Draft Initial Study

Civic Center Family Housing Project

File Nos.: PLN2020-14674, PLN2020-14705 and CEQ2020-01080



Prepared by

CITY OF SANTA CLARA CALIFORNIA
1852
THE MISSION CITY

In Consultation with
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ENVIRONMENTAL CONSULTANTS & PLANNERS

June 2022

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All appendices are hereby incorporated into this document by this reference. No other documents are incorporated by reference.

SECTION 1.0 INTRODUCTION AND PURPOSE

1.1 PURPOSE OF THE INITIAL STUDY

The City of Santa Clara, as the Lead Agency, has prepared this Initial Study for the Civic Center Drive Family Housing Project in compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines (California Code of Regulations §15000 et. seq.) and the regulations and policies of the City of Santa Clara, California.

The project proposes to construct a five-story multi-family development, which would consist of 108 affordable units and two manager's units. This Initial Study evaluates the environmental impacts that might reasonably be anticipated to result from implementation of the proposed project.

1.2 PUBLIC REVIEW PERIOD

Publication of this Initial Study marks the beginning of a 30-day public review and comment period. During this period, the Initial Study will be available to local, state, and federal agencies and to interested organizations and individuals for review. Written comments concerning the environmental review contained in this Initial Study during the 30-day public review period should be sent to:

Debby Fernandez, Associate Planner
1500 Warburton Avenue
Santa Clara, CA 95050
Phone: (408) 615-2457
Email: DFernandez@santaclaraca.gov

1.3 CONSIDERATION OF THE INITIAL STUDY AND PROJECT

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

1.4 NOTICE OF DETERMINATION

If the project is approved, the City of Santa Clara will file a Notice of Determination (NOD), which will be available for public inspection and posted within 24 hours of receipt at the County Clerk's Office for 30 days. The filing of the NOD starts a 30-day statute of limitations on court challenges to the approval under CEQA (CEQA Guidelines Section 15075(g)).

SECTION 2.0 PROJECT INFORMATION

2.1 PROJECT TITLE

Civic Center Drive Family Housing Project

2.2 LEAD AGENCY CONTACT

City of Santa Clara
Community Development Department
1500 Warburton Avenue
Santa Clara, CA 95050

Debby Fernandez, Associate Planner
Phone: (408) 615-2457
Email: DFernandez@santaclaraca.gov

2.3 PROJECT APPLICANT

Charities Housing Development Corporation
1400 Parkmoor Avenue, Suite 190
San Jose, CA 95126

2.4 PROJECT LOCATION

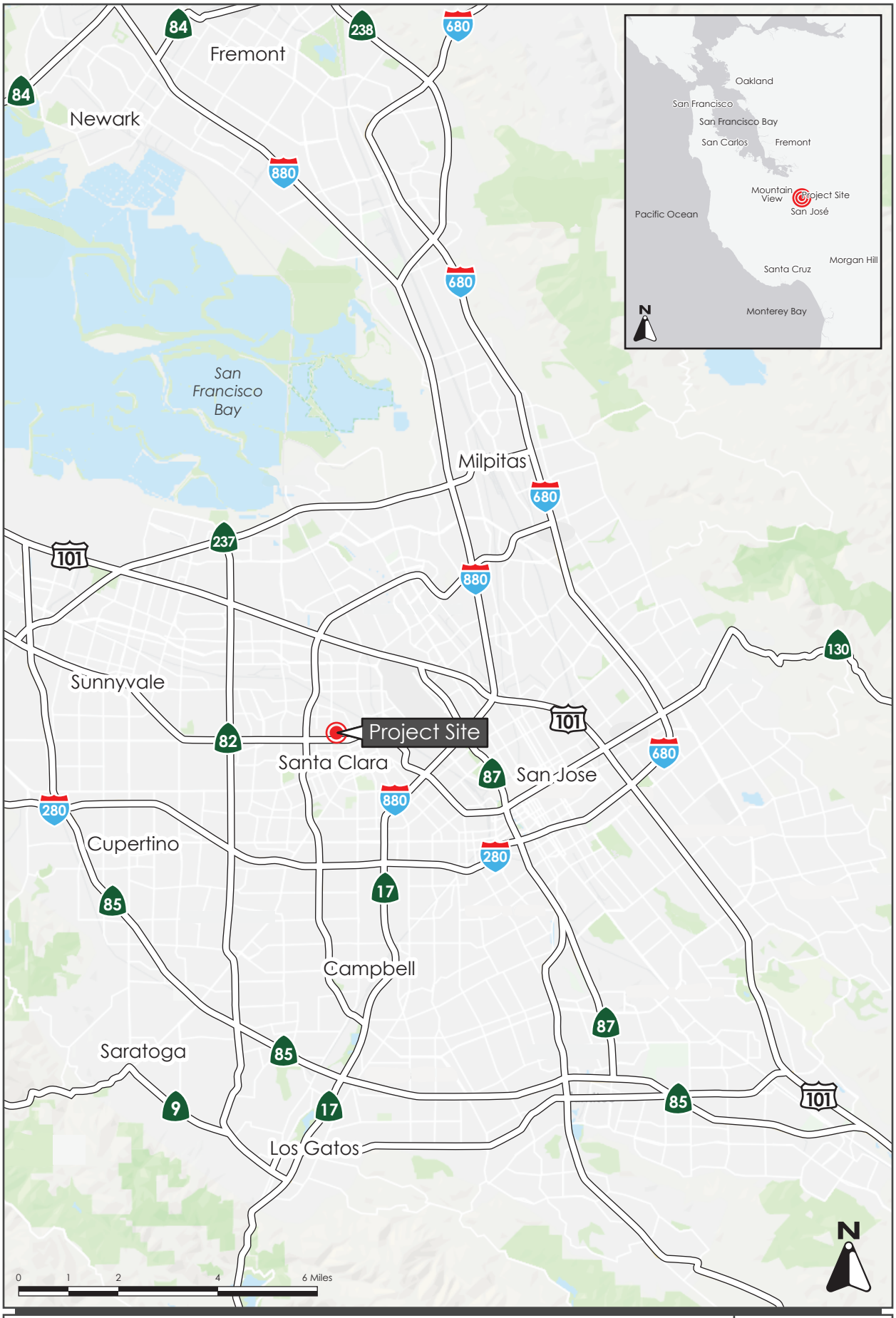
The approximately 1.4-acre project site is located approximately 400 feet north of El Camino Real at the northwest corner of Lincoln Street and Civic Center Drive. The location of the project site is shown on Figure 2.4-1, Regional Map, Figure 2.4-2, Vicinity Map, and Figure 2.4-3, Aerial Photograph and Surrounding Land Uses.

2.5 ASSESSOR'S PARCEL NUMBER

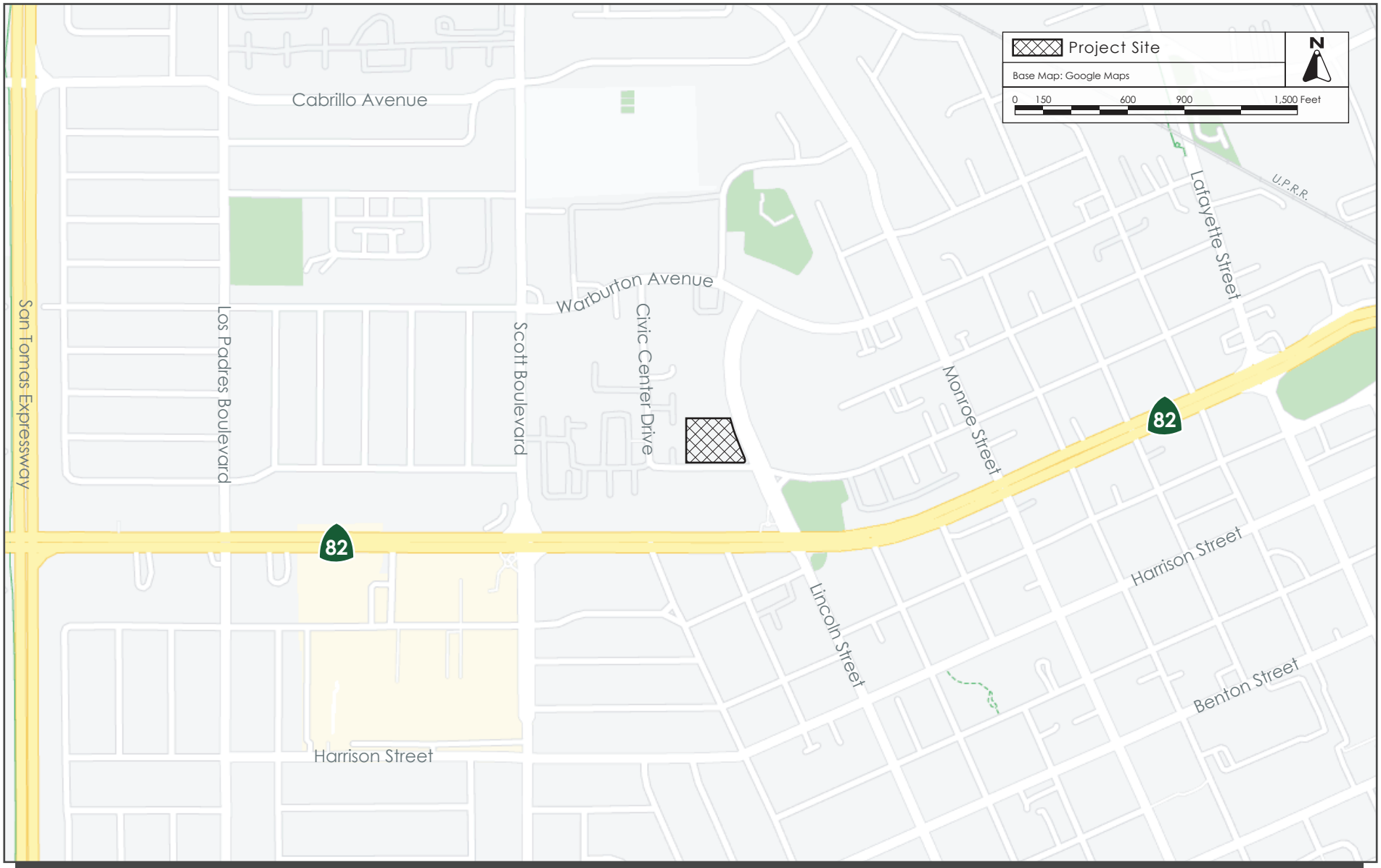
APN 224-49-006

2.6 GENERAL PLAN DESIGNATION AND ZONING DISTRICT

Existing Zoning District:	OG – General Office
Existing General Plan Designation:	Community Commercial
Proposed Zoning District:	PD (Planned Development) for 79 units per acre
Proposed General Plan Designation:	High Density Residential



REGIONAL MAP | FIGURE 2.2-1



VICINITY MAP

FIGURE 2.2-2



AERIAL PHOTOGRAPH AND SURROUNDING LAND USES | FIGURE 2.2-3

2.7 PROJECT-RELATED APPROVALS, AGREEMENTS, AND PERMITS

The project would require the following approvals and permits issued by the City:

- General Plan Amendment
- Planned Development Rezoning
- Design Review
- Building Permit(s)
- Grading Permit(s)

SECTION 3.0 PROJECT DESCRIPTION

3.1 PROJECT OVERVIEW ANDLOCATION

The approximately 1.4-acre site is located at 1601 Civic Center Drive (Assessor's Parcel Number 224-49-006) in the City of Santa Clara (see Figure 3.2-1 through Figure 3.2-3). The project site has a General Plan land use designation of Community Commercial and is zoned OG (General Office). The project site is bounded by Lincoln Street to the east, Civic Center Drive to the south, residences to the west, and a church to the north.

The project site contains an existing vacant two-story office building, a surface parking lot, and 19 trees. The project proposes to demolish the existing office building and redevelop the site with a five-story multi-family development. The project components include the multi-family residences, landscaping, site access, utilities, and on-and off-site improvements. Construction details are described below. A site plan for the proposed project is provided in Figure 3.2-1.

3.2 PROJECT COMPONENTS

3.2.1 Multi-Family Residences

As proposed, the project would remove the existing office building and construct a five-story multi-family development, which would consist of up to 106 affordable units and two managers' units (a total of 108 units). The proposed multi-family residential building would front Lincoln Avenue and would have a north and south wing. The proposed development would include a community room, offices to provide services to tenants, and surface and garage parking on the ground level. Residential units would be located on the first through fifth floors. Floors three through five would have walkways between the two wings of the building. The maximum height of the proposed building would be 60 feet above the ground surface at the top of the roof. The proposed building elevations are shown in Figure 3.2-2.

