregorio	18 miles southwest

Source: Jennings and Bryant 2010

In addition, there are several faults in the Project vicinity where the age of last known activity occurred during the last 1.6 million years (i.e., mid to late Quaternary Period), but the exact age of activity is unknown. Although these faults are not classified as active, they may still be capable of strong seismic ground shaking (CGS 2018).

According to the City's *Ground Movement Potential Map* (Cotton, Shires and Associates, Inc. 2013), most of the Project site has been classified as Relatively Stable Ground. Two small areas near the proposed Buildings A and C are classified as Areas with Significant Potential for Ground Movement. The off-site staging area in the West Valley Parking Lot #6 is also classified as Relatively Stable Ground.

Surface Fault Rupture

Geologists have determined that the greatest potential for surface fault rupture and strong seismic ground shaking is from active faults, such as faults with evidence of activity during the Holocene epoch (the last 11,700 years). Surface rupture is the actual cracking or breaking of the ground surface along a fault during an earthquake, which is generally limited to a linear zone that is only a few yards wide. If surface fault rupture occurs, structures that are located across the fault trace can be torn apart, and pipelines can rupture.

The Alquist-Priolo Earthquake Fault Zoning Act, which was passed in 1972, was created to help reduce the loss of life and property from an earthquake by prohibiting the construction of structures designed for human occupancy across the traces of active faults. The Act requires the State Geologist (Chief of the California Geology Survey) to delineate "Earthquake Fault Zones" along with faults that are "sufficiently active" and "well-defined." The boundary of an "Earthquake Fault Zone" is generally about 500 feet from major active faults and 200 to 300 feet from well-defined minor faults. The Act dictates that cities and counties withhold development permits for sites within an Alquist-Priolo Earthquake Fault Zone until geologic investigations demonstrate that the site zones are not threatened by surface displacements from future faulting.

The Project site and the off-site staging area are not located within an Alquist-Priolo Earthquake Fault Zone (CGS 2020) or within or immediately adjacent to the trace of any other known fault

(Jennings and Bryant 2010). Saratoga has experienced earthquake-induced ground shaking in the past and can be expected to experience further shaking in the future. The closest fault designated under the Act is the San Andreas Fault, which is located approximately 3 miles southwest of the Project site; and the closest potentially active fault to the Project site is the Monte Vista-Shannon fault zone, which is located approximately 0.5 mile northwest of the Project site. The City has designated the Monte Vista and Shannon Faults as primary fault rupture zones even though they are not designated as such by the state, and generally requires development on these zones to carry out detailed site investigations (City of Saratoga 2013). However, because the Project site is not crossed by an active or potentially active fault, it would not be affected by primary fault rupture.

Liquefaction

Liquefaction is the process which causes soil to behave more like a liquid than a solid during an earthquake. During strong ground shaking, water-saturated granular materials are transformed from a solid state into a liquefied state as a result of increased pore-water pressure, resulting in loss of strength. Structures on soil that undergo liquefaction may settle or suffer major structural damage. Liquefaction is most likely to occur in low-lying areas where the substrate consists of poorly consolidated to unconsolidated water-saturated sediments, recent Holocene-age sediments, or deposits of artificial fill. Additional factors that determine the liquefaction potential are the distance to an active seismic source and the depth to groundwater.

The Project site and the off-site staging area are not located in an Earthquake Zone of Required Investigation for liquefaction (CGS 2002), nor are they located within an area designated by the Santa Clara County Geologic Hazard Zones maps as a Liquefaction Hazard Zone (County of Santa Clara 2012). Soil borings conducted by TRC at the Project site did not encounter groundwater to a depth of 30 feet below the ground surface (TRC 2019). Therefore, it was determined that there is a low potential for liquefaction.

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.

There are no creeks or open bodies of water within an appropriate distance from the Project footprint for lateral spreading to occur. Additionally, due to the low potential for liquefaction, it was determined that the probability of lateral spreading occurring at the Project site during a seismic event is also considered low (TRC 2019).

Landslides

Landslides triggered by earthquakes have historically caused substantial damage. In California, large earthquakes, such as the 1971 San Fernando, 1989 Loma Prieta, and 1994 Northridge earthquakes triggered landslides that were responsible for destroying or damaging numerous structures, blocking major transportation corridors, and damaging life-line infrastructure. Areas that are most susceptible to earthquake-induced landslides are steep slopes in poorly cemented or highly fractured rocks, areas underlain by loose, weak soils, and areas on or adjacent to existing landslide deposits.

The SRC Campus is located in an Earthquake Zone of Required Investigation for seismically induced landslides (CGS 2002). There are several mapped areas of historic landslides located along the south and west sides of the campus adjacent to the creek channel associated with the unnamed tributary to Vasona Creek. However, there are no mapped landslide deposits at the locations of the proposed new buildings, meeting room addition, or the fitness center addition (CGS 2002). Detailed geologic mapping prepared for the City (Terratech 1985) does not indicate the presence of any active or historic landslides at the campus. As noted above, two small areas near the proposed Buildings A and C are classified as Areas with Significant Potential for Ground Movement. These areas are designated “Ps,” which is defined as unstable, unconsolidated material, commonly less than 10 feet in thickness, on gentle to moderately steep slopes subject to shallow landsliding, slumping, settlement, and soil creep (Cotton Shires 2013). As part of the Geotechnical Report prepared for the Project site, it was determined that there is a low potential for landslide hazards at the location of the proposed new buildings (TRC 2019). In addition, the Project site is in a relatively flat developed area that does not contain large slopes that would contribute to landslides.

Onsite Soils

Soil properties influence the development of building sites, including the engineering design, construction techniques, and site maintenance. Expansive soils are composed largely of clays, which greatly increase in volume when saturated with water and shrink when dried (referred to as “shrink-swell” potential). Soils with a moderate to high expansion potential can result in cracked foundations, structural distortions, and warping of doors and windows. Underground pipelines can also be damaged.

A review of the Natural Resources Conservation Service (NRCS 2020) soil survey data indicates that near-surface soils on the Project site consist of the Urban Land-Flaskan Complex, 0 to 2 percent slopes. The Flaskan portion of this soil complex is composed of sandy clay loam, is well drained, and has a low runoff potential. Urban Land (composed of disturbed and human-transported material) makes up 70 percent of the soil in this complex; however, details related to soil properties for Urban Land are not available within NRCS.

Soil borings at the Project site conducted as part of the Geotechnical Report for the Project (TRC 2019), encountered asphalt concrete in the upper 2–3 inches and aggregate base to a depth of approximately 1 foot below the ground surface. Below the aggregate base, interbedded layers of stiff to very stiff lean clay, very stiff gravelly lean clay, and stiff sandy lean clay, were encountered to depths ranging from approximately 5–11.5 feet below the ground surface. One of the soil borings (near the proposed Building A) encountered clayey sand to a depth of approximately 4.5 feet below the ground surface. Sandstone bedrock comprising the Santa Clara Formation was encountered below the alluvial soils to the maximum depth of exploration (i.e., 30 feet below the ground surface). The Santa Clara Formation was found to be highly weathered, soft, and weak to friable (easy crumbled).

Laboratory analyses of soil and rock samples from the Project site indicate that the alluvial soils on the Project site, including the Santa Clara Formation, have a low expansion (shrink-swell) index, despite the interbedded clay layers (TRC 2019).

Settlement

As part of the Geotechnical Report (TRC 2019), it was noted that differential settlement could occur at the Project site due to the differential thickness of soil/engineered fill above the bedrock surface. Bedrock was encountered in all of the soil borings at depths of approximately 4.5 to 11.5 feet below the existing grade surface. The proposed buildings are planned to have cuts as much as 25 feet and fills up to approximately 4 feet, which would span between the soil/engineered fill and bedrock transitions. Because the geotechnical characteristics of bedrock and soil/engineered fill are different, the long-term performance of these materials is also different. For instance, engineered fill materials, even if well compacted, are typically more compressible than bedrock materials and as a result can experience a greater amount of settlement. Foundations constructed over engineered fill will be subject to long-term settlement. Even well-compacted fills may experience minor long-term settlements due to secondary strains or hydrocompression[22]. In addition, shallow foundations constructed over engineered fill and bedrock transitions may experience differential movements under static and seismic loading conditions. In addition, soil borings conducted by TRC encountered a layer of clayey sand near the proposed Building A to a depth of approximately 4.5 feet below the ground surface. However, since a cut of approximately 7 feet below the ground surface would be necessary prior to construction of Building A, this clayey sand layer would be removed. Therefore, the potential for settlement is considered to be low (TRC 2019).

Groundwater

No groundwater was encountered in any of the borings drilled onsite during preparation of the Geotechnical Report. Based on the depth to historically high ground prepared by the California Geologic Geological Survey for the Cupertino Quadrangle (CGS 2002), the depth to historically high ground water levels in the site vicinity is estimated to be greater than 30 feet below the ground surface (TRC 2019).

Paleontological Resources

Paleontological resources include any fossilized remains, traces, or imprints of organisms, preserved in or on the earth's crust, that are of paleontological interest and that provide information about the history of life on earth, except that the term does not include any materials associated with an archaeological resource or any cultural item defined as Native American human remains. Significant paleontological resources are defined as fossils or assemblages of fossils that are unique, unusual, rare, uncommon, or important to define a particular time frame or geologic strata, or that add to an existing body of knowledge in specific areas, in local formations, or regionally.

Based on geologic mapping prepared for the City (Terratech 1985), the northwestern corner of the Project site consists of Old Alluvium (i.e., stream deposits), and the remainder of the Project site consists of the Santa Clara Formation. Based on a review of the more recent *Geologic Map of the Palo Alto 30' x 60' Quadrangle* (Brabb et al. 2000), the Project site is located in Pleistocene-age Alluvial Fan and Fluvial Deposits, and the Plio-Pleistocene-age Santa Clara Formation. The off-site staging area at Parking Lot #6 of the West Valley College is located in Pleistocene-age Alluvial Fan and Fluvial deposits.

[22] Hydrocompression, or soil collapse, occurs when certain soil types (e.g., loose clayey sand) are exposed to water and the clay bonds break causing volume reduction. The amount of volume reduction depends on the level of stress the soil is under.

Paleontological Sensitivity Criteria

The potential paleontological sensitivity of a project area can be assessed by identifying the paleontological importance of rock units that are exposed there. A paleontologically sensitive rock formation is one that is rated high for potential paleontological productivity (i.e., the recorded abundance and types of fossil specimens, and the number of previously recorded fossil sites) and is known to have produced unique, scientifically important fossils. Exposures of a specific rock formation at any given project site are most likely to yield fossil remains representing particular species or quantities similar to those previously recorded from the rock formation in other locations. Therefore, the paleontological sensitivity determination of a rock formation is based primarily on the types and numbers of fossils that have been recorded previously from that rock unit.

An individual vertebrate fossil specimen may be considered unique or significant if it is identifiable and well preserved, and if it meets one of the following criteria:

- a type specimen (i.e., the individual from which a species or subspecies has been described);
- a member of a rare species;
- a species that is part of a diverse assemblage (i.e., a site where more than one fossil has been discovered) wherein other species are also identifiable, and important information regarding life history of individuals can be drawn;
- a skeletal element different from, or a specimen more complete than, those now available for its species; or
- a complete specimen (i.e., all or substantially all of the entire skeleton is present).

The value or importance of different fossil groups varies, depending on the age and depositional environment of the rock unit that contains the fossils, their rarity, the extent to which they already have been identified and documented, and the ability to recover similar materials under more controlled conditions (e.g., for a research project). Marine invertebrates generally are common; the fossil record is well developed and well documented, and they generally are not considered to be a unique paleontological resource. Identifiable vertebrate marine and terrestrial fossils generally are considered scientifically important because they are relatively rare.

The Society of Vertebrate Paleontology (SVP), a national scientific organization of professional vertebrate paleontologists, has established standard guidelines that outline acceptable professional practices in the conduct of paleontological resource assessments and surveys, monitoring and mitigation, data and fossil recovery, sampling procedures, specimen preparation, analysis, and curation (SVP 2010). The guidelines establish four categories of sensitivity for paleontological resources: high, low, no, and undetermined. Areas where fossils have been found previously are considered to have a high sensitivity and a high potential to produce fossils. Areas that are not sedimentary in origin and have not been known to produce fossils in the past typically are considered to have low sensitivity. Areas consisting of high-grade metamorphic rocks (e.g., gneisses and schists) and plutonic igneous rocks (e.g., granites and diorites) are considered to have no sensitivity. Areas that have not had any previous paleontological resource surveys or fossil finds are considered to be of undetermined sensitivity until surveys and mapping

are performed to determine their sensitivity. In keeping with the SVP significance criteria, all vertebrate fossils generally are categorized as being of potentially significant scientific value.

Paleontological Sensitivity Assessment

A paleontological sensitivity assessment was performed for the Project site based on a review of geologic maps, a literature review, and a paleontological resources records search performed at the University of California, Berkeley Museum of Paleontology on April 5, 2021. The results of the assessment are discussed below in Table 3.7-2.

Table 3.7-2 Paleontological Sensitivity Assessment

Formation	Description	Fossils	Sensitivity
Alluvial Fan and Fluvial Deposits (Old Alluvium)	Consists of brown, dense, gravelly and clayey sand or clayey gravel that fines upward to sandy clay. Deposits display variable sorting and are located along most stream channels in Santa Clara County. All of these deposits can be related to modern stream courses. Deposits are of Pleistocene age.	Vertebrate fossil specimens from sediments referable to these deposits have been reported at a variety of locations in Santa Clara County. Fossil specimens include mammoth, Platygonus, ground sloth, bison, and horse.	High
Santa Clara Formation	Consists of non-marine, poorly indurated conglomerate, sandstone, and mudstone in lenticular beds. Conglomerate consists mainly of subangular to subrounded cobbles in a sandy matrix but locally includes pebbles and boulders. Cobbles and pebbles are mainly chert, greenstone, and graywacke with some schist, serpentinite, and limestone. Formation is late Pliocene to early Pleistocene age.	Vertebrate and plant fossils have been recovered from at least six localities in Santa Clara County, as well as Alameda and San Mateo counties. Fossil specimens include bison and horse.	High

Sources: Brabb et al. 2000; Jefferson 1991; Maguire and Holroyd 2016; University of California, Berkeley Museum of Paleontology 2021

3.7.2 Regulatory Framework

Federal

Earthquake Hazards Reduction Act

In October 1977, the U.S. Congress passed the Earthquake Hazards Reduction Act to reduce the risks to life and property from future earthquakes in the U.S. through the establishment and maintenance of an effective earthquake hazards reduction program. To accomplish this goal, the act established the National Earthquake Hazards Reduction Program. This program was substantially amended in November 1990 by the National Earthquake Hazards Reduction Program Act, which refined the description of agency responsibilities, program goals, and objectives.

The mission of National Earthquake Hazards Reduction Program includes improved understanding, characterization, and prediction of hazards and vulnerabilities; improved building

codes and land use practices; risk reduction through post-earthquake investigations and education; development and improvement of design and construction techniques; improved mitigation capacity; and accelerated application of research results. The National Earthquake Hazards Reduction Program Act designates the Federal Emergency Management Agency (FEMA) as the lead agency of the program and assigns several planning, coordinating, and reporting responsibilities. Other National Earthquake Hazards Reduction Program Act agencies include the National Institute of Standards and Technology, National Science Foundation, and U.S. Geological Survey.

State

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Act (California PRC Sections 2621–2630) was passed in 1972 to reduce the hazard of surface faulting to structures designed for human occupancy. The main purpose of the law is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. The law addresses only the hazard of surface fault rupture and is not directed toward other earthquake hazards. The Alquist-Priolo Act requires the State Geologist to establish regulatory zones known as Earthquake Fault Zones around the surface traces of active faults and to issue appropriate maps. The maps are distributed to all affected cities, counties, and state agencies for their use in planning efforts. Before a project can be permitted in a designated Alquist-Priolo Earthquake Fault Zone, cities and counties must require a geologic investigation to demonstrate that proposed buildings would not be constructed across active faults.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act of 1990 (PRC Sections 2690–2699.6) addresses earthquake hazards from non-surface fault rupture, including liquefaction and seismically induced landslides. The act established a mapping program for areas that have the potential for liquefaction, landslide, strong ground shaking, or other earthquake and geologic hazards. The act also specifies that the lead agency for a project may withhold development permits until geologic or soils investigations are conducted for specific sites and mitigation measures are incorporated into plans to reduce hazards associated with seismicity and unstable soils.

California Building Code

The California Building Standards Commission coordinates, manages, adopts, and approves building codes in California. The California Building Code (CBC) (Title 24 of the CCR) provides minimum standards for building design in California. The CBC applies to building design and construction in the state and is based on the federal Uniform Building Code (UBC) used widely throughout the country (generally adopted on a state-by-state or district-by-district basis). The CBC has been modified for California conditions with numerous more detailed or more stringent regulations. Where no other building codes apply, Chapter 29 of the CBC regulates excavation, foundations, and retaining walls.

The State earthquake protection law (California Health and Safety Code, Section 19100 et seq.) requires that structures be designed to resist stresses produced by lateral forces caused by wind and earthquakes. The CBC requires that any structure designed for a project site undergo a seismic-design evaluation that assigns the structure to one of six categories, A–F; Category F structures require the most earthquake-resistant design. The CBC philosophy focuses on

"collapse prevention," meaning that structures are to be designed to prevent collapse during the maximum level of ground shaking that could reasonably be expected to occur at a site. CBC Chapter 16 specifies exactly how each seismic-design category is to be determined on a site-specific basis, based on site-specific soil characteristics and proximity to potential seismic hazards.

Chapter 18 of the CBC regulates the excavation of foundations and retaining walls, as well as the preparation of a preliminary soil report, engineering geologic report, geotechnical report, and supplemental ground-response report. Chapter 18 also regulates the analysis of expansive soils and the determination of depth to the groundwater table. For structures in Seismic Design Category C, Chapter 18 requires analysis of slope instability, liquefaction, and surface rupture attributable to faulting or lateral spreading. For structures in Seismic Design Categories D, E, and F, Chapter 18 requires these same analyses plus an evaluation of lateral pressures on basement and retaining walls, liquefaction and loss of soil strength, and lateral movement or reduction of the foundation's soil-bearing capacity.

Chapter 18 also requires that mitigation measures be considered in structural design. Mitigation measures may include stabilizing the ground, selecting appropriate foundation types and depths, selecting appropriate structural systems to accommodate anticipated displacements, or using any combination of these measures. The potential for liquefaction and soil strength loss must be evaluated for site-specific peak-ground-acceleration magnitudes and source characteristics consistent with the design earthquake ground motions. The peak ground acceleration must be determined in a site-specific study, the contents of which are specified in CBC Chapter 18.

Finally, Appendix J of the CBC regulates grading activities, including drainage and erosion control and construction on expansive soils, areas subject to liquefaction, and other unstable soils.

National Pollutant Discharge Elimination System

In California, the State Water Resources Control Board (SWRCB) administers regulations promulgated by the USEPA (55 Code of Federal Regulations 47990) requiring the permitting of stormwater-generated pollution under the National Pollutant Discharge Elimination System (NPDES). In turn, the SWRCB's jurisdiction is administered through nine regional water quality control boards. Under these federal regulations, an operator must obtain a general permit through the NPDES Stormwater Program for all construction activities with ground disturbance of 1 acre or more. The SWRCB's statewide NPDES Permit, Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order 2009-009-DWQ as amended by Order No. 2012-0006-DWQ) (Construction General Permit), requires preparation of a storm water pollution prevention plan (SWPPP) that addresses control of water pollution, including sediment, in runoff during construction. BMPs must be identified in the SWPPP and implemented during construction to reduce sedimentation into surface waters and to control erosion. The Construction General Permit also includes post-construction stormwater performance standards that address water quality and hydromodification protection. (See Section 3.10, *Hydrology and Water Quality*, for more information about the NPDES permit program and SWPPPs.)

Local

City of Saratoga General Plan

City policies pertaining to geologic and seismic hazards are contained in the Safety Element and Land Use Element of the City's General Plan. The following General Plan policies relating to geologic and seismic hazards apply to the Project[23].

Safety Element

Goal SAF-1: Protect residents from injuries and minimize property damage resulting from land instability and geologic hazards.

> **Policy SAF-1.1:** No development shall be permitted in geologic hazard areas without individual site-specific geotechnical investigations to determine depth of bedrock, soil stability, location of rift zones and other localized geotechnical problems.
>
> **Policy SAF-1.2:** Development in areas subject to natural hazards shall be limited and shall be designed to protect the environment, inhabitants and general public. In areas that have been proven to be unsafe, development of structures for human habitation shall be prohibited to the maximum extent permitted by law.
>
> **Policy SAF-1.3:** Proposals for General Plan amendments, zone changes, use permits, variances, building site approvals, and all land development applications subject to environmental assessment according to CEQA guidelines shall be reviewed for hazardous conditions utilizing the most current data.

Goal SAF-2: Protect residents of the City and surrounding areas from seismically induced hazards.

> **Policy SAF-2.1:** In order to mitigate the danger of earthquake damage, the City shall enforce strict earthquake construction and soil-engineering standards, selecting the most stable areas for development and requiring developers to compensate for soil instabilities through approved engineering and construction techniques.

Land Use Element

Goal LU 12: Recognize the heritage of the City by seeking to protect historic and cultural resources, where feasible.

> **Policy LU 12.9:** Conduct reconnaissance level analyses of new development projects to ensure that no significant archaeological, prehistoric, paleontological, Native American resources would be disturbed. If such resources are found, appropriate steps shall be taken consistent with CEQA requirements to protect these resources.

[23] In February 2018, the City of Saratoga began the process of making minor policy updates to three elements of the City's General Plan (Land Use, Circulation, and Open Space & Conservation) and formatting the elements to provide a cohesive document. These updated elements are collectively known as the "2040 General Plan Update" but have not yet been adopted. In addition, the City is currently in the process of updating its Housing Element for the "6th Cycle" planning period extending from January 31, 2023 through January 31, 2031, and updating its Safety Element to reflect the updated Housing Element. On February 28, 2022 the City published a Notice of Preparation of a Draft Program Environmental Impact Report for the 6th Cycle Housing Element, Safety Element, and 2040 General Plan Update. At present, there is no confirmed timeframe for completion and certification of the Program EIR and adoption of the updated General Plan elements; therefore, the policies cited within this EIR reflect the current General Plan Elements.

City of Saratoga Municipal Code

Chapter 16, Article 16-15, Section 16-15.010, *Adoption of the 2019 California Building Code*. This section of the Municipal Code incorporates the California Building Code; these regulations reference applicable standards and documentation requirements found in the California Building Code that address seismic safety.

Chapter 16, Article 16-17, *Excavation and Grading*. This article of the Municipal Code sets forth rules and regulations to control excavation, grading, and earthwork construction, including fills and embankments; establishes the administrative procedure for issuance of permits; and provides for approval of plans and inspection of grading construction.

A grading permit is required for fills more than 1 foot deep and placed on a slope greater than 20 percent, or fills more than 3 feet deep, any of which would support structures; or fills that exceed 50 cubic yards on any one lot and may obstruct a drainage course. An application for a grading permit must include site plans, a soils engineering report, and an engineering geology report. Site plans must incorporate the recommendations of the soils and geotechnical engineer. In addition to site elevations, contours, and the amounts of cut and fill, site plans must also include the details of all planned surface and subsurface drainage facilities and the estimated stormwater runoff.

3.7.3 Project Impacts and Mitigation

This section addresses the following potential impacts relating to geology and soils:

- **Impact GEO-1:** Would the Project cause potential substantial adverse effects involving rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure, or landslides?
- **Impact GEO-2:** Would the Project result in substantial soil erosion or loss of topsoil?
- **Impact GEO-3:** Would the Project 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?
- **Impact GEO-4:** Would the Project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?
- **Impact GEO-5:** Would the Project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems?
- **Impact GEO-6:** Would the Project destroy a unique paleontological resource or site or unique geological feature?

Impact GEO-1: Substantial Adverse Effects from Seismic Hazards

Impact GEO-1 would be **less than significant**. No mitigation is required.

Standards of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault.
ii) Strong seismic ground shaking.
iii) Seismic-related ground failure, including liquefaction.
iv) Landslides.

Impact Analysis

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

The Project site and the off-site staging area are not located within an Alquist-Priolo Zone or within or immediately adjacent to the trace of any other known fault (CGS 2020; Jennings and Bryant 2010). Therefore, there would be **no impact** related to fault rupture.

ii) Strong seismic ground shaking?

The Project site is in a seismically active area, approximately 0.5 mile from the Monte Vista-Shannon Fault and approximately 0.75 mile from the Berrocal Fault (see Table 3.7-1). The Geotechnical Report prepared for the Project estimated a peak ground acceleration of 0.99*g* for the Project site, which indicates that a very strong level of seismic ground shaking would be anticipated at some point during the next 50 years.

The CBC includes provisions to reduce impacts caused by major structural failures or loss of life resulting from earthquakes or other geologic hazards. In particular, Chapter 16 of the CBC contains requirements for design and construction of structures to resist loads, including earthquake loads. The CBC provides procedures for earthquake resistant structural design that include considerations for onsite soil conditions, occupancy, and the configuration of the structure including the structural system and height.

The City has adopted the CBC as part of Section 16.15-010 of the City's Municipal Code. The CBC requires an evaluation of seismic design that is focused on "collapse prevention," meaning that structures are designed for prevention of collapse for the maximum level of ground shaking that could reasonably be expected to occur at a site. Based on the seismic design category, the CBC requires an analysis of slope instability, liquefaction, and surface rupture attributable to faulting or lateral spreading, plus an evaluation of lateral pressures on basements and retaining walls, liquefaction and soil strength loss, and lateral movement or reduction in foundation soil-bearing capacity. It also requires that measures to reduce damage from seismic effects be incorporated in structural design. Measures may include ground stabilization,

selection of appropriate foundation type and depths, selection of appropriate structural systems to accommodate anticipated displacements, or any combination of these measures.

The Geotechnical Report for the Project contains a seismic hazard analysis according to current CBC requirements, which includes calculations related to site-specific seismic design. Based on the CBC seismic criteria, it was determined that the Project site should be classified as Seismic Risk Category C. The proposed cuts in native soil and rock, along with properly compacted engineered fill, would be capable of supporting the proposed structures and pavements with the appropriate foundations, footings, and supports as recommended in the Geotechnical Report. The Geotechnical Report includes site-specific recommendations related to potential settlement, lateral loads, slabs-on-grade, basement walls, seismic lateral earth pressure, drainage, and pavements (TRC 2019). The recommendations from the Geotechnical Report would also ensure that the stability of existing structures, including existing buildings and retaining walls would not be adversely impacted with implementation of the Project.

Overall, because the Project would be required to be constructed in compliance with the CBC and the City's Municipal Code, which would be verified through the City's design review and permitting process, impacts related to strong seismic ground shaking would be **less than significant**.

iii) Seismic-related ground failure, including liquefaction?

The Geotechnical Report prepared for the Project determined that the Project site is not located in an Earthquake Zone of Required Investigation for liquefaction (CGS 2002). In addition, groundwater was not encountered in Project site soil borings obtained from a depth of 30 feet below the ground surface. Due to the lack of groundwater within 30 feet of the ground surface, liquefaction is not considered a hazard to the site (TRC 2019). Furthermore, because there are no creeks or open bodies of water adjacent to the construction areas, and because of the low probability for liquefaction, it was also determined that lateral spreading is unlikely to occur.

The soil borings conducted during the site investigation also encountered a layer of clayey sand near the proposed Building A to a depth of approximately 4.5 feet below the ground surface. However, since a cut of approximately 7 feet below the ground surface would be necessary prior to construction of Building A, this clayey sand layer would be removed. It was determined that there is a low potential for seismic settlement (TRC 2019), which means that the risk from this potential hazard would be within reasonable expectations, provided appropriate measures are included in the design. Overall, there would be **a less than significant impact** from seismic-related ground failure, including liquefaction.

iv) Landslides?

The classification of two small areas near proposed Buildings A and C as "Areas with Significant Potential for Ground Movement" (Cotton Shires 2013) includes material that may be unstable on gentle to moderate slopes, and therefore could be subject to landslide hazards. However, there are no mapped landslide deposits at the locations of the proposed new buildings (CGS 2002). Detailed geologic mapping prepared for the City does not indicate the presence of any active or historic landslides at the campus. Furthermore, as part of the geotechnical report prepared for the Project site, it was determined that the potential for landslide hazards at the location of the

proposed new buildings is low (TRC 2019). Therefore, there the Project would have a **less than significant** impact related to landslides**.**

Impact GEO-2: Substantial Soil Erosion or Loss of Topsoil

Impact GEO-2 would be **less than significant**. No mitigation is required.

Standards of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would result in substantial soil erosion or loss of topsoil.

Impact Analysis

Construction

The Project would require a variety of earthmoving activities, including excavating, trenching, grading, tree removal, and compacting. Disturbance of existing soil would expose soils to rain events, which could result in erosion. Subsequent soil transport during storm events could result in sedimentation both within and downstream of the Project site. Furthermore, earthmoving activities during the summer months could result in wind erosion.

However, prior to the start of earthmoving activities, the Project Applicant must obtain a grading permit from the City as required by Municipal Code Article 16-17 and must demonstrate that appropriate measures to reduce soil erosion would be implemented. Because the Project would disturb more than 1 acre of land, the Project Applicant is required by law to prepare a SWPPP and implement associated BMPs that are specifically designed to reduce construction-related erosion. A Notice of Intent, along with the SWPPP and BMPs, would be submitted to the San Francisco Bay Regional Water Quality Control Board (RWQCB), in compliance with the statewide *National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities* (Construction General Permit) (Order 2009-009-DWQ as amended by Order 2012-0006-DWQ). A range of BMPs are available that could be implemented to reduce erosion, including silt fences, staked straw bales/wattles, silt fences, geofabric, trench plugs, terraces, water bars, soil stabilizers, mulching, and revegetation of disturbed areas. Techniques that could be implemented to reduce the potential for stormwater runoff include minimizing site disturbance, controlling water flow over the construction site, stabilizing bare soil, and ensuring proper site cleanup. The exact BMPs to be implemented at the Project site during construction would be determined by the Project Applicant's contractor based on site-specific considerations, and would be included as part of the SWPPP, which requires approval by the San Francisco Bay RWQCB and the City prior to the start of construction.

Implementation of the proposed Project requires RWCQB and City approval of a site specific SWPPP, which would ensure that the City's Municipal Code, RWQCB requirements, and appropriate operational BMPs would be implemented to minimize or eliminate the potential for soil erosion or loss of topsoil to occur. Therefore, the impact from construction of the proposed Project on soil erosion or loss of topsoil would be **less than significant**.

Operation

Operational impacts related to soil erosion are addressed in Section 3.10, *Hydrology and Water Quality*.

Impact GEO-3: Unstable Soils

Impact GEO-3 would be **less than significant**. No mitigation is required.

Standards of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would 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.

Impact Analysis

As described previously, the Project footprint is in a relatively flat developed area that does not contain large slopes. The potential for earthquake-induced landsliding is considered low (TRC 2019). In addition, the proposed Project would not create large slopes. Thus, impacts related to landslides would not occur.

The Geotechnical Report identifies that groundwater was not encountered in Project site soil borings obtained from a depth of 30 feet below the ground surface. Due to the lack of groundwater within 30 feet of the ground surface, liquefaction is not considered a hazard to the site. Likewise, lateral spreading and subsidence are not considered hazards to the site and would be less than significant (TRC 2019).

As part of the Geotechnical Report, it was noted that differential settlement could occur at the Project site due to the differential thickness of soil/engineered fill above the bedrock surface. To minimize the effects of differential settlement across fill and bedrock transitions, the Geotechnical Report recommended that building pads be over-excavated to provide a uniform soil cushion foundation support and that fill thickness should be at least 24 inches below the footing bearing level and should extend at least 5 feet laterally beyond the building footprints to reduce impacts from differential settlement.

In addition, the Project would include excavation and recompaction of soils, and development of foundation systems in compliance with the CBC, which would require proper construction of building foundations to reduce impacts related to settlement or collapse of soils to a less than significant level. Furthermore, the City requires that all structures be designed in accordance with the CBC, and recommendations contained in the Geotechnical Report would be incorporated into the project design and submitted to the City for review prior to approval of building plans. Therefore, impacts from unstable soils relating to construction of the Project would be **less than significant**.

With respect to scoping period comments that raised concerns that vibrations from additional heavy traffic during Project construction could exacerbate existing stability issues for the retaining wall between the Project site and a neighboring property, please refer to the discussion of Impact NOI-3 in Section 3.12, *Noise and Vibration.*

Impact GEO-4: Expansive Soils

Impact GEO-4 would be **less than significant**. No mitigation is required.

Standards of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial risks to life or property.

Impact Analysis

As discussed previously, laboratory analyses of soil and rock samples from the Project site indicate that the alluvial soils on the Project site, including the Santa Clara Formation, have a low expansion (shrink-swell) index (TRC 2019). In addition, the Geotechnical Report describes that all of the loose alluvium would be excavated and replaced as compacted fill pursuant to the CBC requirements that are included in the City's Municipal Code Section 16-15.010. Compliance with the CBC and City's Municipal Code would ensure that impacts related to expansive soils would be **less than significant.**

Impact GEO-5: Soil Suitability for Septic Systems

Impact GEO-5 would be **no impact**. No mitigation is required.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would 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.

Impact Analysis

The Project would not use septic tanks or alternative methods for disposal of wastewater into subsurface soils. The proposed Project would connect to existing public wastewater infrastructure. Therefore, the project would not result in any impacts related to septic tanks or alternative wastewater disposal methods, and no impact would occur.

Impact GEO-6: Damage or Destruction of Unique Paleontological Resources

Impact GEO-6 would be **potentially significant**. With implementation of Mitigation Measure MM-GEO-6, the impact would be reduced to **less than significant with mitigation.**

Standards of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Impact Analysis

Unique geologic features consist of outstanding natural landforms such as mountain peaks, deep scenic canyons and gorges, scenic rock formations, and large waterfalls. There are no unique geologic features within or adjacent to the Project site or the proposed off-site staging area. Thus, there would be no impact to unique geologic features.

Because the off-site staging area at Parking Lot #6 of the West Valley College would only involve storage of materials and equipment on a paved area, and would not involve excavation or earthmoving activities, the off-site site staging area would have no impact to unique paleontological resources.

As discussed previously, the Project site is mapped as being underlain by surficial sediments related to Pleistocene-age alluvial, fluvial, and terrace deposits, and the Santa Clara Formation, which are of high paleontological sensitivity. Numerous vertebrate fossil specimens have been recovered from these formations in various locations throughout Santa Clara County (see Table 3.7-2). Therefore, Project-related earthmoving activities could result in accidental damage to, or destruction of unique paleontological resources. Thus, this impact would be **potentially significant.**

The following mitigation measure is recommended to reduce this potentially significant impact to unique paleontological resources:

MM-GEO-6: Paleontological Resource Avoidance Measures

A. Before the start of earthmoving activities associated with Project construction, the Project Applicant shall require that all construction personnel involved with earthmoving activities be informed regarding the possibility of encountering fossils, the appearance and types of fossils likely to be seen during construction, and proper notification procedures if such fossils are encountered. This worker training may be prepared and presented by an experienced field archaeologist at the same time as construction worker education on cultural resources or prepared and presented separately by a qualified paleontologist.

B. If paleontological resources are discovered during earthmoving activities, all work within 50 feet of the find shall cease immediately, and the construction contractor shall notify the City of Saratoga Planning Division. The Project Applicant shall retain a qualified paleontologist to evaluate the resource and prepare a recovery plan, based on SVP guidelines (SVP 2010). The recovery plan may include a field survey, construction monitoring, sampling and data recovery procedures, museum curation for any specimen recovered, and a report of findings. Recommendations in the recovery plan that are determined by the City (as the CEQA lead agency) to be necessary and feasible shall be implemented before construction activities resume at the site where the paleontological resources were discovered.

Mitigation Measure MM-GEO-6 would reduce potential impacts to unique paleontological resources because construction workers would be alerted to the possibility of encountering paleontological resources and, in the event that resources were discovered, construction would be halted, and fossil specimens would be recovered and recorded and would undergo appropriate curation. Therefore, with implementation of MM-GEO-6, potential impacts to unique paleontological resources would be **less than significant with mitigation**.

3.7.4 Cumulative Impacts and Mitigation

As discussed above, the Project would have no impact related to surface fault rupture, soil suitability for septic systems, or unique geological features. Therefore, the Project would not contribute to any potential cumulative impacts for these issues. This section addresses the following potential cumulative impacts[24] relating to geology, soils, and paleontological resources:

- **Impact C-GEO-1:** Contribution to cumulative effects related to seismic hazards, landslides, substantial soil erosion, and expansive soil.
- **Impact C-GEO-6**: Contribution to cumulative effects related to paleontological resources.

Cumulative Impact C-GEO-1: Hazards from Seismic Hazards, Landslides, Substantial Soil Erosion, and Unstable Soil

The overall cumulative impact for C-GEO-1 would be **less than significant.** No mitigation is required.

Cumulative Context

The geographic context for geology and soils encompasses the western San Francisco Bay area. The geologic formations and soil types vary widely depending on project location and are site specific.

Cumulative Impact Analysis

The potential cumulative exposure of people or structures to unstable geologic units and/or expansive soils that have the potential to result in on- or off-site landslides, lateral spreading, subsidence, liquefaction, movement, or collapse tend to be region wide in nature, even though each site-specific development has unique geologic considerations.

Site-specific development projects would be required by law to implement the design and engineering requirements of the CBC, which include an analysis of slope instability, liquefaction, and surface rupture attributable to faulting or lateral spreading, plus an evaluation of lateral pressures on basement and retaining walls, liquefaction and soil strength loss, and lateral movement or reduction in foundation soil-bearing capacity. The CBC also regulates the analysis of expansive soils for foundations and grading work and requires measures to reduce damage from seismic effects and expansive soils in structural design. Therefore, the overall cumulative impacts related to strong seismic ground shaking and unstable soils would be less than significant.

In addition, all of the cumulative projects that disturb 1 acre or more are required by law to prepare a SWPPP and implement site-specific BMPs that are specifically designed to prevent construction-related erosion. Cumulative projects that involve substantial grading activities would also be required to obtain a City grading permit, which requires submittal of a soils report and a geotechnical report, along with detailed grading plans for City review and approval. Overall, while increases in the number of people and structures subject to unstable geologic units and soils would increase in the Project area with cumulative development, the development would be subject to the CBC requirements by the City through the construction permitting

[24] Note that project-level impacts have been combined for the purposes of cumulative analysis. Cumulative impact C-GEO-1 addresses the same issues as project-level impacts GEO-1 through GEO-5.

process. Therefore, the overall cumulative impact related to unstable geologic units and/or expansive soils, including landslides, lateral spreading, subsidence, liquefaction, movement, or collapse, would be **less than significant**.

Cumulative Impact C-GEO-6: Potential for Accidental Damage or Destruction of Unique Paleontological Resources.

The overall cumulative impact for C-GEO-6 would be **potentially significant.** With implementation of Mitigation Measure MM-GEO-6 the cumulative impact would be reduced to **less than cumulatively considerable with mitigation.**

Cumulative Context

The geographic context for paleontological resources encompasses Santa Clara County.

Cumulative Impact Analysis

Fossil discoveries resulting from excavation and earthmoving activities associated with development are occurring with increasing frequency throughout the state. The value or importance of different fossil groups varies depending on the age and depositional environment of the rock unit that contains the fossils, their rarity, the extent to which they have already been identified and documented, and the ability to recover similar materials under more controlled conditions (such as for a research project). Unique, scientifically-important fossil discoveries are relatively rare, and the likelihood of encountering them is site-specific and is based on the specific geologic rock formations that are present at any given project site. These geologic formations vary from location to location.

Santa Clara County includes a variety of rock formations such as Pleistocene-age alluvial, fluvial, and terrace deposits, and the Santa Clara Formation (among others). Due to the large number of vertebrate fossils and plant fossil assemblages that have been recovered from these rock formations, they are considered paleontologically sensitive. Therefore, earthmoving activities associated with the projects considered in this cumulative analysis could damage or destroy unique paleontological resources that may be present in these rock formations, and potentially within other paleontologically sensitive formations as well, if those projects do not include appropriate paleontological resource avoidance measures. Therefore, the overall cumulative impact to paleontological resources could be **potentially significant**.

Implementation of Mitigation Measure MM-GEO-6 would reduce the potential of the proposed Project to directly impact paleontological resources and, if resources are encountered during construction, would require measures to ensure that any fossil specimens are recovered and recorded and undergo appropriate curation. Therefore, the Project's contribution to the overall cumulative impact would be **less than cumulatively considerable with mitigation.**

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3.8 Greenhouse Gas Emissions

This section describes the existing science related to GHGs, describes the existing setting of the Project area, and evaluates the potential impacts of the Project related to GHG emissions. Because no single Project is large enough individually to result in a measurable increase in global concentrations of GHG emissions, global warming impacts of a Project are considered on a cumulative basis.

The following comments relating to GHG emissions were received during the public scoping period in response to the Notice of Preparation:

- Concerns regarding loss of trees and associated impacts on climate change.

3.8.1 Environmental Setting

Greenhouse Gases and Climate Change

Scientists have concluded that human activities are contributing to global climate change by adding large amounts of heat-trapping gases, known as GHGs, to the atmosphere. The primary source of these GHGs is fossil fuel use. The Intergovernmental Panel on Climate Change has identified four major GHGs— water vapor, CO_2, methane (CH_4), and ozone (O_3)—that are the likely cause of an increase in global average temperatures observed in the twentieth and twenty-first centuries. Other GHGs identified by the Intergovernmental Panel on Climate Change that contribute to global warming are nitrous oxide (N_2O), sulfur hexafluoride (SF_6), hydrofluorocarbons, perfluorocarbons, and chlorofluorocarbons (Intergovernmental Panel on Climate Change 2014). The following are the principal GHG pollutants that contribute to climate change and their primary emission sources:

- Carbon Dioxide (CO_2) enters the atmosphere through the burning of fossil fuels (oil, natural gas, and coal), solid waste, trees and wood products, and respiration, and also as a result of other chemical reactions (e.g., manufacture of cement). Carbon dioxide is removed from the atmosphere (sequestered) when it is absorbed by plants as part of the biological carbon cycle.
- Methane (CH_4) is emitted during the production and transport of coal, natural gas, and oil. Methane emissions also result from livestock and other agricultural practices and from the decay of organic waste in municipal solid waste landfills.
- Nitrous Oxide (N_2O) is produced by both natural and human-related sources. Primary human-related sources of nitrous oxide are agricultural soil management, sewage treatment, mobile and stationary combustion of fossil fuel, and production of adipic and nitric acid. Nitrous oxide is also produced naturally from a wide variety of biological sources in soil and water, particularly microbial action in wet tropical forests.
- Sulfur Hexafluoride is commonly used as an electrical insulator in high voltage electrical transmission and distribution equipment such as circuit breakers, substations, and transmission switchgear. Releases of sulfur hexafluoride can occur during maintenance and servicing as well as from leaks of electrical equipment.

- Hydrofluorocarbons and Perfluorocarbons are generated in a variety of industrial processes. Although the amount of these gases emitted into the atmosphere is small in terms of their absolute mass, they are potent agents of climate change due to their high global warming potential.

Global warming potential is a concept developed to compare the ability of each GHG to trap heat in the atmosphere relative to CO_2. The global warming potential of a GHG is based on several factors, including the relative effectiveness of a gas to absorb infrared radiation and length of time (i.e., lifetime) that the gas remains in the atmosphere ("atmospheric lifetime"). The reference gas for global warming potential is CO_2; therefore, CO_2 has a global warming potential of 1. The other main GHGs that have been attributed to human activity include CH_4, which has a global warming potential of 28, and N_2O, which has a global warming potential of 265 (USEPA 2017b). These numbers mean, for example, that one ton of CH_4 has the same contribution to the greenhouse effect as approximately 28 tons of CO_2. GHGs with lower emissions rates than CO_2 may still contribute to climate change because they are more effective at absorbing outgoing infrared radiation than CO_2 (i.e., high global warming potential). The concept of CO_2-equivalents (CO_2e) is used to account for the different global warming potentials of GHGs to absorb infrared radiation.

Although the exact lifetime of any particular GHG molecule is dependent on multiple variables, it is understood by scientists who study atmospheric chemistry that more CO_2 is emitted into the atmosphere than is sequestered by ocean uptake, vegetation, and other forms of sequestration. GHG emissions related to human activities have been determined as "extremely likely" to be responsible (indicating 95% certainty) for intensifying the greenhouse effect and leading to a trend of unnatural warming of the Earth's atmosphere and oceans, with corresponding effects on global circulation patterns and climate (CARB 2014a). The quantity of GHGs that it takes to ultimately result in climate change is not precisely known; however, no single Project is expected to measurably contribute to a noticeable incremental change in the global average temperature, or to a global, local, or micro-climate.

GHG Emission Inventories

State

The CARB performs an annual GHG inventory for emissions and sinks[25] of the six major GHGs. California produced 418.2 million metric tons (MMT) CO_2e in 2019 (CARB 2021). As shown in Figure 3.8-1, combustion of fossil fuel in the transportation category was the single largest source of California's GHG emissions in 2019 followed by the industrial and electric power (including in-state and out-of-state sources) categories (CARB 2020).

[25] A sink is a reduction in atmospheric GHGs by storing (sequestering) carbon in another non-gaseous form.

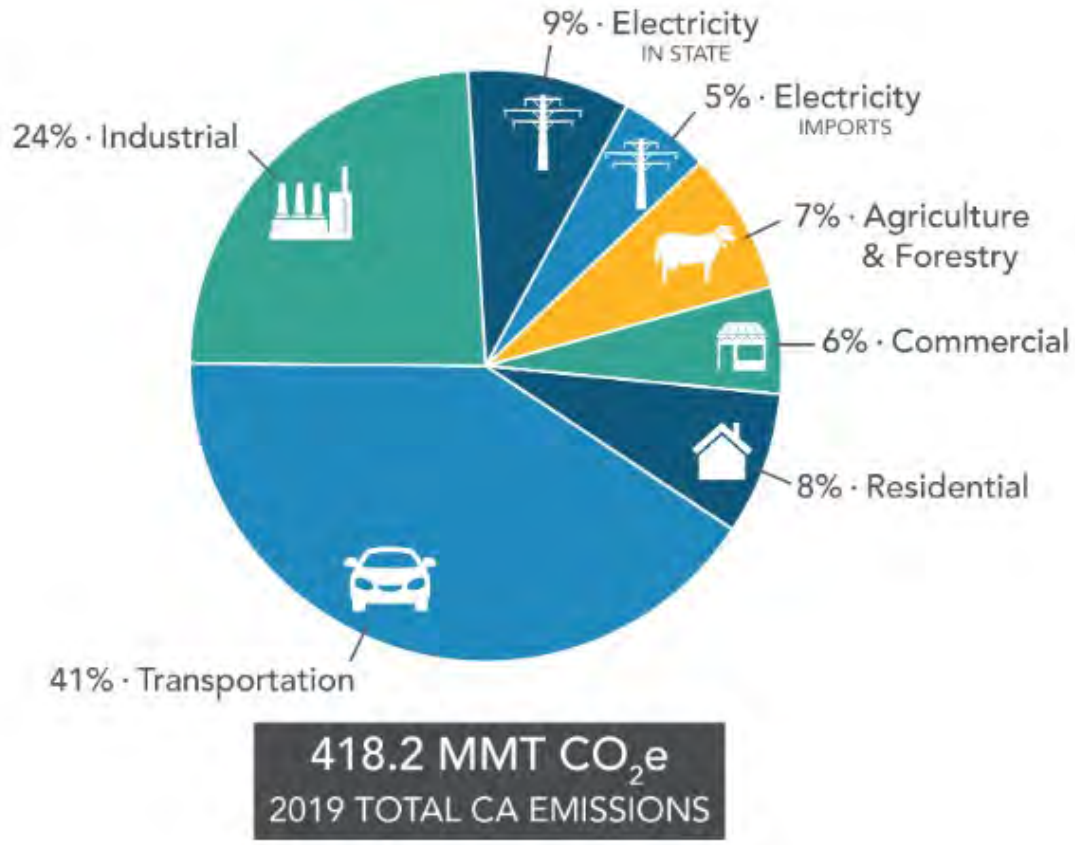


Figure 3.8-1 California 2019 GHG Inventory

Source: CARB 2021.

Regional

The BAAQMD GHG Inventory estimates direct and indirect emissions from sources within the BAAQMD's jurisdiction for the GHGs consistent with those considered for California Global Warming Solutions Act of 2006 (Assembly Bill 32, refer Section 3.8.2, below), including CO_2, CH_4, N_2O, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride (BAAQMD 2015).

Overall, the Bay Area's GHG emissions in 2011 were approximately 86.6 million MT CO_2e (BAAQMD 2015). The transportation sector contributed approximately 39.7 percent of GHG emissions in the Bay Area. The industrial and commercial sector was the second largest contributor with 35.7 percent of total GHG emissions.

Local

In 2020, the City prepared a GHG emissions inventory as part of the development of the City's Climate Action Plan 2030. The inventory quantifies GHG emissions from a wide variety of sources, from the energy used to power, heat, and cool buildings, to the fuel used to move vehicles and power off-road equipment, to the decomposition of solid waste and treatment of wastewater for the years 2008 through 2017. Community GHG emissions totaled 179,893 MT CO_2e in 2008 and 119,974 MT CO_2e in 2017, falling 33 percent, or 59,919 MT CO_2e in that period (City of Saratoga 2020). Figure 3.8-2 shows the community emissions by sector in 2008 and 2017.

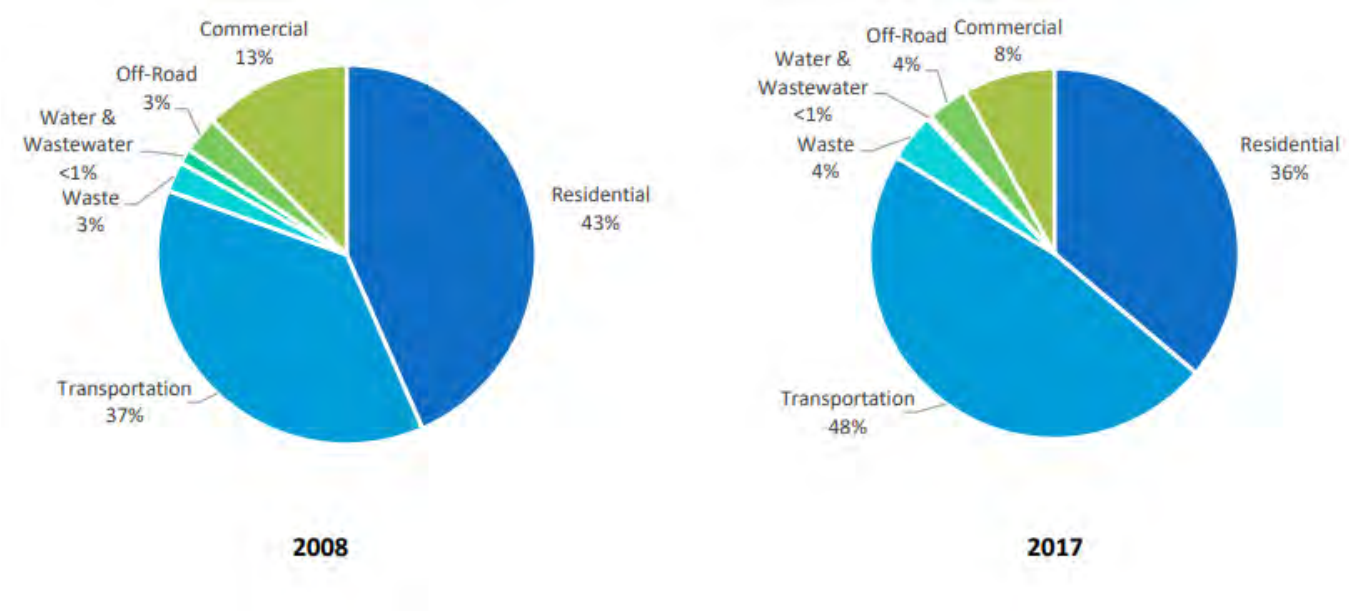


Figure 3.8-2 Emissions by Sector, 2008 and 2017

Source: City of Saratoga 2020.

Project Site and Vicinity

As described in Section 2, *Project Description*, the Project site consists of the existing SRC campus, which includes the Manor Building, assisted living building, fitness center, Health Center, two independent living apartment buildings, and several independent living cottages. As such, existing GHG emissions from the Project site are typical of residential and medical facilities, which include emissions from area, mobile, energy, stationary, waste, and water sources. Area source emissions are associated with activities such as the use of landscape equipment. Mobile source emissions include vehicle trips from residents, visitors, and employees. Energy source emissions are associated with the combustion of natural gas for uses such as space and water heating. Stationary source emissions include emissions from the operation of diesel emergency generators. Waste generation results in indirect GHG emissions associated with the disposal of solid waste into landfills. Water consumption also results in indirect GHG emissions associated with supplying and treating water and wastewater.

3.8.2 Regulatory Framework

Federal

Greenhouse Gas Findings under the Federal Clean Air Act

On December 7, 2009, USEPA made two distinct findings regarding GHG emissions under Section 202(a) of the federal Clean Air Act:

- Endangerment Finding: The Administrator found that the current and projected concentrations of the six key well-mixed greenhouse gases—CO_2, CH_4, N_2O, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride—in the atmosphere threaten the public health and welfare of current and future generations.

- Cause or Contribute Finding: The Administrator found that the combined emissions of these well-mixed GHGs from new motor vehicles and new motor vehicle engines contribute to the GHG pollution which threatens public health and welfare.

Although these findings did not themselves impose any requirements on industries or other entities, this action was a prerequisite to finalizing the USEPA's Proposed Greenhouse Gas Emission Standards for Light-Duty Vehicles (USEPA 2009).

GHG Emission Standards for Light-Duty and Heavy-Duty Vehicles

On May 7, 2010, the final Light-Duty Vehicle Greenhouse Gas Emissions Standards and Corporate Average Fuel Economy Standards were published in the Federal Register (USEPA 2010). Phase 1 of the emissions standards required model year 2012 through 2016 vehicles to meet an estimated combined average emissions level of 250 grams of CO_2 per mile, which is equivalent to 35.5 miles per gallon, if the automobile industry were to meet this CO_2 level solely through fuel economy improvements.

On August 28, 2012, the U.S. Department of Transportation and the USEPA issued a joint Final Rulemaking requiring additional federal GHG and fuel economy standards for Phase 2 of the emissions standards for model year 2017 through 2025 passenger cars and light-duty trucks. The standards would require these vehicles to meet an estimated combined average emissions level of 163 grams of CO_2 per mile in model year 2025, which is equivalent to 54.5 miles per gallon, if the improvements were made solely through fuel efficiency. However, on April 2, 2018, the USEPA issued a Mid-term Evaluation Final Determination, which finds that the model year 2022 through 2025 emissions standards are not appropriate and should be revised. This Mid-term Evaluation was not a final agency action; rather, this determination led to the rule making of the Safer Affordable Fuel Efficient Vehicle Rule (USEPA 2018).

On March 31, 2022, the NHTSA finalized Corporate Average Fuel Economy Standards for model years 2024 through 2026. The final rule established standards that would require an industry-wide fleet average of approximately 49 miles per gallon for passenger cars and light trucks in model year 2026, by increasing fuel efficiency by 8 percent annually for model years 2024 and 2025, and 10 percent annually for model year 2026 (NHTSA 2022).

In addition to the standards for light-duty vehicles, the U.S. Department of Transportation and USEPA adopted complementary standards to reduce GHG emissions and improve the fuel efficiency of heavy-duty trucks and buses on September 15, 2011. The Phase 1 standards together form a comprehensive heavy-duty national program for all on-road vehicles rated at a gross vehicle weight at or above 8,500 pounds for model years 2014 through 2018. The standards phased in with increasing stringency in each model year from 2014 through 2018. The USEPA standards adopted for 2018 represented an average per-vehicle reduction in GHG emissions of 17 percent for diesel vehicles and 12 percent for gasoline vehicles (USEPA 2011). Building on the success of the Phase 1 standards, USEPA and the NHTSA finalized Phase 2 standards for medium- and heavy-duty vehicles through model year 2027. The Phase 2 standards are expected to lower CO_2 emissions by approximately 1.1 billion metric tons.

On March 28, 2022, USEPA published a proposed rule that would set new, more stringent standards to reduce pollution from heavy-duty vehicles and engines starting in model year 2027. This proposal is consistent with President Biden's Executive Order, "Strengthening American Leadership in Clean Cars and Trucks" and would ensure the heavy-duty vehicles and engines

that drive American commerce are as clean as possible while charting a path to advance zero-emission vehicles in the heavy-duty fleet.

Safer Affordable Fuel Efficient Vehicle Rule

As discussed above in Section 3.3.2, in April 2020, the USEPA and NHTSA finalized the SAFE Vehicles Rule. This final rule was made effective on June 29, 2020. The final rule will increase stringency of CO_2 emissions standards by 1.5 percent each year through model year 2026, as compared with the CO_2 standards issued in 2012, which would have required increases of about 5 percent per year (NHTSA 2020). On January 20, 2021, President Biden signed an Executive Order directing consideration of labor unions, States, and industry views to propose suspension, revision, or rescindment of the SAFE Vehicles Rule (The White House 2021). On December 21, 2021, the NHTSA finalized the Corporate Average Fuel Economy Preemption rulemaking to withdraw its portions of the SAFE Part One Rule (NHTSA 2021).

State

CARB is the agency responsible for coordination and oversight of state and local air pollution control programs in California and for implementing the California Clean Air Act.

Assembly Bill 1493

AB 1493, signed in July 2002, requires CARB to develop and implement regulations to reduce automobile and light truck GHG emissions. These stricter emissions standards were designed to apply to automobiles and light trucks beginning with model year 2009. In June 2009, the USEPA Administrator granted a Clean Air Act waiver of preemption to California. This waiver was revoked in 2019 due to the SAFE Part One Rule; however, in 2021, the California's authority under the Clean Air Act to implement its own emission standards and zero emission vehicle sales mandate was restored under the 2021 Corporate Average Fuel Economy Preemption. This waiver allowed California to implement its own GHG emissions standards for motor vehicles beginning with model year 2009. California agencies worked with federal agencies to conduct joint rulemaking to reduce GHG emissions for passenger car model years 2017 through 2025.

Executive Order S-3-05

Executive Order S-3-05, signed in June 2005, proclaimed that California is vulnerable to the impacts of climate change. Executive Order S-3-05 declared that increased temperatures could reduce the Sierra Nevada's snowpack, further exacerbate California's air quality problems, and potentially cause a rise in sea levels. To combat those concerns, the executive order established total GHG emissions targets. Specifically, emissions were to be reduced to 2000 levels by 2010, to 1990 levels by 2020, and to 80 percent below the 1990 levels by 2050. The statewide GHG emissions in 2000 were approximately 466 MMT CO_2e (CARB 2014b). In 2010, overall statewide GHG emissions were approximately 453 MMT CO_2e, achieving the 2010 goal established by Executive Order S-3-05 (CARB 2014b).

Assembly Bill 32

In 2006, California passed the California Global Warming Solutions Act of 2006 (AB 32; California Health and Safety Code Division 25.5, Sections 38500, et seq.). AB 32 further details and puts into law the mid-term GHG reduction target established in Executive Order S-3-05: reduce GHG emissions to 1990 levels by 2020. AB 32 also identifies CARB as the state agency responsible for the design and implementation of emissions limits, regulations, and other measures to meet the target. AB 32 also established several programs to achieve GHG emission

reductions, including the Low Carbon Fuel Standard and the Cap-and-Trade program. As of 2017, the state had reduced emissions below the revised AB 32 limit of 427 MMT CO_2e.[26]

Senate Bill 32

In 2016, the California State Legislature adopted SB 32 and its companion bill AB 197. SB 32 establishes a climate pollution reduction target of 40 percent below 1990 levels by 2030. AB 197 creates six-year term limits for CARB members, adds two nonvoting lawmakers to the board and creates a new legislative oversight committee. AB 197 also targets climate change programs to "disadvantaged communities" and requires the CARB to consider the social costs of GHG emissions.

CARB Climate Change Scoping Plans

In December 2008, CARB adopted its *Climate Change Scoping Plan: A Framework for Change* (Scoping Plan), which contains the main strategies California will implement to achieve the required GHG reductions required by AB 32 (CARB 2008). The Scoping Plan also includes CARB-recommended GHG reductions for each emissions sector of California's GHG inventory. CARB further acknowledges that decisions about how land is used will have large impacts on the GHG emissions that will result from the transportation, housing, industry, forestry, water, agriculture, electricity, and natural gas emissions sectors.

CARB is required to update the Scoping Plan at least once every 5 years to evaluate progress and develop future inventories that may guide this process. CARB approved *First Update to the Climate Change Scoping Plan: Building on the Framework* in June 2014 (CARB 2014a). The Scoping Plan update includes a status of the 2008 Scoping Plan measures and other federal, state, and local efforts to reduce GHG emissions in California, and potential actions to further reduce GHG emissions by 2020.

In November 2017, CARB released the 2017 Climate Change Scoping Plan, which establishes a framework of action for California to reduce statewide emissions by 40 percent by 2030, compared to 1990 levels (CARB 2017). The 2017 Scoping Plan builds upon the framework established by the 2008 Scoping Plan and the 2014 Scoping Plan Update, while also identifying new, technologically feasible and cost-effective strategies to ensure that California meets its GHG reduction targets.

In May 2022, CARB released the Draft 2022 Scoping Plan Update (CARB 2022). The 2022 Scoping Plan, once final, will be a major milestone, laying out how the fifth largest economy in the world can get to carbon neutrality by 2045 or earlier. This is the first Scoping Plan that adds carbon neutrality as a science-based guide and touchstone beyond statutorily established emission reduction targets. It identifies a technologically feasible, cost-effective, and equity-focused path to achieve carbon neutrality by 2045, or earlier, while also assessing the progress the state is making toward reducing its GHG emissions by at least 40 percent below 1990 levels by 2030, as called for in SB 32 and laid out in the 2017 Scoping Plan. The Draft 2022 Scoping Plan expands previous Scoping Plans to include actions to capture and store carbon including through natural and working lands and mechanical technologies, while drastically reducing anthropogenic sources of carbon pollution at the same time (CARB 2022).

[26] For more detail, please see https://ww2.arb.ca.gov/ghg-2020-limit and https://ww2.arb.ca.gov/ghg-inventory-graphs.

Executive Order S-1-07

Executive Order S-1-07, which was signed by then California Governor Arnold Schwarzenegger in 2007, proclaims that the transportation sector is the main source of GHG emissions in California, at more than 40 percent of statewide emissions. Executive Order S-1-07 establishes a goal that the carbon intensity of transportation fuels sold in California should be reduced by a minimum of 10 percent by 2020. CARB adopted the low carbon fuel standard on April 23, 2009. In November 2015, the Office of Administrative Law approved re-adoption of the low carbon fuel standard.

Senate Bill 375

SB 375, signed by the Governor in September 2008, aligned regional transportation planning efforts, regional GHG reduction targets, and land use and housing allocations. SB 375 required metropolitan planning organizations to adopt Sustainable Community Strategies that would prescribe land use allocation in that metropolitan planning organization's regional transportation plan. CARB adopted regional GHG targets for passenger vehicles and light trucks for 2020 and 2035 for the 18 metropolitan planning organizations in California. If the combination of measures in the Sustainable Community Strategies would not meet the regional targets, the metropolitan planning organizations must prepare a separate "alternative planning strategy" to meet the targets.

CARB is required to update the targets for the metropolitan planning organizations every 5 years. In June 2017, CARB released updated targets and technical methodology. The updated targets consider the need to further reduce VMT, as identified in the 2017 Scoping Plan Update (for SB 32), while balancing the need for additional and more flexible revenue sources to incentivize positive planning and action toward sustainable communities. Like the 2010 targets, the updated SB 375 targets are in units of percent per capita reduction in GHG emissions from automobiles and light trucks relative to 2005; this excludes reductions anticipated from implementation of State technology and fuels strategies, and any potential future State strategies such as statewide road-user pricing. The proposed targets call for greater per capita GHG emission reductions from SB 375 than are currently in place. For 2035, the proposed targets either match or exceed the emission reduction levels contained in the metropolitan planning organizations' currently adopted Sustainable Community Strategies (discussed below) to achieve the SB 375 targets.

For the next round of Sustainable Community Strategy updates, CARB's updated targets for the Bay Area region are a 10% per capita GHG reduction in 2020 from 2005 levels (compared to 7% under the 2010 target), and a 19% per capita GHG reduction in 2035 from 2005 levels (compared to the 2010 target of 15% (CARB 2018).The updated targets and methodology took effect on October 1, 2018, and Sustainable Community Strategies adopted in 2018 and later would be subject to these new targets (CARB 2018).

Executive Order B-30-15

In April 2015, Governor Edmund Brown issued an executive order establishing a statewide GHG reduction goal of 40 percent below 1990 levels by 2030. The emission reduction target acts as an interim goal between the AB 32 goal (i.e., achieve 1990 emission levels by 2020) and Governor Brown's Executive Order S-03-05 goal of reducing statewide emissions 80 percent below 1990 levels by 2050. In addition, the executive order aligns California's 2030 GHG reduction goal with the European Union's reduction target (i.e., 40 percent below 1990 levels by 2030) that was adopted in October 2014.

Senate Bill 350

California's Renewable Portfolio Standard was established in 2002 under SB 1078 and accelerated in 2006 under SB 107, by requiring that 20 percent of electricity retail sales be served by renewable energy sources by 2010. Subsequent recommendations in California energy policy reports advocated a goal of 33 percent by 2020, and on November 17, 2008, then governor Arnold Schwarzenegger signed Executive Order S-14-08 requiring retail sellers of electricity to serve 33 percent of their load with renewable energy by 2020. In April 2011, SB X1-2 codified Executive Order S-14-08, setting the new Renewable Portfolio Standard targets at 20 percent by the end of 2013, 25 percent by the end of 2016, and 33 percent by the end of 2020 for all electricity retailers. In October 2015, Governor Edmund Brown signed SB 350, which extended the Renewable Portfolio Standard target by requiring retail sellers to procure 50 percent of their electricity from renewable energy resources by 2030. This was followed by SB 100 in 2018, which further increased the Renewable Portfolio Standard target to 60 percent by 2030 along with the requirement that all of the state's electricity come from carbon-free resources by 2045.

Executive Order B-55-18

On September 10, 2018, Governor Brown issued Executive Order B-55-18, which establishes a new 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 states that this new goal is in addition to the existing statewide targets of reduction GHG emissions.

Regional and Local

CARB also acknowledges that local governments have broad influence and, in some cases, exclusive jurisdiction over activities that contribute to significant direct and indirect GHG emissions through their planning and permitting processes, local ordinances, outreach and education efforts, and municipal operations.

Plan Bay Area 2050

As described above, SB 375 aligned regional transportation planning efforts, regional GHG reduction targets, and land use and housing allocations. SB 375 required metropolitan planning organizations to adopt a sustainable communities strategy that will prescribe land use allocations in that metropolitan planning organization's regional transportation plan. On October 21, 2021, ABAG and Metropolitan Transportation Commission (MTC) adopted *Plan Bay Area 2050*. Plan Bay Area 2050 focuses on four key issues: the economy, the environment, housing, and transportation (MTC and ABAG 2021). Thirty-five strategies comprise the heart of the plan to improve housing, the economy, transportation, and the environment across the Bay Area's nine counties.

City of Saratoga General Plan

Multiple chapters of the City's General Plan contain policies pertaining to improving air quality and transportation strategies, as detailed in Sections 3.4 and 3.16, respectively, many of which would also result in co-benefits with reducing GHG emissions. Specifically, the Open Space and Conservation and Land Use Elements of the City's General Plan[27] (City of Saratoga 2007)

[27] In February 2018, the City of Saratoga began the process of making minor policy updates to three elements of the City's General Plan (Land Use, Circulation, and Open Space & Conservation) and formatting the elements to provide a cohesive document. These updated

include goals and policies designed to help improve air quality within the City. The Circulation Element and Scenic Highway Element includes policies to encourage the use of alternative forms of transportation and strategies including promoting bicycling, walking, and transit use. Many of these air quality and transportation policies would also result in co-benefits with reducing GHG emissions.

City of Saratoga Municipal Code

Chapter 17, Article 17-05, *Greenhouse Gas Reduction Policies*. Section 17-05.010 cross-references various sections of the Municipal Code that seek to reduce emissions of greenhouse gases. Pertinent sections include, but are not limited to: 6-15.070 Discharge of pollutants into storm drains and watercourses; 9-70 Transportation demand management; 15-47 Water-efficient landscapes; 15-48 Limitations on wood-burning fireplaces; 15-50 Tree regulations; 16-47 Green building regulations; 16-49 Green Building Standards Code (including CALGreen sections 4.408, 5.408, 301.1.1, and 301.3); 6-75.030 Water conservation devices. In addition, Article 16-51 adopts the California Energy Code and requires all newly constructed buildings to use electricity for space and water heating instead of natural gas.

City of Saratoga Climate Action Plan

In December 2020, the City adopted Climate Action Plan 2030. Climate Action Plan 2030 compiles existing and potential actions that the City's government and the community can take to address climate change. This Climate Action Plan establishes targets similar to the State's goals to reduce emissions 40% below 1990 levels by 2030 and 80% below 1990 levels by 2050. In Saratoga, that means emissions would need to drop to 91,745 MT CO_2e by 2030 and 30,582 MT CO_2e by 2050 (City of Saratoga 2020a). Climate Action Plan 2030 includes actions to reduce GHG emissions and adapt to climate change in the categories of: renewable energy, energy efficiency, waste reduction, water conservation, carbon sequestration, adaptation, and community engagement.

3.8.3 Project Impacts and Mitigation

This section addresses the following potential impacts relating to GHG emissions:

- Impact GHG-1: Would the Project generate GHG emissions that may have a significant impact on the environment?
- Impact GHG-2: Would the Project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing GHG emissions?

elements are collectively known as the "2040 General Plan Update" but have not yet been adopted. In addition, the City is currently in the process of updating its Housing Element for the "6th Cycle" planning period extending from January 31, 2023 through January 31, 2031, and updating its Safety Element to reflect the updated Housing Element. On February 28, 2022 the City published a Notice of Preparation of a Draft Program Environmental Impact Report for the 6th Cycle Housing Element, Safety Element, and 2040 General Plan Update. At present, there is no confirmed timeframe for completion and certification of the Program EIR and adoption of the updated General Plan elements; therefore, the policies cited within this EIR reflect the current General Plan Elements.

Impact GHG-1: GHG Emissions

Impact GHG-1 would be **potentially cumulatively considerable**. However, with implementation of MM-GHG-1a and MM-GHG-1b, the Project's contribution to the cumulative impact would be reduced to **less than significant with mitigation**.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment. As discussed previously, a project's global warming impacts are considered on a cumulative basis.

Lead agencies have flexibility to develop their own significance thresholds or to determine significance thresholds on a case-by-case basis. They may also consider thresholds of significance adopted or recommended by other public agencies or experts, provided that the thresholds are supported by substantial evidence (CEQA Guidelines, Sections 15064, 15064.7.) The City has not established thresholds for determining whether a project's GHG emissions would be significant.

In April 2022, BAAQMD adopted revised CEQA Thresholds for Evaluating the Significance of Climate Impacts for land use development projects (BAAQMD 2022a). For land use development projects, the BAAQMD recommends using the approach endorsed by the California Supreme Court in *Center for Biological Diversity v. Department of Fish & Wildlife* (2015) (62 Cal.4th 204), commonly referred to "*Newhall Ranch*", which evaluates a project based on its effect on California's efforts to meet the State's long-term climate goals. As the Supreme Court held in that case, a project that would be consistent with meeting those goals can be found to have a less-than-significant impact on climate change under CEQA. If a project would contribute its "fair share" of what will be required to achieve those long-term climate goals, then a reviewing agency can find that the impact will not be significant because the project will help to solve the problem of global climate change (62 Cal.4th 220–223).

Applying this approach, the BAAQMD analyzed what will be required of new land use development projects to achieve California's long-term climate goal of carbon neutrality by 2045 as articulated in Executive Order B-55-18. The BAAQMD found that a new land use development project being built today needs to either incorporate design elements (listed below) to do its "fair share" of implementing the goal of carbon neutrality by 2045 or be consistent with a local GHG reduction strategy that meets the criteria under the State CEQA Guidelines Section 15183.5(b).

Since the City has not adopted a local GHG reduction strategy meeting the criteria under the State CEQA Guidelines Section 15183.5(b), the applicable threshold of significance under the BAAQMD's current approach to evaluate the Project's GHG emissions is based on whether the Project would include, at a minimum, the following project design elements (BAAQMD 2022a):

1. Buildings
    a. The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development).

b. The project will not result in any wasteful, inefficient, or unnecessary energy usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.

2. Transportation

a. Achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target, reflecting the recommendations provided in the Governor's Office of Planning and Research's Technical Advisory on Evaluating Transportation Impacts in CEQA:

i. Residential projects: 15 percent below the existing VMT per capita
ii. Office projects: 15 percent below the existing VMT per employee
iii. Retail projects: no net increase in existing VMT

b. Achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.

Under the recently adopted BAAQMD-recommended thresholds for evaluating land use development projects, there is no proposed construction-related climate impact threshold at this time. BAAQMD states that GHG emissions from construction represent a very small portion of a project's lifetime GHG emissions. The recommended thresholds for land use projects are designed to address operational GHG emissions which represent the vast majority of project GHG emissions (BAAQMD 2022b).

As described above, lead agencies have flexibility to develop their own significance thresholds or to determine significance thresholds on a case-by-case basis. Thus, as an additional point of reference for evaluation of the Project's GHG emissions, and for an evaluation under the State's shorter term goal of SB 32 (achieve 40 percent below 1990 levels by 2030), the City has also chosen to use a GHG efficiency metric to assess the GHG efficiency of the Project on a "service population" basis such that the project will allow for consistency with the goals of AB 32 and SB 32.

To achieve the goals of AB 32 and SB 32, which are tied to GHG emission levels of a specific benchmark year (i.e., 1990), California would have to achieve a lower rate of emissions per unit of population (per person) and/or per level of economic activity (e.g., per job) than its current rate. The "per service population" metric represents the rate of emissions needed to achieve a fair share of California's emission reduction mandate. Fair share indicates the level of GHG efficiency that, if applied statewide or to a defined geographic area, such as the project, would meet the State's emissions targets.

To develop the service population efficiency metric or threshold for the Project, land use–related sectors in the Scoping Plan were identified, and GHG emissions were separated to tailor the inventory to emission sources relevant to the Project. This exercise was completed to identify the emissions sources over which the Project can have some influence through planning and development approval. Emission sources that would not be produced by the Project would not be included in the development of the GHG efficiency threshold. For example, this approach

would exclude emissions associated with industrial, agriculture, ships and commercial boats, and other sources not associated with project activities.

Tailoring the reduction target to the specific local context speaks to the direction from the California Supreme Court's 2015 decision in *Center for Biological Diversity v. California Department of Fish and Wildlife,*[28] commonly referred to as "*Newhall Ranch*." In *Newhall Ranch*, the Court indicated that the use of a state-legislation-based significance threshold could be acceptable, so long as the administrative record supports how this threshold is appropriate for a specific project at a specific location. The following tables and paragraphs provide further detail on tailoring state guidance to local conditions.

If the Project GHG emissions per service population are less than the efficiency threshold developed with the statewide 2030 target in mind, the impact would be less than cumulatively considerable. Table 3.8-1 presents a revised version of the 1990 statewide emissions that includes only the sectors and subsectors relevant to the Project.

The statewide inventory was tailored to emissions sources that are relevant to the Project so that the Project's emissions in future years can be compared with California's own targets for the relevant land uses—namely for 2030, under SB 32. After culling the emissions sources to those that are relevant for the Project, the second step is developing an appropriate "rate" of emissions. In this case, because the Project would have both a residential component and an employment component, "service population" was the selected metric used to convert mass emissions to a rate of emissions.

California has mass emissions targets for future years. State agencies also forecast future residential population and employment for future years. If one simply divides the mass emissions target by the total residential population and employment, this yields emissions "budget" per population plus employment that is consistent with state GHG goals. If a project has a rate of GHG emissions per service population that is equal to, or less than the State's GHG rate for future years, then that project can demonstrate consistency with the State's GHG goals.

In this case, if the Project's emissions rates are consistent with the State's goals, it can be concluded that implementation of the Project would make substantial progress toward the State's 2030 goals and set a trajectory that is consistent with the State's 2050 goal. The application of an efficiency-based metric as described herein is consistent with the discussion in CARB's 2017 Scoping Plan (CARB 2017) of the importance of GHG efficiency in land use planning. The 2017 Scoping Plan provides the following guidance on the application of an efficiency-based metric:

> *"Since the statewide per capita targets are based on the statewide GHG emissions inventory that includes all emissions sectors in the State, it is appropriate for local jurisdictions to derive evidence-based local per capita goals based on local emissions sectors and population projections that are consistent with the framework used to develop the statewide per capita targets. The resulting GHG emissions trajectory should show a downward trend consistent with the statewide objectives."*

[28] 62 Cal. 4th 204.

Table 3.8-1 Adjusted Statewide Emissions Inventory – Land Use–Related Sectors

Main Sector / Sub-Sector Level 1	Total Emissions (MMT CO_2e/yr) [1]	Adjusted Land Use Related Emissions (MMT CO_2e/yr)	Notes/Adjustments
Agriculture & Forestry	18.9	0.0	Not included in land use sector
Commercial	14.4	13.9	Excludes National Security emissions from Sub-Sector Level 1
Electricity Generation (Imports)	61.5	61.5	Land use sector includes all emissions
Electricity Generation (In State)	49.0	34.4	Excludes CHP: Industrial from Sub-Sector Level 1
Industrial	105.3	11.7	Industrial emissions excluded from land use sector, except as described in sub-sectors below
CHP: Industrial	9.7	0.0	Not included in land use sector
Flaring	0.1	0.0	Not included in land use sector
Landfills	7.4	7.4	Land use sector includes all emissions
Manufacturing	32.1	0.7	*Construction emissions from Sub-Sector Level 2 included in land use sector*
Mining	0.0	0.0	Not included in land use sector
Not Specified	2.7	0.0	Not included in land use sector
Oil & Gas Extraction	14.8	0.0	Not included in land use sector
Petroleum Marketing	0.0	0.0	Not included in land use sector
Petroleum Refining	32.8	0.0	Not included in land use sector
Pipelines	1.9	0.0	Not included in land use sector
Wastewater Treatment	3.6	3.6	*Wastewater treatment emissions are included*
Not Specified	1.3	1.3	Land use sector includes all emissions
Residential	29.7	29.7	Land use sector includes all emissions
Transportation	150.6	140.9	Excludes Aviation, Rail, and Water-borne emissions from Subsector Level 1
Total	431.0	293.5	

Source: Prepared by AECOM.
Acronyms: MMT CO_2e/yr = million metric tons of carbon dioxide equivalent per year; CHP = combined heat and power.
Notes: Sectors/sub-sectors may not sum exactly due to rounding

[1] *California 1990 Greenhouse Gas Emissions Level and 2020 Limit, ARB, available at: http://www.arb.ca.gov/cc/inventory/1990level/1990level.htm*

Table 3.8-2 shows the estimated statewide land use related GHG emissions per service population through 2030. The GHG emissions target for the Project in 2030 was developed to demonstrate consistency with the State's 2030 target. The State's mass emissions goals for 2030 have been adjusted to focus only on emissions sources relevant to the Project. Then, these mass emissions goals are divided by the State's forecast population and employment in 2030 to create an emissions "budget" per service population (which is residential population + employment). Therefore, as shown in Table 3.8-2, if the Project does not exceed the emissions per service population of 2.88, this impact would be less than cumulatively considerable.

Table 3.8-2 Local Service Population Efficiency 2030 Target

Factor	Value
State GHG Emissions Target for 2030	176,082,940 MT CO_2e/yr
Forecast Population in 2030[1]	41,860,549 residents
Forecast Employment in 2030[2,3]	19,181,944 employees
Total Service Population (SP) in 2030[4]	61,042,493
Emissions per Service Population Target	2.88 MT CO_2e/yr per Service Population

Source: Estimated by AECOM, based on Project-specific land uses.

Notes:

[1] Department of Finance (DOF) Total Estimated and Projected Population for California and Counties: July 1, 2010, to July 1, 2060, in 1-year increments. July 2021. Available online at: <http://www.dof.ca.gov/Forecasting/Demographics/projections/>

[2] Employee Development Department (EDD) Employment Projections. Available online at: <http://www.labormarketinfo.edd.ca.gov/data/employment-projections.html>. Sorted to remove jobs from: 11-9013 Farmers, Ranchers, and Other Agricultural Managers; 19-1032 Foresters; 19-4041 Geological and Petroleum Technicians; 19-4093 Forest and Conservation Technicians; 45-000 Farming, Fishing, and Forestry Occupations; 47-5000 Extraction Workers; 49-3011 Aircraft Mechanics and Service Technicians; 49-3041 Farm Equipment Mechanics and Service Technicians; 49-9041 Industrial Machinery Mechanics; 49-9043 Maintenance Workers, Machinery; 49-9044 Millwrights; 51-0000 Production Occupations; 53-2000 Air Transportation Workers; 53-4000 Rail Transportation Workers; and 53-5000 Water Transportation Workers.

[3] EDD provides 2- and 10-year employment estimates that currently extend to 2028, so the ratio of employment to population estimated in 2028 (i.e., 46%) was applied to the DOF population estimates for 2030 to estimate employment in those years.

[4] Service population is the sum of the state's residents and employees.
Acronyms: GHG = greenhouse gases; MT CO_2e = metric tons of carbon dioxide equivalent; SP = service population

Construction activities associated with the Project would also generate GHG emissions from the use of construction equipment, haul trucks, and worker vehicles. As described previously, the BAAQMD has not adopted thresholds for evaluating GHG emissions from construction activities. Direct comparison of construction GHG emissions with long-term thresholds would not be appropriate because these emissions cease on completion of construction. Other districts (e.g., South Coast Air Quality Management District [2008]) recommend that construction emissions associated with a project be amortized over the life of the project (typically assumed to be 30 years). Therefore, this analysis includes a quantification of the total construction related GHG emissions. Those emissions are then amortized over the life of the Project (assumed to be 30 years) and added to the Project's operational emissions for comparison with the GHG efficiency metric designed for this analysis.

In summary, while the current BAAQMD approach to the GHG threshold of implementation of operational project design features is not explicitly contained within the City's planning documents, the BAAQMD guidance is relevant for consideration in an analysis of GHG-related impacts for projects within BAAQMD's jurisdiction and this threshold is considered to

demonstrate consistency with California's long-term goal of carbon neutrality by 2045. In addition, as described above, using a per-service-population GHG efficiency metric for emissions is an appropriate quantitative metric of evaluation to assess the Project's consistency with the statewide shorter term goals of AB 32 and SB 32.

Therefore, the use of both thresholds is presented in the analysis below to establish a determination of significance for the Project. It is not the intent of this document to cause the adoption of these thresholds as bases for other projects, but rather to provide this additional information to put the project generated GHG emissions in the appropriate statewide context.

Impact Analysis

Construction and operational activities of the Project would result in the generation of direct and indirect GHG emissions. Heavy-duty off-road equipment, materials transport, and worker commutes during construction of the Project would result in exhaust related GHG emissions. Construction of the Project is anticipated to begin in 2023 and last approximately 25 months. Construction-related GHG emissions of the Project were estimated using the methodology discussed in Section 3.3, *Air Quality*.

After construction, day-to-day activities associated with operation of the Project would generate emissions from a variety of sources. The analysis estimated operational GHG emissions from sources such as area, mobile, electricity, solid waste, water and wastewater, and stationary sources. Area-source emissions typically include the use of landscaping and maintenance equipment and residential fireplaces. Because the Project's residential uses would be subject to BAAQMD Regulation 6, Rule 3, which prohibits installation of wood-burning devices in new building construction, any fireplaces (if present) were assumed to be electric (the Project would not include any natural gas infrastructure in accordance with the City's Municipal Code Section 16-51.015). Mobile sources would involve vehicle trips associated with residential, visitor, and employee trips. The Project would generate approximately 192 daily vehicle trips. Energy-related GHG emissions are generated from electricity consumption and were increased to account for the increased electricity usage due to the avoidance of natural gas usage (as discussed in Section 3.6, Energy). Total annual indoor water demand was based on CalEEMod defaults; while total outdoor water demand was based on CalEEMod defaults and reduced by 20 percent in accordance with the City's WELO requirements. GHG emissions from solid waste are associated with the decomposition of solid waste, which was also based on CalEEMod defaults and CalRecycle waste generation rates. Lastly, stationary sources include emissions from the maintenance and testing of the emergency generators, which was assumed to be 50 hours based on BAAQMD regulations.

Evaluation Against BAAQMD-Recommended Design Features

Table 3.8-3 evaluates the Project's proposed design features against the project design elements recommended by the BAAQMD to evaluate land use development projects. As summarized in Table 3.8-3, the Project's design features would be consistent with the BAAQMD's recommended project design elements used to evaluate a project's climate change impacts with the exception of Transportation (b), achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2. Therefore, when assessed against the project design elements recommended by BAAQMD to evaluate land use development projects, the Project's contribution to the significant cumulative GHG emission impact would be **potentially cumulatively considerable**.

Table 3.8-3 Project Consistency with BAAQMD-Recommended Design Elements

BAAQMD-Recommended Design Element	Included in the Project Design?
Buildings: (a) The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development). State GHG Emissions Target for 2030.	Yes, the Project would be constructed in accordance with the City of Saratoga's Municipal Code Section 16-51.015 which requires the use of electric water and space heating (e.g., no natural gas infrastructure).
Buildings: (b) The project will not result in any wasteful, inefficient, or unnecessary energy usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.	Yes, as detailed in Section 3.6, Energy, the Project would not result in any wasteful, inefficient, or unnecessary energy usage.
Transportation: a) Achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target, reflecting the recommendations provided in the Governor's Office of Planning and Research's Technical Advisory on Evaluating Transportation Impacts in CEQA: Residential projects: 15 percent below the existing VMT per capita.	Yes, as detailed in Section 3.16, Transportation, the estimated VMT per capita for the Project site (7.14) is more than 15 percent lower than the average daily VMT per capita for the City of Saratoga (17.97).
Transportation: b) Achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.	No. The Project plans and application submitted to the City include no details regarding electric vehicle charging provision. Current Tier 2 CALGreen requirements for multifamily residential buildings is that 20 percent of provided parking spaces are EV capable.

Acronyms: CALGreen – California Green Building Standards Code; EV = electric vehicle; VMT – vehicle miles travelled;

Note: EV Capable means that there is electric panel capacity, a dedicated branch circuit, and continuous raceway from the panel to the intended location of the EV parking space.

Mitigation Measure MM-GHG-1a is recommended to reduce this potentially cumulatively considerable impact.

> ***MM-GHG-1a: Require Compliance with Electric Vehicle Requirements in CALGreen Tier 2***
>
> *Prior to issuance of building permits, Project Building Plans shall demonstrate compliance with the following applicable measure included in the BAAQMD Thresholds for Climate Impacts, to the satisfaction of the City of Saratoga Community Development Department, that the Project achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.*

With implementation of MM-GHG-1a, the Project would include all the project design elements recommended by the BAAQMD. The requirements for electric vehicle charging infrastructure in

new land use development projects are governed by the CALGreen regulatory standards. These standards are set forth in Title 24 of the CCR, and they are regularly updated on a 3-year cycle. As detailed in the BAAQMD CEQA Thresholds Justification Report, the CALGreen standards consist of a set of mandatory standards that are legally required for new development, as well as two more aggressive sets of voluntary standards known as Tier 1 and Tier 2. The 2022 CALGreen mandatory standards were adopted based on what will be required to serve anticipated electric vehicle charging demand through the year 2025. However, providing electric vehicle charging infrastructure to meet expected demand as of 2025 will not be sufficient to support the much more extensive level of electric vehicle penetration anticipated farther into the future. Therefore, the BAAQMD recommends using the more aggressive Tier 2 CALGreen standards to evaluate whether new land use development projects will provide their "fair share" of electric vehicle charging infrastructure. As such, with implementation of all the project design elements and MM-GHG-1a, the Project would contribute its fair share[29] of what is needed to attain carbon neutrality under the BAAQMD guidance, and thus, would not conflict with the State's policies of achieving carbon neutrality and the Draft 2022 Scoping Plan.

Therefore, when assessed against the project design elements recommended by BAAQMD to evaluate land use development projects, with implementation of MM-GHG-1a the Project's contribution to the significant cumulative GHG emission impact would be reduced to less than cumulatively considerable with mitigation.

Evaluation Against GHG Efficiency Metric

Table 3.8-4 summarizes the Project's total GHG emissions for evaluation under the GHG efficiency metric developed for this Project.

[29] Fair share indicates the level of GHG efficiency that, if applied statewide or to a defined geographic area, such as the project, would meet the State's emissions targets.

Table 3.8-4 Project Annual Emissions

Description	GHG Emissions (MT CO_2e)
Total Construction GHG Emissions	1,493
Amortized Construction [1]	50
Area	7
Energy	86
Stationary	12
Mobile	141
Waste	29
Water	7
Total Project Emissions	333
GHG Emissions per Service Population (MT CO_2e/SP)[2]	3.74
2030 Efficiency Threshold (MT CO_2e/SP)	2.88
Exceeds Threshold?	Yes

*Source: Estimated by AECOM. See **Appendix C** for detailed modelling assumptions, outputs, and results.*

Notes: GHG = greenhouse gas; MT CO_2e = metric tons of carbon dioxide equivalent; SP = service population; Totals may not add due to rounding.

[1] Amortized construction-related emissions calculated by dividing the Project's total construction GHG emissions by the operational lifetime of the Project (assumed to be 30 years).

[2] Emissions per service population calculated by dividing the Project's emissions by the number of residents assumed for the Project (89 new residents).

As presented in Table 3.8-4, the Project's GHG emissions would exceed the 2030 efficiency threshold. Therefore, when assessed against the 2030 efficiency metric, the Project's contribution to the significant cumulative GHG emission impact would be **potentially cumulatively considerable**.

Mitigation Measure MM-GHG-1b is recommended to reduce this potentially cumulatively considerable impact.

MM-GHG-1b: Participation in Silicon Valley Clean Energy Program or On-Site Renewable Energy

The Project shall enroll in the Silicon Valley Clean Energy "GreenStart" or "GreenPrime" program, which provide 100 percent GHG emissions free electricity to participating customers or meet 100 percent of their electricity demand through on-site renewable energy, such as solar panels. Evidence of enrollment, such as a contract agreement or evidence that the on-site renewable energy generation would meet the buildings' energy requirements, and compliance with any enrollment conditions, as applicable, shall be provided to the City of Saratoga Department of Community Development prior to occupancy of the new buildings. Evidence of continued enrollment and compliance in subsequent years shall be provided to the City on request.

Table 3.8-5 summarizes the total GHG emissions from the Project if mitigation measure MM-GHG-1b were implemented.

Table 3.8-5 Project Mitigated Annual Emissions

Description	GHG Emissions (MT CO_2e)
Total Construction GHG Emissions	1,493
Amortized Construction [1]	50
Area	7
Energy	0
Stationary	12
Mobile	141
Waste	29
Water	5
Total Project Emissions	244
GHG Emissions per Service Population (MT CO_2e/SP)[2]	2.74
2030 Efficiency Threshold (MT CO_2e/SP)	2.88
Exceeds Threshold?	No

*Source: Estimated by AECOM. See **Appendix C** for detailed modelling assumptions, outputs, and results.*

Notes: GHG = greenhouse gas; MT CO_2e = metric tons of carbon dioxide equivalent; SP = service population; Totals may not add due to rounding.

[1] Amortized construction-related emissions calculated by dividing the Project's total construction GHG emissions by the operational lifetime of the Project (assumed to be 30 years).

[2] Emissions per service population calculated by dividing the Project's mitigated emissions by the number of residents assumed for the Project (89 new residents).

As shown in Table 3.8-5, with implementation of MM-GHG-1b the Project's mitigated emissions would not exceed the 2030 local efficiency threshold. Projects that enroll in Silicon Valley Clean Energy "GreenStart" or "GreenPrime" meet 100 percent of their electricity needs with power made from a mix of renewable and carbon-free resources like wind, sun, and hydroelectric energy (City of Saratoga 2020a). Similarly, projects that meet 100 percent of their electricity needs via onsite renewable energy facilities, such as solar photovoltaic panels, provide a clean source of renewable energy that does not result in operational energy related GHG emissions. With implementation of MM-GHG-1b, the Project would not exceed the 2030 local service population threshold, and the Project and would not conflict with the State's regulations, including SB 32 and the 2017 Climate Change Scoping Plan, adopted for the purpose of reducing GHG emissions. In addition, with implementation of MM-GHG-1b, the Project would also support the goals of the City Climate Action Plan 2030 related to supporting Silicon Valley Clean Energy in the continued delivery of 100 percent GHG-free electricity (RE-1).

Therefore, when assessed against the GHG efficiency metric developed for this Project, with implementation of MM-GHG-1b, the Project's contribution to the significant cumulative GHG emission impact would be reduced to less than cumulatively considerable with mitigation.

Impact GHG-2: GHG Plan, Policy or Regulation Conflicts

Impact GHG-2 would be **potentially significant**. However, with implementation of MM-GHG-1a and MM-GHG-1b, the impact would be reduced to **less than significant with mitigation**.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions.

Impact Analysis

As discussed in Section 3.8.2, Regulatory Framework, the City adopted Climate Action Plan 2030, which includes actions to reduce GHG emissions and adapt to climate change in the categories of: renewable energy, energy efficiency, waste reduction, water conservation. Since the Project would comply with the City's WELO requirements, the Project would be consistent with water conservation action WC-1 which calls for reducing outdoor water use in residential and commercial building and landscaping. In addition, the Project would also ensure that a minimum of 65 percent of the solid waste generated during construction activities would be diverted from landfill disposal as required by the current version of the CALGreen, which would also be consistent with Climate Action Plan action for waste reduction, WR-4, which calls for all loads of construction and demolition debris to be processed for recovery of materials as required by law and to the maximum extent feasible. Similarly, because the Project would be designed to meet "Build It Green" energy and water saving standards, be all-electric (i.e., no natural gas infrastructure), and install solar photovoltaic panels on each apartment building, the Project would also be consistent with the actions and strategies included in the City's Climate Action Plan for renewable energy and energy efficiency, including RE-2 (Renewable Energy Generation and Storage), RE-3 (Building and Appliance Electrification), EE-1 (Green Building Reach Code), and EE-2 (Energy Efficiency).

As discussed in Section 3.8.2, Regulatory Framework, CARB developed the State's Climate Change Scoping Plan (2008) and Scoping Plan updates (2014 and 2017) to outline the State's strategy to reduce California's GHG emissions per AB 32 and SB 32. As detailed for Impact GHG-1, the Project would comply with the most current Building Energy Efficiency Standards and CALGreen mandatory measures. The Building Standards and CALGreen requirements include mandatory measures for all new building construction, which would result in energy conservation, and make a major contribution in meeting the State's goals established by AB 32 and SB 32 for reduction in GHG emissions. In addition, the Project would be all-electric (no natural gas infrastructure), consistent with the State's 2017 Scoping Plan goals of building electrification of end uses in the residential sector. However, as shown in Table 3.8-4, because the Project would exceed the efficiency metric developed to demonstrate consistency with the State's 2030 goals, the Project's GHG emissions would potentially conflict with SB 32 and the State's 2017 Scoping Plan which was adopted as a strategy to achieve the State's 2030 goal.

As also discussed in Section 3.8.2, Regulatory Framework, CARB released the Draft 2022 Scoping Plan Update in May 2022. The Draft 2022 Scoping Plan identifies a path to keep California on track to meet its SB 32 GHG reduction target of at least 40 percent below 1990 emissions by 2030 and identifies a technologically feasible, cost-effective path to achieve carbon neutrality by 2045 or earlier. As described previously for Impact GHG-1, the BAAQMD

recommended project design features are the measures that are required of new land use development projects to achieve California's long-term climate goal of carbon neutrality by 2045 as articulated in Executive Order B-55-18. Therefore, as shown in Table 3.8-3, the Project would also potentially conflict with California's long-term climate goal of carbon neutrality by 2045 and the Draft 2022 Scoping Plan.

Because the Project would potentially conflict with the above-mentioned plans and regulations, the impact would be **potentially significant**. However, with implementation of MM-GHG-1a and MM-GHG-1b, the Project would comply with the applicable plans, policies and regulations, and the impact would be reduced to **less than significant with mitigation**.

3.8.4 Cumulative Impacts and Mitigation

This section analyzes the potential of the Project to contribute to the following cumulative GHG impacts:[30]

- **Impact C-GHG-1:** Contribution to cumulative effects related to generation of GHG emissions or conflicts with applicable plans, policies, or regulations adopted for the purpose of reducing GHG emissions.

Cumulative Impact C-GHG-1: GHG Emissions or GHG Plan, Policy, or Regulation Conflicts

The overall cumulative impact for C-GHG-1 would be **significant**. However, with implementation of MM-GHG-1a and MM-GHG-1b, the Project's contribution would be reduced to **less than cumulatively considerable with mitigation.**

Cumulative Context

As previously described, the geographic scope of consideration for GHG emissions is on a global scale, because such emissions contribute, on a cumulative basis, to global climate change. Given the nature of environmental consequences from GHGs and global climate change, CEQA requires that lead agencies evaluate the cumulative impacts of GHGs, even relatively small additions, on a global basis.

Cumulative Impact Analysis

The GHG emissions impact analysis above constitutes a cumulative analysis, in that it considers global, statewide, and regional projections of GHG emissions, as well as the contribution of the Project, to GHG emission impacts. Therefore, the significance conclusions reached above for Project-level impact GHG-1 also constitutes the significance conclusions of this EIR with respect to cumulative GHG emissions impacts. As discussed in Section 3.8.3, the overall cumulative impact for GHG emissions is **significant** and the Project's incremental contribution to GHG emissions could be **cumulatively considerable**.

However, with the implementation of MM-GHG-1a and MM-GHG-1b (detailed in Section 3.8.3), the Project's contribution to cumulative GHG emissions impacts would be reduced to **less than cumulatively considerable with mitigation.**

[30] Note that Project-level impacts have been combined for the purposes of cumulative analysis. Cumulative impact C-GHG-1 addresses the same issues as the Project-level impact in GHG-1 and GHG-2.

3.9 Hazards and Hazardous Materials

This section describes the existing hazards and hazardous materials setting of the Project area and evaluates whether the Project would result in adverse effects related to these topics.

The following comments relating to hazards and hazardous materials were received during the public scoping period in response to the Notice of Preparation:

- Concern regarding emergency access as a result of additional population being added to a “flag lot” with limited access, and potential cumulative impacts associated with future construction of 80 new senior residential units on adjacent Fellowship Plaza property which uses same access.
- Concerns about the project’s impact on emergency response plans in the event of a wildfire, earthquake, or other emergency requiring evacuation.

3.9.1 Environmental Setting

Known Hazardous Materials Sites

Publicly available databases maintained under PRC Section 65962.5 (i.e., the “Cortese List”) were reviewed to determine whether known hazardous materials release sites are present either at or within 0.25 mile of the Project site, as well as the off-site construction staging area. The Hazardous Waste and Substances Site List (the “EnviroStor” database) is maintained by the California Department of Toxic Substances Control (DTSC). The SWRCB maintains the GeoTracker database, an information management system for groundwater. There are no active Cortese List sites on or in the vicinity of the Project site. The nearest Superfund site is in the City of Cupertino, approximately 5 miles north of the project site (USEPA 2020).

Several former Leaking Underground Storage Tank cases are present on or near the SRC campus, as detailed in Table 3.9-1. All of these cases have a status of “Closed – Case Completed” which means the responsible agency has determined that they no longer pose a risk to human health or the environment and are not considered to be on the “Cortese List”.

Table 3.9-1 Nearby Former Leaking Underground Storage Tank Sites

Site/Address	Location	Contaminant(s) & Affected Media	Status	Case Number
Odd Fellows Home 14500 Fruitvale Avenue	250 feet east of Project footprint	diesel, gasoline, oil and grease in soil	Completed - Case Closed in 1997	T0608501980
West Valley College 14000 Fruitvale Avenue	0.3 miles NE of off-site staging area	gasoline, benzene, ethylbenzene, toluene, xylene, and MTBE in soil	Completed – Case Closed in 2013	T0608514656
Private Residence San Marcos Road	700 feet NW of Building B footprint / 700 feet SE of offsite staging area	gasoline in soil	Completed – Case Closed in 1997	T0608501979
Private Residence Versailles Way	0.5 mile west of Project site	diesel in soil	Completed – Case Closed in 1990	T0608500317
August Property Live Oak Lane	0.5 mile southwest of Project site	gasoline in soil	Completed – Case Closed in 1996	T0608501787

Source: State Water Resources Control Board Geotracker database, 2022.

Schools

There are no K–12 schools within 0.25 mile of the project site or the off-site staging area. The closest K–12 school is Marshall Lane Elementary, approximately 0.6 mile to the northeast. The off-site staging area is located within Parking Lot #6 of the West Valley Community College.

Airports

The nearest airport is the San Jose International Airport, approximately 8 miles northeast of the Project site and the off-site staging area.

Wildfire

Please see Section 3.19, *Wildfire*, of this EIR for a discussion of wildland fire hazards.

3.9.2 Regulatory Framework

Federal

Environmental Protection Agency

The Federal Toxic Substances Control Act (1976) and the Resource Conservation and Recovery Act of 1976 (RCRA) established a program administered by USEPA for the regulation of the generation, transportation, treatment, storage, and disposal of hazardous waste. The RCRA was amended in 1984 by the Hazardous and Solid Waste Act, which affirmed and extended the “cradle to grave” system of regulating hazardous wastes. The use of certain techniques for the disposal of some hazardous wastes was specifically prohibited by the Hazardous and Solid Waste Act.

The Comprehensive Environmental Response, Compensation, and Liability Act, commonly known as Superfund, was enacted by Congress on December 11, 1980. This law provided broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. Comprehensive Environmental Response, Compensation, and Liability Act established 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 clean up when no responsible party could be identified. Comprehensive Environmental Response, Compensation, and Liability Act also enabled the revision of the National Contingency Plan. The National Contingency Plan provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The National Contingency Plan also established the National Priorities List, which is a list of contaminated sites warranting further investigation by the USEPA. Comprehensive Environmental Response, Compensation, and Liability Act was amended by the Superfund Amendments and Reauthorization Act on October 17, 1986.

Federal Emergency Management Agency

The primary mission of the Federal Emergency Management Agency is to reduce the loss of life and property and to protect the nation from all hazards, including natural disasters, acts of terrorism, and other man-made disasters, by leading and supporting a risk-based, comprehensive emergency management system of preparedness, protection, response, recovery, and mitigation.

Emergency Planning and Community Right-To-Know Act

The Emergency Planning Community Right-to-Know Act of 1986 was included under the Superfund Amendments and Reauthorization Act law and is commonly referred to as Superfund Amendments and Reauthorization Act Title III. The Act was passed in response to concerns regarding the environmental and safety hazards proposed by the storage and handling of toxic chemicals. The Act establishes requirements for federal, state, and local governments, Indian Tribes, and industry regarding emergency planning and Community Right-to-Know reporting on hazardous and toxic chemicals. Superfund Amendments and Reauthorization Act Title III requires states and local emergency planning groups to develop community emergency response plans for protection from a list of Extremely Hazardous Substances (40 CFR Part 355 Appendix B). The Community Right-to-Know provisions help increase the public's knowledge of and access to information on chemicals at individual facilities, their uses, and their release into the environment.

Hazardous Materials Transportation Act

The Hazardous Materials Transportation Act of 1975 was created to provide adequate protection from the risks to life and property related to the transportation of hazardous materials in commerce by improving regulatory enforcement authority of the Secretary of Transportation.

United States Department of Transportation

Transportation of chemicals and hazardous materials are governed by the U.S. Department of Transportation, which stipulates the types of containers, labeling, and other restrictions to be used in the movement of such material on interstate highways.

Occupational Safety and Health Administration

The Occupational Safety and Health Administration is the federal agency responsible for enforcing and implementing federal laws and regulations pertaining to worker health and safety. The administration's Hazardous Waste Operations and Emergency Response regulations require training and medical supervision for workers at hazardous waste sites (29 CFR § 1910.120). Additional regulations have been developed regarding exposure to lead (29 CFR § 1926.62) and asbestos (29 CFR § 1926.1101) to protect construction workers.

State

Department of Toxic Substances Control

The California DTSC has primary regulatory responsibility, with delegation of enforcement to local jurisdictions that enter into agreements with the State agency, for the management of hazardous materials and the generation, transport and disposal of hazardous waste under the authority of the Hazardous Waste Control Law. Since August 1, 1992, DTSC has been authorized to implement the state's hazardous waste management program for CalEPA.

California Occupational Safety and Health Administration

California Occupational Safety and Health Administration assumes primary responsibility for developing and enforcing workplace safety regulations within California. Regulations pertaining to the use of hazardous materials in the workplace (Title 8 of the CCR) include requirements for safety training, availability of safety equipment, accident and illness prevention programs, hazardous substance exposure warnings, and preparation of emergency action and fire prevention plans. The California Occupational Safety and Health Administration enforces hazard communication program regulations that contain training and information requirements, including procedures for identifying and labeling hazardous substances, communicating hazard information related to hazardous substances and their handling, and preparation of health and safety plans to protect workers and employees at hazardous-waste sites. The hazard communication program requires that employers make Safety Data Sheets available to employees and requires documentation of informational and training programs for employees.

The California Occupational Safety and Health Administration regulations also include requirements for protective clothing, training, and limits on exposure to hazardous materials. The California Occupational Safety and Health Administration also enforces occupational health and safety regulations specific to lead and asbestos investigation and abatement. These regulations equal or exceed their federal counterparts. Specific worker safety measures for excavation hazards (e.g., falling or cave-in of excavation walls) are described in the Title 8 CCR Section 1541.

State Water Resources Control Board

The SWRCB was established in 1967. The San Francisco Bay RWQCB is authorized by the SWRCB to enforce provisions of the Porter-Cologne Water Quality Control Act of 1969. This act gives the San Francisco Bay RWQCB authority to require groundwater investigations when the quality of groundwater or surface waters of the state is threatened and to require remediation of the site, if necessary.

Cortese List, California Government Code Section 65962.5

The provisions of Section 65962.5 of the California Government Code are commonly referred to as the "Cortese List" (after the legislator who authored the legislation that enacted it). The Cortese List is a planning document used by state and local agencies to comply with CEQA's requirement to provide information about the location of hazardous-materials release sites. Government Code Section 65962.5 requires CalEPA to develop an updated Cortese List at least annually. DTSC is responsible for a portion of the information contained on the Cortese List. Other state and local government agencies, including the SWRCB and RWQCBs, are required to provide additional information for the Cortese List about releases of hazardous materials.

In addition, Section 65962.5 requires all project applicants to consult the Cortese List and determine whether any site-specific project is within a hazardous materials site on the list. If so, the project applicant is required to notify the lead agency in writing prior to the issuance of a building permit, so the lead agency can determine the appropriate course of action (which generally would include preparation of Phase I and (if necessary) Phase II environmental site assessment, along with site-specific remediation).

Local

Emergency Response or Emergency Evacuation Plans

There are several regional and local emergency plans that cover the Project area, including the Saratoga Annex to the *Santa Clara Operational Area Hazard Mitigation Plan* (County of Santa Clara 2017), and the *Multi-Jurisdictional Local Hazard Mitigation Plan for the San Francisco Bay Area* (Association of Bay Area Governments 2010). These plans provide an overview to emergency operations within the City, County, and San Francisco Bay Area. They identify emergency response policies, describe the responses, identify lead agencies and organizations, and assign specific roles and responsibilities to departments, agencies, and community partners. These plans strive to facilitate emergency response and recovery activities in an efficient and effective way.

Santa Clara County Department of Environmental Health

The Santa Clara County Department of Environmental Health (2013), Hazardous Materials Compliance Division, serves as the local Certified Unified Program Agency for Saratoga and regulates hazardous waste, aboveground petroleum storage and risk management plans, hazardous materials business plans and chemical inventories, risk management plans, and underground storage tanks.

The Saratoga Fire Protection District and Santa Clara County Fire Department work cooperatively with the Santa Clara County Department of Environmental Health to regulate hazardous materials in the City.

City of Saratoga Emergency Operations Plan

The City's Emergency Operations Plan is an all-hazards document describing the City incident management organization, compliance with relevant legal statutes, other relevant guidelines, whole community engagement, continuity of government focus, and critical components of the incident management structure.

City of Saratoga General Plan

City policies pertaining to hazards and hazardous materials are contained in the Safety Element of the City's General Plan. Note that policies relating to wildfire are presented in Section 3.19, *Wildfire*. The following General Plan policies relating to hazards and hazardous materials apply to the Project[31]:

Goal SAF 5: Develop and maintain an emergency preparedness plan which will provide effective response in the event of a natural or manmade disaster.

> **Policy SAF 5.1:** The City shall review and update on a regular basis its plan for emergency response and preparedness. This plan shall use local resources and manpower to provide maximum benefit and protection for the City's residents.
>
> **Policy SAF 5.2:** The City shall coordinate its Emergency Operations Plan with local jurisdictions and regional agencies to anticipate cumulative impacts during times of disaster.

City of Saratoga Municipal Code

Chapter 8, *Hazardous Materials*. The purpose of this Chapter is the protection of health, life, resources, and property through prevention and control of unauthorized discharges of hazardous materials. The City delegates its authority over the regulation of Hazardous Materials to the County of Santa Clara Hazardous Materials Compliance Division.

Chapter 16, Article 16-20, *Fire Code*. This article discusses the City's adoption of the 2016 California Fire Code and International Fire Code to preclude impacts from fire hazards. One of the requirements of the 2016 California Fire Code is installation of early warning fire alarm systems and fire sprinkler systems.

3.9.3 Project Impacts and Mitigation

This section addresses the following potential impacts relating to hazards and hazardous materials:

- **Impact HAZ-1:** Would the Project create a significant hazard through the routine transport, use, or disposal of hazardous materials or reasonably foreseeable upset and accident conditions involving the release of hazardous materials?
- **Impact HAZ-2:** Would the Project emit hazardous emissions or handle hazardous emissions within a quarter mile of a school?
- **Impact HAZ-3:** Would the Project create a significant hazard to the public or the environment due to the site being a known hazardous materials site?
- **Impact HAZ-4:** Would the Project result in airport-related safety or noise hazards?

[31] In February 2018, the City of Saratoga began the process of making minor policy updates to three elements of the City's General Plan (Land Use, Circulation, and Open Space & Conservation) and formatting the elements to provide a cohesive document. These updated elements are collectively known as the "2040 General Plan Update" but have not yet been adopted. In addition, the City is currently in the process of updating its Housing Element for the "6th Cycle" planning period extending from January 31, 2023 through January 31, 2031, and updating its Safety Element to reflect the updated Housing Element. On February 28, 2022 the City published a Notice of Preparation of a Draft Program Environmental Impact Report for the 6th Cycle Housing Element, Safety Element, and 2040 General Plan Update. At present, there is no confirmed timeframe for completion and certification of the Program EIR and adoption of the updated General Plan elements; therefore, the policies cited within this EIR reflect the current General Plan Elements.

- **Impact HAZ-5:** Would the Project impair implementation of an emergency response plan or emergency evacuation plan?
- **Impact HAZ-6**: Would the Project expose people or structures to significant risk from wildland fires?

Please see Section 3.19, *Wildfire*, for an analysis of impacts related to wildland fire hazards.

Impact HAZ-1: Hazards from Routine Use, Transport, Disposal, or Accidental Release of Hazardous Materials

Impact HAZ-1 would be **less than significant**. No mitigation is required.

Standards of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; or the reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment.

Impact Analysis

Construction

Project-related construction would involve the use of heavy equipment and vehicles containing fuel, oil, and grease, as well as use and transport of these materials. Fluids such as oil or grease could leak from construction vehicles or could be released inadvertently in the event of an accident, potentially releasing petroleum compounds laden with metals and other pollutants. Given the size and nature of the Project, there is low likelihood that substantial quantities of hazardous materials would be stored at the site during construction, and the types and amounts of hazardous materials used for the Project would be similar to other construction projects within the City. These materials would not be acutely hazardous.

As discussed previously, there is an established, comprehensive framework independent of the CEQA process that is intended to reduce the risks associated with the use, transport, and disposal of hazardous materials. Transportation of hazardous materials on area roadways is regulated by the California Highway Patrol and the California Department of Transportation. The use and disposal of hazardous materials is heavily regulated at both the federal and state level; these regulations are promulgated and enforced by agencies such as the USEPA, the SWRCB, the DTSC, and the local Certified Unified Program Agency.

As discussed in more detail in Section 3.10, *Hydrology and Water Quality*, coverage under the National Pollution Discharge Elimination System (NPDES) Construction General Permit would be obtained for the Project, which would require preparation and implementation of a SWPPP. The SWPPP would include best management practices, including the following and/or similar measures to minimize the risk of accidental spills of hazardous materials during construction:

- Establishing a dedicated area for fuel storage and refueling activities that includes secondary containment protection measures and spill control supplies;
- Following manufacturers' recommendations on the use, storage, and disposal of chemical products used in construction;
- Avoiding overtopping construction equipment fuel tanks;

- Properly containing and removing grease and oils during routine maintenance of equipment; and
- Properly disposing of discarded containers of fuels and other chemicals.