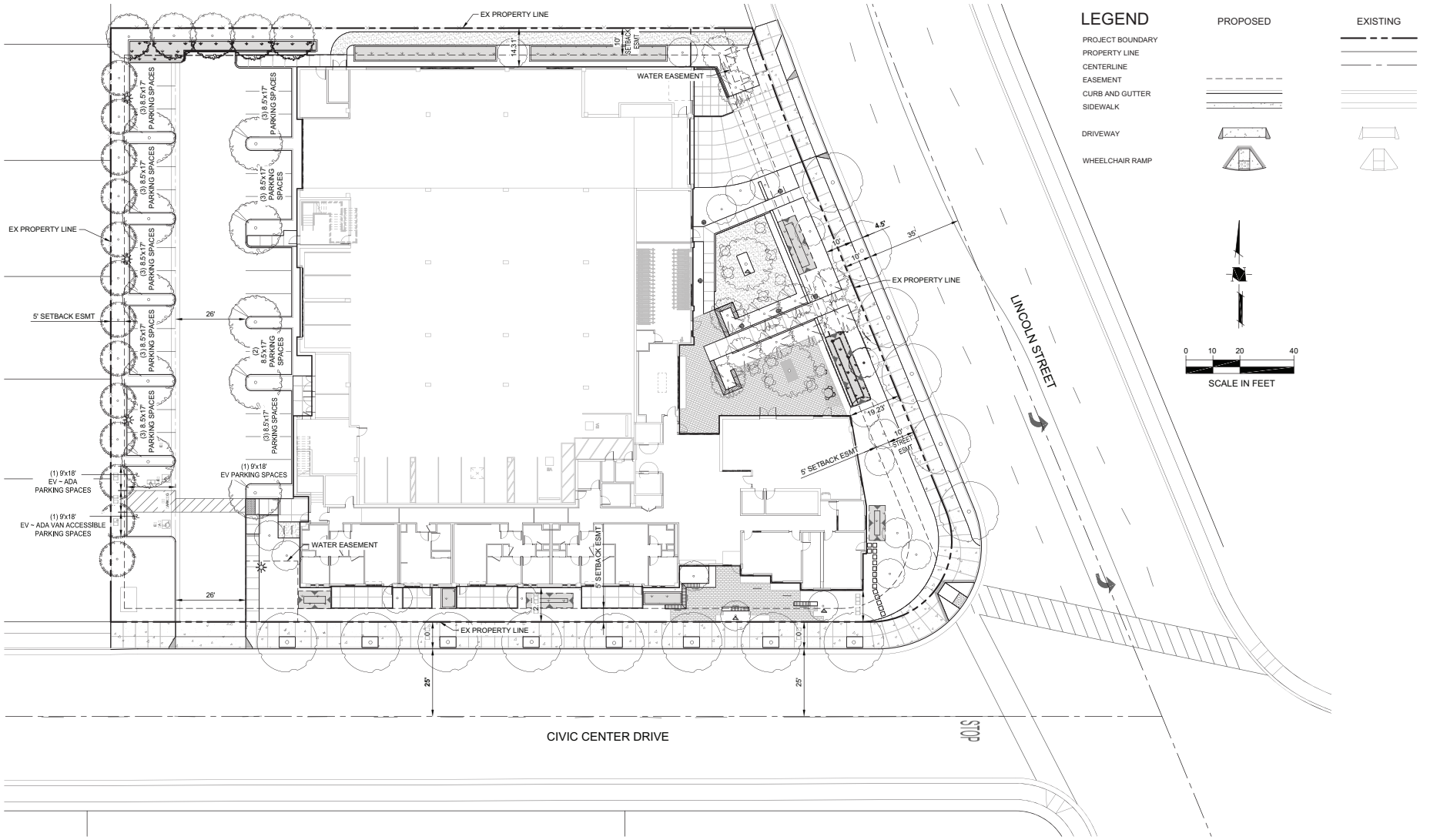
3.2.1.1 *Open Space and Landscaping*

As proposed, the project would remove all 19 existing on-site trees. New landscaping, including 82 new trees, would be planted throughout the site as part of the proposed project. The project would incorporate approximately 17,000 square feet of common open space including a landscaped entry court with trees facing Lincoln Street and a second-level courtyard available for residents. The landscaped entry court would include pedestrian pathways and outdoor seating. The second-level courtyard would include landscaping, a recreational area with synthetic turf, ping pong tables, and a dining court and barbeque area.

The project includes a complete street section with a landscape planter between the street frontages and a new sidewalk.

3.2.1.2 *Site Access and Parking*

The vehicle entry to and exit from the project site would be from two new (proposed) full access 24-foot-wide driveways. One would be on Civic Center Drive, at the southwestern corner of the site and the other would be on Lincoln Avenue, near the northeast corner of the site. The proposed driveway



Source: Mithūn, April 8, 2022.

SITE PLAN

FIGURE 3.2-1



SOUTH ELEVATION



WEST ELEVATION

Source: Mithūn, April 8, 2022.

BUILDING ELEVATIONS

FIGURE 3.2-2

on Civic Center Drive would replace the existing on-site driveway, approximately 175 feet east of the proposed driveway location. The proposed driveway would provide access to the surface parking lot and parking garage. The driveway would serve resident as well as provide emergency vehicle access (EVA) to the site. The existing sidewalk would be replaced and widened from its current width of approximately eight feet along the project frontage on Lincoln Street and approximately five feet along the project frontage on Civic Center Drive to 10 feet along both project frontages on Civic Center Drive and Lincoln Street.

Vehicle parking would be provided on a surface parking lot on the western edge of the project site and within the ground level parking garage. The development would include up to 82 vehicular parking spaces. A bicycle storage room with bicycle racks that can accommodate up to 67 bicycles would also be constructed in the northeast corner of the ground floor and would be accessible by a walkway facing Lincoln Street.

3.2.1.3 *Utility Improvements*

Stormwater runoff from the site would be treated via flow-through bioretention planters and self-treating areas and directed to new 12-inch storm drains which would connect to the City's stormwater system on Civic Center Drive and Lincoln Avenue.

Wastewater from the project site would be directed to six-inch sanitary sewer lines that would connect to the City's sanitary sewer system on Civic Center Drive and Lincoln Avenue. Water would be provided for residential, fire service, and irrigation uses and new water lines would connect to an existing eight-inch water main on Civic Center Drive. The joint trench for Silicon Valley Power (SVP) underground electric facilities would be relocated from below the existing sidewalk to under Civic Center Drive fronting the project site.

3.2.2 General Plan Amendment and Rezoning

The project, as proposed, includes a General Plan Amendment (GPA) and rezoning to allow for the proposed project. The GPA would include a change in the site's General Plan land use designation from Community Commercial to High-Density Residential. The existing Community Commercial designation allows for development of uses such as shopping centers, offices, and neighborhood serving retail with a maximum floor area ratio (FAR) of 0.50. The proposed High-Density Residential General Plan land use designation is intended for development of mid-rise buildings that have a density ranging from 40 to 50 units per acre. Given the proposed project is 100 percent affordable housing, the project would qualify for a State Density Bonus which would translate to a density of up to 129 dwelling units per acre.

The site's existing OG – General Office zoning is intended for office, clinic, instruction facility (distinguished from a school), lodge, mortuary, preschool and restaurant uses. The site would be rezoned from OG - General Office to Planned Development to allow for the proposed residential use.

3.2.2.1 *Green Building Measures*

The project, as proposed, would be built according to the City of Santa Clara Building Code which requires adherence to the Residential Mandatory Measures of the California Green Building Code (CalGreen). The project includes measures that would exceed Title 24 California Energy Code

requirements and would meet the minimum GreenPoint Rated 50 points.[1] GreenPoint Rated 50 points would be met by incorporating a variety of design features including community design and planning, site design, landscape design, building envelope performance, and material selections. The following green building measures would be included in the project:

- Photovoltaic arrays on the roof of the proposed building
- Clean air vehicle parking as well as electric vehicle charging stations to encourage reduction of greenhouse gas (GHG) emissions
- Landscaping, at-grade as well as on the podium level, consisting of large canopy trees that would reduce the heat island effect and the residents' energy use.
- On-site bicycle parking
- Low volatile organic compound (VOC) caulks and adhesives, zero-VOC paints and formaldehyde-free cabinets, doors and trims will be employed

3.2.3 Demolition and Construction

Construction of the proposed project is anticipated to start in September 2023 and is expected to take approximately 18 months to complete. Construction activities associated with the proposed project include site clearing and demolition (e.g., removing existing vegetation and trees and the existing structures on the project site), utility connections (e.g., new lateral connections to the existing water, sewer, and storm drain mains in Civic Center Drive and Lincoln Street), building construction, frontage improvements (e.g., new street trees, new curb, gutter, sidewalk and driveway construction), and landscaping on the site. Approximately 2,105 cubic yards of soil would be exported from the site during construction.

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

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

SECTION 4.0 ENVIRONMENTAL SETTING, CHECKLIST, AND IMPACT DISCUSSION

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

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

The discussion for each environmental subject includes the following subsections:

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

4.1 AESTHETICS

4.1.1 Environmental Setting

4.1.1.1 *Regulatory Framework*

State

Senate Bill 743

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

- The project is a residential, mixed-use residential, or employment center project, and
- The project is located on an infill site within a transit priority area.[2]

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

Streets and Highway Code Sections 260 through 263

The California Scenic Highway Program (Streets and Highway Code, Sections 260 through 263) is managed by the California Department of Transportation (Caltrans). The program is intended to protect and enhance the natural scenic beauty of California highways and adjacent corridors through special conservation treatment. There are no state-designated scenic highways within the City of Santa Clara.

In Santa Clara County, the one state-designated scenic highway is State Route (SR) 9 from the Santa Cruz County line to the Los Gatos City Limit. Eligible State Scenic Highways (not officially designated) include SR 17 from the Santa Cruz County line to SR 9, SR 35 from Santa Cruz County line to SR 9, Interstate 280 from the San Mateo County line to SR 17, and the entire length of SR 152 within the County.[3]

[2] An "infill site" is defined as "a lot located within an urban area that has been previously developed, or on a vacant site where at least 75 percent of the perimeter of the site adjoins or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses." A "transit priority area" is defined as "an area within 0.5 mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program adopted pursuant to Section 450.216 or 450.322 of Title 23 of the Code of Federal Regulations." A "major transit stop" means "a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service interval of 15 minutes or less during the morning and afternoon peak commute periods." Source: Public Resources Code Section 21009. Accessed September 3, 2021. https://codes.findlaw.com/ca/public-resources-code/prc-sect-21099.html.

[3] California Department of Transportation (Caltrans). California Scenic Highways. Accessed December 13, 2021. https://www.arcgis.com/home/item.html?id=f0259b1ad0fe4093a5604c9b838a486a.

Local

Santa Clara General Plan

General Plan policies applicable to aesthetics include, but are not limited to, the following:

Policies	Description
General Land Use	
5.3.1-P3	Support high quality design consistent with adopted design guidelines and the City's architectural review process.
5.3.1-P10	Provide opportunities for increased landscaping and trees in the community, including requirements for new development to provide street trees and a minimum 2:1 on- or off-site replacement for trees removed as part of the proposal to help increase the urban forest and minimize the heat island effect.
5.3.1-P28	Encourage undergrounding of new utility lines and utility equipment throughout the City.

Santa Clara City Code

The City Code includes regulations associated with protection of the City's visual character, to promote a sound and attractive community appearance, as stated in Chapter 8.30 Public Nuisances and Chapter 18.52 Regulations for Public, Quasi-Public, and Public Park or Recreation Zoning Districts. The City Code also includes an Architectural Review process, as outlined in Zoning Ordinance Chapter 18.76. The Architectural Review process is intended to:

- Encourage the orderly and harmonious appearance of structures and properties;
- Maintain the public health, safety, and welfare;
- Maintain property and improvement values throughout the City;
- Encourage the physical development of the City that is consistent with the General Plan and other City regulations;
- Enhance the aesthetic appearance, functional relationships, neighborhood compatibility and excellent design quality.

Architectural Policies – Community Design Guidelines

The City's Architectural Review Process considers plans and drawings submitted for architectural review for design, aesthetic considerations, and consistency with zoning standards, prior to submittal for building permits. In reviewing architectural submittals, the Director of Community Development follows the City's Community Design Guidelines. The intent of these guidelines is to encourage the orderly development and harmonious appearance of structures and properties; provide fair and equitable treatment to all applicants; maintain property values throughout the General Plan.

4.1.1.2 *Existing Conditions*

Project Site

The project site is currently occupied by a vacant, two-story office building, a surface parking lot, and 19 trees. The existing office building is rectangular in shape and is characterized by a concrete

exterior, rows of rectangular windows, a tile roof, and second story balconies on all sides except for the west side, adjacent to existing residences. The perimeter of the existing building and surface parking lot are landscaped primarily with hedges, trees, and ivy. Photos 1 and 2 show views of the project site.

Surrounding Vicinity

The project site is surrounded by urban development. Buildings in the project vicinity range from one to three stories. Architectural styles vary from property to property. The one-story church building to the north is made of concrete with a segmented flat roof. The City Hall buildings to the east are Mission-style one-to two-stories with cross-hipped clay tile roofs with cement plaster facades. The City Hall property consists of open lawn areas with trees and a fountain. The properties to the south of the site consist of one- to two-story Mission-style commercial buildings made of concrete masonry with clay-tile hipped roofs[4]. The commercial properties have paved surface parking lots and perimeter landscaping. The residences immediately to the west are one- to- two-stories and made of wood siding and gable-styled roofs. Multi-family residences to the east of Civic Center Drive are two- to three-stories and with stucco cladding and gable roofs with varied architecture. Surrounding properties and streets are generally lined with trees and landscaping. Civic Center Park is also southeast of the project site, across the Civic Center Drive/Lincoln Street intersection. Civic Center Park is characterized by an open lawn area, flower beds, benches, two fountains, walking paths, and trees located throughout. Photos 3 through 6 show views of the site's surrounding properties.

Scenic Views and Resources

A scenic vista is the view of an area that is visually or aesthetically pleasing. No designated scenic vistas or view corridors are located within the City; however, the City of Santa Clara 2010-2035 General Plan Final Environmental Impact Report lists the Santa Cruz Mountains, Diablo Range, San Tomas Aquino Creek, and the Guadalupe River as "visual resources" that can be viewed from areas within the City. Other areas within the City provide views of the community and surrounding natural features, including views of the open space/undeveloped land in the Ulistac Natural Area (approximately two miles northeast of the site). Views of these resources are obstructed at the project site due to existing urban development and landscaping.

There are no state-designated scenic roadways near the project site. The nearest state-designated highway is SR 9/Los Gatos-Saratoga Road, approximately 7.7 miles southwest of the site.[5]

The project site and the surrounding area are relatively flat and, as a result, the site is only visible from the immediate area.

[4] A hipped-roof is a type of roof where all sides slope downwards to the walls.
[5] Caltrans. Caltrans State Scenic Highway System Map. Accessed December 13, 2021. https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa



Photo 1: View of the project site, looking north on Civic Center Drive.



Photo 2: View of the project site, looking southwest on Lincoln Street.

PHOTOS 1 & 2



Photo 3: View of hotel across Civic Center Drive, looking south.



Photo 4: View of City Hall offices, looking east on Civic Center Drive.



Photo 5: View of commercial building/bank on Civic Center Drive, looking south.



Photo 6: View of residences west of the project site, looking northeast from Civic Center Drive.

PHOTOS 5 & 6

Light and Glare

Sources of light and glare in the project area include streetlights, parking lot lights, security lights, vehicular headlights, internal building lights, and reflective building surfaces and windows.

4.1.2 Impact Discussion

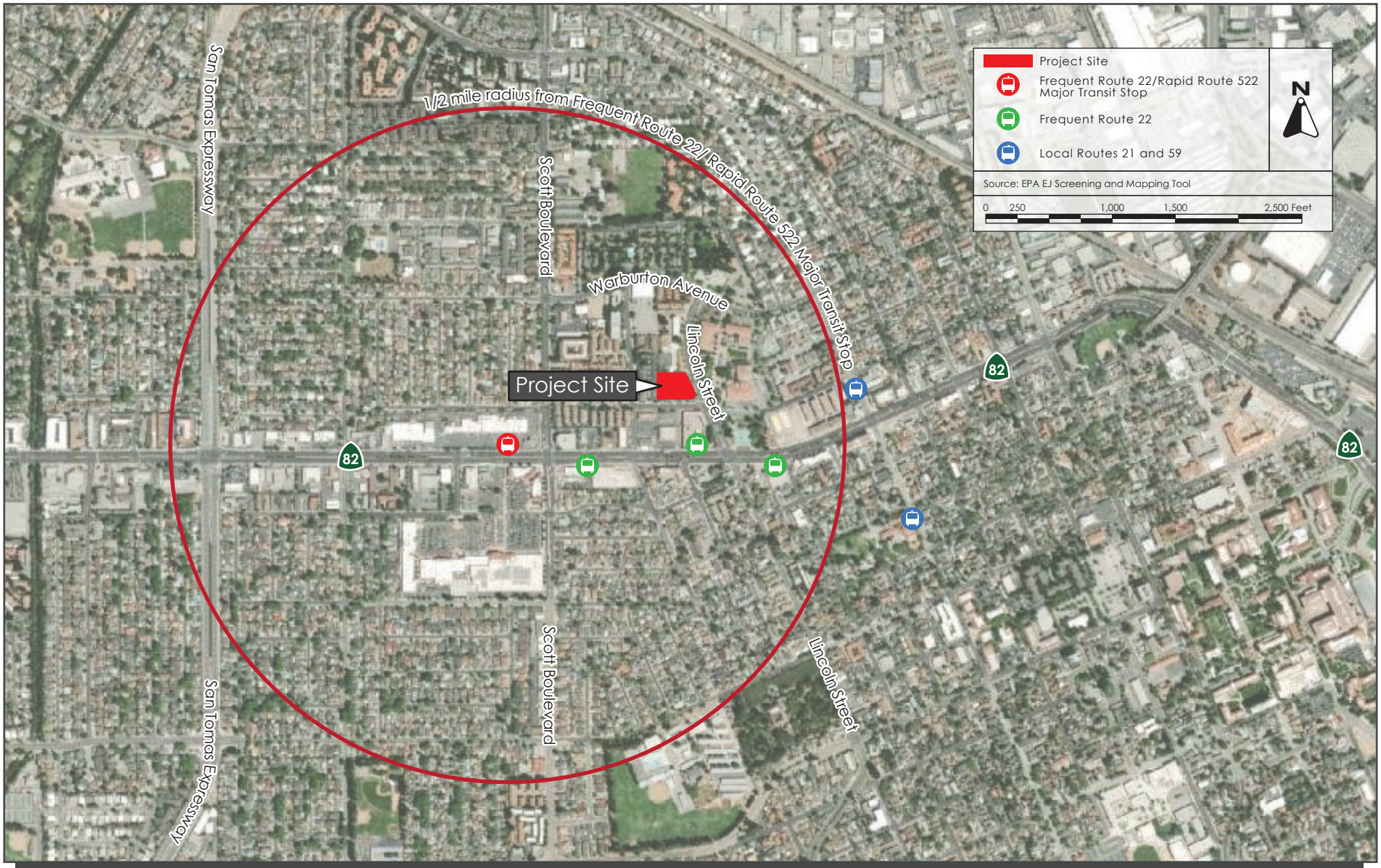
	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
1) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
2) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
3) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? [6] If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
4) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

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

The project site is located within a transit priority area designated by the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (refer to Figure 4.1-1).[7] The proposed project would be an infill development since the site is under-utilized and surrounded by urban development.

Pursuant to SB 743, Public Resources Code Section 21099 (d)(1) states (d)(1) aesthetic impacts of a residential, mixed-use residential, or employment center project on an infill site within a transit priority area shall not be considered significant impacts on the environment. Given the project would be a residential development on an infill site and is located within a transit priority area, the project would not result in significant aesthetic impacts. The following discussion is provided for informational purposes only. **(Less than Significant Impact)**

[6] Public views are those that are experienced from publicly accessible vantage points.
[7] Metropolitan Transportation Commission. *Transit Priority Areas (2017).* Accessed December 20, 2021. https://www.arcgis.com/home/item.html?id=370de9dc4d65402d992a769bf6ac8ef5.



TRANSIT PRIORITY AREA

FIGURE 4.1-1

4.2 AGRICULTURE AND FORESTRY RESOURCES

4.2.1 Environmental Setting

4.2.1.1 *Regulatory Framework*

State

Farmland Mapping and Monitoring Program

The California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) assesses the location, quality, and quantity of agricultural land and conversion of these lands over time. Agricultural land is rated according to soil quality and irrigation status. The best quality land is identified as Prime Farmland. In CEQA analyses, the FMMP classifications and published county maps are used, in part, to identify whether agricultural resources that could be affected are present on-site or in the project area.[8]

California Land Conservation Act

The California Land Conservation Act (Williamson Act) enables local governments to enter into contracts with private landowners to restrict parcels of land to agricultural or related open space uses. In return, landowners receive lower property tax assessments. In CEQA analyses, identification of properties that are under a Williamson Act contract is used to also identify sites that may contain agricultural resources or are zoned for agricultural uses.[9]

Fire and Resource Assessment Program

The California Department of Forestry and Fire Protection (CAL FIRE) identifies forest land, timberland, and lands zoned for timberland production that can (or do) support forestry resources.[10] Programs such as CAL FIRE's Fire and Resource Assessment Program and are used to identify whether forest land, timberland, or timberland production areas that could be affected are located on or adjacent to a project site.[11]

4.2.1.2 *Existing Conditions*

The project site is classified as Urban and Built-Up Land on the California Department of Conservation Farmland Mapping and Monitoring Program. The project site is developed with a vacant office building, a surface parking lot, and landscaping. The project site is zoned as OG –

[8] California Department of Conservation. "Farmland Mapping and Monitoring Program." Accessed November 10, 2021. http://www.conservation.ca.gov/dlrp/fmmp/Pages/Index.aspx.
[9] California Department of Conservation. "Williamson Act." http://www.conservation.ca.gov/dlrp/lca.
[10] Forest Land is land that can support 10 percent native tree cover and allows for management of forest resources (California Public Resources Code Section 12220(g)); Timberland is land not owned by the federal government or designated as experimental forest land that is available for, and capable of, growing trees to produce lumber and other products, including Christmas trees (California Public Resources Code Section 4526); and Timberland Production is land used for growing and harvesting timber and compatible uses (Government Code Section 51104(g)).
[11] California Department of Forestry and Fire Protection. "Fire and Resource Assessment Program." Accessed November 10, 2021. http://frap.fire.ca.gov/.

General Office does not contain agricultural resources or timberland resources and is not under an existing Williamson Act contract.[12]

4.2.2 Impact Discussion

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

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

The project site is not listed as agricultural land of any type and is not identified as farmland. The site is fully developed, and the proposed project would not convert any agricultural land to a non-agricultural use. Therefore, the proposed project would have no impact on Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. **(No Impact)**

[12] County of Santa Clara. Williamson Act Properties Geodatabase. Accessed November 11, 2021. https://sccplanning.maps.arcgis.com/apps/webappviewer/index.html?id=1f39e32b4c0644b0915354c3e59778ce

Impact AG-2:	The project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. **(No Impact)**

The project site is currently zoned OG – General Office and proposes to be rezoned to Planned Development. The existing zoning does not include agricultural use and the project site is not under a Williamson Act contract. Therefore, the proposed project would not conflict with an existing agricultural use or Williamson Act contract. **(No Impact)**

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

The project site is zoned OG – General Office and would be rezoned to Planned Development. The existing zoning does not include forestland, timberland, or timberland zoned Timberland Production. Therefore, the proposed project would not conflict with land zoned for timberland or forestland.

Impact AG-4:	The project would not result in a loss of forest land or conversion of forest land to non-forest use. **(No Impact)**

The project site does not contain forestland and is not listed as forest land of any type. The site is fully developed, and the proposed project would not convert this area to a non-forest use. Therefore, the proposed project would have no impact on forest land and would not result in the loss of this resource. **(No Impact)**

Impact AG-5:	The project would not involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use. **(Less than Significant Impact with Mitigation Incorporated)**

The project site is in a fully urbanized area with no agricultural areas nearby. The proposed project would not result in the conversion of agricultural or forest land surrounding the project to non-agricultural or non- forest uses. Therefore, the project would have no impact on surrounding agricultural or forest resources. **(No Impact)**

4.3 AIR QUALITY

The following discussion is based, in part, on an Air Quality and Greenhouse Gas Assessment prepared for the project by Illingworth & Rodkin, Inc., dated May 2022[13]. A copy of this report is included in Appendix A of this Initial Study.

4.3.1 Environmental Setting

4.3.1.1 *Background Information*

Criteria Pollutants

Air quality in the Bay Area is assessed based on six air pollutants (referred to as criteria pollutants), including ground-level ozone (O_3), nitrogen oxides (NO_x), particulate matter (PM), carbon monoxide (CO), sulfur oxides (SO_x), and lead.[14] Criteria pollutants are regulated because they result in health effects. An overview of the sources of criteria pollutants and their associated health effects are summarized in Table 4.3-1. The most commonly regulated criteria pollutants are discussed below.

Table 4.3-1: Health Effects of Air Pollutants

Pollutants	Sources	Primary Effects
Ozone (O_3)	Atmospheric reaction of organic gases with nitrogen oxides in sunlight	• Aggravation of respiratory and cardiovascular diseases • Irritation of eyes • Cardiopulmonary function impairment
Nitrogen Dioxide (NO_2)	Motor vehicle exhaust, high temperature stationary combustion, atmospheric reactions	• Aggravation of respiratory illness • Reduced visibility
Fine Particulate Matter ($PM_{2.5}$) and Coarse Particulate Matter (PM_{10})	Stationary combustion of solid fuels, construction activities, industrial processes, atmospheric chemical reactions	• Reduced lung function, especially in children • Aggravation of respiratory and cardiorespiratory diseases • Increased cough and chest discomfort • Reduced visibility
Toxic Air Contaminants (TACs)	Cars and trucks, especially diesel-fueled; industrial sources, such as chrome platers; dry cleaners and service stations; building materials and products	• Cancer • Chronic eye, lung, or skin irritation • Neurological and reproductive disorders

[13] The project description and land uses assessed in the air quality analysis are based on an older design of the project. The current project design includes fewer residential units, more parking spaces, and an increase in total square footage of approximately 4,000 square feet. These changes would have a negligible impact on the emission and risk analysis. The impact findings in the air quality analysis would be unaffected by the changes in the project design.

[14] The area has attained both state and federal ambient air quality standards for CO. The project does not include substantial new emissions of sulfur dioxide or lead. These criteria pollutants are not discussed further.

High O_3 levels are caused by the cumulative emissions of reactive organic gases (ROG) and NO_x. These precursor pollutants react under certain meteorological conditions to form high O_3 levels. Controlling the emissions of these precursor pollutants is the focus of the Bay Area's attempts to reduce O_3 levels. The highest O_3 levels in the Bay Area occur in the eastern and southern inland valleys that are downwind of air pollutant sources.

PM is a problematic air pollutant of the Bay Area. PM is assessed and measured in terms of respirable particulate matter or particles that have a diameter of 10 micrometers or less (PM_{10}) and fine particulate matter where particles have a diameter of 2.5 micrometers or less ($PM_{2.5}$). Elevated concentrations of PM_{10} and $PM_{2.5}$ are the result of both region-wide emissions and localized emissions.

Toxic Air Contaminants

Toxic air contaminants (TACs) are a broad class of compounds known to have health effects. They include but are not limited to criteria pollutants. TACs are found in ambient air, especially in urban areas, and are caused by industry, agriculture, diesel fuel combustion, and commercial operations (e.g., dry cleaners). TACs are typically found in low concentrations, even near their source (e.g., diesel particulate matter [DPM] near a freeway).

Diesel exhaust is the predominant TAC in urban air and is estimated to represent about three-quarters of the cancer risk from TACs. Diesel exhaust is a complex mixture of gases, vapors, and fine particles. Medium- and heavy-duty diesel trucks represent the bulk of DPM emissions from California highways. The majority of DPM is small enough to be inhaled into the lungs. Most inhaled particles are subsequently exhaled, but some deposit on the lung surface or are deposited in the deepest regions of the lungs (most susceptible to injury).[15] Chemicals in diesel exhaust, such as benzene and formaldehyde, have been previously identified as TACs by the California Air Resources Board (CARB).