With implementation of the SWPPP and associated BMPs, and adherence to regulations which were enacted to protect humans and the environment from accidental release or other hazards associated with the use, transportation, and disposal of hazardous materials, construction-related impacts would be **less than significant**.

Operation

Project operation would involve the limited use of small quantities of typical household, landscaping, and maintenance-related hazardous materials such as cleaning agents, paints, fuels, and pesticides, similar to existing operations at the site. Residential, landscaping, and maintenance uses typically do not present a hazard associated with the accidental release of hazardous substances into the environment because residents are not anticipated to use, store, dispose, or transport large volumes of hazardous materials that would not result in a significant hazard to people in the vicinity of the Project site. Therefore, the impact from Project operation related to use, transport, disposal, and accidental spills of hazardous materials would be **less than significant**.

Impact HAZ-2: Result in Hazardous Emissions within One-Quarter Mile of a School

Impact HAZ-2 would result in **no impact**. No mitigation is required.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

Impact Analysis

There are no K–12 schools within 0.25 mile of the Project site or the off-site staging area. The closest K–12 school is Marshall Lane Elementary, which is approximately 0.6 mile northeast of the Project site. Therefore, the Project would not result in hazardous emissions or the handling of hazardous or acutely hazardous materials, substances, or wastes within 0.25 mile of an existing or proposed school. There would be no impact.

Impact HAZ-3: Result in Hazards from a Cortese-Listed Site

Impact HAZ-3 would be **no impact**. No mitigation is required.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would 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.

Impact Analysis

As discussed previously, both the Project site and the proposed off-site staging area at Parking Lot #6 of the West Valley College campus are listed on the SWRCB's Geotracker Database as Leaking Underground Storage Tank cleanup sites, and both of these listings have a status of "Completed - Case Closed" (SWRCB 2021).

The list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, commonly referred to as the "Cortese List", includes "open, active leaking underground storage tank sites." CalEPA, which maintains the Cortese List, has previously explained that sites that are no longer considered "active" because the Water Board, a regional board, or the County has determined that no further action is required because actions were taken to adequately remediate the release, or because the release was minor, presents no environmental risk, and no remedial action is necessary, are listed as "closed" and deleted from the list (Superior Court 2019).

Therefore, the Project would not be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and would not create a significant hazard to the public or the environment as a result. There would be no impact.

Impact HAZ-4: Airport-related Safety or Noise Hazards

Impact HAZ-4 would result in **no impact**. No mitigation is required.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would result in a safety hazard or excessive noise for people residing or working in the project area 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.

Impact Analysis

The nearest airport to the Project site is the San Jose International Airport, which is approximately 8 miles northeast of the Project site and the off-site staging area. Therefore, the proposed Project would not result in a safety hazard or excessive noise from airports for people residing or working in the Project site, and **no impact** would occur.

Impact HAZ-5: Interfere with an Emergency Response or Evacuation Plan

Impact HAZ-5 would be **potentially significant**. With implementation of Mitigation Measure MM-TRA-3a, the impact would be reduced to **less than significant with mitigation.**

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

Impact Analysis

Construction

The Saratoga Annex to the *Santa Clara Operational Area Hazard Mitigation Plan* (County of Santa Clara 2017) and the *Multi-Jurisdictional Local Hazard Mitigation Plan for the San Francisco Bay Area* (Association of Bay Area Governments 2010) do not identify specific

evacuation routes, but rather define responsibilities among the multitude of interested and affected agencies and organizations and identify general response strategies. Exhibit 8 of the City's General Plan Safety Element identifies evacuation routes that serve to relocate residents from hazardous areas to safer locations. The evacuation route closest to the Project site is along Fruitvale Avenue.

Construction staging activities would occur both on the Project site and off-site at Parking Lot #6 at the southwest corner of the West Valley College campus. The main staging area at the Project site would be located near the northwest corner of the campus, to the west of the Odd Fellows Drive and West Cottages Lane intersection. Additional staging would occur within the fenced construction zones for each onsite building. The off-site staging area would be used for construction worker parking and material storage. All construction-related traffic (as well as traffic associated with normal SRC campus operations) would access the campus and construction areas via Odd Fellows Drive, which is the only permanent vehicular access to the SRC campus and to the neighboring Fellowship Plaza residential development.

Construction activities would not require any lane closures for any public roadways such as Fruitvale Avenue, and therefore would not block or hinder the City-identified evacuation route on Fruitvale Avenue. While Project construction would temporarily increase traffic volumes along Fruitvale Avenue, particularly along the segment between the off-site staging area and San Marcos Drive/Odd Fellows Drive, the additional approximately 4 truck trips per hour throughout the workday and approximately 28 to 42 peak hour worker shuttle trips associated with Project construction (see Section 3.16.3, Transportation for detailed calculations of construction-related traffic) would not be expected to hinder emergency evacuation along the City's identified route. Furthermore, in the event of an emergency that would require use of an evacuation route, it is likely that Project construction work (and associated traffic) would be temporarily suspended.

Construction activities would require the temporary closure of internal roadways on the SRC Campus during certain phases of construction. For example, Colfax Lane and West Cottages Lane would be temporarily rerouted for approximately 3 months during Phases 2 and 3. Removal of the traffic circle at the entrance to Odd Fellows Drive from San Marcos Road could also hinder emergency evacuations. Although the Project Applicant has indicated that at least two of the three access roads would be open for emergency vehicle access during this period, there is potential that these roadway closures and the movement of large construction vehicles and equipment within the Project site and along Odd Fellows Drive could interfere with evacuation of the SRC campus or the neighboring Fellowship Plaza residential development during an emergency situation. This impact could be **potentially significant**.

Mitigation Measure MM-TRA-3a, detailed in Section 3.16.3, *Transportation*, is recommended to address this potentially significant impact.

> ***MM-TRA-3a: Construction Traffic Control Plan.*** *See Section 3.16.3 for full details of this measure.*

Mitigation Measure MM-TRA-4 would reduce the potential for construction activities to interfere with or impair emergency response or evacuations, by ensuring that an alternative emergency access, sized to accommodate large vehicles, would be fully functional prior to initiation of other construction activities that would impact Odd Fellows Drive or other internal roadways at the Project site. In addition, MM-TRA-3a would require the Project Applicant and its construction

contractor to develop and implement a detailed plan to manage construction traffic and internal road closures throughout the construction period. As described in Section 3.16.3, this construction traffic management plan would identify the anticipated internal road closures and associated alternative emergency access/evacuation routes during all phases of Project construction, specify the means of communicating such closures and alternative routes with SRC staff and residents, owners/occupants of neighboring properties, and with the relevant emergency response agencies. Therefore, with implementation of MM-TRA-3a, potential impacts relating to emergency response plans and emergency evacuation plans would be **less than significant with mitigation**.

Operation

No changes are proposed to the existing vehicular access to the Project site, which would continue to be from Fruitvale Avenue via San Marcos Road and Odd Fellows Drive, except that the small traffic circle at the entrance to Odd Fellows Drive would be removed to increase the width of the roadway to meet the minimum 20 feet required by the Fire Department. Although minor changes are proposed to the internal roading network within the SRC campus to serve the proposed new apartment buildings and meeting room, the general circulation patterns on-site would remain similar to the existing conditions. The Project would result in a slight increase in the resident population at the SRC campus, which would result in slightly higher operational traffic volumes accessing the site, as discussed further in Section 3.16.3, Transportation.

The Project is required to design and construct internal access, and size and site fire suppression facilities (e.g., hydrants and sprinklers) to conform to the City's Emergency Operations Plan. The Emergency Operations Plan is the master document that organizes emergency preparedness and response efforts in the City and is supported by the Santa Clara County Operational Area Hazard Mitigation Plan, which assesses risks and develops mitigation strategies to address threats from natural and human-caused disasters (e.g., earthquake, fire, flooding, landslides) (County of Santa Clara 2017). Dedicated staff from the Santa Clara County Fire Department assist the City in ensuring regular update, maintenance, and implementation of the Emergency Operations Plan. The Santa Clara County Fire Department would review the development plans prior to approval of the Project to ensure adequate emergency access pursuant to the requirements in Section 503 of the California Fire Code (Title 24, CCR, Part 9). Section 3.16, *Transportation*, also details how the Project has been designed with adequate access for emergency response vehicles. In particular, the removal of the traffic circle at the entrance to Odd Fellows Drive, and the creation of a new emergency access from Odd Fellows Drive to Chester Avenue, would mean that the Project would not impair emergency response or evacuation at the SRC campus. Furthermore, the SRC Campus has an Emergency Disaster Manual (SRC 2022), prepared in compliance with the requirements of CCR Title 19, Section 3.09 and the Saratoga Fire Code Section 13.302(c). The manual includes detailed evacuation and relocation procedures, including for full-facility evacuation, if required. The manual identifies Saratoga Retirement Community as a Shelter-In-Place Facility, and states that full facility evacuation is the. The facility is required to conduct a drill of the emergency preparedness plan twice a year or per state regulations, and to review/update the plan annually.

As discussed previously, Exhibit 8 of the City's General Plan Safety Element identifies Fruitvale Avenue as an evacuation route that serves to relocate residents from hazardous areas to safer locations. Because the proposed Project would not be located on Fruitvale Avenue, its operation

would not physically interfere with or impair the utilization of Fruitvale Avenue as an effective evacuation route.

As such, the proposed Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan, and impacts would be **less than significant**.

3.9.4 Cumulative Impacts and Mitigation

As discussed above, the Project would have no impact related to hazardous emissions near schools, Cortese-listed sites, or airport-related hazards. Therefore, the Project would not contribute to any potential cumulative impacts for these issues. The following section analyzes the potential of the Project to contribute to cumulative impacts for the following hazardous materials issues where the Project would have a less-than-significant or greater impact:

- **Impact C-HAZ-1:** Contribution to cumulative effects from routine use, transport, disposal, or accidental release of hazardous materials.
- **Impact C-HAZ-5:** Contribution to cumulative effects related to interference with an Emergency Response or Evacuation Plan.

Cumulative Impact C-HAZ-1: Routine Use, Transport, Disposal, or Accidental Release of hazardous materials

The overall cumulative impact for C-HAZ-1 would be **less than significant**. No mitigation is required.

Cumulative Context

With respect to hazards from the use, transport, disposal, or release of hazardous materials, the geographic context would be limited to those cumulative projects in the vicinity of the Project site, with the potential to result in hazardous emissions exposure to the same populations that could potentially be exposed by the Project. Due the fact that health effects from hazardous substances can result from both acute or chronic exposures, the temporal context for cumulative effects relating to hazardous materials would include any past, present, or probable future projects.

Cumulative Impact Analysis

The potential for hazardous materials issues to occur is specific to each project site and is dependent on the nature of prior activities both on- and off-site; therefore, hazardous materials issues generally do not combine to form cumulative impacts. All cumulative projects, including the proposed Project, are required to comply with local, state, and federal regulations for transport, use, disposal, and accidental release of hazardous materials, which would address impacts associated with both construction- and operation-related handling of hazardous materials. Although compliance with applicable regulations would not completely remove the potential for accidental releases, it would reduce the likelihood of such a spill and would generally mean that any spill would be limited in size and/or spread. Therefore, the effect of such incidents would not likely be additive to effects from other, similar incidents occurring elsewhere on different project sites. None of the cumulative projects are industrial facilities or other land uses

that would be expected to utilize a large volume of hazardous materials or acutely hazardous materials such that the impacts of a potential spill might extend beyond the property boundary.

Application of these regulations is mandatory; therefore, the overall cumulative impact from the use or release of hazardous materials would be **less than significant.**

Cumulative Impact C-HAZ-2: Interfere with an Emergency Response or Evacuation Plan

The overall cumulative impact for C-HAZ-2 would be **less than significant**. No mitigation is required.

Cumulative Context

The geographic context for cumulative impacts from impairment of emergency response plans would be limited to those cumulative projects in the immediate vicinity of the project site, with the potential to result in temporary or permanent disruption to the same road network that the Project would affect. The temporal context for cumulative effects relating to impairment of emergency response plans would be limited to those projects which have construction periods that could overlap with the Project's construction schedule, or those projects which share emergency evacuation routes with the project.

Cumulative Impact Analysis

The only cumulative project listed in Table 3.1-1 that could potentially combine with impacts from the Project to cumulatively affect emergency response or evacuation is the adjacent Fellowship Plaza property (which also obtains access via Odd Fellows Drive) as a potential site for up to 80 additional low-income senior residential units within the City's Housing Element Update. All other cumulative projects are located at least 4,000 feet from the Project site and would not impact San Marcos Road or Odd Fellows Drive or result in a substantial increase in traffic along Fruitvale Avenue beyond that envisioned through buildout of the City's General Plan.

Environmental review of the Housing Element Update has not yet been completed[32]; therefore, no specific information regarding the potential impacts of future additional development at the Fellowship Plaza property, nor any details such as construction timeframe or specific project details, are available at this time. However, the potential for future development at the Fellowship Plaza property to cause combined impacts with the Project in relation to emergency response and emergency evacuation was raised as a specific concern during the scoping period for this EIR; therefore, consideration is given to this potential cumulative impact based on general assumptions, even though such impacts are currently speculative.

Construction

In the unlikely event that the construction periods of these two projects would overlap, there is potential that construction-related disruptions to Odd Fellows Drive from both projects could occur at the same time which could impede emergency evacuations or emergency response to/from the Project site and the Fellowship Plaza site. Implementation of mitigation measure MM-TRA-3a would reduce project-level impacts; however, if construction access, temporary

[32] The Notice of Preparation for the Housing Element EIR was released on February 28.2022. The EIR is in preparation and a date for its public release has not yet been determined.

closures, and other factors are not coordinated between the two projects, the overall cumulative impact during construction could be **potentially significant**.

Cumulative mitigation measure C-MM-TRA-4 is recommended to reduce this potentially significant construction-related impact.

> ***C-MM-TRA-4: Coordination of Construction Traffic Control Plans*** *(See Section 3.16.4 for details of this mitigation measure).*

With implementation of C-MM-TRA-4, the Project Applicant and its contractor would be required to coordinate construction traffic controls and temporary lane closures on Odd Fellows Drive to reduce potential impediment of emergency evacuations or emergency response. With implementation of C-MM-TRA-4, the contribution of the Project to the overall cumulative impact would be **less than cumulatively considerable**.

Operation

If 80 new residential units were constructed at the Fellowship Plaza property in the future, this could conservatively be expected to result in up to 136 additional persons living at that property, based on Saratoga's average household size for age 65+ renter-occupied units of 1.7 persons per unit (US Census Bureau 2019a). Combined with the proposed Project's anticipated population increase of approximately 54 to 89 new residents (see Section 3.13, Population and Housing), there would be an additional 190 to 225 residents living at both properties under cumulative conditions, compared to existing conditions.

Similar to the Project, any cumulative projects such as those potentially implementing the Housing Element Update, would be required to design and construct internal access, emergency access and fire suppression facilities (e.g., hydrants and sprinklers), and secondary access points to conform to the City's Emergency Operations Plan. The Santa Clara County Fire Department would review the development plans prior to approval of any cumulative projects, to ensure adequate emergency ingress and egress pursuant to the requirements in Section 503 of the California Fire Code (Title 24, CCR, Part 9), which would prevent a significant cumulative impact to emergency response or evacuation. As such, with compliance with local and federal regulations, the overall cumulative impact would be **less than significant**.

3.10 Hydrology and Water Quality

This section describes the existing hydrology and water quality setting of the Project area and evaluates whether the Project would result in adverse effects on these resources.

The following comments relating to hydrology and water quality were received during the public scoping period in response to the Notice of Preparation:

- Concerns regarding stormwater/hydrology impacts during construction. Particular concern was expressed that construction-related impacts from previous construction activities at the SRC campus were not well managed and neighboring landowners are concerned that similar impacts will occur with this Project.
- Concerns about the increase in runoff associated with increased impervious surface area.
- Concerns regarding existing “leakage” issues from SRC site onto San Marcos Road.
- Request that a comprehensive hydrology plan be developed for the site, which will include an analysis of the water table issues and underground springs on the property.
- Request for a description of how pollutants will be kept within acceptable levels.

3.10.1 Environmental Setting

Watershed

The Project site and the off-site staging area are within the Valley Water’s West Valley Watershed, which includes the Middle Guadalupe Slough subwatershed. The West Valley Watershed encompasses an 85-square-mile area comprised of small creeks flow that northward out of the Santa Cruz Mountains to Guadalupe Slough and the south San Francisco Bay (Lowe 2019). The primary streams in the Middle Guadalupe Slough subwatershed include San Tomas Aquino Creek, Saratoga Creek, and Calabazas Creek (Givler et al. 2006). As the streams flow out of the Santa Cruz foothills and onto the alluvial plains, they become wider and less steep, and typically have been modified, channelized, or routed underground through storm drains to accommodate existing residential and commercial land uses.

A small gully passes through the Project site to the south of Eucalyptus Lane and the Health Center on the Project site, which consists of an unnamed tributary of Vasona Creek, and continues along the eastern boundary of the site. Vasona Creek is a tributary of San Tomas Aquino Creek, which has been directed into an underground storm drainage line approximately 2.25 miles northeast of the Project site. San Tomas Aquino Creek eventually merges with Saratoga Creek north of Interstate 280, and discharges to Guadalupe Slough. The creek area on the Project site is protected by an open space covenant, which was established as part of the Master Plan for the campus that was approved in 1996.

Flood Hazards

Federal Emergency Management Agency Special Flood Hazard Areas

The Project site is not located in a 100-year flood zone as designated by the Federal Emergency Management Agency (FEMA 2021). The Project site is designated by FEMA as Zone X, which is an area of moderate flood hazard that is generally located between the 100- and 500-year

flood zones. Zone X is defined as the 0.2% annual exceedance probability flood hazard, areas of 1% annual exceedance probability with average flood depths of less than 1 foot or with drainage areas less than 1 square mile, and areas protected by levees from 1% annual exceedance probability flood. Flood insurance is not required for facilities that are within FEMA Zone X.

Tsunami Inundation and Seiche

A tsunami is an ocean wave usually created by undersea fault movement or by a coastal or submerged landslide. As the displaced water moves to regain equilibrium, waves are formed and radiate across the open water. When the waveform reaches the coastline, it quickly raises the water level, with accompanying high water velocities that can damage structures and sweep away objects and people. The Project site is not in a tsunami inundation zone (California Emergency Management Agency et al. 2009).

A seiche occurs when a standing wave sets up on rivers, reservoirs, ponds, and lakes when seismic waves from an earthquake pass through the area. Because they occur in an enclosed waterbody, standing waves continue to slosh back and forth over a period of time that may range from a few minutes to several hours. The nearest waterbody with potential for seiches is Vasona Reservoir, which is located approximately 2.25 miles southeast of the Project site, and 50 feet lower in elevation than the Project site.

Surface Water Quality

Water quality in the San Francisco Bay and its tributaries is regulated primarily by the San Francisco Bay RWQCB, which has established narrative and numeric standards for San Tomas Aquino Creek, Guadalupe Slough, and the South San Francisco Bay in its *Water Quality Control Plan for the San Francisco Bay Basin* (San Francisco Bay RWQCB 2019).

Table 3.10-1 Beneficial Uses of Surface Waters in the Project Area lists the existing and potential beneficial uses[33] for surface waters in the San Francisco Bay Basin Plan that could receive runoff from the Project. Applying the San Francisco Bay Water Board's "tributary rule," the beneficial uses of any specifically identified water body generally apply to all its tributaries (such as Vasona Creek and its unnamed tributary that flows through the Project site). In some cases, a beneficial use may not be applicable to the entire body of water; in these cases, the San Francisco Bay Water Board's judgment regarding water quality control measures will be applied. In addition, beneficial uses of streams with intermittent flows must also be protected throughout the year (San Francisco Bay RWQCB 2019).

[33] RWQCBs designate beneficial uses for all water body segments in their jurisdictions, and then set criteria necessary to protect these uses. Consequently, the water quality objectives developed for particular water segments are based on the designated use and vary depending on such use. See further discussion in Regulatory Framework section, below.

Table 3.10-1 Beneficial Uses of Surface Waters in the Project Area

Beneficial Use	Water Bodies in Project Area with Existing Beneficial Use
Industrial Process Supply	San Francisco Bay, Lower
Commercial and Sport Fishing	San Francisco Bay, Lower
Shellfish Harvesting	San Francisco Bay, Lower
Cold Freshwater Habitat	San Tomas Aquino Creek
Estuarine Habitat	Guadalupe Slough San Francisco Bay, Lower
Fish Migration	San Francisco Bay, Lower
Rare & Endangered Species Preservation	Guadalupe Slough San Francisco Bay, Lower San Tomas Aquino Creek
Fish Spawning	San Francisco Bay, Lower
Warm Freshwater Habitat	San Tomas Aquino Creek
Wildlife Habitat	Guadalupe Slough San Francisco Bay, Lower San Tomas Aquino Creek
Water Contact Recreation	Guadalupe Slough San Francisco Bay, Lower San Tomas Aquino Creek
Non-Contact Water Recreation	Guadalupe Slough San Francisco Bay, Lower San Tomas Aquino Creek
Navigation	San Francisco Bay, Lower

Source: Adapted from San Francisco Bay RWQCB 2019.

Note: Saratoga Creek is a local waterbody that is not specifically listed by the RWCQB as having any existing beneficial uses.

Section 303(d) of the Clean Water Act (CWA) requires states to identify waters where the permit standards, any other enforceable limits, or adopted water quality standards are still unattained. The CWA requires states to develop TMDLs to improve the water quality of impaired water bodies. TMDLs are the quantities of pollutants that can be safely assimilated by a water body without violating water quality standards. TMDLs are developed for impaired water bodies to maintain beneficial uses as designated in the applicable Basin Plan, achieve water quality objectives, and reduce the potential for future water quality degradation. NPDES permits for water discharges must take into account the pollutants for which a water body is listed as impaired.

Table 3.10-2 lists impaired water bodies included in the SWRCB's 303(d) list that could receive runoff from the Project, including the pollutants of concern and whether they have approved TMDLs. Even if a stream is not included in the SWRCB's 303(d) list, any upstream tributary to a 303(d)-listed stream (such as Vasona Creek and its unnamed tributary that passes through the Project site) could contribute pollutants to the listed segment.

Table 3.10-2 Section 303(d) List of Impaired Water Bodies

Water Body	Pollutant	Source	TMDL Status
San Tomas Aquino Creek	Trash	Unknown	Expected in 2029
Saratoga Creek	Diazinon	Unknown	Approved in 2007
	Trash	Unknown	Expected in 2029
Guadalupe Slough	Toxicity	Unknown	Expected in 2005; still in process
San Francisco Bay, South	Chlordane	Unknown	Expected in 2005; still in process
	Dichlorodiphenyltrichloroethane (DDT)	Unknown	Expected in 2005; still in process
	Dieldrin	Unknown	Expected in 2005; still in process
	Dioxin compounds	Unknown	Expected in 2005; still in process
	Furan compounds	Unknown	Expected in 2005; still in process
	Invasive species	Unknown	Expected in 2005; still in process
	Mercury	Unknown	Approved in 2008
	Polychlorinated biphenyls (PCBs) (dioxin-like)	Unknown	Approved in 2010
	PCBs (non-dioxin-like)	Unknown	Approved in 2010
	Selenium	Unknown	Expected in 2005; still in process

Notes: TMDL = total maximum daily load

Source: SWRCB 2017

Stormwater Drainage

Through a combination of overland flow, pump stations, and gravity outfalls, stormwater runoff in the City is conveyed through a storm drain network and discharged to several creeks and unnamed tributaries, which eventually discharge into San Francisco Bay at Guadalupe Slough.

Based on site utility plans provided by the Project Applicant, an existing 24-inch stormwater drainage line is present in Odd Fellows Drive, in the north of the Project site. A portion of the stormwater runoff from the SRC campus drains into the 24-inch main line in Odd Fellows Drive, and other portions of the SRC campus drain eastward to an onsite outfall, which discharges along the eastern portion of the property into the unnamed tributary of Vasona Creek. Additional City-owned stormwater drainage lines that serve development in the Project vicinity also discharge to this unnamed tributary of Vasona Creek (both upstream and downstream of the Project site), as well as into other nearby small unnamed tributaries.

Groundwater

The Project site is located in the Santa Clara Valley Groundwater Basin (Basin No. 2-9.02). The main groundwater aquifer consists of upper and lower levels. The upper aquifer is composed of Holocene- and Mid to Late Pleistocene-age deposits. The lower aquifer is composed of Early Pleistocene- and Pliocene-age deposits. Regional faults, such as Silver Creek, Evergreen, and Monte Vista-Shannon, serve as barriers to water movement in the aquifer (Hanson et al. 2004).

The Santa Clara Valley Groundwater Basin is managed by the Valley Water. Although most of the groundwater pumped from the basin is a result of District-managed recharge programs, the basin provides some groundwater supply resulting from the percolation of rainfall in the recharge areas and natural seepage through local creeks and streams. In addition, the groundwater basin serves as an extensive conveyance network, allowing water to move from the recharge areas to individual groundwater wells. The groundwater basin also provides some natural filtration of surface water as it percolates through the soil and rock. Finally, the groundwater basin provides water storage, allowing water to be carried over from the wet season to the dry season and from wet years to dry years. Due to the District's comprehensive groundwater management programs, the basin is in long-term balance[34] (Santa Clara Valley Water District 2016). In 2019, inflows exceeded outflows in the Santa Clara Valley Groundwater Basin, resulting in a net increase in groundwater storage of 11,400 acre-feet (Santa Clara Valley Water District 2020).

Based on seasonal groundwater contours for 2019, the depth to groundwater in the Project vicinity varied from 320 (in the spring) to 340 (in the fall) feet elevation above mean sea level (i.e., approximately 20–40 feet below the ground surface) (Valley Water 2020). Soil borings obtained at the Project site to depths of up to 30 feet below the ground surface did not encounter groundwater (TRC 2019).

The Santa Clara Valley Groundwater Basin is a high priority basin as designated by the California Department of Water Resources (DWR) under the Sustainable Groundwater Management Act; however, this basin is not in a state of critical overdraft (DWR 2020). Valley Water serves as the Groundwater Sustainability Agency for this basin. Valley Water's 2016 Groundwater Management Plan was submitted and approved by DWR as an Alternative Groundwater Sustainability Plan under the Sustainable Groundwater Management Act (Valley Water 2016).

Comments received during the public scoping period for the EIR suggested that underground springs may be present beneath the Project site. However, none of the reports or information reviewed during preparation of this EIR, including the site-specific geotechnical report (TRC) 2019), mentioned the presence of underground springs at or near the Project site.

[34] Groundwater balance refers to the ratio of inflow and outflow to and from the groundwater basin. In the Santa Clara Valley Groundwater Basin, groundwater flows from the edges of the basin along the mountain fronts, where a combination of natural and artificial recharge enters the aquifers, to the pumping centers in the central part of the basin and to the San Francisco Bay. Groundwater inflow occurs as recharge, subsurface flow along the northern coastal boundary of the southern San Francisco Bay, and water derived from aquifer storage. Groundwater recharge occurs from infiltration of precipitation in excess of runoff and evaporation, streamflow infiltration, and artificial recharge. Groundwater outflow occurs as evapotranspiration, stream flow, discharge through well pumping, and subsurface flow to the San Francisco Bay (Hanson et al. 2004).

3.10.2 Regulatory Framework

Federal

Clean Water Act

The primary federal law governing water quality is the CWA, enacted in 1972. The CWA provides for the restoration and maintenance of the chemical, physical, and biological integrity of the nation's waters. The CWA emphasizes technology-based (end-of-pipe) control strategies and requires discharge permits to allow use of public resources for waste discharge. The CWA also limits the number of pollutants that may be discharged and requires wastewater to be treated with the best treatment technology economically achievable regardless of receiving water conditions. The control of pollutant discharge is established through NPDES permits that contain effluent limitations and standards. The USEPA has delegated responsibility for implementation of portions of the CWA, such as Sections 303 and 402 (discussed below), to the SWRCB.

State

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Control Act is the basic water quality control law for California. The Porter-Cologne Water Quality Control Act authorizes the state to implement the provisions of the CWA and establishes a regulatory program to protect the water quality of the state and the beneficial uses of state waters.

The act requires project proponents whose projects would result in discharge of wastes that could affect the quality of the state's water to file a report of waste discharge with the appropriate RWQCB. The Porter-Cologne Water Quality Control Act also requires that the SWRCB or a RWQCB adopt basin plans for the protection of water quality. Basin plans are updated and reviewed every 3 years and provide the technical basis for determining waste discharge requirements (WDRs), taking enforcement actions, and evaluating clean water grant proposals. As required by the Porter-Cologne Water Quality Control Act and the CWA, basin plans include the following information:

- designated beneficial water uses;
- water quality objectives needed to protect the designated beneficial water uses; and
- strategies and time schedules for achieving the water quality objectives.

RWQCBs designate beneficial uses for all water body segments in their jurisdictions, and then set criteria necessary to protect these uses. Consequently, the water quality objectives developed for particular water segments are based on the designated use and vary depending on such use. Basin Plans specify region-wide and water body-specific beneficial uses. RWQCBs set numeric and narrative water quality objectives for constituents of concern for surface waters in their regions. Specific objectives for concentrations of chemical constituents are applied to bodies of water based on their designated beneficial uses.

Clean Water Act Section 303(d) and Total Maximum Daily Loads

California adopts water quality standards to protect beneficial uses of waters of the state as required by Section 303(d) of the CWA and the Porter-Cologne Water Quality Control Act. The SWRCB identifies waters failing to meet standards for specific pollutants, which are then state-

listed in accordance with CWA Section 303(d). If it is determined that waters of the state are impaired for one or more constituents, and the standards cannot be met through point-source or nonpoint-source controls (NPDES permits or WDRs), the CWA requires the establishment of TMDLs. Implementation of this program in the Bay Area is conducted by the San Francisco Bay RWQCB. To identify candidate water bodies for TMDL analysis, a list of water quality-impaired segments is generated by the SWRCB. These stream or river segments are impaired by the presence of pollutants and are more sensitive to disturbance because of this impairment.

In addition to the impaired water body list required by CWA Section 303(d), Section 305(b) requires states to develop a report assessing statewide surface water quality. For the current listing cycles, the State Water Board has combined its 303(d) list and the 305(b) report into the 2014 and 2016 California Integrated Report (SWRCB 2017), which was approved by the USEPA in 2018. The 2018 Integrated Report is still in process.

Clean Water Act Section 402—National Pollutant Discharge Elimination System

The 1972 amendments to the Federal Water Pollutant Control Act established the NPDES permit program to control discharges of pollutants from point sources (Section 402). The 1987 amendments to the CWA created a new section of the act devoted to stormwater permitting (§ 402[p]). USEPA has granted primary administration and enforcement of the provisions of the CWA and NPDES to the SWRCB and the nine RWQCBs. NPDES is the primary federal program that regulates point-source and nonpoint-source discharges to waters of the United States. CWA Section 402 also includes WDRs for dewatering activities.

NPDES permit regulations have been established for broad categories of discharges, including point source municipal waste discharges and nonpoint source stormwater runoff. NPDES permits generally identify limits on the concentrations and/or mass emissions of pollutants in effluent discharged into receiving waters; prohibitions on discharges not specifically allowed under the permit; and provisions that describe required actions by the discharger, including industrial pretreatment, pollution prevention, self-monitoring, and other activities.

In November 1990, USEPA published regulations establishing NPDES permit requirements for municipal and industrial stormwater discharges. Phase I of the permitting program applied to municipal discharges of stormwater in urban areas where the population exceeded 100,000 persons.[35] Phase II of the NPDES stormwater permit regulations became effective in March 2003 and required small municipality areas of less than 100,000 persons to develop stormwater management programs.

National Pollutant Discharge Elimination System Construction General Permit

The SWRCB's statewide NPDES Permit, Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order 2009-009-DWQ as amended by Order Nos. 2010-0014-DWQ and 2012-0006-DWQ) (Construction General Permit), is applicable to all construction activities that would disturb 1 acre of land or more (SWRCB 2012). Construction activities subject to the general construction activity permit include clearing, grading, stockpiling, and excavation. Dischargers are required to eliminate or reduce non-stormwater discharges to storm sewer systems and other waters.

[35] Phase I also applies to storm water discharges from a large variety of industrial activities, including general construction activity if the project would disturb more than 5 acres.

Through the NPDES and WDR process, SWRCB seeks to ensure that the construction and post-construction conditions at a project site do not cause or contribute to direct or indirect impacts on water quality (i.e., pollution and/or hydromodification) upstream and downstream. To comply with the requirements of the Construction General Permit, project applicants must file a Notice of Intent with the SWRCB to obtain coverage under the permit; prepare a SWPPP; and implement inspection, monitoring, and reporting requirements appropriate to the project's risk level as specified in the SWPPP. The SWPPP must include a site map, describe construction activities and potential pollutants, and identify BMPs that would be employed to prevent soil erosion and discharge of other construction-related pollutants that could contaminate nearby water resources, such as petroleum products, solvents, paints, and cement. Construction activities subject to the general construction activity permit include clearing, grading, stockpiling, and excavation. Dischargers are required to eliminate or reduce non-stormwater discharges to storm sewer systems and other waters. The permit also requires dischargers to consider the use of post-construction permanent BMPs that will remain in service to protect water quality throughout the life of the project. All NPDES permits also have inspection, monitoring, and reporting requirements.

The San Francisco Bay RWQCB also has the authority to issue waivers to WDRs for "low threat" discharge activities that have minimal potential for adverse water quality effects when implemented according to prescribed terms and conditions. This includes minor discharges of uncontaminated groundwater during construction dewatering, which is regulated by the San Francisco Bay RWQCB under the Construction General Permit.

Sustainable Groundwater Management Act

In 2014, the California Legislature enacted a three-bill law (AB 1739, SB 1168, and SB 1319), known as the Groundwater Management Act. The act was created to provide a framework for the sustainable management of groundwater supplies, and to strengthen local control and management of groundwater basins throughout the state with little state intervention. The Sustainable Groundwater Management Act is intended to empower local agencies to adopt groundwater sustainability plans that are tailored to the resources and needs of their communities, such that sustainable management would provide a buffer against drought and climate change, and ensure reliable water supplies regardless of weather patterns.

The Sustainable Groundwater Management Act and corresponding regulations require that each high and medium priority groundwater basin is operated to a sustainable yield, balancing natural and artificial groundwater recharge with groundwater use to ensure undesirable results such as chronic lowering of groundwater levels, loss of storage, water quality impacts, land subsidence, and impacts to hydraulically connected streams do not occur. The Sustainable Groundwater Management Act is considered part of the statewide, comprehensive California Water Action Plan that includes water conservation, water recycling, expanded water storage, safe drinking water, and wetlands and watershed restoration. The act protects existing surface water and groundwater rights and does not affect current drought response measures.

California's 515 groundwater basins are classified into one of four categories; high-, medium-, low-, or very-low priority based on components identified in the California Water Code Section 10933(b). Basin priority determines which provisions of California Statewide Groundwater Elevation Monitoring and the Sustainable Groundwater Management Act apply in a basin. In

2019, DWR completed the final re-prioritization of groundwater basins in Phase I, along with final prioritizations of groundwater basins included in Phase II (DWR 2020).

The Sustainable Groundwater Management Act requires that local agencies form one or more groundwater sustainability agencies (GSAs) within 2 years (i.e., by June 30, 2017). Agencies located within high- or medium-priority basins must adopt a groundwater sustainability plan (GSP) or Alternative GSP. The time frame for adoption of GSPs in basins determined by DWR to be in a condition of “critical overdraft” is by January 31, 2020; all other high and medium priority basin have until January 31, 2022. Local agencies will have 20 years to fully implement GSPs after the plans have been adopted. Intervention by the SWRCB would occur if a GSA is not formed by the local agencies, and/or if a GSP is not adopted or implemented. GSPs are not required for very low and low priority groundwater basins.

GSPs must define the sustainable yield of the basin, identify what would constitute undesirable results in the basin, and identify the projects and actions (including monitoring) that will be implemented to ensure the basin is managed to avoid undesirable results. DWR evaluates the GSP and provides the GSA with an assessment of the plan and any necessary recommendations every 5 years following its establishment. Reports by the GSA that include monitoring data and information are due annually to DWR. GSAs may choose to submit an Alternative GSP, which may consist of an existing groundwater management plan that demonstrates a reasonable expectation of achieving sustainability within 20 years. An Alternative GSP may also consist of a basin adjudication with existing governance and oversight, or a 10-year analysis of basin conditions showing sustainable operations with no undesirable results such as subsidence, saltwater intrusion, or degraded water quality.

Local

Santa Clara Valley Urban Runoff Pollution Prevention Program

The Project site lies within the jurisdiction of the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP). SCVURPPP is an association of the County of Santa Clara, the Valley Water and the 13 cities and towns in Santa Clara County that are in the jurisdiction of the San Francisco Bay RWQCB (including the City of Saratoga). The SCVURPPP has an NPDES/WDR permit to discharge stormwater from MS4 Permit issued by the San Francisco Bay RWQCB (Order No. R2-2015-0049) (San Francisco Bay RWQCB 2015).

The MS4 Permit requires the SCVURPPP and its members agencies (including the City of Saratoga) to reduce pollutants in stormwater discharges to the maximum extent practicable and to effectively prohibit non-stormwater discharges. The MS4 Permit contains requirements for implementing urban runoff controls consistent with the TMDLs that apply to specific watershed boundaries. Project proponents are required to incorporate site design measures, specific treatment measures, hydromodification management measures, and operations and maintenance requirements, all of which are specifically intended to reduce erosion and the transport of sediment and other pollutants in stormwater. Site design requirements related to water quality are provided in the *C.3 Stormwater Handbook* produced by the SCVURPPP, which contains guidelines for implementing stormwater requirements for new development and redevelopment projects (SCVURPPP 2016).

Project proponents are also required to incorporate planning for Green Stormwater Infrastructure as part of the *Santa Clara Basin Stormwater Resource Plan* (Santa Clara Valley County Urban Runoff Pollution Prevention Program 2019). Green Stormwater Infrastructure projects use vegetation, soils, and natural processes to capture stormwater and dry weather runoff from impervious surfaces throughout the urban landscape. Green Stormwater Infrastructure helps to reduce the quantity of pollutants and runoff entering the storm drain system, recharge groundwater and augment potable water supply, and reduce local flooding.

West Valley Clean Water Program Authority

The West Valley Clean Water Program Authority (Authority) serves as the Stormwater Pollution Prevention Authority for the Cities of Saratoga, Campbell, Monte Sereno, and the Town of Los Gatos. The Authority was created to maximize the effectiveness, efficiency, and cost-benefit from collective stormwater pollution prevention efforts of the four West Valley communities. The Authority was formally established in February 2018 but has been operating as a collaborative stormwater management program since 1992. The Authority develops an annual work plan to fulfill the requirements of the MS4 Permit and to reduce the number of pollutants discharged in urban runoff. The plan is a comprehensive program that is designed to reduce the discharge of pollutants to the maximum extent practicable and encompasses best practices. The Authority has also adopted a set of Strategic Priorities that consist of specific actions intended to support stormwater permit compliance, finance and administration, stormwater education, and technology/innovation (West Valley Clean Water Authority 2021).

City of Saratoga Residential Design Standards

The City's Residential Design Review Handbook (City of Saratoga 2014) requires site development to follow the natural contours of a site, minimize grading to the extent feasible, and be appropriate given the property's natural constraints. It also addresses grading, drainage, and erosion control. The handbook requires that stormwater be retained on-site and directed away from adjoining property and toward stormwater drains and drainageways. Stormwater BMPs should be integrated into the landscape and grading design plans to minimize runoff and to increase on-site retention and infiltration. LID features that use natural and engineered infiltration and storage techniques to control stormwater runoff are encouraged. Projects must be designed to comply with the SCVURPPP.

City of Saratoga Drainage Design Standards

The City requires all development to design drainage systems using the methods described in the 2007 Santa Clara County Drainage Manual. The City's C.3 LID Checklist provides guidance to determine the application of LID features in project design, depending on the type of project and the amount of impervious surfaces. Development projects that create or replace 10,000 square feet or more of impervious surfaces are considered regulated projects, which must treat stormwater using only LID features. However, projects that qualify as urban infill may be allowed to use certain specific types of non-LID treatment measures to treat a certain percentage of the site's runoff if LID treatment is determined to be infeasible (City of Saratoga 2021). Site design requirements related to water quality are provided in the *C.3 Stormwater Handbook* produced by the SCVURPPP, and may include measures such as bioretention basins, flow-through planters, bioswales, permeable pavement, rainwater harvesting and use, and tree preservation and planting (among others).

City of Saratoga General Plan

City policies pertaining to hydrology and water quality are contained in the Open Space and Conservation Element of the City's General Plan.

The following General Plan policies relating to hydrology and water quality apply to the Project[36]:

Goal OSC 9: Protect existing watercourses in the community and enhance water quality in surface and subsurface water sources.

> **Policy OSC 9.1:** Retain surface watercourses in their natural condition to the greatest extent possible.
>
> **Policy OSC 9.2:** Concentrate development in those portions of the community least susceptible to soil erosion and minimize grading and the introduction of impervious surfaces. Where appropriate, consider the use of on-site detention or retention basins to minimize stormwater runoff from sites.

Goal OSC 10: Maximize efficiencies in the use of the City's water supply.

> **Policy OSC 10.1:** Implement water conservation provisions of the San Jose Water Company's Urban Water Management Plan.

City of Saratoga Municipal Code

Chapter 14, Article 14-30, Section 14-30.030, *Stormwater and Sewage*. This section of the Saratoga Municipal Code regulates subterranean storm drains. Subterranean storm drains must be designed and installed by the subdivider or owner to adequately and safely drain all storm waters of the subdivision or site, and all surface waters reaching or reasonably calculated to reach the subdivision or site from areas outside of its boundaries. All drainage plans shall be consistent with the requirements of the Santa Clara Valley NPDES, as defined in Article 15-06 of the Zoning Code.

Chapter 16, Article 16-17, Section 16-17.20, *Grading and Terracing.* This section of the Saratoga Municipal Code regulates drainage facilities and terracing for cut or fill slopes steeper than one unit vertical in three units horizontal (33.3 percent slope), including requirements for swales, ditches, subsurface drainage, disposal of drainage water, and interceptor drains. Drainage plans must be submitted to the building department for review and approval, and must include both existing and proposed grades, and all proposed drainage facilities. Section 16-17.20 also requires that disposition of all on-site stormwater must be consistent with the requirements of the SCVURPPP.

3.10.3 Project Impacts and Mitigation

This section addresses the following potential impacts relating to hydrology and water quality:

[36] In February 2018, the City of Saratoga began the process of making minor policy updates to three elements of the City's General Plan (Land Use, Circulation, and Open Space & Conservation) and formatting the elements to provide a cohesive document. These updated elements are collectively known as the "2040 General Plan Update" but have not yet been adopted. In addition, the City is currently in the process of updating its Housing Element for the "6th Cycle" planning period extending from January 31, 2023 through January 31, 2031, and updating its Safety Element to reflect the updated Housing Element. On February 28, 2022 the City published a Notice of Preparation of a Draft Program Environmental Impact Report for the 6th Cycle Housing Element, Safety Element, and 2040 General Plan Update. At present, there is no confirmed timeframe for completion and certification of the Program EIR and adoption of the updated General Plan elements; therefore, the policies cited within this EIR reflect the current General Plan Elements.

- **Impact HYD-1:** Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?
- **Impact HYD-2:** Would the Project substantially decrease groundwater supplies or interfere substantially with groundwater recharge?
- **Impact HYD-3:** Would the Project substantially alter drainage patterns resulting in erosion or siltation, flooding, pollution, or redirection of flood flows?
- **Impact HYD-4:** Would the Project risk release of pollutants in flood, tsunami, or seiche hazard zones?
- **Impact HYD-5:** Would the Project conflict with a water quality control plan or sustainable groundwater management plan?

Impact HYD-1: Violate Water Quality Standards

Impact HYD-1 would be **less than significant**. No mitigation is required.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.

Impact Analysis

Construction

Project construction activities would require vegetation removal, excavation, grading, material stockpiling, and staging within the project footprint, that would temporarily disturb surface soils. During construction activities, excavated soil would be exposed, which could increase the potential for soil erosion and transport of sediment downstream beyond existing conditions. During a storm event, soil erosion and transport of sediment could occur at an accelerated rate. The soil ultimately could be transported via the storm drainage system or overland sheet flow to Vasona Creek and downstream waterbodies including the South San Francisco Bay, increasing turbidity and degrading water quality.

In addition, construction-related pollutants, such as chemicals, liquid and petroleum products (e.g., paints, solvents, and fuels), and concrete-related waste, could be spilled, leaked, or transported via stormwater runoff into adjacent drainages and into downstream receiving waters during storm events.

Erosion and construction-related wastes could have the potential to degrade water quality if they enter runoff and flow into waterways. This could potentially alter the dissolved oxygen content, temperature, pH, suspended sediment, turbidity levels, and/or nutrient content of receiving waters, or cause toxic effects on the aquatic environment. Therefore, construction activities on the Project site could violate water quality standards or otherwise substantially degrade water quality without proper stormwater management measures.

However, the Project Applicant is required by law to comply with the provisions of the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order 2009-009-DWQ, as amended by Order 2012-0006-DWQ) (Construction General Permit) (SWRCB 2012). The NPDES Construction General Permit regulates

stormwater discharges for construction activities under the federal CWA, and it applies to all land-disturbing construction activities that would disturb 1 acre or more of land. To comply with the provisions of the NPDES Construction General Permit, the Project Applicant would submit a Notice of Intent to discharge to the San Francisco Bay RWQCB and would prepare and implement an SWPPP, which would include BMPs to minimize those discharges. The San Francisco Bay RWQCB also has the authority to issue waivers to reports of WDRs and/or WDRs for broad categories of “low threat” discharge activities such as construction dewatering that would have minimal potential for adverse water quality effects when implemented according to prescribed terms and conditions.

The SWPPP is required to address site-specific conditions related to potential sources of sedimentation and erosion. The BMPs listed below would ensure that neighboring properties would not be impacted during construction of the Project, as these measures would reduce or eliminate the potential for erosion or alteration of drainage patterns offsite.

- Silt fencing, fiber rolls, or gravel bags
- Street sweeping and vacuuming
- Storm drain inlet protection
- Stabilized construction entrance/exit
- Vehicle and equipment maintenance, cleaning, and fueling
- Hydroseeding
- Material delivery and storage
- Stockpile management
- Spill prevention and control
- Solid waste management
- Concrete waste management

All NPDES Stormwater Construction General Permits (and Municipal and Industrial Stormwater Operating Permits) include monitoring and reporting requirements to SWRCB to ensure compliance. Dischargers are required to report on site-specific SWPPP and BMP implementation using the SWRCB’s Stormwater Multiple Application and Report Tracking System. Stormwater Multiple Application and Report Tracking System provides a platform where dischargers, regulators, and the public can enter, manage, and view stormwater data including permit registration documents, compliance, and monitoring data associated with California’s stormwater general permits, related to both construction and operational (municipal and industrial) discharges. The Stormwater Multiple Application and Report Tracking System can be accessed via the Internet at the following website: https://www.waterboards.ca.gov/water_issues/programs/stormwater/construction.html.
Violations related to stormwater general permit requirements can be electronically reported to SWRCB at the following email address: stormwater@waterboards.ca.gov?subject=non-filer reporting, or by calling SWRCB at the following telephone number: 1-(866)-563-3107.

Because the Project Applicant is required by law to comply with the provisions of the NPDES Construction General Permit, which includes preparation and implementation of a SWPPP with associated BMPs, as well as compliance with the San Francisco Basin Plan, the Project's impact on surface water and groundwater quality would be minimized and water quality standards would not be violated. Therefore, impacts during construction would be **less than significant**.

Operation

The Project would result in operation of additional residential, office, and recreational uses on the Project site that could generate pollutants, such as suspended solids, nutrients, bacteria/viruses/pathogens, pesticides, oil and grease, trash, and debris. These pollutants could potentially discharge into surface waters and result in degradation of water quality.

However, the Project has been designed to include appropriate underground stormwater drainage infrastructure that would either tie-in to the existing 24-inch main line in Odd Fellows Drive (San Marcos Road) or would tie-in to the existing drainage outfall that discharges to the unnamed tributary to Vasona Creek. In compliance with the NPDES Construction General Permit and the City's Municipal Code, the Project Applicant has prepared a site-specific Stormwater Treatment Plan and Grading and Drainage plans, which incorporate LID stormwater features as required by the City and the SCVURPPP, including flow-through planters, bioretention basins, landscaping (which helps to trap and filter pollutants through the soil), and permeable pavement (Underwood & Rosenblum, Inc. 2021).

The Project Applicant would continue to implement the requirements of the MS4 Permit issued by the San Francisco Bay RWQCB, which requires that the SCVURPPP and its member agencies (including the City and all project applicants therein) to reduce pollutants in stormwater discharges to the maximum extent practicable, and to effectively prohibit non-stormwater discharges. Overall, implementation of LID stormwater features pursuant to existing regulations, including MS4 Permit requirements, would ensure that implementation of the proposed Project would not violate any water quality standards, waste discharge requirements, or otherwise degrade water quality. Therefore, operational impacts would be **less than significant**.

Impact HYD-2: Substantially Decrease Groundwater Supplies or Interfere with Groundwater Recharge

Impact HYD-2 would be **less than significant**. No mitigation is required.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

Impact Analysis

Construction

Project construction would require excavation in some locations to a maximum depth of approximately 25 feet below the ground surface. As discussed previously, the depth to groundwater at the Project site ranges from approximately 20 to 40 feet below the ground surface (Valley Water 2020). However, soil borings obtained at the Project site to depths of up to 30 feet below the ground surface during geotechnical investigations did not encounter groundwater

(TRC 2019). Therefore, it is unlikely, but possible, that groundwater could be encountered during construction activities. If necessary, the Project Applicant would apply WDRs for construction dewatering from the San Francisco Bay RWQCB for "low threat" discharge activities that would have minimal potential for adverse water quality effects when implemented according to prescribed terms and conditions.

Water that is necessary for construction activities (e.g., for dust control) would be supplied by trucks. While the source of such water could be from groundwater-derived sources, its use would be temporary and the volume of water would be similar to other construction projects in the City. Therefore, water use during construction would not be expected to substantially decrease groundwater supplies. Because Project construction would not require substantial dewatering or use substantial volumes of groundwater supplies, the construction-related impact to groundwater would be **less than significant**.

Operation

As discussed in more detail in Section 3.18, "Utilities and Service Systems," the Project site receives water primarily from SCVWD's imported surface water (San Jose Water 2021b) and would continue to do so following Project implementation, and therefore would not use groundwater as a major source of water supply.

The Project would result in a net increase approximately 65,000 SF of impervious area at the campus. Small areas of landscaping exist within the Project footprint, which would be removed; however, these areas do not currently provide for substantial groundwater recharge. Furthermore, the Project has been designed to meet the City's C.3 LID requirements for redevelopment and includes LID stormwater design and drainage features as required by the SCVURPPP's *C.3 Stormwater Handbook* (SCVURPPP 2016) such as flow-through planters, bioretention basins, landscaping, and permeable pavement (Underwood & Rosenblum, Inc. 2021). Runoff from the new impervious surfaces would be directed to a subsurface infiltration system with low impact design features that are designed to promote recharge of the underlying aquifer.

Because the Project would not use groundwater as a source of water supply, and with the inclusion of the proposed LID design features it would not substantially decrease the pervious area available for groundwater recharge, the impact to groundwater supplies or groundwater recharge would be **less than significant**.

Impact HYD-3: Substantially Alter Drainage Patterns Resulting in Erosion and Sedimentation, Flooding, Pollution, or Impedance of Flood Flows

Impact HYD-3 would be **less than significant**. No mitigation is required.

Standards of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

- result in substantial erosion or siltation on- or off-site,

- substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite,
- 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.
- impede or redirect flood flows.

Impact Analysis

Construction

Construction of the Project would require excavation, trenching, and grading activities that could alter existing drainage patterns onsite. However, as discussed previously, the NPDES Construction General Permit requires preparation and implementation of a SWPPP by a Qualified SWPPP Developer for the proposed construction activities. The SWPPP and associated BMPs are required to address site-specific conditions to reduce erosion and siltation from construction activities. In addition, the Project would comply with Section 16-17 of the City's Municipal Code, which regulates excavation and grading, and includes specific provisions relating to drainage on cut and fill slopes and erosion control. No construction is proposed within the banks of the unnamed tributary to Vasona Creek that flows through the Project site.

Overall, with implementation of existing regulations that would be verified by the City during the permitting approval process, project construction would not result in alteration of existing drainage patterns that could result in substantial erosion or siltation, increases in stormwater runoff, or impediment of flood flows. The construction-related impact would be **less than significant**.

Operation

As discussed previously, the Project would result in a net increase in impervious surfaces, which would increase the amount of stormwater runoff. However, the proposed Project includes the installation of drainage features on the Project site that would handle and treat all potential stormwater runoff. The proposed drainage infrastructure would utilize BMPs and LID features, such as biofiltration planter boxes and swales, permeable pavement, and landscaping (Underwood & Rosenblum, Inc. 2021), which would not substantially alter the existing drainage pattern of the site.

The Project Applicant has also utilized the Santa Clara County Drainage Manual (County of Santa Clara 2007) to calculate stormwater runoff and design appropriate modifications to the existing drainage system, which is designed to appropriately detain, pre-treat, and convey stormwater using LID methods including flow-through planters, bioretention basins, landscaping, and permeable pavement (Underwood & Rosenblum, Inc. 2021). The Project has been designed such that the stormwater drainage modifications necessary to serve the new buildings, meeting room addition, and the fitness center addition would either tie-in to the existing 24-inch main line in Odd Fellows Drive (San Marcos Road) or would tie-in to the existing drainage outfall that discharges to the unnamed tributary of Vasona Creek, as shown on the stormwater drainage plan within the Project design drawings submitted to the City. Therefore, the Project would not substantially alter the drainage pattern of the area in a manner that would result in substantial erosion or siltation, increases in stormwater runoff, or impediment of flood flows. The operational impact would be **less than significant**.

Impact HYD-4: Release of Pollutants in Flood, Tsunami, or Seiche Hazard Zones

Impact HYD-4 would be **less than significant**. No mitigation is required.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would risk release of pollutants due to project inundation.

Impact Analysis

The Project site is several miles inland from San Francisco Bay, at an elevation of 350 to 400 feet above mean sea level. In addition, the Project site is not located in a tsunami inundation zone (California Emergency Management Agency et al. 2009). Furthermore, given the distance of the Project site from the Vasona Reservoir, and the Project site's topographical elevation (50 feet above the reservoir), seiches would also not represent a hazard at the Project site.

As discussed previously, the Project site and off-site staging area are not within a 100-year (1% annual exceedance probability) flood hazard zone, but are within Zone X (shaded), which could be subject to moderate flood hazards (FEMA 2021). Vasona Creek flows through the West Valley College campus; but has been redirected to an underground storm drain in the vicinity of Parking Lot #6, where the off-site staging area would be located. A small, unnamed tributary to Vasona Creek is also present along the east side of the SRC campus. The proposed buildings on the Project site would be constructed at least 215 feet from the creek channel and at elevations ranging from approximately 20 to 40 feet above the creek bed. Thus, the likelihood of inundation of the Project site and off-site staging area is extremely low. Furthermore, as discussed previously, Project construction would be required to implement BMPs associated with proper storage and handling of hazardous materials and Project operation would not introduce substantial new sources of hazardous materials on campus. Therefore, the Project would not risk a release of pollutants within a flood hazard area, risk release of pollutants from inundation from a tsunami, or risk release of pollutants from inundation from seiche waves. The impact would be **less than significant**.

Impact HYD-5: Obstruct Implementation of a Water Quality Control Plan or Sustainable Groundwater Management Plan

Impact HYD-5 would be **less than significant**. No mitigation is required.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the project may have a significant impact if it would conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Impact Analysis

Construction

As discussed previously, use of BMPs during construction implemented as part of a SWPPP, as required by the NPDES Construction General Permit, would serve to ensure that construction activities do not result in a degradation of water quality. In addition, for the reasons discussed in Impact HYD-1 and HYD-2, construction activities associated with the proposed Project would

not conflict or obstruct implementation of the San Francisco Bay Basin Plan or the Valley Water's Alternative GSP. Therefore, construction-related impacts would be **less than significant**.

Operation

As discussed previously, the Project is required to implement an LID plan per the Regional MS4 Permit. Project plans would be required to demonstrate compliance with LID specifications and BMPs, which would be verified during the City's permitting approval process. In addition, for the reasons discussed in Impact HYD-1 and HYD-2, operation of the proposed Project would not conflict of obstruct with the San Francisco Bay Basin Plan or the Valley Water's Alternative GSP. Therefore, operational impacts would be **less than significant**.

3.10.4 Cumulative Impacts and Mitigation

This section addresses the following potential cumulative impacts[37] relating to water quality and hydrology:

- **Impact C-HYD-1:** Contribution to cumulative effects related to violation of water quality standards, decrease in groundwater recharge, alteration of drainage patterns, increase in stormwater runoff, exceedance of stormwater drainage capacity, and degradation of water quality from flood inundation.

Cumulative Impact C-HYD-1: Impacts to Water Quality and Hydrology

The overall cumulative impact for C-HYD-1 would be **less than significant**. No mitigation is required.

Cumulative Context

The geographic context for cumulative impacts related to violations of water quality standards is the West Valley Watershed. The geographic context for cumulative impacts related to stormwater drainage includes the geographic area served by existing stormwater infrastructure for the drainage area.

Cumulative Impact Analysis

Past and present development has exacerbated the existing impaired condition of several of the creeks within the West Valley Watershed, including San Tomas Aquino and Saratoga Creek. These creeks are listed as Section 303(d) impaired waterbodies and have the potential to contribute to the impairment of the south San Francisco Bay. However, implementation of the Basin Plan, the NPDES permits, the Authority, and the SCVURPPP requirements have helped to address water quality in the West Valley Watershed and would continue to do so for cumulative development in the watershed.

As discussed previously, the Project would comply with the provisions of the NPDES Construction General Permit, which regulates stormwater discharges for construction activities and requires implementation of a SWPPP and appropriate BMPs to prevent violations of water quality standards and substantial degradation of water quality. Present and future foreseeable development projects within the watershed would be required to implement water quality control measures. Pursuant to the NPDES Construction General Permit, cumulative projects exceeding

[37] Note that project-level impacts have been combined for the purposes of cumulative analysis. Cumulative impact C-HYD-1 addresses the same issues as project-level impacts HYD-1 through HYD-6.

one acre in area would be required to eliminate or reduce non-stormwater discharges to storm sewer systems and other waters; implement permanent post-construction BMPs that would remain in service to protect water quality throughout the life of the project; implement construction and operational design features and BMPs specifically intended to reduce the potential for downstream hydromodification; implement BMPs designed to prevent accidental spills of hazardous materials during the construction phase to the maximum extent practicable, and include procedures for immediate cleanup if any releases occur.

In addition, cumulative projects that involve more than 50 cubic feet of cut and fill would be required to obtain an excavation and grading permit, which requires submittal of an erosion control plan and drainage plan for City review and approval (Saratoga Municipal Code Article 16-17). Permit conditions would be imposed to reduce potential erosion impacts.

Cumulative projects would also be required to implement the requirements of the SCVURPPP's MS4 Permit and to design and engineer stormwater drainage systems according to standard engineering methods to reduce impacts related to stormwater drainage. This includes incorporation of site design measures (including LID design features based on the City's C.3 checklist), specific treatment measures, hydromodification management measures, and operations and maintenance requirements, all of which are specifically intended to reduce erosion and the transport of sediment and other pollutants in stormwater. Individual cumulative projects, while only resulting in a minor increase of impervious surfaces at any individual project site, when considered together, would result in an increase in the amount of impervious area and therefore a decrease in the area available for rainfall to provide groundwater recharge. However, the Valley Water's Alternative Groundwater Sustainability Plan (Santa Clara Valley Water District 2016) accounts for cumulative decreases in regional recharge resulting from future development that is projected in the general plans of jurisdictions within the Santa Clara Valley Groundwater Basin. The basin is currently in balance (in terms of groundwater supply vs. groundwater demand). Chapter 5 of the District's Alternative Groundwater Sustainability Plan sets forth the District's groundwater sustainability goals and includes policies and basin management strategies designed to ensure that groundwater supplies are managed to optimize water supply reliability.

For all of the reasons discussed above, the overall cumulative impact on hydrology and water quality would be **less than significant**.

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3.11 Land Use and Planning

This section describes the existing land use and setting of the Project area and evaluates whether the Project would result in a physical division of an established community or adverse effects to land use and planning.

No comments relating specifically to land use and planning were received during the public scoping period in response to the Notice of Preparation.

3.11.1 Environmental Setting

Project Site

The SRC campus is at 14500 Fruitvale Avenue, Saratoga, on three contiguous parcels totaling approximately 37 acres (see Figure 2.1-1 in Section 2) within an established residential neighborhood. Odd Fellows Drive provides access to the Project site, with an internal network of private roadways providing access to buildings and facilities within the campus.

The SRC campus currently consists of the Mission Revival-style Manor Building, which was constructed in 1912; two apartment buildings; 20 residential villas/cottages; an assisted living building; a fitness center; and a Health Center (see Figure 2.1-2 in Section 2). The current buildings and structures on site total approximately 423,800 SF, with a floor area ratio of 0.311. An approximately 1.1 acre landscaped area with outdoor recreational facilities is located just south of the Manor building.

The SRC campus caters to senior residents with a range of independence levels and healthcare assistance. The existing campus has a total 143 independent living residential units, 88 assisted living beds, 18 memory care beds, and 94 skilled nursing beds. The existing density of the campus is 8.11 units per acre.

A small gully passes through the site to the south of Eucalyptus Lane and the Health Center, which contains an unnamed tributary of Vasona Creek that continues along the eastern boundary of the site. The creek area is protected by a riparian open space covenant, established as part of the Master Plan for the campus that was approved in 1996 (City of Saratoga 1996).

Existing General Plan Land Use

The Project site is designated as Community Facilities Sites in the City's General Plan. This designation corresponds to all institutional, public, and quasi-public uses including public schools and public facilities, such as the Civic Center, library, and fire stations. This land use designation also includes private institutional uses including religious uses, such as churches, synagogues, religious schools and the novitiate; convalescent homes; private schools; the cemetery; the electrical substation; and the Odd Fellows Home (City of Saratoga 2014).

The City General Plan states that all uses or their expansions in lands designated Community Facilities Sites, including building intensity, are evaluated through the use permit process as set forth in the Zoning Ordinance and must comply with criteria indicating their compatibility with adjacent uses.

Existing Zoning

The Project site is zoned by the City as R-1-40,000 (Single-Family Residential, 40,000 square-foot minimum lot size) (referenced in Section 15-12.020 of the Saratoga Municipal Code). The R-1-40,000 zoning district is intended to reserve appropriately located areas for family living at a reasonable range of population densities consistent with sound standards of public health and safety; to ensure adequate light, air, privacy and open space for each single-family dwelling unit; to protect single-family dwellings from the congestion and lack of privacy associated with multi-family dwellings; to provide space for community facilities needed to complement residential areas and for institutions, which require a residential environment; to protect residential properties from the hazards, noise and congestion created by commercial and industrial uses; and to protect residential properties from fire, explosion, noxious fumes, noise, excessive light or glare and other hazards.

Permitted uses in the R-1 zoning district include single-family dwellings, transitional and supportive housing, home occupations, accessory structures and uses located on the same site as the permitted use, stables and corrals, swimming pools and recreational courts, and rotating emergency shelters. Community facilities, institutional facilities, and nursing homes and day care facilities in excess of six persons being cared for are conditional uses within the zone.

This existing zoning district generally limits single-family homes to 26 feet in height. Structures are generally limited to two stories, although the General Plan Community Facilities Sites designation allows the City to approve three story structures for institutional facilities or quasi-public uses, if average slopes exceed ten percent and a stepped building pad is used. The maximum site coverage within the R-1-40,000 zone is 35 percent.

Surrounding Area

Residential neighborhoods, with single-family homes on large (40,000 SF minimum lot size) parcels, are the predominant land use in the vicinity of the Project site. The surrounding land uses are described below and shown on Figure 2.1-2 in Section 2.

North: Odd Fellows Drive bounds the site to the north, with single-family residential land uses and the West Valley College Campus beyond. The General Plan land use designation for the residential properties is Residential Very Low Density, and for the college campus is Community Facility Site. The zoning of both areas is Single-Family Residential 1-40,000 with a 40,000 SF minimum lot size.

West: The Project site is bound to the west by single-family residential land uses. The General Plan land use designation is Residential Very Low Density, and the zoning is Single-Family Residential 1-40,000 with a 40,000 SF minimum lot size.

East: The Project site is bound to the east by Fellowship Plaza, which is an affordable housing community consisting of one- and two-bedroom apartments and community facilities, with single-family residential land uses farther to the east. The General Plan land use designation for the Fellowship Plaza property is Community Facility Site, with Residential Very Low Density beyond. The zoning is Single-Family Residential 1-40,000 with a 40,000 SF minimum lot size.

South: The Project site is bound to the south by Crisp Avenue and Via De Marcos, with single-family residential land uses beyond. The General Plan land use designation is Residential Very

Low Density, and the zoning is Single-Family Residential 1-40,000 with a 40,000 SF minimum lot size.

3.11.2 Regulatory Framework

Federal

There are no federal regulations regarding land use and planning.

State

There are no state regulations regarding land use and planning applicable to the Project site.

Local

City of Saratoga General Plan

City policies pertaining to land use are contained in the Land Use and Housing Element of the City's General Plan.

The following General Plan policies relating to land use apply to the Project[38]:

Land Use Element

Goal LU 1: Maintain the predominantly small town residential character of Saratoga which includes semi-rural and open space areas.

> **Policy LU 1.2:** Continue to review all residential development proposals to ensure consistency with Land Use Element goals and Policies.

Goal LU 5: Relate development proposals to existing and planned street capacities to avoid excessive noise, traffic, and other public safety hazards so as to protect neighborhoods. If it is determined that existing streets need to be improved to accommodate a project, such improvements shall be in place or bonded for prior to issuance of building permits.

> **Policy LU 5.2:** Development proposals shall be evaluated against City standards and guidelines to assure that the related traffic, noise, light, appearance, and intensity of the proposed use have limited adverse impact on the area and can be fully mitigated.
>
> **Policy LU 5.3:** The capacity of existing streets shall be recognized prior to tentative building site or subdivision approval of any project. New development shall be designed to minimize disruption to the area caused by an increase in through or heavy traffic.

Goal LU 6: Protect natural resources and amenities through appropriate land use and related programs.

[38] In February 2018, the City of Saratoga began the process of making minor policy updates to three elements of the City's General Plan (Land Use, Circulation, and Open Space & Conservation) and formatting the elements to provide a cohesive document. These updated elements are collectively known as the "2040 General Plan Update" but have not yet been adopted. In addition, the City is currently in the process of updating its Housing Element for the "6th Cycle" planning period extending from January 31, 2023 through January 31, 2031, and updating its Safety Element to reflect the updated Housing Element. On February 28, 2022 the City published a Notice of Preparation of a Draft Program Environmental Impact Report for the 6th Cycle Housing Element, Safety Element, and 2040 General Plan Update. At present, there is no confirmed timeframe for completion and certification of the Program EIR and adoption of the updated General Plan elements; therefore, the policies cited within this EIR reflect the current General Plan Elements.

Policy LU 6.2: Development proposals shall incorporate stormwater quality features, including but not limited to grassy bio-swales, to protect surface and subsurface water quality.

Goal LU 13: The City shall use the design review process to assure that new construction and major additions thereto are compatible with the site and the adjacent surroundings.

Policy LU 13.1: Utilize the design review process and the California Environmental Quality Act in the review of proposed residential and non-residential projects to promote high quality design, to ensure compliance with applicable regulations, to ensure compatibility with surrounding properties and use, and to minimize environmental impacts. Special attention shall be given to ensuring compatibility between residential and non-residential uses (e.g., land use buffering).

Housing Element

Policy Area 4-4: Access to Housing Opportunities: The City promotes the practice of providing equal housing opportunities for all persons. Housing should be available for all persons regardless of income, family status, presence of a disability, age, race, sex, national origin, or color. The City encourages the provision of housing to meet needs of families with children, elderly households, persons with disabilities, the homeless and all other segments of the community.

City of Saratoga Municipal Code

Chapter 15 of the City's Municipal Code sets out the zoning regulations applicable throughout the City, in order to promote and protect the public health, safety, peace, comfort, convenience, prosperity and general welfare. Article 15-12 sets out the zoning provisions applicable to R-1 Single Family Residential zones, to achieve the following purposes:

a) To reserve appropriately located areas for family living at a reasonable range of population densities consistent with sound standards of public health and safety.

b) To ensure adequate light, air, privacy and open space for each single-family dwelling unit.

c) To protect single-family dwellings from the congestion and lack of privacy associated with multi-family dwellings.

d) To provide space for community facilities needed to complement residential areas and for institutions, which require a residential environment.

e) To protect residential properties from the hazards, noise and congestion created by commercial and industrial uses.

f) To protect residential properties from fire, explosion, noxious fumes, noise, excessive light or glare and other hazards.

3.11.3 Project Impacts and Mitigation

This section addresses the following potential impacts relating to land use and planning:

- **Impact LUP-1:** Would the Project physically divide an established community?

- **Impact LUP-2:** Would the Project 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?

Impact LUP-1: Physically Divide an Established Community

Impact LUP-1 would be **no impact**. No mitigation is required.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would physically divide an established community.

Impact Analysis

Construction

Access to residential neighborhoods in the vicinity of the Project site would be maintained during construction. There would be no closure of any publicly accessible roadway that provides connectivity between the existing neighborhoods along Fruitvale Avenue and Odd Fellows Drive. Although temporary fencing would be installed at each building site and staging area for safety and security purposes, these fences would only encompass the various separate zones of construction within the Project site and would not create a significant barrier to the movement of people within the SRC campus because alternative pedestrian and vehicular routes would be established for any instances where sidewalks or private roads were temporarily obstructed due to construction activities. In addition, the off-site construction staging area would be provided within Parking Lot #6 of the West Valley College and would not impact roadway accessibility in the Project area. Therefore, construction of the proposed Project would not introduce a physical feature that would create a barrier, divide, or separate adjacent uses during construction. Therefore, physical division of an established community would not occur due to construction of the proposed Project. There would be **no impact.**

Operation

The proposed Project consists of new residential buildings, a new meeting room addition to the existing Manor, and an expansion to the existing fitness center on the SRC campus. The Project site is currently surrounded by residential and community serving uses. The proposed Project would add to the existing residential, office, and healthcare uses on the Project site and would not physically divide an established community. The proposed Project would expand and complement the existing uses onsite. Overall, the land uses proposed for the site are consistent with the land uses designated for the Project site by the City's General Plan, and the Project would not result in any permanent road closures or introduce any physical feature that would create a barrier, divide, or separate adjacent uses. Therefore, physical division of an established community would not occur due to operation of the proposed Project. There would be **no impact.**

Impact LUP-2: Conflict with Land Use Plan, Policy, or Regulation

Impact LUP-2 would be **less than significant**. No mitigation is required.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would 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.

For an impact to be considered significant under this threshold, any inconsistency would also need to result in a significant adverse change in the environment not already addressed in the other resource sections of this EIR.

Impact Analysis

The proposed Project would construct three new residential buildings, a new meeting room addition to the existing Manor, and an addition to the existing fitness center on the SRC campus.

The City General Plan states that all uses or their expansions in lands designated Community Facilities Sites, including building intensity, are evaluated through the use permit process as set forth in the Zoning Ordinance and must comply with criteria indicating their compatibility with adjacent uses. The proposed Project includes an application for a Planned Combined District overlay, which allows for deviations from the code when there are community benefits provided as part of the project.

The proposed Project would comply with the City's General Plan policies, including Policy LU 1.2, LU 5.2, LU 5.3, LU 6.2, and LU 13.1, which seek to utilize the City's design review process and the CEQA guidelines to promote high quality design; to ensure compliance with applicable regulations and City standards and guidelines; to ensure compatibility with surrounding properties and use; to ensure new development is designed to minimize disruption to the area caused by an increase in through or heavy traffic; to ensure stormwater quality features are incorporated to protect surface and subsurface water quality; and to assure that the related traffic, noise, light, appearance, and intensity of the proposed use have limited adverse impacts on the area and can be fully mitigated.

The Project would conform to allowable building standards and would include Mission Revival architectural features to match the existing buildings onsite in compliance with Policy LU 5.2 and Policy LU 13.1. As discussed in Section 3.10, *Hydrology and Water Quality*, the Project would implement a SWPPP and LID stormwater features, such as flow-through planters, bioretention basins, landscaping (which helps to trap and filter pollutants through the soil), and permeable pavement in compliance with Policy LU 6.2. As discussed in Section 3.19, *Utilities and Service Systems*, the Project would connect to the existing utility service system, which has sufficient capacity to serve the proposed Project while continuing to serve existing development in compliance with Policy LU 5.2 and Policy LU 13.1. In addition, as discussed in Section 3.17, *Transportation*, the Project would not lead to any significant impacts at the study intersections in compliance with Policy LU 5.3. Specific impacts and Project consistency associated with other resource and issue areas are also addressed throughout this EIR. In addition, the Project would be consistent with Housing Element Policy Area 4-4, as the Project would assist the City in meeting the needs of elderly households.

Overall, the proposed Project would be consistent with City's General Plan policies and the land use designation of the Project site. In addition, with approval of a Planned Combined District, the proposed Project would not conflict with the zoning of the Project site. Thus, the Project would not conflict with any General Plan or Municipal Code, plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, impacts would be **less than significant.**

3.11.4 Cumulative Impacts and Mitigation

As discussed above, the Project would have no impact related to the physical division of an established community. Therefore, the Project would not contribute to any potential cumulative impacts for this issue. The following section analyzes the potential of the Project to contribute to cumulative impacts for the following land use and planning issues where the Project would have a less-than-significant or potentially significant impact:

- **Impact C-LUP-2:** Contribution to cumulative effects related to conflicts with land use plans, policies, or regulations

Cumulative Impact C-LU-2: Conflict with Land Use Plan, Policy, or Regulation

The overall cumulative impact for C-LU-2 would be **less than significant**. No mitigation is required.

Cumulative Context

The geographic context for cumulative impacts related to conflicts with land use plans, policies, or regulations is the City.

Cumulative Impact Analysis

As discussed above, the Project is consistent with the City's General Plan. In addition, the Project would be consistent with the City's zoning standards with approval of the Planned Combined District. Other cumulative projects would also be required to demonstrate consistency with the General Plan and zoning standards, or would be subject to separate environmental analyses and would be required to mitigate any impacts, to the extent feasible, through the CEQA process. Therefore, the Project would not combine with any past, present, or reasonably foreseeable future projects to likely cause a significant adverse cumulative land use impact based on a conflict with a plan or policy, and the overall cumulative impact would be **less than significant**.

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3.12 Noise

This section describes the existing noise setting of the Project area and evaluates whether the Project would result in adverse effects related to noise and vibration. **Appendix E** of this EIR contains the results of noise monitoring and modeling conducted in support of this analysis.

The following comments relating to noise and vibration were received during the public scoping period in response to the Notice of Preparation:

- Concerns regarding noise and vibration during construction. Construction-related impacts from previous construction activities at the SRC campus were not well managed and neighboring landowners are concerned that similar impacts will occur with this Project.
- Concerns regarding loss of trees and associated noise-buffering effects.
- Request that a solid wall/fence be constructed between San Marcos Road and Odd Fellows Drive to reduce noise impacts.

3.12.1 Environmental Setting

Acoustic Fundamentals

Noise is generally defined as sound that is loud, disagreeable, or unexpected. Sound, as described in more detail below, is mechanical energy transmitted through a medium (e.g., air) in the form of a wave from its source.

Sound Properties

A sound wave is introduced into a medium by a vibrating object. The source could be vibrating vocal cords, soundboard of a guitar, diaphragm of a radio speaker, or vibrating parts of machinery or equipment. Regardless of the source creating the sound wave, the particles of the medium through which the sound moves vibrate in a back-and-forth motion at a given frequency (i.e., pitch).

The frequency of a wave is determined by how often the particles vibrate when a wave passes through the medium. It is measured as the number of complete back-and-forth vibrations of a particle per unit of time. If a particle of air undergoes 1,000 longitudinal vibrations in 2 seconds, then the frequency of the wave would be 500 vibrations per second. Frequency, or pitch, is commonly quantified in cycles per second, or Hertz. For sounds normally heard in the environment, low frequencies (below 250 Hertz) and high frequencies (above 10,000 Hertz) are generally less audible than the frequencies in between.

In addition to the frequency of the sound wave, its amplitude (i.e., loudness or the energy transported by the wave) is important to what the human ear hears. A high-energy wave is characterized by high amplitude; a low-energy wave is characterized by low amplitude. The energy transported by a wave is directly proportional to the square of the amplitude of the wave. In other words, a doubling of the amplitude of a wave corresponds to a quadrupling of the energy transported by the wave; and a tripling of the amplitude of a wave corresponds to a nine-fold increase in the amount of energy transported by the wave.

Sound and the Human Ear

Because of the ability of the human ear to detect a wide range of sound pressure fluctuations, sound pressure levels are expressed in logarithmic units called decibels (dB). Because the human ear is not equally sensitive to all sound frequencies, a specific frequency-dependent rating scale was devised to relate noise to human sensitivity. The A-weighted dB (dBA) scale is used to approximate the sensitivity of the human ear and is used by most authorities for regulation of environmental noise. Figure 3.12-1 lists dBA values for typical indoor and outdoor noise sources.

It is generally accepted that for environmental noise exposure the average healthy ear can barely perceive changes of 3 dB or less (increase or decrease) and that a change of 5 dB is readily perceptible (Caltrans 2013a). A noise level that increases by 10 dB is typically perceived as being twice as loud as what was previously heard, and a noise level that decreases by 10 dB is perceived as being half as loud.

Figure 3.12-1 Typical Indoor/Outdoor Noise Levels

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
	110	Rock band
Jet flyover at 1,000 feet		
	100	
Gas lawnmower at 3 feet		
	90	
Diesel truck at 50 feet at 50 mph		Food blender at 3 feet
	80	Garbage disposal at 3 feet
Noisy urban area, daytime		
Gas lawnmower, 100 feet	70	Vacuum cleaner at 10 feet
Commercial area		Normal speech at 3 feet
Heavy traffic at 300 feet	60	
		Large business office
Quiet urban daytime	50	Dishwasher in next room
Quiet urban nighttime	40	Theater, large conference room (background)
Quiet suburban nighttime		
	30	Library
Quiet rural nighttime		Bedroom at night, concert hall (background)
	20	
		Broadcast/recording studio
	10	
	0	

Source: Caltrans 2013

Acronyms: dBA = A-weighted decibels; mph = miles per hour

Sound Propagation

As sound (noise) propagates from the source to the receptor, the attenuation—the manner of noise reduction over distance—depends on such factors as acoustical energy diminishing over distance (energy spreading), surface characteristics, atmospheric conditions, and the presence of physical barriers. Energy spreading describes the attenuation attributable to the pattern in which sound travels from the source to the receptor. Sound travels uniformly outward from a point source (e.g., construction equipment) in a spherical pattern with an attenuation rate, generally, of 6 dBA per doubling of distance. In other words, sound decreases by 6 dBA each time the distance between the noise source and the receptor is doubled. From a line source (e.g., traffic noise along a road), sound travels uniformly outward in a cylindrical pattern with an attenuation rate, generally, of 3 dBA per doubling of distance.

The characteristics of the surface between the source and the receptor may further absorb and/or reflect sound, thus resulting in a different attenuation rate. “Hard” surfaces, such as pavement, would not absorb the wave energy, but “soft” surfaces, such as vegetation-covered ground, can absorb a portion of the sound energy and only the remaining energy travels to the receptor. Atmospheric conditions such as wind speed, temperature, and humidity may also affect noise levels. Furthermore, the presence of a barrier between the source and the receptor may attenuate noise levels. The actual amount of attenuation depends on the barrier size and the frequency of the noise. A noise barrier may be any natural or human-made feature, such as a hill, tree, building, wall, or berm (Caltrans 2013a).

Solid walls or slopes associated with elevation differences typically reduce noise levels by 5 to 10 dBA (DOT 1980). Structures can also provide noise reduction by insulating interior spaces from outdoor noise. The outside-to-inside noise attenuation provided by typical structures in California ranges between 17 to 30 dBA with open and closed windows, respectively (Transportation Research Board National Research Council, 1971).

Decibel Addition

Decibels are measured on a logarithmic scale that quantifies sound intensity, similar to the Richter scale used for earthquake magnitudes. Therefore, decibels cannot be added or subtracted through ordinary arithmetic. A doubling of the energy of a noise source, such as doubling of traffic volume, would increase the noise level by 3 dB; a halving of the energy would result in a 3 dB decrease. For example, if an air conditioner produces a sound pressure level of 85 dB at 50 feet, two of the same air conditioners at the same distance from a detection point would produce 88 dB, not 170 dB (Caltrans 2009).

Noise Descriptors

The proper descriptor for noise from a specific source depends on the spatial and temporal distribution, duration, and fluctuation of the noise. The following are the noise descriptors most often encountered when dealing with traffic, community, and environmental noise (Caltrans 2013a):

- L_{max} (maximum noise level): The maximum instantaneous noise level during a specific period of time. The L_{max} may also be referred to as the “peak (noise) level.”
- L_{min} (minimum noise level): The minimum instantaneous noise level during a specific period of time.

- L_n (statistical descriptor): The noise level exceeded “n” percent of a specific period of time.
- L_{eq} (equivalent continuous noise level): The average noise level that describes the cumulative noise exposure from all sources as a constant sound level containing the same overall sound energy as the actual varying sound energy for a specified period of time.
- L_{dn} (day-night noise level): The 24-hour L_{eq} with a 10 dBA “penalty” for the noise-sensitive hours between 10:00 p.m. and 7:00 a.m. The L_{dn} attempts to account for the fact that noise during this specific period of time is a potential source of disturbance with respect to normal sleeping hours.
- CNEL (community noise equivalent level): The CNEL is similar to the L_{dn} described above, but with an additional 4.77 dBA “penalty” for the noise-sensitive hours between 7:00 p.m. and 10:00 p.m., which are typically reserved for relaxation, conversation, reading, and television. If using the same 24-hour noise data, the CNEL is typically about 0.5 dBA higher than the L_{dn}.

Negative Effects of Noise on Humans

Negative effects of noise exposure include physical damage to the human auditory system; interference with speech, communications, sleep, and other routine interactions; and disease. Exposure to noise may result in physical damage to the auditory system, which may lead to gradual or traumatic hearing loss. Gradual hearing loss is attributable to sustained exposure to moderately high noise levels over a period of time, while traumatic hearing loss is attributable to sudden exposure to extremely high noise levels over a short period. However, both gradual and traumatic hearing loss may result in permanent hearing damage.

In addition, noise may interfere with or interrupt sleep, relaxation, recreation, and communication. Although most interference may be classified as annoying, the inability to hear a warning signal may be considered dangerous.

Noise may also contribute to diseases associated with stress, such as hypertension, anxiety, and heart disease. The degree to which noise contributes to such diseases depends on the noise frequency, bandwidth, level, and exposure time (Caltrans 2013a). In an occupational setting, hearing protection is typically required where employee noise exposures equal or exceed an 8-hour time-weighted average of 85 dBA and above (Title 8 CCR Section 5097).

Vibration Fundamentals

Vibration is the periodic oscillation of a medium or object with respect to a given reference point. Sources of vibration include natural phenomena (earthquakes, volcanic eruptions, sea waves, landslides) and human activity (explosions; traffic; and operation of machinery, trains, or construction equipment). Vibration sources may be continuous (e.g., operating factory machinery) or transient (e.g., explosions). The effects of groundborne vibration include movement of building floors, rattling of windows, shaking of items that sit on shelves or hang on walls, and rumbling sounds. In extreme cases, vibration can damage buildings. Human annoyance from groundborne vibration often occurs when vibration exceeds the threshold of perception by only a small margin. A vibration level that causes annoyance can be well below the damage threshold for normal buildings.

Vibration amplitudes are commonly expressed in peak particle velocity (PPV) or root-mean-square vibration velocity. PPV is defined as the maximum instantaneous positive or negative peak of a vibration signal. Root-mean-square is a measurement of the effective energy content in a vibration signal. PPV is typically used in the monitoring of transient and impact vibration and has been found to correlate well to the stresses experienced by buildings (FTA 2018; Caltrans 2020). PPV and root-mean-square vibration velocity are normally described in inches per second (in/sec). Potential structural or architectural damage due to vibration depends on the type of building as well as to the nature of the vibration and surrounding soil conditions. For reinforced-concrete, steel, or timber buildings, potential damage would not be expected from vibrations of less than 0.5 in/sec PPV, whereas vibration levels above 0.3 in/sec PPV or 0.2 in/sec PPV could cause potential damage in engineered or non-engineered concrete and masonry buildings, respectively. Buildings that are extremely susceptible to vibration damage (e.g., historic buildings with fragile plasterwork, ancient monuments or ruins) could experience potential damage with vibration levels above 0.12 in/sec PPV (FTA 2018).

Although PPV is appropriate for evaluating the potential for building damage, it is not always suitable for evaluating human response to vibration. The response of the human body to vibration relates well to average vibration amplitude. Therefore, vibration impacts on humans are evaluated in terms of root-mean-square vibration velocity, and like airborne sound impacts on humans, vibration velocity can be expressed as vibration decibels (VdB).[39]

Vibration levels below 65 VdB are typically not perceptible to humans, whereas vibration levels above 75 VdB are distinctly perceptible (FTA 2018). Human annoyance from groundborne vibration often occurs when vibration exceeds the threshold of perception by only a small margin. A vibration level that causes annoyance can be well below the damage threshold for normal buildings. To sensitive individuals, vibrations approaching the threshold of perception can be annoying. Low-level vibrations frequently cause irritating secondary vibration, such as a slight rattling of windows, doors, or stacked dishes. The rattling sound can give rise to exaggerated vibration complaints, even though there is very little risk of actual building damage.

Existing Conditions

Sensitive Land Uses

Noise-sensitive land uses are those where quiet is essential to the purpose of the land use. Such land uses include residences and buildings where people normally sleep (e.g., hospitals, hotels), and uses such as schools, libraries, theaters, and houses of worship, where it is important to avoid interference with such activities as speech, meditation, and concentration on reading material. Such land uses are also typically sensitive to vibration. Fragile buildings or buildings containing highly sensitive equipment, such as electron microscopes, are also typically considered to be vibration-sensitive land uses.

The nearest off-site noise- and vibration-sensitive receptors to the Project footprints are the single-family residential properties north of San Marcos Road. Fellowship Plaza, an affordable senior housing community consisting of one- and two-bedroom apartments and community facilities, is located immediately east of the Project site. The West Valley College Campus is located approximately a quarter of a mile to the north of the SRC.

[39] Vibration levels described in VdB are referenced to 1 microinch per second.

In addition to off-site receptors, there are also existing noise- and vibration-sensitive uses within the Project site itself. Existing SRC residential and healthcare buildings such as the Manor Building, apartment buildings, villas/cottages, assisted living building and Health Center, as well as outdoor seating and recreational areas on the campus, are noise- and vibration-sensitive uses.

Older buildings such as the Manor Building are typically considered to be more vibration-sensitive than more modern residential buildings; however, this is generally due to the more fragile lathe and plaster that was used prior to the availability of sheetrock, or to the age and condition of the original foundations. The Manor Building underwent a major renovation in the early 2000s. As part of the work, the Manor Building was seismically upgraded, the exterior plaster was repaired or removed, and the building completely covered with new stucco (Urban Programmers 2019; Kolsky, ed. 2006).

Existing Noise Sources

Existing noise sources in the Project area were identified based on review of available information (maps and aerial photographs) and site reconnaissance. The existing noise environment near the Project site is influenced primarily by vehicular traffic using local roadways adjacent to the Project site: Odd Fellows Drive, Chester Avenue, and Fruitvale Avenue; and traveling on freeways in the vicinity including SR 85 approximately 1.2 miles to the northeast. Other noise sources in the Project vicinity include the residential neighborhood activities surrounding the Project site. The nearest airport to the Project site is San Jose International Airport, approximately 8 miles northeast of the Project site.

To quantify the existing ambient noise levels at the Project site, noise measurements were taken from Tuesday, February 16, 2021, to Wednesday, February 17, 2021. Four short-term measurements (20 minutes) and one long-term measurement (24 hours) were conducted to document the existing noise environment for the Project area for the purposes of this analysis. Figure 3.12-2 shows the locations where measurements were taken and Table 3.12-1 summarizes the measurements of ambient noise levels at each survey location.

The long-term noise measurement (LT-01) was made behind the Manor, in the outside seating area of the cafeteria. Hourly average noise levels at this location ranged from 46 to 70 dBA L_{eq} during the day, and from 41 to 48 dBA L_{eq} at night. The hourly average noise level reached up to 70 L_{eq} during the 10:00 a.m. hour on Wednesday, February 17th; however, the noise data indicated the high level was likely due to a localized source occurring very close to the noise monitor (e.g., emergency siren). The day-night average noise level from Tuesday, February 16, 2021, to Wednesday, February 17, 2021, was 58 dBA L_{dn}.

Short-term (15-minute) measurements ST-01 through ST-04 were taken at exterior seating areas at the front of the Manor Building near proposed Building B (ST-01), to the rear of the Manor near proposed Building A (ST-02), at the front of the assisted living building near proposed Building C (ST-03) and to the side of the Manor near the proposed Meeting Room Addition (ST-04). Measurements at these locations ranged from 49 to 54 dBA L_{eq} with 60 to 69 dBA L_{max}.

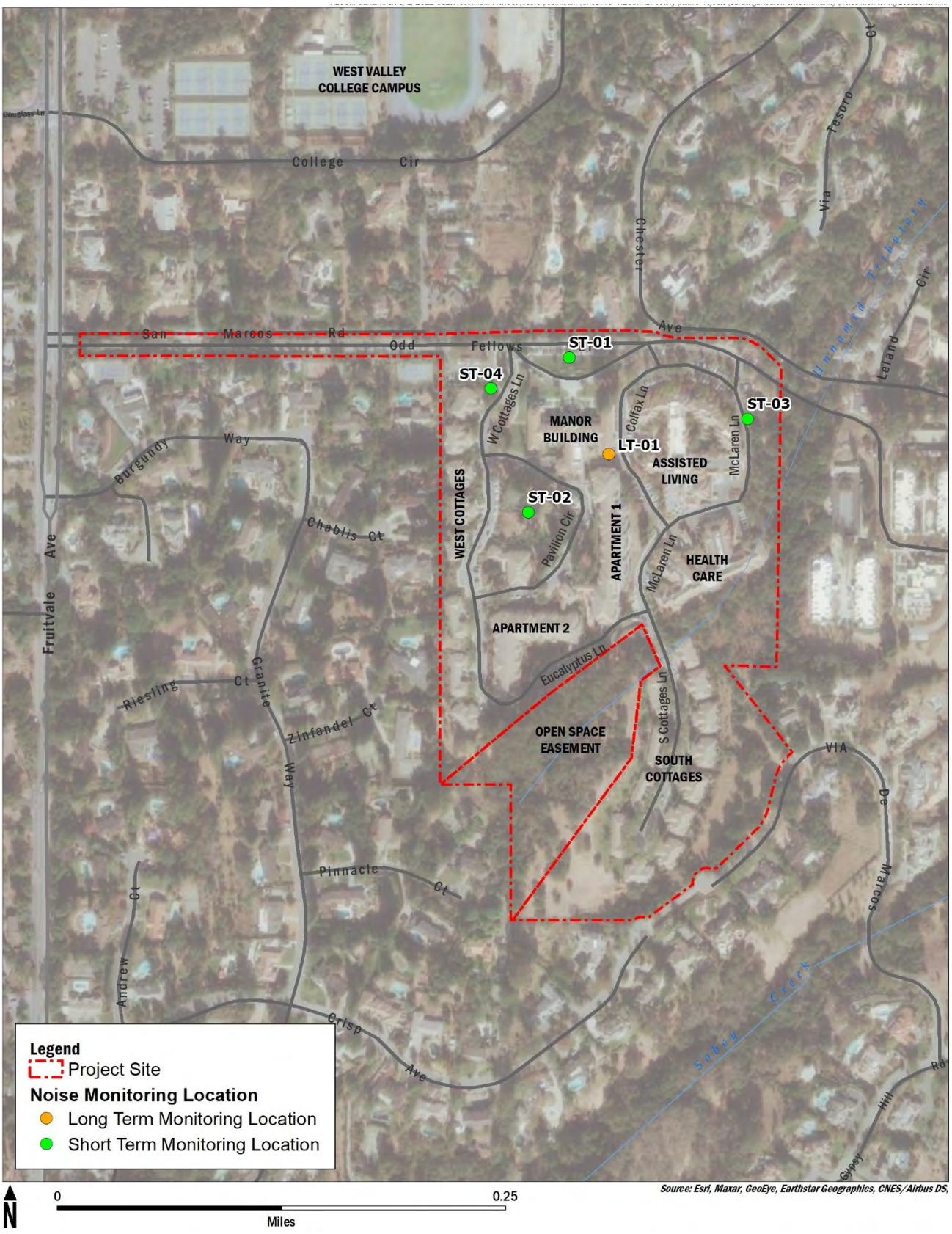


Figure 3.12-2 Ambient Noise Measurement Sites

Table 3.12-1 Summary of Ambient Noise-Level Survey Results – 2021

Survey Site	Survey Start Time and Date	Survey Period	L_{dn}/ CNEL (dB)	Daytime L_{eq} (dB)	Daytime L_{max} (dB)	Nighttime L_{eq} (dB)	Nighttime L_{max} (dB)
LT-01	16:01 on February 16, 2021	24 hours	58.0	59.2	70.3	44.6	59.4
ST-01	14:15 on February 17, 2021	20 mins	N/A	51.5	61.7	N/A	N/A
ST-02	14:34 on February 17, 2021	20 mins	N/A	48.6	60.0	N/A	N/A
ST-03	15:01 on February 17, 2021	20 mins	N/A	51.5	69.1	N/A	N/A
ST-04	15:22 on February 17, 2021	20 mins	N/A	53.9	69.4	N/A	N/A

Source: Data compiled by AECOM.

Notes:

N/A = not available for long term measurements or not applicable periods for short-term measurements (see note below for explanation); CNEL = community noise equivalent level; dB = decibels; L_{dn} = day-night average noise level; L_{eq} = equivalent continuous noise level; L_{max} = maximum instantaneous noise level during a specific period of time; LT = long term; ST = short term

Long-term (LT) measurements are taken to measure noise levels continuously over a relatively long period of time (usually 24 hours or more) to determine the day, evening, and night (CNEL/Ldn) levels for the Project site and the affected vicinity. Short-term (ST) measurements are spot checks in the study area used to calibrate the roadway noise model. Short-term measurements are taken for about 10–20 minutes (depending on traffic volumes) with concurrent traffic counts (for calibration) and during the daytime when ambient traffic noise is highest.

Existing Vibration

The existing vibration environment, like the noise environment, is dominated by transportation-related vibration. Heavy truck traffic can generate groundborne vibration, which varies considerably depending on vehicle type, weight, and pavement conditions. However, groundborne vibration levels generated from vehicular traffic are not typically perceptible outside of the road right-of-way. The primary source of existing groundborne vibration in the vicinity of the Project site would be heavy trucks operating on nearby roadways and making deliveries to the SRC campus.

3.12.2 Regulatory Framework

Federal

Although not directly applicable to many Projects, the research that supported the development of federal community noise standards is broadly applicable in understanding human response to different noise levels and is summarized below for the reader's edification.

U.S. Environmental Protection Agency Noise Control Act (Public Law 92-574)

The federal Noise Control Act of 1972 (Public Law 92-574) established a requirement that all federal agencies administer their programs to promote an environment free of noise that would jeopardize public health or welfare.[40] Although the USEPA was given a major role in

[40] The U.S. Environmental Protection Agency (EPA) was given the responsibility for providing information to the public regarding identifiable effects of noise on public health and welfare, publishing information on the levels of environmental noise that will protect the public health and welfare with an adequate margin of safety, coordinating federal research and activities related to noise control, and establishing federal noise emission standards for selected products distributed in interstate commerce. The Noise Control Act also directed that all federal agencies comply with applicable federal, State, interstate, and local noise control regulations.

disseminating information to the public and coordinating federal agencies, each federal agency retains authority to adopt noise regulations pertaining to agency programs.[41]

In 1974, in response to the requirements of the federal Noise Control Act, the USEPA identified indoor and outdoor noise level limits to protect public health and welfare (communication disruption, sleep disturbance, and hearing damage). Outdoor and indoor noise exposure limits of 55 dB L_{dn} and 45 dB L_{dn}, respectively, are identified as desirable to protect against speech interference and sleep disturbance for residential, educational, and healthcare areas. The sound-level criterion identified to protect against hearing damage in commercial and industrial areas is 70 dB 24-hour L_{eq} (both outdoors and indoors).

State

State of California General Plan Guidelines, Government Code Section 65302 et seq.

In 1971, the State required cities and counties to include noise elements in their general plans (Government Code Section 65302 et seq.). The State of California General Plan Guidelines (Office of Planning and Research 2017) identify guidelines for the noise elements of local general plans, including a sound level/land-use compatibility chart. The noise element guidelines identify the "normally acceptable" range of noise exposure for low-density residential uses as less than 60 dB L_{dn}, and the "conditionally acceptable" range as 55–70 dB L_{dn}. The "normally acceptable" range for high-density residential uses is identified as below 65 dB L_{dn}, and the "conditionally acceptable" range is identified as 60–70 dB L_{dn}. For educational and medical facilities, levels below 70 dB L_{dn} are considered "normally acceptable," and levels of 60–70 dB L_{dn} are considered "conditionally acceptable." For office and commercial land uses, levels below 70 dB L_{dn} are considered "normally acceptable," and levels of 67.5–77.5 dB L_{dn} are considered "conditionally acceptable." Overlapping noise level ranges are intended to indicate that local conditions (existing sound levels and community attitudes toward dominant sound sources) should be considered in evaluating land use compatibility at specific locations.

State law intended that noise elements guide policymakers in making land use determinations and in preparing noise ordinances that would limit exposure of their populations to excessive noise levels. In 1984, State noise element provisions were revised to "recognize" guidelines prepared by the Office of Noise Control of the California Department of Health Services and to analyze and quantify, "to the extent practicable, as determined by the legislative body," noise from the following sources: highways and freeways; primary arterials and major local streets; passenger and freight on-line railroad operations and ground rapid transit systems; commercial, general aviation, heliport, helistop, and military airport operations, aircraft overflights, jet engine test stands, and other ground facilities and maintenance functions related to airport operation; local industrial plants, including, but not limited to, railroad classification yards; and other ground stationary noise sources identified by local agencies as contributing to the community noise environment. As noted in the draft update to the General Plan Guidelines, the Office of Planning and Research notes that the Department of Health Services Office of Noise Control no longer exists, and the guidelines have been incorporated into the General Plan Guidelines for Noise Elements (Governor's Office of Planning and Research 2017).

[41] The EPA can, however, require other federal agencies to justify their noise regulations in terms of the Noise Control Act policy requirements.

California Noise Control Act of 1973

Sections 46000 through 46080 of the California Health and Safety Code, known as the California Noise Control Act of 1973, declare that excessive noise is a serious hazard to the public health and welfare and that exposure to certain levels of noise can result in physiological, psychological, and economic damage. The California Noise Control Act declares that the State of California has a responsibility to protect the health and welfare of its citizens by the control, prevention, and abatement of noise. It is the policy of the state to provide an environment for all Californians free from noise that jeopardizes their health or welfare.

Local

City of Saratoga General Plan

The City's General Plan land use designation for the Project site is "Community Facilities Sites." The Noise Element of the City's General Plan includes policies, goals, and implementation measures regarding noise, listed below (City of Saratoga 2014a).

Noise Element

Goal 1: Maintain or reduce noise levels in the City to avoid exposure to unacceptable or harmful noise.

> **Policy 1.2:** The City shall use the planning and code enforcement process to discourage activities, practices or land uses that create or result in excessive noise exposure.

Goal 2: Promote land-use compatibility by addressing noise exposure from existing noise sources.

> **Policy 2.1:** An acoustical analysis is to be conducted for proposed Residential and Quasi-Public development where the existing noise level exceeds Outdoor DNL [L_{dn}] 60 dB to determine measures needed to reduce noise impacts to meet City noise standards.
>
> **Policy 2.2:** New residential development shall be designed and constructed to provide an interior noise level of DNL 45 dB or less in habitable rooms (due to outdoor sources).
>
> **Policy 2.3:** Residential outdoor open space intended for use and enjoyment shall be designated to meet Outdoor DNL 60 dB. This policy does not apply to private exterior balconies. Where this level cannot feasibly be met by incorporating reasonable measures, such as strategic site layout and noise barriers, DNL 65 dB may be approved.
>
> **Policy 2.4:** New office/commercial development shall be designed and constructed to reduce daytime interior noise levels in accordance with State CALGreen standards prescribing an interior noise levels standards of L_{eq}(h) 50 dB as the maximum allowable hourly average noise levels during any hour of operation.
>
> **Policy 2.7:** Noise generated by equipment, animals, and amplified sound shall meet adopted standards as amended from time to time.

Goal 3: Promote land-use compatibility by addressing noise exposure from new noise sources.

> **Policy 3.1:** Changes in use and development shall be reviewed for noise impacts to neighboring land uses.

Policy 3.2: New development shall be required to utilize appropriate measures to reduce noise impacts to the adopted noise standards, and acoustical analysis may be required by the approving authority.

Goal 4: Maintain or reduce noise levels generated by the ground transportation system.

Policy 4.4: The City should discourage through traffic in residential neighborhoods to reduce noise impacts.

Policy 4.5: The City should continue to designate truck routes in order to direct truck traffic away from noise-sensitive land uses.

City of Saratoga Code of Ordinances

Noise impacts are regulated through the City's Municipal Code (i.e., the City noise ordinance).

Chapter 7.30.040, Noise Standards, includes guidelines applicable to the Project's exterior noise levels. Chapter 7.30.040(a) stipulates (City of Saratoga 2014b):

- Except as otherwise provided in Paragraph (b) of this Section, all uses and developments shall comply with the following noise standards for the various land uses and times of day as indicated below. No person shall cause, produce, or allow to be produced any noise that exceeds these noise standards at any point outside the property boundary on which the noise is generated.

Table 3.12-2 Maximum Permissible Outdoor Noise Levels Generated (dBA)

Land Use	Daytime Average L_{eq}	Daytime Max L_{max}	Evening Average L_{eq}	Evening Max L_{max}	Nighttime Average L_{eq}	Nighttime Max L_{max}
Residential	55	65	45	55	40	50
Open Space/Parks	60	70	50	55	45	50
Commercial/Office	65	75	60	70	55	60
Public and Quasi-Public Facilities	60	70	55	60	45	50

Source: City of Saratoga 2014a.

Acronyms:: dBA = A-weighted decibels; L_{eq} = equivalent continuous noise level; L_{max} = maximum instantaneous noise level during a specific period of time; Max = maximum.

Notes: Daytime = 7:00 a.m. to 7:00 p.m.; Evening is 7:00 p.m. to 10:00 p.m.; Nighttime is 10:00 p.m. to 7:00 a.m.

Chapter 7-30.060 of the noise ordinance, Exceptions for Specific Activities, include guidelines applicable to the Project's construction. Chapter 7-30.060(a) stipulates (City of Saratoga 2014b):

- Construction activities. Construction, alteration, repair, and grading activities shall not exceed 100 dBA measured at any point 25 feet or more from the source of noise. Such activities may be conducted between the hours of 7:30 a.m. and 6:00 p.m. Monday through Friday and between the hours of 9:00 a.m. and 5:00 p.m. on Saturday. Construction activities shall be prohibited on Sundays and weekday holidays.

3.12.3 Project Impacts and Mitigation

This section addresses the following potential impacts relating to noise:

- **Impact NOI-1:** Would the Project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
- **Impact NOI-2:** Would the Project result in generation of excessive groundborne vibration or groundborne noise levels?
- **Impact NOI-3:** Would the Project expose people to excessive noise levels from nearby airports?

Impact NOI-1: Increase in Ambient Noise Levels

Impact NOI-1 would be **potentially significant.** With implementation of mitigation measures MM-NOI-1a and MM-NOI-1b, the impact would be reduced to **less than significant with mitigation**.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would generate a substantial temporary or permanent increase in ambient noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

The standards of significance applied in this analysis address the exterior noise standards established by the City. Unless otherwise stated, standards for interior noise levels would not be exceeded if exterior noise-level standards are achieved.

Based on the established standards in City's Ordinance Code applicable to construction activities, a significant construction noise impact would be identified if construction activities would:

- Occur outside the allowable construction hours of 7:30 a.m. and 6:00 p.m. Monday through Friday and between the hours of 9:00 a.m. and 5:00 p.m. on Saturday; or
- Cause noise levels exceeding 100 dBA at a distance of 25 feet from the noise source.

A significant operational noise impact would be identified if Project operation would cause ambient noise levels outside of the Project site boundary to exceed the standards established in Chapter 7.30.040(a) of the City's Ordinance Code (refer Table 3.12-2 above). Specifically, for single- and multifamily residential boundaries as are present at the Project site, the applicable standards are:

- Daytime (7 a.m. to 7 p.m.): 55 dBA L_{eq} or 65 dBA L_{max}
- Evening (7 p.m. to 10 p.m.): 45 dBA L_{eq} or 55 dBA L_{max}
- Nighttime: (10 p.m. to 7 a.m.): 40 dBA L_{eq} or 50 dBA L_{max}

Impact Analysis

Construction

The Project would generate noise during the construction period from sources such as equipment, haul trucks, and worker vehicles traveling to and from the Project site, and heavy machinery and equipment operating on the site. These are addressed in turn, below.

Construction-related Traffic Noise

Vehicular trips to and from the site would occur throughout the construction period. As described in Section 3.16, *Transportation*, during the peak periods of construction (i.e., when all four construction periods overlap), there would be up to 29 truck trips per day, which would be spread throughout the construction workday, which equates to approximately 4 peak-hour truck trips. Applying a passenger-car equivalent value[42] of 19.1, the maximum number of peak-hour truck trips anticipated during Project construction would generate the equivalent traffic noise of approximately 77 passenger car trips per peak hour. All truck traffic is anticipated to access the Project site from the north via SR-85, Saratoga Avenue, and Fruitvale Avenue.

As also described in Section 3.16, construction workers would park at a nearby off-site staging area on the West Valley College campus off of Fruitvale Avenue and then take a worker shuttle between the staging area and the SRC campus. On average, a total of 133 construction workers would commute to and from their homes to the off-site staging area on Fruitvale Avenue during periods when all four construction phases overlap, generating up to 266 peak-hour vehicle trips (133 in the a.m. peak-hour and 133 in the p.m. peak hour) along Fruitvale Avenue. Commuting workers would access the off-site staging area from Fruitvale Avenue via both the north and south directions; however, because the exact split between north- and south- bound traffic is unknown, for the purposes of this noise analysis it is conservatively assumed that all 133 commuter trips could come from either the north or south. In addition to the worker commute traffic, an additional 26 to 40 peak-hour vehicle trips would be generated along the section of Fruitvale Avenue between the off-site staging area and Project site by the worker shuttle van.

Table 3.12-3 shows the estimated peak-hour traffic volumes on local roadway segments in the vicinity of the Project site, as well as the anticipated peak-hour construction traffic that would be generated by the Project on each segment and the estimated increase in traffic noise from Project-related construction traffic.

As discussed in Section 3.12.1, Environmental Setting, the average healthy ear can barely perceive an increase of 3 dB or less, and an increase of 5 dB is readily perceptible (Caltrans 2013). As shown in Table 3.12-3, construction-related traffic from the Project could cause traffic noise to increase by up to 3.0 dBA along San Marcos Road and by up to 3.7 dBA along Odd Fellows Drive, which could be perceptible to some people but is not considered to be a readily perceptible (5 dB or more) or significant increase in traffic noise. Project-related construction traffic would cause a less than one decibel increase in traffic noise along Fruitvale Avenue, which would be imperceptible.

[42] Per Caltrans Technical Noise Supplement (2013), a heavy truck traveling at 35 miles per hour (the lowest speed for which a vehicle equivalent is provided) generates similar noise levels to the equivalent of 19.1 automobiles traveling at the same speed. The speed limits within the campus, along Oddfellows Drive, San Marcos Road, and Fruitvale Avenue are all less than 35 miles per hour.

Table 3.12-3 Anticipated Peak Hour Construction-Related Traffic – Proposed Project

Roadway Segment	Existing Peak Hour Traffic (VPH)	Anticipated Construction Traffic (VPH by source)	Anticipated Construction Traffic (passenger equivalent (VPH)	Estimated Increase in Traffic Noise (dBA)
Fruitvale Avenue between Saratoga and Allendale	1,727	4 heavy truck trips 133 worker commute trips	209	0.5
Fruitvale Avenue between Allendale and South College Circle	1,083	4 heavy truck trips 133 worker commute trips	209	0.8
Fruitvale Avenue between South College Circle and San Marcos	1,083	4 heavy truck trips 133 worker commute trips Up to 14 worker shuttle trips	223	0.8
Fruitvale Avenue between San Marcos and Los Gatos-Saratoga	826	133 worker commute trips	133	0.6
San Marcos Road between Fruitvale and Odd Fellows	91	4 heavy truck trips Up to 14 worker shuttle trips	90	3.0
Odd Fellows Drive (private)	67	4 heavy truck trips Up to 14 worker shuttle trips	90	3.7

*Source: Calculated by AECOM using formula where estimated noise increase in dB = 10*log((Existing Traffic + Project Traffic)/Existing Traffic). Existing traffic volumes from Hexagon 2021 (see **Appendix F**). Truck trips converted to passenger-car equivalents by applying an equivalence factor of 19.1, per Caltrans 2013.*

Acronyms: VPH = vehicles per hour; dBA = decibels

Construction Equipment Noise

Federal Transit Administration's (FTA's) Transit Noise and Vibration Impact Assessment Manual methodology (FTA 2018) was used to predict noise levels that would be generated by construction equipment for the proposed Project. The noise emission levels and usage factors were based on the FHWA Roadway Construction Noise Model (FHWA 2006). Noise levels were determined for the specific construction equipment that is anticipated to be used, and the resulting maximum and combined noise levels were calculated.

Heavy-duty construction equipment and machinery would be operated on the Project site intermittently throughout the day during the various phases of construction, with the majority of heavy equipment used during the first few months of each phase, during excavation/grading and building foundation sub-phases for each.

Table 3.12-4 presents the construction equipment that is anticipated to be used during construction of Buildings A, B, C, Meeting Room, and Fitness Center Addition (Phases 1 through 3). Also presented are the reference L_{max} and calculated L_{eq} sound levels for each piece of equipment and the aggregate noise from all construction equipment, calculated using the FHWA Roadway Construction Noise Model (FHWA 2006). This combined noise level is considered a "worst case" scenario, as it assumes that the loudest pieces of equipment would be operated

simultaneously, at full power, from the same location. In reality, construction equipment use would vary both spatially across each construction zone and temporally throughout the construction period.

Table 3.12-4 Construction Equipment and Reference Noise Levels – Phases 1 through 3

Anticipated Construction Equipment	Reference L_{max} Noise Level at 50 feet (dBA)	Calculated L_{eq} Noise Level at 50 feet (dBA)	Calculated L_{eq} Noise Level at 25 feet (dBA)
Aerial Lift	75	68	74
Air Compressor	78	74	80
Bore/Drill Rig	79	72	78
Cement and Mortar Mixer	79	75	81
Crane	81	73	79
Dozer	82	78	84
Excavator	81	77	83
Forklift	75	68	74
Generator Set	81	78	84
Paver	77	74	80
Paving Equipment	77	74	80
Roller	80	73	79
Skid Steer Loader	79	75	81
Soil Compactor	83	76	82
Welder	74	70	76
Combined Predicted Noise Level	-	87	92

*Source: Calculated by AECOM (2022) using reference "Actual Measured" noise levels and methodology from the FHWA Roadway Construction Noise Model (FHWA 2006) and FTA Noise and Vibration Impact Assessment (FTA 2006). Noise levels at 50 feet converted to noise levels at 25 feet using standard point source attenuation rate of 6 dB per doubling of distance. See **Appendix E**. Values rounded to nearest whole decibel.*

Acronyms: dBA = A-weighted decibels; L_{eq} = Equivalent Continuous Noise Level; L_{max} = maximum instantaneous noise level during a specific period of time; - = not applicable.

Table 3.12-5 presents the construction equipment that is anticipated to be used during the internal renovations to the skilled nursing and memory care rooms during Phase 4, the associated reference noise levels for each piece of equipment, and the calculated combined noise level.

Table 3.12-5 Construction Equipment and Reference Noise Levels – Phase 4

Anticipated Construction Equipment	Reference L_{max} Noise Level at 50 feet (dBA)	Calculated L_{eq} Noise Level at 50 feet (dBA)	Calculated L_{eq} Noise Level at 25 feet (dBA)
Concrete Saw	89	82	88
Compressor	78	74	80
Hand & Power Tools	No reference level available	-	-
Combined Predicted Noise Level	-	83	89

Source: Calculated by AECOM (2021) using reference noise levels and methodology from the FHWA Roadway Construction Noise Model (FHWA 2006) and FTA Noise and Vibration Impact Assessment (FTA 2006). Noise levels at 50 feet converted to noise levels at 25 feet using standard point-source attenuation rate of 6 dB per doubling of distance. See ***Appendix E****. Values rounded to nearest decibel.*

Acronyms: dBA = A-weighted decibels; L_{eq} = Equivalent Continuous Noise Level; L_{max} = maximum instantaneous noise level during a specific period of time; - = not applicable.

The City regulates construction noise by establishing a maximum allowable noise level (100 dBA at 25 feet from the source) and restricting the allowable hours of construction. As shown in Table 3.12-4, construction equipment proposed for use at each of the construction zones for Buildings A, B, C, Meeting Room and Fitness Center Addition (Phases 1 through 3) are anticipated to generate a combined noise level of 92 dBA L_{eq} at a distance of 25 feet. As shown in Table 3.12-5, construction equipment proposed for the interior renovations to the skilled nursing and memory care units (Phase 4) are anticipated to generate a combined noise level of 89 dBA L_{eq} at a distance of 25 feet. These calculated noise levels do not account for any screening or shielding effects from existing vegetation, buildings, walls, or other objects. Thus, the proposed removal of some existing trees during construction would not affect the calculated values shown in Table 3.12-4 and Table 3.12-5. In any case, only densely clustered vegetation that obscure the line of sight between the source and receptor would provide any effective attenuation of noise.

Project construction would also require use of a street sweeper outside of the construction zones (e.g., along roadways within the Project site such as Odd Fellows Drive and West Cottage Lane). The sweeper has a reference noise level of 82 dBA L_{max} at a distance of 50 feet, which equates to a calculated noise level of 78 dBA L_{eq} at 25 feet, and therefore would also not exceed the City's threshold of 100 dBA at 25 feet.

Because Project construction would be limited to the allowable construction hours established by the City and would not exceed the City's maximum allowable noise level for construction noise of 100 dBA at a distance of 25 feet, Project construction would not generate a substantial temporary or permanent increase in ambient noise levels in excess of applicable City standards.

However, due to the presence of existing on-site residential units in close proximity to the construction zones, there is potential for construction noise to cause a substantial temporary increase in ambient noise levels for sensitive receptors within the closest residential units, even though the Project would comply with the City's noise standards for construction. CEQA case law (*King and Gardiner Farms v. County of Kern*, Cal. App. 5th, February 25, 2020) indicates that in addition to evaluating compliance with applicable noise standards, lead agencies should also consider whether a project would result in substantial increase in ambient noise levels for nearby receptors, irrespective of whether a noise standard would be exceeded or not.

Project construction activities would only occur during daytime hours and, therefore, would not disturb evening relaxation or overnight sleep periods. Daytime construction noise and other intermittent daytime noise sources are a relatively common occurrence in urbanized areas; however, they can still be disruptive to normal daytime residential activities such as conversation and listening to television or radio (City of Saratoga 2014). The City has not established any thresholds or guidance for the level of acceptable daytime, temporary, construction noise exposure for residential receptors close to proposed construction activities, as this situation is relatively uncommon. Furthermore, the City's current standard of limiting construction noise to equal or less than 100 dBA at 25 feet insufficiently addresses the potential health hazards (e.g., potential for temporary or permanent hearing loss) resulting from exposure to noise levels of this intensity for long periods of time. The Federal Transit Authority[43] Transit Noise and Vibration Impact Assessment Manual (FTA 2018) acknowledges that local noise ordinances which specify allowable construction hours and maximum limits for construction equipment generally are not practical for assessing the noise impact of a construction project on nearby receptors and includes guidelines that may be considered reasonable criteria for assessment of construction noise depending on the degree of available detail for construction equipment and activities and the extensiveness of potentially affected receptors. For "detailed analysis", based on the combined construction equipment for each phase of construction, the recommended criterion for residential receptors is 80 dBA $L_{eq(8\ hour)}$ for daytime construction noise (FTA 2018). The FTA manual also indicates that consideration should be given to existing noise environment, the absolute noise levels during construction activities, the duration of the construction, and the adjacent land use.

Based on a combined predicted noise level for each construction zone of 87 dBA at 50 feet (per Table 3.12-4) and a standard attenuation rate of 6 dBA per doubling of distance, with no screening, exterior noise levels from each construction zone would be anticipated to dissipate to 80 dBA or less within approximately 104 feet from the source.

Table 3.12-6 shows the closest sensitive receptors to each of the proposed construction zones, and the anticipated exterior noise levels at those receptors during construction. The estimated noise levels are conservative, based on simultaneous use of multiple pieces of equipment, and do not account for screening that might be provided by fences, vegetation, buildings, or other objects between the source and receptor. Actual noise levels perceived by receptors would fluctuate over time and space, depending on the number and type of equipment used, the location of the equipment within the construction zone, and any screening or shielding from objects. Noise levels at receptors further from the construction zones would experience lower noise levels than those shown in the table, due to the increased distance between source and receptor.

The table does not include calculations for the Phase 4 internal renovations, because the majority of noise-producing activities during this phase would occur indoors, where walls and other building features would provide substantial screening such that standard attenuation rates would give an overly conservative estimate of noise levels. The Project Applicant intends to undertake these internal renovations one wing at a time, with nearby patients being relocated to

[43] Although the FTA methodology and guidance was developed in relation to transit and highway-related construction activities, such guidance is commonly used to inform construction-related noise analysis for different types of construction and demolition activities, including residential development.

other wings while the work occurs, to maximize the distance between existing patients and the construction noise source(s) to minimize noise exposure for those sensitive receptors.

Table 3.12-6 Estimated Construction Noise at Nearby Receptors – Proposed Project

Construction Zone	Duration of Construction	Nearest Receptor	Distance[1] (feet)	Estimated Exterior Noise Level at Receptor[2] ($L_{eq\ (8\text{-}hour)}$)
Building A	5 months grading & foundation work, 17 months total	6114/6116 West Cottage Lane	140 feet	77 dBA
		Apartment Building 1 (west-facing units)	180 feet	75 dBA
Building B	8 months grading & foundation work, 17 months total	Manor Building (north-facing units at east and west wing)	35 feet	89 dBA
		14505 Chester Avenue	150 feet	77 dBA
Building C	7 months grading & foundation work, 20 months total	Assisted Living Building (north-facing units)	50 feet	86 dBA
		14506 Chester Avenue	180 feet	75 dBA
Meeting Room	3 months grading & foundation work, 7 months total	Manor Building (west-facing units in west wing)	18 feet	95 dBA
		6102-6108 West Cottage Lane	120 feet	79 dBA
Fitness Center	1.5 months foundation work, 7 months total	6118/6120 West Cottage Lane	100 feet	80 dBA
Sweeper on SRC roads	Sporadic over entire 25-months	Various on-site receptors[3]	25 feet	78 dBA (intermittent)

Source: calculated by AECOM, 2022. See **Appendix E**.

Acronyms: dBA = A-weighted decibels; N/A = not applicable.

Notes:

1. Average distance from the acoustic center of the construction zone to the nearest on-site receptor. The acoustic center is the idealized point from which the energy sum of all construction activity noise near and far would originate, and it is determined by taking the square root of the product of the distances between the receptor and closest and farthest construction zone boundaries. The acoustic center concept is useful in describing average noise levels across the entire construction period for adjacent receptors. For residential building receptors, the distance is measured to the closest window of habitable rooms. For street sweeping, the distance shown is the minimum distance from residential receptors to the centerline of the roadways on which the sweeper is anticipated to operate.
2. Assumes standard attenuation rate for stationary noise sources of 6 dBA per doubling of distance, based on maximum combined noise level from all construction equipment of 87 dBA at 50 feet *(see Table 3.12-4).*
3. For street sweeping, the distance shown is the minimum distance from the closest residential receptor to the centerline of the roadway(s) on which the sweeper is anticipated to operate. For the proposed Project, that would be the west-facing units of Apartment Building 1 which are approximately 25 feet from the centerline of Pavilion Circle.

As shown in the table, construction equipment operating at three of the five construction zones are anticipated to generate exterior noise levels exceeding 80 dBA at the nearest residential receptors. Exterior noise levels at some residential receptors could be up to 95 dBA, which substantially exceeds the existing ambient daytime noise levels in the area (59.2 dB L_{eq} for

daytime, per Table 3.12-1). Construction noise impacts for each construction zone are discussed in turn, below.

- **Building A**: construction equipment operating at the Building A construction zone would generate noise levels up to 77 dBA at nearby residential receptors, which **would not exceed** the FTA's recommended construction noise criteria of 80 dBA.
- **Building B**: construction equipment operating at the Building B construction zone would generate noise levels of up to 89 dBA for the three north-facing units within the Manor Building. This **would exceed** the FTA's recommended construction noise criteria of 80 dBA. Construction noise at off-site receptors such as 14505 Chester Avenue and other residences on San Marcos Road would not exceed the 80 dBA criteria. The noisiest activities (grading and foundation) at this construction zone would occur for approximately 8 months, with overall construction lasting approximately 17 months.
- **Building C**: construction equipment operating at the Building C construction zone would generate noise levels of up to 86 dBA for the 12 north-facing units within the assisted living building. This **would exceed** the FTA's recommended construction noise criteria of 80 dBA. Construction noise at off-site receptors such as 14506 Chester Avenue and other residences would not exceed the 80 dBA criteria. The noisiest activities (grading and foundation) at this construction zone would occur for approximately 7 months, with overall construction lasting approximately 20 months.
- **Meeting Room**: construction equipment operating at the Meeting Room construction zone would generate noise levels of up to 95 dBA for the four west-facing units within the western wing of the Manor Building. This **would exceed** the FTA's recommended construction noise criteria of 80 dBA. Construction noise at other residential receptors such as the cottages on West Cottage Lane would not exceed the 80 dBA criteria. The noisiest activities (grading and foundation) at this construction zone would occur for approximately 3 months, with overall construction lasting approximately 7 months.
- **Fitness Center Addition**: construction equipment operating at the fitness center construction zone would generate noise levels of up to 80 dBA for the two cottages at 6118 and 6120 West Cottage Lane. This **would not exceed** the FTA's recommended construction noise criteria.
- **Street Sweeping:** Street sweeping would be undertaken throughout the duration of all construction phases and would be expected to regularly operate on Odd Fellows Drive, West Cottage Lane, Pavilion Circle, and the northern segment of McLaren Lane. The closest residential receptors along these routes are the west-facing units within Apartment Building 1, some of which are as close as 25 feet from the center of Pavilion Circle. Street sweeping would generate noise levels at these receptors of up to 78 dBA, which **would not exceed** the FTA recommended construction noise criteria.

In addition, because the construction phases for the proposed buildings would overlap, it is possible that some receptors may receive construction noise from more than one construction zone at a time. For example, based on the preliminary construction schedule provided by the Project Applicant's contractor, it is anticipated that the loudest phases (excavation and

foundation work) for Buildings B and C would overlap. As shown in Table 3.12-6, the adjacent residents at 14505 and 14506 Chester Avenue are anticipated to receive noise levels of up to 77 dBA during construction of Building B and up to 75 dBA during construction of Building C. If these maximum noise-generating activities were to occur at both construction sites simultaneously, the anticipated combined noise level at these receptors would be 79 dBA[44]. It is not anticipated that construction of the Meeting Room Addition would occur at the same time as the loudest phases (excavation and foundation work) of Building B construction; therefore, receptors in the northwest corner of the Manor Building are unlikely to be subjected to the highest levels of construction noise from both of these sites at the same time. However, in the unlikely event that were to occur, the combined noise level from Building B (up to 89 dBA) and the Meeting Room Addition (up to 95 dBA) could be up to 96 dBA at these receptors[42]. Because the Project would result in daytime construction noise levels at nearby residential receptors that would exceed 80 dBA, the impact would be **potentially significant**.

The Project Applicant and their Contractor have prepared a preliminary Construction Noise Mitigation Plan (see **Appendix E**) to help minimize disturbance to existing SRC residents from construction noise. A final Construction Noise Mitigation Plan, updated to include all actions below, is recommended as Mitigation Measure MM-NOI-1a.

MM-NOI-1a: Update and Implement Construction Noise Mitigation Plan

The Project Applicant and its construction contractor(s) shall update the preliminary Construction Noise Management Plan based on the final design of the Project and to include the following actions, and shall implement the updated plan throughout the duration of construction activities at the project site:

A. *Provide ongoing coordination and training to all subcontractors on "Noise Awareness Training". Training will help ensure the Construction Noise Mitigation Plan is implemented effectively.*

B. *Engage the public and residents for active feedback*

    i. *Provide sufficient notice (no fewer than 14 days prior to onset of any noise-intensive construction activity) to the facility, its residents, and neighboring properties within 200 feet of any construction area, including the anticipated schedule of planned work.*
    ii. *Such notices shall include contact information for a point of contact who shall address questions or noise concerns.*
    iii. *Conduct weekly status meeting with the Facilities team outlining upcoming activities, which shall be verifiably relayed to the residents.*

C. *Identify noise abatement opportunities below, wherever practicable:*

    i. *Locate haul routes away from active noise-sensitive buildings*
    ii. *Locate storage and construction staff parking areas off site.*
    iii. *Design foundation systems that eliminate noise-intensive work, (e.g., pile driving).*
    iv. *Design shoring systems that prevent un-necessary noise or vibration.*

[44] Calculated in accordance with Appendix B.1.1 of the FTA Transit Noise and Vibration Impact Assessment Manual (FTA 2018).

D. Mitigation at noise source:

i. Specify the use of quieter equipment/procedure alternatives, where practicable, in the contract documents.
ii. Require equipment used onsite to produce sound levels below the City of Saratoga 100 dBA limit at 25 feet.
iii. Schedule construction activities that generate higher noise levels at optimal times of the day.
iv. Ensure all construction activities occur within the working hours prescribed by the City of Saratoga.

E. Path mitigation by providing sound barriers.

i. Provide temporary sound barriers along heavy traffic paths and portions of the site haul route as needed.
ii. Provide temporary sound barriers that would obstruct the line-of-sight from receptors to key construction zone areas for all receptors predicted to experience construction noise levels greater than the FTA criterion of 80 dBA ($L_{eq(8\text{-}hour)}$). Such barriers shall be of sufficient mass and dimension to reduce predicted construction noise levels to the FTA criterion or lower wherever practicable. Should barrier implementation be infeasible, or if monitoring shows that the noise levels at the receptors still exceed the FTA criterion, residence windows shall be acoustically upgraded with sufficient temporary window inserts or affected residents shall be temporarily relocated.

F. Construction Noise Monitoring

i. Noise measurements shall be conducted on a weekly basis to verify that noise barriers are performing as intended and construction noise levels remain at or below the FTA criterion at receptors. Measurements shall be conducted for a period considered representative of noise levels for the given day/week. Noise measurements shall also be conducted at the onset of new construction phases (considering phase changes in nearby work areas as well) and if ongoing construction activities shift drastically toward a receptor.
ii. Measurements shall be conducted using a sound level meter rated by the American National Standards Institute as Class 1 or Class 2 per American National Standards Institute S1.4-2014.
iii. Should monitored noise levels exceed the FTA criterion, construction activities generating the exceedance shall be stopped until either construction noise levels can be reduced to within limits or residents are relocated.

G. Noise Receptor Mitigation

i. The contractor shall coordinate with the facility to move residents temporarily if needed during construction activities that are disruptive.
ii. Facility management shall ensure that building heating, ventilation, and air conditioning systems are operating at full capacity/function throughout the

construction period, to allow residents to maintain closed windows throughout the construction period.

Implementation of MM-NOI-1a would substantially reduce the level of disruption to existing residents from construction-related noise and providing ongoing spot-checks of construction noise levels to control noise levels to within targeted limits. The installation of temporary sound barriers and/or sound blankets between construction activities and adjacent sensitive receptors typically provide an estimated 10 to 15 dBA L_{eq} attenuation (FHWA 2006, FTA 2018), in circumstances where the barriers completely obstruct the line of sight between the noise source and the receptor and are installed in accordance with industry best practices. If temporary sound barriers or blankets are constructed at the site that achieve this anticipated level of attenuation, noise levels at the majority of receptors would be reduced to below the targeted limit of 80 dBA. In addition, MM-NOI-1a requires weekly noise monitoring to determine if the targeted limits are being achieved and requires alternative measures to be undertaken if the targets are not achieved, such as the cessation or modification of the activities causing the exceedance, and/or temporary relocation of affected residents. Therefore, with implementation of MM-NOI-1a, the temporary increase in ambient noise levels associated with construction of the Project would not be substantial and the impact would be **less than significant with mitigation**.

Operation

The Project would introduce new permanent sources of noise to the existing environment, including operational traffic and other fixed noise sources such as mechanical heating, ventilation, and air conditioning (HVAC) equipment and emergency generators at the new buildings. The following analysis examines each noise source and discusses the potential for environmental impacts. Potential noise impacts from long-term (operational) stationary sources were assessed based on existing documentation (e.g., equipment noise levels) and site reconnaissance data. This analysis also included an evaluation of the proposed noise-generating uses that could affect noise-sensitive receptors near the Project site.

Operational Traffic Noise

As discussed in Section 3.16, Transportation, it is estimated that the 52 additional independent living units created by the Project would generate a net increase of 10 vehicular trips in the morning peak hour and 14 vehicle trips in the afternoon peak hour over existing peak-hour traffic volumes from the site (Hexagon 2021, see **Appendix F**). The Project would result in a slight decrease in the number of employees on site and possibly a slight decrease in the number of vendor trips due to the reduction in memory care and skilled nursing capacity; however, the estimated Project-related traffic volumes conservatively do not account for any reduction in employee or vendor trips. Because the proposed Meeting Room would only be available for public use between 5 p.m. and 9 p.m. on weekdays, it would not contribute any additional peak-hour traffic.

A doubling of traffic volume generally produces an increase in traffic noise of approximately 3 dBA, a level which is barely perceptible by human hearing (Caltrans 2013). As presented in Table 3.12-3 above, existing peak hour traffic volumes on local roads are 91 vehicles per hour on San Marcos Road and between 826 and 1,727 vehicles per hour on different segments of Fruitvale Avenue. Because the increase in trips from Project operation (10 to 14 peak-hour vehicle trips) would not double the existing traffic volume on local roadways, Project-related traffic would not

cause a perceivable increase in traffic noise for noise-sensitive land uses along the roads that would be used for ingress or egress to the Saratoga Retirement Community.

Mechanical Noise

The Project would include new HVAC systems, which would be installed on the roofs of proposed Buildings A, B, C and the fitness room, and emergency back-up generators which would be located within parking level one of Buildings A and B, and within parking level two of Building C. Generators would only be used to power the buildings during power outages but would be tested weekly for approximately one hour during daytime hours. Because the generators would only be operated sporadically, and would be shielded by the buildings themselves, they would not be expected to cause a perceptible increase in ambient noise levels at the site. Note that emergency generators are exempt from the City's noise ordinance (Section 7-30.030).

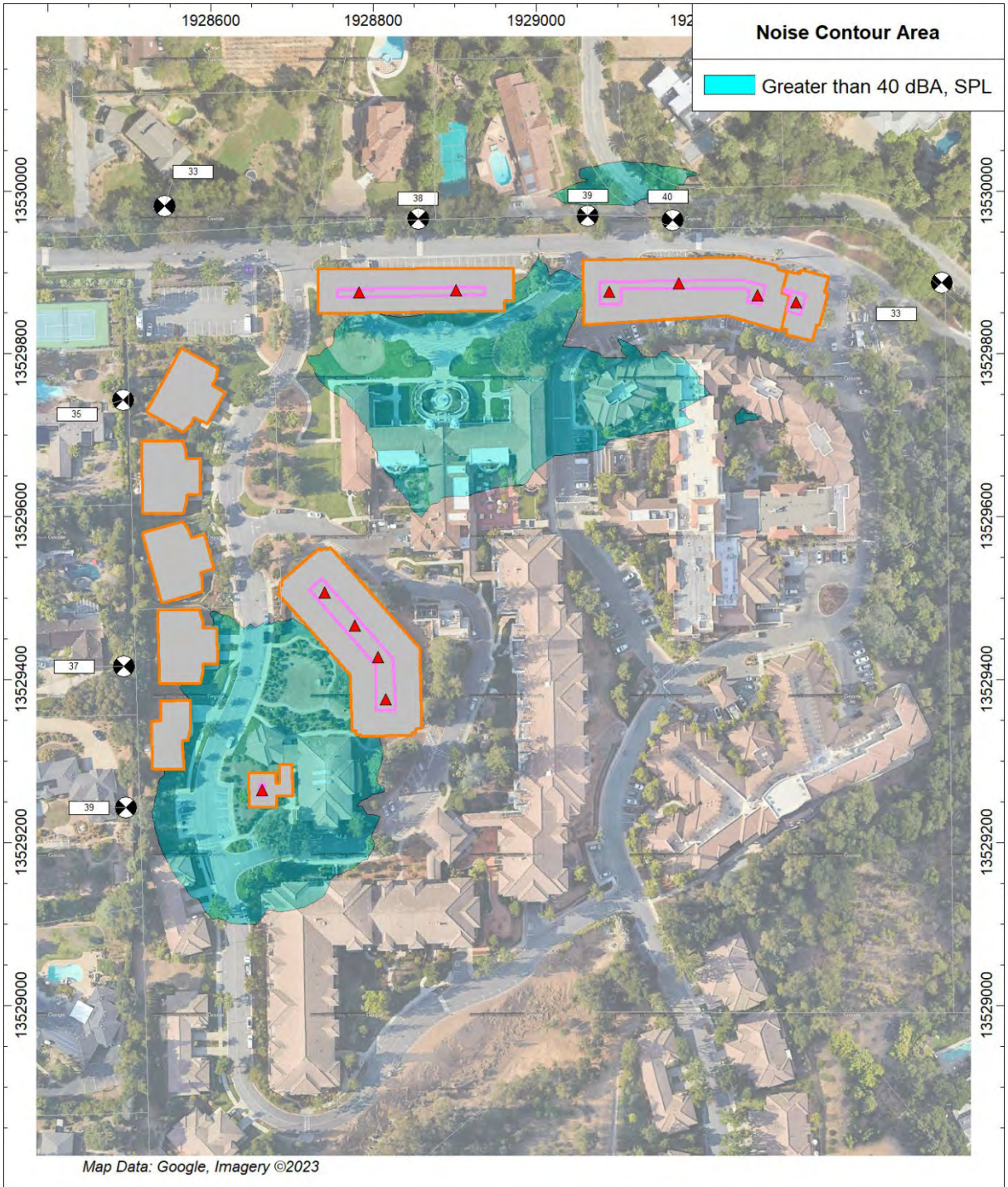
The CadnaA® Noise Prediction Model (Version 2022) was used to estimate the propagation of sound from the proposed HVAC systems, and thereby predict noise levels at various distances from the Project site, including representative noise-sensitive receptors. CadnaA is a software program that predicts and assesses sound levels near industrial sound sources and is based on International Organization for Standardization (ISO) 9613-2 algorithms for the calculation of sound propagation (ISO 1996).

Specific HVAC models and ratings are not yet known by the Project Applicant at this point in Project planning. Thus, the prediction model assumed HVAC units with a reference sound power rating of 93 dBA, which is at the higher end for typical HVAC units.

As discussed above under the subheading "Standard of Significance", the City's noise ordinance sets standards for permissible outdoor noise levels, which vary by the time of day and neighboring land use. The most stringent thresholds are for residential uses during the nighttime period (10pm to 7am), which requires that noise levels shall not exceed 40 dBA L_{eq} at any point outside the property boundary of which the noise is generated. Because HVAC units would operate throughout the day and night, the nighttime threshold of 40 dBA L_{eq} was applied.

Figure 3.12-3 shows the predicted 40 dBA L_{eq} noise contour based on the modeled scenario for the proposed Project. Areas inside the contour are predicted to receive noise levels in excess of the 40 dBA L_{eq}, while areas outside the contour are predicted to receive noise levels of less than 40 dBA L_{eq}.

Figure 3.12-3 Predicted Operational Noise Levels – Proposed Project



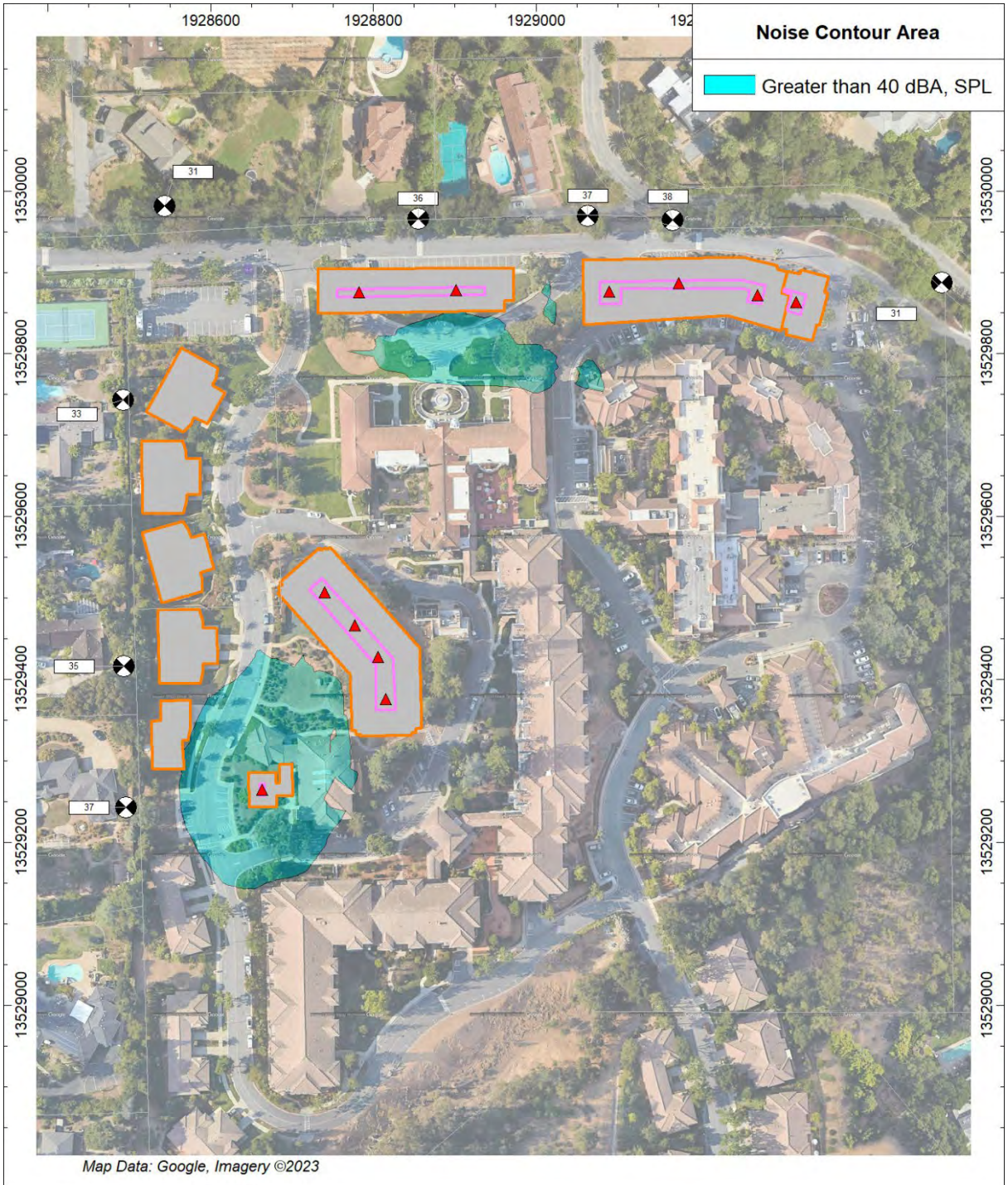
As can be seen from Figure 3.12-3, some areas outside of the SRC property could receive noise levels in excess of the 40 dBA L_{eq} threshold, if the proposed Project were to utilize HVAC units with a reference sound power rating of 93 dBA (or above). These include areas to the east and north of the campus (e.g., portions of the properties at 14505 and 14506 Chester Avenue), which could receive noise levels up to 42dBA. Because noise levels from HVAC units on the proposed buildings could exceed the applicable nighttime threshold from the noise ordinance, the impact of the Project would be **potentially significant**.

Mitigation Measure MM-NOI-1b is recommended to reduce this potentially significant impact.

> ***MM-NOI-1b: Limit Sound Power Level of Mechanical Equipment or Implement Additional Noise-Reduction Measures***
>
> *Where possible, the Project Applicant shall install rooftop mechanical (HVAC) equipment with a sound power rating of 91 dBA or less on all proposed buildings. If mechanical equipment with a Sound Power Level rating of more than 91 dBA is to be installed, then prior to building permit issuance, the Project Applicant shall retain a qualified acoustic consultant to model the predicted noise levels on adjacent properties, based on the actual Sound Power Level rating of the units proposed for installation. The qualified acoustic consultant shall submit a report to the City Planning Department showing the predicted noise levels, and recommending additional measures (e.g., additional acoustic screening) to reduce the predicted noise levels at all adjacent properties to below the 40 dBA L_{eq} threshold. The report shall also demonstrate that the recommended additional measures adequately reduce the predicted noise levels to below the 40 dBA L_{eq} threshold.*

Mitigation Measure MM-NOI-1b would reduce potential operational noise impacts of the Project, by either requiring that HVAC units with a lower Sound Power Level are installed, or that additional measures such as screening are taken to reduce the transmission of noise energy from the proposed sources. As demonstrated in Figure 3.12-4 below, if all proposed HVAC units had a sound power rating of 91 dBA, the predicted 40 dBA contour would be contained entirely within the SRC campus (i.e., no parts of any adjacent properties would receive noise levels that exceed the City's standard of 40 dBA L_{eq}).

Figure 3.12-4 Predicted Operational Noise Levels – Proposed Project (Mitigated)



With implementation of Mitigation Measure MM-NOI-1b, the proposed Project would not exceed the applicable noise standards of the City's noise ordinance, and the impact would be reduced to **less than significant with mitigation**.

Impact NOI-2: Exposure of People to Groundborne Noise and Vibration Levels.

Impact NOI-2 would be **significant and unavoidable,** even with implementation of mitigation measure MM-NOI-2.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would generate excessive groundborne vibration or groundborne noise levels.

The City has not adopted specific numerical thresholds for groundborne vibration impacts. The FTA has developed guidance criteria that are commonly applied as an industry standard to determine the potential for impacts from construction vibration relative to building damage and human annoyance, as presented in Table 3.12-7 and Table 3.12-8, respectively (FTA 2018). For building damage, the level of vibration that would cause a significant impact to structures depends on the structure type and condition. For human annoyance, the level of vibration that would cause a significant impact depends on the land use type and the frequency of vibration events.

Table 3.12-7 Construction Vibration Damage Criteria

Structure and Condition	Peak Vibration Threshold (in/sec, PPV)	Approximate Vibration Level (VdB)
Reinforced-concrete, steel or timber	0.5	102
Engineered concrete and masonry	0.3	98
Non-engineered timber and masonry buildings	0.2	94
Buildings extremely susceptible to vibration damage	0.12	90

Source: FTA 2018, adapted from Table 7-5.
Acronyms: in/sec = inches per second; PPV = peak particle velocity, VdB = vibration decibels

Table 3.12-8 Indoor Groundborne Vibration Criteria

Land Use	Peak Vibration Threshold for Frequent Events (VdB)	Peak Vibration Threshold for Occasional Events (VdB)	Peak Vibration Threshold for Infrequent Events (VdB)
Buildings where vibration would interfere with interior operations.	65 VdB	65 VdB	65 VdB
Residences and buildings where people sleep.	72 VdB	75 VdB	80 VdB
Institutional land uses with primarily daytime use.	75 VdB	78 VdB	83 VdB

Source: FTA 2018, adapted from Table 6-3
Acronyms: in/sec = inches per second; PPV = peak particle velocity

Impact Analysis

Construction

Project construction activities have the potential to result in varying degrees of temporary and short-term ground vibration, depending on the specific construction equipment used and the operations involved. In general, vibration-induced building damage occurs only when certain types of construction activity (e.g., pile driving, heavy earthmoving) and heavy truck travel occur very close to existing structures. Vibration-induced disruption/annoyance (to humans) could occur during more common types of construction activity (e.g., demolition, use of heavy earthmoving equipment, hauling of material) at a greater distance from the activity area.

Groundborne vibration impacts were assessed based on reference vibration levels produced by specific construction equipment and the distance of sensitive receptors from the given source. Table 3.12-9 provides reference vibration levels for typical construction equipment. Equipment in bold represents the types of equipment that would be utilized during Project construction.

Table 3.12-9 Typical Construction Equipment Vibration Levels

Equipment	Reference Vibration Level PPV at 25 feet (in/sec)	Reference Vibration Level Lv at 25 feet (in VdB)
Impact Pile Driver[1]	0.644 (1.518)	104 (112)
Sonic Pile Driver[1]	0.170 (0.734)	93 (105)
Vibratory Roller	0.21	94
Large Bulldozer/Hoe Ram	0.089	87
Drill (Caisson)	0.089	87
Truck	0.076	86
Jackhammer	0.035	79
Small Bulldozer	0.003	58

Source: FTA 2018, Caltrans 2020.

Acronyms: in/sec = inches per second; Lv = velocity level in decibels, based on the root mean square velocity amplitude; PPV = peak particle velocity; VdB = velocity decibels.

Notes: 1. Vibration levels shown for pile drivers are typical values, with upper range values in parentheses.

The estimated maximum vibration levels that could occur at the nearest residential receptor for each construction zone are shown in Table 3.12-10. Estimated maximum vibration levels at the Manor Building from each of the construction zones is also analyzed due to its eligibility as a historical resource. These are worst-case vibration levels calculated using the reference value for vibrator rollers (0.21 in/sec PPV at 25 feet) which is the type of equipment that would generate the highest levels of vibration during Project construction and calculated using the minimum distance between the closest area of the construction site to the building. Actual vibration levels at sensitive receptors would vary over time depending on the actual equipment being used and the distance between the vibration source and the receptor.

Table 3.12-10 Estimated Maximum Vibration Levels at Sensitive Receptors - Proposed Project

Vibration Source	Receptor	Minimum[1] Distance (feet)	Estimated Max Vibration[2] at Receptor (in/sec PPV)	Threshold for Potential Building Damage[3] (in/sec PPV)	Estimated Max Vibration[2] at Receptor (VdB)	Threshold for Potential Human Annoyance[4] (VdB)
Building A Construction	Manor Building	50 feet	0.074	*0.2*	85	*80*
	6114/6116 West Cottage	75 feet	0.040	*0.3*	80	*80*
Building B Construction	Manor Building	7.5 feet	1.278	*0.2*	110	*80*
	14505 Chester Avenue	70 feet	0.045	*0.3*	81	*80*
Building C Construction	Manor Building	35 feet	0.127	*0.2*	90	*80*
	Assisted Living Building	20 feet	0.293	*0.3*	97	*80*
Meeting Room Addition	Manor Building	3 feet	5.052	*0.2*	122	*80*
	6102-6108 West Cottage	50 feet	0.074	*0.3*	85	*80*
Fitness Center Addition	Manor Building	360 feet	0.004	*0.2*	59	*80*
	6118/6120 West Cottage	50 feet	0.074	*0.3*	85	*80*

Source: calculated by AECOM, 2022. See **Appendix E**.

Acronyms: *: in/sec = inches per second; Lv = velocity level in decibels, based on the root mean square velocity amplitude; PPV = peak particle velocity; VdB = velocity decibels; max = maximum.*

Notes:

1. Minimum distance measured from edge of proposed construction zone to the closest edge of the nearest receptor.
2. Estimated maximum vibration levels calculated using reference value for vibratory roller adjusted using standard vibration attenuation rate based on specified distances between source and receptors. Bold values indicate that the applicable threshold would be exceeded.
3. The threshold for building damage used for the Manor Building is that for a “non-engineered timber and masonry” buildings (0.2 in/sec PPV). For more modern buildings on the SRC campus and the residential properties, the threshold for “Engineered concrete and masonry” buildings (0.3 in/sec PPV) is used.
4. The threshold for human annoyance used for all receptors is that for infrequent events at residences and buildings where people normally sleep (80 VdB).

As shown in Table 3.12-10, use of heavy equipment at the Building B and Meeting Room construction zones could cause maximum vibration levels at the Manor Building of up to 1.278 or 5.052 in/sec PPV, respectively, which would substantially exceed the applicable building damage threshold of 0.2 in/sec PPV for non-engineered timber and masonry buildings. Vibration levels at the Manor Building or other nearby buildings (both on the SRC property and on adjacent sites) from use of heavy equipment at other Project construction zones (i.e., Building A, Building C, Fitness Center Addition) would not exceed the applicable thresholds for potential building damage.

Project construction activities at each of the construction zones would also result in levels of vibration at some nearby receptors that would substantially exceed the applicable threshold for human annoyance. Construction activities would be limited to daytime hours in accordance with

Chapter 7-30.060 of the City's Municipal Code, and therefore related vibrations would not disturb normal nighttime sleeping hours. Exceedances of the human annoyance thresholds would be limited in their duration and frequency—for example, the Project Applicant's construction contractor has estimated that a vibratory roller would only be used for approximately 16 hours per building site (RCP Construction 2021). Nonetheless, because Project construction could generate vibration levels that exceed the applicable thresholds for potential building damage at the Manor Building and that substantially exceed the threshold for human annoyance at several nearby residential receptors, the impact would be **potentially significant**.

The following mitigation measures are recommended to reduce vibration impacts from Project construction:

> ***MM-NOI-1a: Implement Construction Noise Mitigation Plan.*** *(See Impact NOI-1, above for full text of this measure)*
>
> ***MM-NOI-2: Construction Vibration Minimization Measures***
>
> *The Project Applicant shall include the following measures in its contractor specifications, and such measures shall be implemented by the Contractor(s) during construction:*
>
> *A. The use of vibratory rollers within a 25-foot buffer zone around the Manor Building and other occupied structures, and the use of drill rigs, large bulldozers, or dump trucks within a 15-foot buffer of the Manor Building and other occupied structures shall be avoided to the maximum extent practicable.*
>
> *B. Where practicable, smaller equipment which generates lower levels of vibration shall be used within the specified buffer zones.*
>
> *C. Advance notice (at least 14 days) shall be provided to SRC residents, neighboring property owners and the City for construction activities requiring use of vibratory rollers within 75 feet of residential units, or the use of drill rigs, large bulldozers, or dump trucks within 45 feet of residential units.*
>
> ***MM-CUL-1a: Historical Resource Protection Plan.*** *(Detailed above under Impact CUL-1 in Section 3.5.3).*

Implementation of mitigation measure MM-NOI-1a would require the Project Applicant and its construction contractor(s) to provide notice to the facility, neighboring properties and the City regarding planned construction activities and to provide a point of contact for residents and neighbors to contact to address questions or concerns.

Implementation of mitigation measure MM-NOI-2 would require the contractor to limit the use of large vibratory equipment in close proximity to structures to the extent practicable, and to give advance notice to nearby residents when vibration-generating equipment would be used within distances of their units that would generate levels of vibration above the threshold of human annoyance. Implementation of MM-NOI-1a and MM-NOI-2 would not completely eliminate the generation of vibration at levels that exceed the threshold of human annoyance but would reduce the frequency of the highest levels of vibration and would allow residents the opportunity to adjust their daily routines to reduce exposure.

The buffer zone widths specified in MM-NOI-2(A) are based on the distance necessary to attenuate vibration levels from the specified construction equipment to below the threshold for potential building damage (0.2 PPV in/sec). However, it is anticipated that some use of heavy equipment within the buffers would be required to achieve the necessary soil compaction required to support the proposed building foundations (particularly for the Meeting Room Addition) and, therefore, that vibration levels at the Manor Building could still exceed the threshold for building damage at certain times.

Implementation of mitigation measure MM-CUL-1a requires a vibratory management and continuous monitoring plan to be developed and implemented during construction, including use of optical survey targets and crack monitors, as well as pre- and post-construction surveys to identify any damage to the Manor Building caused by Project construction activities. In addition, MM-CUL-1a requires that any such Project-related damage be repaired to pre-construction conditions in accordance with the Secretary of the Interior's Standards for Rehabilitation, under the oversight of an architectural historian.

For these reasons, with implementation of MM-NOI-1a, MM-NOI-2, and MM-CUL-1a, the impacts of construction-related vibration on the Manor Building and to nearby residents would be reduced to **less than significant with mitigation**.

Operation

Long-term Project operation would not include any major new sources of groundborne noise or vibration. Maintenance vehicles and delivery trucks would be restricted to existing roadways, and the limited number of additional vehicle trips generated by the Project (see Section 3.16, Transportation) would not have the potential to substantially increase vibration levels at adjacent land uses. The operational impact would be **less than significant**.

Impact NOI-3: Excessive Airport Noise

Impact NOI-3 would be **no impact**.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would be located within the vicinity of a private air strip 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 expose people residing or working in the Project area to excessive noise levels.

Impact Analysis

The nearest airport is San Jose International Airport, approximately 8 miles to the northeast; therefore, the Project site is not located within an airport land use plan, within 2 miles of a public airport or public use airport, or within the vicinity of a private airstrip. Therefore, the Project would not expose people residing or working in the Project area to excessive noise levels from airports.

3.12.4 Cumulative Impacts and Mitigation

The following section analyzes the potential of the Project to contribute to cumulative impacts for the following noise issues[45] where the Project would have a less-than-significant or potentially significant impact:

- **Impact C-NOI-1:** Contribution to cumulative effects related to generation of noise.
- **Impact C-**NOI-2: Contribution to cumulative effects related to generation of vibration.

Cumulative Impact C-NOI-1: Generation of Noise

The overall cumulative impact for C-NOI-1 would be **potentially significant** and the contribution of the Project would **cumulatively considerable** With implementation of mitigation measure C-MM-NOI-1, the cumulative impact would be reduced to **less than significant with mitigation**.

Cumulative Context

The geographic context for analysis of cumulative impacts related to noise is the immediate Project vicinity. Noise is a localized occurrence and attenuates rapidly with distance. For construction noise, the cumulative context would be limited to those cumulative projects that would have overlapping construction periods with the Project and are in close enough proximity for construction noise from both projects to be heard by the same receptors. For operational noise, the cumulative context would include any cumulative projects that introduce noise-generating equipment that could be heard by the same sensitive receptors as the Project's operational noise, or that would increase traffic levels on the same local streets as Project-generated traffic.

Cumulative Impact Analysis

Construction

The only cumulative project identified in Table 3.1-1 (in Section 3.1 above) that would involve construction within half a mile of the Project site is the potential future development of 80 senior low-income housing units on the Fellowship Plaza property, directly adjacent to the Project site.

Environmental review of the Housing Element Update has not yet been completed[46]; therefore, no specific information regarding the schedule for development or potential impacts of future additional development at the Fellowship Plaza property, nor any specific project details, are available at this time. However, the potential for construction of future development at the Fellowship Plaza property to cause combined impacts with the Project was raised as a specific concern during the scoping period for this EIR; therefore, consideration is given to this potential cumulative impact based on general assumptions, even though such impacts are currently speculative.

In the unlikely event that the construction periods of these two projects were to overlap, noise generated from construction equipment operating at the two properties would not be expected

[45] Note that Project-level impacts have been combined for the purposes of cumulative analysis. Cumulative impact C-NOI-1 addresses the same issues as Project-level impacts NOI-1 and NOI-2.
[46] The Notice of Preparation for the Housing Element EIR was released on February 28, 2022. The EIR is in preparation and a date for its public release has not yet been determined.

to combine. As discussed previously in Section 3.12.3, the level of construction noise that would be generated from the Project would cause a significant and unavoidable impact to residents in close proximity to construction zones but is anticipated to dissipate to below the 80 dBA threshold within approximately 105 feet from the source. If similar construction equipment were to be used on the Fellowship Plaza property, a similar level of construction noise would be expected, with similar attenuation distances. Due to the presence of the unnamed tributary of Vasona Creek that flows along the boundary between the two properties and the associated riparian vegetation (approximately 120 to 300 feet in width), it is anticipated that future development of the Fellowship Plaza property would occur at sufficient distance from the Project site that noise from construction equipment operating on both properties would not combine to cause additional impacts beyond the significant and unavoidable project-level impact identified in Section 3.12.3, even in the unlikely case that the construction periods were to overlap.

However, if construction of the future Fellowship Plaza project were to result in increased truck traffic along Odd Fellows Drive and San Marcos Road during the same period as Project-related construction traffic on these same road segments, the increase in traffic noise could be substantial. The number of construction trucks that would be required for the future Fellowship Plaza project is unknown; however, it is estimated that approximately 3 to 6 additional truck trips per hour on these roadway segments respectively, in combination with the anticipated peak level of construction-related traffic from the Project, would cause traffic noise to increase by more than 5 dB (see **Appendix E**). As discussed previously, an increase of 5 dB would generally be perceived as a doubling of traffic noise, which would be a **potentially significant** cumulative impact.

As discussed in Section 3.12-3 above, construction-related traffic from the Project alone is anticipated to generate a 3.7 and 3.0 dB increase along Odd Fellows Drive and San Marcos Road, respectively, which would be a **cumulatively considerable contribution** to the overall cumulative impact.

Mitigation Measure C-MM-NOI-1 is recommended to reduce this potentially significant cumulative impact:

> ***C-MM-NOI-1: Cumulative Construction Traffic Noise Reduction Plan***
>
> *In the unlikely event that the construction period for the Project overlaps with the construction period for future development on the adjacent Fellowship Plaza property, the Project Applicant and its construction contractor, in conjunction with the developer and contractor for the Fellowship Plaza project, shall develop a combined construction traffic noise reduction plan. The plan shall be submitted to the City for review and approval and shall be implemented by the Project Applicant and its contractors throughout the duration of overlapping construction. The combined plan shall contain, but not be limited to, the following:*
>
> - *Identification of anticipated periods when construction of the two projects would overlap, and the estimated level of construction traffic that would utilize Odd Fellows Drive and San Marcos Road from each project during those periods.*

- *Analysis from a qualified acoustic consultant determining the estimated cumulative increase in traffic noise along Odd Fellows Drive and San Marcos Road during those periods when the two projects would overlap. If the combined increase in traffic noise would exceed 5 dBA above existing levels at any time during the overlapping construction periods, the acoustic consultant shall provide details of the location and design of temporary noise barriers and/or other measures that would be required in order to shield adjacent sensitive receptors such that the combined increase in traffic noise at any receptor would not exceed 5 dBA above existing levels.*

- *A cost-sharing agreement between the two project proponents for implementation of required shielding measures.*

Due to the speculative nature of the potential cumulative project at the Fellowship Plaza property, it is unclear at this point in time whether the cumulative impact would actually be significant or not. The proposed cumulative mitigation measure C-MM-NOI-1 would require that the cumulative impact be analyzed by a qualified acoustic consultant once sufficient details regarding the cumulative project are available, and that the qualified acoustic consultant determine appropriate shielding or other measures at that time, in order to achieve the specified performance standard (i.e., that the cumulative increase in construction traffic should not result in an increase in traffic noise for any receptor that would exceed 5 dBA).

With implementation of C-MM-NOI-1, the overall cumulative impact for construction noise would be **less than significant with mitigation.**

Operation

For operational noise, none of the cumulative projects are close enough that mechanical equipment or other permanent noise-generating sources introduced to those project sites would be perceptible at the Project site. The adjacent Fellowship Plaza property is more than 300 feet from the closest of the Project's proposed new buildings and is separated by a dense vegetated riparian corridor which would limit noise transmission between the two sites.

However, operational traffic associated with the Fellowship Plaza development would also use Odd Fellows Drive and San Marcos Road for all vehicular access; therefore, an incremental increase of noise levels along these roadways would be expected.

Environmental review of the Housing Element Update has not yet been completed[47]; therefore, no specific information regarding the potential impacts of future additional development at the Fellowship Plaza property, nor any specific project details, are available at this time. However, the potential for future development at the Fellowship Plaza property to cause combined impacts with the Project was raised as a specific concern during the scoping period for this EIR; therefore, consideration is given to this potential cumulative impact based on general assumptions, even though such impacts are currently speculative.

[47] The Notice of Preparation for the Housing Element EIR was released on February 28, 2022. The EIR is in preparation and a date for its public release has not yet been determined.

As discussed in Section 3.16, Transportation (Impact C-TRA-1), the anticipated net increase in operational peak-hour traffic from both the Project and the cumulative Fellowship Plaza development would be a total of 35 additional peak-hour trips (14 trips from the Project's 52 additional independent living units and 21 trips from the Fellowship Plaza's 80 new senior residential units).

A doubling of traffic volume generally produces an increase in traffic noise of approximately 3 dBA, a level which is barely perceptible by human hearing (Caltrans 2013). As presented in 3.12-3 above, existing peak hour traffic volumes on local roads are 91 vehicles per hour on San Marcos Road and between 826 and 1,727 vehicles per hour on different segments of Fruitvale Avenue. The existing traffic volume along the Odd Fellows Drive private driveway is 67 peak hour trips (Hexagon 2021, see **Appendix F**). Because the increase in trips from cumulative development (up to 35 peak-hour vehicle trips) would not double the existing traffic volume on Odd Fellows Drive or any of the local public roads, cumulative traffic would not cause a perceivable increase in traffic noise for noise-sensitive land uses along the roads that would be used for ingress or egress to the Saratoga Retirement Community or the Fellowship Plaza site. The overall cumulative impact from operational noise would be **less than significant**.

Cumulative Impact C-NOI-2: Generation of Vibration

The overall cumulative impact for C-NOI-2 would be **less than significant**.

Cumulative Context

The geographic context for analysis of cumulative impacts related to vibration is the immediate Project vicinity. Vibration is a localized occurrence and attenuates rapidly with distance. For vibration, the cumulative context would be limited to those cumulative projects that would have overlapping construction periods with the Project and are in close enough proximity for construction vibration from both projects to be felt by the same receptors.

Cumulative Impact Analysis

The only cumulative project identified in Table 3.1-1 (in Section 3.1 above) that would involve construction within half a mile of the Project site is the potential future development of 80 senior low-income housing units on the Fellowship Plaza property, directly adjacent and east of the Project site.

Environmental review of the Housing Element Update has not yet been completed[48]; therefore, no specific information regarding the schedule for development or potential impacts of future additional development at the Fellowship Plaza property, nor any specific project details, are available at this time. However, the potential for construction of future development at the Fellowship Plaza property to cause combined impacts with the Project was raised as a specific concern during the scoping period for this EIR; therefore, consideration is given to this potential cumulative impact based on general assumptions, even though such impacts are currently speculative.

In the unlikely event that the construction periods of these two projects were to overlap, vibration generated from construction equipment operating at the two properties would not be expected to combine. As discussed previously, the level of construction vibration that would be generated

[48] The Notice of Preparation for the Housing Element EIR was released on February 28, 2022. The EIR is in preparation and a date for its public release has not yet been determined.

from the Project is anticipated to dissipate below the relevant thresholds of 0.2 in/sec PPV (for building damage) and 80 VdB (for human annoyance) within approximately 25 to 75 feet, respectively. If similar construction equipment were to be used on the Fellowship Plaza property, a similar level of construction vibration would be expected, with similar attenuation distances. Due to the presence of the unnamed tributary of Vasona Creek that flows along the boundary between the two properties and the associated riparian vegetation, it is anticipated that future development of the Fellowship Plaza property would occur at sufficient distance from the Project site that vibration from construction equipment operating on both properties would not combine, even in the unlikely case that the construction periods were to overlap. The overall cumulative impact would be **less than significant**.

3.13 Population and Housing

This section describes the existing setting of the Project area related to population and housing and evaluates whether the Project would result in adverse effects on population and housing.

The following comments relating to population and housing were received during the public scoping period in response to the Notice of Preparation:

- Concerns about the misalignment between the demographic of people that the project aims to serve, and the demographic (e.g., “up-scale” retired individuals) that the proposed housing will serve.
- Concerns about housing for additional employees.

3.13.1 Environmental Setting

Population

The City’s population has generally grown at a slower rate than the surrounding cities in Santa Clara County due to the City’s historically low-density land use policies (City of Saratoga 2020). The City grew at a rate of 1 percent from 2000 to 2010. Between 2010 and 2020, the growth rate increased to 4 percent. The U.S. Census Bureau estimates the City’s senior population (i.e., those persons 65 or older) was 7,095 persons in 2019, which is approximately 23 percent of the total population (U.S. Census Bureau 2019a). In addition, increases to the average household size from 2.77 in 2010 to 2.86 in 2020 show that the City has experienced recent growth in the number of households living with children or in multi-generational households (City of Saratoga 2020).

As of January 1, 2020, the California Department of Finance (DOF) estimates the City’s total population was 31,030 persons (DOF 2020). The ABAG has projected that the population of Saratoga will be approximately 31,410 by 2035, which is an increase of less than 1 percent from the City’s 2020 population (ABAG 2018).

Housing

Because the City is nearly built-out, there has been minimal new housing construction over the past 25 years, except for demolition and replacement of existing housing stock (City of Saratoga 2014). Between 2010 and 2020, the number of housing units in Saratoga increased by 178 units (DOF 2020).

As of January 1, 2020, the number of housing units in the City was 11,301, with approximately 91 percent of the housing units consisting of attached and detached single-family homes (DOF 2020). Of these housing units, 3,998 were occupied by seniors (i.e., more than 65 years old), with approximately 85 percent of senior housing consisting of owner-occupied units and 15 percent consisting of renter-occupied units. In 2019, the average household size for seniors was 2.08 persons for owner-occupied units and 1.70 persons for renter-occupied units; compared to an average household size of 2.74 and 2.92 persons, respectively for the whole population in Saratoga (DOF 2020, U.S. Census Bureau 2019a).

3.13.2 Regulatory Framework

Federal

There are no relevant federal regulations regarding population and housing applicable to the project.

State

Regional Housing Needs Assessment

The Regional Housing Needs Allocation process is mandated by the State Housing Law and is a precursor to the periodic process of updating local housing elements of the General Plan. The State determines what the total housing needs will be in the region for the planning period, and ABAG distributes that need among local jurisdictions in the Bay Area, initiating each jurisdictions' housing element update.

Based on its allocation for the 2023 through 2031 period, the City was required to identify sites sufficient to accommodate 1,712 new housing units at the specified level of affordability. This includes 454 units that are designated for very low income households, 261 for low income households, 278 for moderate income households, and 719 for above moderate income households.

The Saratoga City Council appealed its Regional Housing Needs Allocation on July 7, 2021, requesting a 50 percent reduction in its Regional Housing Needs Allocation from 1,712 to 856 housing units. The appeal hearing for Saratoga's draft Regional Housing Needs Allocation was held on October 22, 2021. ABAG denied the appeal (City of Saratoga 2023).

Local

Plan Bay Area 2050

Plan Bay Area 2050 is a long-range transportation, land-use, and housing plan intended to support a growing economy, provide more housing and transportation choices, and reduce transportation related pollution and GHG emissions in the Bay Area. Plan Bay Area 2050 promotes compact, mixed-use residential and commercial neighborhoods near transit, particularly within identified priority development areas.

ABAG allocates regional housing needs to each city and county within the nine-county San Francisco Bay Area based on statewide goals. ABAG also develops forecasts for population, households, and economic activity in the Bay Area. ABAG, MTC, and local jurisdiction planning staff created the Regional Forecast of Jobs, Population, and Housing, which is an integrated land use and transportation plan through the year 2050 (ABAG & MTC 2021).

City of Saratoga General Plan

City policies pertaining to population and housing are contained in the Housing Element of the City's General Plan. The following General Plan policies relating to population and housing apply to the Project:

> **Policy Action 4-1.2:** Continue to Implement Density Bonus Ordinance. Under Government Code Section 65915-65918, for housing projects of at least five units, cities must grant density bonuses ranging from 5 to 35 percent (depending on the affordability

provided by the housing project) when requested by the project sponsor, and provide up to three incentives or concessions unless specific findings can be made. The City of Saratoga has adopted Density Bonus provisions within its Zoning Code consistent with State law.

City of Saratoga Municipal Code

Chapter 15, Article 15-81, *Housing Density Bonus*. Article 15-81 of the City's Municipal Code provides affordable housing and density bonuses and incentives specific to projects within the City. Upon timely request for a regulatory agreement by applicants for affordable housing and senior care housing, the City grants density bonuses as required per California Government Code Section 65915. Section 15-81.030 provides all requirements and for an applicant to provide a request for a regulatory agreement for a housing density bonus. Section 15-81.050 also provides the City's requirements for implementation.

3.13.3 Project Impacts and Mitigation

This section addresses the following potential impacts relating to population and housing:

- **Impact POP-1:** Inducement of Unplanned Population Growth
- **Impact POP-2:** Displacement of People or Housing

Impact POP-1: Inducement of Unplanned Population Growth

Impact POP-1 would be **no impact**. No mitigation is required.

Standard of Significance

Based on Appendix G of the State CEQA Guidelines, the Project is considered to have a significant impact on population and housing if it would induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses or requiring the relocation of construction workers into an area for a large multi-year construction project) or indirectly (for example, through extension of roads or other infrastructure).

Impact Analysis

Construction

Construction of the Project is estimated to require an average of 27 to 50 construction workers on a typical workday. Up to 75 construction workers per day may be required periodically. Construction would begin in July 2023 and would require a total of approximately 25 months to complete the main three phases of construction. Phase 4, involving the conversion of double-occupancy skilled nursing and memory care units to single occupancy units, would occur in stages over a two-year period and would involve approximately 10 construction workers per day on average with 16 as a maximum.

The source of the construction labor force is unknown at this time, but workers would be expected to come from the local labor pool and not relocate to the City from other areas for the relatively short construction period. The U.S. Census Bureau estimates that in 2019 there were 368 persons employed in the construction industry in the City and 51,104 persons employed in the construction industry in the County as a whole (U.S. Census Bureau, 2019b). Based on the availability of nearby construction workers, Project construction would not cause a substantial

influx of construction personnel that would result in unplanned population growth, and **no impact** would occur.

Operation

The Project's 52 new independent living residential units (22 in Building A, 10 in Building B, and 20 in Building C) would accommodate an estimated 89 additional residents, based on average occupancy of senior renter-occupied housing in Saratoga of 1.7 residents per unit (United States Census Bureau 2019a). This increase would be partially offset by the conversion of double-occupancy skilled nursing and memory care units to single-occupancy rooms, which would remove 45 beds for a net capacity increase of 44 residents once the Project is fully built out. Because the existing double-occupancy units are not currently operating at full capacity, this analysis considers both the proposed additional population (89 additional residents) from the new construction, as well as the net increase (44 additional residents) accounting for offset by the renovation to the Health Center, when considering population-based impacts.

The existing SRC campus configuration has an estimated total capacity[49] of approximately 443 residents, although the current number of residents is substantially less, with an average campus occupancy of 330 residents in 2021, and 345 residents in 2020 (Stel, pers. comm. 2022). The difference between the estimated capacity and actual occupancy is due in part to less than half of the independent living units currently being occupied by a second resident. The Project would increase the existing total capacity of the campus by approximately 10 percent (eventual net increase) to 20 percent (temporary "worst case" increase). Compared to the actual existing population, the Project would result in a population increase of approximately 13 percent (eventual net increase from 330 to 374 residents)) to 27 percent (temporary "worst case" increase from 330 to 419 residents) at the campus.

Under the 1995 SRC Campus Master Plan, the maximum number of permitted units approved by the City have a total capacity[50] of approximately 521 residents. Under the Project, full buildout of the SRC campus would have a capacity between 497 and 532 residents,[51] which is similar to or less than the approved 1995 SRC Campus Master Plan. Therefore, although the Project would increase the capacity of the campus and result in an increase in population at the facility, the residential capacity buildout would be almost the same as previously approved in 1995. The Project would not result in substantial unplanned population growth.

As discussed in Section 2.3.6, *Facility Operations*, the new independent living units would not require any additional staffing, and the eventual reduction in the number of skilled nursing and memory care beds at the facility after Project buildout would result in a reduction of staff numbers by four employees. Therefore, the Project would not result in new employment in the City that would generate demand for additional housing.

The proposed Project would not induce substantial population growth indirectly (through the extension of roads or other infrastructure into undeveloped areas). The proposed Project would

[49] The existing campus contains 143 independent living units (multiplied by senior renter-occupied housing factor of 1.7 equals 243 residents) plus 200 skilled nursing, memory care, and assisted living beds for a total capacity of 443 residents.
[50] The 1995 Master Plan anticipated 164 independent living units (multiplied by senior renter-occupied housing factor of 1.7 equals 279 residents) plus 242 skilled nursing and assisted living beds for a total capacity of 521 residents. The SRC campus has not been fully built out with the maximum number of units that were permitted by the 1995 Master Plan.
[51] Buildout of the Project would result in a total capacity of 487 residents (existing residential capacity of 443 plus a net increase of 44); buildout of the Project under the temporary worst case scenario would result in 532 residents (existing residential capacity of 443 plus 89 equals 532).

be an infill project with all new buildings, roads, and infrastructure improvements occurring within the SRC campus. Any new utility infrastructure required to serve the proposed Project would be sized to accommodate Project-related demands and would not be intended to serve any development on lands other than the Project site.

Because the proposed Project would not directly or indirectly induce substantial unplanned growth in the City, **no impact** would occur.

Impact POP-2: Displacement of People or Housing

Impact POP-2 would be **no impact**. No mitigation is required.

Standard of Significance

Based on Appendix G of the State CEQA Guidelines, the Project is considered to have a significant impact on population and housing if it would displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

Impact Analysis

As discussed previously, the Project would result in the conversion of 90 existing double-occupancy skilled nursing and memory care units at the SRC facility to single-occupancy units, which would result in the removal of 45 beds. However, this reduction would not displace existing residents, as the conversion would occur in stages over a 2-year-period, as the units become vacant, and replacement housing would not need to be constructed elsewhere to house existing residents.

In addition, the Project would construct a total of 52 new independent living residential units, thereby increasing the total stock of senior housing within the City. As such, the proposed Project would not displace a substantial number of existing houses or people, and no impact would occur.

3.13.4 Cumulative Impacts and Mitigation

As discussed above, the Project would have no impact related to inducement of unplanned population growth or displacement of people or housing. Therefore, the Project would not contribute to any potential cumulative impacts associated with population and housing.

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3.14 Public Services

This section describes the existing public services setting of the Project area and evaluates whether the Project would result in adverse effects to government services such as fire protection, police protection, schools, parks, or other public facilities. The following comments relating to public services were received during the public scoping period in response to the NOP:

- Concern regarding access for emergency services during construction because Odd Fellows Drive is already narrow, and a large truck on the road can make it difficult for other vehicles to pass.
- Concern regarding access for emergency services as a result of cumulative impacts of the Project in combination with future residential development on adjacent Fellowship Plaza property which is also accessed via Odd Fellows Drive.

Concerns were also expressed during the scoping period regarding potential disruption to existing services at the SRC campus (e.g., outpatient services, meal deliveries across campus,) during Project construction and the increased strain on such services with a larger population of residents under Project operation. Such services, which are provided by a private organization, are not considered “public services” under CEQA, and are therefore not addressed within this EIR.

3.14.1 Environmental Setting

Fire Protection

Fire protection in the City is currently provided by both the Santa Clara County Fire Department (SCCFD) and the Saratoga Fire Protection District (SFPD). The SCCFD serves approximately 134 square miles within the communities of Campbell, Cupertino, Los Altos, Los Altos Hills, Los Gatos, Monte Sereno, Saratoga, and the adjacent unincorporated areas of Santa Clara County (SCCFD 2020). Approximately 20,000 people reside within the SCCFD service area.

The SCCFD is configured into three battalion districts and operates 15 fire stations throughout Santa Clara County (SCCFD 2020). Quito Fire Station at 18870 Saratoga-Los Gatos Road, and Saratoga Fire Station at 14380 Saratoga Avenue, are both approximately 2.1 miles from the Project site. SCCFD is a County-dependent special fire district providing fire suppression, basic and advanced rescue, advanced life support first response medical services, hazardous materials and technical rescue response, fire inspection, fire investigation, disaster preparedness, and public education (SCCFD n.d.a). Of the 338 budgeted SCCFD positions, 66 comprise the daily emergency response force. These personnel respond to more than 20,073 calls for service annually (SCCFD 2020a). SCCFD also provides advanced life support paramedic services to the City. They operate 19 fully equipped fire apparatus, which are all staffed with a minimum of one paramedic and two emergency medical technicians on board. Santa Clara County Emergency Medical Services has a contract with a third-party ambulance transport provider for the ground transport of all patients. SCCFD and the City are also supported by the Community Emergency Response Team. The SSCFD responds to urgent calls with a fire company and one paramedic within 7 minutes up to 90 percent of the time (SCCFD 2020a).

In addition to the SCCFD, the City is also served by the SFPD, which provides fire protection services to approximately 12 square miles, encompassing half of the City and sections of the unincorporated areas to the south (SFPD n.d.). Approximately 20,000 people reside within the SFPD's service area. The SFPD is co-located with the SCCFD in the Saratoga Fire Station. This 15,000-square-foot station was rebuilt in 2004 to accommodate the growing needs of the City and houses a staff of seven personnel, four engines (Nos. 73, 373, 17, and 973), and one rescue vehicle (No. 73) (SCCFD n.d.b).

Data provided by the SCCFD shows that in 2021, a total of 268 units responded to calls at the existing SRC campus and its associated addresses, the vast majority of which (249) were responded to by the Saratoga Station units. Calls to the SRC campus over the last 3 years (2019 through 2021) have made up approximately 12 to 16 percent of all calls from the Saratoga Station. Quito Station and West Valley Station have also responded to some calls at the campus, but these represent less than 2 percent of annual call volumes to these stations (Kerdkaew, pers. comm. 2022).

The SCCFD currently responds to the Saratoga Retirement Community campus with an average response time of 6 to 7 minutes (Piedad, pers. comm. 2021).

Law Enforcement Services

Law enforcement services in Saratoga are provided by the Santa Clara County Sheriff's Office (SCCSO), West Valley Division, located at 1601 S. De Anza Boulevard in the City of Cupertino, approximately 4.6 miles from the Project site. The West Valley Division of the SCCSO serves the cities of Saratoga, Cupertino, and Los Altos Hills, as well as the western unincorporated areas of Santa Clara County from Summit Road to Moffett Field (SCCSO 2021).

The Sheriff oversees the agency, which has 2,025 employees. Of those employees, 1,453 of them are sworn law enforcement officers and 572 are non-sworn, civilian support staff. The SCCSO has 77 sworn positions and 8 professional support staff assigned to the West Valley Division (SCCSO 2021). Deputies provide a full range of law enforcement responsibilities to include Patrol, Traffic, Detectives, School Resource Officers, and Special Enforcement details. The West Valley Division employs strategies such as community-oriented policing and also stays current on law enforcement practices such as predictive policing.

Schools

The City, including the Project site, is served by the Saratoga Union School District (SUSD) for elementary and middle school education and by the Los Gatos-Saratoga Joint Union High School District.

Saratoga Union School District

The SUSD serves two-thirds of the City and small portions of the cities of Monte Sereno and Los Gatos, as well as a portion of unincorporated Santa Clara County. The SUSD operates four elementary schools: Argonaut Elementary School (serves grades K through 5), Foothill Elementary School (serves grades K through 5 and preschool for children with special needs), Saratoga Elementary School (serves grades K through 5). SUSD is an open enrollment district, allowing families residing within the district boundaries to request attendance at any of the district schools. Saratoga Elementary School, which is the closest elementary school to the Project site,

is approximately 2.1 miles to the west. Redwood Middle School (serving grades 6 through 8) is the only middle school in the district and is approximately 1.2 miles north of the Project site.

Los Gatos-Saratoga Joint Union High School District

The Los Gatos-Saratoga Joint Union High School District operates two high schools: Los Gatos High School and Saratoga High School, each of which serves students in grades 9 through 12. Saratoga High School is located within the City boundaries, approximately 2.5 miles northwest of the Project site, and serves the Project site and surrounding area.

Other Public Facilities

Other public facilities and services provided within the City include library services and community services. The Santa Clara County Library District governs and administers eight community libraries, bookmobiles, the Home Service Library, and the 24-7 online library for all library users. As one of the Santa Clara County Library District's member cities, the City has a community library located at 13650 Saratoga Avenue, which is located approximately 1.5 miles from the Project site.

3.14.2 Regulatory Framework

Federal

There are no federal regulations regarding the provision of local public services.

State

California Occupational Safety and Health Administration

In accordance with Section 1270, Fire Prevention, and Section 6773, Fire Protection and Fire Equipment, of Title 8 of the CCR, the California Occupational Safety and Health Administration has established minimum standards for fire suppression and emergency medical services. The standards include, but are not limited to, guidelines on the handling of highly combustible materials; fire hose sizing requirements; restrictions on the use of compressed air; access roads; and the testing, maintenance, and use of all firefighting and emergency medical equipment.

California State Assembly Bill 2926: School Facilities Act of 1986

In 1986, AB 2926 was enacted to authorize the levy of statutory fees on new residential and commercial/office development to pay for school facilities. AB 2926 was expanded and revised in 1987 through the passage of AB 1600, which added Sections 66000 et seq. to the Government Code. Under this statute, payment of statutory fees by developers serves as CEQA mitigation to satisfy the impact of development on school facilities.

California Senate Bill 50

The passage of SB 50 in 1998 defined the needs analysis process that is codified in Government Code Sections 65995.5 through 65998. Under the provisions of SB 50, school districts may collect fees to offset the costs associated with increasing school capacity as a result of development. Level I fees are assessed based upon the proposed square footage of residential, commercial/office, and/or parking structure uses. Level II fees require the developer to provide one-half of the costs of accommodating students in new schools, and the state provides the other half. Level III fees require the developer to pay the full cost of accommodating the students in new schools and are implemented at the time the funds available from Proposition 1A

(approved by the voters in 1998) are expended. School districts must demonstrate to the state their long-term facilities needs and costs based on long-term population growth in order to qualify for this source of funding.

Government Code Section 65996

Section 65996 designates Section 17620 of the Education Code (the mitigation fees authorized by SB 50) and Section 65970 of the Government Code to be the exclusive method for considering and mitigating development impacts on school facilities.

Local

City of Saratoga Emergency Operation Plan

The City implements its Emergency Operations Plan, which provides an overview of prevention and operational concepts, identifies components of the City's emergency management organization within the Standardized Emergency Management System and by extension, the National Incident Management System, and describes the overall responsibilities of the federal, state, and county entities and the City for protecting life and property and assuring the overall wellbeing of the population (City of Saratoga 2019a).

City of Saratoga Municipal Code

Chapter 16 of the City's Municipal Code includes the most recently adopted state codes (Building Code, Health and Safety Code, Fire Code, Residential Building Code, etc.) associated with fire and building regulations that affect development within the City. The requirements include the installation of early warning fire alarm systems and fire sprinkler systems, as well as the availability and maintenance of emergency access.

City of Saratoga General Plan

City policies pertaining to public services are contained in the Safety Element of the City's General Plan. Additional policies relating to public recreation services are contained in the Open Space and Conservation Element, as discussed in Section 3.15, Recreation. The following General Plan policies relating to public services apply to the Project[52]:

Goal SAF-4: Reduce the danger of property damage and loss of life due to urban and wild fires.

> **Policy SAF-4.1:** The City shall require the installation of an early warning fire alarm system in each of the following cases: *[non-applicable examples a) through c) not shown]*
>
> d) All new multi-family dwellings and other new structures having multiple sleeping units, such as hotels, motels, apartments, condominium or other community housing projects, townhouses and nursing homes.

[52] In February 2018, the City of Saratoga began the process of making minor policy updates to three elements of the City's General Plan (Land Use, Circulation, and Open Space & Conservation) and formatting the elements to provide a cohesive document. These updated elements are collectively known as the "2040 General Plan Update" but have not yet been adopted. In addition, the City is currently in the process of updating its Housing Element for the "6th Cycle" planning period extending from January 31, 2023 through January 31, 2031, and updating its Safety Element to reflect the updated Housing Element. On February 28, 2022 the City published a Notice of Preparation of a Draft Program Environmental Impact Report for the 6th Cycle Housing Element, Safety Element, and 2040 General Plan Update. At present, there is no confirmed timeframe for completion and certification of the Program EIR and adoption of the updated General Plan elements; therefore, the policies cited within this EIR reflect the current General Plan Elements.

e) Any existing multi-family dwelling or other existing structure having multiple sleeping units as described in Paragraph (d) above, which is expanded by fifty percent or more in gross area.

Policy SAF-4.5: The City shall continue to enforce existing regulations pertaining to hazardous fire areas (wildland-urban interface), fire retardant construction and landscaping (fuel modification).

Policy SAF-4.6: The City shall coordinate with the Santa Clara County Fire Department on the need for additional fire prevention regulations for the built up, populated areas of the City.

3.14.3 Project Impacts and Mitigation

This section addresses the following potential impacts relating to public services:

- **Impact PS-1:** Impacts associated with provision of or need for new or altered government facilities

Impact PS-1: Impacts associated with provision of or need for new or altered government facilities

Impact PS-1 would be **less than significant**. No mitigation is required.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project would have a significant impact on public services if it would result in substantial adverse physical impacts associated with the provision of or need for new or physically altered government facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:

- Fire protection
- Law enforcement protection
- Schools
- Parks
- Other public facilities.

The analysis for this impact therefore focuses on whether any increased demand for public services resulting from the Project would require new or expanded facilities to be constructed, and if so, whether there would be potential for adverse physical impacts on the environment.

Impact Analysis

Fire Protection

SCCFD serves the existing SRC campus and surrounding areas and would continue to serve the proposed Project. The Project would include 52 new residential units at the SRC campus, which, as discussed in Section 3.13, Population and Housing, would increase the residential capacity of the SRC campus by up to 89 residents compared to existing conditions (although there would also be a reduction in up to 45 skilled nursing and memory care beds at the site,

which would partially offset this increase). Based on the ratio of existing SCCFD call volumes from the SRC campus to the current number of units and residents on site[53] the Project would be anticipated to generate approximately 51 to 73 additional calls per year, compared to the existing annual call volume for the Saratoga Station (1859 in the year 2020 and 1881 in the year 2021). Such an increase in call volumes (approximately 2.7 to 3.9 percent) is not anticipated to require the expansion of existing, or provision of new fire protection facilities as the new demand would be generated within the existing service area (i.e., infill development) and does not represent a substantial increase in service population compared to City growth projections (see Section 3.13, *Population and Housing*). In addition, both Saratoga and West Valley Stations are considered by SCCFD as "core" stations, which means that they are backfilled in the event that either station remains unoccupied for a given length of time based on projected on scene commit times[54].

As discussed in Section 3.16, Transportation, Project operation would not result in substantial additional vehicular traffic on local roadways. The SCCFD's emergency response vehicles can override traffic controls with lights, sirens, and signal pre-emption, as well as to travel in opposing travel lanes during congested conditions. SCCFD is also working towards implementing a new automated vehicle locator Computer Aided Dispatch that will dispatch based on closest projected unit, which is anticipated to improve response times over the current system (Kerdkaew 2022). Therefore, the Project would not substantially increase emergency response times such that existing fire protection service facilities would need to be expanded or new facilities constructed. Furthermore, any future expansion of existing, or provision of new fire protection facilities would be required to obtain all necessary environmental permits and clearances, including CEQA analysis.

Because the Project would not substantially increase call volumes or increase response times such that new or expanded fire protection facilities would need to be constructed, the impact related to fire protection services would be **less than significant**.

Law Enforcement Services

The proposed Project would result in new residents onsite that could result in an incremental increase in police service calls from the SRC campus, such as in response to residential thefts and disturbances. The proposed Project would address typical residential security concerns by providing low-intensity security lighting throughout campus and continuing existing on-site security measures, such as help call systems which are monitored by on-site security staff, security camera and door locking systems, and night-time patrols by a private security firm (Dalengas, pers. comm. 2022).

The addition of up to 89 new individuals at the Project site could result in a slight increase in calls for service. However, as discussed in Section 3.13, *Population and Housing*, the Project would not result in a substantial increase in unplanned population growth. Thus, the additional demand on police protection services is anticipated to be minimal and would not affect the SCCSO's ability to maintain acceptable service ratios or response times and would not result in the need for new or expanded police facilities. Therefore, the Project would not result in any

[53] Based on 2021 data, which result in more conservative ratios than data for 2020, the SRC campus generated approximately 0.82 emergency calls per person or 0.98 calls per unit.
[54] Commit times are a factor of reliability and are measured from the moment a unit is dispatched to an incident until such time that the unit is available to respond to another incident.

physical impacts related to the need for new or alteration of existing law enforcement facilities. As such, the Project's impact to law enforcement services would be **less than significant**.

Schools

The proposed Project is a residential care facility for the elderly, and the incoming residents would be senior citizens. These residents are unlikely to have school-age children that would be attending public schools. It is possible that staff of the facility would have school-aged children who would attend schools in one of the nearby school districts. However, as discussed previously in Section 2.3.6, *Facility Operations*, the Project would result in an overall small reduction in the number of employees onsite compared to existing conditions and therefore, would not result in significant changes in local school enrollment and impacts to school facilities.

In addition, the need for additional school facilities is addressed through compliance with school impact fee assessment. SB 50 (Chapter 407 of Statutes of 1998) sets forth a state school facilities construction program that includes restrictions on a local jurisdiction's ability to condition a Project on mitigation of a Project's impacts on school facilities in excess of fees set forth in the Government Code. These fees are collected by school districts at the time of issuance of building permits for commercial, office, and residential Projects. Pursuant to Government Code Section 65995, the Project Applicant shall pay developer fees to the appropriate school districts at the time building permits are issued, as necessary. Therefore, the Project's impacts to schools would be **less than significant**.

Parks and Recreation

See Section 3.15, *Recreation*, for an evaluation of the Project's impacts on parks and recreational facilities.

Other

The addition of approximately 89 residents could result in a minor increase in demand for library services. However, library service needs are changing with increasing resources being available online and the availability of high speed internet services. Therefore, the additional people on the Project site would not necessarily result in an incremental increased need for public library resources/services or square footage of public library space, particularly given that a private library is provided on-campus for SRC residents (SRC 2021).

Several additional community facilities are also located in the City. The Saratoga Area Senior Coordinating Council operates both the Saratoga Adult Care Center and Saratoga Senior Center, which serves the needs of seniors. The Saratoga Senior Center provides access to physical, social, and educational activities. In addition, it provides services related to health, finance, legal assistance, and library lending. The Saratoga Adult Care Center provides structured activity programs for seniors ages 60 and older with physical and cognitive limitations who are unable to use the services of the Saratoga Senior Center.

The SRC campus provides many of the services traditionally provided by public libraries and community senior services onsite within the SRC campus, including a computer learning center, library, activity and games room, and an arts/crafts studio. Thus, any increase in demand for public library and other public services from the proposed Project likely would be met onsite and if other offsite public services are needed, the minor increase in the number of residents would not be significant relative to citywide demand, would be accommodated with existing facilities,

and would not require their alteration or new construction that could result in significant environmental impacts. As such, impacts to other public facilities would be **less than significant**.

3.14.4 Cumulative Impacts and Mitigation

The following discussion analyzes the potential of the Project to contribute to cumulative impacts for the following public service impacts where the Project would have a less-than-significant or potentially significant impact:

- **Impact C-PS-1:** Contribution to cumulative effects related to Public Facilities

Cumulative Impact C-PS-1: Cumulative Impacts on Public Facilities

The overall cumulative impact would be **less than significant**. No mitigation is required.

Cumulative Context

The geographic context for analysis of cumulative impacts related to public facilities are the respective service areas for the SCCFD (fire protection services), SCCSO (law enforcement), SUSD and Los Gatos-Saratoga Joint Union High School District (schools), and the City (parks and recreation, other public services).

Cumulative Impact Analysis

New development and redevelopment projects would result in increased demand on public services in the City. However, the proposed Project and cumulative projects would be subject to California Fire Code and City Municipal Code fire protection requirements; and would individually be required to contribute to the City's tax revenues, which would assist in financing additional facilities, equipment, and/or personnel as needed to meet additional law enforcement requirements in the City, similar to the proposed Project. Through assessments of the City's capital improvement needs and annual budget review process, the needs of SCCFD and SCCSO would be assessed, and budget allocations would be revised accordingly to ensure that adequate levels of fire protection and law enforcement services—including protection facilities, equipment, and/or personnel—are maintained throughout the City. Similarly, cumulative projects would be required to pay impact fees to the school districts in compliance with Government Code Section 65995. Therefore, impacts from the proposed Project would not combine impacts from other related Projects to result in a cumulative impact related to the need for new or physically altered public services facilities.

In addition, as discussed previously, library service needs are changing with increasing resources being available online and the availability of high speed internet services. Thus, it is anticipated that existing library services would accommodate the additional population that would occur from the proposed Project in combination with the cumulative projects. Property taxes and assessments fund the library's operations.

Therefore, when considered in conjunction with the effects of past Projects, other current Projects, and probable future Projects, the Project's cumulative impact to public services would be **less than significant**.

3.15 Recreation

This section describes the existing recreation setting of the Project area and evaluates whether the Project would result in adverse effects on recreation.

The following comments relating to recreation and open space were received during the public scoping period in response to the Notice of Preparation:

- Concerns regarding loss of green space, open space, and recreational facilities including the "Historic Odd Fellows Park" area and associated picnic tables, bocce ball courts, putting green, horseshoe pits, etc.
- Concerns that the Project is counter to several of the "Saratoga Values" approved by Council each year including loss of open space and recreation space.
- Request that discussion about the "construction of a new trail" be included in the EIR.

3.15.1 Environmental Setting

The Parks Division of the City's Public Works Department is responsible for maintaining the City's parks, trails, medians, rights-of-way, landscape districts, and City Hall. This division maintains and operates 87 acres of parkland, 63 of which currently operate as City parks. There are 14 neighborhood parks (10 acres and smaller) within the City, and three parks greater than 10 acres in size (Central Park, Hakone Gardens, and Kevin Moran Park).

The closest existing parks to the Project site are Gardiner Park and Heritage Orchard. Gardiner Park is small 1.2-acre neighborhood park on Portos Drive approximately one mile north of the Project site. Heritage Orchard is 17 acres in size and is approximately one-mile northwest of the Project site.

In addition to parks, the City also maintains a network of trails and open wilderness spaces. The San Marcos Open Space area includes approximately 10 acres of natural open space between Crisp Avenue and Gypsy Hill Road, approximately 300 feet southeast of the Project site. It contains a 0.6-mile loop trail (the San Marcos Open Space Trail) that connects with other City trails along Gypsy Hill Road and Chester Avenue (City of Saratoga 2010a). Other nearby trails include the Heritage Loop Trail, which is a 4.5-mile pedestrian trail that parallels Saratoga Avenue, Fruitvale Avenue, and Saratoga-Los Gatos Road (City of Saratoga 2010b).

Recreational activities within the City are managed through a partnership between the City and Los Gatos-Saratoga Community Education and Recreation, which provides fee-based public recreation programs for the Saratoga, Los Gatos, Monte Sereno, and Los Gatos mountain communities. The Joan Pasani Community Center, approximately 0.8 mile northwest of the Project site, provides a variety of recreational classes for all ages, as well as senior-focused services provided by the Saratoga Area Senior Coordinating Council.

In addition to City parks, there are several regional and County parks that, while not owned by the City, are located partially within or near the City's boundaries, which provide an additional source of public parkland and open space for recreational use, including the 739-acre Fremont Older Open Space Preserve, the 1,614-acre El Sereno Preserve, the 3,453-acre Sanborn

County Park, as well as 175 acres of woodland hiking trails and gardens associated with Villa Montalvo.

The SRC campus also provides a variety of onsite recreational amenities for their residents' use, including an outdoor area with a bocce ball court, picnic tables, putting green, a rose garden, and horseshoe pits. The SRC campus also provides indoor recreational amenities, such as an arts and crafts studio, woodworking shop, and a library. The campus also features an on-site fitness center which includes exercise equipment, a saline indoor pool and spa. The fitness center includes a comprehensive wellness program with exercise classes, as well as activities for intellectual and emotional wellness (SRC 2021).

3.15.2 Regulatory Framework

Federal

There are no relevant federal regulations regarding recreation applicable to the Project.

State

There are no relevant state regulations regarding recreation applicable to the Project.

Local

City of Saratoga General Plan

The Open Space and Conservation Element of the City's General Plan provide objectives, policies, and programs regarding recreational facilities. The following General Plan policies relating to recreational facilities apply to the Project[55]:

Goal OSC 2: To preserve the City's existing character which includes small town residential, rural/semi-rural areas and open spaces.

> **Policy OSC 2.1:** Ensure that all development proposals, public and private, are sensitive to the natural environment and the community's open space resources.

Goal OSC 3: To provide and maintain parks and a variety of passive and active recreational sites which are located, designed, and improved to serve the needs of the residents, the community, and the neighborhoods of Saratoga.

> **Policy OSC 3.1:** Ensure that existing and future parks and dedicated open spaces remain part of the public domain in perpetuity.
>
> **Policy OSC 3.3:** Promote retention and dedication of land which provides room for a variety of passive and active recreational pursuits and offers important opportunities for the fulfillment of human and psychological needs, including:

[55] In February 2018, the City of Saratoga began the process of making minor policy updates to three elements of the City's General Plan (Land Use, Circulation, and Open Space & Conservation) and formatting the elements to provide a cohesive document. These updated elements are collectively known as the "2040 General Plan Update" but have not yet been adopted. In addition, the City is currently in the process of updating its Housing Element for the "6th Cycle" planning period extending from January 31, 2023 through January 31, 2031, and updating its Safety Element to reflect the updated Housing Element. On February 28, 2022 the City published a Notice of Preparation of a Draft Program Environmental Impact Report for the 6th Cycle Housing Element, Safety Element, and 2040 General Plan Update. At present, there is no confirmed timeframe for completion and certification of the Program EIR and adoption of the updated General Plan elements; therefore, the policies cited within this EIR reflect the current General Plan Elements.

a. Areas of outstanding scenic value.

b. Areas of historic and cultural value.

c. Accessible areas particularly suited for parks and recreation purposes such as hiking, horseback riding, biking, swimming, tennis, ball fields and more.

d. Areas providing access to and links between major recreation, cultural and open space reservations, including trails, utility easements, banks of rivers and streams and scenic highway corridors.

Goal OSC 4: Strive to achieve a ratio of 5 acres of park and open space area per 1,000 residents.

Policy OSC 4.1: Promote dedication of land for parks and recreational open space.

Goal OSC 5: A city-wide system of hiking, bicycling, and horseback riding trails shall be provided within the community which includes regional trail linkages with City, County, State, and regional parks, and other publicly owned open space lands.

Policy OSC 5.4: Trails shall be established along traditional routes whenever feasible, consistent with the Parks and Trails Master Plan, and in a manner that insures linkages to existing and proposed trails.

Policy OSC 5.5: Trail development, patrol, and maintenance responsibilities shall be coordinated with all entities involved in each trail segment. In most cases, development responsibilities shall be borne by the property owner with maintenance activities undertaken by the City.

Policy OSC 5.6: Trails shall be located, designed, and developed with sensitivity to the resources and environmental hazards of the areas they traverse, as well as their potential impacts on adjacent lands and private property, including potential impacts to private property owners' privacy and security. Trails shall be designed to City specifications, require minimal grading, and include effective erosion control measures.

Policy OSC 5.7: The City shall regulate developments along designated trails in order to provide sufficient trail right-of-way and ensure that development adjacent to the corridors does not detract from the scenic and aesthetic qualities of the corridor.

Policy OSC 5.9: Whenever feasible, trails shall be designed and developed to meet the accessibility needs of all segments of the population.

City of Saratoga Municipal Code

Chapter 11, *Parks and Recreation*. The purpose of the Parks and Recreation chapter of the City's Municipal Code is to define acceptable and prohibited activities within City parks and recreational facilities. The chapter sets forth general regulations and permit requirements for special recreation activities, including sports and group uses. In order to preserve and prevent incidents of fire and loss of parkland, the chapter specifically states that use of tobacco is prohibited in recreational areas, which are defined as any outdoor area that is open to the public for recreational purposes. This includes parks and trails.

3.15.3 Project Impacts and Mitigation

This section addresses the following potential impacts relating to recreation:

- **Impact REC-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?
- **Impact REC-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?

Impact REC-1: Increased Use of Recreational Facilities

Impact REC-1 would be **less than significant**. No mitigation is required.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would 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.

Impact Analysis

The Project would result in the addition of between 44 and 89 new residents at the SRC campus; however, as discussed in Section 3.13, Population and Housing, the Project would not result in substantial unplanned population growth within the City as the projected total population following Project buildout would be similar to the previously approved capacity of the SRC campus under the 1995 Master Plan.

The proposed Project would include the creation of a public trail along Odd Fellows Drive that would connect the Heritage Loop trail along Fruitvale Avenue with the San Marcos Open Space trail, via Chester Avenue and Gypsy Hill Road. This proposed connection between the two existing public trails could result in an increase in the use of such trails by Project residents and by the general public. However, such a trail connection has long been planned by the City and is identified as a proposed City trail in the 2007 General Plan Open Space Element. The existing network of sidewalks and paved walkways within the campus would be maintained and/or altered to accommodate the proposed new buildings and internal roadways, and would provide access to this new trail connection.

The Project would also add a new exercise room to the existing fitness center on campus, which would increase the capacity and/or types of recreational offerings available to existing and future residents. The proposed construction of Building A would displace the existing outdoor private recreational facilities (e.g., bocce ball court, putting green, horseshoe pits, picnic tables). These facilities would be reconstructed elsewhere on campus, although some of the reconstructed facilities may be of a smaller size than the existing facilities. Nevertheless, given the wide range of indoor and outdoor private recreational activities available on campus for the existing and future residents' use, and the minor proposed increase in campus residents, the Project is not anticipated to cause a substantial increase demand for public open space and recreational facilities within the City.

As described in Section 3.15.1 above, there are approximately 28 acres of existing public park facilities within one mile of the Project site, as well as several City trails and other recreational facilities and larger regional open space areas such as the nearby Fremont Older Open Space Preserve and the Villa Montalvo grounds within driving distance of the project site. As a result, any minor potential increase in demand for public off-site park and recreational facilities by SRC residents would be dispersed among existing parks and recreational facilities, thereby minimizing substantial impacts on a single existing public recreational facility.

Based on the provision of new private indoor recreational facilities on campus, the availability of existing public park and recreation facilities within proximity to the Project site, the new public trail connection that would be provided along Odd Fellows Drive as part of the Project, and the limited number of new residents on the Project site compared to City projections, implementation of the Project is not anticipated to increase the use of existing neighborhood and regional parks or other public recreational facilities such that substantial physical deterioration of such facilities would occur or be accelerated. Therefore, the impact would be **less than significant**.

Impact REC-2: Construction or Expansion of New Recreational Facilities

Impact REC-2 would be **less than significant**. No mitigation is required.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project would have a significant impact if it would include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

Impact Analysis

As described previously, the SRC campus has its own private fitness center, and outdoor areas with recreational amenities for SRC residents' use including a bocce ball court, picnic tables, putting green, and horseshoe pits.

The Project proposes to expand the existing fitness center to include a yoga/wellness room. The existing bocce ball court, putting green, picnic tables, and horseshoe pits would be demolished to create space for proposed Building A, and smaller replacement facilities would be constructed to the west of Building A. These relocated recreational facilities are for the private residents of the SRC and would not have an adverse physical effect on the environment, as they would be constructed on previously disturbed areas as part of the overall development of the proposed Project.

In addition, the Project would provide a public trail connection along Odd Fellows Drive, connecting the existing Heritage Trail Loop pedestrian trail along Fruitvale Avenue with the existing pedestrian trail on Chester Avenue that connects with the San Marcos Open Space Loop trail. Creation of the trail connection would largely involve the dedication of a public easement for pedestrian access along the existing pedestrian sidewalk along Odd Fellows Drive (which is currently a private right-of-way) and installation of way-finding signage. The proposed trail connection would not require the acquisition of additional land or City right-of-way to be constructed and would not require substantial grading or earthwork.

The impacts of development of these recreational amenities are considered part of the impacts of the proposed Project as a whole and are analyzed throughout the various sections of this EIR.

For example, activities such as excavation, grading, and construction, as required for the park and recreational components of this Project, are analyzed in the Air Quality, Greenhouse Gas Emissions, Noise, and Transportation Sections. No additional impacts on the environment would result from the construction of the proposed private recreational amenities beyond those already discussed within this EIR.

The Project would also not require the construction of new, or expansion of existing, public recreational facilities in the City. As discussed above for Impact REC-1, any increased demand for public recreational facilities as a result of the Project would be dispersed among existing parks and recreational facilities and would not be substantial enough to warrant the expansion of existing, or construction of new, public recreational facilities. Thus, the proposed Project would not result in any substantial adverse physical effect on the environment from the construction of new recreational facilities. As a result, the impact would be **less than significant**.

3.15.4 Cumulative Impacts and Mitigation

This section addresses the following potential cumulative impacts[56] relating to recreation:

- **Impact C-REC-1:** Cumulative effects related to increased use, or the construction or expansion of recreational facilities

Cumulative Impact C-REC-1: Increased Use or the Construction or Expansion of Recreational Facilities

The overall cumulative impact for C-REC-1 would be **potentially significant**, however, the Project's contribution would be **less than cumulatively considerable**.

Cumulative Context

The geographic context for analysis of cumulative impacts related to recreational facilities is the City limits.

Cumulative Impact Analysis

As described previously, there are 87 acres of existing parkland within the City, including 63.5 acres of City Parks and a network of open wilderness areas and trails. Based on the 2020 City population of 31,030, this equates to approximately 2.8 acres of parkland per 1,000 residents, which is substantially below the City's goal of 5 acres per 1,000 residents. High land costs and the limited amount of undeveloped land pose challenges to the City in seeking to attain its goal.

Cumulative development within the City would further increase the population of the City which would result in an associated incremental increase in the demand for public recreational facilities. Cumulative projects involving residential subdivision are required to comply with the City's requirements for parkland dedication (Saratoga Municipal Code, Section 14-25.080), which require dedication of land or payment of fees in lieu for the purpose of providing park or recreational facilities. However, because not all cumulative projects resulting in increased population (including the proposed Project) would be subject to the parkland dedication requirements, the overall increase in demand could result in increased physical deterioration of

[56] Note that Project-level impacts have been combined for the purposes of cumulative analysis. Cumulative impact C-REC-1 addresses the same issues as Project-level impacts REC-1 and REC-2.

existing recreational facilities or require the construction of new facilities. The overall cumulative impact could be **potentially significant**.

As discussed for Impact REC-1 above, the proposed Project is not anticipated to result in a substantial increase in the demand for offsite public park and recreational facilities, due to the small number of additional residents (between 44 to 89), and because the SRC campus already provides a variety of recreational facilities and activities for its residents on site, and would also offer these services to future Project residents.

In addition, as discussed in Section 3.13, Population and Housing, the Project would not result in substantial unplanned growth due to the City having previously approved a similar residential capacity at the site under the 1995 Master Plan, which has not been fully realized. Therefore, the Project's impact would be **less than cumulatively considerable**.

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3.16 Transportation

This section describes the existing conditions relating to transportation and analyses whether Project would result in adverse impacts on transportation-related facilities. The following comments relating to transportation were received during the public scoping period in response to the Notice of Preparation:

- Concerns regarding traffic disruption (including emergency access), and traffic and pedestrian safety impacts during construction. Particular concerns included:
  - construction-related impacts from previous construction activities at the SRC campus were not well managed and neighboring landowners are concerned that similar impacts will occur with this Project.
  - the entire campus would become a construction zone, with particularly bad congestion at the Odd Fellows Drive/West Cottage Lane intersection, through which all traffic entering the SRC facility and neighboring Fellowship Plaza must pass.
  - contractors would park on campus, which is already a problem with existing contractors at the site for maintenance and/or repairs, particularly at Buildings 4000 and 5000.
  - existing traffic safety concerns on San Marcos Road would be exacerbated by construction traffic (particularly big trucks).
  - construction traffic would cause additional traffic safety issues for elderly residents walking around the campus.
- Concern regarding traffic safety and emergency access as a result of additional population being added to a “flag lot” with limited access, and potential cumulative impacts associated with future construction of 80 new residential units on the adjacent Fellowship Plaza property, which uses the same access.
- Concern that reducing the number of assisted living facilities and increasing number of independent living facilities would cause increased traffic and parking issues.
- Concern that the Project would add more “intersections” (driveways) within the internal roading network and potential for increased safety issues for pedestrians and drivers.

3.16.1 Environmental Setting

The City has a transportation system that is largely based around a network of two-lane roadways that do not include sidewalks or bicycle facilities that are connected to surrounding communities with larger four to six-lane arterial roadways. As the City and surrounding areas have developed, travel demand into and through the City has increased, and the focus has shifted from auto-only modes of transportation to pedestrian, bicycle, and transit as ways to travel to popular local and regional destinations.

The current use of each travel mode is presented below followed by descriptions of each component; including roadways, bicycle, and pedestrian networks; and public transit services and facilities.

Regional Access

Regional access to the Project site is provided from Interstate 280 and SR 85 (SR-85). Local access from these highways to the Project site is along Quito Road, Saratoga Avenue, and Saratoga-Los Gatos Road (SR-9). Major roadways in the vicinity of the Project site are Fruitvale Avenue and SR-9.

- SR-85 is a six-lane freeway linking U.S. Highway 101 in Mountain View to U.S. Highway 101 in south San Jose. The median lane (also known as inside lane or far left lane) in both directions is designated for use by High Occupancy Vehicles and motorcycles during peak periods. High Occupancy Vehicles include carpools, vanpools, and buses. Full access via ramps is provided at Saratoga Avenue between Fruitvale and Cox Avenues. Just north of the City, full-access ramps are also provided at De Anza Boulevard in Cupertino, with a direct connection via Saratoga-Sunnyvale Road.
- Saratoga-Los Gatos Road (SR 9) is a boulevard extending from Quito Road to Saratoga Avenue and trending approximately northwest to southeast in the vicinity of the Project site. North of Fruitvale Avenue the roadway has two travel lanes, and south of Fruitvale Avenue, the roadway continues into Monte Sereno and Los Gatos as a four-lane median divided boulevard and connecting to SR-17.
- Saratoga Avenue runs in a northeast/southwest direction and is designated as a boulevard between SR-85 and Fruitvale Avenue. To the southwest of Fruitvale Avenue, Saratoga Avenue continues as a two-lane connector street and connects with SR-9. The posted speed limit is 40 miles per hour (mph) between SR-85 and Fruitvale Avenue, and 35 mph between Fruitvale Avenue and Saratoga-Los Gatos Road (Fehr and Peers 2020).

Local Access

Local access to the Project site is provided by Fruitvale Avenue and San Marcos Road. Direct access to the Project site is provided from Odd Fellows Drive, a private right-of-way that branches off from San Marcos Road and provides access to both the SRC campus (the Project site) and the neighboring Fellowship Plaza senior residential community. These roadways are described below.

- Fruitvale Avenue is a minor arterial street that extends from north to south linking Saratoga Avenue to Saratoga-Los Gatos Road (SR 9). This street includes four lanes from Saratoga Avenue near the library to Burgundy Way. South of this location, Fruitvale Avenue narrows to two lanes. Fruitvale Avenue is divided by a raised median between San Marcos Road and Saratoga Avenue. Fruitvale Avenue provides primary access to West Valley College and also serves the Redwood Middle School, Post Office, and Saratoga City Hall at Allendale Avenue. The posted speed limit is 35 mph (Fehr and Peers 2020).
- San Marcos Road is a short local road connecting Odd Fellows Drive to Fruitvale Avenue. San Marcos Road continues past the Odd Fellows Drive connection, parallel to and north of Odd Fellows Drive, providing the only formed public access to several residential properties and smaller cul-de-sacs.
- Odd Fellows Drive is a private access road that serves the existing SRC campus and neighboring Fellowship Plaza senior affordable housing complex. It connects to San Marcos Road in the west and terminates on the Fellowship Plaza property in the east with no through-

connection to other public roads. The driveway is approximately 20 feet in width and has a sidewalk along the southern side between San Marcos Road and Colfax Lane (another private access road). A sidewalk is present on the northern side of Odd Fellows Drive between Colfax Lane and the eastern boundary of the Project site. A small traffic circle is present at the entrance to Odd Fellows Drive from San Marcos Road.

- Chester Avenue is a two-lane north-south collector street to the northeast of the Project site, a short section of which runs approximately parallel and adjacent to Odd Fellows Drive. Chester Avenue extends from Sobey Road to Allendale Avenue and has a posted speed limit of 25 mph. There is no public vehicular access/connection between Chester Avenue and Odd Fellows Drive, however an existing emergency access gate with Knox Box[57] is present on the SRC campus just north of the assisted living building, for use by residents in emergency situations; and a similar emergency access is also present on the Fellowship Plaza property between an existing parking lot and Chester Avenue.

Existing Traffic Volumes

Hexagon Transportation Consultants, Inc. conducted trip generation counts at the existing SRC campus and surrounding intersections in February 2019[58] during both the AM and PM peak periods, as reported in Hexagon 2021 (see **Appendix F**). As shown on Table 3.16-1, the existing SRC campus is generating approximately 63 vehicle trips during the AM peak hour and approximately 67 vehicle trips during the PM peak hour. Also shown in the table are the Institute of Transportation Engineers (ITE) standard trip generation rates for Land Use Code 25: Senior Adult Housing – Attached (General Urban/Suburban) from the ITE Trip Generation Handbook, 10th Edition.

Table 3.16-1 Existing Trip Generation from Saratoga Retirement Community Facility

Land Use	AM Peak Hour			PM Peak Hour		
	In	Out	Total	In	Out	Total
Counted Trip Generation[1] (343 d.u./beds)	43	20	63	28	39	67
Counted Trip Generation Rates[2] (per d.u./bed)			0.184			0.195
ITE Senior Adult Attached Housing Rates[3] (per d.u.)			*0.200*			*0.260*

*Source: Adapted from Hexagon 2021 (see **Appendix F**).*

Acronyms: d.u. = dwelling units; ITE = Institute of Transportation Engineers.

Notes:

1. Existing trip generation counts conducted in February 2019 on a typical weekday when schools were in session.

2. The community consists of a combination of dwelling units for independent members and beds for assisting living members.

3. ITE Trip Generation, 10th Edition. Land Use Code 252: Senior Adult Housing – Attached (General Urban/Suburban) Average rates expressed in trips per dwelling unit.

As shown in Table 3.16-1, the existing facility is generating trips at rates lower than the ITE rates during the AM and PM peak hours. It should be noted that the existing senior living center

[57] A Knox Box is a small, mounted safe that holds building or gate keys for fire departments, emergency medical services, and sometimes police to retrieve and use in emergency situations. Knox Box is a brand name but is also used to refer to such emergency access provisions in general.

[58] Although the traffic counts were taken more than 2.5 years prior to the release of the Notice of Preparation for this EIR, due to changes in transportation patterns during the global coronavirus (COVID-19) pandemic, these counts are considered to adequately represent "pre-COVID" conditions. Traffic counts taken more recently would be expected to show lower traffic volumes, therefore the use of 2019 data is considered a conservative approach.

includes a range of living accommodations including independent living units (detached and attached), assisted living units (attached) and skilled nursing/memory care beds. It was not feasible to separate the trips generated by each type of living accommodations, however the comparison shows that estimating trip generation using the ITE trip generation rates would result in a conservative approach.

Existing traffic to/from the site includes private vehicles of residents and employees, deliveries and vendor trips, postal services, and garbage collection. SRC management also provides private shuttle buses for its residents as needed for their daily activities.

Vehicle Miles Traveled

VMT is a measure used extensively in transportation planning for a variety of purposes. It measures the amount of travel for all vehicles in a geographic area over a given period of time. It is calculated as the sum of the number of miles traveled by each vehicle within the specified time period. VMT is a useful performance measure, since the amount of travel and conditions under which the travel occurs directly relate to how much fuel vehicles burn[59], which in turn relates to greenhouse gas emissions and air pollution. While the percentage of electric vehicles used in Saratoga is increasing, combustion engines still make up the large majority of vehicles on Saratoga roadways.

VMT measurement has one primary limitation: it is not directly observed. Methods do not exist that can measure the trip distances of all vehicles on a given day. VMT is typically an output of a calculation – one based on the number of vehicle trips multiplied by the distance traveled by each car. The volume and distance of traffic depend on land use types, density/intensity, and patterns as well as the supporting transportation system.

The Traffic Study (**Appendix F**) estimated the average daily VMT for the Project area using the Valley Transportation Authority (VTA) VMT database, which uses the forecasted VMT for each transportation analysis zone (TAZ) in urbanized areas of Santa Clara County. The VMT database contains two types of VMT forecasts: (1) the average daily VMT per capita based on location of residence, and (2) the average daily VMT per worker based on location of work. Because the Project VMT would be generated by residents (there would be no increase in staff numbers as a result of the Project), the average daily VMT per capita is the most appropriate forecast. The existing average daily VMT per capita for the TAZ containing the Project site (TAZ 1333) is estimated to have an average daily VMT of 18.22. The average daily VMT per capita for the City as a whole is 17.97.

Level of Service

Level of Service (LOS) is a qualitative measure used to relate the quality of motor vehicle traffic service. LOS is used to analyze roadways and intersections by categorizing traffic flow and assigning quality levels of traffic based on performance measure like vehicle speed, density, congestion, etc.

In accordance with California Senate Bill 743 (SB 743), effective July 1, 2020, LOS no longer constitutes a transportation impact under CEQA. Instead, SB 743 changes the method used to

[59] Conditions influencing the amount of fuel consumed per VMT include the speed of travel, congestion stops and starts, length of trip, layover between trips, and the vehicle type and fuel economy.

measure transportation impacts associated with development and/or roadway Projects to VMT, and the bill requires California municipalities to use VMT to comply with CEQA assessments of transportation impacts.

Because VMT is now the preferred methodology for assessing transportation impacts under CEQA, programs, LOS-related impacts are not considered as part of the impact analysis under CEQA, even though such standards are still present in the City's General Plan and the VTA's Congestion Management Program (CMP). An intersection LOS and delay assessment has been prepared for the Project so that the City can evaluate other non-CEQA transportation impacts of the Project, such as congestion. The LOS and delay assessment undertaken by Hexagon Traffic Consultants, Inc. as part of their traffic study is attached to this EIR for informational purposes (Hexagon 2021, see **Appendix F**), but in accordance with SB 743 the LOS analysis has not been used to determine the significance of transportation-related environmental impacts under CEQA.

Bicycle and Pedestrian Facilities

The City generally has bicycle facilities along its major roadways, which primarily consist of a mix of bicycle lanes and bicycle routes. Figure 5 of the City's General Plan shows the location of existing and proposed bicycle facilities. The existing and proposed trails, sidewalks, and other pedestrian facilities are shown in Figure 6 of the General Plan (City of Saratoga 2007).

Bikeway planning and design in California typically relies on guidelines and design standards established by the California Department of Transportation (Caltrans), as contained in the Highway Design Manual (Chapter 1000: Bikeway Planning and Design). Caltrans standards provide for four distinct types of bikeway facilities that are comprised of shared-use path (Class I), lanes (Class II), routes (Class III), and cycle tracks or "separated" (Class IV). Bicycle paths are paved trails that are separate from roadways. Bicycle lanes are lanes on roadways designed for bicycle use by striping, pavement legends, and signs. Bicycle routes are roadways designated for bicycle use by signs only. Cycle tracks are a right-of-way within a roadway protected from other vehicle traffic by physical barriers including grade separation, flexible posts, inflexible vertical barriers such as raised curbs, or parked cars.

The following bike facilities are present in the Project vicinity:

- Class I bike paths: none.
- Class II bike lanes in the Project vicinity include:
  - Saratoga Avenue – along its entire length north of the Project site;
  - Saratoga-Los Gatos Road (SR-9) - along its entire length south of the Project site.
- Class III bike routes in the Project vicinity include:
  - Fruitvale Avenue – along its entire length west of the Project site;
  - Saratoga-Los Gatos Road (SR-9) - along its entire length south of the Project site.
- Class IV Bikeways: none.

In the vicinity of the Project site, public sidewalks are located on both sides of Fruitvale Avenue and along the northern side of the segment of San Marcos Road connecting Fruitvale Avenue

to the private right of way (Odd Fellows Drive) that provides access to the Project site. In addition, a private sidewalk is provided along the southern side of Odd Fellows Drive. Private pedestrian facilities within the SRC campus are comprised of existing sidewalks along at least one side of each internal roadway, and several crosswalks connecting them. Sidewalks in the Project vicinity provide access to the local pedestrian network and the nearby transit facilities.

Existing Transit Service

The Santa Clara VTA provides fixed-route bus and paratransit service. VTA operates bus, light rail transit, and paratransit service throughout Santa Clara County. Currently, there are four fixed bus routes (Route 37, 53, 57, and 58) and paratransit service (dial-a-ride service for qualified individuals) operating within Saratoga. Additionally, there are four routes on the northern edge of Saratoga (Routes 26, 82, 101, and 328). Figure 3 of the City's General Plan 2040 illustrates the bus routes operating within Saratoga. Four fixed bus routes terminate at the West Valley College Transit Center and only provide service along Saratoga-Sunnyvale Road, Saratoga Avenue, Saratoga-Los Gatos Road, Quito Road, and Allendale Avenue. Service is not provided on Cox Avenue, the majority of Fruitvale Avenue, and the southern half of Quito Road.

Paratransit service is operated under contract with OUTREACH, a private, non-profit paratransit broker. This door-to-door service is provided to riders who meet the eligibility requirements established by the Americans with Disabilities Act. In 2016 the City launched a pilot program for seniors 65 years and older to provide a subsidized taxi service for seniors. In 2017, VTA launched Reach Your Destination Easily, which offers rides to medical appointments, errands, and other activities around the Project vicinity.

The West Valley College Transit Center at West Valley College provides a park-and-ride lot for VTA bus riders and has other amenities such as shelters and restrooms for bus drivers. The Transit Center is strategically located at the corner of Fruitvale Avenue and Allendale Avenue, and driveway access is available on both roadways to facilitate bus movement. Currently, sidewalks and trails, and bike routes along Fruitvale Avenue and Allendale Avenue provide pedestrian and bicycle access to the transit center.

The closest bus stop to the Project site is located at the corner of Fruitvale Avenue and Allendale Avenue, and provides access to four fixed bus routes (Route 37, 53, 57, and 58).

A single rail line is present within the City, which extends generally parallel to SR-85 between Prospect Road and Quito Road. The rail line crosses six streets in Saratoga with one grade separation (Saratoga Road), four at-grade crossings with gates (Prospect Road, Saratoga-Sunnyvale Road, Glen Brae Drive, and Quito Road), and one at-grade crossing with lights but no gates (Cox Avenue). The railroad is currently operated by Union Pacific Company and is only used by the Lehigh Permanente Quarry and Cement Plant (formerly Kaiser-Permanente). Trains run between Milpitas and the Quarry on Mondays, Wednesdays, and Fridays at 9:00 a.m., and the trains return at around 2:00 p.m. Trains do not stop within Saratoga and do not substantially impact vehicular traffic.

3.16.2 Regulatory Framework

Federal

There are no relevant federal regulations regarding transportation applicable to the Project.

State

Congestion Management Program

California Statute, Government Code 65088 requires that all urbanized counties in California prepare a Congestion Management Program to obtain each county's share of the increased gas tax revenues. The legislation requires that each Congestion Management Program contain the following five mandatory elements: 1) a system definition and traffic level of service standard element; 2) a transit service and standards element; 3) a trip reduction and transportation demand management element; 4) a land use impact analysis program element, and 5) a capital improvement element. The Santa Clara County Congestion Management Program includes the five mandated elements and three additional elements, including a county-wide transportation model and database element, annual monitoring and conformance element, and a deficiency plan element.

The intent of the Congestion Management Program legislation is to develop a comprehensive transportation improvement program among local jurisdictions that will reduce traffic congestion and improve land-use decision-making and air quality.

Senate Bill 743

SB 743, which became effective September 2013, initiated reforms to the CEQA Guidelines to establish new criteria for determining the significance of transportation impacts that "promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses." Specifically, SB 743 directed the Governor's Office of Planning and Research to prepare, develop, and transmit to the California Natural Resources Agency for certification and adoption of proposed changes to the CEQA Guidelines to replace automobile delay—as described solely by LOS or similar measures of vehicular capacity or traffic congestion—with VMT as the recommended metric for determining the significance of transportation impacts. The intent of the change is to appropriately balance the needs of congestion management with statewide goals related to infill development, the promotion of public health through active transportation, and the reduction of greenhouse gas emissions.

SB 743 required the Governor's Office of Planning and Research to identify new metrics for identifying and mitigating transportation impacts for CEQA purposes. For land-use projects, the Governor's Office of Planning and Research identified VMT per capita, VMT per employee, and net VMT as new metrics for transportation analysis. For transportation Projects, lead agencies for roadway capacity Projects have discretion, consistent with CEQA and planning requirements, to choose which metric to use to evaluate transportation impacts.

VMT is the total miles of travel a project is expected to generate in a day during Project operations. VMT is calculated using the Origin-Destination VMT method, which measures the full distance of motorized vehicle trips with one end within the Project site. When assessing a residential Project, the Project's VMT is divided by the number of residents expected to occupy the Project to determine the VMT per capita of the Project. When assessing an office or industrial Project, the Project's VMT is divided by the number of employees expected to occupy the Project to determine the VMT per employee of the Project. When assessing a retail, hotel, or school Project, the Project's total VMT, as opposed to a per-capita or per-employee VMT metric, is usually employed. The total VMT for the region with and without the Project is calculated. The

difference between the two scenarios is the net change in total VMT that is attributable to the Project. Construction-related travel is not included in VMT because it is temporary.