Sensitive Receptors

Some groups of people are more affected by air pollution than others. CARB has identified the following persons who are most likely to be affected by air pollution: children under 16, the elderly over 65, athletes, and people with cardiovascular and chronic respiratory diseases. These groups are classified as sensitive receptors. Locations that may contain a high concentration of these sensitive population groups include residential areas, hospitals, daycare facilities, elder care facilities, and elementary schools.

4.3.1.2 *Regulatory Framework*

Federal and State

Clean Air Act

At the federal level, the United States Environmental Protection Agency (EPA) is responsible for overseeing implementation of the Clean Air Act and its subsequent amendments. The federal Clean

[15] California Air Resources Board. "Overview: Diesel Exhaust and Health." Accessed December 9, 2021. https://ww2.arb.ca.gov/resources/overview-diesel-exhaust-and-health.

Air Act requires the EPA to set national ambient air quality standards for the six common criteria pollutants (discussed previously), including PM, O_3, CO, SO_x, NO_x, and lead.

CARB is the state agency that regulates mobile sources throughout the state and oversees implementation of the state air quality laws and regulations, including the California Clean Air Act. The EPA and the CARB have adopted ambient air quality standards establishing permissible levels of these pollutants to protect public health and the climate. Violations of ambient air quality standards are based on air pollutant monitoring data and are determined for each air pollutant. Attainment status for a pollutant means that a given air district meets the standard set by the EPA and/or CARB.

Risk Reduction Plan

To address the issue of diesel emissions in the state, CARB developed the Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles. In addition to requiring more stringent emission standards for new on-road and off-road mobile sources and stationary diesel-fueled engines to reduce particulate matter emissions by 90 percent, the plan involves application of emission control strategies to existing diesel vehicles and equipment to reduce DPM (in additional to other pollutants). Implementation of this plan, in conjunction with stringent federal and CARB-adopted emission limits for diesel fueled vehicles and equipment (including off-road equipment), will significantly reduce emissions of DPM and NO_X.

Regional and Local

2017 Clean Air Plan

The Bay Area Air Quality Management District (BAAQMD) is the agency primarily responsible for assuring that the federal and state ambient air quality standards are maintained in the San Francisco Bay Area. Regional air quality management districts, such as BAAQMD, must prepare air quality plans specifying how state and federal air quality standards will be met. BAAQMD's most recently adopted plan is the Bay Area 2017 Clean Air Plan (2017 CAP). The 2017 CAP focuses on two related BAAQMD goals: protecting public health and protecting the climate. To protect public health, the 2017 CAP describes how BAAQMD will continue its progress toward attaining state and federal air quality standards and eliminating health risk disparities from exposure to air pollution among Bay Area communities. To protect the climate, the 2017 CAP includes control measures designed to reduce emissions of methane and other super-greenhouse gases (GHGs) that are potent climate pollutants in the near-term, and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.[16]

CEQA Air Quality Guidelines

The BAAQMD CEQA Air Quality Guidelines are intended to serve as a guide for those who prepare or evaluate air quality impact analyses for projects and plans in the San Francisco Bay Area. Jurisdictions in the San Francisco Bay Area Air Basin utilize the thresholds and methodology for assessing air quality impacts developed by BAAQMD within their CEQA Air Quality Guidelines.

[16] BAAQMD. *Final 2017 Clean Air Plan.* April 19, 2017. Accessed December 22, 2021. http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans.

The guidelines include information on legal requirements, BAAQMD rules, methods of analyzing impacts, and recommended mitigation measures.

City of Santa Clara General Plan

The City of Santa Clara 2010-2035 General Plan includes goals, policies, and actions to reduce air pollutants and exposure to TACs. The following goals, policies, and actions are applicable to the proposed project:

Policies	Description
5.10.2-P2	Encourage development patterns that reduce vehicle miles traveled and air pollution.
5.10.2-P3	Encourage implementation of technological advances that minimize public health hazards and reduce the generation of air pollutants.
5.10.2-P6	Require "Best Management Practices" for construction dust abatement.
5.10.5-P34	Implement minimum setbacks of 500 feet from roadways with average daily trips of 100,000 or more and 100 feet from railroad tracks for new residential or other uses with sensitive receptors, unless a project-specific study identifies measures, such as site design, tiered landscaping, air filtration systems, and window design, to reduce exposure, demonstrating that the potential risks can be reduced to acceptable levels.

4.3.1.3 *Existing Conditions*

Climate and Topography

Topography can restrict horizontal dilution and mixing of pollutants by creating a barrier to air movement. The South Bay has significant terrain features that affect air quality. The Santa Cruz Mountains and Diablo Range on either side of the South Bay restrict horizontal dilution, and this alignment of the terrain also channels winds from the north to south, carrying pollution from the northern Peninsula toward Santa Clara.

The combined effects of moderate ventilation, frequent inversions that restrict vertical dilution and terrain that restricts horizontal dilution give Santa Clara a relatively high atmospheric potential for pollution compared to other parts of the San Francisco Bay Air Basin and provide a high potential for transport of pollutants to the east and south.

Existing Air Pollutant Levels

BAAQMD monitors air pollution at various sites within the Bay Area. The nearest official monitoring station to the City of Santa Clara is located at 158 East Jackson Street in San José, approximately five miles southeast of the site. Pollutant monitoring results for the years 2017 to 2019 (the most current data available) at the San José monitoring station are shown in Table 4.3-2.

Table 4.3-2: Ambient Air Quality Standards Violations and Highest Concentrations				
Pollutant	**Standard**	**Days Exceeding Standard**		
		2017	**2018**	**2019**
San José Station				
Ozone (O_3)	State 1-hour	6	2	6
	Federal 8-hour	6	3	9
Carbon Monoxide (CO)	Federal 8-hour	0	0	0
	State 8-hour	0	0	0
Nitrogen Dioxide (NO_2)	State 1-hour	1	0	0
	Federal 1-hour	0	0	0
Fine Particulate Matter (PM_{10})	Federal 24-hour	0	1	0
	State 24-hour	6	6	5
Coarse Particulate Matter ($PM_{2.5}$)	Federal 24-hour	18	18	1
Source: BAAQMD. Air Pollution Summaries (2017-2019). Available at: http://www.baaqmd.gov/about-air-quality/air-quality-summaries.				

The Bay Area, as a whole, does not meet state or federal ambient air quality standards for ground level O_3 and $PM_{2.5}$, nor does it meet state standards for PM_{10}. The Bay Area is considered in attainment or unclassified for all other pollutants.

Local Community Risks/Toxic Air Contaminants

The project area includes both mobile and TAC sources. The primary mobile TAC sources within 1,000 feet of the site include emissions from vehicles travelling along El Camino Real to the south, and Scott Boulevard to the west. BAAMQD-permitted stationary TAC sources within 1,000 feet are, International Auto Center, City Hall generators, and an ARCO gas facility (see a further description of these sources in Section 4.21, Mandatory Findings of Significance.[17]

Sensitive Receptors

The closest sensitive receptors to the project site are in the single-family residences adjacent to the project's western boundary. There are additional residences to the northwest, southwest, east, and south within 1,000 feet of the project site.

Odors

Common sources of odors and odor complaints include wastewater treatment plants, transfer stations,

[17] BAAQMD also lists Underwriters Laboratories as a permitted stationary TAC source within 1,000 feet of the project site. This facility, however, no longer exists and has been replaced by housing.

coffee roasters, painting/coating operations, and landfills. Significant sources of offending odors are typically identified based on complaint histories received and compiled by BAAQMD. Typical large sources of odors that result in complaints are wastewater treatment facilities, landfills including composting operations, food processing facilities, and chemical plants. Other sources, such as restaurants, paint or body shops, and coffee roasters typically result in localized sources of odors. The project site is in a residential, commercial, and public/quasi-public area and is not surrounded by facilities that produce substantial odors.

4.3.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
2) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
3) Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐
4) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

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

4.3.2.1 *Thresholds of Significance*

Impacts from the Project

As discussed in CEQA Guidelines Section 15064(b), the determination of whether a project may have a significant effect on the environment calls for judgment on the part of the lead agency and must be based to the extent possible on scientific and factual data. The City of Santa Clara has considered the air quality thresholds updated by BAAQMD in May 2017 and regards these thresholds to be based on the best information available for the San Francisco Bay Area Air Basin and conservative in terms of the assessment of health effects associated with TACs and $PM_{2.5}$. The BAAQMD CEQA Air Quality thresholds used in this analysis are identified in Table 4.3-3.

Table 4.3-3: BAAQMD Air Quality Significance Thresholds			
Pollutant	**Construction Thresholds**	**Operation Thresholds**	
	Average Daily Emissions (pounds/day)	**Average Daily Emissions (pounds/day)**	**Annual Average Emissions (tons/year)**
Criteria Air Pollutants			
ROG, NO_x	54	54	10
PM_{10}	82 (exhaust)	82	15
$PM_{2.5}$	54 (exhaust)	54	10
CO	Not Applicable	9.0 ppm (eight-hour) or 20.0 ppm (one-hour)	
Fugitive Dust	Dust Control Measures/Best Management Practices	Not Applicable	
Health Risks and Hazards for New Sources (within a 1,000-foot Zone of Influence)			
Health Hazard	**Single Source**	**Combined Cumulative Sources**	
Excess Cancer Risk	10 per one million	100 per one million	
Hazard Index	1.0	10.0	
Incremental Annual $PM_{2.5}$	0.3 µg/m^3	0.8 µg/m^3 (average)	

Friant Ranch Case

In a 2018 decision (*Sierra Club v. County of Fresno*), the Supreme Court of California determined that CEQA requires that the potential for the project's emissions to affect human health in the air basin must be disclosed when a project's criteria air pollutant emissions would exceed applicable thresholds and contribute considerably to a significant cumulative impact. State and federal ambient air quality standards are health-based standards and exceedances of those standards result in continued unhealthy levels of air pollutants. As stated in the BAAQMD CEQA Air Quality Guidelines, air pollution by its nature is largely a cumulative impact. No single project is sufficient in size to result in nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. In developing thresholds of significance for air pollutants, BAAQMD considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project has a less than significant impact for criteria air pollutants, it is assumed not to have an adverse health effect with respect to those pollutants.

Impact AIR-1:	The project would not conflict with or obstruct implementation of the applicable air quality plan. (Less than Significant Impact)

2017 BAAQMD Clean Air Plan

The BAAQMD CEQA Air Quality Guidelines set forth criteria for determining consistency with the Clean Air Plan. In general, a project is considered consistent if, a) the plan supports the primary goals of the Clean Air Plan; b) includes relevant control measures; and c) does not interfere with implementation of CAP control measures. The project supports the goals of the 2017 BAAQMD CAP of protecting public health and protecting the climate and is consistent with BAAQMD CAP transportation, building, natural and working lands, and water control measures by:

- Implementing mitigation/avoidance measures to reduce criteria air pollutant emissions during construction,
- Complying with applicable regulations that would result in energy and water efficiency including Title 24 and the California Green Building Standards Code,
- Planting new trees in accordance with General Plan Policy 5.3.1-P10 to reduce the urban heat island effect, and
- Complying with the City's construction debris diversion ordinance and state waste diversion requirements to reduce the amount of waste in landfills.

The project as proposed would not disrupt or hinder the implementation of applicable control measures.

Regional Criteria Pollutants

As discussed previously in Section 4.3.1.3, the Bay Area is considered a non-attainment area for ground-level O_3 and $PM_{2.5}$ under both the federal Clean Air Act and the California Clean Air Act. The area is also considered to be in non-attainment for PM_{10} under the California Clean Air Act. As part of an effort to attain and maintain ambient air quality standards for O_3 and PM_{10}, BAAQMD has established thresholds of significance for these air pollutants and their precursors. These thresholds are for O_3 precursor pollutants (ROG and NO_x), PM_{10}, and $PM_{2.5}$ and apply to both construction period and operational period impacts.

Construction Period Emissions – Criteria Pollutants

The California Emissions Estimator Model (CalEEMod) was used to estimate annual emissions for on-site and off-site construction activities. On-site activities are primarily made up of construction equipment emissions, while off-site activity includes worker, hauling, and vendor traffic. The CARB Emission Factors 2021 (EMFAC2021) model was also used to predict emissions from construction traffic that includes worker and truck trips. The proposed project would have a construction duration of approximately 18 months, and it is anticipated that construction would begin in September 2023 at the earliest. The project land use types and size, including 110 mid-rise apartment units, 43 enclosed

parking spaces and 29 surface parking spaces,[18] and anticipated construction schedule, were input to CalEEMod. Table 4.3-4 below shows the average daily construction emissions of ROG, NO_X, PM_{10} exhaust, and $PM_{2.5}$ exhaust during construction of the project.

Table 4.3-4: Construction Period Emissions				
Year	**ROG**	**NO_X**	**PM_{10} Exhaust**	**$PM_{2.5}$ Exhaust**
Construction Emissions Per Year (Tons)				
2023	0.06	0.58	0.03	0.02
2024 and 2025	0.91	1.02	0.05	0.04
Average Daily Construction Emissions Per Year (pounds/day)				
2023 (87 construction workdays)	1.42	13.35	0.60	0.53
2024 and 2025 (289 construction workdays)	6.29	7.06	0.33	0.29
BAAQMD Thresholds (pounds per day)	54 lbs./day	54 lbs./day	82 lbs./day	54 lbs./day
Exceed Threshold?	No	No	No	No

As shown in Table 4.3-4 above, construction emissions for the proposed project would not exceed BAAQMD thresholds. However, construction activities, particularly during site preparation and grading, would temporarily generate fugitive dust in the form of PM_{10} and $PM_{2.5}$. Sources of fugitive dust would include disturbed soils at the construction site and trucks carrying uncovered loads of soils. Unless properly controlled, vehicles leaving the site would deposit mud on local streets, which could be an additional source of airborne dust after it dries.