The Governor's Office of Planning and Research prepared CEQA Guidelines implementing SB 743, and the California Natural Resources Agency certified and adopted the new CEQA Guidelines in December 2018. Statewide implementation began July 1, 2020.

Section 15064.3 of the Guidelines provides discretion for a lead agency to determine how to evaluate a Project's VMT impacts. The new guidelines state that automobile delay, as measured by LOS, will no longer constitute a significant environmental impact under CEQA, and that VMT is considered the most appropriate metric to evaluate a project's transportation impacts. The legislation is intended to promote infill development, a diversity of land uses, transit, active transportation modes while reducing greenhouse gas emissions. Governor's Office of Planning and Research (OPR) recommends the following threshold for residential projects:

"A proposed project exceeding a level of 15 percent below existing VMT per capita may indicate a significant transportation impact. Existing VMT per capita may be measured as regional VMT per capita or a city VMT per capita."

Notwithstanding OPR's recommended threshold, lead agencies have the discretion to choose the VMT analysis methodology and to set or apply their own thresholds of significance.

Local

Metropolitan Transportation Commission

The MTC is the Bay Area's regional transportation planning agency and federally designated Metropolitan Planning Organization. MTC is responsible for preparing the Regional Transportation Plan, a comprehensive blueprint for the development of mass transit, highway, airport, seaport, railroad, bicycle, and pedestrian facilities. The Regional Transportation Plan is a 20-year plan that is updated every three years to reflect new planning priorities and changing Projections of future growth and travel demand. The long-range plan must be based on a realistic forecast of future revenues, and the transportation Projects taken as a whole must help improve regional air quality. The MTC also screens requests from local agencies for State and federal grants for transportation Projects to determine compatibility with the Regional Transportation Plan.

Plan Bay Area 2050

Plan Bay Area 2050 is a State-mandated, integrated long-range transportation and land use plan. As required by SB 375, all metropolitan regions in California must complete a Sustainable Communities Strategy as part of an Regional Transportation Plan. In the Bay Area, the MTC and the ABAG are jointly responsible for developing and adopting a Sustainable Communities Strategy that integrates transportation, land use and housing to meet greenhouse gas reduction targets set by the CARB.

Santa Clara Valley Transportation Authority

The VTA is an independent special district that provides transportation options throughout Santa Clara Valley and oversees several transportation programs such as the Congestion Management Program, Bicycle Program, and Pedestrian Program.

The Congestion Management Program describes the VTA's strategies for addressing congestion problems and monitoring compliance. It contains LOS standards for highways and arterials, multimodal performance standards, a capital improvement program, and a travel demand management program (VTA 2017). Although the primary focus of the congestion management program was originally envisioned as reducing congestion and thus improving mobility for persons and freight, it recognizes the inextricable links between transportation, land use, and air quality. Over time, congestion management programs in the Bay Area have evolved to emphasize an overall reduction in single-occupant vehicle trips and an increase in pedestrian, bicycle, and transit mode share in addition to managing congestion.

The VTA prepared the Santa Clara Countywide Bicycle Plan and Bicycle Technical Guidelines. The Santa Clara Countywide Bicycle Plan provides a foundation for maintaining and enhancing the countywide bicycle network, which contains over 800 miles of bikeways (VTA 2018). The Bicycle Technical Guidelines contains standards and provides guidance for planning, designing, operating, retrofitting, and maintaining roadways and bikeways throughout the county.

The VTA's Pedestrian Program works to make walking a safer, more comfortable option for County inhabitants, and recognizes that a safe and comfortable walking environment is important for everyone, but particularly important for transit riders and people with mobility impairments. The Pedestrian Program supports walking through countywide planning, development of pedestrian design guidelines and best practices, and focused studies.

The VTA has also developed a Countywide VMT Evaluation Tool designed to assist local agencies in screening and estimating project-generated VMT for certain types of land use projects in Santa Clara County, and calculating VMT reductions associated with certain VMT-reducing measures.

City of Saratoga Circulation Element and Scenic Highway Element: Background Report/Goals, Policies, and Implementation Measures, November 2010

Currently, the Circulation and Scenic Highway Element of the City's General Plan (City of Saratoga 2010) addresses all travel modes and includes the goals, policies, and implementation programs that guide the development and maintenance of the transportation system. It has established a minimum acceptable operation level of LOS D at all signalized street intersections and roadway segments that are under City jurisdiction. However, the City recognizes that in some cases it may not be practical or feasible to implement improvements to maintain LOS D operations, or that improvements to maintain LOS D would conflict with existing or planned bicycle, pedestrian, or transit facilities and services. In those cases, the City may consider accepting a lower LOS. Intersections and roadways within the City limits but under County or State jurisdiction (i.e., identified in the Santa Clara County CMP) are held to a LOS E standard. However, a proposed development that exacerbates LOS E or F operations and causes a significant intersection impact should also be considered for approval if it will provide a clear, overall benefit to the City.

City of Saratoga General Plan

The City requires proposed residential Projects of 10 or more units or non-residential Projects of 6,000 square feet or more to prepare a transportation impact analysis to evaluate the effect of these Projects on the current transportation system. In addition, City staff has the discretion to require focused studies regarding access, sight distance, and other operational and safety

issues, in addition to or in lieu of roadway/intersection capacity analysis. The transportation impact analysis process allows the City to request specific transportation improvements from private developers based on the relative impact of the Project.

To set clear and consistent expectations, the City plans to develop and implement Citywide multi-modal transportation impact analysis guidelines that are complimentary with Santa Clara Valley Transportation Authority's (VTA's) transportation impact analysis guidelines and require development Projects to mitigate and reduce their respective traffic, multi-modal, and parking impacts. These guidelines have not yet been developed or adopted.

The Circulation and Scenic Highway Element of the City's General Plan provides objectives, policies, and programs regarding transportation.

The following General Plan policies relating to transportation apply to the Project:

Goal CI.1a: Provide a balanced, multi-modal transportation system in Saratoga to maintain mobility for all segments of the community and to maintain the City's small-town character.

Goal CI.1b: Encourage healthy, active living, reduce traffic congestion and fossil fuel use, and improve the safety and quality of life of residents of the City by providing safe, convenient, and comfortable routes for walking, bicycling, and public transportation.

> **CI-Policy-1.1:** The City shall encourage and participate in the implementation of a variety of modes of transport to serve Saratoga.
>
> **CI-Policy-1.2:** Encourage development of cooperation strategies to support local and regional transportation solutions and improvements.
>
> **CI-Policy-1.3:** Provide safe, convenient, and comfortable routes for walking, bicycling, and public transportation that encourages increased use of these modes of transportation, enable convenient travel as part of daily activities, improve public welfare by addressing a wide array of health and environmental problems, and meet the needs of all users of the streets, including children, older adults, and people of disabilities.

Goal CI.2a: Facilitate the safe movement of vehicular traffic within and through the City, taking into consideration the environmental, historical, and residential integrity of the City to maximize benefits and minimize adverse impacts and costs.

Goal CI.2b: For traffic management and street design, balance the efficiency of vehicular traffic with the safety and livability of residential areas.

Goal CI.2c: Strive to establish a transportation system of streets that accommodates all travel modes and users within the street right-of-way to the maximum extent possible.

> **CI-Policy-2.1:** Make efficient use of existing transportation facilities and strive to reduce the total number of vehicle miles traveled through the arrangement of land uses, improved facilities for non-automobile modes, and enhanced integration of current and future transportation systems.
>
> **CI-Policy-2.2**: Maintain and develop a City-wide street system that manages vehicular access, but also provides for emergency access.

CI-Policy-2.3: Maintain a minimum of Level of Service (LOS) D operations standard at all signalized street intersections and roadway segments that are under City jurisdiction except for intersections and roadways included in the Santa Clara County Congestion Management Program (which are held to a LOS E standard), and as otherwise specified pursuant to Policy 2.4.[60]

CI-Policy-2.4: Accept Level of Service E or F operations on City-maintained roadways after finding that: 1) no practical and feasible improvements can be implemented to mitigate the lower levels of service, or 2) vehicle capacity enhancements would conflict with existing or planned bicycle, pedestrian, or transit facilities and services. A proposed development that exacerbates LOS E or F operations and causes a significant intersection impact should also be considered for approval if it will provide a clear, overall benefit to the City (e.g., library expansion or relocation, new community center).[57]

CI-Policy-2.5: Ensure that new development or redevelopment Projects provide adequate property dedication to accommodate future roadway and multi-modal access improvements at key intersections and other potential conflict areas.

CI-Policy-2.10: Strive to maintain traffic volumes and speeds on residential collector and local streets that are compatible with the character of the adjacent land uses, the function of the street, and bicycle and pedestrian use.

CI-Policy-2.12: Focus future transportation improvements near major pedestrian/bicycle travel generators (i.e. schools, library, trails, parks, The Village, and other non-residential uses) to provide a safe and balanced transportation system while reducing VMT.

CI-Policy-2.13: Require development Projects to mitigate and reduce their respective traffic and parking impacts by implementing practical and feasible street improvements to improve multi-modal access.

CI-Policy-2.14: Coordinate with the Santa Clara VTA to comply with the CMP Guidelines for CMP-designated facilities. Should the CMP-designated facilities degrade below the CMP standard of Level of Service E, the City will prepare a Deficiency Plan for the deficient facilities per the VTA's requirements.

City of Saratoga Municipal Code

Chapter 15, Article 15-35, *Off-Street Parking and Loading Facilities*. The purpose of this article is to alleviate or prevent traffic congestion and shortage of curb spaces through the provision of specific requirements for off-street parking and loading facilities.

Chapter 16, Article 16-20, Section 16-20.090, *Amendments to Chapter 5 of the Fire Code; Fire Service Features*. This section of the City's Municipal Code states that fire apparatus access roads shall have an unobstructed width of not less than 20 feet, exclusive of shoulder.

[60] In accordance with SB 743, LOS no longer constitutes a transportation impact under CEQA; therefore, General Plan policies relating to LOS are not considered when assessing consistency with applicable transportation policies within this EIR. However, such policies are still applicable to the Project outside of CEQA.

3.16.3 Project Impacts and Mitigation

This section addresses the following potential impacts relating to transportation:

- **Impact TRA-1:** Would the Project conflict with a program, plan, ordinance or policy addressing the circulation system?
- **Impact TRA-2:** Would the Project conflict with CEQA Guidelines related to vehicle miles traveled?
- **Impact TRA-3:** Would the Project substantially increase hazards due to a geometric design feature?
- **Impact TRA-4:** Would the Project result in inadequate emergency access?

Impact TRA-1: Conflict with Transportation Plan, Program, Ordinance or Policy

Impact TRA-1 would be **less than significant**. No mitigation is required.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities.

Significant impacts to transit services would occur if the Project would create demand for public transit service that exceeds the provided or planned capacity, disrupts existing transit services or facilities, conflicts with a planned transit facility, or conflicts with policies adopted by the City, VTA, or Caltrans for their respective facilities in the study area.

Significant impacts on pedestrian and bicycle facilities would occur if the Project would interfere with pedestrian or bicycle accessibility to the site and adjoining areas, conflict with an existing or planned pedestrian or bicycle facility, or conflict with policies related to bicycle and pedestrian activity adopted by the City, VTA, or Caltrans for their respective facilities in the study area.

Because VMT is now the preferred methodology for assessing transportation impacts under CEQA, programs, plans, ordinances, and policies related to LOS are not considered as part of the impact analysis under CEQA, even though such standards are still present in the City's General Plan and the VTA's CMP. An intersection LOS and delay assessment has been prepared for the Project so that the City can evaluate other non-CEQA transportation impacts of the Project, such as congestion. The LOS Transportation Impact Assessment is attached to this EIR for informational purposes (see **Appendix F**), but thresholds relating to LOS or traffic delay are not used to determine the significance of transportation-related environmental impacts in this EIR.

Impact Analysis

Construction

Construction of the proposed Project would result in a temporary increase in traffic on public roads in the Project area due to construction workers commuting to the Project and construction-related truck trips for soil export and deliveries. Congestion associated with construction traffic

and movement of larger construction vehicles such as trucks could potentially create traffic-related hazards. Phases 1 through 3 of construction would generate the most traffic, with a smaller amount of construction-related traffic generated during Phase 4, but the construction phases would overlap. The number of vehicle trips would vary depending on the work activity at the site. The primary haul truck travel route to the Project site would be from SR 85 to Saratoga Avenue, Fruitvale Avenue, San Marcos Road, and Odd Fellows Drive.

The estimated daily average construction truck trips for each phase of the Project are provided in Table 3.16-2, along with estimated number of worker commute trips (i.e., trips from the workers' homes to the offsite staging area at West Valley College), and number of worker shuttle trips (between the offsite staging area and the Project site).

As shown, an average of 8 to 11 one-way truck trips per day may be expected to travel to/from the Project site during each of the three main phases of construction, with an average of 21 truck trips per day over the entire construction period. However, during the period when all phases of construction overlap, up to 29 truck trips could travel to/from the Project site each day. Assuming that construction truck traffic would be spread throughout an eight-hour workday, this equates to approximately 4 truck trips per hour. The Project would not exceed the recommended screening criterion from the ITE for construction traffic, which sets a threshold level of 50 or more new truck trips during the peak hour, below which a detailed construction truck traffic evaluation is not required. This is the most current "industry standard" guidance for assessing the effects of construction Projects that create temporary traffic increases (ITE 1988).

The most intensive period of construction would occur when all four phases of Project construction would overlap, which is anticipated to last for approximately 11 months. During this period, an average of 266 construction worker commute trips could be generated per day, which are assumed to occur during peak hours (i.e., 133 in morning peak hour, and 133 in afternoon peak hour). In the unlikely event that the maximum number of construction personnel were required on site for each phase concurrently, a total 412 worker commute trips (206 in morning and 206 in afternoon) could be generated. These trips would be between the workers' homes and the offsite staging area at West Valley College, and therefore would not be utilizing San Marcos Road or Odd Fellows Drive. Given the existing traffic volumes on Fruitvale Avenue (17,270 average daily traffic between Saratoga and Allendale Avenues), the temporary addition of up to 133 additional worker commute trips during the morning and afternoon peak hours would not be expected adversely affect roadway, transit, pedestrian, or bicycle infrastructure or conflict with applicable transportation policies or programs.

As discussed previously, parking for construction personnel would be provided off-site at West Valley College throughout Project construction and a shuttle would transfer workers from the staging area to the construction zones on the SRC campus. SRC management has an existing relationship with West Valley College, having contracted parking with them during previous campus renovations. West Valley College have indicated a willingness to do the same for this project (Dalengas, pers. comm. 2022). Therefore, use of the off-site staging area is not anticipated to affect parking availability at the college in such a manner that would result in additional students or staff seeking off-campus parking.

Assuming a 10-passenger shuttle making continuous round trips[61] between the staging area and Project site, an average of 28 shuttle trips per day (14 in morning and 14 in afternoon) would be required during the period when all construction phases overlap. In the unlikely event that the maximum number of construction personnel were required on site for each phase concurrently, a maximum of 42 shuttle trips per day (21 in the morning and 21 in the afternoon) would be required.

Table 3.16-2 Estimated Construction Traffic – Proposed Project

Construction Phase and Duration	Total Trucks per phase[1]	Average (Max) Workers per Day	Average Truck Trips per Day[2]	Average (Max) Worker Commute Trips per Day[3]	Average (Max) Worker Shuttle Trips per Day[4]
Phase 1: Building A and Fitness Center (360 workdays)	1,429	50 (74)	8	100 (148)	10 (16)
Phase 2: Building B (355 workdays)	1,947	27 (41)	11	50 (82)	6 (10)
Phase 3: Building C and Meeting Room (440 workdays)	2,247	46 (75)	10	92 (150)	10 (16)
Phase 4: Health Center Refurbishment (495 workdays)	10	10 (16)	negligible	20 (32)	2 (4)
All Phases[5] (535 workdays)	5,633	133 (206)	29	266 (412)	28 (42)

Source: Calculated by AECOM based on Project information from Ankrom Moison 2021, 2022, and RCP Construction Inc. 2021.

Acronyms: max = maximum; TPD = one-way trips per day;

Notes:

1. *For Phases 1 through 3, includes dump trucks based on cut/fill volumes from Table 4.4-2 and assuming 16 CY capacity dump truck, plus vendor deliveries and concrete trucks based on CalEEMod defaults (see **Appendix C**). For Phase 4 includes drop-off and pick-up of debris drop boxes.*
2. *Calculated by dividing total number of trucks per phase by number of work days (assuming 20 work days per month), then doubling to obtain number of one-way truck trips to/from the site.*
3. *Calculated by doubling average (maximum) number of construction workers per phase, to obtain number of one-way worker commute trips to the offsite staging area.*
4. *Calculated by dividing average (maximum) number of construction workers per phase by assumed shuttle capacity of 10 (rounding up), then doubling to obtain number of one-way shuttle movements between the staging area and Project site.*
5. *Total for all phases represents most intensive construction period when traffic from all phases of Project construction would overlap (approximately 11 months duration).*

All construction staging activities would occur on the Project site or within the designated off-site staging area at West Valley College Parking Lot #6, and construction activities would not alter or disrupt public rights-of-way, including existing or proposed public pedestrian and bicycle facilities or access to transit stations in the vicinity of the Project site. The proposed Project would not conflict with City policies related to transportation, transit, pedestrian or bicycle networks

[61] This is a more conservative approach than assuming that several shuttles would be used at the same time and would stay at the project site during the work day.

because these policies generally relate to the design, routing, and operation of public transportation facilities rather than the private roadways or pedestrian paths that serve SRC. Moreover, the proposed Project's effects would only be noticed during the short-term construction period and would not have long-lasting impacts that could adversely affect operations or plans for new elements or improvements to the transportation network. Because Project construction would not conflict with any program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities, the impact would be **less than significant.**

It is acknowledged that during the public scoping period for this EIR, multiple comments were received expressing concern regarding the effects of Project construction—in particular with respect to disruption of private roadways and pedestrian facilities within the Project site. As noted above, Project construction would not conflict with any applicable program, plan, ordinance, or policy addressing the circulation system, and therefore, would not cause a significant impact under this threshold. The temporary effects of Project construction on internal vehicular and pedestrian circulation on private roads within the Project site is therefore not a potential physical effect on the environment requiring analysis under CEQA, but rather is an issue for SRC management to address directly with their construction contractor and existing residents. Nonetheless, it is noted that MM-TRA-3a, requires the construction contractor develop and implement a construction traffic control plan to mitigate potential impacts relating to traffic safety and emergency access (see Impacts TRA-3 and TRA-4 below). Such a plan would also serve to reduce disruption to the internal vehicular and pedestrian circulation system within the Project site during construction.

Operation

The proposed Project would generate traffic from development on the Project site, which includes 52 new independent senior living units, a meeting room addition, and an addition to the existing fitness center. The proposed fitness center addition would serve the residents living onsite, and the meeting room would also primarily serve on-site residents. The meeting room would be available for community (public) events between 5 p.m. and 9 p.m. on weekday evenings; therefore, any traffic associated with the public use would be outside of peak traffic hours and was not included in the traffic study (Hexagon 2021, see **Appendix F**). As previously noted, overall staff numbers at the facility are anticipated to decrease slightly as a result of the Project.

Vehicle trip estimates for the Project were generated by Hexagon Transportation Consultants, Inc. (Hexagon 2021, see **Appendix F**) using the trip rates for "Senior Adult Housing – Attached" from the ITE Trip Generation (10th Edition, 2017). These calculated trip rates are considered to be conservative because actual trip generation from the existing SRC campus, based on traffic counts conducted in February 2019, were less than the ITE trip rates (see Table 3.16-1).

As detailed in Table 3.16-3 below, the Project is forecast to generate a total net increase of 10 additional trips (4 in and 6 out) during the AM peak hour and 14 additional trips (8 in and 6 out) during the PM peak hour, compared to existing campus operations. Thus, the Project would generate a net total of 24 peak hour trips.

Table 3.16-3 Project Trip Generation Estimates

Land Use	Size	Unit	AM Peak Hour				PM Peak Hour			
			Rate	In	Out	Total	Rate	In	Out	Total
Net Project Trips[1]	52	d.u.	0.2	4	6	10	0.26	8	6	14

*Source: Adapted from Hexagon 2021 (see **Appendix F**).*

Acronyms: d.u. = dwelling units

Notes:

1. ITE Trip Generation, 10th Edition. Land Use Code 252: Senior Adult Housing – Attached (General Urban/Suburban) Average rates expressed in trips per dwelling unit.

Roadways

All Project improvements would occur within private rights-of-way and the Project site itself; therefore, the Project would not include any permanent changes to public roadways in the Project area. The Project would not implement or install any facilities that could negatively impact the existing or planned roadway infrastructure. Because the Project would not alter any public roadways and would generate minimal additional traffic, it would not conflict with any adopted policies, plan, or programs[62] relating to roadways.

Transit

There are no public transit systems within walking distance of the Project site; therefore, the Project would not include any facilities that could adversely affect transit services or infrastructure. SRC management provides private shuttle buses for its residents as needed for their daily activities; therefore, the slight increase in population at the site as a result of the Project would not be anticipated to increase demand for public transit services. Furthermore, the small amount of traffic generated by the Project (a net increase of 24 peak hour trips over existing) would not cause substantial delays to existing transit services in the vicinity. Therefore, the Project would not conflict with adopted policies, plan, or programs supporting transit facilities.

Pedestrian Facilities

The Project would result in a small increase in population at the SRC campus; however, given the nature of the Project (as a residential community for seniors) and the provision of private shuttle buses for residents' daily activities, this increased population is not anticipated to create substantial increased demand for, or use of, pedestrian facilities beyond the boundaries of the Project site itself. The Project would not alter any existing public pedestrian facilities nor obstruct the future development of planned facilities. In fact, the Project proposes the installation of wayfinding signage along the existing Odd Fellows Drive sidewalk and dedication of this portion of Odd Fellows Drive as a public pedestrian easement to connect the Heritage Loop trail along Fruitvale Avenue with the San Marcos Open Space trail, via Chester Avenue and Gypsy Hill Road. This proposed trail connection has long been planned by the City and is identified as a proposed City trail in the 2007 General Plan Open Space Element.

Additional sidewalks and crosswalks would also be installed in various locations within the SRC campus, including crosswalks across Odd Fellows Drive just east of West Cottages Lane and just west of McLaren Lane.

[62] Per SB 743, policies related to level of service were not considered within this CEQA analysis.

Because the Project would not adversely affect existing or proposed pedestrian facilities, and because it would implement a long-planned City trail connection that is identified within the General Plan, the Project would not conflict with adopted policies, plan, or programs supporting pedestrian facilities.

Bicycle Facilities

As discussed above, although the Project would result in a small increase in population, this is not anticipated to create substantial increased demand for, or use of, bicycle facilities due to the nature of the Project and availability of private shuttle services.

There are no existing dedicated bicycle facilities on Fruitvale Avenue or San Marcos Drive; however, the City's General Plan proposes a new Class II bicycle lane along Fruitvale Avenue between Saratoga Avenue and Burgundy Way. No bicycle facilities are proposed as part of the Project and no improvements are proposed along Fruitvale Avenue that could potentially conflict with future development of a bicycle lane in this location. Therefore, the Project would not conflict with adopted policies, plan, or programs supporting bicycle facilities, and no impact would occur.

Summary

Overall, the Project would not conflict with applicable transportation-related programs, plans, ordinances, or policies during operation, and the impact would be **less than significant**.

Impact TRA-2: Consistency with CEQA Guidelines relating to Vehicle Miles Traveled

Impact TRA-2 would be **less than significant**. No mitigation is required.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would conflict or be inconsistent with CEQA Guidelines Section 15064.3(b), which states that "projects that decrease vehicle miles traveled in the Project area compared to existing conditions should be presumed to have a less than significant transportation impact."

According to the Technical Advisory on Evaluating Transportation Impacts, published by the OPR in December 2018, a 15 percent reduction in VMT per capita from existing development is "generally achievable" and supportive of State goals to reduce greenhouse gas emissions (OPR 2018). The Technical Advisory also identifies certain types of projects and areas which are presumed to have a less than significant impact. These screening criteria include:

1. Certain projects within a Transit Priority Area and within a ½ mile of an existing or planned major transit stop or high-quality transit corridor.
2. Areas pre-screened by an agency as having residential or office VMT 15 percent or more below city or regional average.
3. 100 percent or near-100 percent affordable housing in infill locations.
4. Locally serving retail projects.
5. Mixed-use composed entirely of the above low-VMT project types.
6. In any area of the state, absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable

Communities Strategy or general plan, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than significant transportation impact.

State guidance allows localities to set their own VMT standards based on substantial supporting evidence. The City has not yet adopted their own VMT standards, therefore the OPR guidance is used as the threshold of significance for VMT.

Impact Analysis

The Project is not within a Transit Priority Area and is not 100 percent affordable housing, locally serving retail, or a mixed-use development comprised of low-VMT project types and therefore does not meet screening criteria 1, 3, 4, or 5.

As noted in Section 3.16.3 above, the VTA's VMT Evaluation tool identifies TAZ 1333 (the TAZ in which the Project site is located) as having an average daily VMT of 18.22 per capita and the City has an average daily VMT of 17.97 per capita. Therefore, the Project site is not within an area that has a VMT of 15 percent or more below the City average and does not meet screening criterion 2.

The ITE daily trip generation rate for attached senior adult housing (Land Use Code 252) is 3.7 trips per unit per day (ITE 2020). Therefore, 52 senior housing units would be anticipated to generate approximately 192 trips per day[63], and therefore does not meet the 110 daily trip threshold of screening criteria 6.

Because the Project does not meet any of the OPR screening criteria, a VMT analysis is required. The Traffic Study (**Appendix F**) included a VMT analysis for the Project, which identified that the TAZ encompassing the Project site consists mostly of single-family homes, which have a substantially higher trip generation rate than senior adult housing: 9.44 trips per dwelling unit for single-family homes compared to 3.7 trips per dwelling unit for senior adult housing (ITE 2020).The VMT rate for the TAZ was therefore adjusted based on this ratio to calculate the daily VMT per capita for the Project of 7.14 VMT per capita. Although the general trip characteristics for single-family homes and senior adult housing are different, the trip lengths were assumed to be the same for purposes of this analysis.

Because the estimated VMT per capita for the Project site (7.14) is more than 15 percent lower than the average daily VMT per capita for the City (17.97), the impact would be **less than significant**.

[63] As described in the Traffic Study (**Appendix F**), based on traffic counts undertaken in February 2019, the existing facility generates approximately 8 to 25 percent lower numbers of peak hour trips than the estimated peak hour trips calculated using ITE trip generation rates. Even adjusting for this, the Project would not meet screening criterion 6.

Impact TRA-3: Potential for Creation of Substantial Traffic-Related Hazards

Impact TRA-3 would be **potentially significant**. With implementation of mitigation measures MM-TRA-3a and MM-TRA-3b, the impact would be reduced to **less than significant with mitigation.**

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

Impact Analysis

Construction

Although Project construction would introduce additional traffic movements to the Project area (see Impact TRA-1), construction traffic is common throughout the City and is not considered an "incompatible use." Construction of the Project would not involve any permanent geometric design features or any temporary traffic controls on public roadways. All construction staging activities would occur on the Project site or within the designated off-site staging area at West Valley College Parking Lot #6. Temporary traffic controls, temporary lane closures, and construction zone entrances may be required within the Project site itself on the network of internal roadways within the SRC campus, or at the entrance to Odd Fellows Drive from San Marcos Road. The Project Applicant's contractor has submitted a preliminary "Construction Management Plan" to the City as part of their application, but the preliminary plan lacks the level of detail required to ensure that the potential for traffic safety hazards would not be increased. If temporary controls, closures, and entrances are not implemented in accordance with the City's standards, there is potential for increased traffic safety hazards within the Project site. This impact could be **potentially significant**.

Mitigation Measure MM-TRA-3a is recommended to reduce this potentially significant impact.

> ***MM-TRA-3a: Construction Traffic Control Plan.***
>
> *A. Prior to issuance of demolition or grading permits, the Project Applicant and/or its construction contractor shall develop a traffic control plan in accordance with the City's Standard Details and Specifications for Construction and Temporary Traffic Control Plan Requirements and shall submit the plan to the City for review and approval. The Traffic Control Plan shall be implemented throughout the duration of construction and shall include, but not be limited to, the following:*
>
> *i. Schedule of construction showing each phase of the project, construction hours, and anticipated method of handling traffic for each phase, including drawings identifying lane configurations, haul routes, road and lane closures, detour routes for vehicular and pedestrian traffic, work areas, staging areas, and worker parking areas. The location of signs, barricades, codes, etc., to warn, direct, and guide traffic shall be shown on the plan, as well as any supplementary traffic control devices that might be required.*

ii. *Development and implementation of a process for communicating with owners/occupants of properties accessed via Odd Fellows Drive and/or San Marcos Road about Project construction, with at least 72 hours advance notice prior to commencing work on the Project and of any temporary lane or road closures (including private roadways within the SRC campus). Notification shall include the construction schedule, the exact location and duration of activities on each roadway, detours and alternative routes that may be available to avoid delays, and contact information for questions and complaints. The City shall be included in any notifications.*

iii. *Notification of administrators of any affected police and fire stations, and ambulance service providers regarding the timing, location, and duration of construction activities and the locations of detours and road or lane closures. Access for emergency vehicles on and/or adjacent to roadways affected by construction activities shall be maintained at all times.*

iv. *Scheduling equipment/deliveries during off-peak vehicular commuter hours and use of flaggers if oversized loads are required.*

MM-TRA-3a would require the development and implementation of a detailed construction traffic control plan to manage construction traffic, work zone and staging area egress, and internal road closures throughout the construction period such that safe circulation for and movement by vehicular traffic and pedestrians are maintained to City standards. With implementation of MM-TRA-3, potential impacts from traffic-related hazards during Project construction would be **less than significant with mitigation**.

Operation

The proposed Project would include development of residential, meeting room, and recreational uses; all of which are community type uses similar to those already occurring at the Project site, and do not include any incompatible uses, nor would generate any incompatible traffic, such as farm equipment.

The Project would not include any changes to the public road network, but would remove the existing small traffic circle (containing a palm tree) from the existing entrance to Odd Fellows Drive from San Marcos Road in order to achieve the required 20 feet width along the entire length of Odd Fellows Drive. This would remove an existing potential traffic hazard (narrow site entrance) that was raised as a concern during scoping period comments.

The Traffic Study for the Project (Hexagon 2021, see **Appendix F**) assessed the proposed on-site circulation improvements, including analysis of sight distance from new internal driveway intersections and proposed crosswalks, driveway width, intersection geometry and internal circulation and made the following findings:

- Sight distances from the proposed driveway intersections are adequate; however, vegetation within the “sight distance triangles” should be maintained so that it does not block a driver’s view within the Caltrans-recommended stopping sight distance based on roadway speed.
- The proposed parking garages have adequate turnaround space.

- Driveway widths meet the Fire District's requirements.
- Intersection geometry is adequate; however, stop signs should be installed for exiting vehicles at all new intersections.
- Existing delivery trucks were observed to back into Pavilion Circle from the one-way exit rather than driving south to enter the one-way entrance to Pavilion Circle. It was recommended that signage indicating one-way travel be installed at the driveway and that the Project Applicant communicate delivery access protocols to vendors.

If the recommendations of the Traffic Study (e.g., maintenance of vegetation within sight distance triangles, installation of stop signs and one-way travel signs, and improvements to vendor access protocols) are not followed, there is potential for traffic-related safety impacts from Project operation, which could be **potentially significant**.

Mitigation measure MM-TRA-3b, detailed below, is recommended to reduce this potentially significant impact.

> ***MM-TRA-3b: Implement Recommendations of Traffic Study***
>
> *A. The Project Applicant shall implement all recommendations of the Traffic Study prepared for the Project by Hexagon Transportation Consultants Inc., dated January 22, 2021, which are:*
>
> *i. that the Project Applicant ensure that there is no tall vegetation near the driveways that would block a driver's sight distance for 150 feet;*
> *ii. that stop signs should be installed for exiting vehicles at all new intersections, and a drop-off area be maintained in front of the Manor Building;*
> *iii. that a sign indicating one-way travel be installed at the exit from Pavilion Circle onto West Cottages Lane; and*
> *iv. that the Project Applicant clearly communicate with the delivery vehicles that they need to park in designated areas on site.*
>
> *B. In addition, the Project Applicant shall develop and implement a delivery schedule for vendors so that the number of simultaneous deliveries to campus does not exceed the available designated loading space.*

Implementation of mitigation measure MM-TRA-3b would reduce the potential for traffic safety issues at the Project site by ensuring that sight distances from intersections are not impeded by vegetation growth, that new driveway intersections are stop-controlled, that the one-way exit from Pavilion Circle is clearly labeled as such, and that protocols for vendor deliveries are improved, as recommended by the Traffic Study. With implementation of these measures, impacts relating to traffic safety would be reduced to **less than significant with mitigation**.

Impact TRA-4: Project-Related Interference with Emergency Access

Impact TRA-4 would be **potentially significant**. With implementation of mitigation measure MM-TRA-3a, the impact would be reduced to **less than significant with mitigation.**

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would result in inadequate emergency access.

Impact Analysis

Construction

As described previously, all construction and staging activities would occur on the Project site or at the off-site staging area at West Valley College Parking Lot #6, and no temporary closures or other traffic control would be required on public roads to accommodate Project construction. However, construction activities would require temporary closures of some internal roadways within the Project site, including West Cottages Lane and Colfax Lane for approximately three months during Phases 2 and 3. The construction contractor has indicated that at least two out of the three main access roads into the campus from Odd Fellows Drive (West Cottages Lane, Colfax Lane, and McLaren Lane) would be open for emergency vehicle access at all times.

Movement and maneuvering of construction traffic and equipment could also cause temporary congestion along Odd Fellows Drive and the short section of San Marcos Road connecting it to Fruitvale Avenue, and on other private roadways on the SRC campus. In addition, the proposed removal of the existing traffic circle at the intersection of Odd Fellows Drive and San Marcos Road (requested by the Fire Department in order to achieve the required 20-foot width along the length of Odd Fellows Drive) could temporarily limit access to Odd Fellows Drive during its removal and associated repaving.

Odd Fellows Drive provides the only vehicular access to and from the Project site as well as the adjacent Fellowship Plaza property to the east, although an existing resident emergency access point is present between Odd Fellows Drive and Chester Avenue, for use by residents in emergency situations, and a similar emergency access is also present on the Fellowship Plaza property between an existing parking lot and Chester Avenue. The existing emergency access on the SRC campus does not meet the SCCFD specifications for a Fire Apparatus Access (e.g., turn radius, vertical clearance) that would be required for the proposed Project in accordance with California Fire Code (CFC) Chapter 5.

The Project proposes installation of an additional emergency access and gate between Odd Fellows Drive and Chester Avenue, just east of the existing gate, that would meet required Fire Department standards for surface, slope, approach and departure angles, turning radii, vertical clearance and Knox Box access. This new secondary access, which is required by SCCFD to be constructed and completed prior to all other construction activities at the site, would provide a secondary access point for emergency vehicles to access the SRC campus and Fellowship Plaza property, in the event that Odd Fellows Drive were temporarily blocked. However, if emergency service providers are not kept informed of construction activities and the need to utilize the secondary emergency access, then emergency access to the Project site and the adjacent Fellowship Plaza could be disrupted, which would be a **potentially significant** impact.

Mitigation Measure MM-TRA-3a is recommended to reduce this potentially significant impact.

MM-TRA-3a: Construction Traffic Control Plan. *(See Impact TRA-3 above for full details of this measure).*

MM-TRA-3a, described previously, would require the development and implementation of a detailed plan to manage construction traffic and internal road closures throughout the construction period to ensure continued access during emergencies, and to communicate that plan with emergency response providers and affected SRC residents and neighbors. Therefore, with implementation of MM-TRA-3a, potential impacts to emergency access during Project construction would be **less than significant with mitigation**.

Operation

The Project is subject to the California Fire Code (Part 9 of Title 24 of the CCR), as is adopted in the Chapter 16 of the City's Municipal Code. The Fire Code includes requirements for fire sprinkler systems, fire alarm systems, fire flow, equipment and firefighter access, and other fire and emergency access requirements.

SCCFD reviewed early versions of Project plans and provided comments for design requirements, which have been addressed by the Project Applicant and incorporated into the current Project plans (SCCFD 2020b). In particular, the Project includes the following features relating to emergency access which were incorporated following SCCFD comments:

- provision of a new secondary emergency access between Odd Fellows Drive and Chester Avenue that is sized to allow passage of fire apparatus;
- removal of the existing traffic circle (and associated palm tree) to achieve minimum 20-feet width for primary site access along Odd Fellows Drive;
- provision of access roads capable of accommodating fire department aerial apparatus for buildings exceeding 30 feet in height above vehicle access level;
- provision of a fire truck turnouts on Colfax Lane and McLaren Lane that provide fire access to the courtyard between Building C and the assisted living building;
- provision of fire truck parking space directly in front of the main entrance to the Manor Building; and
- provision of address identification for all new and existing buildings to meet fire code requirements and facilitate emergency response.

Because the Project would comply with all applicable City codes and SCCFD standards, which will be verified by the City and SCCFD during permitting of the proposed Project, potential operational impacts related to inadequate emergency access would be **less than significant**.

3.16.4 Cumulative Impacts and Mitigation

This section addresses the following potential cumulative impacts relating to transportation:

- **Impact C-TRA-1:** Contribute to cumulative effects related to conflict with applicable transportation plan or program?
- **Impact C-TRA-2:** Contribute to cumulative effects related to vehicle miles traveled?

- **Impact C-TRA-3:** Contribute to cumulative effects related to traffic-related hazards?
- **Impact C-TRA-4:** Contribute to cumulative effects related to inadequate emergency access?

Cumulative Impact C-TRA-1: Conflict with Transportation Plan, Program, Ordinance or Policy

The overall cumulative impact for C-TRA-1 would be **less than significant**. No mitigation is required.

Cumulative Context

The cumulative traffic study area was selected based upon local access to the Project site, the Project's trip generation, likely Project distribution patterns, a review of existing operations, and coordination with City staff. Project construction would generate temporary construction-related traffic, which would be concentrated on the roadway network in the immediate vicinity and would rapidly disperse with distance from the Project site, as most trips would be expected to use only a few local streets to access the nearby freeways. During operation, the proposed Project would generate new traffic volumes along the existing roadways in the Project vicinity. The potential for cumulative transportation impacts is therefore limited to those cumulative projects that would generate additional traffic on the same local roads as the proposed Project.

The only cumulative project listed in Table 3.1-1 that could potentially combine with impacts from the Project to cumulatively affect transportation is the adjacent Fellowship Plaza property (which also obtains access via Odd Fellows Drive) as a potential site for up to 80 additional low-income senior residential units within the City's Housing Element Update. All other cumulative projects are located at least 4,000 feet from the Project site and would not impact San Marcos Road or Odd Fellows Drive or result in a substantial increase in traffic along Fruitvale Avenue beyond that envisioned through buildout of the City's General Plan.

The traffic study prepared for the Project (Hexagon 2021, see **Appendix F**) did not identify any background projects (i.e., those that were approved or under construction) to incorporate into their transportation analysis. The traffic study also did not include an evaluation of cumulative conditions because the Project would generate fewer than 100 net peak hour trips and therefore did not trigger the requirement for a full Transportation Impact Analysis in accordance with the VTA's transportation impact analysis guidelines. However, during public scoping for this EIR, public comments expressed concerns regarding the potential cumulative impacts of the Project in combination with the potential future development of additional housing units at the adjacent Fellowship Plaza site, which was identified as a potential opportunity site for low-income senior housing during the General Plan Housing Element Update process.

Environmental review of the Housing Element Update has not yet been completed[64]; therefore, no specific information regarding the potential impacts of future additional development at the Fellowship Plaza property, nor any details such as construction timeframe or specific project details, are available at this time. However, the potential for future development at the Fellowship Plaza property to cause combined impacts with the Project in relation to transportation was raised as a specific concern during the scoping period for this EIR; therefore, consideration is

A Knox Box is a small, mounted safe that holds building or gate keys for fire departments, emergency medical services, and sometimes police to retrieve and use in emergency situati

given to this potential cumulative impact based on general assumptions, even though such impacts are currently speculative.

Cumulative Impact Analysis

Construction

Given the very early stage of the potential Fellowship Plaza development and typical timeframes to design and permit a development of that nature, it is not anticipated that construction of that project would commence prior to the completion of the proposed Project. In the unlikely event that the construction periods of these two projects would overlap, neither of these projects would be expected to alter or disrupt public rights-of-way, including public pedestrian and bicycle facilities or access to transit stations during their construction, as it is anticipated that all construction work would be undertaken within private property. Relevant City policies related to transportation, transit, pedestrian or bicycle networks would not be impeded because these policies generally relate to the public transportation facilities rather than private roadways or pedestrian paths; or to long-term impacts to the transportation network rather than short-term construction impacts. Therefore, there is limited potential for construction-related traffic from the Project site to combine with traffic from nearby construction sites to cause a cumulative conflict with applicable transportation plans and programs. The overall cumulative impact would be **less than significant**.

Operation

The future development of 80 new senior housing units at the Fellowship Plaza property could be expected to result in up to 21 additional peak-hour traffic movements, based on the ITE trip generation rate of 0.26 peak hour trips per dwelling unit for Land Use Code 252: Senior Adult Housing – Attached (General Urban/Suburban).

As shown in Table 3.16-4, when combined with the proposed Project's anticipated net traffic increase of 14 peak hour traffic movements, there would be a cumulative traffic increase of 35 peak-hour traffic movements along Odd Fellows Drive and San Marcos Road compared to the existing 67 and 91 peak-hour traffic movements along these roads, respectively. While the overall increase in traffic under these cumulative conditions may be noticeable, it would not conflict with any applicable[65] transportation plan, program, ordinance, or policy.

Similar to the Project, development of additional senior housing on the Fellowship Plaza property is unlikely to generate high levels of pedestrian or bicycle traffic on public roadways or increased demand for public transit services and would not impact any public bicycle and pedestrian, or transit facilities. The overall cumulative impact would be **less than significant**.

ons. Knox Box is a brand name but is also used to refer to such emergency access provisions in general.
OS) and traffic delay are no longer considered to be physical environmental effects under CEQA. Compliance of the Project with the City's LOS policies is a separate matter for consideration by the City outside of CEQA. A report analyzing the impacts of the Project with respect to LOS is included in **Appendix F** for informational purposes.

Table 3.16-4 Existing, Project, and Cumulative Peak Hour Traffic on Project Area Roadways

Roadway Segment	Existing Peak Hour Traffic (VPH)	Anticipated Project-related Peak Hour Traffic (VPH)	Anticipated Fellowship Plaza Development Peak Hour Traffic[1] (VPH)	Total Cumulative[2] Peak Hour Traffic (VPH)	Increase above Existing due to Cumulative Development
Fruitvale Avenue between Saratoga and Allendale Avenues	1,727	9	14	23	1.3%
Fruitvale Avenue between Allendale and San Marcos Road	1,083	10	15	25	2.3%
Fruitvale Avenue between San Marcos Road and Los Gatos-Saratoga Road	826	4	6	10	1.2%
San Marcos Road between Fruitvale Avenue and Odd Fellows Drive	91	14	21	35	38%
Odd Fellows Drive (private)	67	14	21	35	52%

*Source: Calculated by AECOM. Existing & Project traffic volumes taken for PM peak hour from Hexagon 2021 (see **Appendix F**).*

Acronyms: VPH = vehicles per hour;

Notes:

1. Traffic volumes for Fellowship Plaza estimated using ITE traffic generation rate of 0.26 PM peak hour trips per unit for Land Use Code 252, Senior Adult Housing x 80 units. Trip distribution for Fellowship Plaza traffic is assumed to have same proportional split per roadway as Project traffic.

2. Cumulative = Project plus Fellowship Plaza.

Cumulative Impact C-TRA-2: Vehicle Miles Travelled

The overall cumulative impact for C-TRA-2 would be **less than significant**. No mitigation is required.

Cumulative Context

The cumulative context for VMT impacts is the TAZ within which the Project site is located, TAZ 1333. This TAZ is approximately bounded by Allendale Road, Fruitvale Avenue, Saratoga-Los Gatos Road, and Quito Road, but excludes the West Valley College campus. The only cumulative projects within TAZ 1333 are the potential development of 80 low-income senior housing units on the Fellowship Plaza property adjacent to the Project site, and the proposed 10-unit residential subdivision at 14521 Quito Road.

Cumulative Impact Analysis

Similar to the proposed Project, the potential future cumulative development at Fellowship Plaza would also be senior housing and would be expected to generate substantially fewer daily vehicle trips per capita than a single-family housing development. Although the general trip characteristics for single-family homes and senior adult housing are different, average trip

lengths are assumed to be the same; therefore, fewer daily trips would result in a lower VMT for senior housing than for single family housing. Because TAZ 1333 is predominantly comprised of single-family residential properties, both the Project and the cumulative project at Fellowship Plaza would be anticipated to have substantially lower VMT per capita (7.14) than TAZ 1333 as a whole (18.22). Environmental review for the 10-unit residential subdivision at 14251 Quito Road has not been completed yet; however, given the small scale of that proposed development and ITE trip generation rates for single-family residential uses, the Quito Road project would generate less than 110 vehicle trips per day and therefore would meet screening criterion 6 of the OPR Guidelines (discussed under Impact TRA-2 in Section 3.16.3), and would therefore have a less than significant VMT impact. Furthermore, the VMT per capita for Quito Road project would be expected to be similar to the existing VMT of the TAZ (18.22 per capita), as none of the available details for that project indicate that per capita VMT would be greater than for an average single-family residential property in the TAZ.

Because two of the three cumulative projects would have VMT per capita that is more than 50 percent lower than the City average, and these two projects are substantially larger than the other project (which would have similar VMT as the City average), cumulative development would not be more than 15 percent below the City average. The overall cumulative impact to VMT would be **less than significant**.

Cumulative Impact C-TRA-3: Traffic Related Hazards

The overall cumulative impact for C-TRA-3 would be **less than significant**. No mitigation is required.

Cumulative Context

As discussed in the project-level analysis in Section 3.16.3, the Project would only create potential traffic safety impacts within the Project site itself (including Odd Fellows Drive) and the short section of San Marcos Road connecting Odd Fellows Drive to Fruitvale Avenue. Therefore, the geographic context for analysis of cumulative traffic safety impacts is limited to those cumulative projects that would generate additional traffic on, or make alterations to, Odd Fellows Drive, San Marcos Road, or the Project site. The only identified cumulative project meeting this description is the potential for future low-income senior housing on the adjacent Fellowship Plaza property, which also utilizes San Marcos Road and Odd Fellows Drive for site access.

Cumulative Impact Analysis

As discussed previously, no details are available regarding the potential future development of 80 low-income senior housing units at the Fellowship Plaza property; including whether any improvements to San Marcos Road or Odd Fellows Drive would be included as part of the project. However, similar to the Project and other cumulative Projects within the City, future development of the Fellowship Plaza property would be required to install proposed improvements in conformance with the City's design standards and the City's permitting process, which includes review of site plans to ensure that no potentially hazardous transportation design features would be introduced. As a result, the overall cumulative impact to traffic safety would be **less than significant.**

Cumulative Impact C-TRA-4: Inadequate Emergency Access

The overall cumulative impact for C-TRA-1 would be **potentially significant**. With implementation of MM-TRA-4, the impact would be reduced to **less than significant with mitigation.**

Cumulative Context

As discussed in the project-level analysis in Section 3.16.3, the Project would only create potential emergency access impacts within the immediate vicinity of the Project (including Odd Fellows Drive). Therefore, the geographic context for analysis of cumulative impacts to emergency access is limited to those cumulative projects in the immediate vicinity, which is limited to the potential development of future low-income senior housing on the adjacent Fellowship Plaza property.

Cumulative Impact Analysis

Construction

As discussed for Cumulative Impact C-TRA-1 above, it is not anticipated that construction of additional housing units at the Fellowship Plaza site would commence prior to the completion of the proposed Project. In the unlikely event that the construction periods of these two projects would overlap, there is potential that construction-related disruptions to Odd Fellows Drive from both projects could temporarily disrupt emergency access to the Project site and/or the Fellowship Plaza site. Implementation of mitigation measure MM-TRA-3a would reduce project-level impacts; however, if construction access, temporary closures, and other factors are not coordinated between the two projects, the overall cumulative impact could be **potentially significant**.

Cumulative mitigation measure C-MM-TRA-4 is recommended to reduce this potentially significant impact.

> ***C-MM-TRA-4: Coordination of Construction Traffic Control Plans***
>
> *In the event that the construction period for the Project overlaps with the construction period for future development on the adjacent Fellowship Plaza property, the Project Applicant and its construction contractor shall coordinate closely with the developer and contractor for that project to develop a combined construction traffic control plan addressing the combined impacts of temporary disruptions to Odd Fellows Drive and San Marcos Road and the secondary emergency access points between Odd Fellows Drive and Chester Avenue. The combined plan shall be submitted to the City for review and approval, and shall be implemented by the Project Applicant and its contractors throughout the duration of overlapping construction. The combined plan shall contain, but not be limited to, the same contents described in MM-TRA-3a, but pertaining to construction of both projects.*

With implementation of C-MM-TRA-4, the Project Applicant and its contractor would be required to coordinate construction traffic controls and temporary lane closures on Odd Fellows Drive to reduce potential delays to emergency services.

Operation

As discussed previously, no details are available regarding the potential future development of 80 low-income senior housing units at the Fellowship Plaza property; including whether any permanent improvements to San Marcos Road or Odd Fellows Drive would be included as part of the project. However, similar to the Project and other cumulative Projects within the City, future development of the Fellowship Plaza property would be required to be designed in conformance with the City's design standards and the City's permitting process, which includes review of site plans by SCCFD to ensure that adequate emergency access is provided. As a result, the overall cumulative impact to emergency access would be **less than significant.**

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3.17 Tribal Cultural Resources

This section describes the existing setting of the Project area related to tribal cultural resources and evaluates whether the Project would result in adverse effects on those resources.

The following comments relating to tribal cultural resources were received during the public scoping period in response to the Notice of Preparation:

- Concerns that there may be Native American artifacts or possibly burial grounds on campus that could be disturbed during construction, including anecdotal evidence of “arrowheads” being found in the past.

3.17.1 Environmental Setting

The Project area is in the City, in the western portion of Santa Clara County. Saratoga is a primarily residential community and is bounded by the jurisdictions of Cupertino, San Jose, Campbell, Los Gatos, and Monte Sereno. The Project site is within the partially developed and landscaped Odd Fellows property. The Project area is approximately 400 feet above mean sea level. The larger Odd Fellows property is bounded by Vasona Creek to the west and Sobey Creek to the east. Soils in the Project area are comprised of Urban Land-Flaskan complex, 0 to 2 percent slopes. “Urban Land” suggests the Project area is highly developed and modified by humans. Flaskan series soils are deep, well-drained soils formed on alluvial fans (National Cooperative Soil Series 2009). The underlying alluvial landform is Pleistocene to Pliocene in age, suggesting it is too old to contain buried precontact resources (Dibblee and Minch 2007).

Cultural Context

This section describes the cultural context for the Project area.

Precontact Context

The following context is adapted from the Regional Research Context section of the *Draft Caltrans District 4 Research Design and Treatment Plan for Native American Archaeological Resources in the San Francisco Bay-Delta Region* (Byrd et al. 2017:3). This previously developed context provides broad background for the cultural processes and trends that shaped the archaeological record of the Bay-Delta area.

Terminal Pleistocene (13,500 – 11,700 calibrated years before present [cal BP])

The earliest evidence for human occupation in California, during the Terminal Pleistocene, is very sparse, consisting primarily of isolated fluted points, and therefore is poorly understood. This period is generally considered to be represented by multiple contemporaneous migrations into the New World, including nomadic hunters and gathers who hunted large game using fluted points, and more coastal-oriented peoples. Throughout California, archaeological materials from the Terminal Pleistocene period are infrequently encountered; no fluted points or archaeological deposits dating to this time period have been documented in the San Francisco Bay Area. The absence of these archaeological sites can be partially attributed to the small mobile populations leaving only a marginal footprint on the landscape, in conjunction with the rise of sea levels since that time and coastal erosion obscuring sites from during this time. During this period, modern-day San Francisco Bay would have been a large valley available for human occupation.

Early Holocene (11,700 – 8200 cal BP)

Early occupation of the San Francisco Bay region is characterized by the use of handstones and millingslabs, stemmed points, crescents, and steep-edged formed flaked tools that served a semi-mobile hunter-gatherer population who exploited a wide range of plants and animals from marine, lacustrine, and terrestrial environments (Byrd et al. 2017). Charred remains of acorn nutshell from CA-CCO-696 at Los Vaqueros, in the Diablo Range provide direct evidence for use of these nut crops during the Holocene (Meyer and Rosenthal 2007). Obsidian from eastern Sierra quarries makes up a large portion of the non-local flaked stone tools and debris found in early Holocene sites in central California (e.g., CA-CCO-696).

Middle Holocene (8200 –4200 cal BP)

Middle Holocene archaeological deposits are represented with over 60 known sites in the San Francisco Bay-Delta Area (Byrd et al. 2017). Artifact assemblages are varied and characterized by groundstone artifacts (handstones and millingslabs, mortars and pestles), side-notched dart points, cobble-based implements, and shell beads and ornaments (Byrd et al. 2017). Use of the mortar and pestle has been documented at sites dating as early as 6000 cal BP in lowland areas at various places in central California (Rosenthal and Meyer 2009). The Saratoga Site, CA-SCL-65, dates to 6000 cal BP where a large amount of groundstone artifacts were identified (Fitzgerald 1993). In the lowland valleys of the northern Diablo Range, mortars and pestles replaced handstones and millingslabs sometime between about 7000 and 6000 cal BP. Use of the mortar and pestle was likely part of an increased technological investment associated with a shift to greater residential stability around well-watered riparian ecosystems (e.g., CA-CCO-548).

Late Holocene (4200 – 180 cal BP)

Evidence for late Holocene occupation in central California is extensive; there are over 240 known archaeological sites that date to this time period in the Bay-Delta Area (Milliken et al. 2007, Rosenthal and Meyer 2009). In California, the late Holocene includes three primary chronological divisions: the Early, Middle, and Late periods. The Early Period is the least understood, primarily due to a lack of data. Middle Period sites are more abundant and widely recorded in central California. The Late Period is similarly well represented with a number of excavated sites and well-dated assemblages (Meyer and Rosenthal 2007).

Residentially stable communities emerged through the Delta region no later than 4000 cal BP. Evidence for these communities includes large, mounded settlements and smaller satellite villages found on levee ridges, and other elevated landforms along major rivers and tributary streams, particularly the Sacramento River. Mortars and pestles became more common in central California sites but other groundstone tools were used as well; fishing gear (e.g., hooks, net weights), and hunting equipment (e.g., projectile points, atlatl spurs) were also common in Early and Middle Period late Holocene settlements. The Middle Period is characterized by Fredrickson's Berkeley Pattern throughout the northern Diablo Range and in the major valleys and large drainage systems of the southern North Coast Ranges (Meyer and Rosenthal 2007).

The Late Period of the late Holocene is the best-documented era. Current data suggests that the Bay-Delta Area populations increased in size, sedentary villages flourished, and ritual activity increased (Byrd et al. 2017). Artifact assemblages include "clam disk beads, distinctive *Haliotis* [abalone] pendants, flanged steatite pipes, chevron-etched bone whistles and tubes, elaborately finished stone 'flowerpot' mortars, and needle-sharp coiled basketry awls" (Milliken et al.

2007:99). The bow and arrow appear in the region around 700 cal BP, with a distinctive arrow style dubbed the Stockton Serrated. This arrow was almost exclusively manufactured from obsidian from Napa Valley and Annadel sources during this time period, and the style development suggests that "ethnic continuity was present across the Bay region from Middle/Late Transition through Late 1 Period" (Byrd et al. 2017).

Ethnographic Context

Ethnographic literature (Kroeber 1925; Levy 1978; Milliken 1995) indicates the Project area was the territory of Ohlone speakers of the Tamien dialect. The Ohlone language is one of the five mutually unintelligible languages that existed within the San Francisco Bay Area along with Bay Miwok, Plains Miwok, Patwin, and Wappo (Milliken 1995). These language groups are often treated as distinct and cohesive language units; however, Milliken indicates this can create a "misleading and overly simplistic view" of the cultural variation that existed in the aboriginal San Francisco Bay Area (Milliken 1995).

The Project site was likely inhabited by the Lamaytu who lived in the vicinity of Saratoga Gap (Milliken et al. 2009). The Tribes who comprised the Ohlone language group—such as the Lamaytu —had socio-cultural concepts unique to their territory and a dialect that reflected this. Some Tribes likely had more similarities with neighboring Tribes of a different linguistic group based upon a shared geographic and ecological environment than with other Tribes within their own language family. Given the lack of documented information, creating context statements for specific Tribes within a language group is difficult. While acknowledging the complex make-up of the Ohlone language group, there were likely also some shared traits, thus making general statements regarding Ohlone culture possible.

The basic Ohlone social unit was the family household, which was extended patrilineally (Harrington 1942). A household was made up of about 15 individuals. Households grouped together to form villages, which in turn combined to form "tribelets," "an aggregate of villages in the largest of which lived the tribelet chief" (Heizer and Elsasser 1980:41). Tribelets exchanged trade goods such as obsidian, shell beads, and baskets; participated in ceremonial and religious activities together; intermarried; and could have extensive reciprocal obligations to one another involving resource collection. "The Ohlones," writes Malcolm Margolin, "were not forty independent, isolated tribelets jealously guarding their frontiers. Rather, each tribelet was involved in a network of feasting, trading, and gift-giving" (2003:101).

For the Ohlone, like many other native Californians, the acorn was a dietary staple and is attributed to high population densities and complex social and economic organizations in Central California (Bartelink 2006; Baumhoff 1963). Acorns were knocked from trees with poles, leached to remove bitter tannins, and eaten as mush or bread. The Ohlone used a range of other plant resources as food, medicine, soap, tools, and building materials, including buckeye, California laurel, elderberries, strawberries, manzanita berries, goose berries, toyon berries, wild grapes, wild onion, cattail, soap root, wild carrots, clover, and an herb called chuchupate. Animals eaten by the Ohlone and their neighbors included large fauna such as black-tailed deer, Roosevelt elk, pronghorn, and marine mammals; smaller mammals such as dog, skunk, raccoon, rabbit, and squirrel; birds, including geese and ducks; and fish such as salmon, sturgeon, and mollusks. Frogs, toads, owls, eagles, and ravens were not eaten (Levy 1988).

Besides providing sustenance, the Bay Area's flora and fauna provided the Ohlone with raw materials. For example, the Ohlone built dome-shaped shelters thatched with ferns, tule, grass, and reeds. The thatch was tied to the structure's frame with willow withes. The Ohlone also built small sweathouses, accommodating six to eight persons, which were dug into creek banks and roofed with brush; and circular dance areas, which were enclosed by fences woven from brush or laurel branches (Levy 1978:492). Plants, particularly sedge, were also woven into baskets. Basket making was generally done by women, who crafted cooking and storage containers, fish traps, and trays for leaching acorns. Tightly woven baskets, decorated with feathers or shell, were valued exchange items (Margolin 2003).

Animal bones, teeth, beaks, and claws were made into awls, pins, knives, and scrapers. Pelts and feathers became clothing and bedding, while sinews were used for cordage and bow strings. Feathers, bone, and shells were crafted into ornaments (Heizer and Elsasser 1980).

By the late eighteenth century, Spanish settlers moved into northern California, established the mission system, and dramatically transformed Ohlone culture. Many Ohlone were baptized by the Franciscan missionaries and made to work on mission farms. Following the secularization of the missions in 1834, many of the surviving Ohlone worked as manual laborers on ranchos (Levy 1978:486). Today, Ohlone people remain in their traditional territory, which includes Santa Clara County, and continue to engage in traditional cultural practices.

Records Search Results

AECOM conducted a records search at the NWIC of the California Historical Resources Information System at Sonoma State University (File No. 20-1770). The records search reviewed the Project area and a 0.25-mile radius on the Cupertino, Calif. topographic quadrangle in order to: (1) determine whether known cultural resources have been recorded within the vicinity of the Project; (2) assess the likelihood of unrecorded cultural resources based on historical references; and (3) develop a context for identification and preliminary evaluation of cultural resources. A full summary of the records search results is provided in Section 3.5, *Cultural Resources*.

Studies

The following two prior studies that include the Project area are on file at the NWIC:

- S-4344: This letter reports on the findings of an archaeological survey for a proposed development at the Saratoga Retirement Community east of Fruitvale Avenue (Chavez 1976). The survey was negative and noted that the survey area was covered with artificial fill.
- S-9911: This letter reports on the findings of an archaeological survey of a portion of the Saratoga Retirement Community property (Roop 1988). The survey was negative. It noted that it is unlikely for precontact archaeological resources to be present due to the age of the soils on the property, although they did note the potential for historic-period resources associated with the Odd Fellows to be encountered.

Two additional studies that include the Project area are on file with the City. These studies address evaluations of the CRHR-eligibility of the Odd Fellows Home (Manor Building) (Urban Programmers 2019; Garavaglia Architecture 2020).

Resources

No potential Tribal cultural resources were identified during the records search.

Tribal Coordination

AECOM submitted a Sacred Lands File Search at the California NAHC on May 11, 2021. The NAHC responded on May 24, 2021, indicating that no tribal cultural resources have been previously reported in the Project area. The NAHC also provided a list of Tribal contacts who may have additional information regarding cultural resources in the Project area. Tribal consultation is being conducted by the City. The Notice of Preparation was sent on November 17, 2021, to representatives from six Tribal groups, based on a contact list that the City had on file. Additional Notice of Preparation notifications were sent to five more tribal contacts on June 13, 2022, based on the address list provided by the NAHC.

One Tribe, Tamien Nation, responded to the initial outreach effort and requested formal consultation under AB 52. Quirina Luna Geary, the Chairwoman of Tamien Nation, requested a limited archaeological testing program to assess buried sensitivity in the footprint of proposed Building A, and the alternative construction plan at the site of the existing Health Center (see Alternative 1 in Section 4.4). These test excavations were conducted on June 9, 2022, by AECOM archaeologists Karen Gardner and Joshua McWaters, accompanied by tribal monitor, James Camarena. Results of the test excavations were negative in both locations.

A follow up meeting between Quirina Luna Geary, representing Tamien Nation, Cynthia Richardson, representing the City, and Emma Rawnsley and Karen Gardner, from AECOM, was held on July 5, 2022 via Zoom. The methods and results of the limited test excavations were discussed. Chairwoman Geary concurred with the findings, but expressed ongoing concerns about the possibility of encountering tribal resources, referencing anecdotal reports from a neighbor of Native American artifacts on the property, relayed during the EIR scoping meeting of December 9, 2021. She requested that a tribal monitor be present during initial ground disturbing activities during construction, regardless of the design plan or alternative chosen. She also requested that a cultural resources awareness training and tribal resources awareness training be presented to all crew prior to work on the project, and that an archaeologist be retained for consultation in the event that tribal resources are identified during construction. A follow up letter was sent to Chairwoman Geary on September 22, 2022, to summarize the meeting discussion and requests made. Subsequent consultation included email exchanges on October 18 and 24, 2022 and an additional phone call on November 3, 2022 to discuss potential mitigation measures. Draft mitigation measures (see MM-CUL-2 in Section 3.5, Cultural Resources), incorporating the tribe’s requests were sent to Chairwoman Geary on November 17, 2022 for review, and she responded by email on December 9, 2022 indicating her concurrence (Geary, pers. comm. 2022).

3.17.2 Regulatory Framework

Federal

For this Project, there are no federal regulations of relevance to Tribal cultural resources.

State

Assembly Bill 52

AB 52 (effective July 1, 2015) added PRC Sections 21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3 to CEQA, relating to consultation with California Native American tribes, consideration of "tribal cultural resources," and confidentiality. AB 52 provides procedural and substantive requirements for lead agency consultation with California Native American tribes and consideration of effects on tribal cultural resources, as well as examples of mitigation measures to avoid or minimize impacts to tribal cultural resources. AB 52 establishes that if a Project may cause a substantial adverse change in the significance of a tribal cultural resource, that Project may have a significant effect on the environment. Lead agencies must avoid damaging effects to tribal cultural resources, when feasible, and shall keep information submitted by tribes confidential.

AB 52 requires a lead agency to consult with California Native American tribes that are traditionally and culturally affiliated with the geographic area of the proposed project, if the tribe requested to the lead agency, in writing, to be informed by the lead agency of proposed projects in that geographic area and the tribe requests consultation. Section 21080.3.1.(d) states that within 14 days of determining that an application for a project is complete or a decision by a public agency to undertake a project, the lead agency shall provide formal notification to the designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, which shall be accomplished by means of at least one written notification that includes a brief description of the proposed project location and its location, the lead agency contact information, and a notification that the California Native American tribe has 30 days to request consultation pursuant to this section.

California Health and Safety Code

Human remains are protected under California code. If human remains are encountered, the remains must be treated in accordance with the requirements of Section 7050.5(b) of the California Health and Safety Code, which states that it is a misdemeanor to knowingly disturb a human burial. If human remains are encountered, work must halt in the vicinity of the remains; and as required by law, the Santa Clara County Coroner must be notified immediately. If human remains are of Native American origin, the coroner must notify the NAHC within 24 hours of that determination. Pursuant to PRC 5097.98, the NAHC will in turn immediately contact an individual who is the most likely to be descended from the remains (i.e., Most Likely Descendent). The most likely descendent has 48 hours to inspect the site and recommend treatment of the remains.

Local

City of Saratoga General Plan

The Land Use Element provides guidance for the protection of cultural resources in Saratoga as set by its citizens and elected officials and includes objectives, goals, and policies regarding cultural resources (City of Saratoga 2007).

The following General Plan goal and policies relating to tribal cultural resources are applicable to the Project:

Goal LU 12: Recognize the heritage of the City by seeking to protect historic and cultural resources, where feasible.

> **Policy LU 12.5:** Encourage public knowledge, understanding and appreciation of the City's past and foster civic and neighborhood pride and sense of identity based upon the recognition and use of the City's heritage resources.
>
> **Policy LU 12.9:** Conduct reconnaissance level analyses of new development projects to ensure that no significant archeological, prehistoric, paleontological [sic] Native American resources would be disturbed. If such resources are found, appropriate steps shall be taken, consistent with CEQA requirements to protect these resources.

3.17.3 Project Impacts and Mitigation

This section addresses the following potential impacts relating to tribal cultural resources:

- **Impact TCR-1:** Would the Project cause a substantial adverse change in the significance of a tribal cultural resource?

This impact is addressed below.

Impact TCR-1: Tribal Cultural Resources

Impact TCR-1 would be **potentially significant**. With implementation of MM-CUL-2, the impact would be reduced to **less than significant with mitigation.**

Standards of Significance

Based on Appendix G of the CEQA Guidelines, a Project may have a significant impact if it would cause a substantial adverse change in the significance of a tribal cultural resource.

PRC Section 21074 defines a tribal cultural resource 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 that is listed or eligible for listing on the California Register for Historical Resources or in a local register of historical resources as defined in PRC Section 5020.1(k), or is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in PRC Section 5024.1(c). In applying the criteria in Section 5024.1(c), the lead agency shall consider significance of the resource to the relevant California Native tribe.

Impact Analysis

Construction

The Project area has low sensitivity for Tribal cultural resources based on the negative SLF search at the NAHC and the negative records search at the NWIC. The Notice of Preparation was sent on November 17, 2021 to representatives from six Tribal groups. One Tribe, Tamien Nation, responded to the outreach effort and requested formal consultation under AB 52. Quirina Luna Geary, the Tribal Historic Preservation Office for Tamien Nation, requested a limited archaeological testing program to assess buried sensitivity in the footprint of the proposed Fitness Center Addition, and the alternative construction plan at the Health Center. These test excavations were conducted on June 9, 2022, by AECOM archaeologists Karen Gardner and

Joshua McWaters, accompanied by tribal monitor, James Camarena. Results of the test excavations were negative in both locations (AECOM 2022, see **Appendix D**).

Although the Project site is largely disturbed and the potential for encountering Tribal cultural resources is generally low, implementation of the Project could uncover as yet unrecorded Tribal cultural resources on the Project site. Such impacts could be **potentially significant**.

Mitigation measure MM-CUL-2 is recommended to address this potentially significant impact.

> ***MM-CUL-2: Inadvertent Discovery Protocols***
>
> *See Section 3.5.3 for full details of this mitigation measure.*

Mitigation measure MM-CUL-2, which requires training for construction workers and that specified procedures be followed if precontact or historic period archaeological resources are encountered during Project construction, is recommended to reduce impacts to subsurface tribal cultural resources that may be present on the Project site. In addition, the mitigation measure requires that the Project Applicant design and install an interpretive panel along the public trail connection, acknowledging the tribal history and indigenous peoples of the area. This mitigation measure would require stoppage of work if a suspected prehistoric or historic resource is encountered during construction, to allow a qualified archaeologist to evaluate the find to determine if it meets the definition of a historical or archaeological resource. If the find is determined to be a tribal cultural resource, consultation with recognized tribes would be undertaken and their input would be sought on the most appropriate treatment and disposition of the finds. Therefore, with implementation of MM-CUL-2, Project impacts to subsurface cultural resources would be reduced to **less than significant with mitigation**.

Operation

Operation of the Project would not involve any further ground disturbance and, therefore, would not have a substantial adverse effect on potential buried tribal cultural resources. There would be **no impact**.

3.17.4 Cumulative Impacts and Mitigation

This section analyzes the potential of the Project to contribute to the following cumulative tribal cultural resource impacts:

- **Impact C-TCR-1:** Contribution to cumulative effects on tribal cultural resources.

Cumulative Impact C-TCR-1: Tribal Cultural Resources

The overall cumulative impact for C-TCR-1 would be **potentially significant.** Implementation of mitigation measures for cumulative projects would reduce the overall cumulative impact to **less than significant with mitigation**.

Cumulative Context

The cumulative context for tribal cultural resources addresses the impacts of the Project along with other closely related past, present, and probable future Projects, and specifically focuses on local planned developments within the City that could potentially change the environment by affecting tribal cultural resources.

Cumulative Impact Analysis

According to CEQA, the importance of tribal cultural resources is the value of the resource to California Native American tribes culturally affiliated with the Project area. Past, present, and future development, in conjunction with the Project, would have the potential to cumulatively impact tribal cultural resources. Such impacts would be **potentially significant**; however, each of the cumulative Projects would be subject to its own environmental review under CEQA, either at a Project-level or as part of a programmatic CEQA analysis, and therefore consultation with tribes culturally affiliated with the project area would be undertaken in accordance with AB 52 and appropriate mitigation measures to avoid or reduce potential impacts to tribal cultural resources, such as MM-CUL-2 for the proposed Project, would be required. With implementation of such mitigation measures, the cumulative effects on tribal cultural resources would be reduced to less than significant. Therefore, the overall cumulative impact would be **less than significant with mitigation**.

Cumulative Mitigation Measures

See MM-CUL-2 in Section 3.5.3 above.

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3.18 Utility and Service Systems

This section describes the existing utilities and service systems setting of the Project area and evaluates whether the Project would result in adverse effects on utilities and service systems.

The following comments relating to utilities and service systems were received during the public scoping period in response to the Notice of Preparation:

- Concern that reducing the number of assisted living facilities and increasing number of independent living facilities would require additional water and wastewater usage.
- Request for clarification on the availability of showers and toilets in the new double-occupancy rooms and the installment of a modern air circulation and filtering system.

3.18.1 Environmental Setting

Water Supply

The San Jose Water Company (SJWC) provides water services to the City. SJWC is an investor-owned public utility and serves over 1 million people in the greater San Jose metropolitan area. The SJWC also supplies domestic water to Los Gatos, Monte Sereno, San Jose, Campbell, and Cupertino, representing a 139-square-mile service area consisting of 231,00 municipal connections.

SJWC has three sources of potable water supply: purchased (imported) treated surface water from the Valley Water, groundwater from the Santa Clara Subbasin, and a small amount (typically less than 5 percent) of surface water from local watersheds (SJWC 2021). A fourth and growing source of supply is non-potable recycled water, which provided approximately 2 percent of total water supply in 2020.

SJWC is under a master contract with Valley Water expiring in 2051 for the purchase of just over 50 percent of the needed water supply. According to the SJWC service area and water supply sources map, the Project site receives water primarily from Valley Water's imported surface water (San Jose Water 2021b). Valley Water is an independent special district that provides wholesale water supply, groundwater management, flood protection and stream stewardship, and is governed by an elected seven-member Board of Directors following the District Act and its own Board Governance Policies. The Valley Water imported surface water is from State Water Project and the federally funded Central Valley Project San Felipe Division. Water is piped into SJWC's system at various turnouts after it is treated at one of Valley Water's three water treatment plants.

On average, groundwater from the major water-bearing aquifers of the Santa Clara Subbasin comprise one third of SJWC's potable water supply. These aquifers are recharged naturally by rainfall, streams and artificially through recharge ponds operated by Valley Water. SJWC's local surface water is from the Santa Cruz Mountains. Surface water typically provide about seven percent of total water supply depending on the amount of annual rainfall. A series of dams and automated intakes collect water released from SJWC's lakes. The water is then sent to SJWC's Montevina Filter Plant for treatment prior to entering the distribution system. SJWC's Saratoga Treatment Plant draws water from a local stream which collects water from the nearby Santa Cruz Mountains.

The SJWC prepares an Urban Water Management Plan (UWMP) every 5 years to project future water demand and evaluate the adequacy of existing and projected supply. The 2020 UWMP anticipates significant growth in water demand from 2020 to 2045 due to population growth in the SJWC service area. SJWC estimates that total water use (potable and non-potable) was 40,390 million gallons in 2020 and is projected to increase to 45,605 million gallons by 2045; while over the same period, the projected water supply across all sources is anticipated to increase from 44,201 million gallons in 2020 to 45,605 million gallons in 2045 (SJWC 2021).

The water reliability assessment within the 2020 UWMP states that SJWC anticipates adequate supplies to meet system demand under average water year, single dry year, and multiple dry year conditions through for years 2025 through 2045 (SJWC 2021).

As SJWC's wholesale water supplier, Valley Water provides or manages the majority (more than 50 percent) of SJWC's water supplies. Based on information provided by Valley Water from their draft 2020 UWMP, SJWC's 2020 UWMP concluded that Valley Water will have sufficient supplies to meet SJWC's and other retailers' demands through 2045 under average year, single dry year, and five consecutive dry year conditions, and under a Drought Risk Assessment condition for a drought that lasts five consecutive years (SJWC 2021). There are increasing concerns about the reliability of imported treated surface water during average years, driven by risks associated with climate change, reductions in imported water supplies, revenue requirements, and threats to infrastructure. SCVWD has indicated to SJWC that they are in the process of planning, designing, and constructing a number of projects and programs that will increase water supply. These projects include dam improvements, pipeline restorations, potable reuse program, and recycled water programs. Additionally, SCVWD is refocusing their efforts towards water conservation, water recycling, and ensuring that the local water supply reduces reliance on imported water supplies.

Wastewater

The Project site is served by the West Valley Sanitation District (WVSD). The WVSD covers 28 square miles, providing wastewater collection, transport, and disposal services to a population of over 110,000 people within the cities of Saratoga, Campbell, Los Gatos, and Monte Sereno, as well as intervening unincorporated areas of Santa Clara County. WVSD facilities include approximately 415 miles of main and trunk sewers, 200 miles of sewer laterals and three pump stations. Within Saratoga, the WVSD consists of gravity sewer mains that convey wastewater flows northward in the municipal collection system, exiting the City limits through multiple trunk sewers. These systems continue to the north through the City of San Jose trunk sewers and ultimately to the San Jose/Santa Clara Regional Wastewater Facility (RWF) (West Valley Sanitation District 2020).

The San Jose/Santa Clara RWF, located in north San Jose, collects and treats domestic, commercial, and industrial wastewater from local municipalities and sanitation districts and discharges the treated wastewater into the San Francisco Bay. WVSD contracts with this facility for all wastewater treatment and disposal. In fiscal year 2019–2020, the WVSD collected and conveyed 9.746 million gallons per day of wastewater to the RWF (West Valley Sanitation District 2020). The RWF has a design capacity of 167 million gallon per day and treats an average of 110 million gallons of wastewater per day (San Jose/Santa Clara Water Pollution Control Plant 2011). WVSD accounts for approximately ten percent of the treatment flow at the RWF.

The District's original RWF capacity allocation (13.052 million gallons per day) was established in 1983, based on growth projections developed in 1983 by city planners of the respective cities (Campbell, Los Gatos, Monte Sereno, Saratoga, and Santa Clara County). Based on anticipated growth at that time, district staff determined the additional treatment plant capacity required to accommodate projected growth, which was later incorporated into the RWF's 167 million gallons per day expansion in the 1990s. A Plant Master Plan for the RWF was approved in 2013, which addresses plant improvement projects to improve service, comply with changing regulations, and accommodate projected population growth within its service area through 2040 (City of San Jose 2013).

WVSD has a fixed capacity allocation of 13.05 million gallons per day. Based on population growth projections for 2030, the WVSD would not exceed the current fixed capacity allocation (LAFCO 2013).

Storm Drainage

The public storm drain system is owned, operated, and maintained by the City. It consists of a network of storm drain inlets, manhole, pipes, outfalls, channels, and pump stations designed to protect the public and infrastructure from flood waters during storm events. The storm drains in the City carry water from streets and yards to local creeks and on to the San Francisco Bay without wastewater treatment, also known as a MS4. Stormwater pollution occurs when pollutants accumulate on streets or other surfaces, and they are washed off by rainfall or water. Residents contribute to stormwater pollution through everyday activities, like driving and gardening (City of Saratoga 2021).

The Authority serves as the Stormwater Pollution Prevention Authority for the cities of Campbell, Monte Sereno, Saratoga and the Town of Los Gatos. The Authority was created to maximize the effectiveness, efficiency, and cost benefit from collective stormwater pollution prevention efforts of the four West Valley communities (West Valley Clean Water Authority 2021).

Stormwater or urban runoff discharges are regulated by the 1972 Federal CWA through the NPDES permit program. The San Francisco Bay RWQCB regulates the discharge of pollutants in stormwater through NPDES stormwater discharge permits. The latest permit issued in 2015 is referred to as the Municipal Regional Stormwater NPDES Permit. The Authority's member agencies must comply with the NPDES stormwater permit, which mandates certain activities including maintenance of the stormwater drain system (West Valley Clean Water Authority 2021).

Conditions of approval for development Projects include the installation and maintenance of BMP's for site design and storm water treatment, which must be designed per approved numeric sizing criteria.

Solid Waste

Solid waste services are provided to the Project site by West Valley Solid Waste Management Authority, which contracts with West Valley Collection and Recycling (WVCR) to collect solid waste and recycling. WVCR collects solid waste and green waste, which is transported directly to the Guadalupe Landfill, located in the City of San Jose. The Guadalupe Landfill is a Class III solid waste landfill. The total permitted capacity of the landfill is 28,600,000 cubic yards, with a maximum throughput of 1,300 tons per day. As of the end of 2011 (the latest date for which information is available on CalRecycle's online database), the landfill had a remaining capacity

of 11,055,000 cubic yards or 39 percent of its total permitted capacity. Currently, the landfill is expected to reach its capacity in 2048 (CALRecycle 2021).

WVCR provides single stream recycling to single-family and multi-family residences and commercial customers. Single stream recycling means all recyclables are placed in a single bin and do not need to be sorted based on the material type (i.e., paper, plastic, metal, etc.). All recyclable materials are sorted at WVCR's Materials Recovery Facility in the City of San Jose. WVCR also collects green waste, or yard trimmings, from residential customers.

Electricity, Natural Gas, and Telecommunications

Existing utility lines would be utilized by the Project for electric power, natural gas, and telecommunications services. PG&E provides electricity and natural gas service for Santa Clara County. PG&E charges connection and user fees for all new development, in addition to sliding rates for electrical and natural gas service based on use. These services are currently available at the Project site. In addition, AT&T, Comcast, ViaSat, and Sonic currently provide telecommunication, cable television, and Internet services to the Project site.

3.18.2 Regulatory Framework

Federal

Federal Clean Water Act of 1987

The CWA is the primary federal law that protects our nation's waters, including lakes, rivers, aquifers, and coastal areas. Section 401 of the CWA requires that any applicant for a federal permit to conduct any activity, including the construction or operation of a facility that may result in the discharge of any pollutant, must obtain certification from the state.

Section 303 of the CWA requires states to identify surface waters that have been impaired. Under Section 303(d), states, territories, and authorized tribes are required to develop a list of water quality segments that do not meet water quality standards, even after point sources of pollution have installed the minimum required levels of pollution control technology. Section 404 of the CWA established a permit program to regulate the discharge of dredged material into waters of the United States.

National Pollution Discharge Elimination System

Section 402 of the CWA established the NPDES to regulate the discharge of pollutants from point sources. The USEPA has authorized the State of California to administer its NPDES permitting program. The NPDES permitting program prohibits the unauthorized discharge of pollutants from a point source (pipe, ditch, well, etc.) into waters of the United States. The permitting program addresses municipal, commercial, and industrial wastewater discharges and discharges from large animal feeding operations. Permittees must verify compliance with permit requirements by monitoring their effluent, maintaining records, and filing periodic reports. The program is administered at the local level by the Regional Water Quality Control Boards.

Resource Recovery and Conservation Act of 1976

The Resource Recovery and Conservation Act (RCRA; 42 United States Code 6901 et seq.) gives the USEPA the authority to control hazardous waste from "cradle to grave." This includes the generation, transportation, treatment, storage, and disposal of hazardous waste. RCRA also

set forth a framework for the management of nonhazardous solid wastes. The 1986 amendments to RCRA enabled the USEPA to address environmental problems that could result from underground tanks storing petroleum and other hazardous substances.

The federal Hazardous and Solid Waste Amendments are the 1984 amendments to RCRA that focus 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 USEPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program.

State

State Water Resources Control Board

The SWRCB preserves, enhances, and restores the quality of California's water resources, and ensures the proper allocation and efficient use for the benefit of present and future generations. Wastewater generators must obtain a permit to discharge their wastewater. Pursuant to the federal CWA and California's Porter–Cologne Water Quality Control Act, the SWRCB regulates wastewater discharges to surface waters through the NPDES program. Some wastewater discharges are exempt from federal NPDES requirements, but California law may still apply. Under California law, the SWRCB requires Waste Discharge Requirements for some discharges in addition to those subject to NPDES permits. Permits contain specific requirements that limit the pollutants in discharges. They also require dischargers to monitor their wastewater to ensure that it meets all requirements. Wastewater dischargers must maintain their treatment facilities, and treatment plant operators must be certified. The SWRCB routinely inspects treatment facilities and strictly enforces permit requirements.

Urban Water Management Planning Act

The California Urban Water Management Planning Act (California Water Code, Sections 10610–10656) requires urban water suppliers that provide over 3,000 acre-feet of water annually or serve 3,000 or more connections to analyze the reliability of their water sources over a 20-year planning horizon. The act requires urban water suppliers to prepare and update UWMPs that analyze the availability of water supplies to meet demands during normal, single-dry, and multiple-dry years as a way to encourage water conservation programs and create long-term planning obligations.

California Integrated Waste Management Act of 1989

The California Integrated Waste Management Act (AB 939) was signed into law on September 29, 1989. The Act requires all California cities, counties, and approved regional solid waste management agencies, responsible for enacting plans and implementing programs, to divert 25 percent of their solid waste by 1995 and 50 percent by year 2000. Later legislation mandates the 50 percent diversion requirement be achieved every year. The California Department of Resources Recycling and Recovery oversees and provides assistance to local governments as they develop and implement plans to meet the mandates of AB 939 and subsequent legislation. Local assistance staff serves as a liaison between local governments and the department and its program areas, providing input for the development of policies concerning local planning and implementation issues.

Solid Waste Disposal Measurement Act of 2008

The purpose of the Solid Waste Disposal Measurement Act of 2008 (SB 1016) is to make the process of goal measurement (as established by AB 939) simpler, more timely, and more accurate. SB 1016 builds on the compliance requirements of AB 939 by implementing a simplified measure of a jurisdiction's performance. It accomplishes this by changing to a disposal-based indicator—the per capita disposal rate—which uses only two factors: (1) a jurisdiction's population (or in some cases employment) and (2) its disposal, as reported by disposal facilities.

Since 2008, CalRecycle calculates each jurisdiction's per capita (per resident or per employee) disposal rates each year. If business is the dominant source of a jurisdiction's waste generation, CalRecycle may use the per employee disposal rate. Each year's disposal rate will be compared to that jurisdiction's 50% per capita disposal target. As such, jurisdictions will not be compared to other jurisdictions or the statewide average, but they will only be compared to their own 50% per capita disposal target. Among other benefits, per capita disposal is an indicator that allows for jurisdiction growth because, as residents or employees increase, report year disposal tons can increase and still be consistent with the 50% per capita disposal target. A comparison of the reported annual per capita disposal rate to the 50% per capita disposal target will be useful for indicating progress or other changes over time.

Assembly Bill 341

On October 6, 2011, Governor Brown signed AB 341, establishing a state policy goal that no less than 75% of solid waste generated be source reduced, recycled, or composted by 2020, which is now in effect. AB 341 also mandated that local jurisdictions implement commercial recycling by July 1, 2012. CalRecycle will review each jurisdiction's commercial recycling program every 2 to 4 years for compliance. Businesses and public entities generating 4 cubic yards of trash or more per week and multi-family residential dwellings with five or more units are required to establish and maintain recycling service under AB 341.

Senate Bill 1383

SB 1383 was enacted in 2016 to reduce the environmental impacts caused by the release of methane emissions from organic materials decomposing in landfills, as well as to increase statewide edible food recovery efforts beginning January 1, 2022. This law requires a 75 percent reduction in organic waste disposal by 2025 and that 20 percent of edible food that would otherwise be disposed of in the garbage or compost be recovered for human consumption by 2025.

California Energy Commission

The California Energy Commission is the state's primary energy policy and planning agency. Responsibilities of the California Energy Commission include, but are not limited to, forecasting future energy needs and keeping historical energy data, licensing thermal power plants 50 megawatts or larger, promoting energy efficiency, supporting renewable energy by providing market support, and planning for and directing state response to energy emergencies. SB 1389 requires the California Energy Commission to conduct "assessments and forecasts of all aspects of energy industry supply, production, transportation, delivery and distribution, demand, and prices." The California Energy Commission reports the results of these assessments and forecasts every 2 years to the governor, the legislature, and the California public in the Integrated Energy Policy Report.

California Code of Regulations Title 20 and Title 24

New buildings constructed in California must comply with the standards contained in CCR Title 20, Public Utilities and Energy, and CCR Title 24, Building Standards Code. CCR Title 20 contains standards ranging from power plant procedures and siting to energy efficiency standards for appliances to ensuring reliable energy sources are provided and diversified through energy efficiency and renewable energy resources. The 2022 California Green Building Standards (24 CCR Part 11, CALGreen) contains green building principles and energy efficiency standards for site planning and building design of residential and nonresidential buildings based on a state mandate to reduce California's energy demand. Also known as CALGreen, it contains a number of energy efficiency measures that impact energy used for lighting, water heating, heating, and air conditioning, including the energy impact of the building envelope such as windows, doors, skylights, wall/floor/ceiling assemblies, attics, and roofs. Mandatory measures also include storm water pollution prevention, water conservation, and reducing nonhazardous construction and demolition wastes by 65 percent. The City adopted the 2022 CALGreen by reference, with specific amendments, and codified it in Saratoga Municipal Code Chapter 16, Article 16-49.

Local

City of Saratoga General Plan

City policies pertaining to utilities and service systems are contained in the Open Space and Conservation Element and the Land Use Element of the City's General Plan.

The following General Plan policies relating to utilities and service systems apply to the Project[66]:

Open Space and Conservation Element

Goal OSC 9: Protect existing watercourses in the community and enhance water quality in surface and subsurface water sources.

> **Policy OSC 9.2:** Concentrate development in those portions of the community least susceptible to soil erosion and minimize grading and the introduction of impervious surfaces. Where appropriate, consider the use of on-site detention or retention basins to minimize stormwater runoff from sites.

Goal OSC 10: Maximize efficiencies in the use of the City's water supply.

> **Policy OSC 10.1:** Implement water conservation provisions of the San Jose Water Company's Urban Water Management Plan.

[66] In February 2018, the City of Saratoga began the process of making minor policy updates to three elements of the City's General Plan (Land Use, Circulation, and Open Space & Conservation) and formatting the elements to provide a cohesive document. These updated elements are collectively known as the "2040 General Plan Update" but have not yet been adopted. In addition, the City is currently in the process of updating its Housing Element for the "6th Cycle" planning period extending from January 31, 2023 through January 31, 2031, and updating its Safety Element to reflect the updated Housing Element. On February 28, 2022 the City published a Notice of Preparation of a Draft Program Environmental Impact Report for the 6th Cycle Housing Element, Safety Element, and 2040 General Plan Update. At present, there is no confirmed timeframe for completion and certification of the Program EIR and adoption of the updated General Plan elements; therefore, the policies cited within this EIR reflect the current General Plan Elements.

Land Use Element

Goal LU 6: Protect natural resources and amenities through appropriate land use and related programs.

> **Policy LU 6.2:** Development proposals shall incorporate stormwater quality features, including but not limited to grassy bio-swales, to protect surface and subsurface water quality.
>
> **Policy LU 6.3:** Continue to implement the City's Construction Materials Recycling Program to reduce the quantity of construction debris in local landfills.

City of Saratoga Municipal Code

Chapter 7, Article 7-05, *Discarded Material Disposal*. The purpose of this article is to promote health, sanitary and safety measures necessary for the promotion, protection and preservation of the health, safety and general welfare of the people of the City.

Chapter 7, Article 7-10, *Sewage Disposal*. The purpose of this article is to ensure that buildings in the City are connected to sewers in the most direct manner possible. In addition, this article establishes standards for the approval, installation, and operation of individual on-site sewage disposal systems consistent with the standards of the California Regional Water Quality Board as set out by the Santa Clara County Environmental Health Services and adopted by the Saratoga City Council.

Chapter 16, Article 16-47, *Green Building Regulations*. The purpose of this article is to promote the environmental sustainability of natural resources by efficiently redirecting the use of recyclable materials away from landfills, by encouraging recycled content materials in construction, by reducing the energy consumption needs of structures by making use of efficient construction methods and by promoting groundwater recharge and efficient preservation and use of water resources.

Chapter 16, Article 16-49, *Green Building Standards Code.* The purpose of this article is to adopt the 2022 CALGreen, Title 24, Part 11 as the Green Building Standards Code of the City.

3.18.3 Project Impacts and Mitigation

This section addresses the following potential impacts relating to utilities and service systems:

- **Impact UTI-1:** Would the Project require new or expanded utility services that could cause significant environmental effects?
- **Impact UTI-2:** Would the Project have sufficient water supplies available?
- **Impact UTI-3:** Would the Project result in determination of inadequate wastewater treatment capacity?
- **Impact UTI-4:** Would the Project generate solid waste in excess of local standards or capacity of local infrastructure?
- **Impact UTI-5:** Would the Project comply with solid waste management and reduction statutes and regulations?

These impacts are addressed in turn below.

Impact UTI-1: New or Expanded Utility Services

Impact UTI-1 would be **less than significant.** No mitigation is required.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, a project may have a significant impact if it would require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.

Impact Analysis

As discussed below for Impacts UTI-2 and UTI-3, construction and operation of the Project would not generate substantial demand for water supplies and would not generate substantial volumes of wastewater. The Project would not include any new natural gas infrastructure, consistent with the City's municipal code requirements for new construction.

New stormwater drainage facilities would be constructed on the Project site in association with the new buildings and hardscaping but would not require relocation or construction of new or expanded stormwater facilities off-site that would cause environmental effects beyond those analyzed as part of the Project throughout this EIR. See Section 3.10, Hydrology for more detailed discussion of proposed storm drainage infrastructure that would be provided as part of the Project.

Similarly, construction of new connections to existing water, wastewater, electricity, or telecommunications utilities would be limited to work within the Project site and the potential environmental impacts of such connections are included within the analysis of Project impacts as a whole. No improvement work would be required for the existing utilities outside of the Project site.

Because the Project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the impact would be **less than significant.**

Impact UTI-2: Sufficient Water Supplies

Impact UTI-2 would be **less than significant**. No mitigation is required.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if there would not be sufficient water supplies available to serve the Project during normal, dry, and multiple dry years.

Impact Analysis

The SRC campus would continue to receive water supplies from SJWC via the existing water main located within Odd Fellows Drive, which has the capacity to provide the increased water supplies needed to serve the proposed Project, and no extensions or expansions to the water pipelines that convey water to the Project site would be required to accommodate the small increase in water use associated with the Project. The existing onsite water system would

convey water supplies to the proposed residential units, ancillary uses, and landscaping through plumbing/landscaping fixtures that are required to be compliant with the CALGreen Plumbing Code for efficient use of water, per Chapter 16 Article 16-47 and 16-49 of the City's municipal code. The Project would result in less water for landscape irrigation, due in part to the reduced area of landscaping on site resulting from building construction, but also because new or replacement landscape planting would use low water plant materials in accordance with the City's WELO requirements.

As discussed previously in the Environmental Setting section above, SJWC anticipates that it will continue to have sufficient water available from its existing three water sources based on demand projections (SJWC 2021). The Project is proposing 52 additional independent living units and eliminating 45 skilled nursing beds, which would increase the population onsite by between 44 and 89 residents (see Section 3.13.3 for more details). Assuming a daily per capita water use factor of 75 gallons per day (gpd) per capita[67], the Project would demand approximately 3,300 to 6,675 gpd of water. This equates to less than 0.002 percent of SJWC's projected water supply of 44 to 45 million gpd through 2045. Furthermore, the proposed increase in residential population that would be generated by the Project does not represent unplanned growth, because the overall residential capacity of the campus under Project buildout (497 to 532 residents) would not be substantially increasing beyond that approved by the City as part of SRC's 1995 Master Plan (approximately 521 residents).

Overall, given the small scale of the anticipated increase in water use and SJWC's projected water supply availability through 2045, the impact of the Project impacts to water facilities, services, and supply would be **less than significant.**

Impact UTI-3: Wastewater Treatment Capacity

Impact UTI-3 would be **less than significant**. No mitigation is required.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would result in a determination by the wastewater treatment provider that 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.

Impact Analysis

The Project would generate wastewater from toilets, sinks, washing machines, dishwashers, and potential leaks associated with the 52 proposed residential units. The proposed Meeting Room and Fitness Center Additions would not include any new plumbing fixtures that would generate wastewater. New wastewater lines serving Buildings A, B and C would connect to the existing wastewater infrastructure within the Project site to accommodate the increased wastewater generation. New onsite wastewater collection facilities would connect with existing municipal sewer facilities within the Project site serviced by WVSD.

Using a wastewater per capita flow rate of 65 gpd per capita for apartment/multifamily residential dischargers (WVSD 2018), the additional 44 to 89 residents resulting from the proposed Project

[67] The SJWC's 2020 UWMP assumes a daily per capita water use across all water use sectors for population growth occurring after 2020, based on an assumption that all developments after 2020 would require high water efficiency fixtures and that the majority of future growth would be multi-family residential units rather than single family homes (SJWC 2021)

would be anticipated to increase wastewater generation by approximately 2,860 to 5,785 gpd. This represents approximately 0.02 to 0.04 percent of WVSD's 13.05 million gpd capacity allocation.

Furthermore, the WVSD has indicated that the existing capacity allocation would be sufficient to serve projected population through 2030. As discussed previously (Section 3.13.3) the increase in SRC's residential population as a result of the Project does not represent unplanned growth, because the overall residential capacity of the campus would not be substantially increasing beyond that approved by the City as part of SRC's 1995 Master Plan. Therefore, it is anticipated that WVSD would have adequate capacity to serve the Project. The impact would be **less than significant.**

Impact UTI-4: Solid Waste Capacity & Solid Waste Reduction Goals

Impact UTI-4 would be **less than significant**. No mitigation is required.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would 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.

Impact Analysis

Construction

Construction of the proposed Project would require the removal of existing surfaces (paving and hardscape) within the footprints of the proposed site improvements as well as excavation of soils to accommodate the foundations and parking levels of the proposed buildings. The majority of waste generated during demolition and construction activities would be concrete, asphalt, and soil from these areas, as well as surplus building materials and general waste generated by construction workers.

The Project would be required to comply with solid waste regulations listed in the City's Municipal Code (Chapter 7, Article 7-05, Discarded Material Disposal; and Chapter 16, Articles 16-47 and 16-49, Green Building Regulations) related to solid waste handling and disposal and recycling of construction and demolition debris to promote waste reduction and compliance with recycling regulations. The Project is also subject to Policy LU 6.3 of the City's General Plan, which requires the Project to continue to implement the City's Construction Materials Recycling Program to reduce the quantity of construction debris in local landfills.

The 2022 CALGreen Code (CCR Title 24, Part 11) and the City's Municipal Code requires all construction contractors to reduce construction waste and demolition debris by 65 percent. Code requirements include preparing a construction waste management plan that identifies the materials to be diverted from disposal by efficient usage, recycling, reuse on the project, or salvage for future use or sale; determining whether materials will be sorted on-site or mixed; and identifying diversion facilities where the materials collected will be taken. In addition, the Code requires that 100 percent of trees, stumps, rocks, and associated vegetation and soils resulting primarily from land clearing be reused or recycled. Solid waste collected from the Project site that could not be reused or recycled is anticipated to be hauled to landfill.

Because Project construction would be required to comply with applicable State and local regulations relating to reduction of construction waste, and because the generation of construction waste would be temporary and would cease upon the completion of construction, the impact of Project construction on solid waste services would be **less than significant**.

Operation

Implementation of the Project operation would generate solid waste associated with the additional 44 to 89 residents that would be accommodated at the SRC campus (see Section 3.13, Population and Housing).

As discussed previously, the Project would be served by WVCR, which provides solid waste, recycling, and yard waste collection services to the City. Solid waste collected from the Project site is anticipated to be hauled to the Guadalupe Landfill, located at 15999 Guadalupe Mines Road in the City of San Jose. The landfill currently handles 1,300 tons per day with a maximum capacity of 28,600,000 cubic yards (CalRecycle 2021).

According to CalRecycle, the average disposal rate for the City in 2020 was 2.6 pounds per day per capita (CalRecycle 2020). Using this disposal rate, the Project would increase solid waste generation at the SRC campus by approximately 114 to 232 pounds per day (or approximately 0.057 to 0.11 tons per day). This increased volume of solid waste would be negligible (less than 0.01 percent) compared to the permitted daily capacity and the total capacity of the Guadalupe Landfill. Thus, the proposed Project would be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs, and impacts related to landfill capacity would be **less than significant**.

Impact UTI-5: Solid Waste Statutes and Regulations

Impact UTI-5 would be **less than significant**. No mitigation is required.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, a project may have a significant impact if it would not comply with federal, state, and local management and reduction statutes and regulations related to solid waste.

Impact Analysis

Project construction and operation would not conflict with or interfere with the State or City's ability to implement its adopted solid waste management programs and policies. The Project would comply with all statutes and regulations related to solid waste, including the 2022 CALGreen (Title 24 CCR Part 11), the City's Health and Sanitation and Green Building Regulations. This impact would be **less than significant.**

3.18.4 Cumulative Impacts and Mitigation

The following analyzes the potential of the Project to contribute to cumulative impacts for the following utility and service system impacts[68] where the Project would have a less-than-significant or potentially significant impact:

[68] Note that project-level impacts have been combined for the purposes of cumulative analysis. Cumulative impact C-UTI-4 addresses the same issues as project-level impacts UTI-4 and UTI-5.

- **Impact C-UTI-1:** Contribute to cumulative effects from new or expanded utility services
- **Impact C-UTI-2:** Contribute to cumulative effects relating to sufficient water supplies available
- **Impact C-UTI-3:** Contribute to cumulative effects relating to inadequate wastewater treatment capacity
- **Impact C-UTI-4:** Contribute to cumulative effects relating to generation of solid waste in excess of local standards or capacity of local infrastructure
- **Impact C-UTI-5**: Contribute to cumulative effects relating to conflict with solid waste management and reduction statutes and regulations

Cumulative Impact C-UTI-1: New or Expanded Utility Services, Insufficient Water Supplies or Inadequate Wastewater Treatment Capacity

The overall cumulative impact for C-UTI-1 would be **less than significant**. No mitigation is required.

Cumulative Context

The geographic context for cumulative impacts to utility services is the service area for the various providers of each utility service, i.e., SJWC (water supply), WVSD (wastewater), WVCR (solid waste), and PG&E (electricity and gas). Cumulative impacts relating to stormwater drainage utilities area discussed in Section 3.10.4, *Hydrology*.

Cumulative Impact Analysis

All cumulative projects would be evaluated at a project-level to determine increase in demand for utilities that would result in relocation or construction of new utilities. Cumulative projects (including the proposed Project) that are consistent with the City's existing General Plan Housing Element or other approved planning documents within their respective service areas would have also been considered as part of planning by the various utility providers. Cumulative development associated with buildout of these planning documents would not require new or expanded utility services that would result in significant impacts beyond those identified in the environmental documents prepared for those planning documents (City of San Jose 2013; SJWC 2021a, City of Saratoga 2014). Therefore, the overall cumulative impact to utilities and service systems would be **less than significant**.

Cumulative Impact C-UTI-2: Insufficient Water Supplies

The overall cumulative impact for C-UTI-2 would be **less than significant**. No mitigation is required.

Cumulative Context

The geographic context for cumulative water supply impacts is the area serviced by SJWC, as well as areas receiving water from Valley Water's surface water import program and/or groundwater from the Santa Clara subbasin.

Cumulative Impact Analysis

As outlined in the 2020 UWMP, the supplies of SJWC are considered sufficient to meet projected demands during a single dry year, multiple dry years, normal years, and a 5-year drought conditions through 2045 without temporary reductions of water demands.

The Project is generally consistent with the City's General Plan, and the growth proposed by the Project and its associated water use are not considered to be unplanned growth, as the 1995 Master Plan approved a similar number of total residents at the SRC campus. Thus, as detailed by the SJWC UWMP, there would be sufficient water supplies available to serve the Project and other cumulative projects that have been accounted for in the projections. In addition, the City has indicated that to date, no concerns have been raised by Valley Water or SJWC regarding their ability to serve the addition of more than 1,700 new homes in the City that would occur from buildout of the 6th Cycle Housing Element Update which is currently under environmental review (City of Saratoga, no date). Furthermore, any cumulative project meeting the definition of a 'project' under the California Water Code section 10912(a) is required to prepare a Water Supply Assessment to determine if sufficient water supplies are available to serve the project.

Given the above factors, cumulative development, including the proposed Project, would not result in water supply demands that would require new or expanded entitlements, and the overall cumulative impact would be **less than significant**.

Cumulative Impact C-UTI-3: Inadequate Wastewater Treatment Capacity

The overall cumulative impact for C-UTI-2 would be **less than significant**. No mitigation is required.

Cumulative Context

The geographic context for cumulative wastewater impacts is the area served by WVSD.

Cumulative Impact Analysis

Cumulative projects would be evaluated at a project- or programmatic-level to determine if adequate wastewater treatment capacity is available. Projects that would exceed available wastewater treatment capacity would not be approved without appropriate mitigation or plans to address wastewater treatment.

As discussed in Section 3.18.2, WVSD's wastewater system has a fixed capacity allocation of 13.05 million gallons per day; which would not be exceeded based on population growth projections through 2030. The San Jose/Santa Clara Regional Wastewater Facility Plant has a design capacity of 167 million gallon per day, and its Plant Master Plan addresses necessary plant improvement projects to accommodate projected population growth within its service area through 2040 (City of San Jose 2013).

Thus, increases in wastewater in the sewer system from cumulative development in the City would not result in inadequate wastewater treatment capacity, and the overall cumulative impact would be **less than significant**.

Cumulative Impact C-UTI-4: Solid Waste Capacity

The overall cumulative impact for C-UTI-4 could be **potentially significant**, but the Project's contribution would be **less than cumulatively considerable**. No mitigation is required.

Cumulative Context

The geographic scope for cumulative analysis of solid waste impacts is the service area for the Guadalupe Landfill, which serves the Project area. The projection of future landfill capacity based on the entire projected waste stream going to this landfill is used for cumulative impact analysis.

Cumulative Impact Analysis

As discussed previously, the Guadalupe Landfill currently handles 1,300 tons of waste per day with a maximum capacity of 28,600,000 cubic yards and maximum permitted throughput of 1,300 tons per day. As of 2011 (the most recent date for which information is reported on CalRecycle's online Solid Waste Information System database), the landfill had a remaining capacity of 11,055,000 cubic yards or 39 percent of its permitted capacity (CalRecycle 2021). The level of waste that would be generated by the cumulative projects listed in Table 3.1-1 is not known, but it is unlikely to exceed the future capacity of available landfills, as the future projects would be required to comply with relevant solid waste statutes and regulations, which have been adopted to protect the environment. Even in the unlikely event that the cumulative demand would exceed available landfill capacity, the Project's contribution to the cumulative impact would be **less than cumulatively considerable**, as the Project does not represent substantial unplanned growth compared to the level of development that was approved for the site as part of the 1996 Master Plan.

Cumulative Impact C-UTI-5: Solid Waste Statutes and Regulations

The overall cumulative impact for C-UTI-5 could be **less than significant**. No mitigation is required.

Cumulative Context

The geographic scope for cumulative analysis of impacts relating to solid waste statutes and regulations is statewide, as the majority of applicable regulations are promulgated by the State.

Cumulative Impact Analysis

Cumulative projects would be required to comply with applicable State and local regulations pertaining to solid waste, similar to the Project. The overall cumulative impact would be **less than significant.**

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3.19 Wildfire

This section describes the existing wildfire setting of the Project area and evaluates whether the Project would result in adverse effects on wildfire.

The following comments relating to wildfire were received during the public scoping period in response to the Notice of Preparation.

- Concerns about the Project's impact on emergency response plans in the event of a wildfire, or other emergency, particularly given cumulative impacts associated with potential future development at Fellowship Plaza.

3.19.1 Environmental Setting

The California Department of Forestry and Fire Protection (CAL FIRE) has mapped fire hazard severity zones in Santa Clara County based on fuels, terrain, weather, ember production, and other relevant factors (CAL FIRE 2008; County of Santa Clara 2016). These zones, referred to as Very High Fire Hazard Severity Zones (VHFHSZ), are classified by the CAL FIRE Director in accordance with Government Code, Sections 51175–51189, to assist responsible local agencies, and identify measures to reduce the potential for losses of life, property, and resources from wildland fire.

The western and southwestern hillside areas of the City are most susceptible to wildland fires due to the steep topography, abundant fuel load, lack of adequate water supply, and climatic conditions. Historic large fires in this region have occurred under the influence of strong north winds, humidity patterns, and low moisture levels (CAL FIRE 2018). As a result of this condition, the City (in coordination with CAL FIRE) has established a Wildland–Urban Interface (WUI) zone, which covers all of the VHFHSZ in the City, as well as additional areas to the west of Saratoga-Sunnyvale Road and Saratoga-Los Gatos Road, plus other areas to the east of those roads that are mapped as VHFHSZ (City of Saratoga 2013). The summer fire season poses the greatest threat to residential areas in the City, particularly during periods of high temperatures accompanied by extremely dry vegetation. The prevailing wind direction in Saratoga during summer months is from the western quadrant, with average wind speeds between 6.3 to 8.5 miles per hour (WeatherSpark 2022).

The Project site is within the more urbanized area of the City, away from the more susceptible hillsides areas. The entire Project site is mapped as non-VHFHSZ by CAL FIRE and is not within a State Responsibility Area. The nearest VHFHSZ is approximately 2,500 feet west of the Project site (CAL FIRE 2008). The Project site is not within the WUI which, in the vicinity of the Project site, generally aligns with CAL FIRE's VHFHSZ, although the southern portion of the site is identified as having moderate fire hazard within the City's General Plan Safety Element (City of Saratoga 2013, Exhibit 7 Fire Hazard Zones).

As discussed in Section 3.14, Public Services, the SFPD and the SCCFD provide fire suppression, fire prevention, and emergency response for the City. The closest fire stations to the Project site are the Saratoga Fire Station at 14380 Saratoga Avenue, and the Quito Fire Station at 18870 Saratoga-Los Gatos Road, both of which are approximately 2.1 miles from the Project site.

3.19.2 Regulatory Framework

Federal

There are no federal regulations regarding the provision of local services in relation to wildfires.

National Fire Protection Association Codes, Standards, Practices, and Guides

National Fire Protection Association (NFPA) codes, standards, recommended practices, and guides are developed through a consensus standards development process approved by the American National Standards Institute. This process brings together professionals representing varied viewpoints and interests to achieve consensus on fire and other safety issues. NFPA standards are recommended guidelines and nationally accepted good practices in fire protection but are not law or "codes" unless adopted as such or referenced as such by the CFC or a local fire agency.

State

California Fire Code

The CFC is Chapter 9 of Title 24 of the CCR. It was created by the California Building Standards Commission and is based on the International Fire Code created by the International Code Council. It is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. The CFC regulates the use, handling, and storage requirements for hazardous materials at fixed facilities. The CFC and the California Building Code use a hazards classification system to determine what protective measures are required to protect fire and life safety. These measures may include construction standards, separations from property lines, and specialized equipment. To ensure that these safety measures are met, the CFC employs a permit system based on hazard classification. The CFC is updated every 3 years. Chapter 16 of the City's Municipal Code contains the City's adopted amendments to the 2016 CFC. Chapter 49 of the CFC includes requirements for WUI fire areas relating to building construction, vegetation and fuel management, and defensible space.

California Department of Forestry and Fire Protection

CAL FIRE is tasked with reducing wildfire-related impacts and enhancing California's resources. CAL FIRE responds to all types of emergencies including wildland fires and residential/commercial structure fires. In addition, CAL FIRE is responsible for the protection of approximately 31 million acres of private land within the state and, at the local level, is responsible for inspecting defensible space around private residences. CAL FIRE is responsible for enforcing State of California fire safety codes included in the CCR and the California PRC. Title 14, Section 1254 of the California Code of Regulations identifies minimum clearance requirements required around utility poles.

California Strategic Fire Plan

The California Strategic Fire Plan is a statewide fire plan developed in concert between the State Board of Forestry and Fire Protection and CAL FIRE. The 2018 Plan reflects CAL FIRE's focus on (1) fire prevention and suppression activities to protect lives, property, and ecosystem services, and (2) natural resource management to maintain the state's forests as a resilient carbon sink to meet California's climate change goals and to serve as important habitat for adaptation and mitigation.

The vision of the plan is for a natural environment that is more fire resilient; buildings and infrastructure that are more fire resistant; and a society that is more aware of and responsive to the benefits and threats of wildland fire; all achieved through local, state, federal, tribal, and private partnerships.

Goals and objectives include providing regular updates to CAL FIRE's Fire Hazard Severity Zone maps; engaging in the development, review, and adoption of local land use plans to ensure compliance with fire safe regulations and current building standards and protection of natural resources; supporting and participating in the collaborative development and implementation of local, county, and regional plans that address fire protection and landowner objectives; and increasing fire prevention awareness to reduce human loss, property damage, and impacts to natural resources from wildland fires.

Local

Santa Clara County Community Wildfire Protection Plan

The Santa Clara County Community Wildfire Protection Plan (County of Santa Clara 2016) is a countywide strategic plan with goals for creating a safer WUI community, accompanied by report annexes that address specific issues and projects by jurisdiction and stakeholder organizations. Annex 5 relates to the Saratoga Fire Protection District; Annex 6 to the City of Saratoga. The purpose of the Community Wildfire Protection Plan is to assist in protecting human life and reducing property loss due to wildfire throughout the planning area, and was developed in response to the federal Healthy Forests Restoration Act of 2003. The Community Wildfire Protection Plan is a collaborative approach for reducing wildland fire risks to communities and the environment and includes an analysis of conditions such as fire apparatus access, community evacuation, fuels, topography, and weather.

City of Saratoga Emergency Operations Plan

The City's Emergency Operations Plan is an all-hazards document describing the City's incident management organization, compliance with relevant legal statutes, other relevant guidelines, whole community engagement, continuity of government focus, and critical components of the incident management structure. It provides a flexible platform for planning and response to all hazards, incidents, events, and emergencies and is applicable to a wide variety of anticipated incident events including earthquake, wildland fires, floods, and public health issues.

City of Saratoga Municipal Code

Chapter 16 of the City's Municipal Code includes the most recently adopted state codes (Building Code, Health and Safety Code, Fire Code, Residential Building Code, etc.) associated with fire and building regulations that affect development within the City. The requirements include the installation of early warning fire alarm systems and fire sprinkler systems, as well as the availability and maintenance of emergency access.

City of Saratoga General Plan

City policies pertaining to wildfires are contained in the Safety Element of the City's General Plan. Policies relating to emergency preparedness are presented in Section 3.9, *Hazards and Hazardous Materials*. The following General Plan policies relating to wildfires apply to the Project:

Goal SAF-4: Reduce the danger of property damage and loss of life due to urban and wildfires.

Policy SAF-4.1: The City shall require the installation of an early warning fire alarm system in each of the following cases: *[non-applicable examples a) through c) not shown]*

d) All new multi-family dwellings and other new structures having multiple sleeping units, such as hotels, motels, apartments, condominium or other community housing projects, townhouses and nursing homes.

e) Any existing multi-family dwelling or other existing structure having multiple sleeping units as described in Paragraph (d) above, which is expanded by fifty percent or more in gross area.