General Plan Policy 5.10.2-P6 requires that "Best Management Practices" be implemented for construction dust abatement. Implementation of the BAAQMD best management practices (BMPs) listed below, would reduce fugitive dust emissions generated by project construction.

Conditions of Approval: The following measures shall be implemented during all phases of construction to control dust and exhaust at the project site:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).

[18] The Air Quality analysis was based on the original project proposal of 110 apartment units, 43 enclosed parking spaces, and 29 surface parking spaces. The project has since been revised to reduce the number of apartments to 108. The parking count has increase to 82 and the overall size of the building has increased by approximately 4,000 square feet. The reduction of two units and the increase of 10 parking spaces and additional square footage does not alter the conclusions of the Air Quality report.

- 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.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of the California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- Post a publicly visible sign with the telephone number of the on-site project superintendent to contact regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

The project, with the implementation of the above BMPs, would ensure that fugitive dust emissions remain at a less than significant level by controlling dust and exhaust, limiting exposed soil surfaces, and reducing PM_{10} and $PM_{2.5}$ exhaust emissions from construction equipment. The project would, therefore, not result in a significant criteria air pollutant impact from construction emissions**. (Less Than Significant Impact)**

Operational Period Emissions

Operational air emissions from the project would be generated primarily from autos driven by future residents. Evaporative emissions from architectural coatings and maintenance products (classified as consumer products) are typical emissions from these types of uses. CalEEMod was used to estimate emissions from operation of the proposed project assuming full build-out. The earliest year of full operation would be 2026 given construction would start in September 2023. Emissions associated with build-out later than 2026 would be lower due to new emission control technology requirements being phased-in over time. Table 4.3-5 summarizes the calculated project operational emissions.

Table 4.3-5: Operational Period Emissions

Scenario	ROG	NO_X	PM_{10}	$PM_{2.5}$
2026 Project Operational Emissions (tons/year)	0.85	0.22	0.44	0.12
BAAQMD Thresholds (tons/year)	10 tons	10 tons	15 tons	10 tons
Exceed Thresholds?	No	No	No	No
2026 Project Operational Emissions (lbs./day)[1]	4.65	1.22	2.43	0.64
BAAQMD Thresholds (lbs./day)	54 lbs.	54 lbs.	82 lbs.	54 lbs.
Exceed Thresholds?	No	No	No	No

[1]Assumes 365-day operation

As shown in Table 4.3-5, above, the operational period emissions would not exceed the BAAQMD significance thresholds. Therefore, the project would not result in a significant operational criteria pollutants impact. **(Less than Significant Impact)**

Impact AIR-2:	**The project would not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard. (Less than Significant Impact)**

As discussed under Impact AIR-1, the proposed project's construction and operational criteria pollutant emissions would not exceed the BAAQMD significance thresholds. Therefore, the project would not result in a cumulatively considerable net increase of criteria pollutants for which the region is in non-attainment. **(Less than Significant Impact)**

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

The project would introduce new sources of TACs during construction (i.e. on-site construction and truck hauling emissions) and operation (i.e. mobile sources). Project impacts to sensitive receptors were addressed for temporary construction activities and long-term operational conditions. There are also several sources of existing TACs and localized air pollutants in the project vicinity. The impacts of the existing sources of TACs were also assessed as part of a cumulative risk in addition to the project's impacts (refer to Section 4.21, Mandatory Findings). As discussed in Section 4.3.-1, sensitive receptors within 1,000 feet of the site include existing adjacent residences to the west of the site and other existing residences to the northwest, southwest, east, and south of the project site.

Operational Community Risk Impacts

Stationary equipment that could emit substantial TACs (e.g., emergency generators) are not proposed for this project. Operation of the project would have long-term emissions from mobile sources (i.e., vehicle traffic). Per BAAQMD recommended risks and methodology, a road with less than 10,000 total vehicles per day is considered a low-impact source of TACs.[19] This project would generate approximately 489 net daily vehicle trips dispersed on the roadway system with a majority of the trips being from light-duty vehicles (i.e., passenger automobiles). This is well below the low-impact threshold of 10,000 daily vehicles.[20] Therefore, emissions from project traffic would be negligible and were not further evaluated. **(Less than Significant Impact)**

[19] Bay Area Air Quality Management District, 2012, Recommended Methods for Screening and Modeling Local Risks and Hazards, Version 3.0. May. Web: https://www.baaqmd.gov/~/media/files/planning-andresearch/ceqa/risk-modeling-approach-may-2012.pdf?la=en

[20] The Air Quality/GHG Assessment assumed the project would generate 586 net daily trips. Therefore, the air quality analysis provides a conservative analysis of daily trips generated by the project.

Construction Community Risk Impacts

Community risk impacts were addressed by predicting increased cancer risk, the increase in annual $PM_{2.5}$ concentrations and computing the Hazard Index (HI) for non-cancer health risks. Construction equipment and associated heavy-duty truck traffic generates diesel exhaust, which is a known TAC. CalEEMod and EMFAC2021 were used to calculate the estimated construction emissions and dispersion modeling was used to predict how the construction TACs would affect the various sensitive receptor locations. The maximally exposed individual (MEI) for total $PM_{2.5}$ concentration was determined to be located on the first floor of the single-family residence adjacent to the west of the project site and the MEI for cancer risk was determined to be located on the first floor of the single-family residence adjacent to the north of the $PM_{2.5}$ concentration MEI (see Table 4.3-6). Impacts at other sensitive receptor locations in the project vicinity would be less than those at the MEI locations. While it is expected that a range of infant through adult exposures would occur at all residences, infant exposure was assumed in the modeling to provide a conservative analysis. Table 4.3-6 summarizes the project construction community risk impacts at the off-site MEI.

Table 4.3-6: Construction Community Risk Impacts at the Off-Site MEIs

Source		Cancer Risk[1] (per million)	Annual $PM_{2.5}$[1] ($\mu g/m^3$)	Hazard Index
Project Construction	Unmitigated	**23.70 (infant)**	0.36	0.02
BAAQMD Single-Source Threshold		**10**	**0.3**	**1.0**
Exceed Threshold?	Unmitigated	**Yes**	**Yes**	No

Notes: [1]Maximum cancer risk and $PM_{2.5}$ concentration occur at different MEIs (see Figure 4.3-1).
[2]Construction equipment with Tier 4 engines and BMPs as mitigation measures (see MM AIR 1.1)

As shown in Table 4.3-6, project construction would exceed the BAAQMD single-source threshold for cancer risk and annual $PM_{2.5}$ emissions. This would be a significant impact.

Mitigation Measures: The project shall be required to implement the following mitigation measures to reduce project construction community health risk impacts to a less than significant level.

MM AIR-1.1: All construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA Tier 4 emission standards for particulate matter (PM) (PM_{10} and $PM_{2.5}$). If use of Tier 4 equipment is not available, alternatively use equipment that meets U.S. EPA emission standards for Tier 2 or 3 engines and include particulate matter emissions control equivalent to California Air Resources Board (CARB) Level 3 verifiable diesel emission control devices that altogether achieve a 60 percent reduction in particulate matter exhaust in comparison to uncontrolled equipment; alternatively (or in combination), use of electrical or non-diesel fueled equipment.



Source: Illingworth & Rodkin, Inc., November 30, 2021.

LOCATIONS OF EXISTING SENSITIVE RECEPTORS AND MEIS | FIGURE 4.3-1

With implementation of mitigation measure MM AIR-1.1, the project's cancer risk levels and annual $PM_{2.5}$ concentrations would be reduced to 5.99 per million and 0.15 $\mu g/m^3$, respectively. The HI would be reduced to below 0.01. As a result, the project's construction risks would be reduced below the BAAQMD single-source thresholds and would have a less than significant impact with mitigation. **(Less than Significant Impact with Mitigation Incorporated)**

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

The project would generate localized emissions of diesel exhaust from construction equipment and truck activity during project construction The odor of these emissions may be noticeable from time to time by adjacent receptors; however, the odors would be temporary and are not likely to affect people off-site. As is typical of residential land uses, operation of the site would not generate odor emissions. **(Less than Significant Impact)**

4.3.3 Non-CEQA Effects

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

The policies of the Santa Clara 2010-2035 General Plan have been adopted for the purpose of avoiding or mitigating environmental effects resulting from planned development within the City. The project would comply with the following policy to reduce TAC emissions effects on future residents of project:

- **5.10.5-P34:** Implement minimum setbacks of 500 feet from roadways with average daily trips of 100,000 or more and 100 feet from railroad tracks for new residential or other uses with sensitive receptors, unless a project-specific study identifies measures, such as site design, tiered landscaping, air filtration systems, and window design, to reduce exposure, demonstrating that the potential risks can be reduced to acceptable levels.

The project site is located 1.7 miles south of the nearest highway/roadway with 100,000 average daily trips (ADT) or more (i.e., U.S. 101) and 0.5 miles (2,700 feet) south of the nearest railroad. The project would, therefore, be consistent with the above policy.

On-Site Community Health Risk Assessment

A health risk assessment was completed to assess the impact existing TAC sources would have on the new proposed sensitive receptors (residents) that the project would introduce. The same TAC sources identified under Impact AIR-3 were used in this health risk assessment. It was assumed that the first year of project operation would be 2026. Thus, traffic estimates for the year 2026 were applied to El Camino Real and Scott Boulevard. Health impacts for later years would be less than in

2026 due to the implementation of new emission-reducing technologies. Table 4.3-7 summarizes the health risk impacts to future sensitive receptors on-site.

Table 4.3-7: Impacts from Existing TAC Sources to Project Site Receptors			
Source	**Cancer Risk (per million)**	**Annual $PM_{2.5}$ ($\mu g/m^3$)**	**Hazard Index**
El Camino Real, ADT 27,127	0.87	0.07	<0.01
Scott Boulevard, ADT 22,361	0.26	0.03	<0.01
Underwriters Laboratories, Inc. (Facility ID #2896), MEI at 0 feet[21]	0.01	<0.01	0.02
International Auto Center, Inc. (Facility ID #11294), MEI at 1,000+ feet	--	--	<0.01
City of Santa Clara Generator (Facility ID #16266), MEI at 530 feet	0.63	<0.01	<0.01
ARCO Gas Station (Facility ID #111625), MEI at 960 feet	0.24	>0.3	<0.01
BAAQMD Single-Source Threshold	**>10.0**	**>0.3**	**>1.0**
Exceed Threshold?	No	No	No
Cumulative Total	2.01	<0.13	<0.07
BAAQMD Cumulative Source Threshold	**>100**	**>0.8**	**>10.0**
Exceed Threshold?	No	No	No

As shown, the maximum cancer risk, and annual $PM_{2.5}$ concentrations, and HI from the nearby sources do not exceed their single-source or cumulative-source thresholds at the project site and would comply with BAAQMD policies.

[21] While this facility no longer exists, it is still in BAAQMD's records and so was included in the analysis.

4.4 BIOLOGICAL RESOURCES

The following discussion is based on an arborist report prepared by HortScience | Bartlett Consulting, dated March 6, 2020. A copy of the assessment report is included as Appendix B.

4.4.1 Environmental Setting

4.4.1.1 *Regulatory Framework*

Federal and State

Endangered Species Act

Individual plant and animal species listed as rare, threatened, or endangered under state and federal Endangered Species Acts are considered special-status species. Federal and state endangered species legislation has provided the United States Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) with a mechanism for conserving and protecting plant and animal species of limited distribution and/or low or declining populations. Permits may be required from the USFWS and CDFW if activities associated with a proposed project would result in the take of a species listed as threatened or endangered. To "take" a listed species, as defined by the State of California, is "to hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill" these species. Take is more broadly defined by the federal Endangered Species Act to include harm of a listed species.

In addition to species listed under state and federal Endangered Species Acts, Sections 15380(b) and (c) of the CEQA Guidelines provide that all potential rare or sensitive species, or habitats capable of supporting rare species, must be considered as part of the environmental review process. These may include plant species listed by the California Native Plant Society and CDFW-listed Species of Special Concern.

Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) prohibits killing, capture, possession, or trade of migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. Hunting and poaching are also prohibited. The taking and killing of birds resulting from an activity is not prohibited by the MBTA when the underlying purpose of that activity is not to take birds.[22] Nesting birds are considered special-status species and are protected by the USFWS. The CDFW also protects migratory and nesting birds under California Fish and Game Code Sections 3503, 3503.5, and 3800. The CDFW defines taking as causing abandonment and/or loss of reproductive efforts through disturbance.

Sensitive Habitat Regulations

Wetland and riparian habitats are considered sensitive habitats under CEQA. They are also afforded protection under applicable federal, state, and local regulations, and are generally subject to

[22] United States Department of the Interior. "Memorandum M-37050. The Migratory Bird Treaty Act Does Not Prohibit Incidental Take." Accessed December 3, 2021. https://www.doi.gov/sites/doi.gov/files/uploads/m-37050.pdf.

regulation by the United States Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), CDFW, and/or the USFWS under provisions of the federal Clean Water Act (e.g., Sections 303, 304, 404) and State of California Porter-Cologne Water Quality Control Act.

Fish and Game Code Section 1602

Streambeds and banks, as well as associated riparian habitat, are regulated by the CDFW per Section 1602 of the Fish and Game Code. Work within the bed or banks of a stream or the adjacent riparian habitat requires a Streambed Alteration Agreement from the CDFW.

Local

City of Santa Clara General Plan

The Santa Clara 2010-2035 General Plan includes policies that address the preservation of biological resources during the planning horizon of the General Plan. The following goals, policies, and actions are applicable to the proposed project:

Policies	Description
5.3.1-P10	Provide opportunities for increased landscaping and trees in the community, including requirements for new development to provide street trees and a minimum 2:1 on- or off-site replacement for trees removed as part of the proposal to help increase the urban forest and minimize the heat island effect.
5.10.1-P4	Protect all healthy cedars, redwoods, oaks, olives, bay laurel, and pepper trees of any size, and all trees over 36 inches in circumference (approximately 11 inches or more in diameter) as measured from 48 inches above the ground surface.

4.4.1.2 *Existing Conditions*

The project site is located in a developed, urban area of the City of Santa Clara. Surrounding land use consists of Santa Clara City Hall to the east, a church to the north, residential development west, and commercial development to the south. Vegetation in the vicinity of the project site includes landscaping consisting of grass, shrubs, and trees. Habitats in developed areas such as the project area would include predominantly urban-adapted birds and animals. There are no waterways, wetlands, or other sensitive habitats located on or adjacent to the project site. The nearest waterways are San Tomas Aquino Creek, located approximately 0.6 miles west of the project site, and Saratoga Creek, located approximately 0.9 miles west of the project site.[23]

Mature trees (both native and non-native) are valuable to the human environment as they reduce the impacts of global climate change through CO_2 absorption, reduce urban heat island effect, provide nesting and foraging habitat for raptors and other migratory birds, and provide visual enhancement. The goal of the City's General Plan Policy 5.10.1-P4 is to protect all healthy cedars, redwoods, oaks, olives, bay laurel, and pepper trees of any size, and all trees over 36 inches in circumference (approximately 11 inches or more in diameter) as measured from 48 inches above the ground surface.

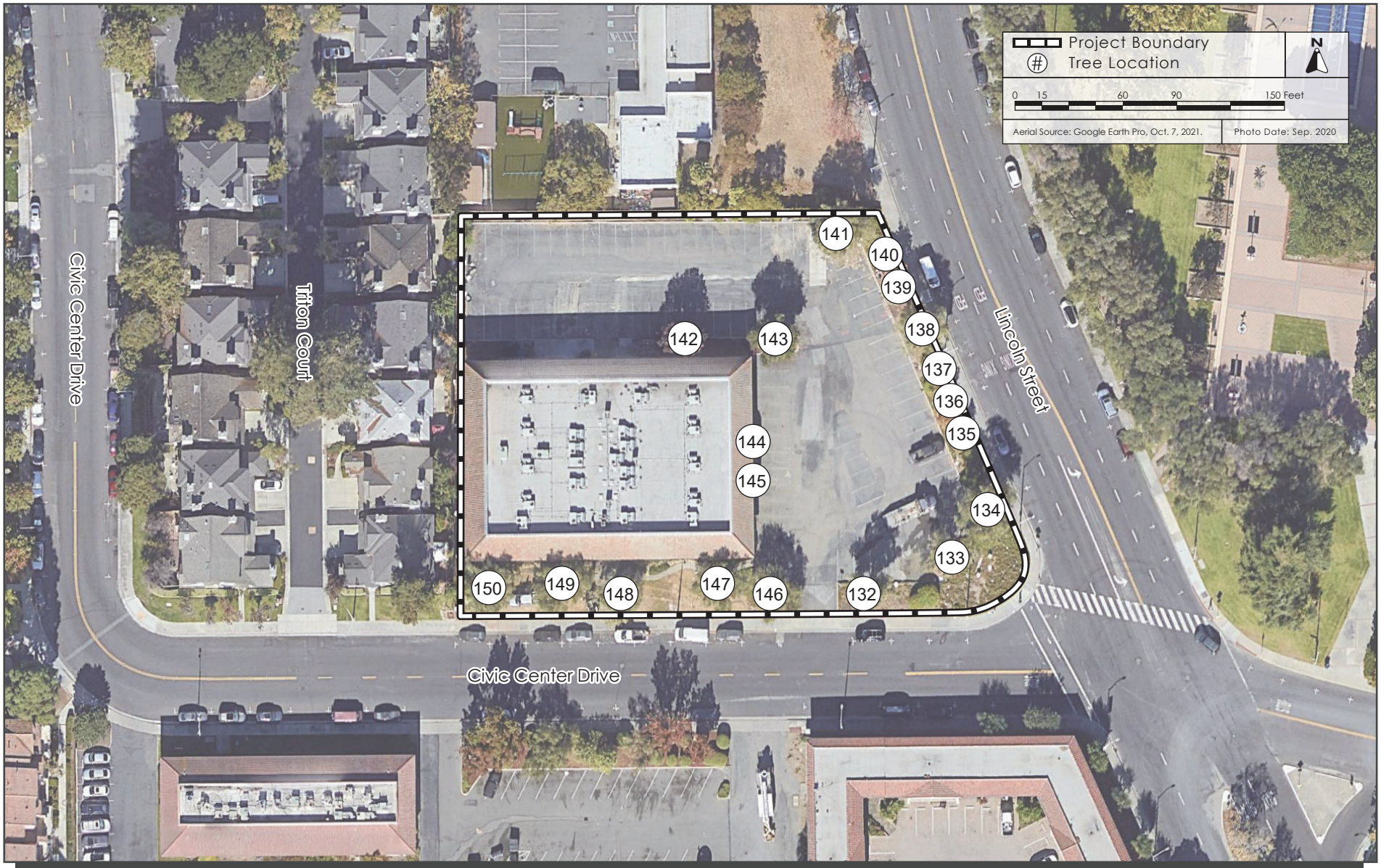
[23] Valley Water. Santa Clara County Creeks. Map. Accessed December 3, 2021. https://data-valleywater.opendata.arcgis.com/datasets/santa-clara-county-creeks/explore?location=37.355440%2C-121.964902%2C14.00.

Based on a tree survey completed in February 2020, tree species on-site consist of sweetgum, African fern pine, olive, and purple leaf plum. The tree survey identified 19 trees within the project site, 13 of which are protected trees per General Plan Policy 5.10.1-P4. Table 4.4-1 identifies the species, size, and condition of trees on-site. Figure 4.4-1 shows the location of trees on-site.

Table 4.4-1: Tree Species on Project Site

Tree #	Common Name	Condition	Diameter (inches)
132	Olive	Poor	15
133	Olive	Poor	25
134	**Olive**	**Fair**	**25**
135	Sweetgum	Poor	8
136	Sweetgum	Poor	8
137	Sweetgum	Poor	8
138	**Olive**	**Fair**	**30**
139	Sweetgum	Poor	7
140	Sweetgum	Fair	8
141	**Olive**	**Fair**	**31**
142	Purple leaf plum	Fair	29
143	**Olive**	**Fair**	**23**
144	African fern pine	Fair	12
145	African fern pine	Fair	9
146	**Olive**	**Fair**	**16**
147	**Olive**	**Fair**	**31**
148	Olive	Fair	29
149	**Olive**	**Fair**	**31**
150	**Olive**	**Fair**	**41**

Note: Trees in **bold** indicate they are City protected trees.



TREE LOCATION MAP

FIGURE 4.4-1

4.4.2 Impact Discussion

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

Impact BIO-1: As mitigated, the project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS. **(Less than Significant Impact with Mitigation Incorporated)**

Special-Status Species

As discussed in Section 4.4.1.2, the project site does not contain habitat suitable for special-status plant and animal species. The project would result in the redevelopment of an already urbanized area

of the City of Santa Clara and would not result in the modification of any habitat area for special-status species. As a result, development of the proposed project would not adversely affect any candidate, sensitive, or special-status species. **(Less than Significant Impact)**

Nesting/Migratory Birds

Impacts to Birds During Construction

The trees and shrubs within and bordering the project site could provide nesting habitat for birds, including migratory birds or raptors. Nesting birds are among the species protected under the provisions of the MBTA and California Fish and Game Code Sections 3503, 3503.5, and 2800. Construction activities on-site during the nesting season (February to August) could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that results in abandonment and/or loss of reproductive effort is considered a taking by the CDFW; any loss of fertile eggs, nesting raptors, or any activities resulting in nest abandonment would constitute a significant impact.

Mitigation Measure: In compliance with federal and state regulations and protocol, the project proposes to implement the following mitigation measure, to reduce impacts to a less than significant level.

MM BIO-1: Construction shall be scheduled to avoid the nesting season to the extent feasible. The nesting season for most birds, including most raptors, in the San Francisco Bay Area extends from February 1 through August 31.

If it is not possible to schedule construction and tree removal between September and January, then pre-construction surveys for nesting birds shall be completed by a qualified ornithologist to ensure that no nests shall be disturbed during project implementation. This survey shall be completed no more than 14 days prior to the initiation of grading, tree removal, or other demolition or construction activities during the early part of the breeding season (February through April) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May through August).

During this survey, the ornithologist shall inspect all tress and other possible nesting habitats within and immediately adjacent to the construction area of nests. If an active nest is found sufficiently close to work areas to be disturbed by construction, the ornithologist, in consultation with CDFW, shall determine the extent of a construction-free buffer zone to be established around the nest to ensure that nests of bird species protected by the MBTA or Fish and Game Code shall not be disturbed during project construction.

The project, with implementation of the above mitigation measure, would reduce impacts to nesting birds (if present) by avoiding construction during nesting bird season or completing pre-construction nesting bird surveys to minimize and/or avoid impacts to nesting birds. **(Less than Significant with Mitigation Incorporated)**

Impacts to Birds During Project Operation

The project site is surrounded by office, government facilities, and commercial development. There are no open space or wetland areas, where a substantial number of migratory birds are known to occur, surrounding the project site. In addition, the project site is more than half a mile from San Tomas Aquino Creek, which is channelized in between San Tomas Expressway north and south lanes and contains no substantive riparian vegetation. The proposed design would be subject to the City's Development Review Hearing process for architectural review, including bird safe guidelines as applicable. Therefore, the project would not result in significant bird strikes/collisions. **(Less than Significant Impact)**

Impact BIO-2:	The project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the CDFW or USFWS. **(No Impact)**

No riparian habitat or sensitive natural communities exist on or adjacent to the site. As stated in Section 4.4.1.2, Existing Conditions, the nearest waterway is San Tomas Aquino Creek, located approximately 0.6 miles west of the project site. For these reasons, the development of the project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community. **(No Impact)**

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

The project site does not contain, nor it is adjacent to, any wetlands. As a result, the project will not affect any federally protected wetlands as defined by Section 404 of the Clean Water Act. **(No Impact)**

Impact BIO-4:	The project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. **(Less than Significant Impact)**

The project site is surrounded by development, and there are no sensitive habitats or waterways on or adjacent to the project site. Due to the highly developed nature of the project area, the project site does not provide dispersal habitat for any native resident migratory fish or wildlife species and does not act as a substantial wildlife corridor. There are no identified wildlife nursery sites present on the project site. For these reasons, the proposed project would have a less than significant impact on migratory fish or wildlife species, wildlife corridors, and wildlife nursery sites. In addition, as described under Impact BIO-1, measures to mitigate impacts to nesting birds will be implemented if they are identified on-site during construction. As a result, the project would not substantially interfere with the movement of any native or migratory species, or the use of any nursery sites. **(Less than Significant Impact)**

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

Of the 19 trees located on-site, all would be removed to accommodate the construction of the new multi-family development. The Santa Clara City Code, Section 12.35serves to protect all trees (native and non-native) planted or growing in the streets or public places of the City from removal without a permit from the City and prohibits the attaching of anything to a tree in the City, unless it is necessary and proper to the growth and care of the tree. In accordance with the City Code Section 12.35.090, the project would be required to provide a minimum 2:1 replacement (24-inch box) or 4:1 replacement ratio (15-gallon) for removal of the existing trees.

Although 19 trees would be removed as part of the project, including 13 City-protected trees, the project would be required to comply with the City's tree replacement policy and, as a result, the overall loss of these trees would be less than significant. **(Less Than Significant Impact)**

Impact BIO-6:	The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. **(No Impact)**

The project site is not located within an adopted Habitat Conservation Plan, Natural Community Plan, or other approved habitat conservation plan. The project, therefore, would not conflict with any approved local, regional, or state habitat conservation plan. **(No Impact)**

4.5 CULTURAL RESOURCES

This section is based in part on a Cultural Resources Literature Review Memorandum prepared for the El Camino Specific Plan area by Albion Environmental in March 2020. Copies of the memorandum is on file with the City of Santa Clara, Community Development Department.

4.5.1 Environmental Setting

4.5.1.1 *Regulatory Framework*

Federal and State

National Historic Preservation Act

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

California Register of Historical Resources

The California Register of Historical Resources (CRHR) is administered by the State Office of Historic Preservation and encourages protection of resources of architectural, historical, archeological, and cultural significance. The CRHR identifies historic resources for state and local planning purposes and affords protections under CEQA. Under Public Resources Code Section 5024.1(c), a resource may be eligible for listing in the CRHR if it meets any of the NRHP criteria.[24]

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

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

[24] California Office of Historic Preservation. "CEQA Guidelines Section 15064.5(a)(3) and California Office of Historic Preservation Technical Assistance Series #6." Accessed August 31, 2020. http://www.ohp.parks.ca.gov/pages/1069/files/technical%20assistance%20bulletin%206%202011%20update.pdf.

California Native American Historical, Cultural, and Sacred Sites Act

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

Public Resources Code Sections 5097 and 5097.98

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

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

Local

Santa Clara General Plan

General Plan policies applicable to cultural resources include, but are not limited to, the following listed below.

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

4.5.1.2 *Existing Conditions*

Historic Resources/Properties

The project site is developed with a vacant office building, a surface parking lot, and landscaping. The project site was mostly undeveloped and used for agricultural purposes from the 1930s to the late 1960s. In 1974, the existing office building was constructed. Based on General Plan Policy 5.6.1-P6, projects in the City are required to evaluate structures/potential resources over 50 years old to determine their eligibility for the City's list of Architecturally or Historically Significant Properties. The existing building on-site is approximately 47 years old (less than 50 years of age) and is not of historic age or of exceptional importance. The office building has a Mission-style of architecture which was common in the 1970s. The building is not considered eligible for listing under the CRHR, NRHP, or the City of Santa Clara Historic Architecturally or Historically Significant Properties list.