Policy SAF-4.3: The Fire Chief, having jurisdiction, should be authorized to require the installation of an early warning fire alarm system in any new commercial structure or community facility, or expansion of an existing commercial structure by fifty percent or more in gross floor area, whenever the Fire Chief deems such requirement to be necessary or appropriate on the basis of facts and circumstances in each individual case.

Policy SAF-4.5: The City shall continue to enforce existing regulations pertaining to hazardous fire areas (wildland-urban interface), fire retardant construction and landscaping (fuel modification).

Policy SAF-4.6: The City shall coordinate with the Santa Clara County Fire Department on the need for additional fire prevention regulations for the built up, populated areas of the City.

Goal OSC-13: The preservation of native and other plant species indicative of Saratoga's cultural heritage shall be given priority over development and provide for the perpetuation of such species.

Policy OSC 13.3: Fire safety shall be an important consideration when evaluating the preservation of native vegetation.

3.19.3 Project Impacts and Mitigation

This section addresses the following potential impacts relating to wildfire:

- **Impact WF-1:** Would the Project substantially impair an adopted emergency response plan or emergency evacuation plan?
- **Impact WF-2:** Would the Project exacerbate wildfire risks and expose Project occupants to pollutant concentrations from a wildfire?
- **Impact WF-3:** Would the Project require the installation or maintenance of associated infrastructure that may exacerbate fire risk; or
- **Impact WF-4:** Would the Project expose people or structures to significant risks as a result of runoff, post-fire slope instability, or drainage changes.

These impacts are addressed in turn, below.

Impact WF-1: Impairment of Emergency Response Plans or Emergency Evacuation Plans

Impact WF-1 would be **potentially significant**. With implementation of Mitigation Measure MM-TRA-3a, the impact would be reduced to **less than significant with mitigation.**

Standard of Significance

Based on Appendix G of the State CEQA Guidelines, the Project would have a significant impact if it is located in or near state responsibility areas or lands classified as very high fire hazard severity zones and would substantially impair an adopted emergency response plan or emergency evacuation plan.

Impact Analysis

As discussed previously, the Project site is not within a State Responsibility Area or VHFHSZ, however a VHFHSZ is present approximately 2,500 feet to the west (CAL FIRE 2008).

As discussed in Section 3.9, *Hazards and Hazardous Materials* (Impact HAZ-5), operation of the Project would not impair implementation of an adopted emergency response plan or emergency evacuation plan, but construction of the Project could hinder emergency evacuation of the SRC campus or the neighboring Fellowship Plaza property during an emergency, including a wildfire. This impact could be **potentially significant**.

Mitigation Measure MM-TRA-3a, detailed in Section 3.16.3, *Transportation*, is recommended to address this potentially significant impact.

> ***MM-TRA-3a: Construction Traffic Control Plan.*** *See Section 3.16.3 for full details of this measure.*

For the same reasons discussed in Section 3.9.3, implementation of mitigation measure MM-TRA-3a would reduce the impact on emergency response and evacuation to **less than significant with mitigation**.

Impact WF-2: Exposure of Project occupants to pollutant concentrations from wildfire or uncontrolled spread of wildfire

Impact WF-2 would be **less than impact**. No mitigation is required.

Standard of Significance

Based on Appendix G of the State CEQA Guidelines, the Project would have a significant impact related to wildfire if it is located in or near state responsibility areas or lands classified as very high fire hazard severity zones and would, 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.

Impact Analysis

As discussed above, the Project site is not within a State Responsibility Area or VHFHSZ but is near (within a half-mile) of a VHFHSZ (CAL FIRE 2008). Prevailing winds during summer months are typically from the west (i.e., towards the Project site from the VHFHSZ); however, the Project would not substantially alter site slopes or vegetation or introduce new land uses that would exacerbate potential wildfire risks at the site. The impact would be **less than significant**.

Impact WF-3: Installation or maintenance of infrastructure that may exacerbate fire risk

Impact WF-3 would be **less than significant**. No mitigation is required.

Standard of Significance

Based on Appendix G of the State CEQA Guidelines, the Project would have a significant impact related to wildfire if it is located in or near state responsibility areas or lands classified as very high fire hazard severity zones and would 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.

Impact Analysis

As discussed above, the Project site is not within a State Responsibility Area or VHFHSZ but is near (within a half-mile) of a VHFHSZ (CAL FIRE 2008). The Project does not include infrastructure that would exacerbate fire risks, as all proposed utility connections and new roadways would be developed within previously developed areas of the site away from large areas of vegetation. In addition, the Project contractor would be required to comply with applicable provisions of the CFC Chapter 33 and SCCFD's Standard Detail and Specification SI-7, and this requirement is stated in the Project plans (Sheet A1.05). Such provisions include, but are not limited to, specific requirements relating to preparation of a written Fire Protection Plan, accumulation of combustible materials, storage of hazardous materials, special operations such as hotwork, fire protection and egress. For these reasons, the installation or maintenance of infrastructure associated with the Project would not exacerbate fire risk and the impact would be **less than significant**.

Impact WF-4: Exposure to significant risks as a result of runoff, post-fire slope instability or drainage changes

Impact WF-4 would be **less than significant**. No mitigation is required.

Standard of Significance

Based on Appendix G of the State CEQA Guidelines, the Project would have a significant impact related to wildfire if it is located in or near state responsibility areas or lands classified as very high fire hazard severity zones and would 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.

Impact Analysis

As discussed above, the Project site is not within a State Responsibility Area or VHFHSZ but is near (within a half-mile) of a VHFHSZ (CAL FIRE 2008). The Project site is in a relatively flat area of the City and does not contain substantial areas of large slopes that would become unstable under post-fire conditions. The Project footprint would be within previously developed areas of the site and would not substantially alter slopes or drainage patterns (see Impact HYD-3 in Section 3.10, *Hydrology* for further discussion of drainage impacts). Therefore, the Project would not result in significant risks related to downslope or downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes. The impact would be less than significant.

3.19.4 Cumulative Impacts and Mitigation

The following analyzes the potential of the Project to contribute to cumulative impacts relating to wildfire[69] where the Project would have a less-than-significant or potentially significant impact:

- **Impact C-WF-1**: Contribute to cumulative effects relating to wildfire.

Cumulative Impact C-WF-1: Cumulative Wildfire Impacts

The overall cumulative impact for C-WF-1 would be **less than significant**. No mitigation is required.

Cumulative Context

The geographic context for cumulative impacts to wildfire is the City of Saratoga.

Cumulative Impact Analysis

As discussed above, the Project site is not within a State Responsibility Area or VHFHSZ but is near (within a half-mile) of a VHFHSZ (CAL FIRE 2008). Although other projects such as those listed in Table 3.1-1 may have the potential to increase potential wildland fire risks, they must comply with all applicable requirements of the California Fire Code, including requirements for WUI Fire Areas, if applicable. Furthermore, all projects must be reviewed by SCCFD to ensure that building materials, access, vegetative clearance from structures, fire flows, and water supplies are adequate for fire protection purposes and in conformance with the fire policies of the City General Plan and provisions of the municipal code. The overall cumulative impact would be **less than significant**.

[69] Note that project-level impacts have been combined for the purposes of cumulative analysis. Cumulative impact C-WF-1 addresses the same issues as project-level impacts WF-1, WF-2, WF-3 and WF-4.

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3.20 Environmental Topics for which No Impacts were Identified

This section provides a brief discussion of several environmental topics which, due to the nature of the Project site and/or the nature of the Project, would have no potential for environmental impacts and, thus, no cumulatively considerable impact. Because no impacts were identified, and no comments relating to any of these topics were received during the public scoping period in response to the Notice of Preparation, a full description of the environmental setting, regulatory framework, and detailed analysis of impacts is not included in the EIR as it is for other environmental topics that do have potential for environmental impacts.

A brief justification for the exclusion of these topics from further analysis, including the basis for the no impact conclusion, is given for each of the topics listed below is presented in the following subsections:

- Agricultural and Forestry Resources
- Mineral Resources

3.20.1 Agricultural and Forestry Resources

The Project would have **no impact** to agriculture and forestry resources.

Based on Appendix G of the CEQA Guidelines, the Project is considered to have a significant impact on agricultural and forestry resources if it would:

- Convert Prime Farmland, Unique Farmland, or Farmland of State-wide 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;
- Conflict with existing zoning for agricultural use, or a Williamson Act contract;
- Conflict with existing zoning for, or cause rezoning of, forest land (as defined in PRC Section 12220(g)), timberland (as defined by PRC Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g));
- Result in the loss of forest land or conversion of forest land to non-forest uses; or
- 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.

The Project site is currently developed with urban uses and is designated as “Urban and Built-Up Land” by the California Department of Conservation Farmland Mapping and Monitoring Program (California Department of Conservation 2016a). The Project site is not located on lands designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, nor is it on lands subject to a Williamson Act contract. The Project site is not zoned as forestland, timberland, or a Timberland Production Zone and does not contain 10 percent native tree cover that would be classified as forestland under PRC Section 12220(g). Therefore, due to the absence of identified agricultural or forestry resources in the area, the Project would not conflict with existing agricultural zoning or a Williamson Act contract, convert or facilitate the conversion

of prime farmland to non-agricultural uses, or result in the loss of forest lands. There would be **no impact** to agricultural and forestry resources under Project or cumulative conditions.

3.20.2 Mineral Resources

The Project would have **no impact** to mineral resources.

Based on Appendix G of the State CEQA Guidelines, the Project is considered to have a significant impact on mineral resources if it would:

- 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; or
- 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.

The Project site is not located in an area designated as containing regionally or locally significant mineral resources. Mineral resources in the Saratoga vicinity are limited primarily to sandstone and shale. Currently, there are no mines or quarries known to be operating in Saratoga (City of Saratoga 2007). The nearest area containing mineral deposits which are of regional significance subject to the Surface Mining and Reclamation Act of 1975 is the Stevens Creek Quarry, approximately 8 miles northwest of the Project site (California Department of Conservation 2016). Therefore, because there are no mineral resources in the project area, the Project would not result in the loss of mineral resources of statewide or regional importance, or in the loss of availability of a locally important mineral resource recovery site. There would be **no impact** related to mineral resources under Project or cumulative conditions.

3.21 Mandatory Findings of Significance

This section evaluates the following mandatory findings of significance outlined in CEQA Guidelines Appendix G:

- **Impact MFS-1:** Would the Project have a substantial adverse effect on wildlife or plant species or eliminate important examples of the major periods of California history or prehistory?
- **Impact MFS-2:** Would the Project have cumulative impacts that are individually limited but cumulatively considerable?
- **Impact MFS-3:** Would the Project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

These impacts are addressed in turn, below.

Impact MFS-1: Effects to Wildlife or Plant Species or Important Examples of California History or Prehistory

The impact of the Project would be **potentially significant.** Implementation of MM-BIO-1 and MM-BIO-4 would reduce potential impacts on wildlife and plants to less than significant with mitigation; and MM-CUL-2 would reduce impacts on examples of California prehistory to less than significant with mitigation; but even with implementation of MM-CUL-1a through 1c the impact to important examples of California history would remain **significant and unavoidable**.

Standards of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

Impact Analysis

Based upon background research and the analysis in this EIR, the Project would not have significant impacts on biological resources. As discussed in Section 3.3, *Biological Resources*, construction of the Project could disturb special-status or common birds that are nesting on or near the project site (see Impact BIO-1) or common bat species that are roosting on or near the site (see Impact BIO-4). However, for the reasons presented previously, implementation of mitigation measures MM-BIO-1 and MM-BIO-4 would reduce these potentially significant impacts to a less-than-significant level. All other biological resources impacts would be less than significant. The Project, once mitigated, would therefore not substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal community.

As discussed in Section 3.4, *Cultural Resources*, the Project would have potentially significant impacts on historical resources (the Manor Building) and archaeological resources (see Impacts CUL-1 and CUL-2, respectively). Implementation of mitigation measure MM-CUL-2 would

reduce potential impacts to archaeological resources to a less-than-significant level. Mitigation measures MM-CUL-1a through MM-CUL-1c would reduce some impacts to the historical resource, but a significant and unavoidable impact would remain, even after mitigation.

The Manor Building represents an important example of a major period of California history, because it is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage (CRHR Criterion 1; see Section 3.4 for more details). Whilst the Project would not eliminate the Manor Building completely, it would result in the destruction of several character defining features of the historical resource, and no feasible mitigation has been identified to reduce impacts to less-than-significant. The impact of the Project on important examples of major periods of California history would therefore be **significant and unavoidable.**

Impact MFS-2: Individually Limited but Cumulatively Considerable Impacts

The cumulative impact would be **no impact** or **less than significant** for most resource topics. The overall cumulative impact would be potentially significant for some topics, but the Project's contribution would either be less than cumulatively considerable or could be reduced to less than cumulatively considerable with implementation of project-level or cumulative level mitigation.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would have impacts that are individually limited, but cumulatively considerable.

Impact Analysis

Analysis of cumulative impacts is provided for each environmental topic within each of the "Cumulative Impacts and Mitigation" subsections within Section 3 of this EIR. As discussed within subsections 3.2.4 through 3.19.4, the Project in combination with other past, present, and probable future Projects would result in **less-than-significant** cumulative impacts, except for the following:

- The overall cumulative impact to roosting bats (Impact C-BIO-4), recreational facilities (Impact C-REC-1), and solid waste (Impact C-UTI-4) would be **potentially significant**, but the Project's contribution to these cumulative impacts would be **less than cumulatively considerable**. No mitigation measures are required.
- The overall cumulative impacts for criteria air pollutants (Impact C-AIR-1), archaeological resources (Impact C-CUL-2), paleontological resources (Impact C-GEO-6), GHG emissions (Impact C-GHG-1), and tribal cultural resources (Impact C-TCR-1) would be **potentially significant**, but the Project's contribution to the cumulative impact would be **reduced to less than cumulatively considerable** with implementation of Project-level mitigation measures MM-AIR-2, MM-CUL-2, MM-GEO-6, MM-GHG-1a, and MM-GHG-1b. No additional mitigation measures, beyond those required to reduce the Project-level impacts, are required for these cumulative impacts.
- The overall cumulative impact for emergency response and evacuation (Impact C-HAZ-5), construction traffic noise (Impact C-NOI-1) and emergency response (Impact C-TRA-4) would be **potentially significant**, but the Project's contribution to the cumulative impact

would be **reduced to less than cumulatively considerable** with implementation of additional cumulative-level mitigation measures, C-MM-TRA-4 and C-MM-NOI-1.

Impact MFS-3: Direct or Indirect Adverse Effects on Human Beings

The impact would be **no impact, less than significant,** or **less than significant with mitigation** for all resource topics impacting humans.

Standard of Significance

Based on Appendix G of the CEQA Guidelines, the Project may have a significant impact if it would have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.

Impact Analysis

Potential adverse effects on human beings are discussed and evaluated in Sections 3.2, *Aesthetics*; 3.3, *Air Quality*; 3.7, *Geology*; 3.9, *Hazards and Hazardous Materials*; 3.12, *Noise*; 3.13, *Population and Housing*; and 3.16, *Transportation*. As discussed in those sections, Project impacts for all of these topics would either be less than significant, or could be reduced to less than significant with implementation of recommended mitigation measures.

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4 Alternatives

4.1 Introduction

CEQA requires that an EIR describe and evaluate a reasonable range of alternatives to the proposed Project, or to the location of the proposed Project, and evaluate the comparative environmental effects of the alternatives (CEQA Guidelines Section 15126.6(a), (d)). The "range of alternatives" is governed by the "rule of reason," which requires the EIR to describe and consider only those alternatives necessary to permit informed public participation, and an informed and reasoned choice by the decision-making body (CEQA Guidelines Section 15126.6(a), (f)).

The range of alternatives must include alternatives that could feasibly attain most of the basic objectives of the Project and could avoid or substantially lessen any of the significant effects of the Project (CEQA Guidelines Section 15126.6(a)-(c)). CEQA generally defines "feasible" to mean an alternative that is capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, technological, and legal factors (CEQA Guidelines Section 15364). In addition, the following may be taken into consideration when assessing the feasibility of alternatives: site suitability; economic viability; availability of infrastructure; general plan consistency; other plans or regulatory limitations; jurisdictional boundaries; and the ability of the proponent to attain site control (CEQA Guidelines Section 15126.6(f)(1)). If the lead agency concludes that no feasible alternative locations exist, it must disclose the reasons for this conclusion, and should include the reasons in the EIR (CEQA Guidelines Section 15126.6(f)(2)(B)).

The description or evaluation of alternatives does not need to be exhaustive, and an EIR need not consider alternatives for which the effects cannot be reasonably determined and for which implementation is remote or speculative. An EIR need not describe or evaluate the environmental effects of alternatives in the same level of detail as the proposed Project, but must include enough information to allow meaningful evaluation, analysis, and comparison with the proposed Project (CEQA Guidelines Section 15126.6(d)).

A "No Project" alternative must also be evaluated. This analysis is required to include a discussion of the continuation of the existing conditions, as well as what could be reasonably expected to occur in the foreseeable future if the Project were not approved, based on current plans and consistent with available infrastructure and community services (CEQA Guidelines Section 15126.6I(2)).

CEQA also requires that an environmentally superior alternative be selected from among the alternatives. The environmentally superior alternative is the alternative with the fewest or least severe adverse environmental impacts. If the "No Project" alternative is the environmentally superior alternative, the EIR must also identify an environmentally superior alternative from among the other alternatives (CEQA Guidelines Section 15126.6(e)(2)).

The following comments relating to Alternatives were received during the public scoping period in response to the Notice of Preparation:

- Preserve SRC, a group of existing SRC residents, submitted an alternative site plan and associated details to the City which the group states would accommodate the same number

of new independent living units, meeting room space, parking spaces, and fitness center space as the Project, but would avoid many of the concerns that the existing residents have with the Proposed Project. The full Preserve SRC submission is included in **Appendix A** for reference. Note that one of the alternatives considered in this EIR is based on the Preserve SRC submission – see Section 4.4, *Alternative 1 - Residents' Alternative* for more details.

- Multiple comments were received during the scoping period, which voiced support for Preserve SRC's alternative plan and requested that a detailed analysis of the Preserve SRC alternative plan to be included in the EIR. Many of the comments mentioned specific environmental impacts that the commenters felt would be avoided or reduced by this alternative, including impacts to aesthetics, air quality, biological resources, cultural resources, noise, public services, recreation, and transportation. In particular, many commenters suggested that this alternative would have substantially fewer construction-related impacts due to the reduced number of construction sites and the location of those sites on the periphery of the campus.

4.1.1 Project Objectives

As presented in Section 2.2, the Project Applicant's objectives for the Project are to:

1) Continue to improve this long established and well respected Life Plan Community so that it responds to the changing Senior Housing market, and remains a viable campus for years to come. Continue to provide a campus where seniors can age in place, with independent living, assisted living, memory care, and Skilled Nursing.
2) Add a minimum of 52 new independent living senior housing units to provide the opportunity for more seniors, including many from the city of Saratoga, to enjoy independent living, with access to a high quality continuum of care.
3) Generate an additional income stream from the new independent living units, to help upgrade other parts of the campus including a major renovation of the Health Center. Always maintain a strong financial position to insure the future of the campus.
4) Provide upgrades to the existing Health Center, which would include converting existing semiprivate rooms to private rooms with private baths.
5) Preserve and maintain the existing the buildings on the campus, including the original Manor Building and the Health Center.
6) Provide a new and larger Meeting Room, that will seat all the apartment and cottage residents on the campus.
7) Expand Independent Dining to serve the additional residents that will join the campus, and provide more dining choices for existing residents.
8) Provide an additional Fitness Building suitable for more fitness options like floor exercise, aerobics, yoga, tai chi, dance, and more.
9) Ensure that new buildings are designed to blend with the existing independent living buildings and Cottages, and also designed to respect and be sympathetic to the original Manor Building.
10) Augment the existing parking on the campus for the residents, staff, visitors, service providers, and vendors.

11) Maintain a high level of landscape design, amenities, and plant materials on the campus.

4.1.2 Summary of Significant Effects of the Project

Alternatives to the Project must substantially lessen or avoid one or more of the Project's significant environmental impacts. The following significant and unavoidable impacts were identified for the Project, as discussed in more detail in Section 3.12:

- Impact CUL-1: Adverse Change to Historical Resources

The Project would also have the following potentially significant impacts which would be reduced to less than significant with implementation of recommended mitigation measures, as discussed in more detail in Section 3:

- Impact AIR-2: Net Increase in Criteria Pollutants
- Impact AIR-3: Exposure of Sensitive Receptors
- Impact BIO-1: Impacts to Candidate, Sensitive, or Special Status Species
- Impact BIO-4: Impacts to Fish or Wildlife Movement, Migration or Nursery Sites
- Impact CUL-2: Adverse Change to Archaeological Resources
- Impact GEO-6: Damage or Destruction of Unique Paleontological Resources
- Impact GHG-1: GHG Emissions
- Impact GHG-2: GHG Plan, Policy, or Regulation Conflicts
- Impact HAZ-5: Interfere with an Emergency Response or Evacuation Plan
- Impact NOI-1: Increase in Ambient Noise Levels
- Impact NOI-2: Exposure of People to Groundborne Noise and Vibration Levels
- Impact TRA-3: Potential for Creation of Substantial Traffic-Related Hazards
- Impact TRA-4: Project-Related Interference with Emergency Access
- Impact TCR-1: Tribal Cultural Resources
- Impact WF-1: Impairment of Emergency Response Plans or Emergency Evacuation Plans
- Impact MFS-1: Effects to Wildlife or Plant Species or Important Examples of California History or Prehistory
- Impact MFS-2: Individually Limited but Cumulatively Considerable Impacts
- Impact MFS-3: Direct or Indirect Adverse Effects on Human Beings

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4.2 Summary of Alternatives Considered

4.2.1 Alternatives Considered but Rejected from Further Analysis

Section 15126.6(c) of the CEQA Guidelines requires an EIR to identify and briefly discuss any alternatives that were considered by the lead agency but were rejected as infeasible during the scoping process. Reasons for eliminating an alternative from detailed consideration include, but are not limited to:

- Failure to meet most of the basic project objectives;
- Infeasibility; or
- Inability to avoid significant environmental impacts.

Section 15126(f)(1) of the CEQA Guidelines states that "Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries…and whether the proponent can reasonably acquire control or otherwise have access to the alternative site. No one of these factors establishes a fixed limit on the scope of reasonable alternatives."

The following potential alternatives to the Project were initially considered but were determined by the City to be infeasible and, as such, were eliminated from further analysis:

> **Project Location Alternative:** EIRs often consider alternative locations for a project which might avoid the significant environmental impacts [per CEQA Guidelines 15126.6(f)(2)(A)]. In this case, the Proposed Project is an expansion of an existing facility already owned by the Project Proponent. Although the Project Proponent does own other retirement facilities, these are distant from the SRC campus (e.g., in Napa) and serve a different community, and are operated as separate entities such that further expansion at that facility would not achieve the objectives of the Proposed Project. Any alternative location in or near Saratoga would require purchase of additional property at market rates which would substantially increase the cost of the alternative and would require additional staffing and management compared to the Project which could utilize existing staffing. Furthermore, an off-site alternative would not meet several of the Project Objectives such as those relating to improving the existing campus to meet market conditions (Objective 1), upgrading the existing Health Center (Objective 4), providing meeting space to seat all apartment and cottage residents (Objective 6), upgrading the fitness center (Objective 8) and augmenting existing parking (Objective 10).

4.2.2 Alternatives Retained for Further Analysis

The following alternatives are evaluated in this EIR:

- No Project Alternative
- Alternative 1 – Residents' Alternative
- Alternative 2 – Reduced Development Alternative
- Alternative 3 – Applicant's Alternative

Detailed descriptions and analysis of each of these alternatives are provided in Sections 4.3.1 through 4.6.1 below.

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4.3 No Project Alternative

CEQA Guidelines Section 15126.6(e) requires that an EIR analyze a “No Project” alternative. The purpose of describing and analyzing a no Project alternative is to allow decision makers to compare the impacts of approving the Project with the impacts of not approving the Project. The No Project Alternative reflects the conditions that would reasonably be expected to occur in the foreseeable future if the Project were not approved (CEQA Guidelines Section 15126.6(e)).

4.3.1 Description of No Project Alternative

Under the No Project Alternative, the proposed campus expansion would not occur, and no new facilities would be constructed. The SRC facility would continue to operate as per existing conditions and there would be no change to the number of residents or employees (other than normal fluctuations as currently occurs).

4.3.2 Ability of No Project Alternative to Meet Project Objectives

The No Project Alternative **would not achieve** any of the Project Objectives, except for preserving and maintaining the existing buildings on the campus, including the original Manor Building and the Health Center (Objective 5) and maintaining a high level of landscape design, amenities, and plant materials on the campus (Objective 11).

4.3.3 Analysis of Environmental Impacts of No Project Alternative

As discussed for the Project in Section 3.20, *Environmental Topics for which No Impacts were Identified*, there are no agricultural, forestry, or mineral resources in close proximity to the SRC campus. As such, the No Project Alternative would have no impacts on agriculture and forestry resources, or mineral resources.

The No Project Alternative would not include any construction or demolition activities, ground disturbance, tree removal, or heavy equipment operation at the SRC campus or at the West Valley College parking lot and would not generate any construction-related traffic movements. Therefore, there would be no construction-related impacts to air quality, biological resources, cultural resources, greenhouse gas emissions, geology and soils, hazards and hazardous materials, hydrology and water quality, noise and vibration, transportation, tribal cultural resources, or wildfire under the No Project Alternative.

In particular, the No Project Alternative would avoid the proposed Project’s significant and unavoidable impact on historical resources, as no changes would be made to the Project site or the Manor Building or its setting. The No Project Alternative would also avoid the proposed Project’s significant and unavoidable impact from construction noise, as no construction activities would occur under this alternative.

The No Project Alternative would also not include any new development at the SRC campus and would not introduce new residential units or operations that would result in changes to site population or employment opportunities. With no new development and no new capacity for additional residents or employees at the SRC campus, the No Project Alternative would have no operational impacts to aesthetics; air quality; biological resources; energy; geology and soils; greenhouse gas emissions; hazards and hazardous materials; hydrology and water quality; land use and planning, noise and vibration, population and housing, public services; recreation; transportation and traffic; utilities and services, or wildfire, as compared to the current environmental baseline.

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4.4 Alternative 1 – Residents' Alternative

4.4.1 Description of Alternative 1

Alternative 1, also known as the "Residents' Alternative", was proposed to the City by a group of existing SRC residents known as "Preserve SRC" as a potential alternative development plan for the campus that would provide the same number of new independent living units (52) on the campus as the proposed Project, while possibly avoiding or minimizing some of the key concerns that many of the existing residents have about the proposed Project. Many public comments were received during the EIR Scoping Period which supported this alternative development plan and these commenters requested that a detailed analysis of the Residents' Alternative be included in the EIR.

Alternative 1 would involve construction of a new skilled nursing facility in the same location and with the same or very similar footprint, height, and massing as the proposed Project's Building C. The skilled nursing facility would contain two floors with 40 single occupancy skilled nursing rooms with attached private bathrooms and showers. This building will also contain offices, therapy facilities, a kitchen, and dining room for the patients. Similar to the proposed Project, this building would also include two levels of underground parking with approximately 77 parking spaces. This skilled nursing facility would provide a similar number of skilled nursing beds as the proposed Project (which would reduce the existing 94 skilled nursing beds to 54, through internal renovation of existing health center).

Once construction of the skilled nursing facility is complete, the patients in the existing Health Center would be relocated over a 1-month period into the new skilled nursing facility. The existing Health Center would then be demolished, and that site would be prepared for construction of a new building which is not part of the proposed Project (Building D).

Building D would be a 3-story building containing 52 independent living units, with one level of underground parking, within the same location as and similar footprint to the existing Health Center. A 3,000 SF auditorium would also be constructed within Building D facing the intersection of McLaren Lane and Colfax Lane. The parking garage would contain approximately 119 spaces[70] that would be accessed from McLaren Lane.

Figure 4.4-1 provides the conceptual site plan for the campus as proposed by Preserve SRC. The Project Applicant reviewed the Preserve SRC submission and prepared a more detailed conceptual layout for Building D (Figure 4.4-2), to show how this new building might be configured to meet the necessary specifications, for the purposes of environmental analysis under CEQA[71].

The Fitness Center Addition would be constructed under Alternative 1, exactly as proposed by the Project (see Section 2.3.1), and would be constructed in parallel with the construction of Building D. In addition, the existing dining area within the Manor Building would be modified in parallel with the construction of Building D to accommodate the proposed increase in residential population on campus. The installation of a secondary emergency access point, removal of the small traffic circle at the entrance to Odd Fellows Drive, and the proposed public trail connection

[70] The Preserve SRC submission indicated that that Building D would contain 90 parking spaces; however, in order to provide the same amount of additional parking as the Project compared to existing conditions, a total of 119 parking spaces would be required in the Building D.
[71] Note that the conceptual layout for Building D contains only 51 independent living units; however, this document analyzes environmental impacts based on 52 new units, as the exact layout and number of units within Building D would be determined at detailed design stage if Alternative 1 were to be constructed.

along Odd Fellows Drive, would also be the same as described for the proposed Project (see Section 2.3.4).

To summarize, under this alternative the following components of the proposed Project would not be constructed:

- Building A,
- Building B, and
- Meeting Room Addition to the Manor Building.

The following components of the proposed Project would be constructed for this alternative:

- Building C (same footprint/massing but with different use than the proposed Project)
- Fitness Center Addition.

The following new components (not part of the proposed Project) would be constructed for this alternative:

- Building D (in place of the existing Health Center).

Construction Phasing and Schedule

Construction of Alternative 1 would be anticipated to begin in August 2025 and be completed by July 2030 (i.e., a 5-year construction period). The construction schedule would be dependent on market conditions, regulatory approvals, and other factors and, therefore, is subject to change. This is different from the proposed Project, which was anticipated to start construction in July 2023 and last for approximately 25 months. The biggest difference in construction timeframes is that construction in this Alternative would not overlap due to the logistical needs of the existing Health Center and new skilled nursing facility to maintain and transition operations seamlessly throughout construction.

Similar to the proposed Project, construction activities would mostly occur between 7:30 a.m. and 4:00 p.m. Monday through Friday, and Saturdays between 9:00 a.m. and 5:00 p.m. On occasion, construction activities may be undertaken outside of these hours, but would be limited[72] to between 7:30 a.m. and 6:00 p.m. Monday through Friday, and between 9:00 a.m. and 5:00 p.m. on Saturdays, in accordance with Section 7-30.060 of the City's Code of Ordinances.

Alternative 1 would be constructed in the following phases:

- Phase 1: Construction of new skilled nursing facility (Building C). August 2025 through December 2027.
- Phase 2: Transfer of patients into skilled nursing facility then decommission existing Health Center. January 2028.
- Phase 3: Demolition of existing Health Center. February to March 2028.
- Phase 4: Construction of Building D (new independent living building with meeting room space), fitness center addition and Manor Building dining upgrade. April 2028 through June 2030.

[72] In special circumstances, work may be requested outside of the hours allowed by the Section 7-30.060 of City of Saratoga Code of Ordinances, to accommodate critical utility outages and change overs.

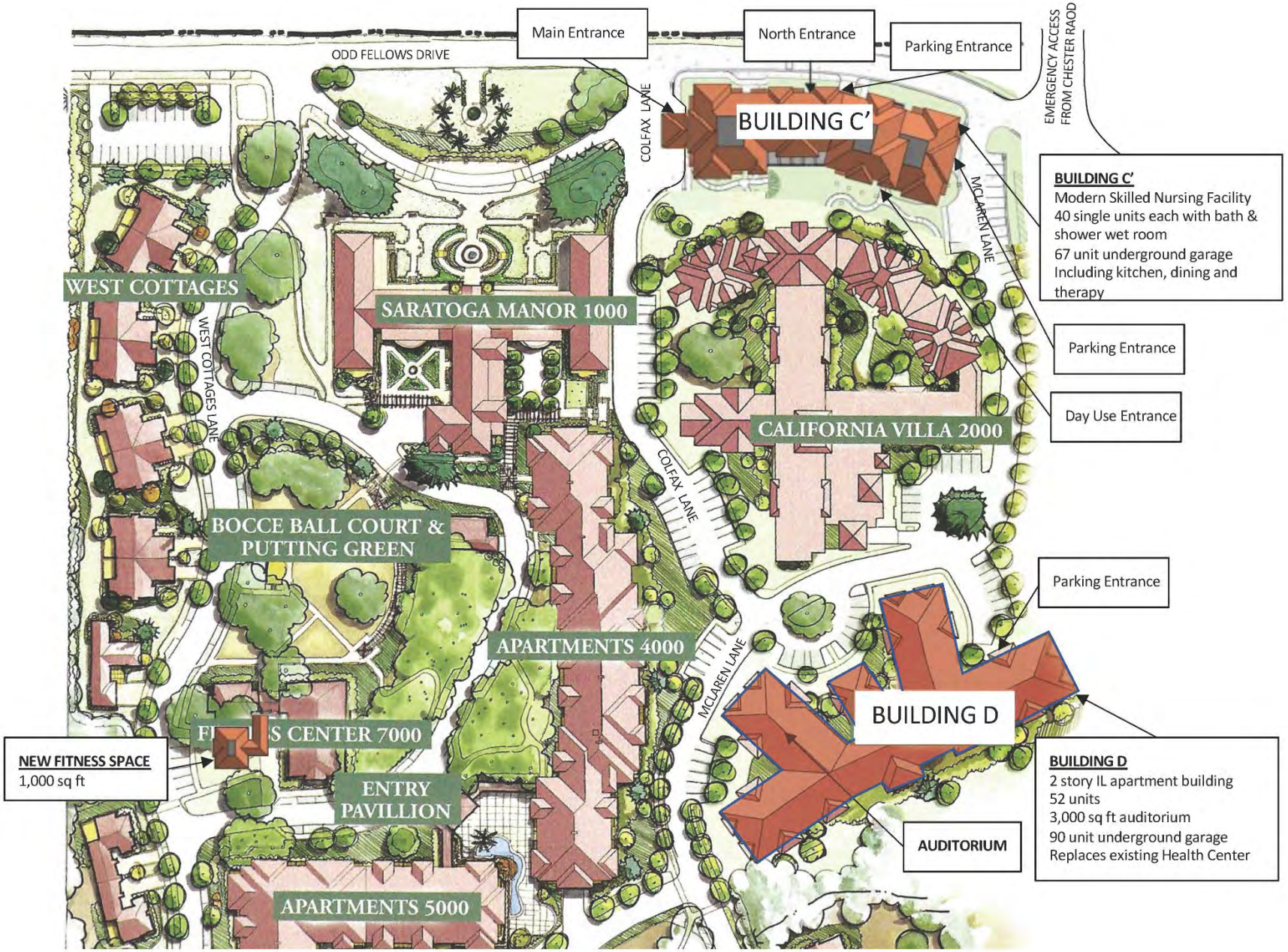


Figure 4.4-1 Conceptual Site Plan – Alternative 1

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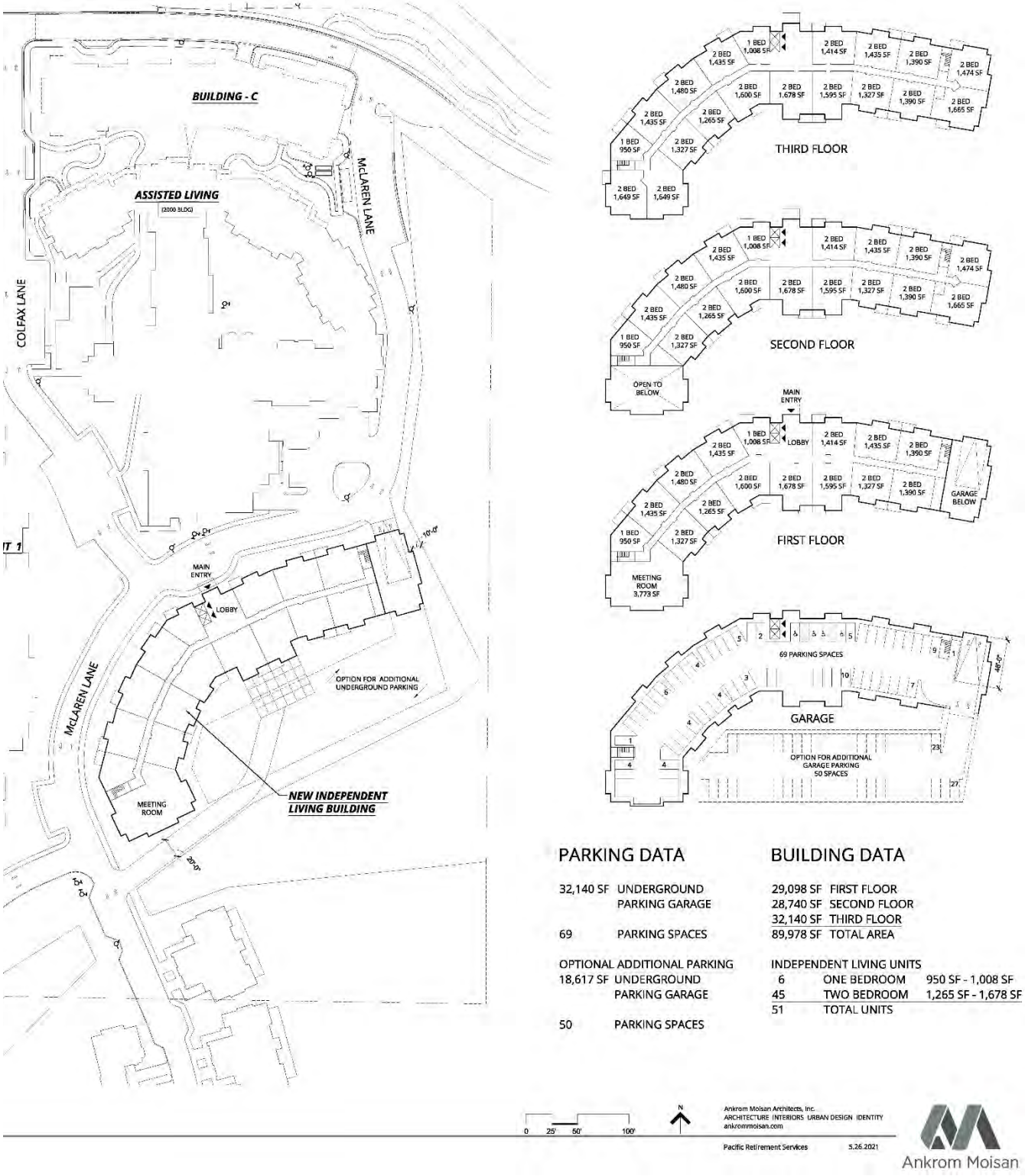


Figure 4.4-2 Conceptual Building D Layout – Alternative 1

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Construction Equipment and Personnel

Anticipated construction equipment for Alternative 1 would be similar to the proposed Project and would be expected to include: aerial lifts, air compressors, bore/drill rigs, cement and mortar mixers, cranes, dozers, excavators, forklifts, generators, soil compactors, pavers and paving equipment, rollers, signal boards, skid steer loaders, sweepers/scrubbers, and welding equipment. Phase 3 of Alternative 1 (demolition of the Health Center) would also require the use of additional tools such as a concrete saw, hoe ram (hydraulic hammer attached to a backhoe), and/or hydraulic shears.

Construction personnel needs have been estimated for each phase of construction for Alternative 1, as shown in Table 4.4-1. Alternative 1 is estimated to require an average of 45 workers per day over a 4-year period, compared to the proposed Project's average of 99 workers per day over a 2-year period (see Table 2.4-1 in Section 2 for equivalent Project details).

Table 4.4-1 Estimated Construction Personnel – Alternative 1

Phase	Estimated Duration	Average Number of Workers	Maximum Number of Workers
Phase 1 – Skilled Nursing	28 months	46 per day	75 per day
Phase 2 – Patient Transfer	1 month	10 per day	15 per day
Phase 3 – Demolition	2 months	20 per day	30 per day
Phase 4 – Building D	26 months	50 per day	75 per day
TOTAL	58 months	45 per day	75 per day

Note: Number of construction personnel for Phase 1 is same as Building C from proposed Project. Information for other phases is approximate only, adjusted from estimates provided by Project Applicant for the proposed Project or AECOM knowledge of other projects involving similar activities.

Site Preparation, Demolition, and Earthworks

Estimated site grading volumes for each of the proposed buildings, and the estimated volume of debris that would be generated from demolition of the existing Health Center are shown in Table 4.4-2. The maximum depth of excavation for the project would be for the skilled nursing facility (Building C), at approximately 25 feet below the ground surface. The total volume of debris and excess spoils to be off hauled from the site is estimated[73] at approximately 48,500 CY, compared to approximately 37,100 CY for the Project. As for the Project, construction/demolition debris and excess spoils would be disposed of at the Guadalupe Landfill in San Jose.

Table 4.4-2 Estimated Debris, Cut and Fill Volumes – Alternative 1

Location	Cut Volume	Fill Volume	Max. Depth of Cut	Max. Height of Fill
Skilled Nursing Facility construction	6,980 CY	600 CY	25 feet	9 feet
Health Center demolition	12,774 CY (demolition debris)	n/a	12 feet	n/a
Building D construction	22,558 CY	minimal	12 feet	minimal
Fitness Center Addition	170 CY	0 CY	2.5 feet	0 feet
TOTAL	42,482 CY	600 CY	n/a	n/a

Acronyms: CY = cubic yards, n/a = not applicable, max. = maximum

Note: Earthwork quantities are approximate only. Based on preliminary grading plans of the proposed Project (for skilled nursing facility and fitness center). Estimate for Building D earthwork provided by Project Applicant (Dalengas, pers. comm. March 3, 2022a). Estimate of demolition debris for Health Center calculated by AECOM (Botha, pers. comm. June 23, 2022). Similar information for the proposed Project is contained in Table 2.4-2 in Section 2.

[73] Volume differs from quantities detailed in Table 4.4-2 due to additional volume of haul materials generated during site grading and other activities not included in building-specific cut/fill estimates (approximately 20% extra over estimated cut/fill volume).

Alternative 1 Operations

Operations under Alternative 1 would be similar to operations under the Proposed Project, as there would be a similar number of residents on site under both scenarios, and the same mix of independent living, assisted living, and skilled nursing uses on site.

There would likely be minor differences in staffing levels between the two scenarios, as discussed below:

- The new skilled nursing facility would require its own kitchen (to serve the proposed 52 private skilled nursing beds), which is estimated to require approximately 11 full time equivalent staff. The existing kitchen in the assisted living building would be anticipated to reduce staffing levels by approximately 2 full time equivalents, as it would no longer have to serve the Health Center (Dalengas, pers. comm., August 1, 2022b).
- Similar to the proposed Project, Alternative 1 would reduce the number of skilled nursing and memory care beds at the facility and increase the number of independent living units by 52 units, resulting in a decrease of approximately four employees compared to existing conditions.
- The net result of these changes is that Alternative 1 would require approximately 9 additional full time equivalent staff, compared to the proposed Project.
- Compared to existing conditions, Alternative 1 would result in an increase of approximately five full time equivalent staff; whereas the proposed Project would result in a net decrease of four full time equivalent staff compared to existing conditions.

The number of visitor and vendor trips to the campus under Alternative 1 are anticipated to be the same or very similar as for the proposed Project, as it is assumed that the same vendors would make deliveries to both kitchens using the same schedule and vehicles as current operations and would simply make two stops on campus during the delivery rather than one.

4.4.2 Ability of Alternative 1 to Meet Project Objectives

Alternative 1 would fully or partially meet all of the Project Objectives, except for Objective 3, as discussed in turn below:

1) Continue to improve this long established and well respected Life Plan Community so that it responds to the changing Senior Housing market and remains a viable campus for years to come. Continue to provide a campus where seniors can age in place, with independent living, assisted living, memory care, and Skilled Nursing.

Alternative 1 **would meet** Objective 1 as it would improve the SRC campus by providing additional, modern independent living units designed to meet market conditions, and a brand new skilled nursing building with modern facilities. This alternative would maintain the existing independent and assisted living/memory care units in a similar manner to the proposed Project.

2) Add a minimum of 52 new independent living senior housing units to provide the opportunity for more seniors, including many from the city of Saratoga, to enjoy independent living, with access to a high quality continuum of care.

Alternative 1 **would meet** Objective 2 as it would provide 52 new independent living units on campus, within a new Building D.

3) Generate an additional income stream from the new independent living units, to help upgrade other parts of the campus including a major renovation of the Health Center. Always maintain a strong financial position to ensure the future of the campus.

Alternative 1 **would not meet** Objective 3, as the proposed new independent living units would not be constructed until after the new skilled nursing facility is constructed and existing Health Center is demolished, meaning that no additional revenue stream would be generated for several years to offset the costs of the proposed campus expansion.

4) Provide upgrades to the existing Health Center, which would include converting existing semiprivate rooms to private rooms with private baths.

Alternative 1 would **partially meet** Objective 4. Although this alternative would demolish, rather than upgrade, the existing Health Center, it would construct a brand new modern skilled nursing facility with private rooms with private baths.

5) Preserve and maintain the existing the buildings on the campus, including the original Manor Building and the Health Center.

Alternative 1 would **partially meet** Objective 5. It would preserve and maintain the original Manor Building (an historical resource), including the character defining features of its historic setting such as its position atop a slight rise from Odd Fellows Drive, access via a curvilinear driveway, and sloped landscape area below (features that would not be preserved under the proposed Project). The existing Health Center (which is not an historical resource) would not be preserved and maintained, as it would be demolished under Alternative 1.

6) Provide a new and larger Meeting Room, that will seat all the apartment and cottage residents on the campus.

Alternative 1 **would meet** Objective 6. The new Building D under this alternative would contain a new approximately 3,750 SF auditorium, which is larger than the proposed Project's approximately 3,300 SF meeting room.

7) Expand Independent Dining to serve the additional residents that will join the campus, and provide more dining choices for existing residents.

Alternative 1 **would meet** Objective 7. The existing dining area within the Manor Building would be modified in parallel with the construction of Building D to accommodate the proposed increase in residential population on campus. However, it is noted that the new independent living units in Building D would be further from the Manor Building than the proposed Project's Buildings A, B and C, which may not be as convenient for future residents.

8) Provide an additional Fitness Building suitable for more fitness options like floor exercise, aerobics, yoga, tai chi, dance, and more.

Alternative 1 **would meet** Objective 8. The Fitness Center Addition would be identical between the proposed Project and Alternative 1.

9) Ensure that new buildings are designed to blend with the existing independent living buildings and Cottages, and also designed to respect and be sympathetic to the original Manor Building.

Alternative 1 **would meet** Objective 9, to a greater extent than the proposed Project. This alternative would avoid construction of new buildings immediately in front of, or beside and attached to, the Manor Building, and would not demolish any character-defining features of the

Manor Building's historic setting. The style and external appearance of Building C would be very similar to that of the proposed Project and the new Building D would also be designed in a similar style.

10) Augment the existing parking on the campus for the residents, staff, visitors, service providers, and vendors.

Alternative 1 **would meet** Objective 10. This alternative would result in the same net increase in parking spaces as the proposed Project.

11) Maintain a high level of landscape design, amenities, and plant materials on the campus.

Alternative 1 **would meet** Objective 11, to a greater extent than the proposed Project. This alternative would avoid the destruction of the landscaped area and associated recreational amenities (e.g., bocce ball courts, putting green) north of the fitness center. Similar to the proposed Project, Alternative 1 would include replanting of areas disturbed during construction.

4.4.3 Analysis of Environmental Impacts of Alternative 1

Aesthetics

Impact AES-1: Scenic Vistas

Alternative 1 would include the construction of a new skilled nursing facility (Building C), as well as a residential apartment building with independent living units (Building D), underground parking garages, an auditorium within Building D, and an expansion to the existing fitness center on the SRC campus. Compared to the proposed Project, Alternative 1 would not include any changes in the vicinity of the Manor Building, as Buildings A and B would not be constructed under this alternative and no changes to the road layout would occur in those areas. The skilled nursing facility proposed under Alternative 1 would be the same or very similar in size (approximately 18,500 SF footprint), height (28 feet) and external appearance as the proposed Project's Building C. Alternative 1's proposed Building D would have the same or similar footprint to the existing Health Center but would be three stories above an underground parking garage, compared to the existing single-story building in this location. Detailed design or elevations for Building D have not been developed however based on an average floor height of 11 feet and roof height of approximately 7 feet (similar to the proposed Project's Buildings A and C), the estimated height of Building D would be approximately 40 feet above grade along McLaren Lane (where the parking level would be completely below grade, but higher (possibly up to 51 feet at the rear (south) of the building where the natural grade drops towards the creek and more of the parking garage would be above grade.

Overall, similar to the Project, Alternative 1 would be generally consistent in height, size, and scale with the existing buildings at the site and in the surrounding area, although the final design of Building D would need to be evaluated against City Code. While these new buildings may alter the views for individual residents within the campus or on neighboring properties, they would not substantially affect views of scenic vistas from public vantage points or for a substantial number of City residents. Furthermore, as described in Section 3.2.3, the SRC campus is not distinguishable from surrounding developments when viewed from scenic vantage points in the foothills, such as the Villa Montalvo Lookout Point (approximately 1.8 miles to the south); therefore, the proposed development under this alternative would not substantially alter views from these public vantage points. As such, public views of scenic vistas, such as the mountains, would continue to be available and would not be affected by construction or operation of Alternative 1. Therefore, there would be **no impact** related to scenic vistas under Alternative 1, which is the same level of impact as the proposed Project.

Impact AES-2: Scenic Resources

Alternative 1 would be located on the same site as the proposed Project. As discussed for the proposed Project in Section 3.2, *Aesthetics*, the Project site is not located within or adjacent to a State Scenic Highway and views of the site from SR-9 are obstructed by intervening topography and vegetation. Therefore, there would be **no impact** related to scenic resources under Alternative 1, which is the same level of impact as the proposed Project.

Impact AES-3: Scenic Quality

As with the proposed Project, implementation of Alternative 1 would result in visual changes to the Project site because of the new skilled nursing facility, replacement of the existing single story Health Center with a three-story apartment building, fitness center addition, changes to internal campus roads, and the removal of trees to facilitate the proposed development. The visual changes under this Alternative would be mostly limited to the eastern portion of the

campus. No changes are proposed in the vicinity of the Manor Building under Alternative 1. The eastern boundary of the campus, which separates the skilled nursing facility and Building D from the adjacent multi-family low-income senior housing development is heavily vegetated, however the increased height of Building D (approximately 40 to 51 feet above ground surface) compared to the height of the existing single-story Health Center in that location may result in the building exceeding the heights of the treetops.

Like the proposed Project, Alternative 1 would include an intensification of the existing senior residential and related uses at the site and would include a request for a Planned Combined District overlay. With approval of the requested overlay, Alternative 1 would not conflict with applicable zoning or other regulations governing scenic quality.

Alternative 1 would avoid the removal of 70 trees in the vicinity of Buildings A and B and the Meeting Room that would be removed under the proposed Project (45 of which are protected under the City's Tree Ordinance) but would require removal of additional trees in the vicinity of the existing Health Center. Based on conceptual design information and a pedestrian survey of the area, it is estimated that approximately 48 trees would need to be removed from the landscaped areas surrounding the existing Health Center, and additional trees may also need to be removed from the adjacent riparian area to facilitate demolition and construction activities and associated equipment access. Tree removal near the Fitness Center Addition, skilled nursing facility (Building C), secondary access, and entry roundabout would be the same as for the proposed Project. Alternative 1 would require preparation of an Arborist Report which would be reviewed by the City arborist, to identify the total number of protected trees that would be removed, to ensure that those trees meet the City's criteria for removal, and that appropriate conditions (including replanting and protection of retained trees) are imposed.

Therefore, for the same reasons described in Section 3.2.3, Alternative 1 would not conflict with the applicable zoning or other regulations affecting scenic quality and there would be **no impact** under Alternative 1, which is the same level of impact as the proposed Project.

As discussed for the Project, with respect to scoping period comments relating to views of the Project site (and particularly of the Manor Building) from surrounding areas and changes to the visual character of the area, under CEQA, the applicable threshold of significance for impacts to scenic quality within urbanized areas does not include degradation to visual character or the quality of public views of the site and its surroundings. Furthermore, CEQA is typically concerned about impacts on the environment of persons generally, rather than impacts on particular persons.[74]

It is noted that Alternative 1 would avoid the construction of new buildings in close proximity to the Manor Building and would require the removal of fewer trees. Many comments received during the scoping period expressed support for Alternative 1 because they believe that it would not be as aesthetically disturbing as the Project. It is acknowledged that Alternative 1 would be less visible to residents of the adjacent Fellowship Plaza that utilize Odd Fellows Drive for vehicular and pedestrian access, and from adjacent residential properties along San Marcos Road, because Building B and the Meeting Room Addition would not be constructed under this Alternative.

[74] https://ceqaportal.org/tp/CEQA%20Portal%20Topic%20Paper_Thresholds%20of%20Signifcance_2020%20Update.pdf

Impact AES-4: Light and Glare

Similar to the Project, Alternative 1 would introduce new lighting, which would include nighttime lighting for security purposes around the proposed buildings and parking areas. All outdoor lighting would comply with the City's Municipal Code Section 15-80.030, which requires that outdoor lighting fixtures shall be located, aimed, and shielded to prevent excessive glare or direct illumination onto adjacent properties and public street rights of way; notwithstanding the minimum lighting necessary to ensure adequate safety, night vision, and comfort.

Alternative 1 would include only two new buildings (plus the Fitness Center Addition), compared to three new buildings plus the Meeting Room Addition and Fitness Center Addition under the proposed Project; therefore, the location and extent of new lighting would occur within a smaller portion of the SRC campus for this alternative.

Alternative 1 would not include buildings that would use highly reflective surfaces, including glass-sided buildings, or large surface parking areas with potential for reflection from multiple car windshields. Although the two proposed buildings under this alternative would contain windows, the windows would be separated by stucco and architectural treatments, which would limit the potential for substantial glare.

Similar to the proposed Project, Alternative 1 would be required to comply with the City's lighting regulations. In addition, because existing perimeter vegetation would partially screen new sources of lighting or glare from adjacent properties, and because Alternative 1 would not include use of highly reflective surfaces, Alternative 1 would not generate substantial sources of light or glare that would adversely affect day or nighttime views in the area.

Overall, Alternative 1 would result fewer buildings and a reduced scale of lighting compared to the Project and, as such, light and glare effects would be less than the Project. However, impacts would remain **less than significant**, which is the same level of impact as the proposed Project.

Air Quality

Impact AIR-1: Conflict with Applicable Air Quality Plan

Construction

Construction of Alternative 1 would include implementation of the same fugitive dust control measures as described for the Project in Section 3.3.3. In addition, as shown in Table 4.4-3(presented under Impact AIR-2 subheading, below), average daily emissions associated with construction of Alternative 1 would not exceed the BAAQMD thresholds for construction. Therefore, for the same reasons described for the Project, construction of Alternative 1 would not conflict with the 2017 Clean Air Plan and the impact would be **less than significant**. This is the same level of significance as the Project.

Operation

Similar to the Project, Alternative 1 would expand and complement the existing land uses on site, which would be consistent with the land uses designated for the Project site by the City's General Plan. Thus, the intensity of the operational emissions for Alternative 1 has been accounted for in BAAQMD's 2017 Clean Air Plan. In addition, similar to the Project, Alternative 1 would be designed to meet "Build It Green" energy and water saving standards, and the City's WELO requirements. In accordance with the City's Municipal Code Section 16-51.015, the buildings under Alternative 1 would be all-electric, i.e., no natural gas infrastructure would be installed. Similar to the Project, Alternative 1 would not conflict with the 2017 Clean Air Plan's goals to Decarbonize Buildings (BL2) and design Green Buildings (BL1). In addition, as described in more detail under Transportation below, since Alternative 1 would also be developed on the same property as the proposed Project and would provide the same number of residents, and only a slight increase in employees compared to the Project, the estimated VMT per capita for Alternative 1 would also be more than 15 percent lower than the average daily VMT per capita for the City. Accordingly, Alternative 1 would not conflict with 2017 Clean Air Plan's goals to reduce vehicle travel and emissions from on-road vehicles. Therefore, Alternative 1 would not conflict with an applicable air quality plan, and this impact would be **less than significant**, which is the same level of impact as the Project.

Impact AIR-2: Net Increase in Criteria Pollutants

Construction

As described in Section 4.4.1 above, the types of construction equipment for Alternative 1 would be similar to the proposed Project; however, the overall construction duration would be longer since the various construction phases would not overlap due to the logistical needs of the existing Health Center and new skilled nursing facility (Building C). While Alternative 1 would require demolition (and additional haul truck trips associated with the off-haul of the demolition debris) of the existing Health Center, Alternative 1 would also result in the construction of fewer buildings (and, as a result, less application of architectural coatings).

Table 4.4-3 presents the comparison of the total, maximum annual, and maximum average daily emissions associated with construction activities under Alternative 1 and the proposed Project. The total construction emissions over the entire construction period associated with Alternative 1 would be similar to the total construction-related emissions associated with the Project (PM10 and PM2.5 emissions would be slightly lower, NOX emissions would be slightly higher, and ROG emissions would be lower due to the fewer buildings). Because the construction period would be longer for Alternative 1, the maximum annual emissions for all criteria pollutants would be

lower than for the proposed Project and would be below the applicable BAAQMD thresholds of significance.

Table 4.4-3 Average Daily, Maximum Annual, and Total Criteria Pollutant Construction Emissions for Alternative 1 and the Proposed Project

Description	Alt 1 ROG	Alt 1 NO_X	Alt 1 PM_{10} (Exhaust)	Alt 1 $PM_{2.5}$ (Exhaust)	Project ROG	Project NO_X	Project PM_{10} (Exhaust)	Project $PM_{2.5}$ (Exhaust)
Maximum Annual Emissions (tons)[1,2]	0.65	2.07	0.08	0.07	2.74	3.25	0.14	0.13
Maximum Average Daily Emissions (lb/day)	4.13	14.39	0.53	0.50	33.83	24.83	1.04	0.98
Thresholds of Significance	54	54	82	54	54	54	82	54
Exceeds Threshold?	No	No	No	No	No	No	No	No
Total Emissions (tons) over entire construction period	2.71	6.44	0.23	0.21	5.17	5.97	0.25	0.23

*Source: Estimated by AECOM. See **Appendix C** for detailed modelling assumptions, outputs, and results. Notes:*

1 *For the purposes of the comparison table, maximum annual emissions are shown for the Project. Maximum annual emissions for ROG would occur in 2025; while maximum annual emissions for NO_X, PM_{10}, and $PM_{2.5}$ would occur in 2024. Average daily emissions are calculated based on 262 construction workdays in 2024 and 162 construction workdays in 2025.*

2 *For the purposes of the comparison table, maximum annual emissions are shown for Alternative 1. Maximum annual emissions for ROG and PM_{10} would occur in 2029; while maximum annual emissions for NO_X and $PM_{2.5}$ would occur in 2028. Average daily emissions are calculated based on 313 construction workdays in 2029 and 287 construction workdays in 2028. Since 2028 has fewer construction workdays because construction is anticipated to occur February through December (no active construction equipment usage in January 2028 during the transfer of patients), average daily emissions for PM_{10} exhaust are actually higher in 2028. Therefore, while the maximum annual emissions for PM_{10} exhaust occur in 2029, the average daily emissions of PM_{10} exhaust are higher in 2028.*

Acronyms: Alt 1 = Alternative 1; lb/day = pounds per day; ROG = reactive organic gases; NO_X = oxides of nitrogen; PM_{10} = particulate matter less than 10 microns in diameter; $PM_{2.5}$ = particulate matter less than 2.5 microns in diameter.

Similar to the proposed Project, fugitive dust emissions are considered to be significant unless the project implements the BAAQMD's BMPs for fugitive dust control during construction. Therefore, even though other criteria pollutants would be below the applicable thresholds of significance, construction-related impacts from Alternative 1 would be **potentially significant** due to fugitive dust.

The same mitigation measure required for the proposed Project would also be required for Alternative 1, which is:

> ***MM-AIR-2: Fugitive Dust Reduction Measures.*** *(See Section 3.3.3 for details of this measure).*

With implementation of Mitigation Measure MM-AIR-2, Alternative 1 would not result in a cumulatively considerable net increase of any criteria pollutant for which the region is in nonattainment of applicable federal or state ambient air quality standard. Implementation of MM-

AIR-2 would therefore reduce Alternative 1 construction impacts from fugitive dust emissions to **less than significant with mitigation**. This is the same level of significance as the Project.

Operation

Similar to the Project, after construction, long-term emissions of criteria air pollutants would be generated from area, stationary, and mobile sources during operation of Alternative 1. As discussed previously, Alternative 1 would include the same number of independent living units as the Project, and a slight increase in the number of employees on site (three compared to existing conditions and nine compared to the Project), due to additional staff associated with the kitchen in the new skilled nursing facility (Building C). The number of vendor trips under Alternative 1 is anticipated to be similar to the Project. Therefore, mobile source emissions associated with Alternative 1 are anticipated to be similar to the Project. Since Alternative 1 would not utilize any natural gas for water or space heating, similar to the Project, Alternative 1 is also not anticipated to result in any energy-source emissions of criteria air pollutants. Since Alternative 1 would involve fewer buildings, Alternative 1 would result in slightly lower area source emissions (e.g., periodic architectural coatings); however, since Alternative 1 would accommodate the same number of units (i.e., residents) as the Project, emissions from consumer products are anticipated to be similar. In addition, since the independent living units would be consolidated in a single building, Alternative 1 would not require three separate emergency generators that would be required under the proposed Project and stationary-source emissions would also be lower. Therefore, overall operational emissions associated with Alternative 1 are anticipated to be lower than the Project (shown in Table 3.3-16 in Section 3.3). Because operational emissions from Alternative 1 would not exceed the BAAQMD daily or annual thresholds, Alternative 1 would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state AAQS and the impact of Alternative 1 would be **less than significant**, which is the same level of impact as the Project.

Impact AIR-3: Exposure of Sensitive Receptors to Pollutants

Construction

Similar to the Project, the greatest potential for exposure during construction of Alternative 1 would be related to toxic air contaminant emissions, including diesel PM, associated with heavy-duty equipment operations and on-road motor vehicles. Diesel PM is a subset of the PM2.5 exhaust emissions; PM2.5 exhaust is used as a surrogate for diesel PM for health risk assessment purposes. As shown above in Table 4.4-3, total PM2.5 exhaust emissions under Alternative 1 would be slightly lower than the total PM2.5 exhaust emissions under the Project. However, under Alternative 1, activities and emissions associated with the demolition of the existing Health Center and construction of Building D, would occur closer to the off-site sensitive receptors located at Fellowship Plaza, to the southwest.

In addition, since exhaust PM2.5 emissions would only be 0.02 tons lower, it is anticipated that construction of Alternative 1 would potentially exceed the annual PM2.5 concentrations and excess cancer risk thresholds, similar to the proposed Project. Construction-related impacts related to the exposure of sensitive receptors to substantial pollutant concentrations from Alternative 1 would therefore be **potentially significant**.

The same mitigation measure required for the proposed Project would also be required for Alternative 1, which is:

> ***MM-AIR-3: Require Clean Construction Equipment.*** *(See Section 3.3.3 for details of this measure).*

Implementation of Mitigation Measure MM-AIR-3, which would require the use of Tier 4 Final construction equipment for equipment with engines rated 50 horsepower or greater, would be required to reduce substantial pollutant concentrations. While total PM2.5 exhaust emissions are anticipated to be slightly lower under Alternative 1, the total duration of exposure would be longer under Alternative 1 than the proposed Project due to the longer construction duration. As shown in more detail in **Appendix C** (Health Risk Assessment), the maximally-exposed individual resident for cancer risk is located within the Fellowship Plaza apartments to the southwest; therefore, unlike the proposed Project, Alternative 1 may result in additional pollutant concentrations at that location due to the proximity of the demolition activities of the existing Health Center and construction of Building D and the predominant wind flow that occurs from the northwest to the southeast. A detailed Health Risk Assessment under this alternative has not been completed.

Therefore, in addition to the MM-AIR-3 above, the following new mitigation measure (not required for the proposed Project) would also be required for Alternative 1:

> ***MM-AIR-3-ALT1: Health Risk Assessment***
>
> *Prior to issuance of grading permits for Alternative 1, the Project Applicant shall conduct a health risk assessment for construction activities to calculate maximum PM2.5 annual concentrations, excess cancer risk, and chronic non-cancer risk, associated with Alternative 1 construction emissions, and identify additional measures to be implemented, as necessary, to ensure that sensitive receptors are not exposed to substantial pollutant concentrations. The analysis may include screening level analysis and/or a health risk assessment, consistent with applicable guidance from the BAAQMD. The City of Saratoga shall require the Project Applicant to implement feasible mitigation measures to reduce exposure of sensitive receptors to substantial pollutant concentrations to levels consistent with thresholds recommended by the BAAQMD (as shown in Table 3.3-7 of this EIR) or as applicable at the time the project is proposed. Agreed upon feasible mitigation actions shall be documented as a project condition of approval.*

With implementation of MM-AIR-3 and MM-AIR-3-ALT1, construction of Alternative 1 would be reduced to **less than significant with mitigation**, which is the same level of significance as the Project.

Operation

As described previously, Alternative 1 would include the same number of independent living units as the Project, and a slight increase in the number of employees (five compared to existing conditions and nine compared to the Project), due to additional staff associated with the kitchen in the new skilled nursing facility (Building C). The number of vendor trips under Alternative 1 is anticipated to be similar to the Project. The potential slight increase in vehicle trips from the additional staff likely would be light-duty vehicles, which are not substantial sources of toxic air contaminant emissions (e.g., diesel PM) that are primarily associated with diesel-fueled vehicles. Furthermore, the primary sources of toxic air contaminant emissions during operations are the emergency generators. As described above, since the independent living units would be consolidated in a single building, Alternative 1 would not require three separate emergency

generators that would be required under the proposed Project. Therefore, emissions from the emergency generators, and the associated exposure of sensitive receptors to the toxic air contaminants, would be lower under operation of Alternative 1 than the Project. As shown in Table 3.3-14 through Table 3.3-16 in Section 3.3 of this EIR, Project operations would not expose offsite and on-site sensitive receptors to substantial pollutant concentrations. Since the pollutant concentrations are anticipated to be lower under Alternative 1, implementation of Alternative 1 would also not expose sensitive receptors to substantial pollutant concentrations. This operational impact would be **less than significant**, which is the same level of significance as the Project.

Impact AIR-4: Other Emissions Including Those Leading to Odors

Construction

Construction activities under Alternative 1 would generate similar typical construction-related odors to those described for the Project in Section 3.3.3, but for a longer duration due to the longer construction period required for this alternative. For the same reasons described for the Project, impacts from other emissions (such as those leading to odors) from construction of Alternative 1 would be **less than significant**. This is the same level of significance as the Project.

Operation

Operation of Alternative 1 would include the same types of land uses as the Project, which are not typical odor-generating facilities and would be similar to the uses surrounding the project site. Therefore, for the same reasons described for the Project in Section 3.3.3, operation of Alternative 1 would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. This operational impact would be **less than significant**, which is the same level of significance as the Project.

Biological Resources

Impact BIO-1: Impacts to Candidate, Sensitive, or Special Status Species

As with the proposed project, vegetation and trees within landscaped areas of the campus that would be removed during construction of Alternative 1 could contain nesting birds that are protected under the Migratory Bird Treaty Act. Noise from construction activities could also disturb nesting birds in surrounding areas. Under Alternative 1, there would be additional construction activities in proximity to the riparian corridor associated with the unnamed tributary to Vasona Creek on the eastern boundary of the campus. For the same reasons described for the proposed Project in Section 3.4, removal of trees with active nests during construction of Alternative 1 could result in direct nest destruction and failure, while construction-related noise and vibration could cause indirect impacts, both of which would be **potentially significant.**

Unlike the proposed Project, Alternative 1 may also result in temporary disturbance of the adjacent riparian corridor, to facilitate demolition of the existing Health Center and construction of Building D. As described in Table 3.4-1 in Section 3.4 of this report, the riparian area could potentially contain habitat for American peregrine falcon, western pond turtle, and San Francisco dusky-footed woodrat. A detailed biological survey of the riparian corridor has not been completed, but if habitat for one or more of these special-status species is present and would be disturbed during demolition or construction activities, the impact would be **potentially significant.**

The same mitigation measure required for the proposed Project would also be required for Alternative 1, which is:

> ***MM-BIO-1: Nesting Bird Avoidance Measures.*** *(See Section 3.4.3 for details of this measure)*

In addition, the following new mitigation measure (not required for the proposed Project) would also be required for Alternative 1:

> ***MM-BIO-1-ALT1: Habitat Surveys and Species-Specific Mitigation***
>
> *Prior to issuance of grading permits for Alternative 1, the Project Applicant shall retain a qualified biologist to undertake site-specific habitat surveys of the riparian area adjacent to the existing Health Center and proposed Building D footprint, including any areas that would be temporarily disturbed during demolition or construction, to determine the presence or absence of habitat for special-status species such as western pond turtle, and San Francisco dusky-footed woodrat.*
>
> *If no potential habitat for these species is observed in the survey area, no further mitigation is required. If potential habitat for these species is observed, the following measures, shall be implemented based on the types of habitat that are identified.*
>
> - *Western pond turtle: A qualified biologist shall survey the work site no more than 48 hours before the onset of demolition or construction activities for signs of western pond turtles and/or western pond turtle nesting activity (i.e., recently excavated nests, or nest plugs) or nest depredation (partially to fully excavated nest chambers, nest plugs, scattered egg shell remains, or egg shell fragments). Preconstruction surveys to detect western pond turtles in aquatic habitats would focus on suitable aerial and aquatic basking habitat such as logs, branches, rootwads, and riprap; as well as the shoreline and adjacent warm, shallow waters where pond turtles may be present below the water surface beneath algal mats or other surface vegetation. If western pond turtles are found, individuals would be relocated to adjacent suitable habitat outside of the project footprint. If nest sites are found, the biologist shall contact the CDFW to determine whether relocation and/or exclusion buffers are appropriate.*
> - *San Francisco dusky-footed woodrat: Within 2 weeks of the start of demolition or construction activities, a qualified biologist will conduct a survey of the work area to identify the locations of any woodrat middens. To the maximum extent possible, a 5 foot equipment exclusion buffer will be established around active and inactive middens that can be avoided; within such buffers, all vegetation will be retained and nests will remain undisturbed. If demolition and construction activities cannot avoid work within the exclusion buffer, then a relocation effort will be implemented. Relocation of woodrat middens will occur as close as possible to the original site, in a location outside of the project footprint. Relocation of woodrat middens will be overseen by a qualified biologist.*

Implementation of MM-BIO-1 would protect nesting birds during construction of Alternative 1 for the same reasons as described for the proposed Project in Section 3.4.3. This measure would also be protective of American peregrine falcon.

Implementation of MM-BIO-1-ALT1 would reduce impacts to other special status species during construction of Alternative 1 by requiring that the areas of disturbance are surveyed and that appropriate species-specific measures be taken to minimize disturbance of habitat areas and avoid or reduce impacts to these species, if habitat is determined to be present.

With implementation of MM-BIO-1 and MM-BIO-1-ALT1, the impact of Alternative 1 on special-status species would be reduced to **less than significant with mitigation**, which is the same level of significance as the proposed Project.

Impact BIO-2: Impacts to Riparian Habitat or Other Sensitive Natural Communities

Trimming or removal of riparian vegetation and trees within the riparian corridor associated with the unnamed tributary to Vasona Creek is anticipated to occur under Alternative 1, in order to facilitate demolition of the existing Health Center and/or construction of Building D, because the temporary demolition/construction footprint would extend beyond the existing footprint of the building. Indirect impacts to riparian habitat could also occur through introduction of nonnative invasive plant species and/or accidental spills of hazardous materials, which could result in habitat degradation. Removal or degradation of riparian habitat during project construction would be **potentially significant**.

The following new mitigation measure (not required for the proposed Project) would be required for Alternative 1:

> ***MM-BIO-2-ALT1: On-Site Restoration Plan:*** *The Project Applicant shall retain a qualified biologist or stream restoration specialist to develop an On-Site Restoration Plan to restore riparian habitat impacted by Alternative 1. The plan shall address recovery of all areas of the riparian habitat impacted as a result of Alternative 1. If the restoration cannot be accomplished on-site the Project Applicant shall utilize CDFW-approved Conservation and Mitigation Banks or Off-Site Restoration Sites. The On-Site Restoration Plan shall include success criteria, a monitoring and reporting schedule, and corrective actions to be taken if mitigation measures do not meet the approved success criteria for a period of five years. All plantings shall be derived from locally available genotypes. The Project Applicant shall monitor the survival and vigor of onsite plantings for a period of five years to ensure attainment of a 75% survivorship after five years. Invasive plant species rated as "High" by the California Invasive Plant Council (Cal-IPC) shall be removed from the restoration area for a period of three years or until 10% or less ground cover of Cal-IPC invasive plant species is achieved. If success criteria are not achieved within five years, additional years of enhancement and monitoring shall be required until the criteria are met.*

Implementation of MM-BIO-2-ALT1 would reduce impacts to riparian habitat following the construction of Alternative 1 by requiring that the areas of disturbance are restored to near preconstruction conditions.

In addition, for the same reasons described for the Project in Section 3.10, Hydrology, Alternative 1 would not have a significant impact on water quality within the Vasona Creek tributary, due to the required implementation of erosion and sediment control measures during construction and

demolition activities, and the installation of permanent stormwater drainage infrastructure incorporating Low Impact Design features in accordance with MS4 Permit requirements. As such, indirect impacts to this tributary of Vasona Creek and associated riparian habitat from hazardous material spills are not expected to occur.

With implementation of MM-BIO-2-ALT1 and BMPs detailed in Section 3.10, Hydrology, the impact of Alternative 1 on riparian habitat would be reduced to **less than significant with mitigation**. This is a greater level of significance than the proposed Project (which would have no impact to riparian habitat).

Impact BIO-3: Impacts to State or Federally Protected Wetlands

No state or federally protected wetlands are present within the disturbance footprint of Alternative 1. One potentially jurisdictional water feature is adjacent to Alternative 1; an unnamed drainage that runs east of McLaren Lane which is a tributary to Vasona Creek. Construction of Alternative 1 has the potential to directly impact the bed and banks of this tributary to Vasona Creek, because the temporary demolition/construction footprint would extend beyond the existing footprint of the Health Center. Detailed demolition and grading plans have not been developed for Alternative 1; therefore, the exact extent of ground disturbance that would be required for demolition and construction activities has not been defined. However, it is possible that ground disturbance, vegetation removal, and/or temporary fill could occur within the boundaries of this feature.

Alternative 1 also has the potential to indirectly impact waters downstream in the event that accidental project spills or runoff would enter this feature from adjacent demolition/construction sites associated with Alternative 1. Similar to the Project, Alternative 1 would also implement BMPs associated with proper storage and handling of hazardous materials. Thus, for the same reasons described for the Project in Section 3.10, Hydrology, Alternative 1 would not result in the release of significant types or quantities of pollutants that could enter the water feature.

If construction and demolition activities associated with Alternative 1 were to result in ground disturbing activities and/or fill within the water feature, such direct and indirect impacts would be **potentially significant.**

The following new mitigation measure (not required for the proposed Project) would be required for Alternative 1:

> ***MM-BIO-3-ALT1: Document Jurisdictional Water Features and Mitigate Impacts:*** *The Project Applicant shall retain a qualified wetland scientist to conduct an aquatic resources delineation, to map the boundaries of the unnamed drainage that runs east of McLaren Lane. Potential impacts to State or Federal waters from Alternative 1 shall be assessed, and permits from the California Department of Fish and Wildlife, Regional Water Quality Control Board, and/or United States Army Corps of Engineers shall be obtained as necessary. All avoidance, minimization, mitigation, and reporting requirements of these permits shall be adhered to by the Project Applicant and its contractors. At a minimum, the Project Applicant shall ensure that Alternative 1 would achieve no net loss of State or Federally Protected waters.*

Implementation of MM-BIO-3-ALT1 would reduce impacts to the unnamed tributary to Vasona Creek by ensuring that Alternative 1 obtains State and Federal approval, as needed, for potential impacts to the feature, and that all avoidance, minimization, mitigation, and reporting

requirements of these permits would be complied with such that no net loss of State or Federally protected waters would occur.

With the implementation of MM-BIO-3-ALT1 and BMPs detailed in Section 3.10, Hydrology, Alternative 1 would be **less than significant with mitigation**. This is a greater level of significance than the proposed Project (which would have no impact to State or Federally protected wetlands or waters).

Impact BIO-4: Impacts to Fish or Wildlife Movement, Migration or Nursery Sites

As discussed for the proposed Project, there are no documented migratory wildlife corridors, wildlife nursery sites, or large waterbodies or rivers in the vicinity of the SRC campus, and resident or migratory waterfowl are not anticipated to use the site. Demolition of the existing Health Center and construction of Building D in its place under Alternative 1 might require temporary disturbance of, and vegetation removal within, the riparian open space to the east of McLaren Lane, which could be used as habitat for migratory birds. Impacts to migratory and other nesting birds are addressed under Impact BIO-1, above.

As discussed for the proposed Project, riparian corridors in and near the SRC campus could also be used as foraging habitat for common bats, and trees within developed areas of the campus could provide suitable day or night roosting habitat for common bat species. Given the availability of alternative natural habitat for hibernaculum in the vicinity of the campus and because removed trees would be replaced in accordance with the City's Tree Ordinance, permanent impacts to habitat for bats from Alternative 1 are not expected to be significant. However, if construction of Alternative 1 were to remove trees containing bats during the maternity or winter season, bat mortality could occur, and the impact to common bat species would be **potentially significant**.

The same mitigation measure required for the proposed Project would also be required for Alternative 1, which is:

> ***MM-BIO-4: Roosting Bat Surveys and Avoidance.*** *(See Section 3.4.3 for details of this measure)*

Implementation of MM-BIO-4 would protect roosting bats during construction of Alternative 1 for the same reasons as described for the proposed Project in Section 3.4.3, and the potential impact of Alternative 1 to wildlife movement, migration, or nursery sites would be reduced to **less than significant with mitigation**. This is the same level of impact as the proposed Project.

Impact BIO-5: Conflict with Local Policies or Ordinances Protecting Biological Resources

Alternative 1 would avoid the removal of approximately 70 trees in the vicinity of Buildings A and B and the Meeting Room that would be removed under the proposed Project (45 of which are protected under the City's Tree Ordinance); but would require removal of additional trees in the vicinity of the existing Health Center. As stated above, the exact number of trees required to be removed from this area, and how many of those would be protected under the City's Tree Ordinance, is unknown, as a formal tree survey of this area has not been undertaken and detailed construction plans have not been developed for this alternative. However, based on conceptual design information and a pedestrian survey of the area, it is estimated that approximately 50 trees would need to be removed from the landscaped areas surrounding the existing Health Center, and additional trees may also need to be removed from the adjacent riparian area to facilitate demolition and construction activities and associated equipment access. Tree removal near the Fitness Center Addition (removal of 4 trees, 1 of which is

protected, plus relocation of 1 protected tree), skilled nursing facility/Building C (removal of 42 trees total, 16 of which are protected), secondary access (removal of 9 trees total, 5 of which are protected), and entry roundabout (removal of 1 protected tree) would be the same as for the proposed Project. Based on these estimated numbers, Alternative 1 would result in approximately 20 less trees (in total; the difference in number of protected trees is unknown) being removed from the campus than the proposed Project.

Similar to the Project, Alternative 1 would require preparation of an Arborist Report which would be reviewed by the City arborist, to ensure that trees proposed for removal meet the City's criteria for removal and that appropriate conditions (including replanting and protection of retained trees) are imposed. With adherence to the permit conditions, Alternative 1 would not conflict with the City's tree ordinance.

Alternative 1 would also not conflict with policies of the Open Space and Conservation Elements of the General Plan, for the same or similar reasons to those described for the proposed Project in Table 3.4-2 in Section 3.4 above. While the exact number and location of trees and mature vegetation to be removed under the alternative would be different from the Project, as described above, the same process for complying with the City's Tree Ordinance would be followed and similar conditions would be imposed and adhered to (Policies OSC 11.5, OSC 12.1, OSC 12.2). The new Building D under Alternative 1 would not permanently encroach into the adjacent riparian habitat/creek corridor but could require some temporary disturbance to facilitate demolition and construction. This temporary disturbance would not limit or restrict normal range areas or restrict access to water, food, or shelter (Policies OSC 11.1, 11.2).

Overall, Alternative 1 would not be anticipated to conflict with any applicable local policies or ordinances protecting biological resources and would comply with all requirements of the City's Tree Ordinance. Therefore, potential impacts relating to local policy conflicts from Alternative 1 would be **less than significant**, which is the same level of impact as the proposed Project.

Impact BIO-6: Conflict with Habitat Conservation Plans or Natural Community Conservation Plans

As discussed for the proposed Project, there are no Habitat Conservation Plans or Natural Communities Conservation Plans that apply to the SRC campus; therefore, Alternative 1 would not conflict with any such plans and would have **no impact**, which is the same level of impact as the proposed Project.

Cultural Resources

Impact *CUL-1: Adverse Change to Historical Resources*

Alternative 1 would reduce all direct and indirect impacts to the Manor Building because it would not construct the proposed Meeting Room Addition to the Manor Building, Buildings A and B, or the associated improvements to the north of the Manor Building (i.e., the existing circular driveway (Manor Circle), associated landscaped area, and parking spaces in front of the Manor building would remain unchanged). Therefore, Alternative 1 would avoid the direct impacts to the Manor Building that would have occurred from the Project's Meeting Room Addition, and the direct and indirect impacts to the Manor Building's setting that would have occurred from the Project's proposed Building B.

Alternative 1 would build a new skilled nursing facility within the same footprint as the proposed Project's Building C and the Fitness Center Addition exactly as proposed by the Project. As summarized in Table 4.4-4 below, and discussed in more detail below the table, no components of Alternative 1 would conflict with the SOI standards.

Table 4.4-4 Summary of Adherence to Secretary of the Interior's Standards for Rehabilitation – Alternative 1

SOI Standard	Skilled Nursing	Health Center Demolition	Building D	Fitness Center
1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.	No conflict			
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.	No conflict			
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.	No conflict			
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.	No conflict			
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.	No conflict			
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.	No conflict			
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible	No conflict			
8. Significant archaeological resources affected by a Project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.	No conflict			
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.	No conflict			
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.	No conflict			

The following analysis addresses each of the proposed elements of Alternative 1, in turn.

Skilled Nursing Facility (Building C): As discussed in Section 3.5.3, construction of Building C would not conflict with any of the SOI Standards for Rehabilitation and would not adversely impact the Manor Building or its setting. The proposed change of use for Building C under Alternative 1 (as a skilled nursing facility rather than independent living units, as proposed by the Project) would not change this conclusion. The realignment of Colfax Lane to accommodate construction of the skilled nursing facility would require the same modifications to the easternmost extent of the curvilinear driveway at the primary elevation of the Manor Building as the proposed Project; however, the central and western portions of this character-defining feature of the Manor Building's setting would be retained and the proposed realignment would not substantially diminish the setback of the Manor Building or its siting atop a slight rise, nor the centrally located sloped landscaped area along the primary elevation of the Manor Building. The majority of character-defining features of the Manor Building and its setting would remain, including all of its Mission Revival-style architectural features, and the proposed realignment of Colfax Lane to accommodate the skilled nursing facility under Alternative 1 would not conflict with SOI Standard 2. With respect to SOI Standard 10, if the skilled nursing facility were to be removed in the future, the curvilinear driveway could be reconstructed such that the essential form and integrity of the Manor Building's setting would be unimpaired. This element of Alternative 1 would not conflict with any of the SOI Standards.

Demolition of Health Center: Alternative 1 would also demolish the existing Health Center. This existing building was constructed in 2000-2002 and is not a historic resource. The proposed demolition of the Health Center under Alterative 1 would not remove or alter any character-defining features of the Manor Building, including the setting, due to the distance of the existing Health Center from the Manor Building.

Building D: Alternative 1 would also construct a new independent living apartment building (Building D) within the footprint of the demolished Health Center. The proposed construction of Building D under Alterative 1 would not remove or alter any character-defining features of the Manor Building, including the setting, due to the distance of this proposed building from the Manor Building.

Fitness Center Addition: Under Alternative 1, construction of the Fitness Center Addition would be identical to the proposed Project and would not remove or alter any character-defining features of the Manor Building, including the setting, due to the distance of the proposed building from the Manor Building, as described for the proposed Project. This element of Alternative 1 would not conflict with any of the SOI Standards.

Summary: Overall, for the reasons described above, Alternative 1 would not conflict with any of the SOI Standards and would have a **less than significant impact** to historical resources. This is a lesser level of impact than the proposed Project (which would have a significant and unavoidable impact to historical resources). This alternative would avoid the significant and unavoidable impact to historical resources because Building B would not be constructed. This alternative would not require an Historical Resource Protection Plan, archival recordation, or interpretive program as mitigation, because no modifications to the Manor Building would be made, and no construction would occur in close proximity to it.

Impact CUL-2: Adverse Change to Archaeological Resources

As described for the Project in Section 3.5.1, highly disturbed historic-period refuse was identified during the survey within the footprint of proposed Building C. Because Alternative 1

would build a new skilled nursing facility within the same footprint as the proposed Project's Building C, implementation of Alternative 1 could also uncover as yet unrecorded subsurface precontact and historic period archaeological resources on the Project site. Furthermore, excavation and ground disturbance associated with demolition of the existing Health Center and construction of Building D under Alternative 1 would also have the potential to uncover as yet unrecorded subsurface precontact and historic period archaeological resources. Although an archaeological test pit was dug near the Building D footprint, which did not encounter any archaeological resources (AECOM 2022, see **Appendix D**), the potential remains that buried resources could be present, particularly given the adjacency of the creek. Such impacts from Alternative 1 could be **potentially significant**, which is the same level of impact as the proposed Project.

The same mitigation measure required for the proposed Project would also be required for Alternative 1, which is:

> ***MM-CUL-2: Inadvertent Discovery Protocols.*** *(See Section 3.5.3 for details of this measure).*

Implementation of MM-CUL-2 would avoid or reduce adverse impacts to archaeological resources during construction of Alternative 1 for the same reasons as described for the proposed Project in Section 3.5.3. The potential impact of Alternative 1 to archaeological resources would be reduced to **less than significant with mitigation**, which is the same level of impact as the proposed Project.

Impact CUL-3: Disturbance of Human Remains

As described in Section 3.5, the Project area has a low sensitivity for buried Native American archaeological deposits and cultural materials, which could include human remains, based on negative SLF and NWIC records searches and negative test excavations. However, human remains can be encountered in fill, re-deposited, or disturbed soils, as well as intact soils, and tribal representatives have expressed concerns about the sensitivity of the entire SRC property based on anecdotal reports presented during the scoping period about the potential presence of Native American artifacts and a possible burial ground (refer Section 3.17, *Tribal Cultural Resources*). If human remains were uncovered during demolition or excavation activities as part of Alternative 1, the procedures in California Health and Safety Code Sections 7050.5, 7051, and 7054 and PRC Section 5097 would be followed, which would reduce potential impacts to **less than significant**, which is the same level of impact as the proposed Project.

Energy

Impact ENE-1: Wasteful, Inefficient, or Unnecessary Consumption of Energy Resources

Construction

Due to the extended construction duration of Alternative 1, and additional haul truck trips associated with the demolition debris off-haul, Alternative 1 would result in higher overall energy consumption associated with the use of transportation fuels (e.g., gasoline, diesel fuel) as compared with the proposed Project.

Alternative 1, similar to the Project, would not include unusual characteristics that would necessitate the use of construction equipment that is less energy-efficient than the equipment used at comparable construction sites, and construction contractors would be required, in accordance with MM-AIR-2, and the CARB Airborne Toxic Control Measure for Diesel-Fueled Commercial Motor Vehicle Idling, to minimize the idling time of construction equipment and maintain and properly tune all construction equipment in accordance with manufacturer specifications.

As with the Project, Alternative 2 would also be required to comply with solid waste regulations listed in the City's Municipal Code, the 2022 CALGreen Code, and Policy LU 6.3 of the City's General Plan, which requires implementation of the City's Construction Materials Recycling Program to reduce the quantity of construction debris disposed in local landfills, which would reduce wasteful and unnecessary energy consumption.

Therefore, for all of the reasons above, Alternative 1 would not result in the wasteful, inefficient, and unnecessary consumption of energy, and this impact would be **less than significant.** This is the same level of impact as the proposed Project.

Operation

Similar to the Project, operation of Alternative 1 would result in energy consumption from building operations (e.g., building heating and cooling, lighting, appliances) and transportation fuel (e.g., fuel usage for vehicle trips from residents, employees, and visitors). Alternative 1 would result in the same number of new residents as the proposed Project, and only a small increase in staff numbers; therefore, the transportation-related energy demand associated with operations would be similar to the proposed Project. Consistent with the City's municipal code requirements for new construction, Alternative 1 would not include any new natural gas infrastructure. Alternative 1 would also be required to comply with energy efficiency standards set forth by Title 24 of the California Administrative Code and the Appliance Efficiency Regulations, and "Build It Green" energy and water saving standards.

Alternative 1 proposes to demolish the existing Health Center, a building that has not reached the end of its useful life as it was only constructed in 2000-2002. Air districts throughout California, including the South Coast Air Quality Management District (2008) and San Luis Obispo Air Pollution Control District (2021), consider the operational lifetime of commercial and residential buildings to be between 25 and 30 years. As the Health Center is approximately between 20 and 22 years old, demolition of this building may be considered premature and unnecessary as the building has not reached its operational lifetime. However, the existing Health Center would be replaced with a new building which would be built to comply with the most recent energy standards available at the time of design and would be more energy efficient than the older Health Center.

For the same reasons described in Section 3.6.3, operation of Alternative 1 would not result in inefficient, wasteful, and unnecessary consumption energy and this impact is **less than significant**. This is the same level of impact as the proposed Project.

Impact ENE-2: Conflict with or Obstruct a Renewable Energy or Energy Efficiency Plan

As with the Project, construction and operation of Alternative 1 would not conflict with or interfere with any renewable energy or energy efficiency plan. For the same reasons described in Section 3.6.3, Alternative 1 would be consistent with the actions and strategies included in the City's Climate Action Plan and BAAQMD 2017 Clean Air Plan.

Therefore, impacts related to conflicts or obstruction of a state or local plan for renewable energy or energy efficiency under Alternative 1 would be **less than significant**, which is the same level of impact as the Project.

Geology

Impact GEO-1: Seismic Hazards

As described for the Project in Section 3.7.3, the SRC campus could be subject to very strong ground shaking during a major seismic event but is not located within an Alquist-Priolo Zone or within or immediately adjacent to the trace of any other known fault. There are no mapped landslide deposits or liquefaction zones at the locations of the proposed new buildings.

The potential for seismic hazards at Building C under Alternative 1 would be identical to that described for the Project in Section 3.7; although the California Department of Health Care Access and Information requirements for a skilled nursing facility include more stringent design measures relating to seismic protection than would be required for the independent living units in the Project's Building C (JCSB Architects 2023).

Although Building D is not mapped within an area identified as having significant potential for ground movement (Cotton Shires and Associates 2013) and the building footprint itself is relatively flat, the land to the south and east slopes down toward the creek at between 25 and 50 percent slopes in some areas[75]. Furthermore, the potential for differential settlement in this area was identified in the previous EIR prepared for the 1995 Master Plan (Michael Brandman Associates, 1995). Construction of Building D would involve deeper excavation (up to 12 feet) than the current Health Center foundation, and the site-specific geotechnical report prepared for the proposed Project did not include this portion of the SRC campus. Because of the potential for seismic-induced differential settlement and/or slope instability in the vicinity of Building D, the impact of Alternative 1 relating to seismic hazards would be **potentially significant**.

The following new mitigation measure (not required for the proposed Project) would be required for Alternative 1:

> ***MM-GEO-1-ALT1: Design-Level Geotechnical Investigation and Implement Recommendations***
>
> *Prior to the issuance of building permits for Alternative 1, the Developer shall retain a licensed geotechnical engineer to undertake a site-specific design-level geotechnical investigation for Building D. The investigation report shall be submitted to the City for review and confirmation that the proposed improvements and recommendations comply with City requirements. The investigation shall determine the geotechnical conditions within the Building D footprint, including seismic shaking and liquefaction hazard, unstable soil hazards, and destabilization and erosion hazards associated with the adjacent creek and associated slope and shall recommend measures to address these hazards. The investigation shall conform to the California Division of Mines and Geology's Guidelines for Evaluating Seismic Hazards in California, which include, but are not limited to: a site screening evaluation; evaluation of on- and off-site geologic hazards; quantitative evaluation of hazard potential; detailed field investigation; estimation of ground-motion parameters; evaluation of creek bank stability, liquefaction, lateral-spreading and ground-displacement hazards; and recommendations to reduce identified hazards.*

[75] Calculated using contours in vicinity of Health Center from Project planset Sheet C5.3, Overall Average Slope Calculation.

All design measures, recommendations, design criteria, and specifications set forth in the design-level geotechnical investigation shall be implemented as a condition of approval.

With implementation of MM-GEO-1-ALT1, Alternative 1 would be designed and constructed in compliance with recommendations of a geotechnical engineer to ensure compliance with the seismic design requirements of the CBC and the City's Municipal Code. With implementation of MM-GEO-1-ALT1, the impact with respect to seismic hazards under Alternative 1 would be **less than significant with mitigation**. This is a higher level of significance than the Project's less than significant impact.

Impact GEO-2: Substantial Soil Erosion or Loss of Topsoil

Similar to the proposed Project, Alternative 1 would require a variety of earthmoving activities, including excavating, trenching, grading, tree removal, and compacting, which could result in erosion and loss of topsoil. The potential for construction-related erosion under Alternative 1 would be reduced by the implementation of standard erosion control measures during site preparation and grading activities. As described for the Project, the Project Applicant would be required to obtain a grading permit from the City as required by Municipal Code Article 16-17, and construction activities would be carried out in accordance with applicable City standard erosion control practices and the requirements of the NPDES Construction General Permit issued by the San Francisco RWQCB, as applicable. In accordance with these requirements, a SWPPP would be prepared that incorporates BMPs to control stormwater erosion during the construction period.

Once construction of each proposed building is complete, disturbed areas would be covered completely by paving, structures, and landscaping, which would not leave any exposed areas of bare soil susceptible to erosion. Thus, for the same reasons as described for the Project in Section 3.7.3, the impacts of Alternative 1 due to erosion or topsoil loss would be **less than significant**. This is the same level of significance as the Project.

Impact GEO-3: Unstable Soils

The potential for impacts relating to unstable soils at Building C under Alternative 1 is identical to that described for Building C of the proposed Project in Section 3.7.3.

As discussed for Impact GEO-1 above, Alternative 1 would involve construction of Building D in an area of the site that was not studied as part of the site-specific geotechnical investigation for the Project. Furthermore, the footprint of Building D is at the top of a relatively steep slope (approximately 25 to 50 percent gradient) down to the adjacent unnamed tributary to Vasona Creek, which has been identified as having potential for differential settlement. If Building D is not designed to adequately account for site-specific geotechnical conditions, the impact related to slope instability could be **potentially significant**.

The following new mitigation measure (not required for the proposed Project) would be required for Alternative 1:

MM-GEO-1-ALT1: Design-Level Geotechnical Investigation and Implement Recommendations *(See Impact GEO-1 above for details of this measure).*

Implementation of mitigation measure MM-GEO-1-ALT1 would require that site-specific geotechnical conditions at Building D be investigated and that appropriate measures to address instability and differential settlement are incorporated into the design of the building to meet CBC requirements. With implementation of MM-GEO-1-ALT1, the impact of Alternative 1 with respect

to unstable soils would be **less than significant with mitigation**. This is a higher level of impact than the Project's less than significant impact.

Impact GEO-4: Expansive Soils

The potential for impacts relating to expansive soils at Building C under Alternative 1 is identical to that described for the Project in Section 3.7.3.

As discussed for Impacts GEO-1 and GEO-3 above, Alternative 1 would involve construction of Building D in an area of the site that was not studied as part of the site-specific geotechnical investigation for the Project. The Building D footprint contains the same "Urban land – Flaskan complex" soils as the footprints of buildings under the proposed Project and would be expected to have similar low shrink-swell potential; therefore, the impacts of Alternative 1 relating to expansive soils would be **less than significant**, which is the same level of significance as the Project. Furthermore, mitigation measure MM-GEO-1-ALT1 (required for Impacts GEO-1 and GEO-3) would also further reduce any less-than-significant potential impacts of Alternative 1 related to expansive soils.

Impact GEO-5: Soil Suitability for Septic Systems

Alternative 1, as with the Project, would not use septic tanks or alternative methods for disposal of wastewater into subsurface soils, and would connect to existing public wastewater infrastructure. Therefore, for the same reasons described for the Project, Alternative 1 would have **no impact** related to soil suitability for septic systems. This is the same level of significance as the Project.

Impact GEO-6: Damage or Destruction of Unique Paleontological Resources

As discussed for the Project, there are no unique geologic features within or adjacent to the SRC campus. Nonetheless, excavations under Alternative 1, as with the Project, would occur within geological units that are considered to be of high paleontological sensitivity, and therefore could result in accidental damage to, or destruction of, unique paleontological resources. Such impacts could be **potentially significant.**

The same mitigation measure required for the proposed Project would also be required for Alternative 1, which is:

> ***MM-GEO-6: Paleontological Resource Avoidance Measures.*** *(See Section 3.7.3 for details of this measure).*

Implementation of Mitigation Measure MM-GEO-6 would reduce potential impacts to unique paleontological resources from Alternative 1 for the same reasons described for the proposed Project in Section 3.7.3. As such, with implementation of MM-GEO-6, impacts to paleontological resources from Alternative 1 would be **less than significant with mitigation**. This is the same level of significance as the Project.

Greenhouse Gas Emissions

Impact GHG-1: GHG Emissions

Construction

Due to the extended construction duration of Alternative 1 and haul truck trips associated with the demolition debris off-haul, construction of Alternative 1 would generate approximately 1,731 MT CO_2e compared to approximately 1,493 MT CO_2e that would be generated by construction of the Project (i.e., 238 MT CO_2e more than the Project over their respective construction periods), as detailed in **Appendix C**. As described for the Project in Section 3.8.3, construction-related emissions are amortized over the life of the Project (assumed to be 30 years) and added to the operational emissions. As such, construction of Alternative 1 would result in approximately 8 MT CO_2e per year more than the proposed Project.

Operation

As discussed in more detail in Section 3.8.3, the GHG emissions impact analysis for the Project was evaluated using the BAAQMD-Recommended Design Features thresholds adopted in April 2022, as well as a GHG efficiency metric threshold for an evaluation under the State's shorter term goal of SB 32. The same approach is used to evaluate the GHG emissions impact analysis for Alternative 1.

Evaluation Against BAAQMD-Recommended Design Features

Under the evaluation against the BAAQMD-Recommended Design Features, Alternative 1 would have the same project design features as the Project, including being constructed without natural gas infrastructure (in accordance with City's Municipal Code Section 16-51.015); operations would not result in any wasteful, inefficient, or unnecessary energy usage; and this Alternative would achieve a reduction in project-generated vehicle miles traveled below the regional average.

Therefore, for the same reasons described for the Project in Section 3.8.3, the design features included in Alternative 1 would be consistent with the BAAQMD's recommended project design elements used to evaluate a project's climate change impacts with the exception of Transportation (b), achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2. Because Alternative 1 would not include the required number of off-street electric vehicle requirements, when assessed against the project design elements recommended by BAAQMD to evaluate land use development projects, the contribution of Alternative 1 to the significant cumulative GHG emission impact would be **potentially cumulatively considerable**.

The same mitigation measure required for the proposed Project would also be required for Alternative 1, which is:

> ***MM-GHG-1a: Require Compliance with Electric Vehicle Requirements in CALGreen Tier 2.*** *(See Section 3.8.3 for full details of this measure).*

With implementation of Mitigation Measure MM-GHG-1a, which would require compliance with the Electric Vehicle Requirements in CALGreen Tier 2, Alternative 1 would include all the project design elements recommended by the BAAQMD and contribute its fair share of what is needed to attain carbon neutrality under the BAAQMD guidance, and thus, would not conflict with the State's policies of achieving carbon neutrality and the Draft 2022 Scoping Plan.

Implementation of MM-GHG-1a would therefore reduce Alternative 1 impacts from GHG emissions to **less than significant with mitigation**. This is the same level of significance as the Project.

Evaluation Against GHG Efficiency Metric

Operation of Alternative 1 would have the same number of independent living units as the Project, and thus, the associated area source, energy, solid waste, and water source emissions are anticipated to be similar to the proposed Project. Since Alternative 1 would also include a slight increase in the number of employees (three compared to existing conditions and nine compared to the Project), due to additional staff associated with the kitchen in the new skilled nursing facility, Alternative 1 is anticipated to result in slightly higher mobile source emissions. In addition, as described above under construction, Alternative 1 is anticipated to result in an additional 8 MT CO_2e per year due to construction, when amortized over the operational lifetime.

Therefore, as shown in **Appendix C**, even with an increase in the service population to 98 (the sum of the 89 new residents and 9 new staff under Alternative 1), the GHG emissions per service population associated with Alternative 1 would still exceed the 2030 efficiency threshold described in Section 3.8.3. As such, similar to the Project, implementation of Alternative 1 would contribute to the significant cumulative GHG emission impact and this impact would be **potentially cumulatively considerable** when assessed against the 2030 efficiency metric.

The same mitigation measure required for the proposed Project would also be required for Alternative 1, which is:

> ***MM-GHG-1b: Participation in Silicon Valley Clean Energy Program or On-Site Renewable Energy.*** *(See Section 3.8.3 for full details of this measure).*

With implementation of Mitigation Measure MM-GHG-1b, which would require participation in Silicon Valley Clean Energy Program or include on-site renewable energy such that 100 percent of the electricity demand comes from carbon-free resources, Alternative 1 would not exceed the 2030 local service population thresholds, and Alternative 1, similar to the Project, would not conflict with the State's regulations, including SB 32 and the 2017 Climate Change Scoping Plan. Implementation of MM-GHG-1b would therefore reduce Alternative 1 impacts from GHG emissions to **less than significant with mitigation**. This is the same level of significance as the Project.

Impact GHG-2: GHG Plan, Policy or Regulation Conflicts

As discussed previously, Alternative 1 would be similar to the Project, and would comply with the City's WELO requirements to increase water conservation, be designed to be all-electric, and be consistent with City's Climate Action Plan 2030 categories of renewable energy, energy efficiency, waste reduction, and water conservation. However, for the same reasons as discussed for the Project in Section 3.8.3, and described above in Impact GHG-1, Alternative 1 would conflict with the State's GHG efficiency metric for its 2030 goals and would not include all the recommended project design features required by BAAQMD to achieve California's long-term climate goal of carbon neutrality by 2045. Because Alternative 1 would conflict with applicable plans, policies, or regulations adopted for the purpose of reducing GHG emissions, the impact would be **potentially significant.**

The same mitigation measures required for the proposed Project would also be required for Alternative 1, which are:

> ***MM-GHG-1a: Require Compliance with Electric Vehicle Requirements in CALGreen Tier 2.*** *(See Section 3.8.3 for full details of this measure).*
>
> ***MM-GHG-1b: Participation in Silicon Valley Clean Energy Program or On-Site Renewable Energy.*** *(See Section 3.8.3 for full details of this measure).*

With implementation of MM-GHG-1a and MM-GHG-1b, Alternative 1 would comply with the applicable plans, policies and regulations, for the same reasons as described for the Project in Section 3.8.3, and the impact would be reduced to **less than significant with mitigation**. This is the same level of significance as the Project.

Hazards and Hazardous Materials

Impact HAZ-1: Hazards from Routine Use, Transport, Disposal, or Accidental Release of Hazardous Materials

Construction

Construction of Alternative 1 would involve similar use, transport, and disposal of hazardous substances such as fuel, oil, and grease as the proposed Project and other construction projects within the City. Although such uses would only occur within two construction zones on the site under Alternative 1, compared to four for the Project, one of the construction zones (Building D) would be closer to, and directly up-slope from the tributary of Vasona Creek; therefore, if an accidental release were to occur during construction, pollutants could potentially reach surface water and downstream habitats more easily under this Alternative than compared to the Project.

As described for the proposed Project in Section 3.9.3, the use and disposal of hazardous materials is heavily regulated at both the federal and state level; and implementation of BMPs which would be required as part of the SWPPP in compliance with the NPDES Construction General Permit would reduce construction-related impacts from Alternative 1 to **less than significant**. This is the same level of significance as the Project.

Operation

Operation of Alternative 1 would involve similar limited uses of small quantities of typical household, landscaping, and maintenance-related hazardous materials such as cleaning agents, paints, fuels, and pesticides, as the proposed Project and existing operations at the site. For the same reasons as discussed for the Project in Section 3.9.3, the operational impact of Alternative 1 would be **less than significant**, which is the same level of significance as the Project.

Impact HAZ-2: Result in Hazardous Emissions within One-Quarter Mile of a School

As described in Section 3.9.3, the Project site is not within 0.25 mile of a school; therefore, Alternative 1 would not result in hazardous emissions or the handling of hazardous or acutely hazardous materials, substances, or wastes within 0.25 mile of an existing or proposed school. There would be **no impact** from Alternative 1, which is the same level of significance as the Project.

Impact HAZ-3: Result in Hazards from a Cortese-Listed Site

As described in Section 3.9.3, the Project site is not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5; therefore, for the same reasons described for the Project, Alternative 1 would have **no impact**. This is the same level of significance as the Project.

Impact HAZ-4: Airport-related Safety or Noise Hazards

As described in Section 3.9.3, the Project site is not within an airport land use plan area or within 2 miles of an airport. Therefore, for the same reasons described for the Project, Alternative 1 would have **no impact**. This is the same level of significance as the Project.

Impact HAZ-5: Interfere with an Emergency Response or Evacuation Plan

Construction

Similar to the Project, Alternative 1 would not require any lane closures for any public roadways such as Fruitvale Avenue, and therefore would not block or hinder the City-identified evacuation route on Fruitvale Avenue.

As discussed under Impact TRA-1 below, construction of Alternative 1 would generate less truck traffic than the Project overall, although the peak number of trucks per day during Alternative 1 (up to 54 truck trips per day during Phase 3 of Alternative 1; compared to up to 22 truck trips per day during periods where all four phases of the proposed Project were to overlap). Construction of Alternative 1 would generate less worker commute trips to the off-site staging area than the proposed Project (144-150 commute trips for Alternative 1; compared to 266-412 commute trips for the proposed Project) and less worker shuttle trips between the staging area and SRC campus (8-16 worker shuttle trips for Alternative 1; compared to 28-42 shuttle trips for the Project).

For reasons described for the Project in Section 3.9.3, this temporary increase in traffic volumes along Fruitvale Avenue would not be anticipated to hinder the use of Fruitvale Avenue as an emergency evacuation route.

Construction of Alternative 1 would require fewer internal roadway closures than the proposed Project, due to the smaller number of construction sites on campus and because construction periods for Buildings C and D would not overlap. Therefore, more options would be available for alternative access through the campus in case of an emergency evacuation or response during construction. However, the increased intensity of truck traffic (54 truck trips per day, equating to an average of 6.75 truck movements per hour over an 8-hour work day) during the 2 months of Phase 3 (Health Center demolition) and related movement of large construction vehicles and equipment within the SRC campus and along Odd Fellows Drive, as well as work to remove the existing traffic circle from the entrance to Odd Fellows Drive, could have similar impacts to those described for the proposed Project and could interfere with evacuation of the SRC campus or the neighboring Fellowship Plaza residential development during an emergency situation.

Alternative 1 would include the installation of an additional emergency access and gate between Odd Fellows Drive and Chester Avenue, identical to that described for the proposed Project. This new secondary access, which is required by SCCFD to be constructed and completed prior to all other construction activities at the site, would provide a secondary access point for emergency vehicles to access the SRC campus and Fellowship Plaza property, in the event that Odd Fellows Drive were temporarily blocked by construction activities. However, if evacuating SRC and Fellowship Plaza residents are not kept informed of construction activities and the need to utilize the secondary emergency access, then emergency evacuation from the Project site and the adjacent Fellowship Plaza could be hindered, which would be a **potentially significant** impact.

The same mitigation measure required for the proposed Project would also be required for Alternative 1, which is:

> ***MM-TRA-3a: Construction Traffic Control Plan.*** *(See Section 3.16.3 for full text of this mitigation measure).*

For the same reasons described for the proposed Project in Section 3.9.3, implementation of MM-TRA-3a would reduce potential construction-related impacts to emergency evacuation and response under Alternative 1 to **less than significant with mitigation**. This is the same level of impact as the Project.

Operation

Operation of Alternative 1 would use the same existing vehicular access to the SRC Campus as the proposed Project, would result in the same number of new residents, and only a small

increase in staffing at the site. As discussed for the Project in Section 3.9.3, the small increase in total population and related increase in operational traffic compared to existing conditions would not have a substantial impact related to impairment of an emergency evacuation or response plan. In the same manner as described for the Project, the SCCFD would review the development plans prior to approval of the Alternative 1 to ensure adequate emergency access pursuant to the requirements in Section 503 of the California Fire Code (Title 24, CCR, Part 9). The impact for Alternative 1 would be **less than significant**, which is the same level of impact as the Project.

Hydrology and Water Quality

Impact HYD-1: Violate Water Quality Standards

Construction

Similar to the Project, Alternative 1 would include construction activities, including vegetation removal, excavation, grading, material stockpiling, and staging, that would temporarily disturb surface soils. In addition, during construction activities, excavated soil would be exposed, which could increase the potential for soil erosion and transport of sediment downstream at an accelerated rate. Further, construction-related pollutants, such as chemicals, liquid and petroleum products (e.g., paints, solvents, and fuels), and concrete-related waste, could be spilled, leaked, or transported via stormwater runoff, which could have the potential to degrade water quality if they enter runoff and flow into waterways.

Although such activities would only occur within two construction zones on the site under Alternative 1, compared to four for the Project, one of the construction zones (Building D) would be closer to, and directly up-slope from the creek; therefore, sediment-laden runoff and associated pollutants could potentially reach surface water more easily under this Alternative than compared to the Project.

Alternative 1, as with the Project, is required by law to comply with the provisions of the NPDES Construction General Permit, which includes submittal of a Notice of Intent to discharge to the San Francisco Bay RWQCB and requires preparation and implementation of a SWPPP, which would include BMPs to minimize those discharges. Overall, the potential impact related to pollutant loading during construction that would cause exceedances of water quality standards would be reduced to less than significant through compliance with regulatory requirements, implementation of a SWPPP and associated BMPs, and compliance with the San Francisco Basin Plan. Impacts related to water quality standards during construction of Alternative 1 would be **less than significant**, which is the same level of impact as the Project.

Operation

Similar to the Project, Alternative 1 would incorporate underground stormwater drainage infrastructure that would detain and treat/filter runoff in compliance with the NPDES Construction General Permit and the City's Municipal Code. As with the Project, the Project Applicant would prepare a site-specific Stormwater Treatment Plan for Alternative 1, which would incorporate LID stormwater features pursuant to existing regulations, including MS4 Permit requirements, as required by the City and the SCVURPPP, to ensure that implementation of Alternative 1 would not violate any water quality standards, waste discharge requirements, or otherwise degrade water quality. With the implementation of LID stormwater features, Alternative 1, as with the Project, would result in an improvement in the quality of stormwater runoff from the Project site compared to existing conditions. Therefore, impacts related to water quality standards during operation of Alternative 1 would be **less than significant**, which is the same level of impact as the Project.

Impact HYD-2: Substantially Decrease Groundwater Supplies or Interfere with Groundwater Recharge

Construction

As described for the Project in Section 3.7, Geology, soil borings undertaken at the SRC campus to depths of up to 30 feet below the ground surface during geotechnical investigations did not encounter groundwater. As such, it is unlikely, but possible, that groundwater could be

encountered during construction activities. However, as with the Project, if necessary, the Applicant would apply WDRs for construction dewatering from the San Francisco Bay RWQCB for "low threat" discharge activities that would have minimal potential for adverse water quality effects when implemented according to prescribed terms and conditions. It is anticipated that Alternative 1 would use a similar or slightly higher volume of water during construction (e.g., for dust control) than the Project, because although the area of ground disturbance would be less under this alternative, the duration of construction would be longer, and demolition of the existing Health Center would also require water application for dust control. As discussed for the Project, while the source of such water could be from groundwater-derived sources, its use would be temporary and would not be expected to substantially decrease groundwater supplies. Because construction of Alternative 1 would not require substantial dewatering or use substantial volumes of groundwater supplies, the construction-related impact to groundwater would be **less than significant**, which is the same level of impact as the Project.

Operation

During operation of Alternative 1, the SRC campus would continue to receive water primarily from SCVWD's imported surface water, similar to the proposed Project.

Alternative 1 would result in a smaller net increase in impervious surface area at the SRC campus compared to the proposed Project, as there would be no new buildings or paving in the vicinity of the proposed Project's Buildings A, B or Meeting Room and the amount of additional roofing/paving in the vicinity of Building C (skilled nursing facility) and Fitness Center Addition would be the same as for the proposed Project. The roof area of proposed Building D (approximately 32,000 SF) would be smaller than the existing Health Center (approximately 40,000 SF). Detailed pavement and landscaping design for Building D has not been completed, but based on conceptual building plans, it is anticipated that there would be a net decrease in impervious surface area in this area under Alternative 1. In addition, Alternative 1 would also be designed to meet the City's C.3 LID requirements for redevelopment and would include LID stormwater design and drainage features that are designed to promote recharge of the underlying aquifer.

Overall, because Alternative 1 would not use groundwater as a source of water supply or substantially interfere with groundwater recharge, impacts to groundwater supplies or recharge under Alternative 1 would be **less than significant**, which is the same level of impact as the Project.

Impact HYD-3: Substantially Alter Drainage Patterns Resulting in Erosion and Sedimentation, Flooding, Pollution, or Impedance of Flood Flows

Construction

Similar to the Project, construction of Alternative 1 would require excavation, trenching, and grading activities that could alter existing drainage patterns onsite. Alternative 1 would require less excavation compared to the Project but would require excavation closer to the unnamed tributary to Vasona Creek. As discussed above, Alternative 1 would implement a SWPPP and construction BMPs that would address site-specific conditions to reduce erosion and siltation from construction activities. In addition, Alternative 1 would comply with Section 16-17 of the City's Municipal Code, which regulates excavation and grading, to reduce or eliminate the potential of erosion or alteration of a drainage pattern during construction activities. Similar to the Project, the project applicant would need to apply for a grading permit from the City to demonstrate that appropriate measures to reduce soil erosion would be implemented. With implementation of existing regulations that would be verified by the City during the permitting

approval process, impacts with respect to substantial erosion or siltation, increases in stormwater runoff, or impediment of flood flows under Alternative 1 would be **less than significant**, which is the same level of impact as the Project.

Operation

As described above, Alternative 1 would result in a smaller net increase in impervious surface area than the proposed Project, and would largely maintain existing drainage patterns at the property. Similar to the proposed Project, Alternative 1 would be anticipated to include the installation of drainage features that would handle and treat potential runoff through the utilization of applicable BMPs and LID requirements and the drainage system would be designed such that the stormwater drainage modifications necessary to serve the new buildings and the fitness center addition would either tie-in to existing infrastructure or existing drainage outfalls. Overall, the volume of stormwater runoff requiring conveyance by the existing off-site storm drain systems would be less under Alternative 1 than for the Project. Therefore, due to the reduced increase in impervious surfaces and associated runoff volume compared to the proposed Project, Alternative 1 would have a smaller impact associated with alteration of a drainage pattern resulting in erosion or siltation during operation; however, the impact would still be **less than significant**, which is the same level of impact as the Project.

Impact HYD-4: Release of Pollutants in Flood, Tsunami, or Seiche Hazard Zones

As discussed previously, the SRC campus is not located within a 100-year floodplain or in a tsunami zone, and there are no nearby waterbodies that would represent a potential seiche hazard, but the site is identified as being subject to moderate flood hazards.

Alternative 1 would require demolition and construction activities at the edge of the riparian margin associated with the unnamed tributary to Vasona Creek. While the existing and new building floor level would be approximately 10 to 15 feet above the creek, the exact extent of excavation and ground disturbance required to facilitate demolition and construction is unknown, and could possibly result in the use, handling, and storage of hazardous materials (e.g., typical construction-related fuels and lubricants) within areas that could potentially be flooded. Like the Project, Alternative 1 would implement BMPs associated with proper storage and handling of hazardous materials as part of its SWPPP, and would not introduce substantial new sources of hazardous materials on campus, which would minimize the exposure of flood waters to pollutants. Thus, in the unlikely event of on-site inundation, Alternative 1 would not result in the release of significant types or quantities of pollutants. As with the Project, impacts with respect to release of pollutants within a flood hazard area, risk release of pollutants from inundation from a tsunami, or risk release of pollutants from inundation from seiche waves under Alternative 1 would be **less than significant**, which is the same level of impact as the Project.

Impact HYD-5: Obstruct Implementation of a Water Quality Control Plan or Sustainable Groundwater Management Plan

Similar to the Project, Alternative 1 would incorporate BMPs during construction implemented as part of a SWPPP, which would be consistent with water quality control plans and would not conflict or obstruct implementation of the San Francisco Bay Basin Plan or the Valley Water's Alternative GSP. In addition, Alternative 1 also falls within the jurisdiction of water quality plan regulations that assure that development projects are in compliance with clean water policies. These plans and regulations include the San Francisco Bay Basin Plan and the Valley Water's Alternative GSP. Alternative 1, as with the Project, would also implement an LID plan per the Regional MS4 Permit. Therefore, impacts related to water quality control plans under Alternative 1 would be **less than significant**, which is the same level of impact as the Project.

Land Use and Planning

Impact LUP-1: Physically Divide an Established Community

As with the Project, access to residential neighborhoods in the vicinity of the Project site would be maintained during construction of Alternative 1, and connectivity between existing neighborhoods along Fruitvale Avenue and Odd Fellows Drive would not be diminished. Although temporary fencing would be installed at each building site and staging area for safety and security purposes, these fences would only encompass the various separate zones of construction within the Project site and would not create a significant barrier to the movement of people within the SRC campus because alternative pedestrian and vehicular routes would be established for any instances where sidewalks or private roads were temporarily obstructed due to construction activities. In addition, the off-site construction staging area would be provided within Parking Lot 6 of the West Valley College and would not impact roadway accessibility.

Furthermore, similar to the Project, Alternative 1 would expand the existing senior living residential and related uses on the Project site and would not physically divide an established community. Alternative 1 would be consistent with the land uses designated for the Project site by the City's General Plan, and would not result in any permanent road closures or introduce any physical feature that would create a barrier, divide, or separate adjacent uses. Therefore, for the same reasons described for the Project in Section 3.11.3, **no impact** would occur related to physical division of an established community under Alternative 1, which is the same level of impact as the Project.

Impact LUP-2: Conflict with Land Use Plan, Policy, or Regulation

As with the Project, Alternative 1 would be consistent with the City's General Plan policies, including Policy LU 1.2, LU 5.2, LU 5.3, LU 6.2, and LU 13.1, which would be verified through the City's permitting process. In addition, Alternative 1 would be consistent with Housing Element Policy Area 4-4, as the Project would assist the City in meeting the needs of elderly households.

The final design of Building D would need to be evaluated against the City Codes. Similar to the Project, Alternative 1 would include an application for a Planned Combined District overlay, which allows for deviations from the code when there are community benefits provided as part of the project. With the approval of a Planned Combined District, Alternative 1 would not conflict with the zoning of the Project site.

As such, for the same reasons described for the Project in Section 3.11.3, Alternative 1 would not conflict with any General Plan or Municipal Code, plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, the impact of Alternative 1 related to conflict with land use plan, policy, or regulation would be **less than significant**, which is the same level of impact as the Project.

Noise

Impact NOI-1: Increase in Ambient Noise Levels

Construction

Similar to the Project, Alternative 1 would generate noise during the construction period from sources such as equipment, haul trucks, and worker vehicles traveling to and from the Project site, and heavy machinery and equipment operating on the site. These potential impacts are addressed in turn, below. Unlike the Project, construction phases for Alternative 1 would not overlap.

Construction-Related Traffic Noise

As discussed under "Transportation" below, Alternative 1 would generate less daily truck traffic on average (11 truck trips per day over the 58-month duration of the Alternative) than the Project (21 truck trips per day on average, or 29 trips per day during period when all phases overlap), but would generate more traffic per day (up to 54 trucks per day or approximately 7 per hour) during the 2-month period when the existing Health Center would be demolished (Phase 3).

Table 4.4-5 shows the estimated peak hour traffic volumes on local roadway segments in the vicinity of the Project site, as well as the anticipated peak-hour construction traffic that would be generated by Alternative 1 during Phase 3 and the estimated increase in traffic noise as a result, using the same methodology as described for the Project in Section 3.16.3.

Table 4.4-5 Existing Peak Hour Traffic and Construction-Related Traffic – Alternative 1

Roadway Segment	Existing Peak Hour Traffic Volume (VPH)	Anticipated Construction-related Traffic[1] (VPH by source)	Anticipated Construction-related Traffic[2] (passenger equivalent VPH)	Estimated Increase in Traffic Noise[3] Due to Alt 1 Construction (dBA)
Fruitvale Avenue between Saratoga and Allendale Avenues	1,727	7 heavy truck trips 20 worker commute trips	154	0.4
Fruitvale Avenue between Allendale and South College Circle	1,083	7 heavy truck trips 20 worker commute trips	154	0.6
Fruitvale Avenue between South College Circle and San Marcos Road	1,083	7 heavy truck trips 20 worker commute trips 2 worker shuttle trips	156	0.6
Fruitvale Avenue between San Marcos Road and Los Gatos-Saratoga Road	826	20 worker commute trips	154	0.7
San Marcos Road between Fruitvale Avenue and Odd Fellows Drive	91	7 heavy truck trips 2 worker shuttle trips	136	4.0
Odd Fellows Drive (private)	67	7 heavy truck trips 2 worker shuttle trips	136	4.8

*Source: Existing traffic volumes from Hexagon 2021, see **Appendix F**.*

Acronyms: VPH = vehicles per hour; dBA = decibels

1. Construction traffic volumes based on most traffic-intensive phase for Alternative 1 (Phase 3),(refer to Table 4.4-9).

2. Truck trips converted to passenger-car equivalents by applying an equivalence factor of 19.1, per Caltrans 2013.

*3. Increase in traffic noise calculated by AECOM using formula where estimated noise increase in dB = 10*log(Existing Traffic + Project Traffic/Existing Traffic). See **Appendix E**.*

As shown in Table 4.4-3, construction-related traffic during Phase 3 of Alternative 1 could cause traffic noise to increase by up to 4.0 dBA along San Marcos Road and by up to 4.8 dBA along Odd Fellows Drive, which is slightly higher than the proposed Project (3.0 and 3.7 dBA, respectively). As described in Section 3.12, noise level increases between 3 and 5 dBA may be perceptible to some people but are not considered to be a readily perceptible or significant increase in traffic noise. Alternative 1-related construction traffic would cause a less than one decibel increase in traffic noise along Fruitvale Avenue, which would be imperceptible. Furthermore, the values represented in Table 4.4-3 would only occur during the 2 months of Phase 3 demolition. Average traffic levels (and associated noise) over the full construction period for Alternative 1 would be substantially less than construction traffic and associated noise during Phase 3 demolition, with a predicted increase of 2 dBA or less on all roadway segments, which would also be imperceptible (see **Appendix E**).

Construction Equipment Noise

Construction activities under Alternative 1 would occur in only three work areas (skilled nursing facility/Building C, existing Health Center/Building D, and Fitness Center Addition), rather than in five work areas for the Project. Construction zones under Alternative 1 would be further away from the adjacent residential receptors north of San Marcos Road but closer to the adjacent multi-family senior housing at Fellowship Plaza (the closest residential building at Fellowship Plaza is approximately 125 feet from the closest point of the Building D work zone, and approximately 300 feet from the acoustic center of the work zone). Alternative 1 would avoid construction activities in close proximity to the existing on-site residential units at the Manor Building and would reduce the amount of construction near the West Cottages Lane cottages and western side of Apartment 1, due to the avoidance of construction of Buildings A, B and the Meeting Room Addition. However, Alternative 1 would include more construction activities in proximity to the assisted living building and the eastern side of Apartment Building 1, compared to the proposed Project, due to demolition of the Health Center and construction of Building D.

As discussed in Section 3.12, the City regulates construction noise by establishing a maximum allowable noise level (100 dBA at 25 feet from the source) and restricting the allowable hours of construction. Phases 1 and 4 of Alternative 1 would use the same types of equipment[76], and generate a similar combined predicted noise level, as detailed for the Phases 1 through 3 of the proposed Project in Table 3.12-3 in Section 3.12 above (i.e., 92 dBA at 25 feet, which is below the City's threshold. Phase 2 of Alternative 1 would involve little to no noise-generating equipment.

Phase 3 of Alternative 1 (demolition of the Health Center) would use some of the same equipment as Phases 1 and 4 but would also be anticipated to use additional tools such as a concrete saw, hoe ram, and/or hydraulic shears. Reference equipment noise levels and the combined predicted noise level during Phase 3 of Alternative 1 are presented in Table 4.4-6 below. This 2-month long phase of Alternative 1 would generate a higher level of construction noise (99 dBA at 25 feet) than the proposed Project (92 dBA at 25 feet) but would still be below the City's threshold for construction noise of 100 dBA at 25 feet.

[76] This analysis assumes that pile driving would not be required for construction of Building D; however, as discussed under Impact GEO-1 above, a site-specific geotechnical report has not been prepared for Building D and therefore, the method of foundation construction has not been determined. However, use of impact or vibratory pile drivers would not comply with the City's noise ordinance requiring that construction equipment not exceed 100 dBA at 25 feet; therefore, it is assumed that alternative foundation construction methods (e.g., bored piles) would be utilized to meet geotechnical specifications for Alternative 1.

Table 4.4-6 Construction Equipment and Reference Noise Levels – Alternative 1, Phase 3 (Demolition)

Anticipated Construction Equipment	Reference L_{max} Noise Level at 50 feet (dBA)	Calculated L_{eq} Noise Level at 50 feet (dBA)	Calculated L_{eq} Noise Level at 25 feet (dBA)
Concrete Saw	90	83	89
Cranes	81	73	79
Dozer	82	78	84
Dump Truck	76	72	78
Excavators	81	73	79
Forklifts	75	78	84
Hoe Ram	90	77	83
Hydraulic Shears (on back hoe)	85	68	74
Skid Steer Loaders	79	83	89
Combined Predicted Noise Level	-	93	99

*Source: Calculated by AECOM using reference noise levels and methodology from the FHWA Roadway Construction Noise Model (FHWA 2006) and FTA Noise and Vibration Impact Assessment (FTA 2006). See **Appendix E**. Values rounded to nearest decibel.*

Acronyms: dBA = A-weighted decibels; L_{eq} = Equivalent Continuous Noise Level; L_{max} = maximum instantaneous noise level during a specific period of time; - = not applicable.

***Bold italics** indicates the noisiest piece of construction equipment anticipated to be used.*

Similar to the Project, construction of Alternative 1 would also require use of a street sweeper outside of the construction zones, but the street sweeper operation would be focused in different areas of the site, predominantly along Odd Fellows Drive and McLaren Lane. The sweeper has a reference noise level of 82 dBA L_{max} at a distance of 50 feet, which equates to 88 dBA L_{max} at 25 feet, and therefore would also not exceed the City's threshold of 100 dBA at 25 feet.

Because Project construction would be limited to the allowable construction hours established by the City and would not exceed the City's maximum allowable noise level for construction noise of 100 dBA at a distance of 25 feet, Project construction would not generate a substantial temporary or permanent increase in ambient noise levels in excess of applicable City standards.

However, due to the presence of existing on-site residential units in close proximity to the construction zones for proposed Building C and the existing Health Center/proposed Building D, there is potential for construction noise to cause a substantial temporary increase in ambient noise levels for sensitive receptors within the closest residential units, even though Alternative 1 would comply with the City's noise standards for construction. As discussed for the Project in Section 3.12, because the City has not established any thresholds for the level of acceptable daytime, temporary construction noise for receptors in close proximity to construction zones, the FTA's recommended threshold limit of 80 dBA or less is used to evaluate the impact of construction noise.

Based on a combined predicted noise level for the Building C, Building D, and Fitness Center construction zones of 87 dBA at 50 feet (per Table 3.12-3 in Section 3.12) and a standard attenuation rate of 6 dBA per doubling of distance, with no screening, exterior noise levels from each of these construction zone would be anticipated to dissipate to less than 80 dBA within approximately 104 feet from the source.

The combined predicted noise level for demolition of the Health Center of 93 dBA at 50 feet (per Table 4.4-3) would be anticipated to dissipate to less than 80 dBA within approximately 233 feet from the source (without accounting for screening).

Table 4.4-7 shows the closest sensitive receptors to each of the proposed Alternative 1 construction/demolition zones, and the anticipated exterior noise levels at those receptors during construction. The estimated noise levels are conservative, based on use of multiple pieces of equipment simultaneously, and do not account for screening that might be provided by fences, vegetation, buildings, or other objects between the source and receptor. Actual noise levels perceived by receptors would fluctuate over time and space, depending on the number and type of equipment used, the location of the equipment within the construction zone, and any screening or shielding from objects. Noise levels at receptors further from the construction zones would experience lower noise levels than those shown in the table, due to the increased distance between source and receptor.

Table 4.4-7 Estimated Construction Noise at Closest On-Site Receptors – Alternative 1

Noise Source	Duration of Construction[1]	Nearest On-site Receptor	Distance[2] (feet)	Estimated Exterior Noise Level at Receptor [3]
Skilled Nursing (Building C) Construction Zone	Approx. 7 months grading & foundation work, 28 months total	Assisted Living Building (north-facing units)	50 feet	86 dBA
		14506 Chester Avenue	180 feet	75 dBA
Health Center Demolition	2 months	Apartment Building 1 (east-facing units)	146 feet	84 dBA
		6131 South Cottages Lane	190 feet	82 dBA
		Assisted Living Building (south-facing units)	203 feet	81 dBA
		Fellowship Plaza (west-facing units, closest building)	245 feet	80 dBA
Building D Construction Zone	Approx. 8+ months grading & foundation work, 26 months total	Apartment Building 1 (east-facing units)	146 feet	77 dBA
		6131 South Cottages Lane	190 feet	75 dBA
		Assisted Living Building (south-facing units)	203 feet	74 dBA
		Fellowship Plaza (west-facing units, closest building)	245 feet	73 dBA
Fitness Center Construction Zone	1.5 months foundation work, 7 months total	Apartment Building 2 (north-facing unit, northwest corner)	102 feet	80 dBA
		6118/6120 West Cottage Lane	100 feet	80 dBA
Sweeper/Scrubber on McLaren Lane	Sporadic over entire 58-month construction period	Various on-site receptors[4]	12 feet	84 dBA (intermittent)

*Source: calculated by AECOM. See **Appendix E**.*

Acronyms: dBA = A-weighted decibels; N/A = not applicable.

***Bold** values exceed FTA recommended construction noise threshold for residential land uses*

Table Notes:

1. Duration of grading and foundation work for Skilled Nursing Building under Alternative 1 assumed to be the same as for Building C under the proposed Project. For Building D, duration of grading and foundation work is assumed to be equal to or greater than that required for Building A of the proposed Project. Duration for Fitness Center assumed to be the same under Project and Alternative 1.
2. Average distance from the acoustic center of the construction zone to the nearest on-site receptor. The acoustic center is the idealized point from which the energy sum of all construction activity noise near and far would originate, and it is derived by taking the square root of the product of the distance between the receptor and closest construction zone boundary multiplied by the distance between the receptor and farthest construction zone boundary. The acoustic center concept is useful in describing average noise levels across the entire construction period for adjacent receptors. For residential building receptors, the distance is measured to the closest window of habitable rooms.
3. Assumes standard attenuation rate for stationary noise sources of 6 dBA per doubling of distance, based on maximum combined noise level from all construction equipment of 87 dBA at 50 feet for Phase 1 and 4 construction, and 93 dBA at 50 feet for Phase 3 demolition.
4. For street sweeping, the distance shown is the minimum distance from the closest residential receptor to the centerline of the roadway(s) on which the sweeper is anticipated to operate. For Alternative 1, that would be the east-facing units of the assisted living building which are approximately 11 feet from the centerline of McLaren Lane.

As shown in the table, construction equipment is anticipated to generate exterior noise levels exceeding 80 dBA at the nearest residential receptor. Each construction zone/phase is discussed in turn, below.

- **Skilled Nursing (Building C) Construction**: construction equipment operating at the Skilled Nursing Building construction zone during Phase 1 of Alternative 1 would be anticipated to generate exterior noise levels of up to 86 dBA for the 12 north-facing units within the assisted living building. This **would exceed** the FTA's recommended construction noise limit of 80 dBA. Construction noise at off-property residential receptors such as 14506 Chester Avenue would not exceed the 80 dBA limit. These noise levels are the same as would be generated by construction of Building C under the proposed Project. The noisiest phases (grading and foundation) at this construction zone would occur over a similar duration to that for the proposed Project's Building C (approximately 7 months), although the overall construction period would be longer (28 months) due to the increased complexity required for construction in accordance with Health Care Access and Information requirements.

- **Health Center Demolition**: equipment used to demolish the existing Health Center during Phase 3 of Alternative 1 would be anticipated to generate exterior noise levels of up to 84 dBA for the east-facing units within Apartment Building 1, up to 82 dBA for the cottage at 6131 South Cottage Lane, up to 81 dBA for the south-facing units in the eastern wing of the assisted living building, and up to 80 dBA for the east-facing units in the closest residential building on the Fellowship Plaza property. Noise levels from demolition **would exceed** the FTA's recommended construction noise limit of 80 dBA. Demolition activities would take a total of approximately two months; therefore, this level of noise generation would be limited in duration.

- **Building D Construction**: construction equipment operating at the Building D construction zone during Phase 4 of Alternative 1 would be anticipated to generate exterior noise levels of between 73 and 77 dBA for the nearest residential receptors, which **would not exceed** the FTA's recommended construction noise limit of 80 dBA.

- **Fitness Center Addition**: construction equipment operating at the Fitness Center construction zone during Phase 4 of Alternative 1 would be anticipated to generate noise levels of up to 80 dBA for the two cottages at 6118 and 6120 West Cottages Lane, which **would not exceed** the FTA's recommended construction noise limit and are the same as described for the proposed Project.

- **Street Sweeping:** Street sweeping would be undertaken throughout the duration of all construction phases, and would be expected to regularly operate on Odd Fellows Drive and the full length of McLaren Lane. The closest residential receptors along these routes are the east-facing units within the east-wing of the assisted living building, some of which are as close as 12 feet from the center of McLaren Lane. Street sweeping would generate noise levels at these receptors of up to 84 dBA, which **would exceed** the FTA recommended construction noise limit and are higher than would be generated by street sweeper use for the proposed Project (due to receptors being closer). However, street sweeping activities would be sporadic and intermittent throughout the day, with predicted maximum noise levels lasting less than a minute per passing for any individual receptor.

Unlike the Project, receptors would not receive construction noise from more than one construction zone at a time, because the construction phases for Alternative 1 would not overlap. However, the overall duration of construction activities at the campus would last more than twice as long (58 months for Alternative 1, compared to 25 months for the Project).

Construction activities for Alternative 1 would only occur during daytime hours and, therefore, would not disturb evening relaxation or overnight sleep periods. Daytime construction noise and other intermittent daytime noise sources are a relatively common occurrence in urbanized areas; however, they can still be disruptive to normal daytime residential activities such as conversation and listening to television or radio (City of Saratoga 2014).

Because Alternative 1 would result in daytime construction noise levels at nearby residential receptors that would exceed 80 dBA, the impact would be **potentially significant**.

As discussed for the Project in Section 3.12, the Project Applicant and their Contractor have prepared a preliminary Construction Noise Mitigation Plan to help minimize disturbance to existing SRC residents from construction noise (RCP 2022, see **Appendix E**). Update of the Plan to reflect the revised construction zones for Alternative 1, as well as to include additional actions as set out in Section 3.12.3 for the proposed Project is recommended.

Therefore, the same mitigation measure required for the proposed Project would also be required for Alternative 1, which is:

> ***Mitigation Measure MM-NOI-1a: Update and Implement Construction Noise Mitigation Plan*** *(see Section 3.12.3 for details of this measure).*

For the same reasons described in Section 3.12.3 for the proposed Project, implementation of MM-NOI-1a would substantially reduce the level of disruption to existing residents from construction-related noise during Alternative 1, to a level that would be **less than significant with mitigation**. This is the same level of significance as the proposed Project.

Operation

Alternative 1, as with the Project, would introduce new permanent sources of noise to the existing environment, including operational traffic and fixed noise sources such as mechanical HVAC equipment and emergency generators at the new buildings.

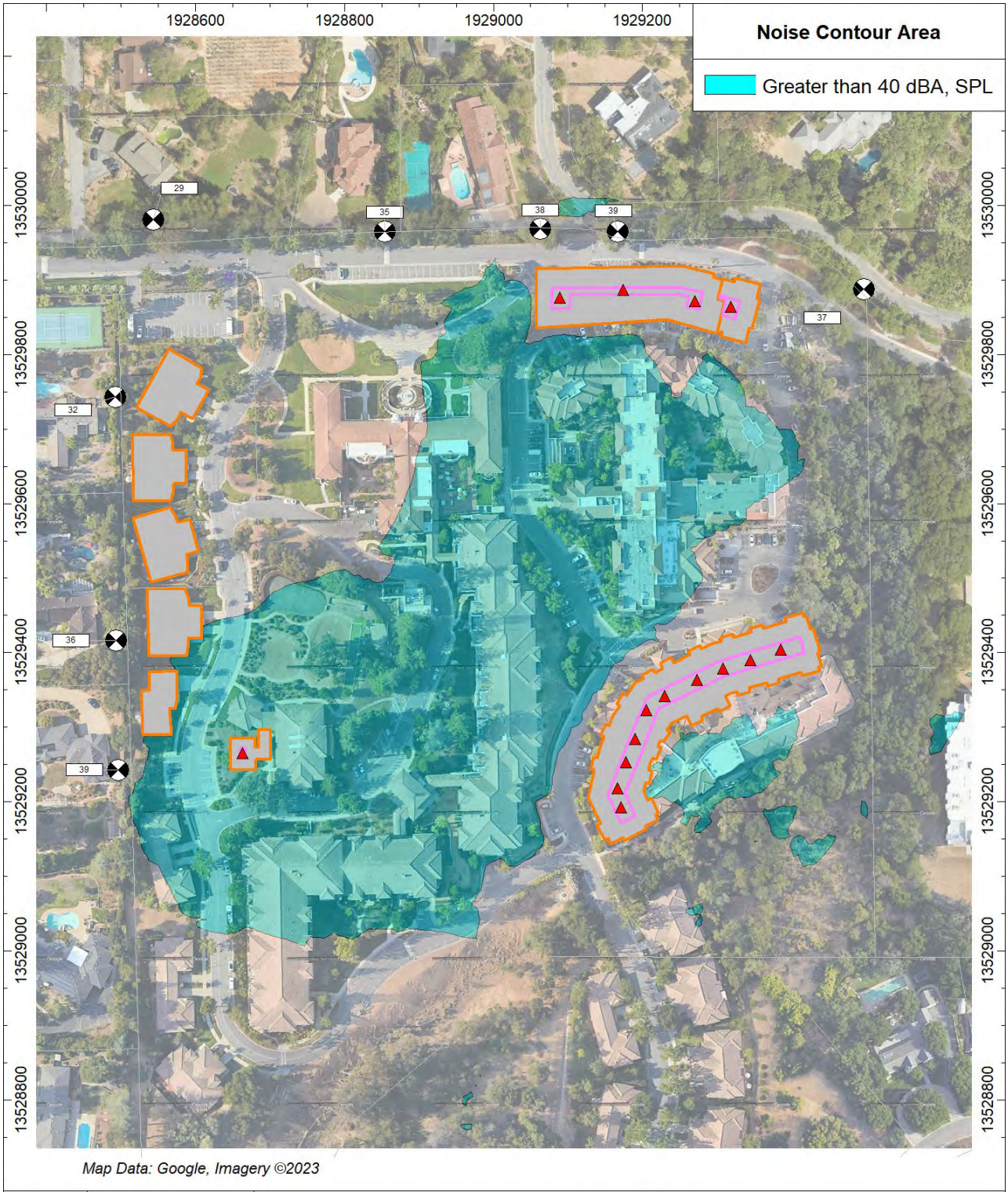
As discussed under “Transportation” below, operation of Alternative 1 would generate a net total of 30 peak hour vehicle trips, with approximately 13 additional vehicle trips in the morning peak hour and 17 peak hour vehicle trips in the afternoon peak hour compared to existing traffic volumes. Overall, as with the Project, the increase in trips from operation of Alternative 1 would not double the existing traffic volume on local roadways, and, therefore, would not cause a

perceivable increase in traffic noise for noise-sensitive land uses along the roads that would be used for ingress or egress to the SRC campus.

Similar to the Project, Alternative 1 would include new HVAC systems, which would be installed on the roofs of Buildings C, D, and the Fitness Center, and emergency back-up generators which would be located within the parking levels of Buildings C and D. As discussed for the proposed Project, because the generators would only be operated sporadically for testing and maintenance, and would be shielded by the buildings themselves, they would not be expected to cause a perceptible increase in ambient noise levels at the site. Further, emergency generators are exempt from the City's noise ordinance (Section 7-30.030).

The CadnaA® Noise Prediction Model (Version 2022) was used to estimate the propagation of sound from the proposed HVAC systems associated with Alternative 1. Figure 4.4-3 shows the predicted 40 dBA L_{eq} noise contour based on the modeled scenario for Alternative 1. Areas inside the contour are predicted to receive noise levels in excess of the 40 dBA L_{eq}, while areas outside the contour are predicted to receive noise levels of less than 40 dBA L_{eq}.

Figure 4.4-3 Predicted Operational Noise Levels – Alternative 1



As can be seen from Figure 4.4-3, some areas outside of the SRC property could receive noise levels in excess of the 40 dBA L_{eq} threshold, if Alternative 3 were to utilize HVAC units with a reference sound power rating of 93 dBA (or above). These include areas to the north and east of the campus (e.g., portions of 14505 and 14506 Chester Avenue and the Fellowship Plaza property), which could receive noise levels up to 41dBA. Because noise levels from HVAC units on the proposed buildings could exceed the applicable nighttime threshold from the noise ordinance, the impact of Alternative 1 would be **potentially significant**.

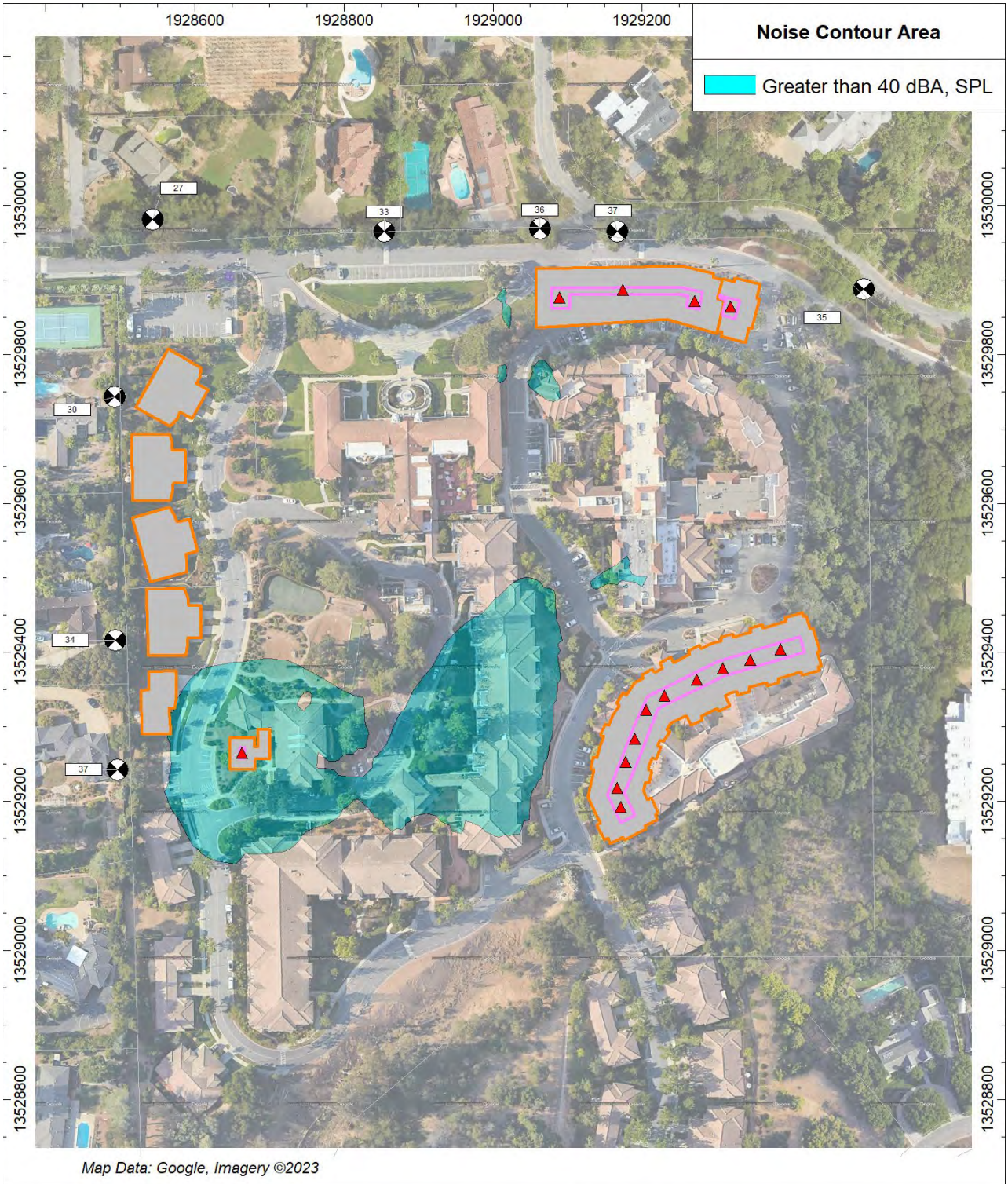
The same mitigation measure required for the proposed Project would also be required for Alternative 1, which is:

> ***MM-NOI-1b: Limit Sound Power Level of Mechanical Equipment or Implement Additional Noise-Reduction Measures.*** *(See Section 3.12.3 for details of this measure).*

Mitigation Measure MM-NOI-1b would reduce potential operational noise impacts of Alternative 1 by either requiring that HVAC units with a lower sound power rating are installed, or that additional measures such as screening are taken to reduce the transmission of noise energy from the proposed sources. As demonstrated in Figure 4.4.4 below, if all proposed HVAC units had a sound power rating of 91 dBA, the predicted 40 dBA contour for Alternative 1 would be contained entirely within the SRC campus (i.e., no adjacent properties would receive noise levels that exceed the City's standard of 40 dBA L_{eq}).

With implementation of Mitigation Measure MM-NOI-1b, Alternative 1 would not exceed the applicable noise standards of the City's noise ordinance, and the impact would be reduced to **less than significant with mitigation**. This is the same level of significance as the proposed Project.

Figure 4.4-4 Predicted Operational Noise Levels – Alternative 1 (Mitigated)



Impact NOI-2: Exposure of People to Groundborne Noise and Vibration Levels

Construction

Construction of Alternative 1, as with the Project, would generate groundborne construction vibration during construction activities depending on the specific construction equipment used and the operations involved. Vibration levels at the nearest off-site receptors during Alternative 1 construction are presented in Table 4.4-8, based on the use of equipment with highest reference vibration levels for each phase.

Table 4.4-8 Estimated Maximum Vibration at Sensitive Receptors – Alternative 1

Vibration Source	Receptor	Minimum[1] Distance (feet)	Estimated Maximum Vibration Level[2] at Receptor (in/sec PPV)	Threshold for Potential Building Damage[3] (in/sec PPV)	Estimated Maximum Vibration Level[2] at Receptor (VdB)	Threshold for Potential Human Annoyance[4] (VdB)
Skilled Nursing Construction	Manor Building	35 feet	0.127	*0.2*	90	*80*
	Assisted Living Building	20 feet	0.293	*0.3*	97	*80*
Health Center Demolition	Manor Building	325 feet	0.002	*0.2*	54	*80*
	Assisted Living Building	40 feet	0.044	*0.3*	81	*80*
Building D Construction	Manor Building	325 feet	0.004	*0.2*	61	*80*
	Assisted Living Building	40 feet	0.104	*0.3*	88	*80*
Fitness Center Addition Construction	Manor Building	360 feet	0.004	*0.2*	59	*80*
	6118/6120 West Cottage Lane	50 feet	0.074	*0.3*	85	*80*

*Source: calculated by AECOM. See **Appendix E**.*

Acronyms: in/sec = inches per second; Lv = velocity level in decibels, based on the root mean square velocity amplitude; PPV = peak particle velocity; VdB = velocity decibels.

Notes:

1. Minimum distance measured from edge of proposed construction zone to the closest edge of the nearest receptor.
2. For construction phases, estimated maximum vibration levels calculated using reference value for vibratory roller (0.210 PPV in/sec at 25 feet), adjusted using standard vibration attenuation rate based on specified distances between source and receptors. For demolition phase, estimated maximum vibration levels calculated using reference value for hoe ram or large bulldozer (0.089 PPV in/sec at 25 feet).
3. The threshold for building damage used for the Manor Building is that for a "non-engineered timber and masonry" buildings (0.2 in/sec PPV). For more modern buildings on the SRC campus and the residential properties, the threshold for "Engineered concrete and masonry" buildings (0.3 in/sec PPV) is used. **Bold** values indicate that the applicable threshold would be exceeded.
4. The threshold for human annoyance used for all receptors is that for infrequent events at residences and buildings where people normally sleep (80 VdB). **Bold** values indicate that the applicable threshold would be exceeded.

As shown in Table 4.4-5, Alternative 1 would not cause vibration levels at nearby receptors that would exceed the threshold for potential building damage. Alternative 1 would avoid construction activities directly adjacent to the historic Manor Building (i.e., Building B and the Meeting Room Addition would not be constructed). Estimated vibration levels at the Manor Building from construction of the Skilled Nursing Building would be the same as for Building C under the proposed Project (up to 0.127 in/sec PPV), which is below the applicable threshold for potential building damage.

However, construction of the skilled nursing facility (Building C), Building D, and the Fitness Center Addition, and demolition of the existing Health Center, could generate levels of vibration that exceed the applicable human annoyance threshold of 80 VdB for some residential receptors.

For the same reasons described for the proposed Project, such exceedances of the human annoyance threshold would only occur occasionally during the construction period, and construction activities would be limited to daytime hours in accordance with Chapter 7-30.060 of the City's Municipal Code; therefore, exceedances of the human annoyance thresholds would be limited in their duration and frequency. Nonetheless, because construction of Alternative 1 could generate vibration levels that exceed the threshold for human annoyance at several nearby residential receptors, the impact would be **potentially significant**.

Some of the same mitigation measures required for the proposed Project would also be required for Alternative 1, which are:

> ***MM-NOI-1a: Update and Implement Construction Noise Mitigation Plan.*** *(See Impact NOI-1, in Section 3.12.3 for full details of this mitigation measure).*
>
> ***MM-NOI-2: Construction Vibration Minimization Measures.*** *(See Impact NOI-2, in Section 3.12.3 for full details of this mitigation measure).*

As discussed for the Project, implementation of mitigation measure MM-NOI-1a would require the Project Applicant and its construction contractor(s) to provide notice to the facility and neighboring properties regarding planned construction activities and to provide a point of contact for residents and neighbors to contact to address questions or concerns. Implementation of mitigation measure MM-NOI-2 would require the contractor to limit the use of large vibratory equipment directly adjacent to existing buildings to the extent practicable, and to give advance notice to residents when vibration-generating equipment would be used within close proximity to their units. Although implementation of MM-NOI-1a and MM-NOI-2 would not completely eliminate the generation of vibration at levels that would exceed the threshold of human annoyance, it would minimize the use of vibratory equipment in close proximity to buildings to the extent feasible and would allow residents the opportunity to adjust their daily routines to reduce exposure when high levels of vibration are being generated.

For the same reasons discussed for the Project in Section 3.12.3, the impact of Alternative 1 from construction vibration would be **less than significant with mitigation,** which is the same level of significance as the Project. However, Mitigation Measure MM-CUL-1a (required for the proposed Project) would not be required for Alternative 1, because the level of vibration generated by construction would not exceed the threshold for building damage.

Operation

Daily operations under Alternative 1, as with the Project, would not include any major new sources of groundborne noise or vibration. In addition, similar to the Project, maintenance vehicles and delivery trucks would be restricted to existing roadways, and the limited number of additional trips generated would not have the potential to substantially increase vibration levels at adjacent land uses. Therefore, **no impact** would occur related to the exposure of people to groundborne noise and vibration levels during operation of Alternative 1, which is the same level of impact as the Project.

Impact NOI-3: Excessive Airport Noise

As discussed previously, Alternative 1 would be constructed on the same property as the Project, which is not within an airport land use plan, within 2 miles of a public airport or public use airport, or within the vicinity of a private airstrip. Therefore, **no impact** would occur related to excessive airport noise under Alternative 1, which is the same level of impact as the Project.

Population and Housing

Impact POP-1: Inducement of Unplanned Population Growth

Construction

Construction of Alternative 1 would occur in four phases and is estimated to require an average of 27 to 50 construction workers on a typical workday. Up to 75 construction workers per day may be required periodically. Similar to the Project, workers would be expected to come from the local labor pool and not relocate to the City from other areas for the relatively short construction period. As such, construction of Alternative 1 would not cause a substantial influx of construction personnel that would result in unplanned population growth. Therefore, **no impact** would occur related to the inducement of unplanned population growth during construction of Alternative 1, which is the same level of impact as the Project.

Operation

As with the Project, Alternative 1 would construct 52 new independent living units that would accommodate approximately 89 additional residents, and would decrease skilled nursing and memory care capacity by 45 beds.

As discussed in Section 3.13, Population and Housing, under the 1995 SRC Campus Master Plan, the maximum number of permitted units approved by the City have a total capacity of approximately 521 residents. Similar to the Project, full buildout of the SRC campus under Alternative 1 would have a capacity between 497 and 532 residents, which is similar to or less than the approved 1995 SRC Campus Master Plan. Although additional staff would be required for the skilled nursing facility kitchen, the net increase of five full time staff compared to existing conditions would be expected to come from the local labor pool. Therefore, for the same reasons described for the proposed Project, Alternative 1 would not induce substantial population growth directly or indirectly. Therefore, **no impact** would occur related to the inducement of unplanned population growth during operation of Alternative 1, which is the same level of impact as the Project.

Impact POP-2: Displacement of People or Housing

Alternative 1 would result in the demolition of the existing Health Center and relocation of the existing residents/patients into the new skilled nursing facility (Building C). Although the new skilled nursing facility would have 45 less beds than the existing Health Center, this capacity reduction would not displace existing residents, as the relocation would not occur until 2028, giving the facility time to manage patient numbers prior to relocation such that all residents present in the Health Center at that time can be accommodated. Overall, Alternative 1 would result in the construction of 52 new independent living units which would increase senior housing within the City, the same as the Project. Therefore, **no impact** would occur related to the displacement of people or housing under Alternative 1, which is the same level of impact as the Project.

Public Services

Impact PS-1: Impacts associated with provision of or need for new or altered government facilities

Alternative 1 would result in the same number of residents at the facility as the proposed Project and would generate only a slightly higher volume of vehicular traffic due to the slight increase in staff numbers. Therefore, for the same reasons as described for the Project in Section 3.14, Alternative 1 would not substantially increase police or fire response times, or demand for public services such that existing public facilities would need to be expanded or new facilities constructed. As such, Alternative 1 would not result in substantial adverse physical impacts associated with the provision of or need for new or altered government facilities, and the impact would be **less than significant**, which is the same level of impact as the Project.

Recreation

Impact REC-1: Increased Use of Recreational Facilities

As described above, Alternative 1 would result in the same number of residents at the facility as the proposed Project. Therefore, for the same reasons as described for the Project in Section 3.15, Recreation, Alternative 1 would not cause increased use of existing neighborhood or regional parks or other recreational facilities such that physical deterioration of the facility would occur or be accelerated.

Furthermore, Alternative 1 would avoid the construction of Building A, which means that the private recreational facilities and open landscaped area currently serving the existing residents of the SRC facility would still be available for current and future residents, decreasing the likelihood that residents would utilize off-site, public recreational facilities. Therefore, impacts related to the increased use of recreational facilities under Alternative 1 would be less than for the Project, but would still be **less than significant**, which is the same impact level as the Project.

Impact REC-2: Construction or Expansion of New Recreational Facilities

Impacts from the construction of the Fitness Center Addition and creation of a public trail along Odd Fellows Drive would be the same under Alternative 1 as described for the Project in Section 3.15.3. Alternative 1 would not include the construction of any other recreational facilities; because Building A would not be constructed under this alternative, the existing outdoor recreational facilities (e.g., bocce ball courts and putting green) would not need to be reconstructed elsewhere. As such, for the same reasons described for the Project, Alternative 1 would not result in any substantial adverse physical effect on the environment from the construction of new recreational facilities. Impacts related to the construction or expansion of new recreational facilities under Alternative 1 would be less than for the Project, but would still be **less than significant**, which is the same level of impact as the Project.

Transportation

Impact TRA-1: Conflict with Transportation Plan, Program, Ordinance or Policy

Construction

Similar to the Project, construction of Alternative 1 would result in a temporary increase in traffic in the vicinity of the SRC campus due to construction workers commuting to the site and truck trips for soil and demolition debris export and deliveries. Congestion associated with construction traffic and movement of larger construction vehicles such as trucks could potentially create traffic-related hazards. Construction-related traffic would vary depending on the work activity at the site, with four non-overlapping phases of construction. The primary haul truck travel route to the Project site under Alternative 1 would be the same as the proposed Project (i.e., from SR 85 to Saratoga Avenue, Fruitvale Avenue, San Marcos Road, and Odd Fellows Drive).

The estimated daily average construction truck trips for each phase of Alternative 1 are provided in Table 4.4-9, along with estimated number of worker commute trips (i.e., trips from the workers' homes to the offsite staging area at West Valley College), and number of worker shuttle trips (between the offsite staging area and the Project site). Similar calculations for the Project can be found in Table 3.16-3 in Section 3.16 above, for comparison.

Table 4.4-9 Estimated Construction Traffic – Alternative 1

Construction Phase and Duration	Number of Trucks per Phase [1] Total	Number of Workers per Day Average (Max)	Truck Trips per Day[2] Average	Worker Commute Trips per Day[3] Average (Max)	Worker Shuttle Trips per Day[4] Average (Max)
Phase 1: Building C (560 workdays)	1631	46 (75)	6	92 (150)	10 (16)
Phase 2: Transfer of patients to Building C (20 workdays)	negligible	10 (15)	negligible	20 (30)	2 (4)
Phase 3: Demolition of Health Center (40 workdays)	1,064	20 (30)	54	40 (60)	4 (6)
Phase 4: Building D & Fitness Center (520 workdays)	3374	50 (75)	13	100 (150)	10 (16)
Total (averaged over entire construction period)	6069	46 (75)	11	92 (150)	10 (16)

*Source: Calculated by AECOM. See **Appendix E**.*

Acronyms: max = maximum; TPD = one-way trips per day;

Notes:

1. *For Phases 1, 2, and 4, number of trucks calculated based on cut/fill volumes from Table 4.3-2 and assuming 16 CY capacity dump truck, plus vendor deliveries and concrete truck estimates based on standard CalEEMod assumptions (**Appendix C**). For Phase 3, number of trucks based on assumptions outlined in demolition debris estimate (Botha, pers. comm. 2022).*
2. *Calculated by dividing total number of trucks per phase by number of work days (assuming 20 work days per month), then doubling to obtain number of one-way truck trips to/from the site.*
3. *Calculated by doubling average (maximum) number of construction workers per phase, to obtain number of one-way worker commute trips to the off-site staging area.*
4. *Calculated by dividing average (maximum) number of construction workers per phase by assumed shuttle capacity of 10, then doubling to obtain number of one-way shuttle movements between the staging area and Project site.*

As shown in the table, when averaged over the entire 58-month construction period for Alternative 1, there would be an average of approximately 11 truck trips per day traveling to/from

the Project site, which is less than the daily average of 29 truck trips per day during the 11-month period of the proposed Project when all four construction phases would overlap, and less than the daily average of 22 truck trips per day when averaged over the entire 25-month duration of the proposed Project. However, the most intensive phase of truck traffic during Alternative 1 would be during demolition of the existing Health Center, when an average of 54 truck trips per day would be required for hauling demolition debris. Although this phase would be short in duration (2 months), the peak number of trucks per day during this phase (54 trucks per day) would be substantially higher than for the Project's most intensive truck traffic (29 trucks per day).

Assuming that construction truck traffic would be spread throughout an eight-hour workday, 54 truck trips per day equates to approximately 6.5 truck trips per hour (compared to 4 truck trips per hour for the Project). However, even with this increased number in peak-hour truck trips compared to the proposed Project, Alternative 1 would not exceed the recommended screening criterion from the ITE for construction traffic, which sets a threshold level of 50 or more new truck trips during the peak hour, above which a detailed traffic study is recommended. This is the most current "industry standard" guidance for assessing the effects of construction projects that create temporary traffic increases (ITE 1988).

The average and maximum number of daily construction worker vehicle trips per day for Alternative 1 are provided in Table 4.4-3 below (compare to Table 3.16-1 in Section 3.16 for equivalent Project details). As shown in the table, the most intensive phase for worker vehicle trips would be during Phase 4, with an average of 100 and a maximum of 150 vehicle trips per day over the 26-month duration of that phase. Phase 1 of Alternative 1 would generate slightly less average daily worker trips, but the same maximum number of peak hour trips as Phase 4. Phases 2 and 3 of Alternative 1 would generate substantially less worker traffic than Phases 1 and 4.

Similar to the Project, parking for construction personnel during Alternative 1 would be provided off-site at West Valley College and a shuttle would transfer workers from the staging area to the construction zones on the SRC campus. Assuming a 10-passenger shuttle, an average of 10 shuttle trips (and maximum of 16) would be required to transport the workers from the staging area to the Project site during the most worker-intensive phases (Phases 1 and 4). As described for the Project, it is conservatively assumed that only one shuttle would make continuous round trips between the staging area and Project site in both the morning and afternoon peak hours. This equates to 20 to 32 peak hour one-way vehicle trips along San Marcos Road and Odd Fellows Drive under Alternative 1, compared to the Project's 28 to 42 peak hour one-way trips. Under Alternative 1, this level of worker commute traffic would occur for two non-overlapping phases of 28 and 26 months (i.e., during 54 of the 58-month total construction period); whereas, under the Project, the total construction duration for all phases would be a total of 25 months.

As with the Project, all construction staging activities for Alternative 1 would occur on the Project site or within the designated off-site staging area at West Valley College Parking Lot #6, and construction activities would not fundamentally alter or disrupt public rights-of-way, including public pedestrian and bicycle facilities or access to transit stations in the vicinity of the Project site. Because construction of Alternative 1 would not conflict with any program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities, the impact would be **less than significant**, which is the same level of impact as the Project.

Operation

As discussed previously, Alternative 1 would include the same number of independent living units as the Project, which would generate a net increase of 10 vehicular trips in the morning peak hour and 14 vehicle trips in the afternoon peak hour compared to existing peak-hour traffic volumes from the site (see Section 3.16.3). Alternative 1 would result in a slight increase in the number of employees on site compared to both existing conditions and the Project, due to additional staff associated with the kitchen in the new skilled nursing facility (Building C). With a net increase of five full time staff for Alternative 1 compared to existing conditions, and a conservative assumption that all additional staff commutes would occur during peak hours, Alternative 1 would generate a net total of 34 peak hour trips (15 morning and 19 afternoon).

The number of vendor trips under Alternative 1 is anticipated to be similar to the Project. The auditorium within Building D would be available for community use on weekday evenings, the same as the Meeting Room for the Project, and therefore any additional traffic related to auditorium use would be outside of peak hours.

Similar to the Project, Alternative 1 would not alter any public roadways and would generate minimal additional traffic compared to existing traffic volumes on Fruitvale Avenue. For the same reasons as described for the Project in Section 3.16, Alternative 1 would not be expected to conflict with programs, plans, ordinances, or policies addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. As described for the Project, Alternative 1 would also install wayfinding signage along the existing Odd Fellows Drive sidewalk and dedicate a pedestrian easement to create a public pedestrian trail connecting the Heritage Loop and San Marcos Open Space trails, as identified in the 2007 General Plan Open Space Element. Therefore, the impact of Alternative 1 would be **less than significant**, which is the same level of impact as the Project.

Impact TRA-2: Consistency with CEQA Guidelines relating to Vehicle Miles Traveled

As discussed previously, Alternative 1 would also be developed on the same property as the proposed Project and would provide the same number of residents, and only a slight increase in employees compared to the Project. Because the estimated VMT per capita for the Project site (7.14) is more than 15 percent lower than the average daily VMT per capita for the City (17.97), the impact for Alternative 1 would also be less than significant. Therefore, for the same reasons described for the Project in Section 3.16.3, impacts related to consistency with CEQA Guidelines relating to Vehicle Miles Traveled under Alternative 1 would be **less than significant**, which is the same level of impact as the Project.

Impact TRA-3: Potential for Creation of Substantial Traffic-Related Hazards

Construction

Alternative 1, as with the Project, would introduce additional construction-related traffic movements to the Project area; however, construction traffic is common throughout the City and is not considered an “incompatible use.” Construction of Alternative 1 would not involve any permanent geometric design features or any temporary traffic controls on public roadways, but would require temporary traffic controls on private roadways including McLaren Lane and Odd Fellows Drive (which also serves the adjacent Fellowship Plaza property). For the same reasons described for the Project in Section 3.16.3, if such temporary controls are not implemented during construction of Alternative 1, there is potential for increased traffic safety hazards within the Project site. This impact could be **potentially significant**.

The same mitigation measure required for the proposed Project would also be required for Alternative 1, which is:

> ***MM-TRA-3a: Construction Traffic Control Plan.*** *(See Section 3.16.3 for details of this measure).*

Implementation of mitigation measure MM-TRA-3a would reduce potential impacts from Alternative 1 related to construction traffic safety for the same reasons described for the proposed Project in Section 3.16.3. As such, with implementation of MM- TRA-3a, the potential for creation of substantial traffic-related hazards during construction of Alternative 1 would be **less than significant with mitigation**. This is the same level of significance as the Project.

Operation

Similar to the Project, operation of Alternative 1 would not include any incompatible uses, nor generate any incompatible traffic, such as farm equipment, and would not include any changes to the public road network.

Alternative 1 would require fewer changes to the internal roading layout at the SRC campus than the Project, as such changes would be limited to the vicinity of the proposed skilled nursing facility/Building C (realignment of Colfax Lane to truncate the eastern edge of Manor Circle and connect through to Odd Fellows Drive, as described for the Project), minor changes near Building D (removal of parking circle/entrance and realignment of existing parking lot to become parking garage entrance), and the removal of the existing traffic circle and palm tree at the entrance to Odd Fellows Drive from San Marcos Road (as described for the Project). No changes to West Cottages Lane, Pavilion Circle, or the western and central portions of Manor Circle would be required for this Alternative.

As described for the proposed Project in Section 3.16.3, the Traffic Study prepared for the proposed Project (**Appendix F**) identified the need for stop signs and maintenance of appropriate sight distances at several of the new, altered, or existing intersections and driveways within the SRC campus, and recommended improved vendor delivery protocols. It is anticipated that several of these recommendations (with slight modifications) would be applicable to Alternative 1, in particular, at the new intersection of Colfax Lane onto Odd Fellows Drive, Manor Drive onto Colfax Lane, and the exit from Building C (Skilled Nursing Building) onto Odd Fellows Drive. In addition, it is anticipated that the new driveway from the new Building D parking garage onto McLaren Lane would also require a stop sign and maintenance of appropriate sight distances. Without the necessary traffic safety measures, as determined by a qualified traffic engineer, the proposed site circulation patterns associated with Alternative 1 could cause a **potentially significant** traffic safety impact. Since Building D is not part of the proposed project, this is especially relevant for the traffic patterns and circulation in that area.

The following mitigation measure (which is similar, but slightly modified compared to that required for the proposed Project) would be required for Alternative 1:

> ***MM-TRA-3b-ALT1: Update Traffic Study and Implement Recommended Traffic Safety Measures***
>
> *The Project Applicant shall retain a qualified Traffic Engineer to undertake a new, or update the existing, Traffic Study to reflect the revised site circulation and internal roadway layout associated with Alternative 1, particularly focusing on the southern portion of McLaren Lane, near the new Building D. The updated Traffic Study shall*

include recommendations relating to maintenance of sight distance and installation of stop signs at intersections and driveways, adherence to one-way traffic signage, and any other traffic safety issues that are identified in the study. The updated Traffic Study shall be submitted to the City's traffic engineer for review and approval. The Project Applicant shall implement all recommendations of the approved Traffic Study.

In addition, the Project Applicant shall develop and implement a delivery schedule for vendors so that the number of simultaneous deliveries to campus does not exceed the available designated loading space.

MM-TRA-3b-ALT1 is similar to MM-TRA-3b that was recommended for the proposed Project but has been modified to require that the Traffic Study be updated to reflect the site layout under this Alternative. It is anticipated that recommendations of the Traffic Study for Alternative 1 would be similar to the recommendations of the Traffic Study for the Project, except that the location of stop signs and sight distance triangles would be different, due to the different road layout.

For the same reasons described in Section 3.16.3 for the proposed Project, implementation of mitigation measure MM-TRA-3b-ALT1 would reduce the potential for traffic safety issues within the SRC campus. Therefore, with implementation of MM-TRA-3b-ALT1, the potential for creation of substantial traffic-related hazards during operation of Alternative 1 would be **less than significant with mitigation**, which is the same level of impact as the Project.

Impact TRA-4: Project-Related Interference with Emergency Access

Construction

Alternative 1, as with the Project, would require temporary closures of some internal roadways within the Project site. The extent of such disruption is anticipated to be substantially less than that required for the proposed Project, due to the fewer number of construction areas, the sequential nature of the construction phases (rather than overlapping), and because the two main construction zones for Alternative 1 would both be on the periphery of the campus. However, the duration of construction would be substantially longer. Similar to the proposed Project, at least two out of the three main access roads through the SRC campus would be open for emergency vehicle access at all times. As described for the proposed Project, movement of construction equipment and machinery and work associated with removal of the existing traffic circle at the entrance to Odd Fellows Drive from San Marcos Road could cause congestion and delays for emergency vehicles trying to access the SRC campus or adjacent Fellowship Plaza, particularly during Phase 3 (demolition of Health Center) when truck traffic would be at its peak.

As described in Section 3.16.3, the existing emergency access on the SRC campus does not meet the SCCFD specifications for a Fire Apparatus Access (e.g., turn radius, vertical clearance) that is required in accordance with CFC Chapter 5. As such, similar to the Project, Alternative 1 would install an additional emergency access and gate between Odd Fellows Drive and Chester Avenue, for emergency vehicles to access the SRC campus and Fellowship Plaza property in compliance with SCCFD requirements. However, if emergency service providers are not kept informed of construction activities and the need to utilize the secondary emergency access during periods when Odd Fellows Drive is congested or partially blocked by removal of the traffic circle, then emergency access to the Project site and the adjacent Fellowship Plaza could be disrupted, which would be a **potentially significant** impact.

The same mitigation measure required for the proposed Project would also be required for Alternative 1, which is:

> ***MM-TRA-3a: Construction Traffic Control Plan.*** *(See Section 3.16.3 for full details of this measure).*

Implementation of mitigation measure MM-TRA-3a would reduce potential impacts from Alternative 1 related to construction traffic safety for the same reasons described for the proposed Project in Section 3.16.3. As such, with implementation of MM- TRA-3a, the potential for Alternative 1 to interfere with emergency access during construction would be **less than significant with mitigation**. This is the same level of significance as the Project.

Operation

Alternative 1 would be subject to the California Fire Code (CCR Title 24 Part 9), as adopted in Chapter 16 of the City's Municipal Code, and the design plans for Alternative 1 would be reviewed by the SCCFD during the City's permitting process to ensure that they comply with all applicable City codes and SCCFD standards. Therefore, for the same reasons described for the Project in Section 3.16.3, operation of Alternative 1 would not result in inadequate emergency access and the impact would be **less than significant**, which is the same level of impact as the Project.

Tribal Cultural Resources

Impact TCR-1: Tribal Cultural Resources

As discussed in Section 3.17, the City has complied with AB 52 in its consultation and records searches conducted through NAHC and the NWIC. The records searches indicated that the Project area has a low sensitivity for tribal cultural resources, and two test pits dug in the vicinity of the existing Health Center (Building D under Alternative 1) and within the footprint of the Project's Building A, were both negative for tribal cultural resources. However, despite these negative results, tribal representatives have expressed ongoing concerns about archaeological sensitivity on the property, based on the anecdotal reports presented during the EIR scoping period about the potential presence of Native American artifacts and a possible burial ground at the property.

Similar to the Project, although the area is largely disturbed and the potential for encountering tribal cultural resources in the Project area is generally low, excavations associated with Alternative 1 could encounter previously unknown and buried tribal cultural resources. Such impacts could be **potentially significant**.

The same mitigation measure required for the proposed Project would also be required for Alternative 1, which is:

> ***MM-CUL-2: Inadvertent Discovery Protocols.*** *See Section 3.5.3 for details of this mitigation measure.*

Implementation of MM-CUL-2 would avoid or reduce adverse impacts to tribal cultural resources during construction of Alternative 1 for the same reasons as described for the proposed Project in Section 3.17.3. Therefore, the potential impact of Alternative 1 to tribal cultural resources would be reduced to **less than significant with mitigation**. This is the same level of impact as the proposed Project.

Utility and Service Systems

Impact UTI-1: New or Expanded Utility Services

Alternative 1 would result in the same number of new residents as the proposed Project, and only a small increase in staff numbers; therefore, demand for water supplies and wastewater would be similar. For the same reasons described in Section 3.18.3, such demand would not be substantial enough to require new or expanded water supply or treatment infrastructure. Consistent with the City's municipal code requirements for new construction, Alternative 1 would not include any new natural gas infrastructure. New stormwater drainage facilities would be constructed on the Project site under Alternative 1 but would not require relocation or construction of new or expanded stormwater facilities off-site that would cause environmental effects beyond those analyzed throughout this EIR.

Alternative 1 would also require new connections to existing water, wastewater, electricity, and telecommunications utilities, similar to that described for the proposed Project, and no improvement work would be required for the existing utilities outside of the Project site. Therefore, for the same reasons described for the Project in Section 3.18.3, Alternative 1 would not require or result in the relocation or construction of new or expanded water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunications facilities that would cause significant environmental effects. The impact of Alternative 1 would be **less than significant**, which is the same level of impact as the Project.

Impact UTI-2: Sufficient Water Supplies

Alternative 1 would result in the same number of new residents as the proposed Project, and only a small increase in staff numbers; therefore, demand for water supplies would be similar. For the same reasons described for the proposed Project in Section 3.18.3, the increased population under Alternative 1 would not represent unplanned growth; therefore, Alternative 1 would not be expected to exceed the capacity limits of SJWC's projected water supply through 2045. The impact of Alternative 1 on water supplies would be **less than significant**, which is the same level of impact as the Project.

Impact UTI-3: Wastewater Treatment Capacity

Alternative 1 would result in the same number of new residents as the proposed Project, and only a small increase in staff numbers; therefore, generation of wastewater would be similar. For the same reasons described for the proposed Project in Section 3.18.3, the increase in wastewater generation by Alternative 1 would be within the capacity limits of the wastewater treatment facilities serving the Project site. Therefore, impacts related to wastewater treatment capacity under Alternative 1 would be **less than significant**, which is the same level of impact as the Project.

Impact UTI-4: Solid Waste Capacity and Waste Reduction Goals

Construction

Alternative 1 would generate more solid waste (e.g., excess spoils and demolition debris) during construction than the proposed Project (approximately 48,500 CY compared to 37,100 CY), due largely to the debris that would be generated during demolition of the existing Health Center. Overall, as with the Project, Alternative 1 would also be required to comply with solid waste regulations listed in the City's Municipal Code, the 2022 CALGreen Code, and Policy LU 6.3 of the City's General Plan, which requires implementation of the City's Construction Materials Recycling Program to reduce the quantity of construction debris disposed in local landfills. Because there would be more solid waste generated, Alternative 1 would have a greater impact

on solid waste capacity than the proposed Project. However, for the reasons discussed in Section 3.18.3, Alternative 1 would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. The impact of Alternative 1 construction on solid waste capacity and waste reduction goals would be **less than significant**, which is the same level of impact as the Project.

Operation

Alternative 1 would result in the same number of new residents as the proposed Project, and only a small increase in staff numbers; therefore, operational generation of solid waste would be similar. For the same reasons described for the proposed Project in Section 3.18.3, the increased volume of solid waste generated by Alternative 1 operations would be negligible compared to the capacity limits of the landfill facilities serving the Project site. Therefore, impacts related to solid waste capacity and waste reduction goals under Alternative 1 would be **less than significant**, which is the same level of impact as the Project.

Impact UTI-5: Solid Waste Statutes and Regulations

As with the Project, construction and operation of Alternative 1 would not conflict with or interfere with the State's or City's ability to implement its adopted solid waste management programs and policies. Alternative 1 would also comply with all statutes and regulations related to solid waste, including the 2022 CALGreen (Title 24 CCR Part 11) and the City's Health and Sanitation and Green Building Regulations. Therefore, for the same reasons described for the Project in Section 3.18.3, impacts related to solid waste statutes and regulations under Alternative 1 would be **less than significant**, which is the same level of impact as the Project.

Wildfire

Impact WF-1: Impairment of Emergency Response Plans or Emergency Evacuation Plans

As discussed previously, the SRC campus is not within a State Responsibility Area or VHFHSZ, although a VHFHSZ is present approximately 2,500 feet to the west (CAL FIRE 2008). As discussed in Impact HAZ-5 above for Alternative 1, operation of the Alternative would not impair implementation of an adopted emergency response plan or emergency evacuation plan, but construction activities and related heavy equipment or temporary traffic controls on Odd Fellows Drive could hinder emergency evacuation of the SRC campus or the neighboring Fellowship Plaza property during an emergency. This impact could be **potentially significant**.

The same mitigation measure required for the proposed Project would also be required for Alternative 1, which is:

> ***MM-TRA-3a: Construction Traffic Control Plan.*** *See Section 3.16.3 for full details of this measure.*

For the same reasons discussed for the Project in Section 3.19.3, implementation of mitigation measure MM-TRA-3a would reduce the impact of Alternative 1 on emergency response and evacuation to **less than significant with mitigation**.

Impact WF-2: Exposure of Project occupants to pollutant concentrations from wildfire or uncontrolled spread of wildfire

As discussed previously, the SRC campus is not within a State Responsibility Area or VHFHSZ. As with the Project, Alternative 1 would not substantially alter site slopes or vegetation or introduce new land uses that would exacerbate potential wildfire risks at the Project site. Therefore, impacts related exposure of site occupants to pollutant concentrations from wildfire or uncontrolled spread of wildfire under Alternative 1 would be **less than significant**, which is the same level of impact as the Project.

Impact WF-3: Installation or maintenance of infrastructure that may exacerbate fire risk

As discussed previously, the SRC campus is not within a State Responsibility Area or VHFHSZ. As with the Project, Alternative 1 does not include infrastructure that would exacerbate fire risks, as all proposed utility connections and new roadways would be developed within previously developed areas of the site.

The demolition of the existing Health Center and construction of Building D in its place would occur immediately adjacent to the undeveloped riparian corridor, which would represent a slightly higher risk for construction activities (e.g., sparks from equipment) to accidentally ignite a blaze; however, Alternative 1 would be required to comply with applicable provisions of the CFC Chapter 33 and SCCFD's Standard Detail and Specification SI-7 (described in Section 3.19), which are mandatory.

As such, for the same reasons as described for the Project, the installation or maintenance of infrastructure associated with Alternative 1 would not exacerbate fire risk. Therefore, impacts related the installation or maintenance of infrastructure that may exacerbate fire risk under Alternative 1 would be **less than significant**, which is the same level of impact as the Project.

Impact WF-4: Exposure to significant risks as a result of runoff, post-fire slope instability or drainage changes

As discussed previously, the SRC campus is not within a State Responsibility Area or VHFHSZ. In addition, the campus is in a relatively flat area of the City and does not contain substantial areas of large slopes that would become unstable under post-fire conditions. However, demolition of the existing Health Center and construction of Building D would occur at the top of the slope above the unnamed tributary to Vasona Creek, and the exact extent of excavation to facilitate demolition and construction has not yet been determined. While there could be minor potential for runoff, slope instability or drainage changes on that slope in the unlikely event that a fire were to occur in the riparian area, this is unlikely to cause exposure of significant risks, given the relatively small up-slope area that would be disturbed. Furthermore, implementation of sediment control and erosion BMPs as part of the SWPPP would reduce the potential for runoff and slope instability during construction.

Therefore, impacts related to exposure to significant risks as a result of runoff, post-fire slope instability or drainage changes under Alternative 1 would be **less than significant**, which is the same level of impact as the Project.

4.5 Alternative 2 – Reduced Development Alternative

4.5.1 Description of Alternative 2

Alternative 2 would be identical to the proposed Project (refer Figure 2-3-1 in Section 2), except that Building B and the associated improvements to the north of the Manor Building would not be constructed. The existing circular driveway (Manor Circle) and associated landscaped area and parking spaces in front of the Manor Building and along Odd Fellows Drive would remain unchanged (refer Figure 2.1-2 in Section 2), except at the very eastern extent where Colfax Lane would be realigned to allow for the construction of Building C.

All other components of the proposed Project would be as described for the Project, except that Building A and/or Building C would be internally reconfigured to allow for 10 additional independent living units to be incorporated so that the redevelopment under this alternative would have the same number of new independent living units (52 units) as the proposed Project. It is assumed that the size of the residential units within Buildings A and C would be reduced under this Alternative compared to the proposed Project, so that the footprint of those buildings would remain the same as proposed. The average unit size under Alternative 2 would be approximately 1,050 SF, compared to an average unit size of approximately 1,400 SF under the proposed Project. The Meeting Room and Fitness Center Addition would also be constructed under Alternative 2, as described for the proposed Project. The analysis of this alternative also considers a variation where the height of a portion of Building C would be increased to accommodate the additional units.

In addition, the underground parking garages of either Building A and/or Building C and/or the Meeting Room would be reconfigured to accommodate additional parking spaces so that the total number of parking spaces on site under this alternative would be the same as the proposed Project. This reconfiguration could be achieved through additional excavation to expand the size of the underground garages and/or through the use of “parking lifts” that would allow more vehicles to be parked in the same footprint. Note that 30 existing surface parking spaces would be retained if Building B were not constructed, therefore not all 64 of the parking spaces proposed within the Project’s Building B would need to be accommodated in the other buildings.

The relocation of recreational facilities displaced by construction, installation of a secondary emergency access point, removal of the small traffic circle at the entrance to Odd Fellows Drive, and the proposed public trail connection along Odd Fellows Drive would also be the same for Alternative 2 as described for the proposed Project in Section 2.3.

To summarize, under this alternative the following components of the proposed Project would not be constructed:

- Building B.

The following components of the proposed Project would be constructed for this alternative:

- Building A,
- Building C,
- Meeting Room Addition to the Manor Building, and
- Fitness Center Addition.

No new components would be constructed for this alternative.

Construction Phasing and Schedule

Alternative 2 would be constructed on a similar schedule to the Project, which is anticipated to begin in July 2023 and last approximately 25 months in total. Renovation and conversion of double-occupancy rooms within the existing Health Center and assisted living buildings to single-occupancy rooms would also occur in stages over a two-year period, the same as the proposed Project.

As with the proposed Project, the construction schedule would be dependent on market conditions, regulatory approvals, and other factors and, therefore, is subject to change. Construction activities are anticipated to mostly occur between 7:30 a.m. and 4:00 p.m. Monday through Friday, and Saturdays between 9:00 a.m. and 5:00 p.m. On occasion, construction activities may be undertaken outside of these hours, but would be limited[77] to between 7:30 a.m. and 6:00 p.m. Monday through Friday, and between 9:00 a.m. and 5:00 p.m. on Saturdays, in accordance with Section 7-30.060 of the City's Code of Ordinances.

Alternative 2 would be constructed in overlapping phases:

- Phase 1: Building A and fitness center is estimated to occur from July 2023 through December 2024.
- Phase 2: Building C and meeting room is estimated to occur from November 2023 through August 2025.
- Phase 3: Renovation and conversion of double-occupancy rooms within the existing Health Center and assisted living buildings is estimated to occur in stages between July 2023 through July 2025.

Construction Equipment and Personnel

Anticipated construction equipment for Phases 1 and 2 of Alternative 2 would include similar equipment as used for Phases 1, 2, and 3 of the proposed Project, such as aerial lifts, air compressors, bore/drill rigs, cement and mortar mixers, cranes, dozers, excavators, forklifts, generators, soil compactors, pavers and paving equipment, rollers, signal boards, skid steer loaders, sweepers/scrubbers, and welding equipment.

Similar to the proposed Project, no heavy construction equipment is anticipated for renovation of the Health Center (Phase 3). Anticipated construction equipment for Phase 3 would include: air compressors, concrete saws, and power tools.

Construction personnel needs have been estimated for each phase of Alternative 2, as shown in Table 4.5-1. Alternative 2 is estimated to require an average of 81 workers per day over the full 2-year construction period, compared to the proposed Project's average of 99 workers per day over a 2-year period (see Table 2.4-1 in Section 2 for equivalent Project details). During the 13-month period when all construction phases would overlap, the average and maximum number of workers would be 106 and 165 per day, respectively (compared to 133 and 206 per day for the proposed Project, over an 11 month period).

[77] In special circumstances, work may be requested outside of the hours allowed by the Section 7-30.060 of City of Saratoga Code of Ordinances, to accommodate critical utility outages and change overs.

Table 4.5-1 Estimated Construction Personnel – Alternative 2

Phase	Estimated Duration	Average Number of Construction Personnel	Maximum Number of Construction Personnel
Phase 1 – Building A	17 months	50 per day	74 per day
Phase 2 – Building C & Meeting Room	21 months	46 per day	75 per day
Phase 3 – Health Center Renovation	24 months	10 per day	16 per day
TOTAL*	25 months	81 per day	165 per day

Source: Adjusted from proposed Project information in RCP Construction Inc. 2021, 2022.

* *The total average number of workers shown in the table is averaged over the entire 25-month construction duration. The total maximum number of workers shown in the table is for the 13-month period (approximately 305 working days) when all three construction phases would overlap (November 2023 through December 2024). The total average number of workers over this same 13-month period would be 106.*

Site Preparation and Earthworks

Estimated site grading volumes for each of the proposed buildings under Alternative 2 are shown in Table 4.5-2. Similar to the proposed Project, the maximum depth of excavation for Alternative 2 would be for Building C, at approximately 25 feet below the ground surface. It is estimated that approximately 27,500 CY of material would be off-hauled[78] (exported) from the site, compared to approximately 37,100 CY for the proposed Project. Similar to the proposed Project, the Health Center refurbishment is anticipated to generate an additional approximately 160 cubic yards of demolition debris (Dalengas 2022b). Construction/demolition debris and excess spoils would be disposed of at the Guadalupe Landfill in San Jose.

Table 4.5-2 Estimated Cut and Fill Volumes by Location – Alternative 2

Location	Cut Volume	Fill Volume	Max. Depth of Cut	Max. Height of Fill
Building A*	8,400 CY	270 CY	16 feet	6.5 feet
Extra cut volume for parking	6,500 CY	0 CY	n/a	n/a
Building C*	6,980 CY	600 CY	25 feet	9 feet
Meeting Room*	550 CY	430 CY	8.5 feet	6 feet
Fitness Center*	170 CY	0 CY	2.5 feet	0 feet
Health Center Refurbishment*	160 CY (demolition debris)	n/a	n/a	n/a
TOTAL	22,760 CY	1,300 CY	n/a	n/a

Acronyms: CY = cubic yards, n/a = not applicable, max. = maximum

*Note: Earthwork quantities are approximate only, based on preliminary grading plans of the proposed Project (for Building A, Building C, and the fitness center addition). Extra parking excavation volume based on approximate square footage of 34 parking spaces plus aisle multiplied by 12 feet depth. * indicates that volume for that location under Alternative 2 is the same as for the proposed Project.*

Alternative 2 Operations

Operation under Alternative 2 would be the same as operation under the Proposed Project, as there would be the same number of residents and staff on site under both scenarios, and the same mix of independent living, assisted living, and skilled nursing uses on site.

[78] Volume differs from quantities detailed in Table 4.5-2 due to additional volume of haul materials generated during site grading and other activities not included in building-specific cut/fill estimates (approximately 20% extra over estimated cut/fill volume).

4.5.2 Ability of Alternative 2 to Meet Project Objectives

Alternative 2 would meet all of the Project Objectives, as discussed in turn below:

1) Continue to improve this long established and well respected Life Plan Community so that it responds to the changing Senior Housing market, and remains a viable campus for years to come. Continue to provide a campus where seniors can age in place, with independent living, assisted living, memory care, and Skilled Nursing.

Alternative 2 **would meet** Objective 1, but to a slightly lesser extent than the proposed Project, because in order to accommodate the same total number of new independent living units as the proposed Project, the new units within Buildings A and C for Alternative 2 would be smaller than those for the proposed Project, which may not be as responsive to changing market conditions. This alternative would maintain the existing independent and assisted living/memory care units. and would upgrade the existing Health Center rooms in a similar manner to the proposed Project.

2) Add a minimum of 52 new independent living senior housing units to provide the opportunity for more seniors, including many from the city of Saratoga, to enjoy independent living, with access to a high quality continuum of care.

Alternative 2 **would meet** Objective 2 as it would provide 52 new independent living units within Buildings A and C, although the units would be smaller than proposed by the Project.

3) Generate an additional income stream from the new independent living units, to help upgrade other parts of the campus including a major renovation of the Health Center. Always maintain a strong financial position to ensure the future of the campus.

Alternative 2 **would meet** Objective 3, but to a slightly lesser extent than the proposed Project. The proposed new independent living units in Buildings A and C would generate income over a similar timeframe to that for the proposed Project; however, due to the smaller size of the units under this alternative, the amount of revenue generated may be lower.

4) Provide upgrades to the existing Health Center, which would include converting existing semiprivate rooms to private rooms with private baths.

Alternative 2 **would meet** Objective 4. This alternative would include the same refurbishment of existing semiprivate rooms within the existing Health Center as the proposed Project.

5) Preserve and maintain the existing the buildings on the campus, including the original Manor Building and the Health Center.

Alternative 2 **would meet** Objective 5. It would preserve and maintain the original Manor Building, including the character defining features of its historic setting such as its position atop a slight rise from Odd Fellows Drive, access via a curvilinear driveway, and sloped landscape area below (features that would not be preserved under the proposed Project). Although this alternative would include some alterations to a secondary elevation of the Manor Building to accommodate the new Meeting Room Addition, the Manor Building would retain its eligibility for listing on the CRHR. This alternative would also preserve and maintain the existing Health Center.

6) Provide a new and larger Meeting Room, that will seat all the apartment and cottage residents on the campus.

Alternative 2 **would meet** Objective 6. The Meeting Room Addition under this alternative would be identical to that of the proposed Project.

7) Expand Independent Dining to serve the additional residents that will join the campus, and provide more dining choices for existing residents.

Alternative 2 **would meet** Objective 7. Changes to existing independent dining services within the Manor Building would be identical to that of the proposed Project.

8) Provide an additional Fitness Building suitable for more fitness options like floor exercise, aerobics, yoga, tai chi, dance, and more.

Alternative 2 **would meet** Objective 8. The Fitness Center Addition would be identical between the proposed Project and Alternative 2.

9) Ensure that new buildings are designed to blend with the existing independent living buildings and Cottages, and also designed to respect and be sympathetic to the original Manor Building.

Alternative 2 **would meet** Objective 9, to a greater extent than the proposed Project. This alternative would avoid construction of a new building immediately in front of the Manor Building, and would not demolish the curvilinear driveway or sloped landscaped area which are character-defining features of the Manor Building's historic setting. Although this alternative would include some alterations to a secondary elevation of the Manor Building to accommodate the new Meeting Room Addition, the Manor Building would retain its eligibility for listing on the CRHR.

10) Augment the existing parking on the campus for the residents, staff, visitors, service providers, and vendors.

Alternative 2 **would meet** Objective 10. This alternative would result in the same net increase in parking spaces as the proposed Project.

11) Maintain a high level of landscape design, amenities, and plant materials on the campus.

Alternative 2 **would meet** Objective 11, to a greater extent than the proposed Project. This alternative would include replanting of areas disturbed during construction, and would avoid the removal of several mature trees from the area in front of the Manor Building.

4.5.3 Analysis of Environmental Impacts of Alternative 2

Aesthetics

Impact AES-1: Scenic Vistas

Alternative 2 would include the construction of Buildings A and C, the Meeting Room Addition to the Manor Building, and the Fitness Center Addition, for which the external appearance, size, and shape would be exactly the same as described for the proposed Project. Alternative 2 would not include any modifications to the area north of the Manor Building, as Building B would not be constructed. No changes would occur to the existing circular driveway (Manor Circle) and associated landscaped area and parking spaces in front of the Manor building, except at the very eastern extent where Colfax Lane would be realigned to allow construction of Building C.

Overall, similar to the Project, Alternative 2 would be consistent in height, size, and scale with the existing buildings at the site and in the surrounding area. While these new buildings may alter the views for individual residents within the campus or on neighboring properties, they would not substantially affect views of scenic vistas for a substantial number of City residents. Even if the height of a portion of Building C were increased to accommodate the additional units, the visibility of the building would be limited to the immediate vicinity and would not substantially affect views of scenic vistas for a substantial number of City residents. Furthermore, as described in Section 3.2.3, the SRC campus is not distinguishable from surrounding developments when viewed from scenic vantage points in the foothills, such as the Villa Montalvo Lookout Point (approximately 1.8 miles to the south); therefore, the proposed development under this alternative would not substantially alter views from these public vantage points. As such, public views of scenic vistas, such as the mountains, would continue to be available and would not be affected by construction or operation of Alternative 2. Therefore, there would be **no impact** related to scenic vistas under Alternative 2, which is the same level of impact as the proposed Project.

Impact AES-2: Scenic Resources

Alternative 2, as with the Project, would include development within the SRC campus, which is not within or adjacent to a State Scenic Highway. Therefore, there would be **no impact** related to scenic resources under Alternative 2, which is the same level of impact as the proposed Project.

Impact AES-3: Scenic Quality

Implementation of Alternative 2 would result in similar visual changes to the SRC campus as the proposed Project, except that Building B and associated grading, hardscaping, and landscaping changes to the north of the Manor Building would not be constructed.

Alternative 2 would avoid the removal of 14 trees in the vicinity of Building B that would be removed under the proposed Project (12 of which are protected under the City's Tree Ordinance). Tree removal near Buildings A and C, the Meeting Room Addition, Fitness Center Addition, secondary access, and entry roundabout would be the same as for the proposed Project. Alternative 2 would require modification of the Project's Arborist Report, which would be reviewed by the City arborist, to ensure that trees proposed for removal meet the City's criteria for removal and that appropriate conditions (including replanting and protection of retained trees) are imposed.

Like the proposed Project, Alternative 2 would include an intensification of the existing senior residential and related uses at the site and would include a request for a Planned Combined

District overlay, which requires design review. The Planned Combined District overlay allows for variations to zoning requirements such as building heights. With approval of the requested overlay, Alternative 2 would not conflict with applicable zoning.

Therefore, there would be **no impact** related to scenic quality under Alternative 2, which is the same level of impact as the proposed Project.

As discussed for the Project, with respect to scoping period comments relating to views of the Project site (and particularly of the Manor Building) from surrounding areas and changes to the visual character of the area, under CEQA, the applicable threshold of significance for impacts to scenic quality within urbanized areas does not include degradation to visual character or the quality of public views of the site and its surroundings. Furthermore, CEQA is typically concerned about impacts on the environment of persons generally, rather than impacts on particular persons.[79] It is acknowledged that, compared to the proposed Project, the visual changes resulting from Alternative 2 would be less visible to residents of SRC and the adjacent Fellowship Plaza that utilize Odd Fellows Drive for vehicular and pedestrian access, and from adjacent residential properties along San Marcos Road, because Building B would not be constructed under this Alternative.

Impact AES-4: Light and Glare

As with the Project, Alternative 2 would introduce new lighting, which would include nighttime lighting for security purposes around the proposed buildings and parking areas. In addition, similar to the Project, implementation of Alternative 2 would result in higher intensity development on the site than currently exists, some of which would be closer to nearby residents than the existing structures, which would contribute additional illumination to the overall ambient nighttime lighting conditions. However, as with the proposed Project, all outdoor lighting under Alternative 2 would comply with the City's Municipal Code Section 15-80.030, which requires that outdoor lighting fixtures shall be located, aimed, and shielded to prevent excessive glare or direct illumination onto adjacent properties and public street rights of way; notwithstanding the minimum lighting necessary to ensure adequate safety, night vision, and comfort.

In addition, as with the Project, Alternative 2 does not include buildings that would use highly reflective surfaces, including glass-sided buildings, or large surface parking areas with potential for reflection from multiple car windshields. Although the proposed new buildings under this alternative would contain windows, the windows would be separated by stucco and architectural treatments, which would limit the potential for substantial glare.

Further, because existing perimeter vegetation would partially screen new sources of lighting or glare from adjacent properties, and because Alternative 2 would not include use of highly reflective surfaces, Alternative 2 would not generate substantial sources of light or glare that would adversely affect day or nighttime views in the area.

Overall, Alternative 2 would result in fewer buildings and a reduced scale of lighting compared to the Project and, as such, light and glare effects would be less than the Project. However, impacts would remain **less than significant**, which is the same level of impact as the proposed Project.

[79] https://ceqaportal.org/tp/CEQA%20Portal%20Topic%20Paper_Thresholds%20of%20Signifcance_2020%20Update.pdf

Air Quality

Impact AIR-1: Conflict with Applicable Air Quality Plan

Construction

Construction of Alternative 2 would include implementation of the same fugitive dust control measures as described for the Project in Section 3.3.3. Therefore, for the same reasons described for the Project, construction of Alternative 2 would not conflict with the 2017 Clean Air Plan. In addition, since the overall construction duration for Alternative 2 would be approximately the same as under the proposed Project, and Building B would not be constructed, Alternative 2 would result in lower total construction emissions, as shown in Table 4.4-4 (presented under Impact AIR-2 subheading below). This impact would be **less than significant**. This is the same level of significance as the Project.

Operation

Similar to the Project, Alternative 2 would expand and complement the existing land uses on site, which would be consistent with the land uses designated for the Project site by the City's General Plan. Thus, the intensity of the operational emissions for Alternative 2 has been accounted for in BAAQMD's 2017 Clean Air Plan. In addition, similar to the Project, Alternative 2 would be designed to meet "Build It Green" energy and water saving standards, and the City's WELO requirements. In accordance with the City's Municipal Code Section 16-51.015, the buildings under Alternative 2 would be all-electric, i.e., no natural gas infrastructure would be installed. Similar to the Project, Alternative 2 would not conflict with the 2017 Clean Air Plan's goals to Decarbonize Buildings (BL2) and design Green Buildings (BL1). In addition, as described in more detail under Transportation below, since Alternative 2 would also be developed on the same property as the proposed Project and would provide the same number of residents and employees, the estimated VMT per capita for Alternative 2 would be also be more than 15 percent lower than the average daily VMT per capita for the City, and Alternative 2 would not conflict with 2017 Clean Air Plan's goals to reduce vehicle travel and emissions from on-road vehicles. Therefore, the impact of Alternative 2 would be **less than significant**, which is the same level of impact as the Project.

Impact AIR-2: Net Increase in Criteria Pollutants

Construction

As described previously, Alternative 2 would be constructed on a similar schedule to the Project (approximately 25 months in total) and would utilize similar equipment types. Since Alternative 2 would not involve construction of Building B, overall construction-related emissions would be lower than under the proposed Project. Table 4.5-3 presents the comparison of the total, maximum annual, and maximum average daily emissions associated with construction activities under Alternative 2 and the proposed Project.

Table 4.5-3 Average Daily, Maximum Annual, and Total Criteria Pollutant Construction Emissions for Alternative 2 and the Proposed Project

Description	Alt 2 ROG	Alt 2 NO_X	Alt 2 PM_{10} (Exhaust)	Alt 2 $PM_{2.5}$ (Exhaust)	Project ROG	Project NO_X	Project PM_{10} (Exhaust)	Project $PM_{2.5}$ (Exhaust)
Maximum Annual Emissions (tons) [1,2]	2.12	2.47	0.11	0.10	2.74	3.25	0.14	0.13
Maximum Average Daily Emissions (lb/day)	23.19	18.83	0.81	0.77	33.83	24.83	1.04	0.98
Thresholds of Significance	54	54	82	54	54	54	82	54
Exceeds Threshold?	No	No	No	No	No	No	No	No
Total Emissions (tons)	4.21	4.83	0.20	0.19	5.17	5.97	0.25	0.23

*Source: Estimated by AECOM. See **Appendix C** for detailed modelling assumptions, outputs, and results. Notes:*

1 *For the purposes of the comparison table, maximum annual emissions are shown for the Project. Maximum annual emissions for ROG would occur in 2025; while maximum annual emissions for NO_X, PM_{10}, and $PM_{2.5}$ would occur in 2024. Average daily emissions are calculated based on 262 construction workdays in 2024 and 162 construction workdays in 2025.*

2 *For the purposes of the comparison table, maximum annual emissions are shown for Alternative 2. Maximum annual emissions for ROG, NO_X, PM_{10}, and $PM_{2.5}$ would occur in 2024. Average daily emissions are calculated based on 262 construction workdays in 2024 and 162 construction workdays in 2025. Since 2025 has fewer construction workdays, average daily emissions for ROG are actually higher in 2025. Therefore, while the maximum annual emissions for ROG occur in 2024, the average daily emissions of ROG are higher in 2025.*

Acronyms: Alt 1 = Alternative 1; lb/day = pounds per day; ROG = reactive organic gases; NO_X = oxides of nitrogen; PM_{10} = particulate matter less than 10 microns in diameter; $PM_{2.5}$ = particulate matter less than 2.5 microns in diameter.

Similar to the Project, fugitive dust emissions are considered to be significant unless the project implements the BAAQMD's BMPs for fugitive dust control during construction. Construction-related impacts from Alternative 2 would therefore be **potentially significant**.

The same mitigation measure required for the proposed Project would also be required for Alternative 2, which is:

> ***MM-AIR-2: Fugitive Dust Reduction Measures.*** *(See Section 3.3.3 for details of this measure).*

With implementation of Mitigation Measure MM-AIR-2, Alternative 2 would not result in a cumulatively considerable net increase of any criteria pollutant for which the region is in nonattainment of applicable federal or state ambient air quality standard. Implementation of MM-AIR-2 would therefore reduce Alternative 2 construction impacts from fugitive dust emissions to less **than significant with mitigation**. This is the same level of significance as the Project.

Operation

Similar to the Project, after construction, long-term emissions of criteria air pollutants would be generated from area, stationary, and mobile sources during operation of Alternative 2. As discussed previously, Alternative 2 would include the same number of independent living units and employees as the Project. The number of vendor trips under Alternative 2 is also anticipated to be similar to the Project. Therefore, mobile source emissions associated with Alternative 2 are anticipated to be similar to the Project. Since Alternative 2 would not utilize any natural gas for water or space heating, similar to the Project, Alternative 2 is also not anticipated to result in any energy-source emissions of criteria air pollutants. Since Alternative 2 would not include Building B, Alternative 2 would result in slightly lower area source emissions (e.g., periodic architectural coatings); however, since Alternative 2 would accommodate the same number of units (i.e., residents) as the Project, emissions from consumer products are anticipated to be similar. In

addition, since all 52 independent living units would be incorporated within Buildings A and C, Alternative 2 would only require two emergency generators (as opposed to three under the proposed Project). Thus, stationary-source emissions under Alternative 2 would be lower than under the proposed Project. Therefore, overall operational emissions associated with Alternative 2 are anticipated to be lower than the Project (shown in Table 3.3-6 in Section 3.3). Because operational emissions from Alternative 2 would not exceed the BAAQMD daily or annual thresholds, the alternative would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state AAQS and the impact of Alternative 2 would be **less than significant**, which is the same level of impact as the Project.

Impact AIR-3: Exposure of Sensitive Receptors to Pollutants

Construction

Similar to the Project, the greatest potential for exposure during construction of Alternative 2 would be related to toxic air contaminant emissions, including diesel PM, associated with heavy-duty equipment operations and on-road motor vehicles. Diesel PM is a subset of the PM2.5 exhaust emissions; PM2.5 exhaust is used as a surrogate for diesel PM for health risk assessment purposes. As shown above in Table 4.5-3, total PM2.5 exhaust emissions under Alternative 2 would be approximately 0.04 tons lower than the total PM2.5 exhaust emissions under the Project. Thus, while the overall duration of exposure to construction-related emissions would be similar to the Project under Alternative 2, Alternative 2 would generate lower pollutant concentrations.

Since construction of Alternative 2 would still generate construction-related PM2.5 exhaust emissions in proximity of the onsite, offsite, and workers, and emissions are not substantially lower than under the Project, it is anticipated that construction of Alternative 1 would potentially exceed the annual PM2.5 concentrations and excess cancer risk thresholds, similar to the proposed Project. Construction-related impacts from Alternative 2 would therefore be **potentially significant**.

The same mitigation measure required for the proposed Project would also be required for Alternative 2, which is:

> ***MM-AIR-3: Require Clean Construction Equipment.*** *(See Section 3.3.3 for details of this measure).*

Implementation of Mitigation Measure MM-AIR-3, which would require the use of Tier 4 Final construction equipment for equipment with engines rated 50 horsepower or greater, would be required to reduce substantial pollutant concentrations. For the same reasons as described for the Project in Section 3.3.3, with implementation of MM-AIR-3, construction of Alternative 2 would be reduced to **less than significant with mitigation**, which is the same level of significance as the Project.

Operation

As described previously, Alternative 2 would include the same number of independent living units and employees as the Project. The number of vendor trips under Alternative 2 is anticipated to be similar to the Project. Therefore, mobile source emissions associated with Alternative 2 are anticipated to be similar to the Project. On the contrary, the primary sources of toxic air contaminant emissions during operations are the emergency generators. As described above, since the independent living units would be consolidated in Buildings A and C, Alternative 2 would only require two emergency generators, as opposed to three emergency generators under

the proposed Project. Therefore, emissions from the emergency generators, and the associated exposure of sensitive receptors to the toxic air contaminants, would be lower under operation of Alternative 2 than the Project. As shown in Table 3.3-14 through Table 3.3-16 in Section 3.3 of this EIR, proposed Project operations would not expose offsite and on-site sensitive receptors to substantial pollutant concentrations. Because this alternative would have similar mobile emissions and less stationary source emissions, the pollutant concentrations are anticipated to be lower under Alternative 2 than for the Project. Therefore, implementation of Alternative 2 would also not expose sensitive receptors to substantial pollutant concentrations. This operational impact would be **less than significant**, which is the same level of significance as the Project.

Impact AIR-4: Other Emissions Including Those Leading to Odors

Construction

Construction activities under Alternative 2 would generate similar typical construction-related odors to those described for the Project in Section 3.3.3. Therefore, for the same reasons described for the Project, impacts from other emissions (such as those leading to odors) from construction of Alternative 2 would be **less than significant**. This is the same level of significance as the Project.

Operation

Operation of Alternative 2 would include the same types of land uses as the Project, which are not typical odor-generating facilities and would be similar to the uses surrounding the project site. Therefore, for the same reasons described for the Project in Section 3.3.3, operation of Alternative 2 would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. This operational impact would be **less than significant**, which is the same level of significance as the Project.

Biological Resources

Impact BIO-1: Impacts to Candidate, Sensitive, or Special Status Species

Alternative 2 would have very similar impacts to special status species as the proposed Project, except that the potential for disturbance of nesting birds would be slightly lesser due to the reduced construction footprint and fewer trees to be removed. For the same reasons described for the proposed Project in Section 3.4, removal of trees with roosting bats during construction of Alternative 2 could result in direct nest destruction and failure, while construction-related noise and vibration could cause indirect impacts, both of which would be **potentially significant.**

The same mitigation measure required for the proposed Project would also be required for Alternative 2, which is:

> ***MM-BIO-1: Nesting Bird Avoidance Measures.*** *(See Section 3.4.3 for details of this measure)*

For the same reasons as described for the proposed Project in Section 3.4.3, with implementation of MM-BIO-1, the impact of Alternative 2 on special-status species would be reduced to **less than significant with mitigation**, which is the same level of significance as the proposed Project.

Impact BIO-2: Impacts to Riparian Habitat or Other Sensitive Natural Communities

As described for the proposed Project in Section 3.4, no riparian habitat or other sensitive natural communities are located within or immediately adjacent to the proposed Project footprint. Because Alternative 2 would not require construction in any additional areas outside of the proposed Project footprint; there would be **no impact** on riparian habitat or other sensitive communities, which is the same level of significance as the proposed Project.

Impact BIO-3: Impacts to State or Federally Protected Wetlands

As described for the proposed Project in Section 3.4, no state or federally protected wetlands are located within or immediately adjacent to the proposed Project footprint. Because Alternative 2 would not require construction in any additional areas outside of the proposed Project footprint; there would be **no impact** on wetlands, which is the same level of significance as the proposed Project.

Impact BIO-4: Impacts to Fish or Wildlife Movement, Migration or Nursery Sites

Alternative 2 would have very similar impacts fish or wildlife movement, migration or nursery sites as the proposed Project, except that the potential for disturbance of roosting bats would be slightly lesser due to the reduced construction footprint and fewer trees to be removed. For the same reasons described for the proposed Project in Section 3.4, if construction of Alternative 2 were to remove trees containing bats during the maternity or winter season, bat mortality could occur, and the impact to common bat species would be **potentially significant**.

The same mitigation measure required for the proposed Project would also be required for Alternative 2, which is:

> ***MM-BIO-4: Roosting Bat Surveys and Avoidance.*** *(See Section 3.4.3 for details of this mitigation measure)*

For the same reasons as described for the proposed Project in Section 3.4.3, with implementation of MM-BIO-4, the impact of Alternative 2 on wildlife movement, migration, or nursery sites would be reduced to **less than significant with mitigation**, which is the same level of significance as the proposed Project.

Impact BIO-5: Conflict with Local Policies or Ordinances Protecting Biological Resources

Alternative 2 would avoid the removal of 14 trees in the vicinity of Building B that would be removed under the proposed Project (12 of which are protected under the City's Tree Ordinance). Tree removal near Building A, Building C, the Meeting Room, the Fitness Center Addition, secondary access, and entry roundabout would be the same as for the proposed Project. The total number of trees anticipated to be removed for Alternative 2 would be 110, of which 57 are protected, which is 14 less trees in total than the proposed Project, and 12 less protected trees.

Similar to the Project, Alternative 2 would require preparation of an Arborist Report which would be reviewed by the City arborist, to ensure that trees proposed for removal meet the City's criteria for removal and that appropriate conditions (including replanting and protection of retained trees) are imposed. With adherence to the permit conditions, Alternative 2 would not conflict with the City's tree ordinance. Alternative 2 would also not conflict with policies of the Open Space and Conservation Elements of the General Plan, for the same or similar reasons to those described for the proposed Project in Table 3.4-2 in Section 3.4 above.

Overall, Alternative 2 would not be anticipated to conflict with any applicable local policies or ordinances protecting biological resources and would comply with all requirements of the City's Tree Ordinance. Therefore, potential impacts relating to local policy conflicts from Alternative 2 would be **less than significant**, which is the same level of impact as the proposed Project.

Impact BIO-6: Conflict with Habitat Conservation Plans or Natural Community Conservation Plans

As discussed for the proposed Project, there are no Habitat Conservation Plans or Natural Communities Conservation Plans that apply to the SRC campus; therefore, Alternative 2 would not conflict with any such plans and would have **no impact**, which is the same level of impact as the proposed Project.

Cultural Resources

Impact CUL-1: Adverse Change to Historical Resources

Alternative 2 would not involve the construction of Building B or associated improvements to the north of the Manor Building and therefore would avoid the indirect impacts to the Manor Building's setting that were described for the proposed Project, and would reduce direct impacts to four character-defining features of the Manor Building: the curvilinear driveway at primary elevation of the Manor Building, the setback of the Manor Building from Odd Fellows Drive, the siting of the Manor Building atop a slight rise from Odd Fellows Drive, and the centrally located sloped landscaped area along the primary elevation of the Manor Building.

As summarized in Table 4.5-4 below, and discussed in more detail below the table, the only component of Alternative 2 that would potentially conflict with the SOI standards would be the construction of the Meeting Room Addition.

Table 4.5-4 Summary of Adherence to Secretary of the Interior's Standards for Rehabilitation – Alternative 2

SOI Standard	Building A	Building C	Meeting Room	Fitness Center
1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.	No conflict			
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.	No conflict			
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.	No conflict			
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.	No conflict			
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.	No conflict			
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.	No conflict			
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible	No conflict			
8. Significant archaeological resources affected by a Project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.	No conflict			
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.	No conflict	No conflict	Potential conflict	No conflict
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.	No conflict			

The following analysis addresses each of the proposed components of Alternative 2, in turn.

Building A: Under Alternative 2, construction of Building A would be identical to the proposed Project and would not remove or alter any character-defining features of the Manor Building, including the setting, due to the distance of the proposed building from the Manor Building, as described for the proposed Project. This element of Alternative 2 would not conflict with any of the SOI Standards.

Building C: Under Alternative 2, construction of Building C would be identical to the proposed Project and would not remove or alter any character-defining features of the Manor Building, including the setting, due to the distance of the proposed building from the Manor Building, as described for the proposed Project. The realignment of Colfax Lane to accommodate construction of Building C would require modifications to the easternmost extent of the curvilinear driveway at the primary elevation of the Manor Building; however, the majority of this character-defining feature of the Manor Building's setting would be retained and the proposed realignment would not substantially diminish the setback of the Manor Building or its siting atop a slight rise, nor the centrally located sloped landscaped area along the primary elevation of the Manor Building. The majority of character-defining features of the Manor Building and its setting would remain, including all of its Mission Revival-style architectural features, and realignment of Colfax Lane to accommodate Building C would not conflict with SOI Standard 2. If Building C were to be removed in the future, the curvilinear driveway could be reconstructed such that the essential form and integrity of the Manor Building's setting would be unimpaired, such that the realignment of Colfax Lane would not conflict with SOI Standard 10. This element of Alternative 2 would not conflict with any of the SOI Standards.

Meeting Room Addition: Under Alternative 2, the Meeting Room Addition would be constructed identical to the proposed Project which would directly impact the Manor Building with removal and/or alteration of character-defining features represented in the west (secondary) elevation and have a direct impact to the T-shaped plan of the Manor Building which is a character-defining feature of the historical resource, as described for the Project in Section 3.5. While the loss of these character-defining features cannot be avoided by the Alternative 2, the majority of character-defining features of the Manor Building and its setting would remain, including all of its Mission Revival-style architectural features, and the Meeting Room would not conflict with SOI Standard 2. Although the overall design of the Meeting Room Addition is differentiated but compatible with the Manor Building and would not conflict with SOI Standard 3, the same recommendation to install a cornerstone with date stamp to further differentiate the new construction, particularly for the general public, is recommended (see implementation measure ***IM-CUL-1: Meeting Room Cornerstone***, described in Section 3.5.3), but is not required in order to comply with SOI Standard 3. As discussed in Section 3.5.3, construction of the Meeting Room Addition could conflict with SOI Standard 9 if damage to the Manor Building were to occur during construction of the Meeting Room Addition, which could result in a potentially significant impact to the historical resource.

Fitness Center Addition: Under Alternative 2, construction of the Fitness Center Addition would be identical to the proposed Project and would not remove or alter any character-defining features of the Manor Building, including the setting, due to the distance of the proposed building from the Manor Building, as described for the proposed Project. This element of Alternative 2 would not conflict with any of the SOI Standards.

Summary: Overall, Alternative 2 could result in the substantial adverse change to the Manor Building due to the potential for damage during construction of the Meeting Room Addition, which would be a **potentially significant** impact.

Some of the same mitigation measures required for the proposed Project would also be required for Alternative 2, including:

> ***MM-CUL-1a: Historical Resource Protection Plan*** *(See Section 3.5.3 for details of this mitigation measure).*
>
> ***MM-CUL-1b: Archival Documentation (HABS/HALS)*** *(See Section 3.5.3 for details of this mitigation measure).*

Implementation of Mitigation Measure MM-CUL-1a would reduce potential impacts to the Manor Building from the construction of Alternative 2 for the same reasons described for the proposed Project in Section 3.5.3. Implementation of Mitigation MM-CUL-1b would document the existing condition of the Manor Building and its setting for archival and educational purposes, prior to the alteration of the secondary (west) façade and construction of the Meeting Room that would occur under Alternative 2.

Mitigation Measure MM-CUL-1c (Interpretive Program) which is required for the proposed Project, would not be required for Alternative 2 as no character-defining features of the historical resource would be destroyed as a result of this alternative.

As such, with implementation of MM-CUL-1a and MM-CUL-1b, the impact of Alternative 2 on historical resources would be **less than significant with mitigation,** which is a lesser level of impact than the proposed Project. This alternative would avoid the significant and unavoidable impact to historical resources because Building B would not be constructed.

Impact CUL-2: Adverse Change to Archaeological Resources

As described for the Project in Section 3.5.1, highly disturbed historic-period refuse was identified during the survey within the footprint of proposed Building C and there is potential for encountering as yet unrecorded subsurface precontact and historic period archaeological resources throughout the property. Due to the reduced footprint of Alternative 2, the potential for encountering such resources would be slightly less than that described for the proposed Project, but such impacts could still be **potentially significant**.

The same mitigation measure required for the proposed Project would also be required for Alternative 2, which is:

> ***MM-CUL-2: Inadvertent Discovery Plan*** *(See Section 3.5.3 for details of this mitigation measure).*

Implementation of Mitigation Measure MM-CUL-2 would reduce potential impacts to archaeological resources under Alternative 2 for the same reasons described for the proposed Project in Section 3.5.3. As such, with implementation of MM-CUL-2, the impact of Alternative 2 on archaeological resources would be **less than significant with mitigation,** which is the same level of impact as the proposed Project.

Impact CUL-3: Disturbance of Human Remains

As described in Section 3.5, the SRC campus has a low sensitivity for buried Native American archaeological deposits and cultural materials, which could include human remains, based on negative SLF and NWIC records searches and negative test excavations. However, human remains can be encountered in fill, re-deposited, or disturbed soils, as well as intact soils, and tribal representatives have expressed concerns about the sensitivity of the entire SRC property based on anecdotal reports presented during the scoping period about the potential presence of Native American artifacts and a possible burial ground (refer Section 3.17, *Tribal Cultural Resources*). If human remains were uncovered during demolition or excavation activities as part of Alternative 2, the procedures in California Health and Safety Code Sections 7050.5, 7051, and 7054 and PRC Section 5097 would be followed, which would reduce potential impacts to **less than significant**, which is the same level of impact as the proposed Project.

Energy

Impact ENE-1: Wasteful, Inefficient, or Unnecessary Consumption of Energy Resources

Construction

Since the overall construction duration under Alternative 2 would be similar to the overall construction duration under the proposed Project, and Alternative 2 would not include construction of Building B, Alternative 2 is expected to result in lower overall energy consumption associated with the use of transportation fuels (e.g., gasoline, diesel fuel).

Similar to the Project, Alternative 2 would not include unusual characteristics that would necessitate the use of construction equipment that is less energy-efficient than the equipment used at comparable construction sites, and construction contractors would be required, in accordance with MM-AIR-2 and the CARB Airborne Toxic Control Measure for Diesel-Fueled Commercial Motor Vehicle Idling, to minimize the idling time of construction equipment and maintain and properly tune all construction equipment in accordance with manufacturer specifications.

As with the Project, Alternative 2 would also be required to comply with solid waste regulations listed in the City's Municipal Code, the 2022 CALGreen Code, and Policy LU 6.3 of the City's General Plan, which requires implementation of the City's Construction Materials Recycling Program to reduce the quantity of construction debris disposed in local landfills, which would reduce wasteful and unnecessary energy consumption. Therefore, for the reasons discussed in Section 3.6.3, Alternative 2 would not result in wasteful, inefficient, or unnecessary consumption of energy resources. This impact would be **less than significant**, which is the same level of impact as the Project.

Operation

Similar to the Project, operation of Alternative 2 would result in energy consumption from building operations (e.g., building heating and cooling, lighting, appliances) and transportation fuel (e.g., fuel usage for vehicle trips from residents, employees, and visitors). Alternative 2 would result in the same number of residents and employees as the proposed Project, although residential unit size would be slightly smaller; therefore, the energy demand associated with operations would be similar to or slightly less than the proposed Project.

Consistent with the City's municipal code requirements for new construction, Alternative 2 would not include any new natural gas infrastructure. Alternative 2 would also be required to comply with energy efficiency standards set forth by Title 24 of the California Administrative Code and the Appliance Efficiency Regulations, and "Build It Green" energy and water saving standards. For the same reasons described in Section 3.6.3, operation of Alternative 2 would not result in inefficient, wasteful, and unnecessary consumption energy and this impact is **less than significant**. This is the same level of impact as the proposed Project.

Impact ENE-2: Conflict with or Obstruct a Renewable Energy or Energy Efficiency Plan

As with the Project, construction and operation of Alternative 2 would not conflict with or interfere with any renewable energy or energy efficiency plan. For the same reasons described in Section 3.6.3, Alternative 2 would be consistent with the actions and strategies included in the City's Climate Action Plan and BAAQMD 2017 Clean Air Plan. Therefore, impacts related to conflicts or obstruction of a state or local plan for renewable energy or energy efficiency under Alternative 2 would be **less than significant**, which is the same level of impact as the Project.

Geology

Impact GEO-1: Seismic Hazards

As described for the Project in Section 3.7.3, the Project site could be subject to a very strong level of seismic ground shaking. However, the Project site is not located within an Alquist-Priolo Zone or within or immediately adjacent to the trace of any other known fault. There are no mapped landslide deposits or liquefaction zones at the locations of the proposed new buildings for Alternative 2. Alternative 2 would include development of the same buildings as the Project, except that Building B and associated improvements north of the Manor Building would not be constructed. The potential for seismic hazards at Buildings A and C, the Meeting Room Addition, and the Fitness Center Addition under Alternative 2 would be identical to that described for those components of the proposed Project in Section 3.7.3.

As with the proposed Project, Alternative 2 would be designed and constructed in compliance with recommendations of a geotechnical engineer to ensure compliance with the seismic design requirements of the CBC and the City's Municipal Code. Therefore, for the same reasons described for the Project in Section 3.7.3, impacts related to seismic hazards under Alternative 2 would be **less than significant**, which is the same level of significance as the Project.

Impact GEO-2: Substantial Soil Erosion or Loss of Topsoil

Similar to the proposed Project, Alternative 2 would require a variety of earthmoving activities, including excavating, trenching, grading, tree removal, and compacting, which could result in erosion and loss of topsoil. However, the extent of such potential impacts would be smaller than described for the Project in Section 3.7.3, due to the reduced construction footprint.

Similar to the Project, the potential for construction-related erosion under Alternative 2 would be reduced by the implementation of standard erosion control measures during site preparation and grading activities. The Project Applicant would be required to obtain a grading permit from the City as required by Municipal Code Article 16-17, and construction activities would be carried out in accordance with applicable City standard erosion control practices and the requirements of the NPDES Construction General Permit issued by the San Francisco RWQCB, as applicable. In accordance with these requirements, a SWPPP would be prepared that incorporates BMPs to control water erosion during the construction period. Once construction of each proposed building is complete, disturbed areas would be covered completely by paving, structures, and landscaping, which would not leave any exposed areas of bare soil susceptible to erosion. Thus, for the same reasons as described for the Project in Section 3.7.3, impacts related to erosion or topsoil loss under Alternative 2 would be **less than significant**, which is the same level of significance as the Project.

Impact GEO-3: Unstable Soils

The potential for impacts related to unstable soils, landslides, liquefaction, lateral spreading and subsidence at Buildings A and C, the Meeting Room Addition, and the Fitness Center Addition under Alternative 2 would be identical to that described for those components of the proposed Project in Section 3.7.3. The overall impact of Alternative 2 would be slightly less than that described for the proposed Project, due to the reduced construction footprint.

Alternative 2, as with the Project, would include the excavation and recompaction of soils within the proposed building footprints and would include the development of foundation systems in compliance with the CBC, which would require proper construction of building foundations to reduce impacts related to settlement or collapse of soils to a less than significant level.

As with the Project, Alternative 2 would comply with CBC requirements, and, prior to the approval of building plans, recommendations from the Geotechnical Report, including measures to minimize the effects of differential settlement across fill and bedrock transitions, would be incorporated into the project design to meet applicable State and City Code regulations. Therefore, for the same reasons described for the Project in Section 3.7.3, with adherence to the CBC and the recommendations of the Geotechnical Report, impacts related to unstable soils under Alternative 2 would be **less than significant**, which is the same level of significance as the Project.

Impact GEO-4: Expansive Soils

The potential for impacts relating to expansive soils at Buildings A and C, the Meeting Room Addition, and the Fitness Center Addition under Alternative 2 would be identical to that described for those components of the proposed Project in Section 3.7.3. The overall impact of Alternative 2 would be slightly less than that described for the proposed Project, due to the reduced construction footprint.

Similar to the Project, Alternative 2 would encounter and remove near surface soils during excavation activities. However, as discussed in Section 3.7.3, the soils on the Project site has a low expansion index. In addition, soils would be excavated and replaced as compacted fill pursuant to the CBC requirements that are included in the City's Municipal Code Section 16-15.010. As such, for the same reasons described for the proposed Project in Section 3.7.3, impacts related to expansive soils or corrosive soils under Alternative 2 would be **less than significant**, which is the same level of significance as the Project.

Impact GEO-5: Soil Suitability for Septic Systems

Alternative 2, as with the Project, would not use septic tanks or alternative methods for disposal of wastewater into subsurface soils, and would connect to existing public wastewater infrastructure. Therefore, for the same reasons described for the Project in Section 3.7.3, Alternative 2 would have **no impact** related to soil suitability for septic systems. This is the same level of significance as the Project.