The commercial, office, church, and residential buildings that surround the site were constructed from the late 1960s to the early 1980s. The buildings typical of the styles of these eras with a mix of Mission-style, modern, and contemporary. Neither the project site nor its surrounding properties are listed on the City's Historically Significant Properties List.[25] The nearest designated historic building is the Headen-Inman House on 1509 Warburton Avenue, approximately 0.2 miles north of the site. Therefore, the site is not a historic property and there are no historic properties located adjacent to the site.

Archaeological Resources

The City of Santa Clara contains a large number of pre-colonial archaeological sites that reflect many thousands of years of Native American land use and residency. In February 2020, a records search of the California Historical Resources Information System (CHRIS) at the Northwest Information Center (NWIC) at Sonoma State University was completed for the proposed El Camino Specific Plan area and areas within one-quarter mile of the Specific Plan area. The Specific Plan area is composed of approximately 316 acres of properties that are located immediately adjacent to the segment of the El Camino Real between Lafayette Street on the east and the City limits on the west. The cultural resources literature review did not study the project site as a part of the Specific Plan area. However, the project site is within the one-quarter mile radius of the Specific Plan area that was studied, and portions of the Specific Plan area are immediately adjacent to the project site including commercial properties south of Civic Center Drive and City Hall, east of Lincoln Street.

In the general Specific Plan area, Native American archaeological sites have been recorded on the wide valley terraces within one-quarter mile of major rivers and creeks, and along the edge of the historic San Francisco Bay margins and marshlands. Often these resources have been buried by alluvium or fill. After the establishment of Mission Santa Clara in three successive locations, Native Americans also lived near the surrounding areas. The NWIC records search indicated that 21 archaeological studies have been conducted within the Specific Plan area and 19 studies have been conducted within a one quarter mile radius of the Specific Plan area. The majority of these studies are surveys and reconnaissance studies with little subsurface testing.

[25] City of Santa Clara General Plan, Appendix 8.9.

The NWIC reported three cultural resources within the Specific Plan area and 12 cultural resources within a one quarter-mile radius of the Specific Plan area. The resources within the one-quarter mile radius of the Specific Plan area include 10 historic-era buildings[26] and two pre-colonial sites with associated habitation debris and Native American burials. The two precolonial sites each contain at least one burial, habitation debris, and midden soils. Native American archaeological sites have been recorded in this area of Santa Clara, within a quarter mile of major rivers and creeks; many of which were buried by alluvium or fill. The nearest creek to the project site is San Tomas Aquino Creek, located 0.6 miles west of the site. Background research of the area shows that due to past dynamic geological processes, the project area holds moderate potential to contain buried archaeological deposits in Holocene Alluvial landforms.

4.5.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?	☐	☐	☐	☒
2) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?	☐	☒	☐	☐
3) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☒	☐	☐

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

The existing office building was constructed in 1974 and is not classified as a historic resource nor is considered eligible to be listed on the CRHR, NRHP, or local register.

The buildings directly adjacent to the project site and in the immediate project area are not classified as historic by the City of Santa Clara and are not listed on the CRHR or NRHP. Development of the project site would not physically damage or materially impair the integrity of any historic building. Implementation of the proposed project would, therefore, have no impact on any designated or eligible historic structures. **(No Impact)**

The buildings directly adjacent to the project site and in the immediate project area are not classified as historic by the City of Santa Clara and are not currently eligible for inclusion on the CRHR as they are of common architectural style of the 1960s to 1980s era. None of the adjacent buildings are listed

[26] The 10 historic-era buildings identified in the February 2020 cultural resources literature search for areas within a one quarter mile radius of the El Camino Precise Plan area are not located in the vicinity of the project site.

on the City's list of Architecturally or Historically Significant Properties.[27] Development of the project site would not physically damage or materially impair the integrity of any historic building. Implementation of the proposed project would, therefore, have no impact on any designated or eligible historic structures. **(No Impact)**

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

Based on the February 2020 cultural resources literature search completed for the proposed El Camino Real Specific Plan area and one-quarter mile vicinity, the project area has a low to moderate sensitivity to contain historic-era archaeological deposits potentially associated with mission-period structures and those developed in the late 19th and early 20thcentury. There is a moderate potential for the project area to contain pre-colonial buried archaeological deposits in Holocene Alluvial landforms. Based on the findings from the cultural resources study, and due to the lack of extensive subsurface studies in the immediate project area, redevelopment of the project site could result in a significant impact to unknown buried archaeological resources.

Mitigation Measures: The following mitigation measures would reduce impacts to subsurface cultural resources from construction activities conducted within the Specific Plan area:

MM CUL-2.1: Prior to the issuance of any grading permit, an Archaeological Monitoring Plan shall be developed, to the satisfaction of the Community Development Director, and implemented to guide the project should any significant archaeological deposits be uncovered during construction. The Archaeological Monitoring Plan shall provide detailed guidance for how impact areas should be methodically excavated under the direct supervision of a qualified archaeologist. A qualified archaeologist and a representative from the local Native American community shall monitor all initial ground-disturbing activities.

MM CUL-2.2: A qualified archaeologist shall monitor the demolition of the building foundations and any other below surface disturbances, such as but not limited to, grading, excavation, trenching, potholing for utilities, utility removal, and addressing storm drain issues.

MM CUL-2.3: In the event that buried, or previously unrecognized archaeological deposits or materials of any kind are inadvertently exposed during any construction activity, work within 50 feet of the find shall cease until a qualified archaeologist and a representative from the local Native American community can assess the find and provide recommendations for further treatment, if warranted. Preservation in place is the preferred treatment of an archeological resource. When preservation in place of an archeological

[27] City of Santa Clara. 2010 -2035 General Plan, Table 8.9-1: Architecturally or Historically Significant Properties. Updated 2014.

resource is not feasible, data recovery, in accord with a data recovery plan prepared and adopted by the City, is the appropriate mitigation. Construction and potential impacts to the area within a radius determined by the archaeologist shall not recommence until the assessment is complete.

Implementation of the above mitigation measures would avoid and/or reduce significant impacts to unknown buried archaeological resources to a less than significant level by monitoring for resources during demolition activities and following procedures to protect resources (if found). **(Less than Significant Impact with Mitigation Incorporated)**

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

Although there are no known human remains on the site, redevelopment of the site could result in a significant impact to unknown buried human remains. If the exposure or destruction of these resources were to occur, it would be considered a significant impact.

Mitigation Measure: The following project-specific mitigation measures will be implemented during construction to avoid significant impacts to unknown human remains:

MM CUL-3.1: In the event that human remains and/or grave goods are discovered or recognized during ground-disturbing activities or construction, all ground disturbance work shall cease within 50 feet of the discovery, and the tribal monitor shall immediately notify the construction supervisor. The construction supervisor shall ensure reasonable protection measures are taken to protect the discovery from disturbance (Assembly Bill [AB] 2641) and shall immediately notify the City and the Santa Clara County Medical Examiner-Coroner (per California Health and Safety Code Section 7050.5). If the remains are determined to be Native American, the Coroner will notify the Native American Heritage Commission (NAHC) immediately. Once the NAHC identifies the most likely descendants, the descendants will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines.

- Reburial shall be conducted within a cultural easement to be identified on the project plans, or on tribal or other lands that will not be disturbed in the future.

- Reburial of human remains shall be accomplished in compliance with California Public Resources Code Sections 5097.98(a) and (b).

With implementation of these measures, impacts to unknown human remains would be less than significant. **(Less Than Significant Impact with Mitigation Incorporated)**

4.6 ENERGY

The following discussion is based in part on the Air Quality and GHG Assessment and CalEEMod results prepared by Illingworth & Rodkin in May 2022. A copy of the assessment is included as Appendix A.

4.6.1 Environmental Setting

Federal and State

Energy Star and Fuel Efficiency

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

Renewables Portfolio Standard Program

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

Executive Order B-55-18 To Achieve Carbon Neutrality

In September 2018, Governor Brown issued an executive order, EO-B-55-18 To Achieve Carbon Neutrality, setting a statewide goal "to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter." The executive order requires CARB to "ensure future Scoping Plans identify and recommend measures to achieve the carbon neutrality goal." EO-B-55-18 supplements EO S-3-05 by requiring not only emissions reductions, but also that, by no later than 2045, the remaining emissions be offset by equivalent net removals of CO_2 from the atmosphere through sequestration.

California Building Standards Code

The Energy Efficiency Standards for Residential and Nonresidential Buildings, as specified in Title 24, Part 6 of the California Code of Regulations (Title 24), was established in 1978 in response to a legislative mandate to reduce California's energy consumption. Title 24 is updated approximately

every three years.[28] Compliance with Title 24 is mandatory at the time new building permits are issued by city and county governments.[29]

California Green Building Standards Code

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

Advanced Clean Cars Program

CARB adopted the Advanced Clean Cars program in 2012 in coordination with the EPA and National Highway Traffic Safety Administration. The program combines the control of smog-causing pollutants and GHG emissions into a single coordinated set of requirements for vehicle model years 2015 through 2025. The program promotes development of environmentally superior passenger cars and other vehicles, as well as saving the consumer money through fuel savings.[30]

Reach Code

In 2021, the Santa Clara City Council approved the Reach Code Ordinance, Ordinance No. 2034, to reduce energy related GHG emissions consistent with the goals of City's Climate Action Plan. The Reach Code applies to new construction projects in and requires new residential construction to be outfitted with entirely electric fixtures. If exceptions are met that all the use of natal gas appliances, the building(s) must be electrification ready. In addition, the Reach Code requires EV charging infrastructure for residential and non-residential buildings and solar readiness for non-residential buildings.

Local

City of Santa Clara General Plan

The City of Santa Clara 2010-2035 General Plan includes goals, policies, and actions to protect and conserve energy resources in the City. The following goals, policies, and actions are applicable to the proposed project:

Policies	Description
5.10.3-P1	Promote the use of renewable energy resources, conservation, and recycling programs.

[28] California Building Standards Commission. "California Building Standards Code." Accessed December 3, 2021. https://www.dgs.ca.gov/BSC/Codes#@ViewBag.JumpTo.
[29] California Energy Commission (CEC). "2019 Building Energy Efficiency Standards." Accessed December 3, 2021. https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2019-building-energy-efficiency.
[30] California Air Resources Board. "The Advanced Clean Cars Program." Accessed December 3, 2021. https://www.arb.ca.gov/msprog/acc/acc.htm.

Policies	Description
5.10.3-P4	Encourage new development to incorporate sustainable building design, site planning and construction, including encouraging solar opportunities.
5.10.3-P5	Reduce energy consumption through sustainable construction practices, materials, and recycling.
5.10-3-P6	Promote sustainable buildings and land planning for all new development, including programs that reduce energy and water consumption in new development.
5.10.3-P8	Provide incentives for LEED certified, or equivalent development.

4.6.1.1 *Existing Conditions*

Total energy usage in California was approximately 7,802 trillion British thermal units (Btu) in the year 2019, the most recent year for which this data was available.[31] Out of the 50 states, California is ranked second in total energy consumption and 46th in energy consumption per capita. The breakdown by sector was approximately 19 percent (1,456 trillion Btu) for residential uses, 19 percent (1,468 trillion Btu) for commercial uses, 23 percent (1,805 trillion Btu) for industrial uses, and 39 percent (3,073 trillion Btu) for transportation.[32] This energy is primarily supplied in the form of natural gas, petroleum, nuclear electric power, and hydroelectric power.

Electricity

Electricity in Santa Clara County in 2020 was consumed primarily by the non-residential sector (73 percent), followed by the residential sector consuming 24 percent. In 2020, a total of approximately 16,435 gigawatt hours (GWh) of electricity was consumed in Santa Clara County.[33]

SVP is the City of Santa Clara's energy utility and would provide electricity service to the project site. As of January 2018, SVP provides residential customers with carbon-free power as their standard, default power supply. This means the power generation produces no net carbon emissions. For commercial customers, SVP offers several options for participation in green energy programs, including a carbon-free energy option.[34]

California's total system electric generation in 2020 was approximately 272,576 gigawatt-hours (GWh), which was down 2 percent from 2019's total generation of approximately 277,704 GWh. California's in-state electric generation decreased by six percent to 190,913 GWh compared to approximately 200,475 GWh in 2019.[35] This decline was due to decreased generation from in-state large hydroelectric power plants, down 45 percent (15,207 GWh) from 2019.