Impact GEO-6: Damage or Destruction of Unique Paleontological Resources

As discussed for the Project in Section 3.7.3, there are no unique geologic features within or adjacent to the Project site, but surficial sediments are of high paleontological sensitivity. The potential for accidental damage to, or destruction of unique paleontological resources at Buildings A and C, the Meeting Room Addition, and the Fitness Center Addition under Alternative 2 would be identical to that described for those components of the proposed Project in Section 3.7.3. The overall impact of Alternative 2 would be slightly less than that described for the proposed Project, due to the reduced construction footprint, but would still be **potentially significant.**

The same mitigation measure required for the proposed Project would also be required for Alternative 2, which is:

> ***MM-GEO-6: Paleontological Resource Avoidance Measures.*** *(See Section 3.7.3 for details of this mitigation measure).*

Implementation of Mitigation Measure MM-GEO-6 would reduce potential impacts to unique paleontological resources from Alternative 2 for the same reasons described for the proposed Project in Section 3.7.3. As such, with implementation of MM-GEO-6, impacts related to paleontological resources under Alternative 2 would be **less than significant with mitigation**, which is the same level of significance as the Project.

Greenhouse Gas Emissions

Impact GHG-1: GHG Emissions

Construction

Since overall construction duration under Alternative 2 would be similar to the overall construction duration under the proposed Project, and Alternative 2 is identical to the Project, except that Building B and the associated improvements to the north of the Manor Building would not be constructed, construction of Alternative 2 would generate lower overall construction-related GHG emissions. Alternative 2 is estimated to generate approximately 1,196 MT CO_2e compared to approximately 1,493 MT CO_2e that would be generated by construction of the Project (i.e., 297 MT CO_2e less than the Project), as detailed in **Appendix C**.

As described for the Project in Section 3.8.3, construction-related emissions are amortized over the life of the Project (assumed to be 30 years) and added to the operational emissions. As such, construction of Alternative 2 would result in approximately 10 MT CO_2e less per year than the Project.

Operation

As discussed in more detail in Section 3.8.3, the GHG emissions impact analysis for the Project was evaluated using the BAAQMD-Recommended Design Features thresholds adopted in April 2022, as well as a GHG efficiency metric threshold for an evaluation under the State's shorter term goal of SB 32. The same approach is used to evaluate the GHG emissions impact analysis for Alternative 2.

Evaluation Against BAAQMD-Recommended Design Features

Under the evaluation against the BAAQMD-Recommended Design Features, Alternative 2 would have the same project design features as the Project, including being constructed without natural gas infrastructure (in accordance with City's Municipal Code Section 16-51.015); operations would not result in any wasteful, inefficient, or unnecessary energy usage; and this Alternative would achieve a reduction in project-generated vehicle miles traveled below the regional average.

Therefore, for the same reasons described for the Project in Section 3.8.3, the design features included in Alternative 2 would be consistent with the BAAQMD's recommended project design elements used to evaluate a project's climate change impacts with the exception of Transportation (b), achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2. Because Alternative 2 would not include the required number of off-street electric vehicle requirements, when assessed against the project design elements recommended by BAAQMD to evaluate land use development projects, the contribution of Alternative 2 to the significant cumulative GHG emission impact would be **potentially cumulatively considerable**.

The same mitigation measure required for the proposed Project would also be required for Alternative 2, which is:

> ***MM-GHG-1a: Require Compliance with Electric Vehicle Requirements in CALGreen Tier 2.*** *(See Section 3.8.3 for full details of this measure).*

With implementation of Mitigation Measure MM-GHG-1a, which would require compliance with the Electric Vehicle Requirements in CALGreen Tier 2, Alternative 2 would include all the project design elements recommended by the BAAQMD, and contribute its fair share of what is needed to attain carbon neutrality under the BAAQMD guidance, and thus, would not conflict with the State's policies of achieving carbon neutrality and the Draft 2022 Scoping Plan. Implementation of MM-GHG-1a would therefore reduce Alternative 2 impacts from GHG emissions to **less than significant with mitigation**. This is the same level of significance as the Project.

Evaluation Against GHG Efficiency Metric

Operation of Alternative 2 would have the same number of independent living units and employees as the Project, and thus, the associated area source, energy, solid waste, and water source emissions are anticipated to be similar to the proposed Project. As described above under construction, Alternative 2 is anticipated to result in approximately 10 MT CO_2e less per year due to construction, when amortized over the operational lifetime. Therefore, as shown in **Appendix C**, even with the reduction in construction-related emissions, the GHG emissions per service population associated with Alternative 2 would still exceed the 2030 efficiency threshold described in Section 3.8.3. As such, similar to the Project, implementation of Alternative 2 would contribute to the significant cumulative GHG emission impact and this impact would be **potentially cumulatively considerable** when assessed against the 2030 efficiency metric.

The same mitigation measure required for the proposed Project would also be required for Alternative 2, which is:

> ***MM-GHG-1b: Participation in Silicon Valley Clean Energy Program or On-Site Renewable Energy.*** *(See Section 3.8.3 for full details of this measure).*

With implementation of Mitigation Measure MM-GHG-1b, which would require participation in Silicon Valley Clean Energy Program or include on-site renewable energy such that 100 percent of the electricity demand comes from carbon-free resources, Alternative 2 would not exceed the 2030 local service population thresholds, and Alternative 2, similar to the Project, would not conflict with the State's regulations, including SB 32 and the 2017 Climate Change Scoping Plan. Implementation of MM-GHG-1b would therefore reduce Alternative 2 impacts from GHG emissions to **less than significant with mitigation**. This is the same level of significance as the Project.

Impact GHG-2: GHG Plan, Policy or Regulation Conflicts

As discussed previously, Alternative 2 would be similar to the Project, and would comply with the City's WELO requirements to increase water conservation, be designed to be all-electric, and be consistent with City's Climate Action Plan 2030 categories of renewable energy, energy efficiency, waste reduction, and water conservation. However, for the same reasons as discussed for the Project in Section 3.8.3, and described above in Impact GHG-1, Alternative 2 would conflict with State's GHG efficiency metric for its 2030 goals and would not include all the recommended project design features required by BAAQMD to achieve California's long-term climate goal of carbon neutrality by 2045. Because Alternative 2 would conflict with the applicable plans, policies, or regulations adopted for the purpose of reducing GHG emissions, the impact would be **potentially significant**.

The same mitigation measures required for the proposed Project would also be required for Alternative 2, which are:

> ***MM-GHG-1a: Require Compliance with Electric Vehicle Requirements in CALGreen Tier 2.*** *(See Section 3.8.3 for full details of this measure).*
>
> ***MM-GHG-1b: Participation in Silicon Valley Clean Energy Program or On-Site Renewable Energy.*** *(See Section 3.8.3 for full details of this measure).*

With implementation of MM-GHG-1a and MM-GHG-1b, Alternative 2 would comply with the applicable plans, policies and regulations, for the same reasons as described for the Project in Section 3.8.3, and the impact would be reduced to **less than significant with mitigation**. This is the same level of significance as the Project.

Hazards and Hazardous Materials

Impact HAZ-1: Hazards from Routine Use, Transport, Disposal, or Accidental Release of Hazardous Materials

Construction

Construction of Alternative 2 would involve similar use, transport, and disposal of hazardous substances such as fuel, oil, and grease as the Project and other construction projects within the City. As described for the Project in Section 3.9.3, the use and disposal of hazardous materials is heavily regulated at both the federal and state level; and implementation of BMPs which would be required as part of the SWPPP in compliance with the NPDES Construction General Permit. Under Alternative 2, such uses would only occur within three construction zones on the Project site, compared to four for the Project. As such, impacts under Alternative 2 would be less than the Project. Impacts related to the routine transport, use and disposal of hazardous materials during construction under Alternative 2 would remain **less than significant**, which is the same level of significance as the Project.

Operation

Operation of Alternative 2 would involve similar limited uses of small quantities of typical household, landscaping, and maintenance-related hazardous materials, such as cleaning agents, paints, fuels, and pesticides as the proposed Project and for existing operations at the Project site. For the same reasons as discussed for the Project in Section 3.9.3, the operational impact of Alternative 2 would be **less than significant**, which is the same level of significance as the Project.

Impact HAZ-2: Result in Hazardous Emissions within One-Quarter Mile of a School

As described in Section 3.9.3, the Project site is not within 0.25 mile of a school; therefore, Alternative 2 would not result in hazardous emissions or the handling of hazardous or acutely hazardous materials, substances, or wastes within 0.25 mile of an existing or proposed school. There would be **no impact** from Alternative 2, which is the same level of significance as the Project.

Impact HAZ-3: Result in Hazards from a Cortese-Listed Site

As described in Section 3.9.3, the Project site is not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5; therefore, for the same reasons described for the Project, Alternative 2 would have **no impact**. This is the same level of significance as the Project.

Impact HAZ-4: Airport-related Safety or Noise Hazards

As described in Section 3.9.3, the Project site is not within an airport land use plan area or within 2 miles of an airport. Therefore, for the same reasons described for the Project, Alternative 2 would have **no impact**. This is the same level of significance as the Project.

Impact HAZ-5: Interfere with an Emergency Response or Evacuation Plan

Construction

As discussed under Impact TRA-1 below, construction of Alternative 2 would generate less truck traffic and worker commute and worker shuttle trips than the Project. For the same reasons described for the Project in Section 3.9.3, the temporary increase in traffic volumes along Fruitvale Avenue would not be anticipated to hinder the use of Fruitvale Avenue as an emergency evacuation route. Similarly, Alternative 2 would not require any lane closures for any public

roadways such as Fruitvale Avenue that could block or hinder the City-identified evacuation route.

Construction of Alternative 2 would require fewer internal roadway closures and temporary traffic controls than the proposed Project, because modifications to the West Cottages Lane/Manor Circle intersection would not occur under this alternative. However, the movement of large construction vehicles and equipment within the SRC campus and along Odd Fellows Drive, as well as work to remove the existing traffic circle from the entrance to Odd Fellows Drive, could have similar impacts to those described for the proposed Project and could interfere with evacuation of the SRC campus or the neighboring Fellowship Plaza residential development during an emergency situation.

Alternative 2 would include the installation of an additional emergency access and gate between Odd Fellows Drive and Chester Avenue, identical to that described for the proposed Project. This new secondary access, which is required by SCCFD to be constructed and completed prior to all other construction activities at the site, would provide a secondary access point for emergency vehicles to access the SRC campus and Fellowship Plaza property, in the event that Odd Fellows Drive were temporarily blocked by construction activities. However, if evacuating SRC and Fellowship Plaza residents are not kept informed of construction activities and the need to utilize the secondary emergency access, then emergency evacuation from the Project site and the adjacent Fellowship Plaza could be hindered, which would be a **potentially significant** impact.

The same mitigation measure required for the proposed Project would also be required for Alternative 2, which is:

> ***MM-TRA-3a: Construction Traffic Control Plan.*** *(See Section 3.16.3 for full text of this mitigation measure).*

For the same reasons described for the proposed Project in Section 3.9.3, implementation of MM-TRA-3a would reduce potential construction-related impacts to emergency evacuation and response under Alternative 2 to **less than significant with mitigation**. This is the same level of impact as the Project.

Operation

Operation of Alternative 2 would use the same existing vehicular access to the Project site as the proposed Project and would result in the same number of new residents and staff at the site and would generate the same volume of operational traffic. For the same reasons described for the proposed Project in Section 3.9.3, Alternative 2 would not have a substantial impact related to impairment of an emergency evacuation or response plan. As with the Project, the SCCFD would review the development plans for Alternative 2 prior to approval to ensure adequate emergency access pursuant to the requirements in Section 503 of the California Fire Code (CCR Title 24, Part 9). Therefore, impacts related to emergency evacuation and response during operation of Alternative 2 would be **less than significant**, which is the same level of impact as the Project.

Hydrology and Water Quality

Impact HYD-1: Violate Water Quality Standards

Construction

Alternative 2 would include the same soil-disturbing activities as described for the Project in Section 3.10-3, except that the disturbance footprint would be smaller because Building B and associated improvements north of the Manor Building would not be constructed under this alternative. Alternative 2, as with the Project, is required by law to comply with the provisions of the NPDES Construction General Permit.

For the same reasons described for the Project in Section 3.10.3, the potential impact related to pollutant loading during construction that could cause exceedances of water quality standards would be reduced to less than significant through compliance with regulatory requirements, implementation of a SWPPP and associated BMPs, and compliance with the San Francisco Basin Plan. Because of the reduced scale and excavation under Alternative 2, the potential exposure of excavated soils would be less than the Project. However, impacts related to water quality standards during construction under Alternative 2 would still be **less than significant**, which is the same level of impact as the Project.

Operation

Alternative 2 would incorporate the same underground stormwater drainage infrastructure that would detain and treat/filter runoff in compliance with the NPDES Construction General Permit and the City's Municipal Code as described for the Project. As with the Project, the Project Applicant would prepare a site-specific Stormwater Treatment Plan for Alternative 2, which would incorporate LID stormwater features pursuant to existing regulations, including MS4 Permit requirements, as required by the City and the SCVURPPP, to ensure that implementation of Alternative 2 would not violate any water quality standards, waste discharge requirements, or otherwise degrade water quality. With the implementation of LID stormwater features, Alternative 2, as with the Project, would result in an improvement in the quality of stormwater runoff from the Project Site compared to existing conditions. Therefore, impacts related to water quality standards during operation under Alternative 2 would be **less than significant**, which is the same level of impact as the Project.

Impact HYD-2: Substantially Decrease Groundwater Supplies or Interfere with Groundwater Recharge

Construction

Similar to the Project, excavation activities during construction of Alternative 2 are unlikely to encounter groundwater due to the depth of groundwater in the area. However, as with the Project, in the unlikely event that groundwater is encountered, the Project Applicant would apply WDRs for construction dewatering from the San Francisco Bay RWQCB for "low threat" discharge activities that would have minimal potential for adverse water quality effects when implemented according to prescribed terms and conditions. Further, water that is necessary for construction activities (e.g., for dust control) could potentially come from groundwater-derived sources, but would be temporary, and the volume required for construction of Alternative 2 would be less than for the proposed Project, due to the reduced construction footprint. Therefore, for the same reasons described for the Project in Section 3.10.3, construction-related impacts regarding groundwater recharge or depletion under Alternative 2 would be **less than significant**, which is the same level of impact as the Project.

Operation

During operation of Alternative 2, as with the Project, the SRC facility would continue to receive water primarily from SCVWD's imported surface water. In addition, Alternative 2 would also be designed to meet the City's C.3 LID requirements for redevelopment and would include LID stormwater design and drainage features that are designed to promote recharge of the underlying aquifer. The amount of new impervious surface at the SRC property would be less under Alternative 2 compared to the proposed Project, because Building B would not be constructed. Overall, Alternative 2 would not use groundwater as a source of water supply or substantially interfere with groundwater recharge. Therefore, for the same reasons described for the Project in Section 3.10.3, operational impacts regarding groundwater recharge or depletion under Alternative 2 would be **less than significant**, which is the same level of impact as the Project.

Impact HYD-3: Substantially Alter Drainage Patterns Resulting in Erosion and Sedimentation, Flooding, Pollution, or Impedance of Flood Flows

Construction

Similar to the Project, construction of Alternative 2 would require excavation, trenching, and grading activities that could alter existing drainage patterns onsite. Alternative 2 would require less excavation compared to the Project, because Building B and associated improvements would not be constructed. As discussed above, Alternative 2 would implement a SWPPP and construction BMPs that would address site-specific conditions to reduce erosion and siltation from construction activities. In addition, Alternative 2 would comply with Section 16-17 of the City's Municipal Code, which regulates excavation and grading, to reduce or eliminate the potential of erosion or alteration of a drainage pattern during construction activities. With implementation of existing regulations that would be verified by the City during the permitting approval process, impacts with respect to substantial erosion or siltation, increases in stormwater runoff, or impediment of flood flows under Alternative 2 would be **less than significant**, which is the same level of impact as the Project.

Operation

As described above, Alternative 2 would result in a smaller net increase in impervious surface area than the proposed Project. Similar to the proposed Project, Alternative 2 would include the installation of drainage features that would handle and treat potential runoff through the utilization of applicable BMPs and LID requirements, and the drainage system would be designed such that the stormwater drainage modifications necessary to serve the new buildings would either tie-in to existing infrastructure or existing drainage outfalls. Overall, the volume of stormwater runoff requiring conveyance by the existing off-site storm drain systems would be less under Alternative 2 than for the Project. Therefore, due to the reduced area of impervious surfaces and associated runoff volume compared to the proposed Project, Alternative 2 would have a smaller impact associated with alteration of a drainage pattern resulting in erosion or siltation during operation; however, the impact would still be **less than significant**, which is the same level of impact as the Project.

Impact HYD-4: Release of Pollutants in Flood, Tsunami, or Seiche Hazard Zones

The Project site and off-site staging area are not located within a 100-year floodplain or in a tsunami zone, and would not be subject to such flooding hazards. In addition, given the distance of the Project site from the Vasona Reservoir, and the Project site's topographical elevation, there would be no potential for risk of release of pollutants due to inundation by seiche.

Regarding pollutant release, as with the Project, Alternative 2 would be constructed at least 215 feet from the creek channel and at elevations approximately 20 to 40 feet above the creek bed would implement BMPs associated with proper storage and handling of hazardous materials, and would not introduce substantial new sources of hazardous materials on campus, which would minimize the exposure of flood waters to pollutants. Thus, in the unlikely event of on-site inundation, Alternative 2 would not result in the release of significant types or quantities of pollutants. As with the Project, impacts with respect to release of pollutants within a flood hazard area, risk release of pollutants from inundation from a tsunami, or risk release of pollutants from inundation from seiche waves under Alternative 2 would be **less than significant**, which is the same level of impact as the Project.

Impact HYD-5: Obstruct Implementation of a Water Quality Control Plan or Sustainable Groundwater Management Plan

Similar to the Project, Alternative 2 would incorporate BMPs during construction implemented as part of a SWPPP, which would be consistent with water quality control plans and would not conflict or obstruct implementation of the San Francisco Bay Basin Plan or the Valley Water's Alternative GSP. In addition, Alternative 2 also falls within the jurisdiction of water quality plan regulations that assure that development projects are in compliance with clean water policies. These plans and regulations include the San Francisco Bay Basin Plan and the Valley Water's Alternative GSP. Alternative 2, as with the Project, would also implement an LID plan per the Regional MS4 Permit. Therefore, for the same reasons described for the Project in Section 3.10.3, impacts related to water quality control plans under Alternative 2 would be **less than significant**, which is the same level of impact as the Project.

Land Use and Planning

Impact LUP-1: Physically Divide an Established Community

As with the Project, access to residential neighborhoods in the vicinity of the SRC campus would be maintained during construction, and connectivity between existing neighborhoods along Fruitvale Avenue and Odd Fellows Drive would not be diminished. Although temporary fencing would be installed at each building site and staging area for safety and security purposes, these fences would only encompass the various separate zones of construction within the Project site and would not create a significant barrier to the movement of people within the SRC campus because alternative pedestrian and vehicular routes would be established for any instances where sidewalks or private roads were temporarily obstructed due to construction activities. In addition, the off-site construction staging area would be provided within Parking Lot #6 of the West Valley College and would not impact roadway accessibility.

Furthermore, similar to the Project, Alternative 2 would expand the existing senior living residential and related uses on the Project site and would not physically divide an established community. Alternative 2 would be consistent with the land uses designated for the Project site by the City's General Plan, and would not result in any permanent road closures or introduce any physical feature that would create a barrier, divide, or separate adjacent uses. Therefore, for the same reasons described for the Project in Section 3.11.3, **no impact** would occur related to physical division of an established community under Alternative 2, which is the same level of impact as the Project.

Impact LUP-2: Conflict with Land Use Plan, Policy, or Regulation

As with the Project, Alternative 2 would be consistent with the City's General Plan policies, including Policy LU 1.2, LU 5.2, LU 5.3, LU 6.2, and LU 13.1, which would be verified through the City's permitting process. In addition, Alternative 2 would be consistent with Housing Element Policy Area 4-4, as the Project would assist the City in meeting the needs of elderly households.

Similar to the Project, Alternative 2 would include an application for a Planned Combined District overlay, which allows for deviations from the code when there are community benefits provided as part of the project. With the approval of a Planned Combined District, Alternative 2 would not conflict with the zoning of the Project site.

As such, for the same reasons described for the Project in Section 3.11.3, Alternative 2 would not conflict with any General Plan or Municipal Code, plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, impacts related to conflict with land use plan, policy, or regulation under Alternative 2 would be **less than significant**, which is the same level of impact as the Project.

Noise

Impact NOI-1: Increase in Ambient Noise

Construction

Similar to the Project, Alternative 1 would generate noise during the construction period from sources such as equipment, haul trucks, and worker vehicles traveling to and from the Project site, and heavy machinery and equipment operating on the site. These are addressed in turn, below. Like the proposed Project, construction phases for Alternative 2 would overlap.

Construction-Related Traffic Noise

As discussed under “Transportation” below, Alternative 2 would generate less traffic overall (20 truck trips per day, on average during the period when all construction phases would overlap), compared to the Project (29 truck trips per day, on average during the period when all phases would overlap), due to the reduced amount of excess spoils that would be required to be off-hauled, because of the fewer number of buildings.

Table 4.5-5 shows the estimated peak hour traffic volumes on local roadway segments in the vicinity of the Project site, as well as the anticipated peak-hour construction traffic on each segment that would be generated by Alternative 2 during the 13-month period when all three phases would overlap and the estimated increase in traffic noise on each section as a result of the Alternative 2 construction-related traffic, using the same methodology as described for the Project in Section 3.16.3.

As shown in Table 4.5-5, construction traffic during the period when all phases of Alternative 2 would overlap would result in a smaller increase in traffic noise than the Project (compare to Table 3.12-3 for equivalent Project information), due to the reduced volume of construction-related traffic. On the majority of road segments, the increase in traffic noise during construction of Alternative 2 would be less than 3 dBA (which is generally imperceptible). The predicted 3.3 dBA increase in noise levels along Odd Fellows Drive under Alternative 2 (compared to 3.7 dBA for the proposed Project) may be perceptible to some people; however, noise level increases between 3 and 5 dBA are not considered to be a readily perceptible or significant increase in traffic noise, for the same reasons described for the Project in Section 3.12.3.

Table 4.5-5 Existing Peak Hour Traffic and Construction-Related Traffic – Alternative 2

Roadway Segment	Existing Peak Hour Traffic Volume (VPH)	Anticipated Construction-related Traffic[1] (VPH by source)	Anticipated Construction-related Traffic[2] (passenger equivalent VPH)	Estimated Increase in Traffic Noise[3] Due to Alt 2 Construction (dBA)
Fruitvale Avenue between Saratoga and Allendale Avenues	1,727	3 heavy truck trips 115 worker commute trips	172	0.4
Fruitvale Avenue between Allendale and South College Circle	1,083	3 heavy truck trips 115 worker commute trips	172	0.6
Fruitvale Avenue between South College Circle and San Marcos Road	1,083	3 heavy truck trips 115 worker commute trips Up to 18 worker shuttle trips	190	0.7
Fruitvale Avenue between San Marcos Road and Los Gatos-Saratoga Road	826	115 worker commute trips	115	0.6
San Marcos Road between Fruitvale Avenue and Odd Fellows Drive	91	3 heavy truck trips Up to 18 worker shuttle trips	75	2.6
Odd Fellows Drive (private)	67	3 heavy truck trips Up to 18 worker shuttle trips	75	3.3

*Source: Existing traffic volumes from Hexagon 2021 (see **Appendix F**).*

1. Construction traffic volumes based on most traffic-intensive period of Alternative 2 when all 4 phases would overlap (refer to Table 4.5-9).

2. Truck trips converted to passenger-car equivalents by applying an equivalence factor of 19.1, per Caltrans 2013.

*3. Increase in traffic noise calculated by AECOM using formula where estimated noise increase in dB = 10*log(Existing Traffic + Project Traffic/Existing Traffic). See **Appendix E**.*

Acronyms: VPH = vehicles per hour; dBA = decibels

Construction Equipment

The overall construction duration for Alternative 2 would be the same as for the proposed Project (25 months); however, construction activities under Alternative 2 would occur in only four work areas (Building A, Building C, Meeting Room Addition, and Fitness Center Addition), rather than in five work areas for the Project. As with the Project, construction of Alternative 2 would be limited to the allowable construction hours established by the City. The same types of construction equipment would be used, and the combined predicted noise level at each work site under Alternative 2 would be similar to that detailed for the Project in Table 3.12-3 (in Section 3.12 above), which would be 92 dBA at a distance of 25 feet from the construction zones for Building A, Building C, Meeting Room Addition, and Fitness Center Addition, and 89 dBA at a distance of 25 feet from the Health Center internal renovations (without accounting for any shielding/screening).

Because the combined predicted noise levels from construction equipment would not exceed the City's maximum allowable noise level for construction noise of 100 dBA at a distance of 25 feet and would comply with the City's allowable construction hours, for the same reasons described for the Project in Section 3.12.3, construction of Alternative 2 would not generate a substantial temporary or permanent increase in ambient noise levels in excess of applicable City standards.

However, due to the presence of existing on-site residential units in close proximity to the construction zones, there is potential for construction noise to cause a substantial temporary increase in ambient noise levels for sensitive receptors within the closest residential units, even though the Project would comply with the City's noise standards for construction. As discussed

for the Project in Section 3.12, because the City has not established any thresholds for the level of acceptable daytime, temporary construction noise for receptors close to construction zones, the FTA's recommended threshold of 80 dBA is used to evaluate the impact of construction noise.

Based on a combined predicted noise level for the Building A, Building C, Meeting Room Addition, and Fitness Center construction zones of 87 dBA at 50 feet (per Table 3.12-3 in Section 3.12 above) and a standard attenuation rate of 6 dBA per doubling of distance, with no screening, exterior noise levels from each of these construction zones would be anticipated to dissipate to less than 80 dBA within approximately 104 feet from the source. Table 4.5-6 shows the closest sensitive receptors to each of the proposed Alternative 2 construction/demolition zones, and the anticipated exterior noise levels at those receptors during construction. These are the same values as shown for the proposed Project in Table 3.12-3, except that the noise associated with Building B construction would not be generated under Alternative 2.

Table 4.5-6 Estimated Construction Noise at Nearby Receptors – Alternative 2

Construction Zone	Duration of Construction	Nearest Receptor	Distance[1] (feet)	Estimated Exterior Noise Level at Receptor[2] ($L_{eq\ (8\text{-}hour)}$)
Building A Construction Zone	5 months grading/foundation work, 17 months total	6114/6116 West Cottage Lane	140 feet	77 dBA
		Apartment Building 1 (west-facing units)	180 feet	75 dBA
Building C Construction Zone	7 months grading/foundation work, 20 months total	Assisted Living Building (north-facing units)	50 feet	86 dBA
		14506 Chester Avenue	180 feet	75 dBA
Meeting Room Construction Zone	3 months grading/foundation work, 7 months total	Manor Building (west-facing units in west wing)	18 feet	95 dBA
		6102-6108 West Cottage Lane	120 feet	79 dBA
Fitness Center Construction Zone	1.5 months foundation work, 7 months total	6118/6120 West Cottage Lane	100 feet	80 dBA
Sweeper/Scrubber on SRC roads	Sporadic over entire 25-month construction period	Various on-site receptors[3]	25 feet	78 dBA (intermittent)

Source: calculated by AECOM, 2022. See **Appendix E**.
Acronyms: dBA = A-weighted decibels; N/A = not applicable.
Notes:
1. Average distance from the acoustic center of the construction zone to the nearest on-site receptor. The acoustic center is the idealized point from which the energy sum of all construction activity noise near and far would originate, and it is determined by taking the square root of the product of the distances between the receptor and closest and farthest construction zone boundaries. The acoustic center concept is useful in describing average noise levels across the entire construction period for adjacent receptors. For residential building receptors, the distance is measured to the closest window of habitable rooms. For street sweeping, the distance shown is the minimum distance from residential receptors to the centerline of the roadways on which the sweeper is anticipated to operate.
2. Assumes standard attenuation rate for stationary noise sources of 6 dBA per doubling of distance, based on maximum combined noise level from all construction equipment of 87 dBA at 50 feet (see *Table 3.12-3 in Section 3.12).*
3. For street sweeping, the distance shown is the minimum distance from the closest residential receptor to the centerline of the roadway(s) on which the sweeper is anticipated to operate. For Alternative 2, that would be the west-facing units of Apartment Building 1 which are approximately 25 feet from the centerline of Pavilion Circle.

As shown in Table 4.5-3, construction equipment operating at three of the construction zones are anticipated to generate exterior noise levels exceeding 80 dBA at the nearest residential receptors. Each construction zone is discussed in turn, below.

- **Building A**: construction equipment operating at the Building A construction zone would not generate noise levels in excess of 80 dBA at nearby residential receptors, which is the same as for the proposed Project.

- **Building C**: construction equipment operating at the Building C construction zone would generate noise levels of up to 86 dBA for the 12 north-facing units within the assisted living building. This **would exceed** the FTA's recommended construction noise limit of 80 dBA. Construction noise at off-site receptors such as 14506 Chester Avenue and other residences would not exceed the 80 dBA level. The noisiest activities (grading and foundation) at this construction zone would take approximately 7 months, with overall construction lasting approximately 20 months, which is the same as for the proposed Project.

- **Meeting Room**: construction equipment operating at the Meeting Room construction zone would generate noise levels of up to 95 dBA for the four west-facing units within the western wing of the Manor Building. This **would exceed** the FTA's recommended construction noise level of 80 dBA. Construction noise at other residential receptors such as the cottages on West Cottage Lane would not exceed the 80 dBA level. The noisiest activities (grading and foundation) at this construction zone would take approximately 3 months, with overall construction lasting approximately 7 months, as for the proposed Project.

- **Fitness Center**: construction equipment operating at the Fitness Center construction zone would generate noise levels of up to 80 dBA for the two cottages at 6118 and 6120 West Cottages Lane. This is **equal to** the FTA's recommended construction noise level. The noisiest activities (foundation work) would take approximately 1.5 months with overall construction lasting approximately 7 months; therefore, this level of noise generation would be limited in duration, as for the proposed Project.

- **Street Sweeping:** Street sweeping would be undertaken throughout the duration of all construction phases and would be expected to regularly operate on Odd Fellows Drive, West Cottages Lane, Pavilion Circle, and the northern segment of McLaren Lane, as for the proposed Project. The closest residential receptors along these routes are the west-facing units within Apartment Building 1, some of which are as close as 25 feet from the center of Pavilion Circle. Street sweeping would generate noise levels at these receptors of up to 68 dBA, which **would not exceed** the FTA recommended construction noise level.

Alternative 2 would avoid the proposed Project's exposure of residents in north-facing units of the Manor Building to excessive construction noise levels from the construction of Building B (because Building B would not be constructed under this alternative). However, because Alternative 2 would result in daytime construction noise levels at nearby residential receptors that would exceed 80 dBA (from construction of Building C and the Meeting Room), the impact would still be **potentially significant**.

As discussed for the Project in Section 3.12, the Project Applicant and their Contractor have prepared a preliminary Construction Noise Mitigation Plan to help minimize disturbance to existing SRC residents from construction noise (RCP 2022, see **Appendix E**). Update of the Plan to include additional actions as set out in Section 3.12.3 for the proposed Project, and implementation of the updated plan throughout construction is also recommended for this alternative.

Therefore, the same mitigation measure required for the proposed Project would also be required for Alternative 2, which is:

> ***Mitigation Measure MM-NOI-1a: Update and Implement Construction Noise Mitigation Plan*** *(see Section 3.12.3 for details of this measure).*

For the same reasons described in Section 3.12.3 for the proposed Project, implementation of MM-NOI-1a would substantially reduce the level of disruption to existing residents from construction-related noise during Alternative 2, to a level that would be **less than significant with mitigation**. This is the same level of significance as the proposed Project; however, the number of existing residents that would be disturbed and the duration of activities exceeding 80 dBA at residential receptors would be less for Alternative 2 than for the Project, because Building B would not be constructed under this Alternative and no new construction sites would be introduced.

Operation

Alternative 2, as with the Project, would introduce new permanent sources of noise to the existing environment, including operational traffic and fixed noise sources such as HVAC equipment and emergency generators at the new buildings.

As discussed previously, Alternative 2 would construct the same number of independent living units as the Project and would generate the same amount of operational traffic. Therefore, for the same reasons described for the Project in Section 3.12.3, operational traffic under Alternative 2 would not double the existing traffic volume on local roadways and would not cause a perceivable increase in traffic noise for noise-sensitive land uses along the roads that would be used for ingress or egress to the SRC campus.

As described for the Project, the generators in Buildings A and C would only be operated sporadically and would be shielded by the buildings themselves; therefore, they would not contribute to ambient noise levels at the nearest receptors.

Noise generated from the proposed HVAC systems under Alternative 2 would be similar to that described for the Project, except that Alternative 2 would not include Building B. For the same reasons described in Section 3.12.3, noise from the HVAC systems in Buildings A and C could exceed the applicable nighttime threshold (40 dba L_{eq}) from the Municipal Code, if HVAC units with a Sound Power Level rating above 91 dBA were installed. Therefore, the impact of Alternative 2 would be **potentially significant**.

The same mitigation measure required for the proposed Project would also be required for Alternative 2, which is:

> ***MM-NOI-1b: Limit Sound Power Level of Mechanical Equipment or Implement Additional Noise-Reduction Measures*** *(See Impact NOI-1, in Section 3.12.3 for full details of this mitigation measure).*

For the same reasons described for the proposed Project in Section 3.12.3, implementation of MM-NOI-1b would reduce potential impacts from HVAC-generated noise under Alternative 2 to **less than significant with mitigation**. This is the same level of impact as the Project.

Impact NOI-2: Exposure of People to Groundborne Noise and Vibration Levels

Construction

Construction of Buildings A, C, Meeting Room and Fitness Center under Alternative 2 would generate the same levels of construction vibration as described for the proposed Project in Section 3.12.3. However, because Alternative 2 would not include construction of the proposed Project's Building B, there would be no vibration generated in the area to the north of the Manor Building.

The Manor Building would still experience vibration levels exceeding the applicable threshold for potential building damage from construction of the Meeting Room Addition, similar to that described for the proposed Project, and vibration generated from all Alternative 2 construction zones could exceed the human annoyance threshold for some nearby receptors, as described in Table 3.12-9 in Section 3.12 above.

Although construction of Alternative 2 would avoid vibration-related impacts from the proposed Project's Building B, the alternative would still result in levels of temporary vibration that would exceed the applicable threshold for building damage at the Manor Building and that would substantially exceed the threshold for human annoyance. Therefore, impacts related to vibration during construction activities of Alternative 2 would still be **potentially significant**.

The same mitigation measures required for the proposed Project would also be required for Alternative 2, which are:

> ***MM-NOI-1a: Update and Implement Construction Noise Mitigation Plan.*** *(See Impact NOI-1, in Section 3.12.3 for full details of this mitigation measure).*
>
> ***MM-NOI-2: Construction Vibration Minimization Measures.*** *(See Impact NOI-2, in Section 3.12.3 for full details of this mitigation measure).*
>
> ***MM-CUL-1a: Historical Resource Protection Plan*** *(See Impact CUL-1, in Section 3.5.3 for full details of this mitigation measure).*

As discussed for the Project, implementation of mitigation measure MM-NOI-1a would require the Project Applicant and its construction contractor(s) to provide notice to the facility and neighboring properties regarding planned construction activities and to provide a point of contact for residents and neighbors to contact to address questions or concerns. Implementation of mitigation measure MM-NOI-2 would require the contractor to limit the use of large vibratory equipment directly adjacent to existing buildings to the extent practicable, and to give advance notice to residents when vibration-generating equipment would be used within close proximity to their units. Although implementation of MM-NOI-1a and MM-NOI-2 would not completely eliminate the generation of vibration at levels that would exceed the threshold of human annoyance, it would minimize the use of vibratory equipment in close proximity to buildings to the extent feasible and would allow residents the opportunity to adjust their daily routines to reduce exposure when high levels of vibration are being generated.

As described for the Project in Section 3.12.2, the buffer zone widths specified in MM-NOI-2 are based on the distance necessary to attenuate vibration levels from the specified construction equipment to below the threshold for potential building damage at the Manor Building (0.2 PPV in/sec). However, because it is anticipated that some use of heavy equipment within the buffers would be required to achieve the necessary level of soil compaction to support the proposed building foundations (particularly for the Meeting Room Addition), vibrations that exceed the

threshold for building damage could still occur, therefore MM-CUL-1a would require monitoring of the Manor Building for vibration damage during construction and would require that any damage be repaired in accordance with the SOI Standards for Rehabilitation under the oversight of an architectural historian.

For the same reasons described for the proposed Project in Section 3.12.3, implementation of MM-NOI-1a, MM-NOI-2 and MM-CUL-1a would reduce potential impacts from construction-related vibration under Alternative 2 to **less than significant with mitigation**. This is the same level of impact as the Project.

Operation

Daily operations under Alternative 2, as with the Project, would not include any major new sources of groundborne noise or vibration. In addition, similar to the Project, maintenance vehicles and delivery trucks would be restricted to existing roadways, and the limited number of additional trips generated would not have the potential to substantially increase vibration levels at adjacent land uses. Therefore, **no impact** would occur related to the exposure of people to groundborne noise and vibration levels during operation under Alternative 2, which is the same level of impact as the Project.

Impact NOI-3: Excessive Airport Noise

As discussed previously, Alternative 2 would be constructed on the same property as the proposed Project, which is not within an airport land use plan, within 2 miles of a public airport or public use airport, or within the vicinity of a private airstrip. Therefore, **no impact** would occur related to excessive airport noise under Alternative 2, which is the same level of impact as the Project.

Population and Housing

Impact POP-1: Inducement of Unplanned Population Growth

Construction

Construction under Alternative 2 would occur in three overlapping phases over a total period of 25 months and is estimated to require an average of 106 construction workers per day (and maximum of 165 workers per day) during the 13 months when all three phases would overlap. Similar to the Project, workers would be expected to come from the local labor pool and not relocate to the City from other areas for the relatively short construction period. As such, construction of Alternative 2 would not cause a substantial influx of construction personnel that would result in unplanned population growth. Therefore, **no impact** would occur related to the inducement of unplanned population growth during construction of Alternative 2, which is the same level of impact as the Project.

Operation

As previously discussed, Alternative 2 would result in the same number of new independent living units at the site (52) as the proposed Project, which would accommodate approximately 89 additional residents. As with the proposed Project, this increase in new independent living residents would be partially offset by the conversion of double-occupancy skilled nursing and memory care units to single-occupancy rooms, which would remove 45 beds for a net capacity increase of 44 residents once Alternative 2 is fully built out, the same as the Project.

As discussed in Section 3.13.3, under the 1995 SRC Campus Master Plan, the maximum number of permitted units approved by the City have a total capacity of approximately 521 residents. Like the Project, full buildout of the SRC campus under Alternative 2 would have a capacity between 497 and 532 residents, which is similar to or less than the approved 1995 SRC Campus Master Plan. In addition, the new independent living units would not require additional staffing and would result in an overall reduction of staff compared to existing conditions, as described for the proposed Project. Furthermore, for the same reasons as described for the Project in Section 3.13.3, Alternative 2 would not induce substantial population growth indirectly (through the extension of roads or other infrastructure into undeveloped areas). Therefore, **no impact** would occur related to the inducement of unplanned population growth during operation under Alternative 2, which is the same level of impact as the Project.

Impact POP-2: Displacement of People or Housing

Alternative 2 would result in the same conversion of 90 existing double-occupancy skilled nursing and memory care units at the SRC facility to single-occupancy units, as the proposed Project, which would result in the removal of 45 beds. However, as discussed in Section 3.13.3, this reduction would not displace existing residents, and a total of 52 new independent living units would be constructed which would result in an increase in senior housing stock within the City. Therefore, **no impact** would occur related to the displacement of people or housing under Alternative 2, which is the same level of impact as the Project.

Public Services

Impact PS-1: Impacts associated with provision of or need for new or altered government facilities

Alternative 2 would result in the same number of residents at the facility as the proposed Project and would generate the same volume of vehicular traffic. Therefore, for the same reasons as described for the Project in Section 3.14, Alternative 2 would not substantially increase police or fire response times, or demand for public services such that existing public facilities would need to be expanded or new facilities constructed. As such, Alternative 2 would not result in substantial adverse physical impacts associated with the provision of or need for new or altered government facilities, and the impact would be **less than significant**, which is the same level of impact as the Project.

Recreation

Impact REC-1: Increased Use of Recreational Facilities

As described above, Alternative 2 would result in the same number of residents at the facility as the proposed Project. Therefore, for the same reasons as described for the Project in Section 3.15, Recreation, Alternative 2 would not cause increased use of existing neighborhood or regional parks or other recreational facilities to a level such that physical deterioration of the facility would occur or be accelerated.

Like the Project, Alternative 2 would also construct new private recreational facilities for SRC residents (e.g., bocce ball court, putting green) to replace those facilities that would be displaced to accommodate construction of Building A, although the replacement facilities would be smaller than those currently available at the existing facility. For the same reasons described for the Project in Section 3.15.3, the impact of Alternative 2 on use of public recreational facilities would be **less than significant**, which is the same level of impact as the Project.

Impact REC-2: Construction or Expansion of New Recreational Facilities

Alternative 2, as with the Project, proposes to expand the existing fitness center to include a yoga/wellness room and to construct a replacement bocce ball court and putting green. As discussed for the Project in Section 3.15, these new and replacement recreational facilities would be for the use of the private residents of the SRC and would not have an adverse physical effect on the environment, as they would be constructed on previously disturbed areas as part of the overall development of Alternative 2.

Alternative 2 would also provide a public trail connection along Odd Fellows Drive, as described for the proposed Project. Creation of the trail connection would largely involve the dedication of a public easement for pedestrian access along the existing pedestrian sidewalk along Odd Fellows Drive (which is currently a private right-of-way) and installation of way-finding signage. The proposed trail connection would not require the acquisition of additional land or City right-of-way to be constructed and would not require substantial grading or earthwork.

Alternative 2 would not include the construction of any additional recreational facilities beyond those described for the Project. As such, Alternative 2 would not result in any substantial adverse physical effect on the environment from the construction of new recreational facilities or expansion of existing facilities. Therefore, impacts related to the construction or expansion of new recreational facilities under Alternative 2 would be **less than significant**, which is the same level of impact as the Project.

Transportation

Impact TRA-1: Conflict with Transportation Plan, Program, Ordinance or Policy

Construction

Construction of the Alternative 2 would result in a temporary increase in traffic in the Project area due to construction workers commuting to the Project and construction-related truck trips for soil and demolition debris export and deliveries. Congestion associated with construction traffic and movement of larger construction vehicles such as trucks could potentially create traffic-related hazards. Construction-related traffic would vary depending on the work activity at the site, with three overlapping phases of construction. The primary haul truck travel route to the Project site under Alternative 2 would be the same as the Project (i.e., from SR 85 to Saratoga Avenue, Fruitvale Avenue, San Marcos Road, and Odd Fellows Drive).

The estimated daily average number of construction truck trips for each phase of Alternative 2 is provided in Table 4.5-7, along with estimated number of worker commute trips (i.e., trips from the workers' homes to the offsite staging area at West Valley College), and the number of worker shuttle trips between the offsite staging area and the Project site. Similar calculations for the proposed Project can be found in Table 3.16-3 in Section 3.16 above, for comparison.

Table 4.5-7 Estimated Construction Traffic – Alternative 2

Construction Phase and Duration	Number of Trucks per phase [1] Total	Number of Workers per Day Average (Max)	Truck Trips per Day[2] Average	Worker Commute Trips per Day[3] Average (Max)	Worker Shuttle Trips per Day[4] Average (Max)
Phase 1: Building A and Fitness Center (360 workdays)	1,429	50 (74)	8	100 (148)	10 (16)
Phase 2: Building C and Meeting Room and extra parking (440 workdays)	2,653	46 (75)	12	92 (150)	10 (16)
Phase 3: Health Center Refurbishment (495 workdays)	10	10 (16)	negligible	20 (32)	2 (4)
All Phases (535 workdays)	4,092	106 (165)	20	212 (330)	22 (36)

Source: Calculated by AECOM.
Acronyms: max = maximum; TPD = one-way trips per day;
Notes:
1. For Phases 1 and 2, includes dump trucks, deliveries, and concrete trucks. For Phase 3 includes drop off and pick up of debris drop boxes.
2. Calculated by dividing total number of trucks per phase by number of work days (assuming 20 work days per month), then doubling to obtain number of one-way truck trips to/from the site.
3. Calculated by doubling average (maximum) number of construction workers per phase, to obtain number of one-way worker commute trips to the offsite staging area.
4. Calculated by dividing average (maximum) number of construction workers per phase by assumed shuttle capacity of 10 (rounding up), then doubling to obtain number of one-way shuttle movements between the staging area and Project site.
5. Total for all phases represents most intensive construction period when traffic from all phases of Project construction would overlap (approximately 13 months duration).

As shown in the table, there would be an average of 20 truck trips per day traveling to/from the Project site during the 13-month period when all construction phases overlap, which is less than the daily average of 29 trucks for the proposed Project (see Table 3.16-3 in Section 3.16 for Project comparison). Assuming that construction truck traffic would be spread throughout an

eight-hour workday, approximately 2.5 truck trips per hour would be expected during Alternative 2 (compared to 4 truck trips per hour for the Project). Alternative 2 would not exceed the recommended screening criterion from the ITE for construction traffic, which sets a threshold level of 50 or more new truck trips during the peak hour, above which a detailed traffic assessment is typically required. This is the most current "industry standard" guidance for assessing the effects of construction projects that create temporary traffic increases (ITE 1988).

As shown in the table, there would be an average of 212 and a maximum of 330 daily construction worker commute trips per day traveling to/from the off-site staging area during the 13-month period when all construction phases overlap, which is less than the average of 266 and maximum of 412 construction worker commute trips for the proposed Project (see Table 3.16-3 in Section 3.16 above for Project comparison). Similarly, the number of worker shuttle trips between the off-site staging area and the SRC campus would be less under Alternative 2 (average of 22, maximum of 36) than for the proposed Project (average of 28, maximum of 42).

As with the Project, all construction staging activities for Alternative 2 would occur on the Project site or within the designated off-site staging area at Parking Lot #6 of the West Valley College campus, and construction activities would not fundamentally alter or disrupt public rights-of-way, including public pedestrian and bicycle facilities or access to transit stations in the vicinity of the Project site. For the same reasons described in Section 3.16.3, construction of Alternative 2 would not conflict with City policies related to transportation, transit, pedestrian, or bicycle networks.

Because Alternative 2 would result in less construction-related traffic than the proposed Project, and would not conflict with any program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities, the impact would be **less than significant**, which is the same level of impact as the Project.

Operation

As discussed previously, Alternative 2 would include the same number of independent living units and employees as the proposed Project and would therefore be expected to generate the same amount of operational traffic from residents and staff. The number of vendor trips under Alternative 2 would also be similar to the Project. Like the proposed Project, Alternative 2 would not alter any public roadways but would require changes to the internal circulation system within the SRC campus. Such changes would be the same as described for the proposed Project in Section 3.16, except that the changes to Manor Circle would be limited to the easternmost extent (where it would connect to the realigned Colfax Lane).

For the same reasons described for the Project in Section 3.16.3, Alternative 2 would not conflict with any programs, plans, ordinances, or policies addressing the circulation system, transit, roadways, bicycle and pedestrian facilities, including those of the City's General Plan. The impact of Alternative 2 would **be less than significant**, which is the same level of impact as the Project.

Impact TRA-2: Consistency with CEQA Guidelines relating to Vehicle Miles Traveled

As discussed previously, Alternative 2 would be developed on the same property as the proposed Project and would provide the same number of residents and employees. Because the estimated VMT per capita for the Project site (7.14) is more than 15 percent lower than the average daily VMT per capita for the City (17.97), the impact for Alternative 2 would also be less than significant. Therefore, for the same reasons described for the Project in Section 3.16.3,

impacts related to consistency with CEQA Guidelines relating to Vehicle Miles Traveled under Alternative 2 would be **less than significant**, which is the same level of impact as the Project.

Impact TRA-3: Potential for Creation of Substantial Traffic-Related Hazards

Construction

As described above, Alternative 2 would generate less construction-related traffic than the Project and would not involve any temporary traffic controls on public roadways. However, temporary traffic controls and closures, and movement of heavy trucks and construction equipment could cause traffic safety issues for vehicles and pedestrians within the SRC campus or along Odd Fellows Drive. For the same reasons described in Section 3.1.6.3, this impact could be **potentially significant**.

The same mitigation measure required for the proposed Project would also be required for Alternative 2, which is:

> ***MM-TRA-3a: Construction Traffic Control Plan*** *(see Section 3.16.3 for full details of this measure).*

Implementation of mitigation measure MM-TRA-3a would reduce potential traffic safety impacts from construction of Alternative 2 for the same reasons described for the proposed Project in Section 3.16.3. Therefore, with implementation of MM-TRA-3a, the potential for creation of substantial traffic-related hazards during construction of Alternative 2 would be **less than significant with mitigation**, which is the same level of impact as the Project.

Operation

Similar to the Project, operation of Alternative 2 would not include any incompatible uses, nor generate any incompatible traffic, such as farm equipment, and would not include any changes to the public road network.

Alternative 2 would require fewer changes to the internal roading layout at the SRC campus than the Project, as the modifications to the intersection of West Cottages Drive and Manor Circle would not be required, and changes to Manor Circle would be limited to the very eastern extent where it would connect with the realigned Colfax Lane.

As described for the proposed Project in Section 3.16.3, the Traffic Study prepared for the proposed Project (**Appendix F**) identified the need for stop signs and maintenance of appropriate sight distances at several of the new, altered, or existing intersections and driveways within the SRC campus. All of these recommendations are still applicable to Alternative 2, except for those relating to Building B access and modifications to the West Cottages Lane/Manor Circle intersection. As for the proposed Project, if the applicable recommendations from the Traffic Study are not followed, there is potential for traffic-related safety impacts from Alternative 2, which could be **potentially significant**.

The same mitigation measure required for the proposed Project would also be required for Alternative 2, which is:

> ***MM-TRA-3b: Implement Recommended Traffic Safety Measures*** *(see Section 3.16.3 for full details of this measure).*

For the same reasons described in Section 3.16.3 for the proposed Project, implementation of mitigation measure MM-TRA-3b would reduce the potential for traffic safety issues within the SRC campus. Therefore, with implementation of MM-TRA-3b, the potential for creation of

substantial traffic-related hazards during operation of Alternative 2 would be **less than significant with mitigation**, which is the same level of impact as the Project.

Impact TRA-4: Project-Related Interference with Emergency Access

Construction

Alternative 2, as with the Project, would require temporary closures of some internal roadways within the Project site to facilitate construction; however, at least two out of the three main access roads to the Project site would be open for emergency vehicle access at all times. As for the proposed Project, movement of construction equipment and machinery and work associated with removal of the existing traffic circle at the entrance to Odd Fellows Drive from San Marcos Road could cause congestion and delays for emergency vehicles trying to access the SRC campus or adjacent Fellowship Plaza, particularly during Phases 1 and 2, when truck traffic would be at its peak.

As described in Section 3.16.3, the existing emergency access on the SRC campus does not meet the SCCFD specifications for a Fire Apparatus Access (e.g., turn radius, vertical clearance) that is required in accordance with CFC Chapter 5. As such, similar to the Project, Alternative 2 would install an additional emergency access and gate between Odd Fellows Drive and Chester Avenue, for emergency vehicles to access the SRC campus and Fellowship Plaza property in compliance with SCCFD requirements. However, if emergency service providers are not kept informed of construction activities and the need to utilize the secondary emergency access during periods when Odd Fellows Drive is congested or partially blocked during removal of the traffic circle, then emergency access to the Project site and the adjacent Fellowship Plaza could be disrupted, which would be a **potentially significant** impact.

The same mitigation measure required for the proposed Project would also be required for Alternative 2, which is:

> ***MM-TRA-3a: Construction Traffic Control Plan.*** *(See Section 3.16.3 for full details of this measure).*

Implementation of mitigation measure MM-TRA-3a would reduce potential impacts from Alternative 2 related to construction traffic safety for the same reasons described for the proposed Project in Section 3.16.3. As such, with implementation of MM-TRA-3a, the potential for Alternative 2 to interfere with emergency access during construction would be **less than significant with mitigation**. This is the same level of significance as the Project.

Operation

Alternative 2 would be subject to the California Fire Code (CCR Title 24 Part 9), as adopted in Chapter 16 of the City's Municipal Code, and the design plans for Alternative 2 would be reviewed by the SCCFD during the City's permitting process to ensure that they comply with all applicable City codes and SCCFD standards. Therefore, for the same reasons described for the Project in Section 3.16.3, operation of Alternative 2 would not result in inadequate emergency access and the impact would be **less than significant**, which is the same level of impact as the Project.

Tribal Cultural Resources

Impact TCR-1: Tribal Cultural Resources

As discussed in Section 3.17, the City has complied with AB 52 in its consultation and records searches conducted through NAHC and the NWIC. The records searches indicated that the Project area has a low sensitivity for tribal cultural resources, and two test pits dug in the vicinity of Building A and near the existing Health Center, were both negative for tribal cultural resources. However, despite these negative results, tribal representatives have expressed ongoing concerns about archaeological sensitivity on the property, based on the anecdotal reports presented during the EIR scoping period about the potential presence of Native American artifacts and a possible burial ground at the property.

Similar to the Project, although the footprint of Alternative 2 is largely disturbed and the potential for encountering tribal cultural resources in the Project area is generally low, excavations associated with Alternative 2 could encounter previously unknown and buried tribal cultural resources. Such impacts could be **potentially significant**.

The same mitigation measure required for the proposed Project would also be required for Alternative 2, which is:

> ***MM-CUL-2: Inadvertent Discovery Plan.*** *See Section 3.5.3 for details of this mitigation measure.*

Implementation of MM-CUL-2 would avoid or reduce adverse impacts to tribal cultural resources during construction of Alternative 2 for the same reasons as described for the proposed Project in Section 3.17.3. Therefore, the potential impact of Alternative 2 to tribal cultural resources would be reduced to **less than significant with mitigation**. This is the same level of impact as the proposed Project.

Utility and Service Systems

Impact UTI-1: New or Expanded Utility Services

Alternative 2 would result in the same number of new residents and staff as the proposed Project; therefore, demand for water supplies and wastewater would be the same. For the same reasons described in Section 3.18.3, such demand would not be substantial enough to require new or expanded water supply or treatment infrastructure. Consistent with the City's municipal code requirements for new construction, Alternative 2 would not include any new natural gas infrastructure. New stormwater drainage facilities would be constructed on the Project site under Alternative 2 but would not require relocation or construction of new or expanded stormwater facilities off-site that would cause environmental effects beyond those analyzed throughout this EIR.

Alternative 2 would also require new connections to existing water, wastewater, electricity, and telecommunications utilities, similar to that described for the proposed Project, and no improvement work would be required for the existing utilities outside of the Project site. Therefore, for the same reasons described for the Project in Section 3.18.3, Alternative 2 would not require or result in the relocation or construction of new or expanded water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunications facilities that would cause significant environmental effects. The impact of Alternative 2 would be **less than significant**, which is the same level of impact as the Project.

Impact UTI-2: Sufficient Water Supplies

Alternative 2 would result in the same number of new residents and staff as the proposed Project; therefore, demand for water supplies and wastewater would be the same. For the same reasons described for the proposed Project in Section 3.18.3, the increased population under Alternative 2 would not represent unplanned growth; therefore, Alternative 2 would not be expected to exceed the capacity limits of SJWC's projected water supply through 2045. The impact of Alternative 2 on water supplies would be **less than significant**, which is the same level of impact as the Project.

Impact UTI-3: Wastewater Treatment Capacity

Alternative 2 would result in the same number of new residents and staff as the proposed Project; therefore, generation of wastewater would be the same. For the same reasons described for the proposed Project in Section 3.18.3, the increase in wastewater generation by Alternative 2 would be within the capacity limits of the wastewater treatment facilities serving the Project site. Therefore, impacts related to wastewater treatment capacity under Alternative 2 would be **less than significant**, which is the same level of impact as the Project.

Impact UTI-4: Solid Waste Capacity

Construction

Alternative 2 would generate less solid waste (e.g., excess spoils and demolition debris) during construction than the proposed Project (approximately 27,500 CY compared to 37,100 CY), because there would one less building and associated excavation for parking and foundations. Overall, as with the Project, Alternative 2 would also be required to comply with solid waste regulations listed in the City's Municipal Code, the 2022 CALGreen Code, and Policy LU 6.3 of the City's General Plan, which requires implementation of the City's Construction Materials Recycling Program to reduce the quantity of construction debris disposed in local landfills. Because there would be less solid waste generated, Alternative 2 would have a smaller impact on solid waste capacity than the proposed Project and would not generate solid waste in excess

of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. The impact of Alternative 2 construction on solid waste capacity and waste reduction goals would be **less than significant**, which is the same level of impact as the Project.

Operation

Alternative 2 would result in the same number of new residents and staff as the proposed Project; therefore, operational generation of solid waste would be the same. For the same reasons described for the proposed Project in Section 3.18.3, the increased volume of solid waste generated by Alternative 2 operations would be negligible compared to the capacity limits of the landfill facilities serving the Project site. Therefore, impacts related to solid waste capacity and waste reduction goals under Alternative 2 would be **less than significant**, which is the same level of impact as the Project.

Impact UTI-5: Solid Waste Statutes and Regulations

As with the Project, construction and operation of Alternative 2 would not conflict with or interfere with the State's or City's ability to implement its adopted solid waste management programs and policies. Alternative 2 would also comply with all statutes and regulations related to solid waste, including the 2022 CALGreen (Title 24 CCR Part 11), the City's Health and Sanitation and Green Building Regulations. Therefore, for the same reasons described for the Project in Section 3.18.3, impacts related to solid waste statutes and regulations under Alternative 2 would be **less than significant**, which is the same level of impact as the Project.

Wildfire

Impact WF-1: Impairment of Emergency Response Plans or Emergency Evacuation Plans

As discussed previously, the SRC campus is not within a State Responsibility Area or VHFHSZ; however, a VHFHSZ is present approximately 2,500 feet to the west (CAL FIRE 2008). As discussed in Impact HAZ-5 above for Alternative 2, operation of Alternative 2 would not impair implementation of an adopted emergency response plan or emergency evacuation plan, but construction activities and related heavy equipment or temporary traffic controls on Odd Fellows Drive could hinder emergency evacuation of the SRC campus or the neighboring Fellowship Plaza property during an emergency. This impact could be **potentially significant**.

The same mitigation measure required for the proposed Project would also be required for Alternative 2, which is:

> ***MM-TRA-3a: Construction Traffic Control Plan.*** *See Section 3.16.3 for full details of this measure.*

For the same reasons discussed for the Project in Section 3.9.3, implementation of mitigation measure MM-TRA-3a would reduce the impact of Alternative 2 on emergency response and evacuation to **less than significant with mitigation**, which is the same level of impact as the Project.

Impact WF-2: Exposure of Project occupants to pollutant concentrations from wildfire or uncontrolled spread of wildfire

As discussed previously, the SRC campus is not within a State Responsibility Area or VHFHSZ. As with the Project, Alternative 2 would not substantially alter site slopes or vegetation or introduce new land uses that would exacerbate potential wildfire risks at the Project site. Therefore, impacts related to exposure of site occupants to pollutant concentrations from wildfire or uncontrolled spread of wildfire under Alternative 2 would be **less than significant**, which is the same level of impact as the Project.

Impact WF-3: Installation or maintenance of infrastructure that may exacerbate fire risk

As discussed previously, the Project site is not within a State Responsibility Area or VHFHSZ. As with the Project, Alternative 2 does not include infrastructure that would exacerbate fire risks, as all proposed utility connections and new roadways would be developed within previously developed areas of the site away from large areas of vegetation. In addition, Alternative 2 would be required to comply with applicable provisions of the CFC Chapter 33 and SCCFD's Standard Detail and Specification SI-7, which are mandatory.

As such, for the same reasons described for the Project in Section 3.19.3, the installation or maintenance of infrastructure associated with Alternative 2 would not exacerbate fire risk. Therefore, impacts related to the installation or maintenance of infrastructure that may exacerbate fire risk under Alternative 2 would be **less than significant**, which is the same level of impact as the Project.

Impact WF-4: Exposure to significant risks as a result of runoff, post-fire slope instability or drainage changes

As discussed previously, the SRC campus is not within a State Responsibility Area or VHFHSZ. In addition, the Project site is in a relatively flat area of the City and does not contain substantial areas of large slopes that would become unstable under post-fire conditions.

As with the Project, Alternative 2 would be constructed within previously developed areas of the Project site, and, as such would not substantially alter slopes or drainage patterns that could result in significant risks related to downslope or downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes. Therefore, impacts related to exposure to significant risks as a result of runoff, post-fire slope instability or drainage changes under Alternative 2 would be **less than significant**, which is the same level of impact as the Project.

4.6 Alternative 3 – Applicant's Alternative

4.6.1 Description of Alternative 3

In responses to comments received on the Project, the Project Applicant submitted an additional alternative for consideration. Alternative 3, also known as the "Applicant's Alternative", was submitted as a potential alternative development plan that would provide the same number of new independent living units (52) on the campus as the proposed Project, without including "Building B" in front of the existing Manor Building and associated significant and unavoidable historic impacts. Figure 4.6-1 provides the conceptual site plan for this alternative development plan, as provided by the Project Applicant.

Alternative 3 would include the construction of Building A, Building C, the Meeting Room Addition, and Fitness Center Addition, exactly as proposed by the Project (see Section 2.3.1). In addition, the internal improvements to the existing Health Center units (conversion of semi-private to private) and improvements to the existing dining area within the Manor Building would be modified, as described for the Project. The installation of a secondary emergency access point, removal of the small traffic circle at the entrance to Odd Fellows Drive, and the proposed public trail connection along Odd Fellows Drive, would also be the same as described for the proposed Project (see Section 2.3.4).

Alternative 3 would not include construction of Building B in front of the Manor Building. Instead, a new "Building D" would be constructed within the space currently occupied by the employee parking lot and northernmost duplex cottage (which would be demolished) on the southwest corner of Odd Fellows Drive and West Cottages Lane. Building D would be a 2-story building containing 10 independent living units on the upper floor, and 2 additional independent living units and 32 parking spaces on the lower floor. Elevations of Building D are included in Figure 4.6-2.

A new single cottage unit would be constructed further south, opposite the Fitness Center Addition, between existing cottages at 6118 and 6120 West Cottage Lane. Additional surface parking would be installed within the grassed area between Manor Circle and Odd Fellows Drive, requiring an approximately 5-foot high retaining wall (see Figure 4.6-3).

To summarize, under this alternative the following components of the proposed Project would not be constructed:

- Building B.

The following components of the proposed Project would be constructed for this alternative:

- Building A,
- Building C,
- Meeting Room Addition to the Manor Building, and
- Fitness Center Addition.

The following new components (not part of the proposed Project) would be constructed for this alternative:

- Building D (in place of the existing employee parking lot and northernmost cottage), and
- New cottage (between 6118 and 6120 West Cottages Lane).

Construction Phasing and Schedule

Construction of Alternative 3 would be anticipated to begin in September 2024 and be completed by September 2028 (i.e., a 4-year construction period). The construction schedule would be dependent on market conditions, regulatory approvals, and other factors and, therefore, is subject to change.

Similar to the proposed Project, construction activities would mostly occur between 7:30 a.m. and 4:00 p.m. Monday through Friday, and Saturdays between 9:00 a.m. and 5:00 p.m. On occasion, construction activities may be undertaken outside of these hours, but would be limited[80] to between 7:30 a.m. and 6:00 p.m. Monday through Friday, and between 9:00 a.m. and 5:00 p.m. on Saturdays, in accordance with Section 7-30.060 of the City's Code of Ordinances.

Alternative 3 would be constructed in the following overlapping phases:

- Phase 1: Reconfigure Parking area in front of Manor building and grade Building A area for temporary construction parking and staging for Phases 1 through 3. The new parking in front of the Manor will serve as staff parking to replace the parking taken by Building C construction. Additional staff parking will be provided at the future Building D location. September 2024 through December 2024.
- Phase 2: Construction of Building C. The existing parking stalls where Building C is being built will temporally be relocated to the parking created in Phase 1. November 2024 through June 2026.
- Phase 3: Demolition of northernmost cottage then concurrent construction of Building D, Meeting Room, Fitness Center Addition and new cottage. Construction offices, facilities, and parking will be housed in the Phase 1 parking area. Construction estimated at a 20 month duration. Staff parking will be available in Building C. January 2026 through April 2027.
- Phase 4: Construction of Building A. Construction staging will be around Building A and in the Phase 1 parking area. Staff and resident parking will be in Buildings C and D. April 2027 through September 2028.
- Phase 5: Renovation and conversion of double-occupancy rooms within the existing Health Center and assisted living buildings is estimated to occur in stages over a two-year period. September 2024 through September 2026.

[80] In special circumstances, work may be requested outside of the hours allowed by the Section 7-30.060 of City of Saratoga Code of Ordinances, to accommodate critical utility outages and change overs.

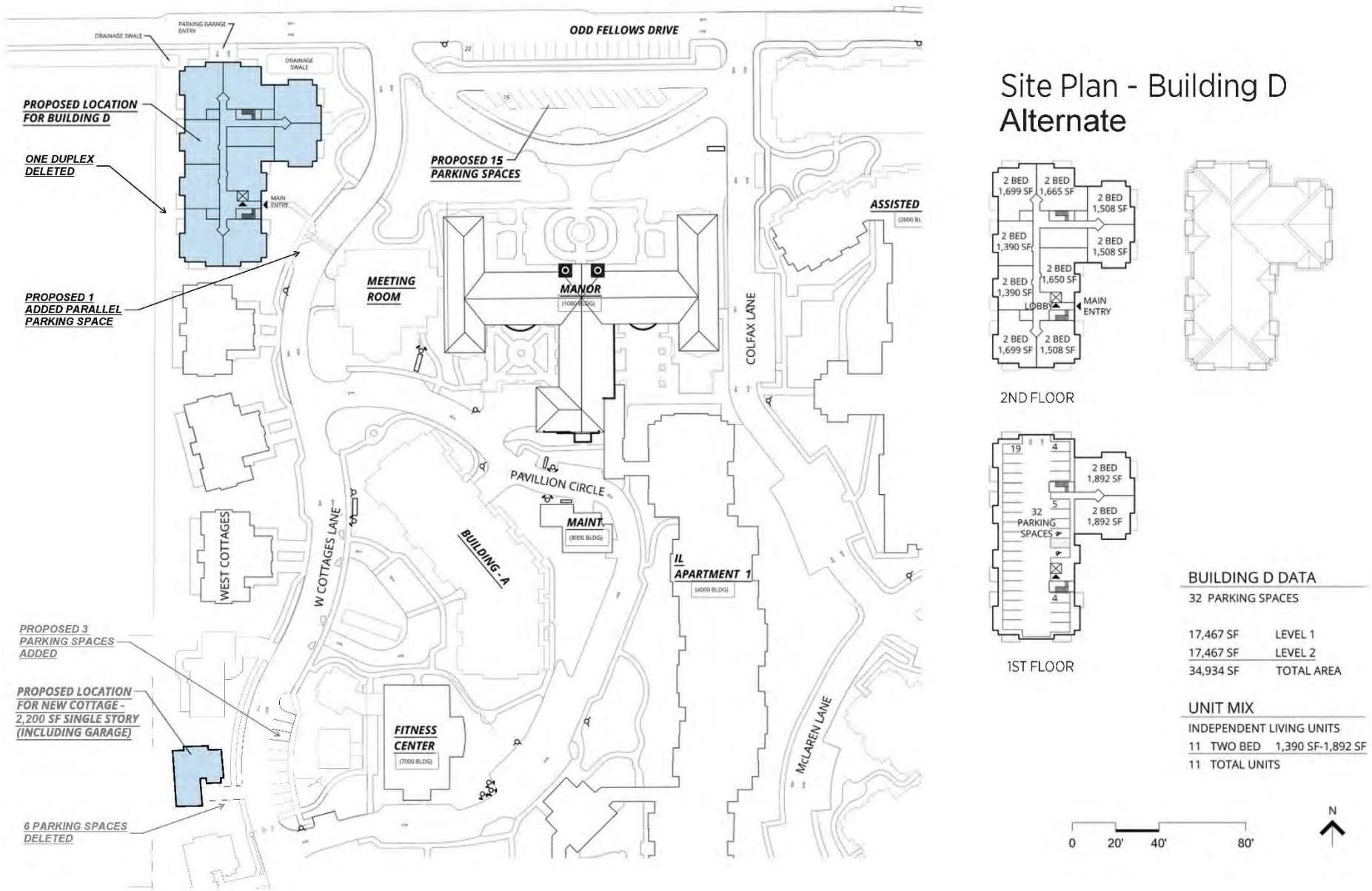


Figure 4.6-1 Conceptual Site Plan – Alternative 3

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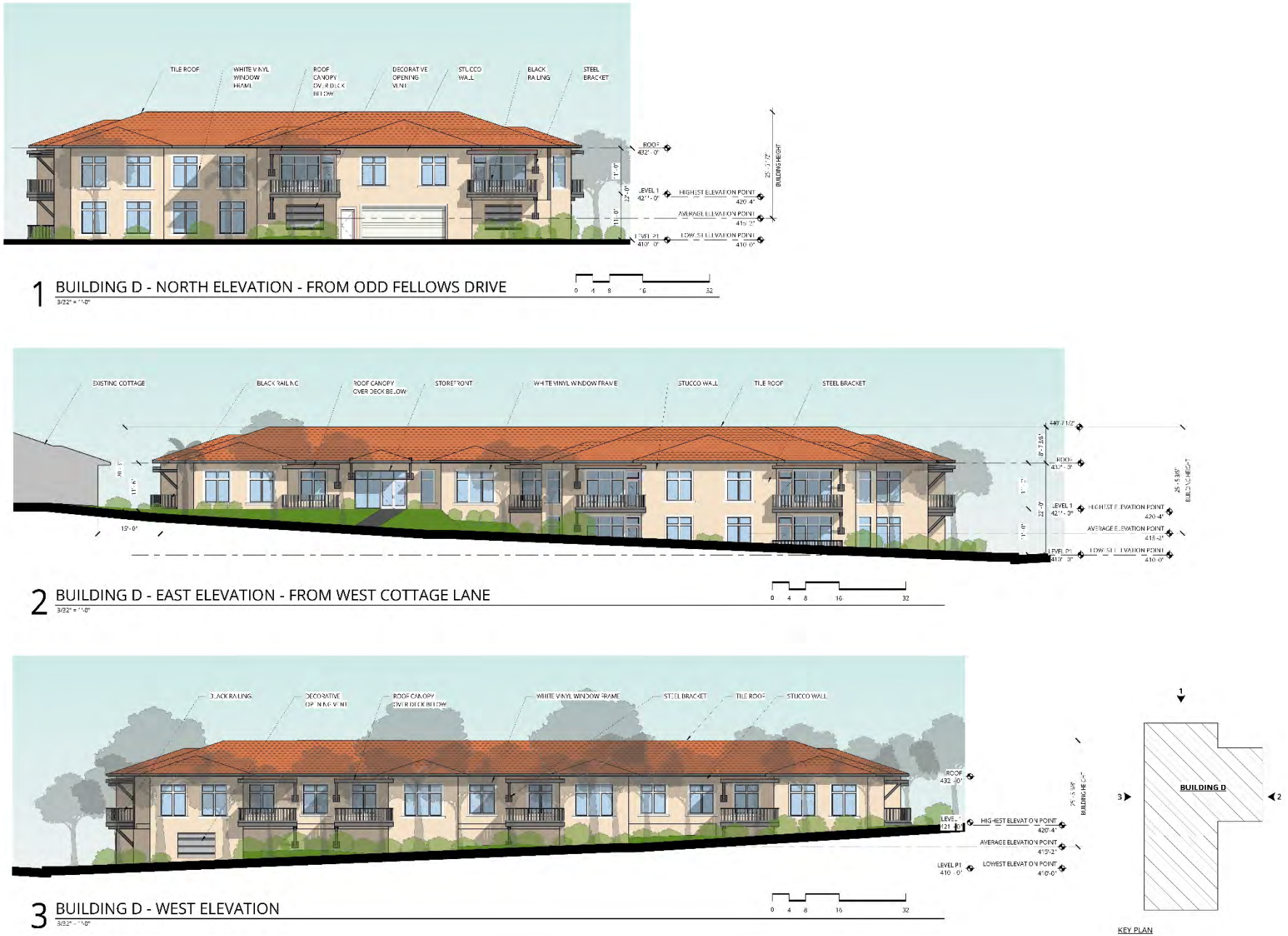
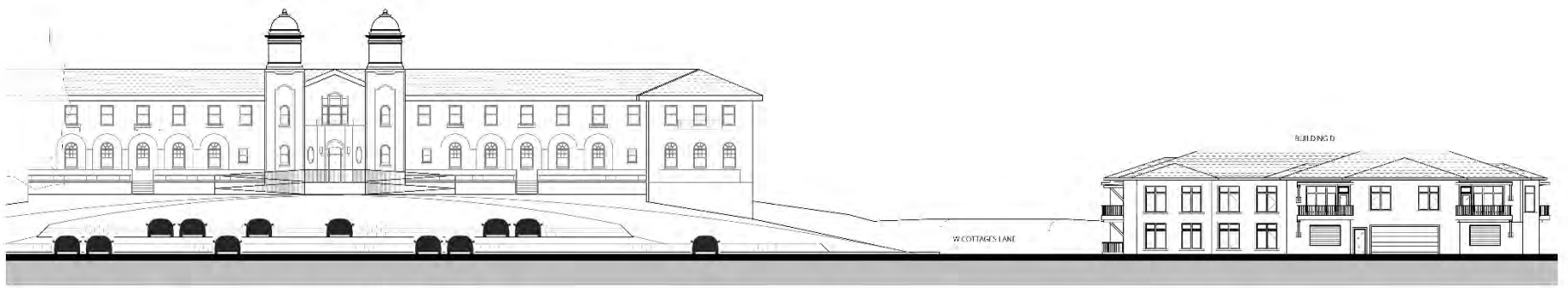


Figure 4.6-2 Building D Elevations – Alternative 3

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1 ALTERNATE BUILDING D NORTH ELEVATION
1/16" = 1'-0"



2 SECTION THROUGH ADDED PARKING TO MANOR LOOKING EAST - ANGLED PARKING
1/8" = 1'-0"

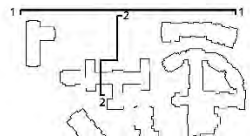


Figure 4.6-3 Manor Circle Parking Lot – Alternative 3

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Construction Equipment and Personnel

Anticipated construction equipment for Alternative 3 would be similar to the proposed Project and would be expected to include: aerial lifts, air compressors, bore/drill rigs, cement and mortar mixers, cranes, dozers, excavators, forklifts, generators, soil compactors, pavers and paving equipment, rollers, signal boards, skid steer loaders, sweepers/scrubbers, and welding equipment. Phase 2 of Alternative 3 (demolition of the existing cottage) would also require the use of additional tools such as a concrete saw, hoe ram, and/or hydraulic shears. Construction personnel needs have been estimated for each phase of construction for Alternative 3, as shown in Table 4.4-1Table 4.6-1.

Table 4.6-1 Estimated Construction Personnel – Alternative 3

Phase	Estimated Duration	Average Number of Workers	Maximum Number of Workers
Phase 1 – Site Prep/Parking & Staging	3 months	10 per day	15 per day
Phase 2 – Building C	20 months	46 per day	75 per day
Phase 3 – Building D, Meeting Room, Fitness Center Addition, and new Cottage	16 months	48 per day	74 per day
Phase 4 – Building A	17 months	50 per day	74 per day
Phase 5 – Health Center Renovations	24 months	10 per day	16 per day
TOTAL*	48 months	57 per day	165 per day

Note: Number of construction personnel for Phases 2, 4, and 5 are assumed to be the same as for Building C, Building A and Health Center renovations from the proposed Project, respectively. Information for other phases is based on information provided by the Project Applicant.

** The total average number of workers shown in the table is averaged over the entire 48-month construction duration. The total maximum number of workers shown in the table is for the 6-month period (approximately 120 working days) when Phases 2, 3 and 5 would overlap (January through June 2026). The total average number of workers over this same 6-month period would be 104.*

Site Preparation, Demolition, and Earthworks

Estimated site grading volumes for each of the proposed buildings, and the estimated volume of debris that would be generated from demolition of the existing cottage are shown in Table 4.6-2. The maximum depth of excavation for the project would be for Building C, at approximately 25 feet below the ground surface, which is the same as for the proposed Project. The total volume of debris and excess spoils to be off hauled from the site under Alternative 2 is estimated[81] at approximately 54,300 CY, compared to 37,100 CY for the proposed Project. Construction/demolition debris and excess spoils would be disposed of at the Guadalupe Landfill in San Jose.

[81] Volume differs from quantities detailed in Table 4.6-2 due to additional volume of haul materials generated during site grading and other activities not included in building-specific cut/fill estimates (approximately 20% extra over estimated cut/fill volume).

Table 4.6-2 Estimated Debris, Cut and Fill Volumes by Location – Alternative 3

Location	Cut Volume	Fill Volume	Max. Depth of Cut
Building A	8,400 CY	270 CY	16 feet
Building C	6,980 CY	600 CY	25 feet
Building D	8,400 CY	270 CY	13 feet
Meeting Room	550 CY	430 CY	8.5 feet
Fitness Center	170 CY	0 CY	2.5 feet
Cottage & Surface Parking Demolition	650 CY	120 CY	1.5 feet
Manor Circle Parking	2,500 CY	1,000 CY	4 feet
TOTAL	45,250 CY	8,420 CY	n/a

Acronyms: CY = cubic yards, n/a = not applicable, max. = maximum
Note: Earthwork quantities are approximate only. Based on preliminary grading plans of the proposed Project (for Buildings A, C, meeting room and fitness center). Estimate for cottage and parking provided by Project Applicant and includes 410 CY of demolition debris. Estimate for Building D based on Project's Building A estimate which has similar floor area and depth of grading.

Alternative 3 Operations

Operation under Alternative 3 would be similar to operation under the Proposed Project, as there would be the same number of residents and staff on site under both scenarios, and the same mix of independent living, assisted living, and skilled nursing uses on site.

4.6.2 Ability of Alternative 3 to Meet Project Objectives

Alternative 3 would fully or partially meet all of the Project Objectives, as discussed in turn below:

1) Continue to improve this long established and well respected Life Plan Community so that it responds to the changing Senior Housing market and remains a viable campus for years to come. Continue to provide a campus where seniors can age in place, with independent living, assisted living, memory care, and Skilled Nursing.

Alternative 3 **would meet** Objective 1 as it would improve the SRC campus by providing additional, modern independent living units designed to meet market conditions, and a brand new skilled nursing building with modern facilities. This alternative would maintain the existing independent and assisted living/memory care units in a similar manner to the proposed Project.

2) Add a minimum of 52 new independent living senior housing units to provide the opportunity for more seniors, including many from the city of Saratoga, to enjoy independent living, with access to a high quality continuum of care.

Alternative 3 **would meet** Objective 2 as it would provide a net increase of 52 new independent living units on campus, 54 new units within Buildings A, C, D and the new cottage, and demolition of 2 existing units in the duplex cottage.

3) Generate an additional income stream from the new independent living units, to help upgrade other parts of the campus including a major renovation of the Health Center. Always maintain a strong financial position to ensure the future of the campus.

Alternative 3 **would meet** Objective 3, as it would have the same net increase in new independent living units as the proposed Project over a similar timeframe.

4) Provide upgrades to the existing Health Center, which would include converting existing semiprivate rooms to private rooms with private baths.

Alternative 3 **would meet** Objective 4 as it would include the same improvements to the existing Health Center as proposed by the Project.

5) Preserve and maintain the existing the buildings on the campus, including the original Manor Building and the Health Center.

Alternative 3 **would meet** Objective 5. It would preserve and maintain the original Manor Building, including the character defining features of its historic setting such as its position atop a slight rise from Odd Fellows Drive, access via a curvilinear driveway, and sloped landscape area below (features that would not be preserved under the proposed Project). Only internal changes are proposed to the Health Center, as for the Project.

6) Provide a new and larger Meeting Room, that will seat all the apartment and cottage residents on the campus.

Alternative 3 **would meet** Objective 6. The Meeting Room addition under Alternative 3 would be identical to that described for the Project.

7) Expand Independent Dining to serve the additional residents that will join the campus, and provide more dining choices for existing residents.

Alternative 3 **would meet** Objective 7. Changes to existing independent dining services within the Manor Building would be identical to that of the proposed Project.

8) Provide an additional Fitness Building suitable for more fitness options like floor exercise, aerobics, yoga, tai chi, dance, and more.

Alternative 3 **would meet** Objective 8. The Fitness Center Addition would be identical between the proposed Project and Alternative 2.

9) Ensure that new buildings are designed to blend with the existing independent living buildings and Cottages, and also designed to respect and be sympathetic to the original Manor Building.

Alternative 3 **would meet** Objective 9, to a greater extent than the proposed Project. The style and external appearance of Building A, Building C, the Meeting Room, and Fitness Center addition would be very similar to that of the proposed Project and Building D would also be designed in a similar style. This alternative would avoid construction of a new building immediately in front of the Manor Building and therefore would not result in the permanent and irreversible removal of character-defining features of the Manor Building's historic setting.

10) Augment the existing parking on the campus for the residents, staff, visitors, service providers, and vendors.

Alternative 3 **would partially meet** Objective 10. This alternative would result in 21 less parking spaces than the proposed Project, but would exceed (by 1 space) the minimum number of parking spaces required by the City.

11) Maintain a high level of landscape design, amenities, and plant materials on the campus.

Alternative 3 **would meet** Objective 11, to a greater extent than the proposed Project. This alternative would include replanting of areas disturbed during construction, and would avoid the removal of several mature trees from the area in front of the Manor Building.

4.6.3 Analysis of Environmental Impacts of Alternative 3

Aesthetics

Impact AES-1: Scenic Vistas

Alternative 3 would include the construction of all the same buildings as the Project, except for Building B, and would include the construction of two additional buildings (Building D and a new cottage), construction of new surface parking, and demolition of an existing surface parking lot and an existing cottage. Compared to the proposed Project, Alternative 3 would include fewer changes in the vicinity of the Manor Building, as Building B would not be constructed under this alternative. Changes from construction of the Meeting Room addition and the new parking area between Manor Circle and Odd Fellows Drive would occur.

Alternative 3's proposed Building D would be two stories, compared to the existing single-story cottage and surface parking lot in this location. The estimated height of Building D would be approximately 30 feet, 8 inches above grade at the north of the building (near Odd Fellows Drive) and approximately 20 feet, 3 inches above grade at the south of the building. Building D would be set back 25 feet from the adjacent residential boundary to the west.

The new single-unit cottage would be smaller in size (2,200 SF) than the existing duplex cottages on West Cottage Lane (approximately 5,200 SF), but would be of a similar height and design.

Overall, similar to the Project, Alternative 3 would be generally consistent in height, size, and scale with the existing buildings at the site and in the surrounding area. While these new buildings may alter the views for individual residents within the campus or on neighboring properties, they would not substantially affect views of scenic vistas from public vantage points or for a substantial number of City residents. Furthermore, as described in Section 3.2.3, the SRC campus is not distinguishable from surrounding developments when viewed from scenic vantage points in the foothills, such as the Villa Montalvo Lookout Point (approximately 1.8 miles to the south); therefore, the proposed development under this alternative would not substantially alter views from these public vantage points. As such, public views of scenic vistas, such as the mountains, would continue to be available and would not be affected by construction or operation of Alternative 3. Therefore, there would be **no impact** related to scenic vistas under Alternative 3, which is the same level of impact as the proposed Project.

Impact AES-2: Scenic Resources

Alternative 3 would be located on the same site as the proposed Project. As discussed for the proposed Project in Section 3.2, *Aesthetics*, the Project site is not located within or adjacent to a State Scenic Highway and views of the site from SR-9 are obstructed by intervening topography and vegetation. Therefore, there would be **no impact** related to scenic resources under Alternative 3, which is the same level of impact as the proposed Project.

Impact AES-3: Scenic Quality

Implementation of Alternative 3 would result in visual changes to the Project site through the construction of new Buildings A, C, and D, the meeting room, fitness center addition, new cottage, changes to internal campus roads and parking areas, and the removal and/or relocation of trees to facilitate the proposed development. The visual changes under this Alternative would occur in similar locations on campus as the proposed Project, except that visual changes would also occur in the northwest corner of the site (Building D) and further south along West Cottages Drive (new cottage). Alternative 3 would avoid the construction of a new building immediately in front of the Manor Building; but would include modification of the grassed slope in this area to

create additional surface parking. Additional trees would be planted along the residential boundary to the east of Building D to provide screening from the adjacent residence and associated yard.

Like the proposed Project, Alternative 3 would include an intensification of the existing senior residential and related uses at the site, and would include a request for a Planned Combined District overlay. With approval of the requested overlay, Alternative 3 would not conflict with applicable zoning.

Alternative 3 would avoid the removal of approximately 6 trees between Manor Drive and the Manor Building that would be removed under the proposed Project (4 of which are protected under the City's Tree Ordinance), but would require additional tree removal in the area of Building D and the new cottage. Based on conceptual design information, it is estimated that approximately 8 trees may need to be removed in the vicinity of proposed Building D, and approximately 2 additional trees may need to be removed near the new cottage. As these areas were not included in the original tree survey for the Project, the number of additional protected trees to be removed cannot be determined. Tree removal near Buildings A and C, the Meeting Room, Fitness Center Addition, secondary access, and entry roundabout would be the same as for the proposed Project. Alternative 3 would require preparation of a revised Arborist Report which would be reviewed by the City arborist, to identify the total number of protected trees that would be removed, to ensure that those trees meet the City's criteria for removal, and that appropriate conditions (including replanting and protection of retained trees) are imposed.

Therefore, for the same reasons described in Section 3.2.3, Alternative 3 would not conflict with the applicable zoning or other regulations affecting scenic quality and there would be **no impact** under Alternative 3, which is the same level of impact as the proposed Project.

As discussed for the Project, with respect to scoping period comments relating to views of the Project site (and particularly of the Manor Building) from surrounding areas and changes to the visual character of the area, under CEQA, the applicable threshold of significance for impacts to scenic quality within urbanized areas does not include degradation to visual character or the quality of public views of the site and its surroundings. Furthermore, CEQA is typically concerned about impacts on the environment of persons generally, rather than impacts on particular persons.[82] *Nonetheless, it is noted that Alternative 3 would avoid the construction of Building B directly in front of the Manor Building, which would involve less visual change for adjacent residents to the north of the campus. Conversely, Alternative 3 would involve construction of Building D and a new cottage on West Cottages Lane, which would be more visible for adjacent residences to the west of the SRC campus.*

Impact AES-4: Light and Glare

Similar to the Project, Alternative 3 would introduce new lighting, which would include nighttime lighting for security purposes around the proposed buildings and parking areas. All outdoor lighting would comply with the City's Municipal Code Section 15-80.030, which requires that outdoor lighting fixtures shall be located, aimed, and shielded to prevent excessive glare or direct illumination onto adjacent properties and public street rights of way; notwithstanding the minimum lighting necessary to ensure adequate safety, night vision, and comfort.

Alternative 3 would include the same number of buildings as the proposed Project. The location and extent of new lighting would generally occur in the same areas of the SRC campus, except

[82] https://ceqaportal.org/tp/CEQA%20Portal%20Topic%20Paper_Thresholds%20of%20Signifcance_2020%20Update.pdf

that new lighting associated with Building D and the new cottage would be closer to the adjacent residences to the west of the campus than new lighting sources under the project. However, due to the existing and proposed landscaping along the western boundary, this minor increase in lighting sources near the western boundary is not anticipated to cause substantial adverse effects to daytime or nighttime views in the area.

Alternative 3 would not include buildings that would use highly reflective surfaces, including glass-sided buildings, or large surface parking areas with potential for reflection from multiple car windshields. Although the proposed new buildings under this alternative would contain windows, the windows would be separated by stucco and architectural treatments, which would limit the potential for substantial glare.

Similar to the proposed Project, Alternative 3 would be required to comply with the City's lighting regulations. In addition, because existing perimeter vegetation would partially screen new sources of lighting or glare from adjacent properties, and because Alternative 3 would not include use of highly reflective surfaces, Alternative 3 would not generate substantial sources of light or glare that would adversely affect day or nighttime views in the area.

Overall, Alternative 3 would result a similar number of buildings and a similar scale of lighting compared to the Project and, as such, light and glare effects would be **less than significant**, which is the same level of impact as the proposed Project.

Air Quality

Impact AIR-1: Conflict with Applicable Air Quality Plan

Construction

Construction of Alternative 3 would include implementation of the same fugitive dust control measures as described for the Project in Section 3.3.3. In addition, as shown in Table 4.4-3 (presented under Impact AIR-2 subheading, below), average daily emissions associated with construction of Alternative 3 would not exceed the BAAQMD thresholds for construction. Therefore, for the same reasons described for the Project, construction of Alternative 3 would not conflict with the 2017 Clean Air Plan and the impact would be **less than significant**. This is the same level of significance as the Project.

Operation

Similar to the Project, Alternative 3 would expand and complement the existing land uses on site, which would be consistent with the land uses designated for the Project site by the City's General Plan. Thus, the intensity of the operational emissions for Alternative 3 has been accounted for in BAAQMD's 2017 Clean Air Plan. In addition, similar to the Project, Alternative 3 would be designed to meet "Build It Green" energy and water saving standards, and the City's WELO requirements. In accordance with the City's Municipal Code Section 16-51.015, the buildings under Alternative 3 would be all-electric, i.e., no natural gas infrastructure would be installed. Similar to the Project, Alternative 3 would not conflict with the 2017 Clean Air Plan's goals to Decarbonize Buildings (BL2) and design Green Buildings (BL1). In addition, as described in more detail under Transportation below, since Alternative 3 would also be developed on the same property as the proposed Project and would provide the same number of residents, the estimated VMT per capita for Alternative 3 would also be more than 15 percent lower than the average daily VMT per capita for the City. Accordingly, Alternative 3 would not conflict with 2017 Clean Air Plan's goals to reduce vehicle travel and emissions from on-road vehicles. Therefore, operation of Alternative 3 would not conflict with an applicable air quality plan, and this impact would be **less than significant**, which is the same level of impact as the Project.

Impact AIR-2: Net Increase in Criteria Pollutants

Construction

As described in Section 4.6.1 above, the types of construction equipment for Alternative 3 would be similar to the proposed Project; although additional equipment such as a concrete saw, hoe-ram, and/or hydraulic shears would be required for the demolition of the cottage. The overall construction duration for Alternative 3 would be longer than for the Project, and would also require additional haul truck trips associated with the off-haul of the demolition debris.

Table 4.6-3 presents the comparison of the total, maximum annual, and maximum average daily emissions associated with construction activities under Alternative 3 and the proposed Project. The total construction emissions over the entire construction period associated with Alternative 3 would be slightly lower than the total construction-related emissions associated with the Project across all criteria air pollutants, primarily because construction under Alternative 3 would extend the construction schedule such that the majority of activities would occur in later years than the construction schedule assumed for the Project. Because construction would occur in later years, exhaust-related emissions are anticipated to result in lower levels of emissions due to advancements in engine technology, retrofits, and equipment fleet turnover as stricter regulatory standards take effect. However, because Alternative 3 would also involve demolition of the

northernmost cottage and construction of the new cottage in the same year as construction of Building C, Building D, Meeting Room, and Fitness Center Addition, the maximum annual emissions of ROG and NOX would be higher than the maximum annual emissions for the proposed Project, but would not exceed the applicable BAAQMD thresholds of significance.

Table 4.6-3 Average Daily, Maximum Annual, and Total Criteria Pollutant Construction Emissions for Alternative 3 and the Proposed Project

Description	Alt 3 ROG	Alt 3 NO_X	Alt 3 PM_{10} (Exhaust)	Alt 3 $PM_{2.5}$ (Exhaust)	Project ROG	Project NO_X	Project PM_{10} (Exhaust)	Project $PM_{2.5}$ (Exhaust)
Maximum Annual Emissions (tons)[1,2]	3.77	3.02	0.12	0.11	2.74	3.25	0.14	0.13
Maximum Average Daily Emissions (lb/day)	28.89	23.13	0.91	0.85	33.83	24.83	1.04	0.98
Thresholds of Significance	54	54	82	54	54	54	82	54
Exceeds Threshold?	No	No	No	No	No	No	No	No
Total Emissions (tons) over entire construction period	4.89	5.53	0.22	0.21	5.17	5.97	0.25	0.23

*Source: Estimated by AECOM. See **Appendix C** for detailed modelling assumptions, outputs, and results. Notes:*

1 *For the purposes of the comparison table, maximum annual emissions are shown for the Project. Maximum annual emissions for ROG would occur in 2025; while maximum annual emissions for NO_X, PM_{10}, and $PM_{2.5}$ would occur in 2024. Average daily emissions are calculated based on 262 construction workdays in 2024 and 162 construction workdays in 2025.*

2 *For the purposes of the comparison table, maximum annual emissions are shown for Alternative 3. Maximum annual emissions for all criteria air pollutants would occur in 2026. Average daily emissions are calculated based on 261 construction workdays in 2026.*

Acronyms: Alt 3 = Alternative 3; lb/day = pounds per day; ROG = reactive organic gases; NO_X = oxides of nitrogen; PM_{10} = particulate matter less than 10 microns in diameter; $PM_{2.5}$ = particulate matter less than 2.5 microns in diameter.

Similar to the Project, fugitive dust emissions are considered to be significant unless the BAAQMD's BMPs for fugitive dust control are implemented during construction. Therefore, even though other criteria pollutants would be below the applicable thresholds of significance, construction-related impacts from Alternative 3 would be **potentially significant** due to fugitive dust.

The same mitigation measure required for the proposed Project would also be required for Alternative 3, which is:

> ***MM-AIR-2: Fugitive Dust Reduction Measures.*** *(See Section 3.3.3 for details of this measure).*

With implementation of Mitigation Measure MM-AIR-2, Alternative 3 would not result in a cumulatively considerable net increase of any criteria pollutant for which the region is in nonattainment of applicable federal or state ambient air quality standard. Implementation of MM-AIR-2 would therefore reduce Alternative 3 construction impacts from fugitive dust emissions to **less than significant with mitigation**. This is the same level of significance as the Project.

Operation

Similar to the Project, after construction, long-term emissions of criteria air pollutants would be generated from area, stationary, and mobile sources during operation of Alternative 3. As discussed previously, Alternative 3 would include the same number of independent living units as the Project, and the same number of employees on site. The number of vendor trips under Alternative 3 is therefore anticipated to be the same as the Project. Therefore, mobile source emissions associated with Alternative 3 operation would be the same as the Project. Since Alternative 3 would not utilize any natural gas for water or space heating, similar to the Project, it is not anticipated to result in any energy-source emissions of criteria air pollutants. Since Alternative 3 would involve no net increase in the number of buildings compared to the project Alternative 3 would result in the same area source emissions (e.g., periodic architectural coatings). Since Alternative 3 would accommodate the same number of units (i.e., residents) as the Project, emissions from consumer products are anticipated to be similar. Alternative 3 would also require the same number of emergency generators as the Project, so stationary-source emissions would also be the same. Therefore, overall operational emissions associated with Alternative 3 are anticipated to be the same as for the Project (shown in Table 3.3-16 in Section 3.3 above). Because operational emissions from Alternative 3 would not exceed the BAAQMD daily or annual thresholds, Alternative 3 would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state AAQS and the impact of Alternative 3 would be **less than significant**, which is the same level of impact as the Project.

Impact AIR-3: Exposure of Sensitive Receptors to Pollutants

Construction

Similar to the Project, the greatest potential for exposure during construction of Alternative 3 would be related to toxic air contaminant emissions, including diesel PM, associated with heavy-duty equipment operations and on-road motor vehicles. Diesel PM is a subset of the PM2.5 exhaust emissions; PM2.5 exhaust is used as a surrogate for diesel PM for health risk assessment purposes. As shown above in Table 4.4-3, total PM2.5 exhaust emissions under Alternative 3 would be slightly lower than the total PM2.5 exhaust emissions under the Project. However, under Alternative 3, activities and emissions associated with the demolition of the existing cottage and construction of Building D and the new cottage would occur closer to the off-site sensitive receptors located at Burgundy Way and Chablis Court, to the west.

In addition, since exhaust PM2.5 emissions would only be 0.02 tons lower, it is anticipated that construction of Alternative 3 would potentially exceed the annual PM2.5 concentrations and excess cancer risk thresholds, similar to the proposed Project. Construction-related impacts related to the exposure of sensitive receptors to substantial pollutant concentrations from Alternative 3 would therefore be **potentially significant**.

The same mitigation measure required for the proposed Project would also be required for Alternative 3, which is:

> ***MM-AIR-3: Require Clean Construction Equipment.*** *(See Section 3.3.3 for details of this measure).*

Implementation of Mitigation Measure MM-AIR-3, which would require the use of Tier 4 Final construction equipment for equipment with engines rated 50 horsepower or greater, would be required to reduce substantial pollutant concentrations. While total PM2.5 exhaust emissions are anticipated to be slightly lower under Alternative 3, the total duration of exposure would be

longer under Alternative 3 than the proposed Project due to the longer construction duration, and some construction activities (demolition of the cottage and construction of Building D and the new cottage) would occur closer to off-site receptors to the west of the campus. A detailed Health Risk Assessment under this alternative has not been completed to quantify potential health impacts.

Therefore, the following additional mitigation measure (not required for the proposed Project) would be required for Alternative 3:

> ***MM-AIR-3-ALT3: Health Risk Assessment***
>
> *Prior to issuance of grading permits for Alternative 3, the Project Applicant shall conduct a health risk assessment for construction activities to calculate maximum PM2.5 annual concentrations, excess cancer risk, and chronic non-cancer risk, associated with Alternative 3 construction emissions, and identify additional measures to be implemented, as necessary, to ensure that sensitive receptors are not exposed to substantial pollutant concentrations. The analysis may include screening level analysis and/or a health risk assessment, consistent with applicable guidance from the BAAQMD. The City of Saratoga shall require the Project Applicant to implement feasible mitigation measures to reduce exposure of sensitive receptors to substantial pollutant concentrations to levels consistent with thresholds recommended by the BAAQMD (as shown in Table 3.3-7 of this EIR) or as applicable at the time the project is proposed. Agreed upon feasible mitigation actions shall be documented as a project condition of approval.*

With implementation of MM-AIR-3 and MM-AIR-3-ALT3, construction of Alternative 3 would be reduced to **less than significant with mitigation**, which is the same level of significance as the Project.

Operation

As described previously, Alternative 3 would include the same number of independent living units as the Project, and the same number of employee and vendor trips. Therefore, emissions from mobile sources and the associated exposure of sensitive receptors to the toxic air contaminants, would be similar under operation of Alternative 3 as the Project. Alternative 3 would include the same number of emergency generators as the Project; however, the emergency generator in Building D would be approximately 75 feet closer to the nearest off-site sensitive receptor than the emergency generator located in Building B under the Project. As such, the nearest off-site sensitive receptor may experience slightly higher maximum annual $PM_{2.5}$ concentrations. As shown in Table 3.3-14 through Table 3.3-16 in Section 3.3 of this EIR, Project operations would not expose offsite and on-site sensitive receptors to substantial pollutant concentrations. Since the pollutant concentrations are anticipated to be similar under Alternative 3 and BAAQMD permitting requirements would ensure that emissions from all emergency generators, including the generator proposed in Building D, would not exceed health risk thresholds under BAAQMD Regulation 2, Rule 1, implementation of Alternative 3 would also not expose sensitive receptors to substantial pollutant concentrations. This operational impact would be **less than significant**, which is the same level of significance as the Project.

Impact AIR-4: Other Emissions Including Those Leading to Odors

Construction

Construction activities under Alternative 3 would generate similar typical construction-related odors to those described for the Project in Section 3.3.3, but for a longer duration due to the longer construction period required for this alternative. For the same reasons described for the Project, impacts from other emissions (such as those leading to odors) from construction of Alternative 3 would be **less than significant**. This is the same level of significance as the Project.

Operation

Operation of Alternative 3 would include the same types of land uses as the Project, which are not typical odor-generating facilities and would be similar to the uses surrounding the project site. Therefore, for the same reasons described for the Project in Section 3.3.3, operation of Alternative 3 would not result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. This operational impact would be **less than significant**, which is the same level of significance as the Project.

Biological Resources

Impact BIO-1: Impacts to Candidate, Sensitive, or Special Status Species

Alternative 3 would have very similar impacts to special status species as the proposed Project, except that the area where potential disturbance of nesting birds could occur would be slightly larger due to the increased construction footprint. For the same reasons described for the proposed Project in Section 3.4, removal of trees with nesting birds during construction of Alternative 3 could result in direct nest destruction and failure, while construction-related noise and vibration could cause indirect impacts, both of which would be **potentially significant.**

The same mitigation measure required for the proposed Project would also be required for Alternative 3, which is:

MM-BIO-1: Nesting Bird Avoidance Measures. *(See Section 3.4.3 for details)*

For the same reasons as described for the proposed Project in Section 3.4.3, with implementation of MM-BIO-1, the impact of Alternative 3 on special-status species would be reduced to **less than significant with mitigation**, which is the same level of significance as the proposed Project.

Impact BIO-2: Impacts to Riparian Habitat or Other Sensitive Natural Communities

As described for the proposed Project in Section 3.4, no riparian habitat or other sensitive natural communities are located within or immediately adjacent to the proposed Project footprint. Additional disturbance areas associated with Alternative 3 (Building D and the new cottage) are also within previously disturbed areas of the site and do not contain riparian habitat or other sensitive natural communities. Because Alternative 3 would not require construction in any riparian habitat or other sensitive communities, there would be **no impact**, which is the same level of significance as the proposed Project.

Impact BIO-3: Impacts to State or Federally Protected Wetlands

As described for the proposed Project in Section 3.4, no state or federally protected wetlands are located within or immediately adjacent to the proposed Project footprint. Additional disturbance areas associated with Alternative 3 (Building D and the new cottage) are also within previously disturbed areas of the site and do not contain any state or federally protected wetlands. Because Alternative 3 would not require construction in or near any wetlands; there would be **no impact** on wetlands, which is the same level of significance as the proposed Project.

Impact BIO-4: Impacts to Fish or Wildlife Movement, Migration or Nursery Sites

Alternative 3 would have very similar impacts fish or wildlife movement, migration or nursery sites as the proposed Project, except that the potential areas where disturbance of roosting bats could occur would be slightly increased due to the larger construction footprint. For the same reasons described for the proposed Project in Section 3.4, if construction of Alternative 3 were to remove trees containing bats during the maternity or winter season, bat mortality could occur, and the impact to common bat species would be **potentially significant**.

The same mitigation measure required for the proposed Project would also be required for Alternative 3, which is:

MM-BIO-4: Roosting Bat Surveys and Avoidance. *(See Section 3.4.3 for details)*

Implementation of MM-BIO-4 would protect roosting bats during construction of Alternative 3 for the same reasons as described for the proposed Project in Section 3.4.3, and the potential

impact of Alternative 3 to wildlife movement, migration, or nursery sites would be reduced to **less than significant with mitigation**. This is the same level of impact as the proposed Project.

Impact BIO-5: Conflict with Local Policies or Ordinances Protecting Biological Resources

Tree removal near Building A, Building C, the Meeting Room, the Fitness Center Addition, secondary access, and entry roundabout would be the same as for the proposed Project. Alternative 3 would avoid the removal of approximately 6 trees between Manor Circle and Manor Building, that would be removed under the proposed Project (4 of which are protected under the City's Tree Ordinance); but would require removal of additional trees in the vicinity of proposed Building D and the new cottage. The exact number of additional trees required to be removed from these areas, and how many of those would be protected under the City's Tree Ordinance, is unknown, as a formal tree survey of these areas has not been undertaken and detailed construction plans have not been developed for this alternative. However, based on conceptual design information, it is estimated that approximately 8 trees may need to be removed in the vicinity of proposed Building D, and approximately 2 additional trees may need to be removed near the new cottage. Based on these estimated numbers, the total number of trees anticipated to be removed for Alternative 3 would be 128, which is 4 more trees in total than the proposed Project (in total; the difference in the number of protected trees is unknown).

Similar to the Project, Alternative 3 would require preparation of an Arborist Report which would be reviewed by the City arborist, to ensure that trees proposed for removal meet the City's criteria for removal and that appropriate conditions (including replanting and protection of retained trees) are imposed. With adherence to the permit conditions, Alternative 3 would not conflict with the City's tree ordinance.

Alternative 3 would also not conflict with policies of the Open Space and Conservation Elements of the General Plan, for the same or similar reasons to those described for the proposed Project in Table 3.4-2 in Section 3.4 above. While the exact number and location of trees and mature vegetation to be removed under the alternative would be different from the Project, as described above, the same process for complying with the City's Tree Ordinance would be followed and similar conditions would be imposed and adhered to (Policies OSC 11.5, OSC 12.1, OSC 12.2).

Overall, Alternative 3 would not be anticipated to conflict with any applicable local policies or ordinances protecting biological resources and would comply with all requirements of the City's Tree Ordinance. Therefore, potential impacts relating to local policy conflicts from Alternative 3 would be **less than significant**, which is the same level of impact as the proposed Project.

Impact BIO-6: Conflict with Habitat Conservation Plans or Natural Community Conservation Plans

As discussed for the proposed Project, there are no Habitat Conservation Plans or Natural Communities Conservation Plans that apply to the SRC campus; therefore, Alternative 3 would not conflict with any such plans and would have **no impact**, which is the same level of impact as the proposed Project.

Cultural Resources

Impact *CUL-1: Adverse Change to Historical Resources*

Alternative 3 would not involve the construction of Building B and related circulation improvements between Manor Circle and the Manor Building; but would include substantial grading and excavation between Manor Circle and Odd Fellows Drive in order to construct the new parking lot in this location. Alternative 3 would also include construction of a new Building D in the northwest corner of the property (approximately 100 feet from the Manor Building) and a new cottage further south on West Cottages Lane (approximately 300 feet southwest of the Manor Building). All other components of Alternative 3 (Building A, Building C, Meeting Room, and Fitness Center Addition) would be identical to that described for the proposed Project.

As summarized in Table 4.5-4 below, and discussed in more detail below the table, the only components of Alternative 3 that would potentially conflict with the SOI standards would be the construction of the Meeting Room Addition and the proposed new parking lot.

Table 4.6-4 Summary of Adherence to Secretary of the Interior's Standards for Rehabilitation – Alternative 3

SOI Standard	New Parking Lot	Meeting Room	Building D, New Cottage & Other Components
1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.	No conflict	No conflict	No conflict
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.	Potential conflict	No conflict	No conflict
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.	No conflict	No conflict	No conflict
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.	No conflict	No conflict	No conflict
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.	No conflict	No conflict	No conflict
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.	No conflict	No conflict	No conflict
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible	No conflict	No conflict	No conflict
8. Significant archaeological resources affected by a Project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.	No conflict	No conflict	No conflict
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.	Potential conflict	Potential conflict	No conflict
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.	No conflict	No conflict	No conflict

The following analysis addresses each of the proposed elements of Alternative 3, in turn.

Building D: Demolition of the existing cottage and employee parking lot, and construction of Building D under Alternative 3 would not remove or alter any character-defining features of the Manor Building and would not create any indirect impacts on the Manor Building's setting, due to the distance and oblique angle of the Building D site from the Manor Building. This element of Alternative 3 would not conflict with any of the SOI Standards.

New Parking Lot: Construction of the proposed new parking lot between Manor Circle and Oddfellows Drive under Alternative 3 would alter the character-defining landscaped slope and the curvilinear driveway in front of the Manor Building by removing a portion of the landscaped slope and regrading it into a flat parking lot and introducing pavement and other parking features, and interrupting the curbs of the curvilinear driveway to accommodate ingress and egress for the parking lot, which could conflict with SOI Standards 2 and 9. However, a reasonable portion of each character-defining feature that represents the overall character of these features would be retained; therefore, Alternative 3 would avoid substantial alteration of features and spaces that characterize the historical resource and would not conflict with SOI Standard 2. Construction of the new parking area could conflict with SOI Standard 9 if damage to the character-defining features of the Manor Building were to occur during construction or if new features of the parking lot were outsized or visually incompatible. Therefore, this element of Alternative 3 could result in a potentially significant impact to the historical resource.

New Cottage: Construction of a new cottage across West Cottages Lane from the proposed Fitness Center Addition would not remove or alter any character-defining features of the Manor Building, including the setting, due to the distance from the Manor Building. This element of Alternative 3 would not conflict with any of the SOI Standards.

Meeting Room Addition: Under Alternative 3, the Meeting Room Addition would be constructed identical to the proposed Project which would directly impact the Manor Building with removal and/or alteration of character-defining features represented in the west (secondary) elevation and have a direct impact to the T-shaped plan of the Manor Building which is a character-defining feature of the historical resource, as described for the Project in Section 3.5. While the loss of these character-defining features cannot be avoided by the Alternative 3, the majority of character-defining features of the Manor Building and its setting would remain, including all of its Mission Revival-style architectural features, and the Meeting Room would not conflict with SOI Standard 2. Although the overall design of the Meeting Room Addition is differentiated but compatible with the Manor Building and would not conflict with SOI Standard 3, the same recommendation to install a cornerstone with date stamp to further differentiate the new construction, particularly for the general public, is recommended (see implementation measure ***IM-CUL-1: Meeting Room Cornerstone***, described in Section 3.5.3), but is not required in order to comply with SOI Standard 3. As discussed in Section 3.5.3, construction of the Meeting Room Addition could conflict with SOI Standard 9, if damage to the Manor Building were to occur during construction of the Meeting Room Addition, which could result in a potentially significant impact to the historical resource.

Building A, Building C, and Fitness Center Addition: Under Alternative 3, construction of Building A, Building C, and the Fitness Center Addition would be identical to the proposed Project. As described for the proposed Project in Section 3.5.3, construction of these components would not remove or alter any character-defining features of the Manor Building, including the setting, due to their distance from the Manor Building. These elements of Alternative 3 would not conflict with any of the SOI Standards.

Summary: Overall, Alternative 3 could result in the substantial adverse change to the Manor Building due to the potential for damage to character-defining features during construction of the Meeting Room or new parking lot. Additionally, the construction of the new parking lot within the landscaped slope and curvilinear driveway in front of the Manor Building could potentially result in a substantial adverse change to the setting of the Manor Building due to alteration of these character-defining features. Therefore, Alternative 3 could have a **potentially significant** impact to the historic resource.

The same mitigation measures required for the proposed Project would also be required for Alternative 3, which are:

> ***MM-CUL-1a: Historical Resource Protection Plan*** *(See Section 3.5.3 for details of this mitigation measure).*
>
> ***MM-CUL-1b: Archival Documentation (HABS/HALS)*** *(See Section 3.5.3 for details of this mitigation measure).*
>
> ***MM-CUL-1c: Interpretive Program*** *(See Section 3.5.3 for details of this mitigation measure).*

Implementation of Mitigation Measure MM-CUL-1a would reduce potential impacts to the Manor Building from damage during construction of the Meeting Room Addition to the same extent and for the same reasons described for the proposed Project in Section 3.5.3. It would also reduce potential impacts from accidental damage during construction of the new parking lot, for similar reasons.

As discussed above, because detailed design for the new parking lot has not been undertaken, it is possible that new features of the parking lot could be outsized or visually incompatible with the historical resource such that character-defining features would be substantially impaired. Implementation of Mitigation Measures MM-CUL-1b and MM-CUL-1c would record the character-defining features of the Manor Building and its setting for archival and educational purposes and commemorate them for public interpretation and enjoyment; however, as discussed for the proposed Project in Section 3.5.3, archival recordation and interpretive programs are not generally considered sufficient mitigation to offset the loss or deterioration of character-defining features. Therefore, the following additional mitigation measure (not required for the proposed Project) would be required for Alternative 3.

> ***MM-CUL-1d-ALT3: Design Review for Parking Lot***
>
> *Prior to issuance of a grading permit for Alternative 3, the Project Applicant shall submit detailed designs for the proposed parking lot to the City for design review by an architectural historian who meets the Secretary of the Interior's Professional Qualification Standards. The Project Applicant shall revise the design, as needed, based on the recommendations of the architectural historian, to avoid substantial adverse changes to the setting of the Manor Building.*

Implementation of Mitigation Measure MM-CUL-1d-ALT3 would reduce potential impacts to the Manor Building from the construction of the new parking lot by requiring review of detailed design plans by a qualified architectural historian, to confirm that the design would not contain any features that are incompatible with the historic setting of the Manor Building. With implementation of MM-CUL-1d-ALT3, the new parking lot would meet SOI Standards 2 and 9.

As such, with implementation of MM-CUL-1a through MM-CUL-1c and MM-CUL-1d-ALT3, Alternative 3 would meet all of the SOI Standards and the impact of Alternative 3 on historical resources would be **less than significant with mitigation,** which is a lesser level of impact as the proposed Project. This alternative would avoid the significant and unavoidable impact to historical resources because Building B would not be constructed.

Impact CUL-2: Adverse Change to Archaeological Resources

As described for the Project in Section 3.5.1, highly disturbed historic-period refuse was identified during the survey within the footprint of proposed Building C and there is potential for encountering as yet unrecorded subsurface precontact and historic period archaeological resources throughout the property. Due to the increased footprint of Alternative 3, the potential for encountering such resources would be slightly higher than that described for the proposed Project, and the impact would be **potentially significant**.

The same mitigation measure required for the proposed Project would also be required for Alternative 3, which is:

> ***MM-CUL-2: Inadvertent Discovery Plan*** *(See Section 3.5.3 for details of this mitigation measure).*

Implementation of Mitigation Measure MM-CUL-2 would reduce potential impacts to archaeological resources under Alternative 3 for the same reasons described for the proposed Project in Section 3.5.3. As such, with implementation of MM-CUL-2, the impact of Alternative 3 on archaeological resources would be **less than significant with mitigation,** which is the same level of impact as the proposed Project.

Impact CUL-3: Disturbance of Human Remains

As described in Section 3.5, the SRC campus has a low sensitivity for buried Native American archaeological deposits and cultural materials, which could include human remains, based on negative SLF and NWIC records searches and negative test excavations. However, human remains can be encountered in fill, re-deposited, or disturbed soils, as well as intact soils, and tribal representatives have expressed concerns about the sensitivity of the entire SRC property based on anecdotal reports presented during the scoping period about the potential presence of Native American artifacts and a possible burial ground (refer Section 3.17, *Tribal Cultural Resources*). If human remains were uncovered during demolition or excavation activities as part of Alternative 3, the procedures in California Health and Safety Code Sections 7050.5, 7051, and 7054 and PRC Section 5097 would be followed, which would reduce potential impacts to **less than significant**, which is the same level of impact as the proposed Project.

Energy

Impact ENE-1: Wasteful, Inefficient, or Unnecessary Consumption of Energy Resources

Construction

Due to the extended construction duration of Alternative 3 compared to the Project, Alternative 3 would result in higher overall energy consumption associated with the use of transportation fuels (e.g., gasoline, diesel fuel). Alternative 3, similar to the Project, would not include unusual characteristics that would necessitate the use of construction equipment that is less energy-efficient than the equipment used at comparable construction sites, and construction contractors would be required, in accordance with MM-AIR-2, and the CARB Airborne Toxic Control Measure for Diesel-Fueled Commercial Motor Vehicle Idling, to minimize the idling time of construction equipment and maintain and properly tune all construction equipment in accordance with manufacturer specifications.

As with the Project, Alternative 3 would also be required to comply with solid waste regulations listed in the City's Municipal Code, the 2022 CALGreen Code, and Policy LU 6.3 of the City's General Plan, which requires implementation of the City's Construction Materials Recycling Program to reduce the quantity of construction debris disposed in local landfills, which would reduce wasteful and unnecessary energy consumption.

Therefore, Alternative 3 would not result in the wasteful, inefficient, and unnecessary consumption of energy, and this impact would be **less than significant.** This is the same level of impact as the proposed Project.

Operation

Similar to the Project, operation of Alternative 3 would result in energy consumption from building operations (e.g., building heating and cooling, lighting, appliances) and transportation fuel (e.g., fuel usage for vehicle trips from residents, employees, and visitors). Alternative 3 would result in the same number of new residents and staff as the proposed Project; therefore, the transportation-related energy demand associated with operations would be similar to the proposed Project.

Consistent with the City's municipal code requirements for new construction, Alternative 3 would not include any new natural gas infrastructure. Alternative 3 would also be required to comply with energy efficiency standards set forth by Title 24 of the California Administrative Code and the Appliance Efficiency Regulations, and "Build It Green" energy and water saving standards. Alternative 3 proposes to demolish one of the existing cottages, a building that has not reached the end of its useful life as it was only constructed in 2004. Air districts throughout California, including the South Coast Air Quality Management District (2008) and San Luis Obispo Air Pollution Control District (2021), consider the operational lifetime of commercial and residential buildings to be between 25 and 30 years. As the cottage is less than 20 years old, demolition of this building may be considered premature and unnecessary as the building has not reached its operational lifetime. However, the existing cottage would be replaced with a new cottage which would be built to comply with the most recent energy standards available at the time of design and would be more energy efficient.

For the same reasons described in Section 3.6.3, operation of Alternative 3 would not result in inefficient, wasteful, and unnecessary consumption energy and this impact is **less than significant**. This is the same level of impact as the proposed Project.

Impact ENE-2: Conflict with or Obstruct a Renewable Energy or Energy Efficiency Plan

As with the Project, construction and operation of Alternative 3 would not conflict with or interfere with any renewable energy or energy efficiency plan. For the same reasons described in Section 3.6.3, Alternative 3 would be consistent with the actions and strategies included in the City's Climate Action Plan and BAAQMD 2017 Clean Air Plan. Therefore, impacts related to conflicts or obstruction of a state or local plan for renewable energy or energy efficiency under Alternative 3 would be **less than significant**, which is the same level of impact as the Project.

Geology

Impact GEO-1: Seismic Hazards

As described for the Project in Section 3.7.3, the Project site could be subject to a very strong level of seismic ground shaking. However, the Project site is not located within an Alquist-Priolo Zone or within or immediately adjacent to the trace of any other known fault. The potential for seismic hazards at Buildings A and C, the Meeting Room, and the Fitness Center Addition under Alternative 3 would be identical to that described for those components of the proposed Project in Section 3.7.3.

There are no mapped landslide deposits or liquefaction zones at the locations of the proposed new Building D or new cottage under Alternative 3, and neither of these areas are identified as having significant potential for ground movement (Cotton Shires and Associates 2013). These additional construction areas are anticipated to have similar geotechnical conditions as described for the Meeting Room and Fitness Center Addition, respectively.

As with the proposed Project, Alternative 3 would be designed and constructed in compliance with recommendations of a geotechnical engineer to ensure compliance with the seismic design requirements of the CBC and the City's Municipal Code. Therefore, for the same reasons described for the Project in Section 3.7.3, impacts related to seismic hazards under Alternative 2 would be **less than significant**, which is the same level of significance as the Project.

Impact GEO-2: Substantial Soil Erosion or Loss of Topsoil

Similar to the proposed Project, Alternative 3 would require a variety of earthmoving activities, including excavating, trenching, grading, tree removal, and compacting, which could result in erosion and loss of topsoil. The potential for construction-related erosion under Alternative 3 would be reduced by the implementation of standard erosion control measures during site preparation and grading activities. As described for the Project, the Project Applicant would be required to obtain a grading permit from the City as required by Municipal Code Article 16-17, and construction activities would be carried out in accordance with applicable City standard erosion control practices and the requirements of the NPDES Construction General Permit issued by the San Francisco RWQCB, as applicable. In accordance with these requirements, a SWPPP would be prepared that incorporates BMPs to control stormwater erosion during the construction period.

Once construction of each proposed building is complete, disturbed areas would be covered completely by paving, structures, and landscaping, which would not leave any exposed areas of bare soil susceptible to erosion. Thus, for the same reasons as described for the Project in Section 3.7.3, the impacts of Alternative 3 due to erosion or topsoil loss would be **less than significant**. This is the same level of significance as the Project.

Impact GEO-3: Unstable Soils

The potential for impacts relating to unstable soils at Buildings A and C, the Meeting Room, and Fitness Center addition under Alternative 3 would be identical to that described for the proposed Project in Section 3.7.3. The additional construction areas for Alternative 3 (Building D and the new cottage) are underlain by the same "Urban land-Flasken complex, 0 to 2 percent slopes" soil unit as described for the Project.

As part of the Geotechnical Report prepared for the Project, it was noted that differential settlement could occur at the Project site due to the differential thickness of soil/engineered fill above the bedrock surface. To minimize the effects of differential settlement across fill and bedrock transitions, the Geotechnical Report recommended that building pads be over-

excavated to provide a uniform soil cushion foundation support and that fill thickness should be at least 24 inches below the footing bearing level and should extend at least 5 feet laterally beyond the building footprints to reduce impacts from differential settlement.

Alternative 3, as with the Project, would include the excavation and recompaction of soils within the proposed building footprints and would include the development of foundation systems in compliance with the CBC, which would require proper construction of building foundations to reduce impacts related to settlement or collapse of soils to a less than significant level. Further, similar to the Project, Alternative 3 would comply with the recommendations of the Geotechnical Report completed for the Project site to minimize the effects of differential settlement across fill and bedrock transitions.

As with the Project, Alternative 3 would comply with CBC requirements, and, prior to the approval of building plans, recommendations from the Geotechnical Report would be incorporated into the project design to meet applicable State and City Code regulations. Therefore, for the same reasons described for the Project in Section 3.7.3, with adherence to the CBC and the recommendations of the Geotechnical Report, impacts related to unstable soils under Alternative 3 would be **less than significant**, which is the same level of significance as the Project.

Impact GEO-4: Expansive Soils

Similar to the Project, Alternative 3 would encounter and remove near surface soils during excavation activities. The potential for impacts relating to expansive soils at Buildings A and C, the Meeting Room, and Fitness Center addition under Alternative 3 would be identical to that described for the proposed Project in Section 3.7.3. The additional construction areas for Alternative 3 (Building D and the new cottage) are underlain by the same “Urban land-Flasken complex, 0 to 2 percent slopes” soil unit as described for the Project, which have a low expansion index. In addition, soils would be excavated and replaced as compacted fill pursuant to the CBC requirements that are included in the City’s Municipal Code Section 16-15.010.

As such, for the same reasons described for the proposed Project in Section 3.7.3, impacts related to expansive soils or corrosive soils under Alternative 3 would be **less than significant**, which is the same level of significance as the Project.

Impact GEO-5: Soil Suitability for Septic Systems

Alternative 3, as with the Project, would not use septic tanks or alternative methods for disposal of wastewater into subsurface soils, and would connect to existing public wastewater infrastructure. Therefore, for the same reasons described for the Project, Alternative 3 would have **no impact** related to soil suitability for septic systems. This is the same level of significance as the Project.

Impact GEO-6: Damage or Destruction of Unique Paleontological Resources

As discussed for the Project, there are no unique geologic features within or adjacent to the SRC campus. Nonetheless, excavations under Alternative 3, as with the Project, would occur within geological units that are considered to be of high paleontological sensitivity, and therefore could result in accidental damage to, or destruction of, unique paleontological resources. Such impacts could be **potentially significant.**

The same mitigation measure required for the proposed Project would also be required for Alternative 3, which is:

> ***MM-GEO-6: Paleontological Resource Avoidance Measures.*** *(See Section 3.7.3 for details of this measure).*

Implementation of Mitigation Measure MM-GEO-6 would reduce potential impacts to unique paleontological resources from Alternative 3 for the same reasons described for the proposed Project in Section 3.7.3. As such, with implementation of MM-GEO-6, impacts to paleontological resources from Alternative 3 would be **less than significant with mitigation**. This is the same level of significance as the Project.

Greenhouse Gas Emissions

Impact GHG-1: GHG Emissions

Construction

Although the construction schedule for Alternative 3 would be longer than the construction schedule for the proposed Project, total GHG emissions for Alternative 3 are anticipated to be similar to the proposed Project. This is primarily because construction under Alternative 3 would occur in later years than for the Project. As construction occurs in later years, exhaust-related emissions are anticipated to result in lower levels of emissions due to advancements in engine technology, retrofits, and equipment fleet turnover as stricter regulatory standards take effect. Construction of Alternative 3 would generate approximately 1,500 MT CO_2e compared to approximately 1,493 MT CO_2e that would be generated by construction of the Project (i.e., 8 MT CO_2e more than the Project over their respective construction periods), as detailed in **Appendix C**.

As described for the Project in Section 3.8.3, construction-related emissions are amortized over the life of the Project (assumed to be 30 years) and added to the operational emissions. As such, construction of Alternative 3 would result in approximately less than one MT CO_2e per year more than the proposed Project.

Operation

As discussed in more detail in Section 3.8.3, the GHG emissions impact analysis for the Project was evaluated using the BAAQMD-Recommended Design Features thresholds adopted in April 2022, as well as a GHG efficiency metric threshold for an evaluation under the State's shorter term goal of SB 32. The same approach is used to evaluate the GHG emissions impact analysis for Alternative 3.

Evaluation Against BAAQMD-Recommended Design Features

Under the evaluation against the BAAQMD-Recommended Design Features, Alternative 3 would have the same project design features as the Project, including being constructed without natural gas infrastructure (in accordance with City's Municipal Code Section 16-51.015); operations would not result in any wasteful, inefficient, or unnecessary energy usage; and this Alternative would achieve a reduction in project-generated vehicle miles traveled below the regional average.

Therefore, for the same reasons described for the Project in Section 3.8.3, the design features included in Alternative 3 would be consistent with the BAAQMD's recommended project design elements used to evaluate a project's climate change impacts, with the exception of Transportation (b), achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2. Because Alternative 3 would not include the required number of off-street electric vehicle requirements, when assessed against the project design elements recommended by BAAQMD to evaluate land use development projects, the contribution of Alternative 3 to the significant cumulative GHG emission impact would be **potentially cumulatively considerable**.

The same mitigation measure required for the proposed Project would also be required for Alternative 3, which is:

> ***MM-GHG-1a: Require Compliance with Electric Vehicle Requirements in CALGreen Tier 2.*** *(See Section 3.8.3 for full details of this measure).*

With implementation of Mitigation Measure MM-GHG-1a, which would require compliance with the Electric Vehicle Requirements in CALGreen Tier 2, Alternative 3 would include all the project design elements recommended by the BAAQMD, and contribute its fair share of what is needed to attain carbon neutrality under the BAAQMD guidance, and thus, would not conflict with the State's policies of achieving carbon neutrality and the Draft 2022 Scoping Plan. Implementation of MM-GHG-1a would therefore reduce Alternative 3 impacts from GHG emissions to **less than significant with mitigation**. This is the same level of significance as the Project.

Evaluation Against GHG Efficiency Metric

Operation of Alternative 3 would have the same number of independent living units and staff as the Project, and thus, the associated area source, energy, solid waste, water source, and mobile emissions are anticipated to be similar to the proposed Project, and the service population would also be the same. In addition, as described above under construction, Alternative 3 is anticipated to result in less than one additional MT CO_2e per year due to construction, when amortized over the operational lifetime, compared to the Project.

As shown in **Appendix C**, GHG emissions per service population associated with Alternative 3 would exceed the 2030 efficiency threshold described in Section 3.8.3. As such, similar to the Project, implementation of Alternative 3 would contribute to the significant cumulative GHG emission impact and this impact would be **potentially cumulatively considerable** when assessed against the 2030 efficiency metric.

The same mitigation measure required for the proposed Project would also be required for Alternative 3, which is:

> ***MM-GHG-1b: Participation in Silicon Valley Clean Energy Program or On-Site Renewable Energy.*** *(See Section 3.8.3 for full details of this measure).*

With implementation of Mitigation Measure MM-GHG-1b, which would require participation in Silicon Valley Clean Energy Program or include on-site renewable energy such that 100 percent of the electricity demand comes from carbon-free resources, Alternative 3 would not exceed the 2030 local service population thresholds, and Alternative 3, similar to the Project, would not conflict with the State's regulations, including SB 32 and the 2017 Climate Change Scoping Plan. Implementation of MM-GHG-1b would therefore reduce Alternative 3 impacts from GHG emissions to **less than significant with mitigation**. This is the same level of significance as the Project.

Impact GHG-2: GHG Plan, Policy or Regulation Conflicts

As discussed previously, Alternative 3 would be similar to the Project, and would comply with the City's WELO requirements to increase water conservation, be designed to be all-electric, and be consistent with City's Climate Action Plan 2030 categories of renewable energy, energy efficiency, waste reduction, and water conservation. However, for the same reasons as discussed for the Project in Section 3.8.3, and described above in Impact GHG-1, Alternative 3 would conflict with the State's GHG efficiency metric for its 2030 goals and would not include all the recommended project design features required by BAAQMD to achieve California's long-term climate goal of carbon neutrality by 2045. Because Alternative 3 would conflict with

applicable plans, policies, or regulations adopted for the purpose of reducing GHG emissions, the impact would be **potentially significant.**

The same mitigation measures required for the proposed Project would also be required for Alternative 3, which are:

> ***MM-GHG-1a: Require Compliance with Electric Vehicle Requirements in CALGreen Tier 2.*** *(See Section 3.8.3 for full details of this measure).*
>
> ***MM-GHG-1b: Participation in Silicon Valley Clean Energy Program or On-Site Renewable Energy.*** *(See Section 3.8.3 for full details of this measure).*

With implementation of MM-GHG-1a and MM-GHG-1b, Alternative 3 would comply with the applicable plans, policies and regulations, for the same reasons as described for the Project in Section 3.8.3, and the impact would be reduced to **less than significant with mitigation**. This is the same level of significance as the Project.

Hazards and Hazardous Materials

Impact HAZ-1: Hazards from Routine Use, Transport, Disposal, or Accidental Release of Hazardous Materials

Construction

Construction of Alternative 3 would involve similar use, transport, and disposal of hazardous substances such as fuel, oil, and grease as the proposed Project and other construction projects within the City. Under Alternative 3, such uses would occur within additional construction zones on the Project site, compared to the Project. As such, impacts under Alternative 3 would be slightly greater than the Project.

However, as described for the Project in Section 3.9.3, the use and disposal of hazardous materials is heavily regulated at both the federal and state level; and implementation of BMPs which would be required as part of the SWPPP in compliance with the NPDES Construction General Permit. Therefore, impacts related to the routine transport, use and disposal of hazardous materials during construction under Alternative 3 would be **less than significant**, which is the same level of significance as the Project.

Operation

Operation of Alternative 3 would involve similar limited uses of small quantities of typical household, landscaping, and maintenance-related hazardous materials such as cleaning agents, paints, fuels, and pesticides, as the proposed Project and existing operations at the site. For the same reasons as discussed for the Project in Section 3.9.3, the operational impact of Alternative 3 would be **less than significant**, which is the same level of significance as the Project.

Impact HAZ-2: Result in Hazardous Emissions within One-Quarter Mile of a School

As described in Section 3.9.3, the Project site is not within 0.25 mile of a school; therefore, Alternative 3 would not result in hazardous emissions or the handling of hazardous or acutely hazardous materials, substances, or wastes within 0.25 mile of an existing or proposed school. There would be **no impact** from Alternative 3, which is the same level of significance as the Project.

Impact HAZ-3: Result in Hazards from a Cortese-Listed Site

As described in Section 3.9.3, the Project site is not on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5; therefore, for the same reasons described for the Project, Alternative 3 would have **no impact**. This is the same level of significance as the Project.

Impact HAZ-4: Airport-related Safety or Noise Hazards

As described in Section 3.9.3, the Project site is not within an airport land use plan area or within 2 miles of an airport. Therefore, for the same reasons described for the Project, Alternative 3 would have **no impact**. This is the same level of significance as the Project.

Impact HAZ-5: Interfere with an Emergency Response or Evacuation Plan

Construction

Similar to the Project, construction of Alternative 3 would not require any lane closures for any public roadways such as Fruitvale Avenue, and therefore would not block or hinder the City-identified evacuation route on Fruitvale Avenue.

As discussed under Impact TRA-1 below, construction of Alternative 3 would generate less truck traffic than the Project overall, and would result in fewer trips per day, both over the entire construction period and during the most intensive phase. Construction of Alternative 3 would also generate less worker commute trips to the off-site staging area than the proposed Project (208 to 330 commute trips for Alternative 3; compared with 266 to 412 commute trips for the proposed Project) and less worker shuttle trips between the staging area and SRC campus (22 to 34 worker shuttle trips for Alternative 3; compared with 28 to 42 shuttle trips for the Project). For reasons described for the Project in Section 3.9.3, this temporary increase in traffic volumes along Fruitvale Avenue would not be anticipated to hinder the use of Fruitvale Avenue as an emergency evacuation route.

Construction of Alternative 3 is anticipated to require more internal roadway closures than the proposed Project, due to the increased number of construction sites on campus (many of which would overlap) and because the overall construction period would be longer. Therefore, fewer options may be available for alternative access through the campus in case of an emergency evacuation or response during construction. In addition, the movement of large construction vehicles and equipment within the SRC campus and along Odd Fellows Drive, as well as work to remove the existing traffic circle from the entrance to Odd Fellows Drive, could have similar impacts to those described for the proposed Project and could interfere with evacuation of the SRC campus or the neighboring Fellowship Plaza residential development during an emergency situation.

Alternative 3 would include the installation of an additional emergency access and gate between Odd Fellows Drive and Chester Avenue, identical to that described for the proposed Project. This new secondary access, which is required by SCCFD to be constructed and completed prior to all other construction activities at the site, would provide a secondary access point for emergency vehicles to access the SRC campus and Fellowship Plaza property, in the event that Odd Fellows Drive were temporarily blocked by construction activities. However, if evacuating SRC and Fellowship Plaza residents are not kept informed of construction activities and the need to utilize the secondary emergency access, then emergency evacuation from the Project site and the adjacent Fellowship Plaza could be hindered, which would be a **potentially significant** impact.

The same mitigation measure required for the proposed Project would also be required for Alternative 3, which is:

> ***MM-TRA-3a: Construction Traffic Control Plan.*** *(See Section 3.16.3 for full text of this mitigation measure).*

For the same reasons described for the proposed Project in Section 3.9.3, implementation of MM-TRA-3a would reduce potential construction-related impacts to emergency evacuation and response under Alternative 3 to **less than significant with mitigation**. This is the same level of impact as the Project.

Operation

Operation of Alternative 3 would use the same existing vehicular access to the SRC Campus as the proposed Project, would result in the same number of new residents, and would require only a small increase in staffing at the site. As discussed for the Project in Section 3.9.3, the small increase in total population and related increase in operational traffic compared to existing conditions would not have a substantial impact related to impairment of an emergency evacuation or response plan.

In the same manner as described for the Project, the SCCFD would review the development plans prior to approval of the Alternative 3 to ensure adequate emergency access pursuant to the requirements in Section 503 of the California Fire Code (Title 24, CCR, Part 9). For these reasons, the impact for Alternative 3 would be **less than significant**, which is the same level of impact as the Project.

Hydrology and Water Quality

Impact HYD-1: Violate Water Quality Standards

Construction

Similar to the Project, Alternative 3 would include construction activities, including vegetation removal, excavation, grading, material stockpiling, and staging, that would temporarily disturb surface soils. In addition, during construction activities, excavated soil would be exposed, which could increase the potential for soil erosion and transport of sediment downstream at an accelerated rate. Further, construction-related pollutants, such as chemicals, liquid and petroleum products (e.g., paints, solvents, and fuels), and concrete-related waste, could be spilled, leaked, or transported via stormwater runoff, which could have the potential to degrade water quality if they enter runoff and flow into waterways. Because there would be additional construction areas under Alternative 3 compared to the proposed Project, the areas where potential spills could occur would also be greater.

Alternative 3, as with the Project, is required by law to comply with the provisions of the NPDES Construction General Permit, which includes submittal of a Notice of Intent to discharge to the San Francisco Bay RWQCB and requires preparation and implementation of a SWPPP, which would include BMPs to minimize those discharges. Overall, the potential impact related to pollutant loading during construction that would cause exceedances of water quality standards would be reduced to less than significant through compliance with regulatory requirements, implementation of a SWPPP and associated BMPs, and compliance with the San Francisco Basin Plan. Impacts related to water quality standards during construction of Alternative 3 would be **less than significant**, which is the same level of impact as the Project.

Operation

Similar to the Project, Alternative 3 would incorporate underground stormwater drainage infrastructure that would detain and treat/filter runoff in compliance with the NPDES Construction General Permit and the City's Municipal Code. As with the Project, the Project Applicant would prepare a site-specific Stormwater Treatment Plan for Alternative 3, which would incorporate LID stormwater features pursuant to existing regulations, including MS4 Permit requirements, as required by the City and the SCVURPPP, to ensure that implementation of Alternative 3 would not violate any water quality standards, waste discharge requirements, or otherwise degrade water quality. With the implementation of LID stormwater features, Alternative 3, as with the Project, would result in an improvement in the quality of stormwater runoff from the Project site compared to existing conditions. Therefore, impacts related to water quality standards during operation of Alternative 3 would be **less than significant**, which is the same level of impact as the Project.

Impact HYD-2: Substantially Decrease Groundwater Supplies or Interfere with Groundwater Recharge

Construction

As described for the Project in Section 3.7, Geology, soil borings undertaken at the SRC campus to depths of up to 30 feet below the ground surface during geotechnical investigations did not encounter groundwater. As such, it is unlikely, but possible, that groundwater could be encountered during construction activities. However, as with the Project, if necessary, the Project Applicant would apply WDRs for construction dewatering from the San Francisco Bay RWQCB for "low threat" discharge activities that would have minimal potential for adverse water quality effects when implemented according to prescribed terms and conditions. It is anticipated that

Alternative 3 would use a similar or slightly higher volume of water during construction (e.g., for dust control) than the Project, due to the increased area of ground disturbance, and because demolition of the existing cottage would also require water application for dust control. As discussed for the Project, while the source of such water could be from groundwater-derived sources, its use would be temporary and would not be expected to substantially decrease groundwater supplies. Because construction of Alternative 3 would not require substantial dewatering or use substantial volumes of groundwater supplies, the construction-related impact to groundwater would be **less than significant**, which is the same level of impact as the Project.

Operation

During operation of Alternative 3, the SRC campus would continue to receive water primarily from SCVWD's imported surface water, similar to the proposed Project. The number of residents and staff under Alternative 3 would be the same as for the Project; therefore, the amount of operational water use is expected to be similar.

Similar to the Project, Alternative 3 would result in a net increase in impervious surface area at the SRC campus compared to existing conditions due to the construction of several new buildings and parking areas. Detailed pavement and landscaping design and associated calculations for Alternative 3 have not been completed, but based on conceptual building plans, it is anticipated that Alternative 3 would have a similar total area of impervious surfaces as the Project, as the differences between the two layouts would largely offset each other. As for the Project, Alternative 3 would be designed to meet the City's C.3 LID requirements for redevelopment and would include LID stormwater design and drainage features that are designed to promote recharge of the underlying aquifer.

Overall, because Alternative 3 would not use groundwater as a source of water supply or substantially interfere with groundwater recharge, impacts to groundwater supplies or recharge under Alternative 3 would be **less than significant**, which is the same level of impact as the Project.

Impact HYD-3: Substantially Alter Drainage Patterns Resulting in Erosion and Sedimentation, Flooding, Pollution, or Impedance of Flood Flows

Construction

Similar to the Project, construction of Alternative 3 would require excavation, trenching, and grading activities that could alter existing drainage patterns onsite. Alternative 3 would require additional excavation compared to the Project due to the greater number of construction areas and proposed buildings. As discussed above, Alternative 3 would implement a SWPPP and construction BMPs that would address site-specific conditions to reduce erosion and siltation from construction activities. In addition, Alternative 3 would comply with Section 16-17 of the City's Municipal Code, which regulates excavation and grading, to reduce or eliminate the potential of erosion or alteration of a drainage pattern during construction activities. With implementation of existing regulations that would be verified by the City during the permitting approval process, impacts with respect to substantial erosion or siltation, increases in stormwater runoff, or impediment of flood flows under Alternative 3 would be **less than significant**, which is the same level of impact as the Project.

Operation

As described above, Alternative 3 would result in a similar net increase in impervious surface area than the proposed Project, and would largely maintain existing drainage patterns at the property. Similar to the proposed Project, Alternative 3 would be anticipated to include the

installation of drainage features that would handle and treat potential runoff through the utilization of applicable BMPs and LID requirements and the drainage system would be designed such that the stormwater drainage modifications necessary to serve the new buildings and the fitness center addition would either tie-in to existing infrastructure or existing drainage outfalls. Overall, the volume of stormwater runoff requiring conveyance by the existing off-site storm drain systems would be similar under Alternative 3 as for the Project. Therefore, Alternative 3 would have a similar **less than significant** impact associated with alteration of a drainage pattern resulting in erosion or siltation during operation, which is the same level of impact as the Project.

Impact HYD-4: Release of Pollutants in Flood, Tsunami, or Seiche Hazard Zones

As discussed previously, the SRC campus is not located within a 100-year floodplain or in a tsunami zone, and there are no nearby waterbodies that would represent a potential seiche hazard, but the site is identified as being subject to moderate flood hazards.

Regarding pollutant release, as with the Project, Alternative 3 would be constructed at least 215 feet from the creek channel and at elevations approximately 20 to 40 feet above the creek bed would implement BMPs associated with proper storage and handling of hazardous materials, and would not introduce substantial new sources of hazardous materials on campus, which would minimize the exposure of flood waters to pollutants. Thus, in the unlikely event of on-site inundation, Alternative 3 would not result in the release of significant types or quantities of pollutants. As with the Project, impacts with respect to release of pollutants within a flood hazard area, risk release of pollutants from inundation from a tsunami, or risk release of pollutants from inundation from seiche waves under Alternative 3 would be **less than significant**, which is the same level of impact as the Project.

Impact HYD-5: Obstruct Implementation of a Water Quality Control Plan or Sustainable Groundwater Management Plan

Similar to the Project, Alternative 3 would incorporate BMPs during construction implemented as part of a SWPPP, which would be consistent with water quality control plans and would not conflict or obstruct implementation of the San Francisco Bay Basin Plan or the Valley Water's Alternative GSP. In addition, Alternative 3 also falls within the jurisdiction of water quality plan regulations that assure that development projects are in compliance with clean water policies. These plans and regulations include the San Francisco Bay Basin Plan and the Valley Water's Alternative GSP. Alternative 3, as with the Project, would also implement an LID plan per the Regional MS4 Permit. Therefore, impacts related to water quality control plans under Alternative 3 would be **less than significant**, which is the same level of impact as the Project.

Land Use and Planning

Impact LUP-1: Physically Divide an Established Community

As with the Project, access to residential neighborhoods in the vicinity of the Project site would be maintained during construction of Alternative 3, and connectivity between existing neighborhoods along Fruitvale Avenue and Odd Fellows Drive would not be diminished. Although temporary fencing would be installed at each building site and staging area for safety and security purposes, these fences would only encompass the various separate zones of construction within the Project site and would not create a significant barrier to the movement of people within the SRC campus because alternative pedestrian and vehicular routes would be established for any instances where sidewalks or private roads were temporarily obstructed due to construction activities. In addition, the off-site construction staging area would be provided within Parking Lot #6 of the West Valley College and would not impact roadway accessibility.

Furthermore, similar to the Project, Alternative 3 would expand the existing senior living residential and related uses on the Project site and would not physically divide an established community. Alternative 3 would be consistent with the land uses designated for the Project site by the City's General Plan, and would not result in any permanent road closures or introduce any physical feature that would create a barrier, divide, or separate adjacent uses. Therefore, for the same reasons described for the Project in Section 3.11.3, **no impact** would occur related to physical division of an established community under Alternative 3, which is the same level of impact as the Project.

Impact LUP-2: Conflict with Land Use Plan, Policy, or Regulation

As with the Project, Alternative 3 would be consistent with the City's General Plan policies, including Policy LU 1.2, LU 5.2, LU 5.3, LU 6.2, and LU 13.1, which would be verified through the City's permitting process. In addition, Alternative 3 would be consistent with Housing Element Policy Area 4-4, as the Project would assist the City in meeting the needs of elderly households.

The final design of Building D and the new cottage would need to be evaluated against City Code. Similar to the Project, Alternative 3 would include an application for a Planned Combined District overlay, which allows for deviations from the code when there are community benefits provided as part of the project. With the approval of a Planned Combined District, Alternative 3 would not conflict with the zoning of the Project site.

As such, for the same reasons described for the Project in Section 3.11.3, Alternative 3 would not conflict with any General Plan or Municipal Code, plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, the impact of Alternative 3 related to conflict with land use plan, policy, or regulation would be **less than significant**, which is the same level of impact as the Project.

Noise

Impact NOI-1: Increase in Ambient Noise Levels

Construction

Similar to the Project, Alternative 3 would generate noise during the construction period from sources such as equipment, haul trucks, and worker vehicles traveling to and from the Project site, and heavy machinery and equipment operating on the site. These are addressed in turn, below. Construction phases for Alternative 3 would largely be sequential, except that Phases 2 and 3 would overlap for a period of approximately 6 months, and Phase 5 (renovation of the existing Health Center) would occur in stages over a 2-year period.

Construction-Related Traffic Noise

As discussed under "Transportation" below, Alternative 3 would generate less daily truck traffic on average (10 truck trips per day over the full 48-month duration, with up to 18 truck trips per day during the most intensive 6-month period when phases overlap), compared to the Project (21 truck trips per day on average, or 29 trips per day during period when all phases overlap). Alternative 3 would also generate less construction worker commute trips and worker shuttle trips during the most intensive phase than the Project.

Table 4.6.5 shows the estimated peak hour traffic volumes on local roadway segments in the vicinity of the Project site, as well as the anticipated peak-hour construction traffic that would be generated by Alternative 3 during the most intensive construction period and the estimated increase in traffic noise as a result, using the same methodology described in Section 3.16.3.

Table 4.6-5 Existing Peak Hour Traffic and Construction-Related Traffic – Alternative 3

Roadway Segment	Existing Peak Hour Traffic Volume (VPH)	Anticipated Peak Hour Construction-related Traffic[1] (VPH by source)	Anticipated Peak Hour Construction-related Traffic[2] (passenger equivalent VPH)	Increase in Peak Hour Traffic Noise[3] Due to Alt 3 Construction (dBA)
Fruitvale Avenue between Saratoga and Allendale	1,727	3 heavy truck trips 104 worker commute trips	161	0.4
Fruitvale Avenue between Allendale and South College Circle	1,083	3 heavy truck trips 104 worker commute trips	161	0.6
Fruitvale Avenue between South College Circle and San Marcos Road	1,083	3 heavy truck trips 104 worker commute trips 22 worker shuttle trips	183	0.7
Fruitvale Avenue between San Marcos and Los Gatos-Saratoga	826	104 worker commute trips	104	0.5
San Marcos Road between Fruitvale Avenue and Odd Fellows Drive	91	3 heavy truck trips 22 worker shuttle trips	79	2.7
Odd Fellows Drive (private)	67	3 heavy truck trips 22 worker shuttle trips	79	3.4

*Source: Existing traffic volumes from Hexagon 2021 (see **Appendix F**).*

Acronyms: VPH = vehicles per hour; dBA = decibels

1. Construction traffic volumes based on most traffic-intensive period when Phases 2, 3, and 5 would overlap (refer to Table 4.6-9).

2. Truck trips converted to passenger-car equivalents by applying an equivalence factor of 19.1, per Caltrans 2013.

*3. Increase in traffic noise calculated by AECOM using formula where estimated noise increase in dB = 10*log(Existing Traffic + Project Traffic/Existing Traffic). See **Appendix E**.*

As shown in Table 4.6-5, construction traffic during the most traffic-intensive period of Alternative 3 would result in a smaller increase in traffic noise than the Project (see Table 3.12-3 in Section 3.12 for equivalent Project information), due to the reduced volume of construction-related traffic. The anticipated increase in traffic noise levels from Alternative 3 on all but one of the road segments would be less than 3 dBA (which is generally imperceptible). The anticipated increase in traffic noise on Odd Fellows Drive would be 3.4 dBA (compared to 3.7 dBA for the proposed Project), which, as discussed in Section 3.12, could be perceptible to some people but is not considered to be a readily perceptible (5 dB or more) or significant increase in traffic noise.

Construction Equipment Noise

Construction activities under Alternative 3 would occur in all the same areas as the proposed Project, and additional activities would also occur in the vicinity of Building D and the new cottage. The impacts from construction noise generated during construction of Building A, Building C, the Meeting Room, the Fitness Center addition, and Health Center renovation under Alternative 3 would be the same as described for the Project in Section 3.12.3. Therefore, this analysis focuses on construction noise generated during demolition of the existing cottage/parking lot and construction of Building D, the new cottage, and the new parking area.

As discussed in Section 3.12, the City regulates construction noise by establishing a maximum allowable noise level (100 dBA at 25 feet from the source) and restricting the allowable hours of construction. Construction of Building D and the new cottage under Alternative 3 would use similar types of equipment, and generate a similar combined predicted noise level, as detailed for Phases 1 through 3 of the proposed Project in Table 3.12-3 in Section 3.12 above (i.e., 92 dBA at 25 feet), which is below the City's threshold.

Demolition of the existing cottage and surface parking lot are also anticipated to use similar equipment, but would also require the use of additional tools such as a concrete saw, hoe ram, and/or hydraulic shears. Such demolition activities would generate a similar combined predicted noise level as detailed for Phase 3 of Alternative 1 (presented in Table 4.4-6), although the duration of demolition activities would be shorter for Alternative 3 than for Alternative 1, due to the smaller size of the building to be demolished. The anticipated noise level from demolition activities would be 99 dBA at 25 feet, which is below the City's threshold.

In the area of the proposed parking area between Manor Circle and Odd Fellows Drive under Alternative 3, construction-related noise would be generated during excavation, grading, and paving activities during Phase 1 (approximately 2 months), as well as from staging activities during Phases 3 and 4 (approximately 33 months). The types of equipment used during excavation and grading for the parking area (and therefore the level of noise generated and experienced by nearby receptors) would be similar to that described for the construction of the Project's Building B (i.e., 92 dBA at 25 feet) which is below the City's threshold. The level of noise generated during staging activities would be less than during the excavation/grading period as the majority of equipment would only be moving to/from the staging area, not operating at full capacity.

Similar to the Project, construction of Alternative 3 would also require use of a street sweeper outside of the construction zones, which would operate in the same areas as required for the project, but over a longer duration. The sweeper has a reference noise level of 82 dBA L_{max} at a distance of 50 feet, which equates to 88 dBA L_{max} at 25 feet, and therefore would also not exceed the City's threshold of 100 dBA at 25 feet.

Because Alternative 3 construction would be limited to the allowable construction hours established by the City and would not exceed the City's maximum allowable noise level for construction noise of 100 dBA at a distance of 25 feet, construction of Alternative 3 would not generate a substantial temporary or permanent increase in ambient noise levels in excess of applicable City standards.

However, similar to the Project, due to the presence of existing on-site residential units in close proximity to the construction zones for Alternative 3, there is potential for construction noise to cause a substantial temporary increase in ambient noise levels for sensitive receptors within the closest residential units, even though Alternative 3 would comply with the City's noise standards for construction. As discussed for the Project in Section 3.12, because the City has not established any thresholds for the level of acceptable daytime, temporary construction noise for receptors in close proximity to construction zones, the FTA's recommended threshold limit of 80 dBA or less is used to evaluate the impact of construction noise.

Based on the combined predicted noise levels for Building C, Building D, new cottage, Fitness Center, and parking area construction zones of 87 dBA at 50 feet (per Table 3.12-3 in Section 3.12 above) and a standard attenuation rate of 6 dBA per doubling of distance, with no screening, exterior noise levels from each of these construction zone would be anticipated to dissipate to less than 80 dBA within approximately 104 feet from the source.

The combined predicted noise level for demolition of the existing cottage and parking lot of 93 dBA at 50 feet (per Table 4.4-3) would be anticipated to dissipate to less than 80 dBA within approximately 233 feet from the source (without accounting for screening).

Table 4.4-7 shows the closest sensitive receptors to each of the proposed Alternative 3 construction/demolition zones, and the anticipated exterior noise levels at those receptors during construction. The estimated noise levels are conservative, based on use of multiple pieces of equipment simultaneously, and do not account for screening that might be provided by fences, vegetation, buildings, or other objects between the source and receptor. Actual noise levels perceived by receptors would fluctuate over time and space, depending on the number and type of equipment used, the location of the equipment within the construction zone, and any screening or shielding from objects. Noise levels at receptors further from the construction zones would experience lower noise levels than those shown in the table, due to the increased distance between source and receptor.

Table 4.6-6 Estimated Construction Noise at Closest On-Site Receptors – Alternative 3

Construction Zone	Duration of Construction	Nearest Receptor	Distance[1] (feet)	Estimated Exterior Noise Level at Receptor[2] ($L_{eq\ (8\text{-}hour)}$)
Manor Circle Parking Area	3 months grading (plus 33 months staging activities during Phases 3 and 4)	Manor Building (north-facing units at east and west wing)	150 feet	77 dBA
		14505 Chester Avenue	150 feet	77 dBA
Building C	*7 months grading & foundation work, 20 months total*	*Assisted Living Building (north-facing units)*	*50 feet*	***86 dBA***
		14506 Chester Avenue	*180 feet*	*75 dBA*
Demolition of Cottage	0.5 months demolition	6016 West Cottage Lane	60 feet	**92 dBA**
		14622 Burgundy Way	100 feet	**87 dBA**
Construction of Building D	6 months grading & foundation work, 15 months total	6016 West Cottage Lane	120 feet	79 dBA
		14622 Burgundy Way	130 feet	79 dBA
New Cottage	1 month grading & foundation work, 6 months total	6118 & 6120 West Cottage Lane	50 feet	**86 dBA**
		19300 Chablis Court	60 feet	**85 dBA**
Meeting Room	*3 months grading & foundation work, 7 months total*	*Manor Building (west-facing units in west wing)*	*18 feet*	***95 dBA***
		6102-6108 West Cottage Lane	*120 feet*	*79 dBA*
Fitness Center	*1.5 months foundation work, 7 months total*	*6118/6120 West Cottage Lane*	*100 feet*	*80 dBA*
Building A	*5 months grading & foundation work, 17 months total*	*6114/6116 West Cottage Lane*	*140 feet*	*77 dBA*
		Apartment Building 1 (west-facing units)	*180 feet*	*75 dBA*
Sweeper on SRC roads	*Sporadic over entire 48-months*	*Various on-site receptors[3]*	*25 feet*	*78 dBA (intermittent)*

*Source: calculated by AECOM. See **Appendix E**.*
Acronyms: dBA = A-weighted decibels; N/A = not applicable.
***Bold** values exceed FTA recommended construction noise threshold for residential land uses.*
Italics indicates components (and associated noise levels) that are the same as for the Project.

Notes:

1. Average distance from the acoustic center of the construction zone to the nearest on-site receptor. The acoustic center is the idealized point from which the energy sum of all construction activity noise near and far would originate, and it is derived by taking the square root of the product of the distance between the receptor and closest construction zone boundary multiplied by the distance between the receptor and farthest construction zone boundary. The acoustic center concept is useful in describing average noise levels across the entire construction period for adjacent receptors. For residential building receptors, the distance is measured to the closest window of habitable rooms.
2. Assumes standard attenuation rate for stationary noise sources of 6 dBA per doubling of distance, based on maximum combined noise level from all construction equipment of 87 dBA at 50 feet for construction/grading activities, and 93 dBA at 50 feet for demolition activities.
3. For street sweeping, the distance shown is the minimum distance from the closest residential receptor to the centerline of the roadway(s) on which the sweeper is anticipated to operate. For Alternative 3, that would be the west-facing units of Apartment Building 1 which are approximately 25 feet from the centerline of Pavilion Circle.

As shown in the table, construction equipment is anticipated to generate exterior noise levels exceeding 80 dBA at the nearest residential receptor in additional locations as compared to the proposed Project. Each construction zone/phase is discussed in turn, below.

- **Phase 1 Parking Area**: grading and excavation equipment to create the proposed new parking area could generate noise levels of up to 77 dBA for the nearest residential receptors, which **would not exceed** the FTA's recommended construction noise limit.

- **Phase 2 Building C**: grading and other equipment to construct Building C could generate noise levels of up to 86 dBA for the 12 north-facing units within the assisted living building. This **would exceed** the FTA's recommended construction noise criteria of 80 dBA. Construction noise at off-site receptors such as 14506 Chester Avenue and other residences would not exceed the 80 dBA criteria. The noisiest activities (grading and foundation) at this construction zone would occur for approximately 7 months, with overall construction lasting approximately 20 months. This exceedance would also occur for the proposed Project.

- **Phase 3 Demolition of Existing Cottage**: equipment used to demolish the existing cottage could generate exterior noise levels of up to 92 dBA for the adjacent cottage to the south, and up to 87 dBA for the residence at 14622 Burgundy Way. Noise levels from demolition **would exceed** the FTA's recommended construction noise limit of 80 dBA. Demolition activities would take a total of approximately two to three weeks; therefore, this level of noise generation would be limited in duration.

- **Phase 3 Building D Construction**: grading and other equipment to construct Building D could generate exterior noise levels of up to 79 dBA for the nearest receptors at the adjacent cottage and off-site at 14622 Burgundy Way. This **would not exceed** the FTA's recommended construction noise limit of 80 dBA.

- **Phase 3 Cottage Construction**: grading and other equipment to construct the new cottage would be anticipated to generate exterior noise levels of up to 86 dBA for the nearest receptors at the adjacent cottages and off-site at 19300 Chablis Court, which **would exceed** the FTA's recommended construction noise limit of 80 dBA. Grading and foundation activities for this site would take approximately six weeks of the total six-month construction duration at this location; therefore, this level of noise generation would be limited in duration.

- **Phase 3 Meeting Room Construction**: grading and other equipment to construct the Meeting Room would generate noise levels of up to 95 dBA for the four west-facing units within the western wing of the Manor Building. This **would exceed** the FTA's recommended construction noise criteria of 80 dBA. Construction noise at other residential receptors such as the cottages on West Cottage Lane would not exceed the 80 dBA criteria. The noisiest activities (grading and foundation) at this construction zone would occur for approximately 3 months, with overall construction lasting approximately 7 months. This exceedance would also occur for the proposed Project.

- **Phase 3 Fitness Center Addition**: grading and other equipment to construct the Fitness Center would be anticipated to generate noise levels of up to 80 dBA for the two cottages at 6118 and 6120 West Cottages Lane, which **would not exceed** the FTA's recommended construction noise limit.

- **Phase 4 Building A Construction**: grading and other equipment to construct Building A would generate noise levels up to 77 dBA at nearby residential receptors, which **would not exceed** the FTA's recommended construction noise criteria.

- **Street Sweeping:** Street sweeping would be undertaken throughout the duration of all construction phases and would be expected to regularly operate on Odd Fellows Drive, West Cottage Lane, Pavilion Circle, and the northern segment of McLaren Lane throughout the entire 48-month construction period. The closest residential receptors along these routes are the west-facing units within Apartment Building 1, some of which are as close as 25 feet from the center of Pavilion Circle. Street sweeping would generate noise levels at these receptors of up to 78 dBA, which **would not exceed** the FTA recommended construction noise criteria.

Like the Project, receptors would receive construction noise from more than one construction zone at a time, because the construction phases for Alternative 3 would overlap. In particular, Phase 3 of Alternative 3 would include construction excavation and foundation activities in four different areas of the campus during a similar timeframe. In addition, the overall duration of construction activities at the campus would last almost twice as long (48 months for Alternative 3, compared to 25 months for the Project).

Construction activities for Alternative 3 would only occur during daytime hours and, therefore, would not disturb evening relaxation or overnight sleep periods. Daytime construction noise and other intermittent daytime noise sources are a relatively common occurrence in urbanized areas; however, they can still be disruptive to normal daytime residential activities such as conversation and listening to television or radio (City of Saratoga 2014).

Because Alternative 3 would result in daytime construction noise levels at nearby residential receptors that would exceed 80 dBA, the impact would be **potentially significant**.

The Project Applicant and their Contractor have prepared a preliminary Construction Noise Mitigation Plan to help minimize disturbance to existing SRC residents from construction noise from Alternative 3, which is similar to the plan prepared for the proposed Project, but reflecting the differences in project schedule, construction areas and staging for Alternative 3 (RCP 2023, see **Appendix E**). Update of the Plan to include additional actions as set out in Section 3.12.3 for the proposed Project, and implementation of the plan throughout construction is also recommended for Alternative 3.

Therefore, the same mitigation measure required for the proposed Project would also be required for Alternative 3, which is:

> ***Mitigation Measure MM-NOI-1a: Update and Implement Construction Noise Mitigation Plan*** *(see Section 3.12.3 for details of this measure).*

For the same reasons described in Section 3.12.3 for the proposed Project, implementation of MM-NOI-1a would substantially reduce the level of disruption to existing residents from construction-related noise during Alternative 3, to a level that would be **less than significant with mitigation**. This is the same level of significance as the proposed Project.

Operation

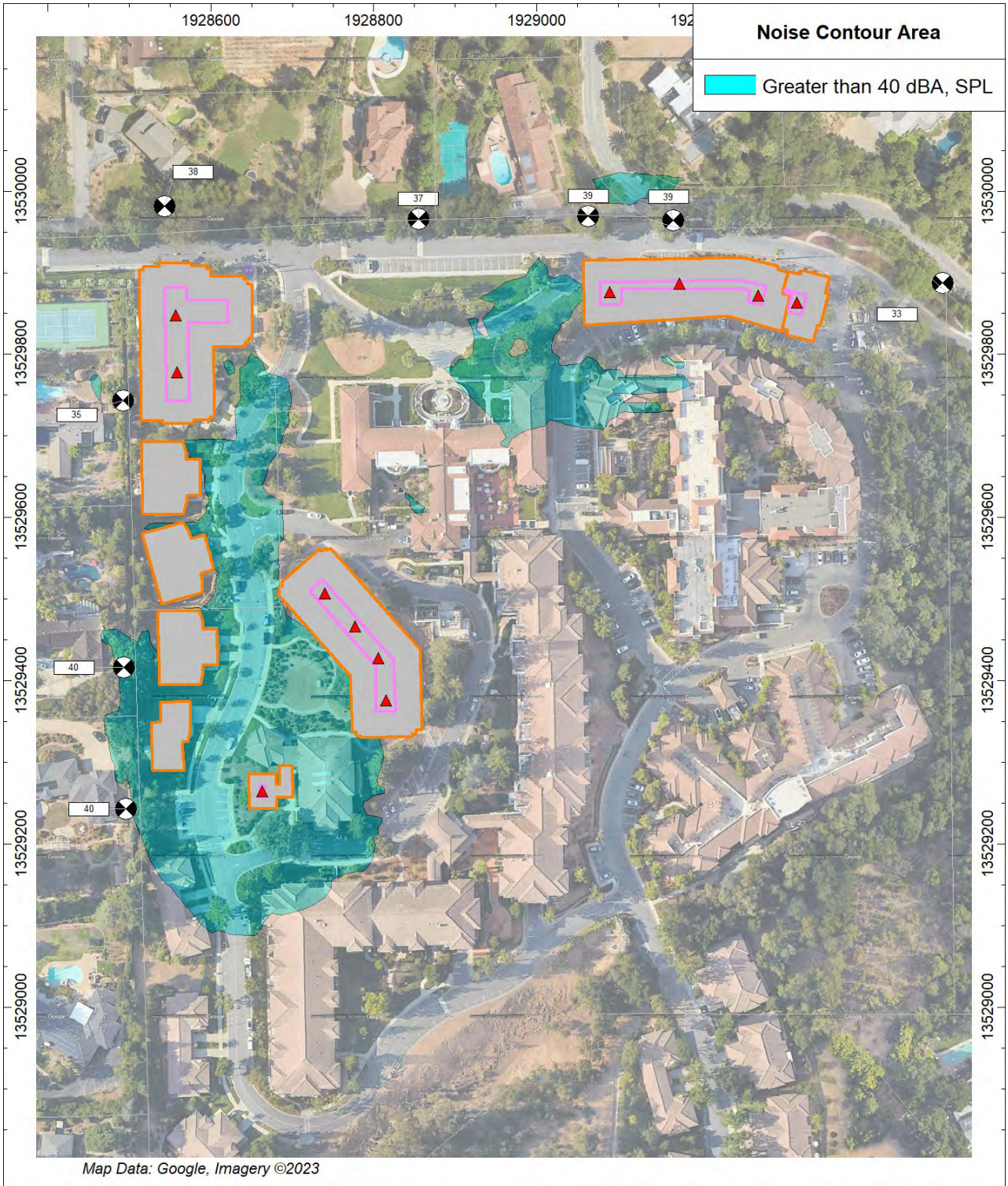
Alternative 3, as with the Project, would introduce new permanent sources of noise to the existing environment, including operational traffic and fixed noise sources such as mechanical HVAC equipment and emergency generators at the new buildings

As discussed previously, Alternative 3 would construct the same number of independent living units and require the same staffing as the Project and would generate the same amount of operational traffic. Therefore, for the same reasons described for the Project in Section 3.12.3, operational traffic under Alternative 3 would not double the existing traffic volume on local roadways and would not cause a perceivable increase in traffic noise for noise-sensitive land uses along the roads that would be used for ingress or egress to the SRC campus.

Similar to the Project, Alternative 3 would include new HVAC systems, which would be installed on the roofs of Buildings A, C, D and the Fitness Center, and emergency back-up generators which would be located within the parking levels of Buildings A, C, and D. As discussed for the proposed Project, because the generators would only be operated sporadically for testing and maintenance, and would be shielded by the buildings themselves, they would not be expected to cause a perceptible increase in ambient noise levels at the site. Further, emergency generators are exempt from the City's noise ordinance (Section 7-30.030).

The CadnaA® Noise Prediction Model (Version 2022) was used to estimate the propagation of sound from the proposed HVAC systems associated with Alternative 3. Figure 4.6-4 shows the predicted 40 dBA L_{eq} noise contour based on the modeled scenario for Alternative 3. Areas inside the contour are predicted to receive noise levels in excess of the 40 dBA L_{eq} threshold, while areas outside the contour are predicted to receive noise levels of less than 40 dBA L_{eq}.

Figure 4.6-4 Predicted Operational Noise Levels – Alternative 3



N	Date Created: 6/1/2023 Created by: GH	**Figure 4.6-3** **Predicted Operational Noise Levels** **Alternative 3 - Unmitigated Scenario**
AECOM Delivering a better world Acoustics & Noise Control Practice		**Saratoga Retirement Community Campus Master Plan** **Saratoga, CA**

As can be seen from Figure 4.6-4, some areas outside of the SRC property could receive noise levels in excess of the 40 dBA L_{eq} threshold, if Alternative 3 were to utilize HVAC units with a reference sound power rating of 93 dBA (or above). These include areas to the east and north of the campus (e.g., portions of the properties at 19303 Chablis Court, 14622 Granite Way, 14505 Chester Avenue, and 14506 Chester Avenue), which could receive noise levels up to 42 dBA. Because noise levels from HVAC units on the proposed buildings could exceed the applicable nighttime threshold from the noise ordinance, the impact of Alternative 3 would be **potentially significant**.

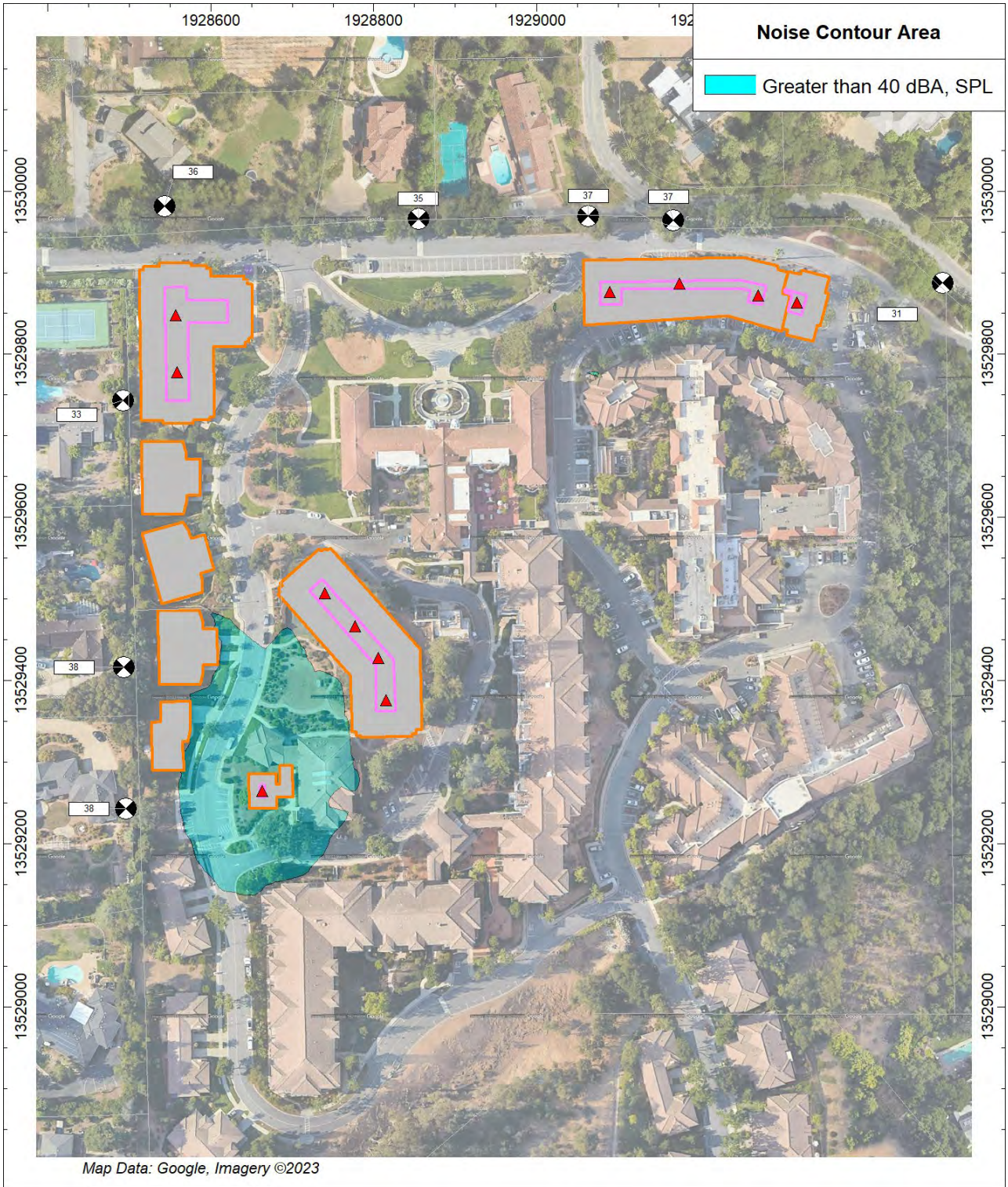
Therefore, the same mitigation measure required for the proposed Project would also be required for Alternative 3, which is:

> ***MM-NOI-1b: Limit Sound Power Level of Mechanical Equipment or Implement Additional Noise-Reduction Measures.*** *(See Section 3.12.3 for details of this measure).*

Mitigation Measure MM-NOI-1b would reduce potential operational noise impacts of Alternative 3 by either requiring that HVAC units with a lower sound power rating are installed, or that additional measures such as screening are taken to reduce the transmission of noise energy from the proposed sources. As demonstrated in Figure 4.6.5 below, if all proposed HVAC units had a sound power rating of 91 dBA, the predicted 40 dBA contour would be contained entirely within the SRC campus (i.e., no adjacent properties would receive noise levels that exceed the City's standard of 40 dBA L_{eq}).

With implementation of Mitigation Measure MM-NOI-1b, Alternative 3 would not exceed the applicable noise standards of the City's noise ordinance, and the impact would be reduced to **less than significant with mitigation**. This is the same level of significance as the proposed Project.

Figure 4.6-5 Predicted Operational Noise Levels – Alternative 3 (Mitigated)



Impact NOI-2: Exposure of People to Groundborne Noise and Vibration Levels

Construction

Construction of Alternative 3, as with the Project, would generate groundborne construction vibration during construction activities depending on the specific construction equipment used and the operations involved. Vibration levels at the nearest off-site receptors during Alternative 3 construction are presented in Table 4.4-8, based on the use of equipment with highest reference vibration levels for each phase.

Table 4.6-7 Estimated Maximum Vibration at Sensitive Receptors – Alternative 3

Vibration Source	Receptor	Minimum[1] Distance (feet)	Estimated Max Vibration[2] at Receptor (in/sec PPV)	Threshold for Potential Building Damage[3] (in/sec PPV)	Estimated Max Vibration[2] at Receptor (VdB)	Threshold for Potential Human Annoyance[4] (VdB)
Parking Area	Manor Building	85 feet	0.033	0.2	78	80
	14505 Chester Avenue	75 feet	0.040	0.3	80	80
Building C Construction	*Manor Building*	*35 feet*	*0.127*	*0.2*	*90*	*80*
	Assisted Living Building	*20 feet*	*0.293*	*0.3*	*97*	*80*
Cottage Demolition	Manor Building	95 feet	0.012	0.3	70	80
	6016 West Cottage Lane	10 feet	0.352	0.3	99	80
	14622 Burgundy Way	16 feet	0.174	0.3	93	80
Building D Construction	6016 West Cottage Lane	10 feet	0.830	0.3	106	80
	14622 Burgundy Way	16 feet	0.410	0.3	100	80
Cottage Construction	6118/6120 West Cottage	8 feet	1.160	0.3	109	80
	19300 Chablis Court	16 feet	0.410	0.3	100	80
Meeting Room Addition	*Manor Building*	*3 feet*	*5.052*	*0.2*	*122*	*80*
	6102-6108 West Cottage	*50 feet*	*0.074*	*0.3*	*85*	*80*
Fitness Center Addition	*Manor Building*	*360 feet*	*0.004*	*0.3*	*59*	*80*
	6118/6120 West Cottage	*50 feet*	*0.074*	*0.3*	*85*	*80*
Building A Construction	*Manor Building*	*50 feet*	*0.074*	*0.3*	*85*	*80*
	6114/6116 West Cottage	*75 feet*	*0.040*	*0.3*	*80*	*80*

*Source: calculated by AECOM. See **Appendix E**.*

Acronyms: in/sec = inches per second; Lv = velocity level in decibels, based on the root mean square velocity amplitude; PPV = peak particle velocity; VdB = velocity decibels.

Notes:

1. Minimum distance measured from edge of proposed construction zone to the closest edge of the nearest receptor.
2. For construction phases, estimated maximum vibration levels calculated using reference value for vibratory roller (0.210 PPV in/sec at 25 feet), adjusted using standard vibration attenuation rate based on specified distances between source and receptors. For demolition phase, estimated maximum vibration levels calculated using reference value for hoe ram or large bulldozer (0.089 PPV in/sec at 25 feet).
3. The threshold for building damage used for the Manor Building is that for a “non-engineered timber and masonry” buildings (0.2 in/sec PPV). For more modern buildings on the SRC campus and adjacent residential properties, the threshold for “Engineered concrete and masonry” buildings (0.3 in/sec PPV) is used.
4. The threshold for human annoyance used for all receptors is that for infrequent events at residences and buildings where people normally sleep (80 VdB).
5. **Bold** values indicate that the applicable threshold would be exceeded. Italics indicates impacts that would be the same as for the proposed Project.

As shown in Table 4.6-8, grading and excavation activities associated with creation of a new parking area in the same general location as the Project's Building B would not cause levels of vibration at the Manor Building to exceed the applicable threshold for building damage (0.2 in/sec PPV), as the grading activities for the parking lot would not occur as close to the Manor Building as grading activities for the Project's Building B. Alternative 3 would still include construction of the Meeting Room Addition, which would cause vibration levels at the Manor Building that exceed the applicable threshold for building damage (as described for the Project in Section 3.12.3).

Demolition of the cottage under Alternative 3 would cause vibration levels at the adjacent cottage that could exceed the 0.3 in/sec PPV threshold for potential building damage for that structure (but would not exceed the applicable thresholds for building damage at the Manor Building or at the closest neighboring residence).

Construction of Building D would cause vibration levels at the adjacent cottage and the nearest neighboring residence that could exceed the 0.3 threshold for potential building damage for both structures (but would not exceed the applicable thresholds for building damage at the Manor Building or at the closest neighboring residence).

Construction of the new cottage further south on West Cottage Lane would also cause vibration levels at the two adjacent cottages and the neighboring residence that would exceed the applicable threshold for building damage.

In addition, construction of Buildings A, C, D, Meeting Room, Fitness Center, and the new cottage and demolition of the existing cottage would also generate levels of vibration that exceed the applicable human annoyance threshold of 80 VdB for some receptors. For the cottage demolition and construction of Buildings D and the new cottage, this would include off-site receptors such as the residences at 14622 Burgundy Way and 19300 Chablis Court.

Because construction of Alternative 3 would result in levels of temporary vibration that could exceed the applicable threshold for building damage at the Manor Building, three on-site cottages, and two neighboring residential structures, and that would substantially exceed the threshold for human annoyance for several campus residents and neighbors, impacts related to vibration during construction activities of Alternative 3 would be **potentially significant**.

Therefore, the same mitigation measures required for the proposed Project would also be required for Alternative 3, which are:

> ***MM-NOI-1a: Update and Implement Construction Noise Mitigation Plan.*** *(See Impact NOI-1, in Section 3.12.3 for full details of this mitigation measure).*
>
> ***MM-NOI-2: Construction Vibration Minimization Measures.*** *(See Impact NOI-2, in Section 3.12.3 for full details of this mitigation measure).*
>
> ***MM-CUL-1a: Historic Resources Protection Plan.*** *(See Impact CUL-1, in Section 3.5.3 for full details of this mitigation measure).*

As discussed for the Project, implementation of mitigation measure MM-NOI-1a would require the Project Applicant and its construction contractor(s) to provide notice to the facility and neighboring properties regarding planned construction activities and to provide a point of contact for residents and neighbors to contact to address questions or concerns. Implementation of mitigation measure MM-NOI-2 would require the contractor to limit the use of large vibratory equipment directly adjacent to existing buildings to the extent practicable, and to give advance

notice to residents when vibration-generating equipment would be used within close proximity to their units.

Although implementation of MM-NOI-1a and MM-NOI-2 would not completely eliminate the generation of vibration at levels that would exceed the threshold of human annoyance, it would minimize the use of vibratory equipment in close proximity to buildings to the extent feasible and would allow residents the opportunity to adjust their daily routines to reduce exposure when high levels of vibration are being generated.

As described for the Project in Section 3.12.2, the buffer zone widths specified in MM-NOI-2 are based on the distance necessary to attenuate vibration levels from the specified construction equipment to below the threshold for potential building damage at the Manor Building (0.2 PPV in/sec). However, because it is anticipated that some use of heavy equipment within the buffers would be required to achieve the necessary level of soil compaction to support the proposed building foundations (particularly for the Meeting Room Addition), vibrations that exceed the threshold for building damage could still occur, therefore MM-CUL-1a would require monitoring of the Manor Building for vibration damage during construction and would require that any damage be repaired in accordance with the SOI Standards for Rehabilitation under the oversight of an architectural historian.

For the same reasons discussed for the Project in Section 3.12.3, with implementation of MM-NOI-1a, MM-NOI-2, and MM-CUL-1a the impact of Alternative 3 from construction vibration would be **less than significant with mitigation,** which is the same level of significance as the Project.

Operation

Daily operations under Alternative 3, as with the Project, would not include any major new sources of groundborne noise or vibration. In addition, similar to the Project, maintenance vehicles and delivery trucks would be restricted to existing roadways, and the limited number of additional trips generated would not have the potential to substantially increase vibration levels at adjacent land uses. Therefore, **no impact** would occur related to the exposure of people to groundborne noise and vibration levels during operation of Alternative 3, which is the same level of impact as the Project.

Impact NOI-3: Excessive Airport Noise

As discussed previously, Alternative 3 would be constructed on the same property as the Project, which is not within an airport land use plan, within 2 miles of a public airport or public use airport, or within the vicinity of a private airstrip. Therefore, **no impact** would occur related to excessive airport noise under Alternative 3, which is the same level of impact as the Project.

Population and Housing

Impact POP-1: Inducement of Unplanned Population Growth

Construction

Construction of Alternative 3 would occur in five partially overlapping phases and is estimated to require an average of 57 construction workers per day (averaged over the entire 4-year construction period) or an average of 104 workers per day when Phases 2, 3, and 5 overlap (see Table 4.6-1). Up to 165 construction workers per day may be required periodically during times when the most intensive construction activities are occurring simultaneously on overlapping phases. This is a lesser number of construction workers per day than is anticipated for the Project; however, the overall duration of construction would be almost twice as long. Similar to the Project, workers would be expected to come from the local labor pool and not relocate to the City from other areas for the relatively short construction period. As such, construction of Alternative 3 would not cause a substantial influx of construction personnel that would result in unplanned population growth. Therefore, **no impact** would occur related to the inducement of unplanned population growth during construction of Alternative 3, which is the same level of impact as the Project.

Operation

As with the Project, Alternative 3 would result in a net increase of 52 new independent living units on campus that would accommodate approximately 89 additional residents, and would decrease skilled nursing and memory care capacity by 45 beds.

As discussed in Section 3.13.3, under the 1995 SRC Campus Master Plan, the maximum number of permitted units approved by the City have a total capacity of approximately 521 residents. Like the Project, full buildout of the SRC campus under Alternative 3 would have a capacity between 497 and 532 residents, which is similar to or less than the approved 1995 SRC Campus Master Plan. In addition, the new independent living units would not require additional staffing and Alternative 3 would result in an overall reduction of staff compared to existing conditions, as described for the proposed Project. Furthermore, for the same reasons as described for the Project in Section 3.13.3, Alternative 3 would not induce substantial population growth indirectly (through the extension of roads or other infrastructure into undeveloped areas). Therefore, **no impact** would occur related to the inducement of unplanned population growth during operation under Alternative 3, which is the same level of impact as the Project.

Impact POP-2: Displacement of People or Housing

Alternative 3 would result in the same conversion of 90 existing double-occupancy skilled nursing and memory care units at the SRC facility to single-occupancy units as the proposed Project, which would result in the removal of 45 beds. However, as discussed in Section 3.13.3, this reduction would not displace existing residents, and a total of 52 new independent living units would be constructed which would result in an increase in senior housing stock within the City. The proposed demolition of one duplex cottage on West Cottage Lane to facilitate construction of Building D would require the existing residents of those two units to be relocated on campus; however, two replacement units (one in the stand-alone cottage and the other within Building D) would be constructed so that no net loss of housing would occur compared to the Project.

Therefore, the impact of displacement of people or housing under Alternative 3 would be **less than significant**, which is a greater level of impact than the Project.

Public Services

Impact PS-1: Impacts associated with provision of or need for new or altered government facilities

Alternative 3 would result in the same number of residents at the facility as the proposed Project and would generate the same volume of operational traffic. Therefore, for the same reasons as described for the Project in Section 3.14, Alternative 3 would not substantially increase police or fire response times, or demand for public services such that existing public facilities would need to be expanded or new facilities constructed. As such, Alternative 3 would not result in substantial adverse physical impacts associated with the provision of or need for new or altered government facilities, and the impact would be **less than significant**, which is the same level of impact as the Project.

Recreation

Impact REC-1: Increased Use of Recreational Facilities

As described above, Alternative 3 would result in the same number of residents at the facility as the proposed Project. Therefore, for the same reasons as described for the Project in Section 3.15, Recreation, Alternative 3 would not cause increased use of existing neighborhood or regional parks or other recreational facilities such that physical deterioration of the facility would occur or be accelerated.

Like the Project, Alternative 3 would also construct new private recreational facilities for SRC residents (e.g., bocce ball court, putting green) to replace those facilities that would be displaced to accommodate construction of Building A, although the replacement facilities would be smaller than those currently available at the existing facility. For the same reasons described for the Project in Section 3.15.3, the impact of Alternative 3 on use of public recreational facilities would be **less than significant**, which is the same level of impact as the Project.

Impact REC-2: Construction or Expansion of New Recreational Facilities

Alternative 3, as with the Project, proposes to expand the existing fitness center to include a yoga/wellness room and to construct a replacement bocce ball court and putting green. As discussed for the Project in Section 3.15, these new and replacement recreational facilities would be for the use of the private residents of the SRC and would not have an adverse physical effect on the environment, as they would be constructed on previously disturbed areas as part of the overall development of Alternative 3.

Alternative 3 would also provide a public trail connection along Odd Fellows Drive, as described for the proposed Project. Creation of the trail connection would largely involve the dedication of a public easement for pedestrian access along the existing pedestrian sidewalk along Odd Fellows Drive (which is currently a private right-of-way) and installation of way-finding signage. The proposed trail connection would not require the acquisition of additional land or City right-of-way to be constructed and would not require substantial grading or earthwork.

Alternative 3 would not include the construction of any additional recreational facilities beyond those described for the Project. As such, Alternative 3 would not result in any substantial adverse physical effect on the environment from the construction of new recreational facilities or expansion of existing facilities. Therefore, impacts related to the construction or expansion of new recreational facilities under Alternative 3 would be **less than significant**, which is the same level of impact as the Project.

Transportation

Impact TRA-1: Conflict with Transportation Plan, Program, Ordinance or Policy

Construction

Construction of Alternative 3 would result in a temporary increase in traffic in the vicinity of the SRC campus due to construction workers commuting to the site and truck trips for soil and demolition debris export and deliveries, similar to the Project. Congestion associated with construction traffic and movement of larger construction vehicles such as trucks could potentially create traffic-related hazards. Construction-related traffic would vary depending on the work activity at the site, with five partially overlapping phases of construction.

The primary haul truck travel route to the Project site under Alternative 3 would be the same as the proposed Project (i.e., from SR 85 to Saratoga Avenue, Fruitvale Avenue, San Marcos Road, and Odd Fellows Drive).

The estimated daily average construction truck trips for each phase of Alternative 3 are provided in Table 4.4-9, along with estimated number of worker commute trips (i.e., trips from the workers' homes to the offsite staging area at West Valley College), and number of worker shuttle trips (between the offsite staging area and the Project site). Similar calculations for the Project can be found in Table 3.16-3 in Section 3.16 above, for comparison.

Table 4.6-8 Estimated Construction Traffic – Alternative 3

Construction Phase and Duration	Number of Trucks per Phase [1] Total	Number of Workers per Day Average (Max)	Truck Trips per Day[2] Average	Worker Commute Trips per Day[3] Average (Max)	Worker Shuttle Trips per Day[4] Average (Max)
Phase 1 – Site Prep/Parking & Staging (70 workdays)	219	10 (15)	6	20 (30)	3 (3)
Phase 2 – Building C & Cottage Demo (425 workdays)	1,631	46 (75)	8	92 (150)	10 (15)
Phase 3 – Building D, Meeting Room, Fitness Center Addition, and new Cottage (340 workdays)	2,369	48 (74)	14	96 (148)	10 (15)
Phase 4 – Building A (360 workdays)	1,142	50 (74)	6	100 (148)	10 (15)
Phase 5 – Health Center Renovations (495 workdays)	10	10 (16)	negligible	20 (32)	2 (4)
Total (averaged over entire construction period)	5,371	57 (88)	10	113 (177)	12 (18)
Total (most intensive construction period)	4,010	104 (165)	22	208 (330)	21 (33)

*Source: Calculated by AECOM. See **Appendix E**.*

Acronyms: max = maximum; TPD = one-way trips per day;

Table Notes:

1. *Number of trucks calculated based on cut/fill volumes from Table 4.6-2 and assuming 16 CY capacity dump truck, plus vendor deliveries and concrete truck estimates based on standard CalEEMod assumptions (**Appendix C**).*
2. *Calculated by dividing total number of trucks per phase by number of workdays, then doubling to obtain number of one-way truck trips to/from the site.*
3. *Calculated by doubling average (maximum) number of construction workers per phase, to obtain number of one-way worker commute trips to the off-site staging area.*
4. *Calculated by dividing average (maximum) number of construction workers per phase by assumed shuttle capacity of 10, then doubling to obtain number of one-way shuttle movements between the staging area and Project site.*
5. *Total (most intensive construction period) is for the 6-month period when Phases 2, 3 and 5 would overlap.*

As shown, when averaged over the entire 48-month construction period for Alternative 3, there would be an average of approximately 10 truck trips per day traveling to/from the Project site, which is less than the daily average of 22 truck trips per day when averaged over the entire 25-month duration of the proposed Project.

The most intensive phase of truck traffic during Alternative 3 would be during the 6-month period when Phases 2, 3 and 5 overlap, when an average of 18 truck trips per day would be required. This would be less traffic and a shorter duration than for the most intensive phase of the Project (the 11-month period when all four construction phases would overlap) when an average of 29 truck trips per day would be required.

Assuming that construction truck traffic would be spread throughout an eight-hour workday, Alternative 3 would result in approximately 2 truck trips truck trips per hour (compared to 4 truck trips per hour for the Project). Therefore, Alternative 3 would not exceed the recommended screening criterion from the ITE for construction traffic, which sets a threshold level of 50 or more new truck trips during the peak hour, above which a detailed traffic study is recommended. This is the most current “industry standard” guidance for assessing the effects of construction projects that create temporary traffic increases (ITE 1988).

The average and maximum number of daily construction worker vehicle trips per day for Alternative 3 are also provided in Table 4.6-9 (compare to Table 3.16-1 in Section 3.16 for the Project). As shown in the table, the most intensive period for worker vehicle trips (when Phases 2, 3 and 5 overlap), with an average of 208 and a maximum of 330 vehicle trips per day over a 6 month period (compared to 266 average and 412 maximum for the Project’s most intensive period). The average number of worker commute trips over the entire 4-year period for Alternative 3 would be 113 trips per day (compared to 197 trips per day overall average for the Project).

Similar to the Project, parking for construction personnel during Alternative 3 would be provided off-site at West Valley College and a shuttle would transfer workers from the staging area to the construction zones on the SRC campus. Assuming a 10-passenger shuttle, an average of 22 shuttle trips (and maximum of 34) would be required to transport the workers from the staging area to the Project site during the most worker-intensive period. As described for the Project, it is conservatively assumed that a limited number of shuttles would make continuous round trips between the staging area and Project site, which would be concentrated in the morning and afternoon peak hours. This equates to 22 to 34 peak hour one-way shuttle trips along San Marcos Road and Odd Fellows Drive each morning and afternoon under Alternative 3, compared to the Project’s 28 to 42 peak hour one-way trips. Under Alternative 3, this most intensive level of worker commute traffic would occur for approximately 6-month period when Phases 2, 3 and

5 would overlap; whereas, under the Project, the most intensive period would last for approximately 11 months.

Overall, Alternative 3 would result in less construction-related traffic movements per day than the Project (on both an overall average and during the most intense construction periods), but the overall duration of construction would be longer.

As with the Project, all construction staging activities for Alternative 3 would occur on the Project site or within the designated off-site staging area at West Valley College Parking Lot #6, and construction activities would not fundamentally alter or disrupt public rights-of-way, including public pedestrian and bicycle facilities or access to transit stations in the vicinity of the Project site. Because Alternative 3 would general similar or lesser construction-related traffic than the Project and because it would not conflict with any program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities, the impact would be **less than significant**, which is the same level of impact as the Project.

Operation

As discussed previously, Alternative 3 would include the same number of independent living units and employees as the proposed Project and would therefore be expected to generate the same amount of operational traffic from residents and staff. The number of vendor trips under Alternative 3 would also be the same as the Project. Like the proposed Project, Alternative 3 would not alter any public roadways but would require changes to the internal circulation system within the SRC campus. Such changes would be the same as described for the proposed Project in Section 3.16, except that the changes to the north of the Manor Building would be limited to the construction of a new driveway and parking area between Manor Circle and Odd Fellows Drive.

For the same reasons described for the Project in Section 3.16.3, Alternative 3 would not conflict with any programs, plans, ordinances, or policies addressing the circulation system, transit, roadways, bicycle and pedestrian facilities, including those of the City's General Plan. The impact of Alternative 3 would **be less than significant**, which is the same level of impact as the Project.

Impact TRA-2: Consistency with CEQA Guidelines relating to Vehicle Miles Traveled

As discussed previously, Alternative 3 would also be developed on the same property as the proposed Project and would provide the same number of residents and employees as the Project. Because the estimated VMT per capita for the Project site (7.14) is more than 15 percent lower than the average daily VMT per capita for the City (17.97), the impact for Alternative 3 would also be less than significant. Therefore, for the same reasons described for the Project in Section 3.16.3, impacts related to consistency with CEQA Guidelines relating to Vehicle Miles Traveled under Alternative 3 would be **less than significant**, which is the same level of impact as the Project.

Impact TRA-3: Potential for Creation of Substantial Traffic-Related Hazards

Construction

Alternative 3, as with the Project, would introduce additional construction-related traffic movements to the Project area; however, construction traffic is common throughout the City and is not considered an "incompatible use." Construction of Alternative 3 would not involve any permanent geometric design features or any temporary traffic controls on public roadways, but would require temporary traffic controls on private roadways including McLaren Lane and Odd

Fellows Drive (which also serves the adjacent Fellowship Plaza property). For the same reasons described for the Project in Section 3.16.3, if such temporary controls are not implemented during construction of Alternative 3, there is potential for increased traffic safety hazards within the Project site. This impact could be **potentially significant**.

Therefore, the same mitigation measure required for the proposed Project would also be required for Alternative 3, which is:

> ***MM-TRA-3a: Construction Traffic Control Plan.*** *(See Section 3.16.3 for details of this measure).*

Implementation of mitigation measure MM-TRA-3a would reduce potential impacts from Alternative 3 related to construction traffic safety for the same reasons described for the proposed Project in Section 3.16.3. As such, with implementation of MM- TRA-3a, the potential for creation of substantial traffic-related hazards during construction of Alternative 3 would be **less than significant with mitigation**. This is the same level of significance as the Project.

Operation

Similar to the Project, operation of Alternative 3 would not include any incompatible uses, nor generate any incompatible traffic, such as farm equipment, and would not include any changes to the public road network.

Alternative 3 would require similar changes to the internal roading layout at the SRC campus as the Project, except to the north of the Manor Building, where Manor Circle would be retained, and an additional terraced driveway with angle parking would be constructed between Manor Circle and Odd Fellows Drive.

As described in Section 3.16.3, the Traffic Study prepared for the proposed Project (Hexagon 2021, see **Appendix F**) identified the need for stop signs and maintenance of appropriate sight distances at several of the new, altered, or existing intersections and driveways within the SRC campus. All of these recommendations are still applicable to Alternative 3, except for those relating to Building B access and modifications to the West Cottages Lane/Manor Circle intersection. In addition, a supplemental traffic analysis was prepared for Alternative 3 (Hexagon 2023, see **Appendix F**), which included additional recommendations to reduce potential conflicts associated with the proposed new parking lane and its confluence with Manor Circle and Colfax Drive. If the applicable recommendations from the original and supplemental traffic studies are not followed, there is potential for traffic-related safety impacts, which could be **potentially significant**.

The following mitigation measure (which is similar, but slightly modified compared to that required for the proposed Project) would be required for Alternative 3:

> ***MM-TRA-3b-ALT3: Implement Recommendations of Original and Supplemental Traffic Studies***
>
> *A. The Project Applicant shall implement all recommendations of the Traffic Study prepared for the Project by Hexagon Transportation Consultants Inc., dated January 22, 2021, which are:*
>
> *i. that the Project Applicant ensure that there is no tall vegetation near the driveways that would block a driver's sight distance for 150 feet;*

ii. *that stop signs should be installed for exiting vehicles at all new intersections, and a drop-off area be maintained in front of the Manor Building;*
iii. *that a sign indicating one-way travel be installed at the exit from Pavilion Circle onto West Cottages Lane; and*
iv. *that the Project Applicant clearly communicate with the delivery vehicles that they need to park in designated areas on site.*

B. In addition, the Project Applicant shall develop and implement a delivery schedule for vendors so that the number of simultaneous deliveries to campus does not exceed the available designated loading space.

C. The Project Applicant shall implement all recommendations of the supplemental traffic memorandum prepared for the Project Applicant's alternative site plan by Hexagon Transportation Consultants, Inc., dated April 21, 2023, which are:

i. *Install a painted nose where Manor Circle and the new parking lane meet, to ensure vehicles on both roadways stay within their own lanes before they turn onto Colfax Avenue (refer Figure 1 of Hexagon 2023 memorandum).*
ii. *Install stop signs at the end of Manor Circle and the new parking lane to establish intersection operation orders at the Colfax Lane intersection.*
iii. *Ensure there are no tall vegetations or objects that would prevent a driver's ability to see vehicles turning onto Colfax Lane from Odd Fellows Drive (recommended stopping sight distance of 50 feet).*
iv. *Ensure there are no tall vegetations or objects that would prevent a driver's ability to see at least 150 feet south on Colfax Lane (recommended stopping sight distance of 150 feet).*

Implementation of mitigation measure MM-TRA-3b-ALT3 would reduce the potential for traffic safety issues within the SRC campus by ensuring that the recommendations of both the original and supplemental traffic studies are implemented. Therefore, with implementation of MM-TRA-3b-ALT3, the potential for creation of substantial traffic-related hazards during operation of Alternative 3 would be **less than significant with mitigation**, which is the same level of impact as the Project.

Impact TRA-4: Project-Related Interference with Emergency Access

Construction

Alternative 3, as with the Project, would require temporary closures of some internal roadways within the SRC campus to facilitate construction; however, at least two out of the three main access roads to the Project site would be open for emergency vehicle access at all times. Similar to the proposed Project, movement of construction equipment and machinery and work associated with removal of the existing traffic circle at the entrance to Odd Fellows Drive from San Marcos Road could cause congestion and delays for emergency vehicles trying to access the SRC campus or adjacent Fellowship Plaza, particularly during the 6-month period when Phases 2, 3 and 5 overlap, when truck traffic would be at its peak.

As described in Section 3.16.3, the existing emergency access on the SRC campus does not meet the SCCFD specifications for a Fire Apparatus Access (e.g., turn radius, vertical clearance) that is required in accordance with CFC Chapter 5. As such, similar to the Project, Alternative 3

would install an additional emergency access and gate between Odd Fellows Drive and Chester Avenue, for emergency vehicles to access the SRC campus and Fellowship Plaza property in compliance with SCCFD requirements. However, if emergency service providers are not kept informed of construction activities and the need to utilize the secondary emergency access during periods when Odd Fellows Drive is congested or partially blocked during removal of the traffic circle, then emergency access to the Project site and the adjacent Fellowship Plaza could be disrupted, which would be a **potentially significant** impact.

The same mitigation measure required for the proposed Project would also be required for Alternative 3, which is:

> ***MM-TRA-3a: Construction Traffic Control Plan.*** *(See Section 3.16.3 for full details of this measure).*

Implementation of mitigation measure MM-TRA-3a would reduce potential impacts from Alternative 3 related to construction traffic safety for the same reasons described for the proposed Project in Section 3.16.3. As such, with implementation of MM-TRA-3a, the potential for Alternative 3 to interfere with emergency access during construction would be **less than significant with mitigation**. This is the same level of significance as the Project.

Operation

Alternative 3 would be subject to the California Fire Code (Part 9 of Title 24 of the CCR), as adopted in Chapter 16 of the City's Municipal Code, and the design plans for Alternative 3 would be reviewed by the SCCFD during the City's permitting process to ensure that they comply with all applicable City codes and SCCFD standards. Therefore, for the same reasons described for the Project in Section 3.16.3, operation of Alternative 3 would not result in inadequate emergency access and the impact would be **less than significant**, which is the same level of impact as the Project.

Tribal Cultural Resources

Impact TCR-1: Tribal Cultural Resources

As discussed in Section 3.17, the City has complied with AB 52 in its consultation and records searches conducted through NAHC and the NWIC. The records searches indicated that the Project area has a low sensitivity for tribal cultural resources, and two test pits dug in the vicinity of the existing Health Center and within the footprint of the Project's Building A, were both negative for tribal cultural resources. However, despite these negative results, tribal representatives have expressed ongoing concerns about archaeological sensitivity on the property, based on the anecdotal reports presented during the EIR scoping period about the potential presence of Native American artifacts and a possible burial ground at the property.

Similar to the Project, although the area is largely disturbed and the potential for encountering tribal cultural resources in the Project area is generally low, excavations associated with Alternative 3 could encounter previously unknown and buried tribal cultural resources. Due to the slightly larger construction footprint for Alternative 3, the potential for encountering tribal cultural resources would be slightly higher than for the proposed Project. The impact of Alternative 3 could be **potentially significant**.

The same mitigation measure required for the proposed Project would also be required for Alternative 3, which is:

MM-CUL-2: Inadvertent Discovery Protocols. *See Section 3.5.3 for details of this mitigation measure.*

Implementation of MM-CUL-2 would avoid or reduce adverse impacts to tribal cultural resources during construction of Alternative 3 for the same reasons as described for the proposed Project in Section 3.17.3. Therefore, the potential impact of Alternative 3 to tribal cultural resources would be reduced to **less than significant with mitigation**. This is the same level of impact as the proposed Project.

Utility and Service Systems

Impact UTI-1: New or Expanded Utility Services

Alternative 3 would result in the same number of new residents and staff as the proposed Project; therefore, demand for water supplies and wastewater would be the same. For the same reasons described in Section 3.18.3, such demand would not be substantial enough to require new or expanded water supply or treatment infrastructure. Consistent with the City's municipal code requirements for new construction, Alternative 3 would not include any new natural gas infrastructure. New stormwater drainage facilities would be constructed on the Project site under Alternative 3 but would not require relocation or construction of new or expanded stormwater facilities off-site that would cause environmental effects beyond those analyzed throughout this EIR.

Alternative 3 would also require new connections to existing water, wastewater, electricity, and telecommunications utilities, similar to that described for the proposed Project, and no improvement work would be required for the existing utilities outside of the Project site. Therefore, for the same reasons described for the Project in Section 3.18.3, Alternative 3 would not require or result in the relocation or construction of new or expanded water, wastewater treatment, storm water drainage, electric power, natural gas, or telecommunications facilities that would cause significant environmental effects. The impact of Alternative 3 would be **less than significant**, which is the same level of impact as the Project.

Impact UTI-2: Sufficient Water Supplies

Alternative 3 would result in the same number of new residents and staff as the proposed Project; therefore, demand for water supplies would be similar. For the same reasons described for the proposed Project in Section 3.18.3, the increased population under Alternative 3 compared to existing conditions would not represent unplanned growth; therefore, Alternative 3 would not be expected to exceed the capacity limits of SJWC's projected water supply through 2045. The impact of Alternative 3 on water supplies would be **less than significant**, which is the same level of impact as the Project.

Impact UTI-3: Wastewater Treatment Capacity

Alternative 3 would result in the same number of new residents and staff as the proposed Project; therefore, generation of wastewater would be similar. For the same reasons described for the proposed Project in Section 3.18.3, the increase in wastewater generation by Alternative 3 compared to existing conditions would be within the capacity limits of the wastewater treatment facilities serving the Project site. Therefore, impacts related to wastewater treatment capacity under Alternative 3 would be **less than significant**, which is the same level of impact as the Project.

Impact UTI-4: Solid Waste Capacity and Waste Reduction Goals

Construction

Alternative 3 would generate more solid waste (e.g., excess spoils and demolition debris) during construction than the proposed Project (approximately 54,300 CY compared to 37,100 CY), due primarily to the additional excavation required for Building D compared to the Project's Building B, and because of the debris that would be generated during demolition of the existing cottage. Overall, as with the Project, Alternative 3 would also be required to comply with solid waste regulations listed in the City's Municipal Code, the 2022 CALGreen Code, and Policy LU 6.3 of the City's General Plan, which requires implementation of the City's Construction Materials Recycling Program to reduce the quantity of construction debris disposed in local landfills.

Because there would be more solid waste generated, Alternative 3 would have a greater impact on solid waste capacity than the proposed Project. However, for the reasons discussed in Section 3.18.3, Alternative 3 would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. The impact of Alternative 3 construction on solid waste capacity and waste reduction goals would be **less than significant**, which is the same level of impact as the Project.

Operation

Alternative 3 would result in the same number of new residents and staff as the proposed Project; therefore, operational generation of solid waste would be the same. For the same reasons described for the proposed Project in Section 3.18.3, the increased volume of solid waste generated by Alternative 3 operations would be negligible compared to the capacity limits of the landfill facilities serving the Project site. Therefore, impacts related to solid waste capacity and waste reduction goals under Alternative 3 would be **less than significant**, which is the same level of impact as the Project.

Impact UTI-5: Solid Waste Statutes and Regulations

As with the Project, construction and operation of Alternative 3 would not conflict with or interfere with the State's or City's ability to implement its adopted solid waste management programs and policies. Alternative 3 would also comply with all statutes and regulations related to solid waste, including the 2022 CALGreen (Title 24 CCR Part 11) and the City's Health and Sanitation and Green Building Regulations. Therefore, for the same reasons described for the Project in Section 3.18.3, impacts related to solid waste statutes and regulations under Alternative 3 would be **less than significant**, which is the same level of impact as the Project.

Wildfire

Impact WF-1: Impairment of Emergency Response Plans or Emergency Evacuation Plans

As discussed previously, the SRC campus is not within a State Responsibility Area or VHFHSZ, although a VHFHSZ is present approximately 2,500 feet to the west (CAL FIRE 2008). As discussed in Impact HAZ-5 above for Alternative 3, operation of the Alternative would not impair implementation of an adopted emergency response plan or emergency evacuation plan, but construction activities and related heavy equipment or temporary traffic controls on Odd Fellows Drive could hinder emergency evacuation of the SRC campus or the neighboring Fellowship Plaza property during an emergency. This impact for Alternative 3 could be **potentially significant**.

The same mitigation measure required for the proposed Project would also be required for Alternative 3, which is:

> ***MM-TRA-3a: Construction Traffic Control Plan.*** *See Section 3.16.3 for full details of this measure.*

For the same reasons discussed for the Project in Section 3.19.3, implementation of mitigation measure MM-TRA-3a would reduce the impact of Alternative 3 on emergency response and evacuation to **less than significant with mitigation**, which is the same level of impact as the Project.

Impact WF-2: Exposure of Project occupants to pollutant concentrations from wildfire or uncontrolled spread of wildfire

As discussed previously, the SRC campus is not within a State Responsibility Area or VHFHSZ. As with the Project, Alternative 3 would not substantially alter site slopes or vegetation or introduce new land uses that would exacerbate potential wildfire risks at the Project site. Therefore, impacts related exposure of site occupants to pollutant concentrations from wildfire or uncontrolled spread of wildfire under Alternative 3 would be **less than significant**, which is the same level of impact as the Project.

Impact WF-3: Installation or maintenance of infrastructure that may exacerbate fire risk

As discussed previously, the SRC campus is not within a State Responsibility Area or VHFHSZ. As with the Project, Alternative 3 does not include infrastructure that would exacerbate fire risks, as all proposed utility connections and new roadways would be developed within previously developed areas of the site. In addition, Alternative 3 would be required to comply with applicable provisions of the CFC Chapter 33 and SCCFD's Standard Detail and Specification SI-7 (described in Section 3.19), which are mandatory.

As such, for the same reasons as described for the Project, the installation or maintenance of infrastructure associated with Alternative 3 would not exacerbate fire risk. Therefore, impacts related to the installation or maintenance of infrastructure that may exacerbate fire risk under Alternative 3 would be **less than significant**, which is the same level of impact as the Project.

Impact WF-4: Exposure to significant risks as a result of runoff, post-fire slope instability or drainage changes

As discussed previously, the SRC campus is not within a State Responsibility Area or VHFHSZ. In addition, the Project site is in a relatively flat area of the City and does not contain substantial areas of large slopes that would become unstable under post-fire conditions. As with the Project, Alternative 3 would be constructed within previously developed areas of the Project site, and, as such would not substantially alter slopes or drainage patterns that could result in significant risks related to downslope or downstream flooding or landslides as a result of runoff, post-fire slope instability, or drainage changes. Therefore, impacts related to exposure to significant risks as a result of runoff, post-fire slope instability or drainage changes under Alternative 3 would be **less than significant**, which is the same level of impact as the Project.

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4.7 Environmentally Superior Alternative

CEQA requires that, among the alternatives, an "environmentally superior" alternative be selected and that the reasons for such selection be disclosed. In general, the environmentally superior alternative is the alternative that would generate the fewest or least severe adverse impacts. Table 4.7-1 below provides a comparison of the Project to the alternatives with respect to the potential to avoid or substantially reduce environmental impacts.

The No Project Alternative is environmentally superior because it would have no environmental impacts and would avoid the proposed Project's significant and unavoidable impacts on historical resources and construction noise. When the No Project Alternative is environmentally superior, CEQA requires that another alternative be identified [CEQA Guidelines Section 15126.6(e)(2)].

Alternative 1, the Residents' Alternative, would have a less than significant impact on historic resources (Impact CUL-1) and would therefore avoid the proposed Project's significant and unavoidable impact to historic resources and avoid the need for mitigation measures MM-CUL-1a through MM-CUL-1c. Alternative 1 would also reduce the intensity of several impacts compared to the proposed Project due to the smaller construction footprint, e.g., tree removal (Impact BIO-5), potential for encountering archaeological, tribal or paleontological resources (Impacts CUL-2, GEO-6, and TCR-1), construction vibration (Impact NOI-2), recreation (Impacts REC-1 and REC-2), and emergency access (Impact TRA-4), even though the overall level of significance for these impacts would be the same. However, Alternative 1 would also increase the intensity of some impacts compared to the proposed Project, e.g., construction air emissions (Impact AIR-1), potential to encounter special-status species (Impact BIO-1), and greenhouse gas emissions (Impact GHG-1), even though the overall level of significance for these impacts would be the same. Alternative 1 would also introduce new potentially significant impacts requiring additional mitigation measures, relating to potential exposure of sensitive receptors to pollutants (Impact AIR-3), potential impacts to riparian habitats and wetlands (Impacts BIO-2, and BIO-3) and potential impacts relating to seismic hazards and slope instability (Impacts GEO-1 and GEO-3) as a result of the demolition of the existing Health Center and construction of Building D in its place.

Alternative 2, the Reduced Development Alternative, would avoid the proposed Project's significant and unavoidable impact to historical resources, but would require the same mitigation measures as the Project (MM-CUL-1a through MM-CUL-1c) in order to reduce the potential impacts to less than significant with mitigation (Impact CUL-1). Alternative 2 would reduce the intensity of several impacts compared to the proposed Project due to the smaller construction footprint, e.g., construction-related air emissions (Impact AIR-1), tree removal (Impact BIO-5), potential for encountering archaeological, tribal or paleontological resources (Impacts CUL-2, GEO-6, and TCR-1), greenhouse gas emissions (Impact GHG-1), construction noise (Impact NOI-1) and construction vibration (Impact NOI-2), even though the overall level of significance for these impacts would be the same. Unlike Alternative 1, Alternative 2 would not introduce any new or more significant impacts and would not require any additional mitigation measures.

Alternative 3, the Applicant's Alternative, would avoid the proposed Project's significant and unavoidable impact to historical resources, but would require the same mitigation measures as the Project (MM-CUL-1a through MM-CUL-1c), and an additional mitigation measure (MM-CUL-1d-ALT3), in order to reduce the potential impact to historical resources to less than significant with mitigation (Impact CUL-1). Alternative 3 would slightly increase the intensity of several impacts compared to the proposed Project due to the larger construction footprint and extended

construction duration, e.g., construction-related air emissions (Impact AIR-1), tree removal (Impact BIO-5), potential for encountering archaeological, tribal or paleontological resources (Impacts CUL-2, GEO-6, and TCR-1), greenhouse gas emissions (Impact GHG-1), construction noise (Impact NOI-1) and construction vibration (Impact NOI-2), even though the overall level of significance for these impacts would be the same. Unlike Alternative 1, Alternative 3 would not introduce any new or more significant impacts.

Because Alternative 2 would avoid the significant and unavoidable impact to the historic resource and would not introduce any additional impacts or require additional mitigation measures, the City has determined that the next environmentally superior alternative to the No Project Alternative would be Alternative 2, Reduced Development Alternative.

Table 4.7-1 Comparison of Proposed Project and Alternatives

Environmental Impact	Proposed Project	No Project Alternative	Alternative 1: Residents' Alternative	Alternative 2: Reduced Development	Alternative 3: Applicant's Alternative
Impact AES-1	NI	NI	NI	NI	NI
Impact AES-2	NI	NI	NI	NI	NI
Impact AES-3	NI	NI	NI	NI	NI
Impact AES-4	LTS	NI	LTS	LTS	LTS
Impact AIR-1	LTS	NI	LTS	LTS–	LTS
Impact AIR-2	LTSM	NI	LTSM	LTSM–	LTSM
Impact AIR-3	LTSM	NI	LTSM+	LTSM	LTSM+
Impact AIR-4	LTS	NI	LTS	LTS	LTS
Impact BIO-1	LTSM	NI	LTSM+	LTSM	LTSM
Impact BIO-2	NI	NI	LTSM	NI	NI
Impact BIO-3	NI	NI	LTSM	NI	NI
Impact BIO-4	LTSM	NI	LTSM	LTSM	LTSM
Impact BIO-5	LTS	NI	LTS–	LTS–	LTS
Impact BIO-6	NI	NI	NI	NI	NI
Impact CUL-1	S&U	NI	LTS	LTSM	LTSM
Impact CUL-2	LTSM	NI	LTSM–	LTSM–	LTSM+
Impact CUL-3	LTS	NI	LTS	LTS	LTS
Impact ENE-1	LTS	NI	LTS	LTS	LTS
Impact ENE-2	LTS	NI	LTS	LTS	LTS
Impact GEO-1	LTS	NI	LTSM	LTS	LTS
Impact GEO-2	LTS	NI	LTS	LTS	LTS
Impact GEO-3	LTS	NI	LTSM	LTS	LTS
Impact GEO-4	LTS	NI	LTS	LTS	LTS
Impact GEO-5	NI	NI	NI	NI	NI
Impact GEO-6	LTSM	NI	LTSM–	LTSM–	LTSM+
Impact GHG-1	LTSM	NI	LTSM	LTSM–	LTSM
Impact GHG-2	LTSM	NI	LTSM	LTSM	LTSM
Impact HAZ-1	LTS	NI	LTS	LTS	LTS+
Impact HAZ-2	NI	NI	NI	NI	NI
Impact HAZ-3	NI	NI	NI	NI	NI
Impact HAZ-4	NI	NI	NI	NI	NI
Impact HAZ-5	LTSM	NI	LTSM	LTSM	LTSM
Impact HYD-1	LTS	NI	LTS	LTS	LTS
Impact HYD-2	LTS	NI	LTS	LTS	LTS
Impact HYD-3	LTS	NI	LTS	LTS	LTS
Impact HYD-4	LTS	NI	LTS	LTS	LTS
Impact HYD-5	LTS	NI	LTS	LTS	LTS

Environmental Impact	Proposed Project	No Project Alternative	Alternative 1: Residents' Alternative	Alternative 2: Reduced Development	Alternative 3: Applicant's Alternative
Impact LUP-1	NI	NI	NI	NI	NI
Impact LUP-2	LTS	NI	LTS	LTS	LTS
Impact NOI-1	LTSM	NI	LTSM	LTSM–	LTSM+
Impact NOI-2	LTSM	NI	LTSM–	LTSM–	LTSM+
Impact NOI-3	NI	NI	NI	NI	NI
Impact POP-1	NI	NI	NI	NI	NI
Impact POP-2	NI	NI	NI	NI	NI
Impact PSR-1	LTS	NI	LTS	LTS	LTS
Impact REC-1	LTS	NI	LTS–	LTS	LTS
Impact REC-2	LTS	NI	LTS–	LTS	LTS
Impact TRA-1	LTS	NI	LTS	LTS	LTS
Impact TRA-2	LTS	NI	LTS	LTS	LTS
Impact TRA-3	LTSM	NI	LTSM	LTSM	LTSM
Impact TRA-4	LTSM	NI	LTSM–	LTSM	LTSM
Impact TCR-1	LTSM	NI	LTSM–	LTSM–	LTSM
Impact UTI-1	LTS	NI	LTS	LTS	LTS
Impact UTI-2	LTS	NI	LTS	LTS	LTS
Impact UTI-3	LTS	NI	LTS	LTS	LTS
Impact UTI-4	LTS	NI	LTS	LTS	LTS
Impact UTI-5	LTS	NI	LTS	LTS	LTS
Impact WF-1	LTSM	NI	LTSM	LTSM	LTSM
Impact WF-2	LTS	NI	LTS	LTS	LTS
Impact WF-3	LTS	NI	LTS	LTS	LTS
Impact WF-4	LTS	NI	LTS	LTS	LTS
Agriculture and Forestry Impacts	NI	NI	NI	NI	NI
Mineral Resource Impacts	NI	NI	NI	NI	NI
Number of impacts with higher significance level	N/A	0	4	0	0
Number of impacts with lower significance level	N/A	47	1	1	1
Number of impacts with same significance level	N/A	16	58	62	62

Source: compiled by AECOM. For each alternative, the significance determination shown in the table for a particular impact is the most severe of the construction or operational-phase impact.

Acronyms: N/A = Not Applicable; NI = No Impact; LTS = Less than Significant Impact; LTSM = Less than Significant with Mitigation; S&U = Significant and Unavoidable.

***Bold** indicates that impact is different level of significance than the Project.*

- indicates that although the overall level of significance for the Alternative would be the same as the proposed Project, the duration or intensity of the impact would be less, and/or fewer mitigation measures would be required.

+ indicates that although the overall level of significance for the Alternative would be the same as the proposed Project, the duration or intensity of the impact would be greater, and/or additional mitigation measures would be required.

5 Other CEQA Considerations

5.1 Significant Environmental Effects That Cannot be Avoided if the Project is Implemented

Section 21100(b)(2)(A) of the CEQA requires that an EIR identify significant environmental effects that cannot be avoided if a Project is implemented.

Most impacts identified related to the Project would be either less than significant or could be mitigated to a less than significant level. However, the Project would also result in one significant impact that cannot feasibly be avoided or mitigated to a less than significant level. Based on the environmental analyses within this EIR, the City has determined that implementation of the Project would result in the following significant and unavoidable impact:

- **Impact CUL-1:** The Project would result in a substantial adverse change in the significance of a historical resource. See Section 3.5, *Cultural Resources*.

Due to this significant unavoidable environmental effect, if the City Council decides to approve the Project, it would need to adopt a Statement of Overriding Considerations, which would include findings that the economic, legal, social, technological, or other benefits of the Project outweigh this unavoidable adverse impact.

5.2 Significant Irreversible Environmental Changes

CEQA (PRC Section 21100(b)(2)) provides that an EIR shall include a detailed statement setting forth "[i]n a separate section…[a]ny significant effects on the environment that would be irreversible if the Project is implemented." CEQA Guidelines Section 15126.2(d) provides the following guidance for analyzing the significant irreversible environmental changes of a Project:

> *Uses of nonrenewable resources during the initial and continued phases of the Project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also, irretrievable damage can result from environmental accidents associated with the Project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.*

Determining whether the project may result in significant irreversible effects requires a determination of whether key resources would be degraded or destroyed such that there would be little possibility of restoring them. The Project would develop three new buildings and two additions to existing buildings within an existing retirement community. Because the proposed land use at the site is not changing, the Project would not result in an irreversible change in the type of land use undertaken at the site. The proposed addition of a Planned Combined District overlay on the existing R-1-40,000 zoning, as well as the use and development of areas of the project site that are currently not developed with buildings, would technically be reversible, but it is improbable that it would be reversed during the 50- to 75-year lifespan of the new buildings, due to the large capital investment that would already have been committed.

The Project would result in the irreversible loss of several character-defining features of the Manor Building, resulting in the building no longer being eligible for listing in the CRHR, as discussed in Section 3.5, *Cultural Resources*. Although proposed Building B and associated modifications to the curvilinear driveway and sloped, landscaped area in front of the Manor Building could potentially be removed in the future, the extent of the earthworks and grading that would have been undertaken by the construction and removal of the building are such that integrity of the resource's setting would be irreversibly lost.

Implementation of the Project would not provide access to a previously inaccessible area, and the proposed infill redevelopment of an existing senior living campus would be expected to indirectly result in a reduction in the use of nonrenewable resources compared to new greenfield development.

Implementation of the Project would also involve the use of nonrenewable resources, primarily through use of petroleum-based fuels for Project construction and operation, that would consume limited supplies of nonrenewable resources. However, as discussed in Section 3.6, *Energy*, the Project would comply with applicable regulations and requirements regarding energy efficiency (e.g., "Build It Green" energy and water saving standards), and would incorporate energy-conserving features (e.g., roof-mounted photovoltaic solar system and battery storage), and would not result in inefficient, wasteful, and unnecessary consumption of energy.

Other nonrenewable and slowly-renewable resources consumed as a result of Project development would include, but not necessarily be limited to, lumber and other forest products, sand and gravel, asphalt, petrochemical construction materials, and water. The use of these nonrenewable resources would account for only a small portion of the region's resources and would not affect the availability of these resources for other needs in the region.

The Project would not result in irreversible damage from environmental accidents, such as an accidental spill or explosion of a hazardous material. As discussed in Section 3.9, *Hazards and Hazardous Materials*, during construction, equipment would use various fuels and materials classified as hazardous. In the State of California, the storage and use of hazardous substances are strictly regulated and enforced by local, regional, and state agencies to prevent impacts related to environmental accidents. The nature of construction would not involve unusual amounts or types of hazardous materials that could result in irreversible damage from an accidental release. Similarly, long-term operation of the Project would not involve hazardous materials beyond standard, common-place household, commercial cleaning, and maintenance products and landscaping chemicals, similar to existing uses at the site, which would not result in significant environmental accidents with their use in accordance with manufacturer instructions. The types and amounts of hazardous materials used at the Project site under the Project would not pose any greater risk of upset or accident than the existing uses at the site or at other similar development elsewhere in the region.

5.3 Growth Inducement

Section 15126.2(e) of the State CEQA Guidelines requires that an EIR discuss the ways in which a proposed Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. An EIR must also discuss the characteristics of the Project that could encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

Direct growth inducement would arise if a Project involved construction of new housing that has not been accounted for in the City's planning efforts and growth forecasts. Indirect growth inducement would arise, for instance, if a Project would remove obstacles to population growth (e.g., a major expansion of a wastewater treatment plant).

Growth-inducement itself is not an environmental effect, but it may foreseeably lead to environmental effects. These environmental effects may include increased demand on other community and public services and infrastructure that then involve expansion of existing or construction of new facilities that could result in changes to the physical environment, increased traffic and noise, degradation of air or water quality, degradation or loss of plant or animal habitats, or conversion of agricultural and open space land to urban uses.

As discussed in Section 3.13, *Population and Housing*, the Project would introduce 52 additional senior residential units, resulting in approximately 89 additional residents at the SRC campus. This increase would be partially offset by the conversion of double-occupancy skilled nursing and memory care units to single-occupancy rooms, which would remove 45 beds for a net capacity increase of 44 residents once the Project is fully built out. Although the Project would result in an increase in population at the site compared to existing conditions, the residential capacity at Project buildout (497 to 532 residents) would be almost the same as the maximum capacity previously approved for the site as part of the 1995 SRC Campus Master Plan (521 residents), and therefore would not represent substantial unplanned population growth.

Temporary housing or other services would not be required to accommodate Project construction workers, as the duration of construction and number of construction workers required would be typical of other construction projects in the area and workers are anticipated to come from the local labor pool.

The number of employment opportunities associated with Project operation would be similar to, or slightly less than, the existing number of employees serving the existing retirement community; therefore, the Project would not introduce substantial new permanent employment opportunities or stimulation of economic activity.

The Project is in an already-urbanized area and would increase development at an infill site that is already adequately served with roads and utilities and is within an existing community that provides services to support its senior residents. The Project would not include any oversized infrastructure or extension of roadways or other services that might indirectly induce growth in the area. The Project would not establish any policies or precedents that would directly or indirectly encourage unplanned growth.

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7 List of Preparers

7.1 City of Saratoga (Lead Agency)

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Heather Miller ..... Architectural Historian
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Anne Campbell ..... Graphics

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Appendix A Notice of Preparation & Scoping Comments

Contains:

- Notice of Preparation, dated November 18, 2021
- Public Scoping Comments, received November 22 through December 22, 2021

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Appendix B Arborist Report and City Approval

Contains:

- Arborist Report prepared by Arbor Resources, dated May 27, 2021
- City of Saratoga Arborist Approval, dated May 16, 2022

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Appendix C Air Quality and Greenhouse Gas Supporting Information

Contains:

- AECOM, 2022. Health Risk Assessment for the Proposed Senior Living Project at 14500 Fruitvale Avenue, Saratoga. Memorandum prepared for City of Saratoga. June 28, 2022.
- CalEEMod Inputs, Assumptions, and Outputs, prepared by AECOM in support of CEQA analysis.

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Appendix D Cultural Resources Supporting Information

Contains:

- AECOM, 2021a. Review of Historic Evaluation Reports to support CEQA analysis for Saratoga Retirement Community Expansion. Memorandum prepared for the City of Saratoga. February 2, 2021.
- AECOM, 2021b. Supplemental Evaluation to support CEQA analysis for Saratoga Retirement Community Expansion. Memorandum prepared for the City of Saratoga. March 23, 2021. Includes 2021 update to Department of Parks and Recreations Primary Record (DPR) 523 form for Odd Fellows Home – Saratoga.
- Garavaglia Architecture, 2020. Saratoga Retirement Community Peer-Review. Prepared for the City of Saratoga by Garavaglia Architecture, San Francisco, California.
- Urban Programmers, 2019. Historic Background Report and Review of the Proposed Development Plans for the Saratoga Retirement Community, 14500 Fruitvale Avenue, Saratoga, California. Prepared for Pacific Retirement Services, Medford, Oregon by Urban Programmers, San Jose, California.
- AECOM, 2022. Archaeological Resources Report – Saratoga Retirement Community Memorandum prepared for City of Saratoga. June 30, 2022.

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Appendix E Noise and Vibration Supporting Information

Contains:

- On-site Noise Measurement Data, undertaken by AECOM, February 16-17, 2021
- Noise and Vibration Calculations and Assumptions, prepared by AECOM in support of CEQA analysis
- RCP Construction Inc. 2022. Construction Noise Mitigation Plan, Proposed Project
- RCP Construction Inc. 2023. Construction Noise Mitigation Plan, Alternative 3

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Appendix F Transportation Supporting Information

Contains:

- Hexagon Transportation Consultants, Inc. 2021. Traffic Study for the Proposed Senior Living Project at 14500 Fruitvale Avenue in Saratoga, California. San Jose, California. Dated January 22, 2021.
- Hexagon Transportation Consultants, Inc. 2023. Senior Living Project Traffic Study at 14500 Fruitvale Avenue – Impact of Alternate Site Plan. San Jose, California. Dated April 21, 2023.

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