[31] United States Energy Information Administration. "State Profile and Energy Estimates, 2019." Accessed December 3, 2021. https://www.eia.gov/state/?sid=CA#tabs-2.
[32] United States Energy Information Administration. "State Profile and Energy Estimates, 2019." Accessed December 3, 2021. https://www.eia.gov/state/?sid=CA#tabs-2.
[33] California Energy Commission. Energy Consumption Data Management System. "Electricity Consumption by County." Accessed December 3, 2021. http://ecdms.energy.ca.gov/elecbycounty.aspx.
[34] Silicon Valley Power. "Did you Know." Accessed December 3, 2021. https://www.siliconvalleypower.com/svp-and-community/about-svp/faqs.
[35] CEC. "2020 Total System Electric Generation." Accessed December 3, 2021. https://www.energy.ca.gov/data-reports/energy-almanac/california-electricity-data/2020-total-system-electric-generation

In 2020, natural gas represented the largest portion of the state's energy sources (at 48 percent). Solar, wind, and hydro generation accounted for more than 33 percent of all renewable electricity generation.[36]

Natural Gas

PG&E provides natural gas services within the City of Santa Clara. In 2020, approximately two percent of California's natural gas supply came from in-state production, while the remaining supply was imported from other western states and Canada.[37] In 2020, residential and commercial customers in California used 34 percent of the state's natural gas, the industrial sector used 34 percent, electric power plants used approximately 30.5 percent, the transportation sector used approximately one percent, and other sectors used approximately 0.5 percent natural gas.[38] In 2019, Santa Clara County used approximately two percent of the state's total consumption of natural gas.[39]

Fuel for Motor Vehicles

In 2019, 15.4 billion gallons of gasoline were sold in California.[40] The average fuel economy for light-duty vehicles (autos, pickups, vans, and sport utility vehicles) in the United States has steadily increased from about 13.1 miles per gallon (mpg) in the mid-1970s to 24.9 mpg in 2019.[41] Federal fuel economy standards have changed substantially since the Energy Independence and Security Act was passed in 2007. That standard, which originally mandated a national fuel economy standard of 35 miles per gallon by the year 2020, was updated in March 2020 to require all cars and light duty trucks achieve an overall industry average fuel economy of 40.4 mpg by model year 2026. [42,43]

[36] Ibid.
[37] California Gas and Electric Utilities. *2020 California Gas Report.* Accessed December 3, 2021. https://www.socalgas.com/sites/default/files/2020-10/2020_California_Gas_Report_Joint_Utility_Biennial_Comprehensive_Filing.pdf.
[38] U.S. Energy Information Administration. *Natural Gas Consumption by End Use*. Accessed December 3, 2021. https://www.eia.gov/dnav/ng/ng_cons_sum_dcu_SCA_a.htm.
[39] California Energy Commission. "Natural Gas Consumption by County." Accessed December 3, 2021. http://ecdms.energy.ca.gov/gasbycounty.aspx.
[40] California Department of Tax and Fee Administration. "Net Taxable Gasoline Gallons." Accessed December 3, 2021. https://www.cdtfa.ca.gov/dataportal/dataset.htm?url=VehicleTaxableFuelDist.
[41] United States Environmental Protection Agency. "The 2020 EPA Automotive Trends Report: Greenhouse Gas Emissions, Fuel Economy, and Technology since 1975." January 2021. Accessed December 20, 2021. https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=P1010U68.pdf
[42] United States Department of Energy. *Energy Independence & Security Act of 2007.* Accessed December 3, 2021. http://www.afdc.energy.gov/laws/eisa.
[43] Public Law 110–140—December 19, 2007. *Energy Independence & Security Act of 2007.* Accessed December 3, 2021. http://www.gpo.gov/fdsys/pkg/PLAW-110publ140/pdf/PLAW-110publ140.pdf.

4.6.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
2) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

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

The proposed project would demolish an existing two-story office building and construct a five-story multi-family development. Since the office building is currently vacant of occupants. the proposed project would result in an increased demand for energy at the project site during construction and operation.

Estimated Energy Use of the Proposed Project

The construction phase would use energy for the manufacture and transportation of building materials, preparation/grading of the site, and construction of the buildings. Petroleum-based fuels such as diesel fuel and gasoline would be the primary sources of energy for these tasks. Operation of the proposed development would consume energy (in the form of electricity) primarily from building heating and cooling, lighting, and water heating. Table 4.6-1 below summarizes the estimated energy use of the proposed project.

Table 4.6-1: Estimated Annual Energy Use of Proposed Development

Land Use	Electricity Use (kWh/yr)
Apartments Mid Rise	695,526
Enclosed Parking with Elevator	100,760
Parking Lot	3,985
Total	**800,271**

Source: Illingworth & Rodkin, Inc. *1601 Civic Center Drive Project Air Quality and Greenhouse Gas Assessment.* May 10, 2022.

Compared to existing conditions, the proposed project would substantially increase on-site electricity. However, the project would be built in accordance with the 2019 CALGreen requirements, Title 24 energy efficiency standards and Reach Code, which would improve the efficiency of the overall project. Based on the CalEEMod results, the total annual VMT for the project would be approximately 1,287,342.[44] Using the U.S. EPA fuel economy estimates (24.9 mpg) the proposed project would result in the consumption of approximately 51,700 gallons of gasoline per year.[45] New automobiles purchased by future residents of the proposed project would be subject to fuel economy and efficiency standards applied throughout the State of California, which means that over time the fuel efficiency of vehicles associated with the project site would improve. The project site is within 2,000 feet of major transit/bus stops which would be accessible to future residents. In addition, the project proposes a reduction in the required parking count with the Density Bonus application to 82 automobile spaces and 80 bicycle spaces (72 Class 1 and eight Class 2). These measures would help to reduce vehicle trips to and from the project site and, therefore, the project would not result in the wasteful use of fuel. Implementation of the proposed project would not result in a wasteful, inefficient, or unnecessary consumption of energy resources during operation. **(Less than Significant Impact)**

Energy Efficiency During Construction

The project is proposed to be constructed in approximately 18 months. The project would require site preparation, grading and excavation, trenching, paving, and building of interior and exterior. Energy would not be wasted or used inefficiently by construction equipment, as the proposed project would include several measures to improve efficiency of the construction process. For example, during construction, construction waste management methods and processes would be employed to reduce the amount of trash and construction waste. The project would be required to achieve a 65 percent construction and demolition waste diversion rate and would be required to prepare a Construction Waste Management Plan or utilize a waste management company to recycle, reduce and/or reuse construction waste (CALGreen Code Sections 4.408 and 5.408). Adherence to CALGreen Code would further reduce energy expenditures during the construction phase.

In addition, the project would implement BMPs (refer to Section 4.3, Air Quality) which would restrict equipment idling times to five minutes or less and would require the applicant to post signs on the project site reminding workers to shut off idle equipment to prevent the inefficient use of construction equipment. The project site is in proximity to local sources of construction materials which would reduce fuel usage. Implementation of the proposed project would not result in a wasteful, inefficient, or unnecessary consumption of energy resources during construction. **(Less than Significant Impact)**

Energy Efficiency During Operation

Operation of the project would consume energy for multiple purposes including, but not limited to, building heating and cooling, lighting, appliances, and electronics. Operational energy would also be consumed during each vehicle trip generated by future employees. The building would meet or

[44] Illingworth & Rodkin, Inc. *1601 Civic Center Drive Air Quality and Greenhouse Gas Assessment: CalEEMod Model.* May 10, 2022.
[45] 1,287,342 VMT / 24.9 mpg = 51,700 gallons of gasoline

exceed the requirements of the California Building Energy Efficiency Standards and would be required to comply with the Reach Code.

The project would not use energy or fuel in a wasteful manner, given the project features that reduce energy use, including the following:

- Access to public transit
- Bicycle facilities
- Electric Vehicle (EV) charging stations
- Construction in conformance with Title 24 and CALGreen requirements to promote energy and water efficiency
- Buildings constructed with low-emitting interior building materials (e.g., flooring and ceilings)
- Construction waste management
- Use of recycled materials during construction

The project would include landscaping composed of large shade trees around the site boundary, parking lot, and courtyard areas. This will have the effect of providing shade and reducing the heat island effect of the project, thus reducing the energy demand required to cool the proposed buildings. For the reasons listed above, the proposed project would have a less than significant impact. **(Less Than Significant Impact)**

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

Electricity for the proposed project would be provided by SVP. Although the project would increase the project site's energy use, the proposed development would be completed in compliance with the current energy efficiency standards set forth in Title 24, CALGreen, the RPS Program, and the City Code. Therefore, the project would comply with state and local plans for energy efficiency. **(Less than Significant Impact)**

4.7 GEOLOGY AND SOILS

The following discussion is based in part on a Geotechnical Engineering Report prepared by Professional Service Industries, Inc., dated January 12, 2021, and a Web Soil Survey completed in November 2021. The reports are including in Appendix C of this Initial Study.

4.7.1 Environmental Setting

4.7.1.1 *Regulatory Framework*

State

Alquist-Priolo Earthquake Fault Zoning Act

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

Seismic Hazards Mapping Act

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

California Building Standards Code

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

California Division of Occupational Safety and Health Regulations

Excavation, shoring, and trenching activities during construction are subject to occupational safety standards for stabilization by the California Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA) under Title 8 of the California Code of Regulations and

Excavation Rules. These regulations minimize the potential for instability and collapse that could injure construction workers on the site.

Public Resources Code Section 5097.5

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

Local

Santa Clara General Plan

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

Policies	Description
5.10.5-P5	Regulate development, including remodeling or structural rehabilitation, to ensure adequate mitigation of safety hazards, including flooding, seismic, erosion, liquefaction and subsidence dangers.
5.10.5-P6	Require that new development is designed to meet current safety standards and implement appropriate building codes to reduce risks associated with geologic conditions.
5.10.5-P7	Implement all recommendations and design solutions identified in project soils reports to reduce potential adverse effects associated with unstable soils or seismic hazards.

4.7.1.2 *Existing Conditions*

Regional Geology

The City of Santa Clara is located in the Santa Clara Valley, a relatively flat alluvial basin, bounded by the Santa Cruz Mountains to the southwest and west, the Diablo Mountain Range to the east, and San Francisco Bay to the north. The topography of the Santa Clara Valley rises from sea level at the south end of San Francisco Bay to elevations of more than 2,000 feet to the east. The average grade of the valley floor ranges from nearly horizontal to about two percent generally down to the northwest. Grades are steeper on the surrounding hillsides.

On-Site Geologic Conditions

Topography and Soils

In November 2020, four soil borings were advanced to a maximum depth of 61.5 feet below the ground surface (bgs) to identify the site's subsurface conditions. The project site is underlain by lean clay, silty lean clay, and sandy lean clay, fat clay and sandy fat clay, silt and sandy silt, sand, and sandy gravel. Soils on-site have a moderate risk of shrink swell potential and are, therefore, moderately expansive.[46]

Groundwater

Groundwater depth on the project site was measured at 7.5 feet bgs and historically has occurred less than 12 feet bgs.[47] Fluctuations in the groundwater level may occur due to seasonal changes, variations in rainfall and underground drainage patterns, and other factors.

Seismicity and Seismic-Related Hazards

The San Francisco Bay Area is one of the most seismically active regions in the U.S. The significant earthquakes that occur in the Bay Area are generally associated with the crustal movements along well-defined active fault zones of the San Andreas Fault system, which regionally trend in a northwesterly direction.

The project site is level and is not at risk of landslides or other land subsidence. The City does not contain any faults zoned under the Alquist-Priolo Earthquake Fault Zoning Act[48] or in a Santa Clara County Fault Hazard Zone,[49] and no active faults have been mapped on-site. The risk of surface fault rupture in the City is considered low. Nearby active or potentially active faults include the Hayward, Monte Vista-Shannon, Calaveras, and San Andreas faults. The distance from the project site to these faults is listed in Table 4.7-1. Due to the proximity of the project site to these active faults, ground shaking, and ground failure as a result of an earthquake could cause damage to structures.

Table 4.7-1: Active Faults Near the Project Site

Fault	Distance and Location from Project Site
Hayward	9.3 miles northeast
Monte Vista-Shannon	7.6 miles southwest
Calaveras	10.3 miles northeast
San Andreas	10.3 miles southwest

[46] United States Department of Agriculture. Soil Report. Accessed November 11, 2021. https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx.
[47] Professional Service Industries, Inc. Geotechnical Engineering Report. January 12, 2021.
[48] City of Santa Clara. 2010-2035 General Plan Integrated EIR. Page 183. January 2011.
[49] County of Santa Clara. Geologic Hazards Zones, Map 19, 2012. Accessed November 11, 2021. https://www.sccgov.org/sites/dpd/DocsForms/Documents/GEO_GeohazardATLAS.pdf.

Soil Liquefaction and Related Hazards

Liquefaction occurs when water-saturated soils lose structural integrity due to seismic activity. Soils that are most susceptible to liquefaction are loose to moderately dense, saturated granular soils with poor drainage. According to the Santa Clara General Plan, the project site is located in a region characterized by a moderate to high ground shaking hazard and, due to the location of the site within the Liquefaction Hazard Area, the site is at risk of lateral spreading and related ground failure.[50] To evaluate the site's soil susceptibility to seismically induced liquefaction, two soil borings were advanced to a maximum depth of 100 feet bgs.

Soil liquefaction potential and seismically induced settlement were estimated using computer modeling. The estimated extent and depth of liquefaction within the subsurface soils corresponds to input ground surface acceleration and earthquake magnitudes consistent with a design-level earthquake event. The results of the analysis showed that the estimated total seismic settlement of saturated soils (settlement below the water table) was estimated to be less than one inch. Therefore, seismically induced settlement due to liquefaction was not considered to be a design consideration for this site.

Lateral spreading is a type of ground failure related to liquefaction. It consists of the horizontal displacement of flat-lying alluvial material toward an open area, such as the steep bank of a stream channel. The project site is relatively flat and is not adjacent to a creek or any other unsupported face. Therefore, the potential for lateral spreading is low. Additionally, based on a review of the site topography and on the lack of significant liquefiable soil, lateral spreading is also not considered a concern for the site.

Paleontological Resources

As discussed in Section 4.7.1.1, paleontological resources are the fossilized remains of organisms from prehistoric environments found in geologic strata. The project site is underlain by Holocene deposits.[51] Geologic units of Holocene age are generally not considered sensitive paleontological resources because biological remains younger than 10,000 years are not usually considered fossils; however, these recent sediments overlie sediments of older Pleistocene sediments with high potential to contain paleontological resources.[52] These older sediments, often found at depths of 10 feet or more bgs, have yielded the fossil remains of plants and extinct terrestrial Pleistocene vertebrates.

Ground disturbing activities of 10 feet or more have the potential to impact undiscovered paleontological resources in older Pleistocene sediments. The City, including the project site, is underlain by alluvial fan deposits of Holocene age, made up of gravel, sand and finer sediments.

[50] California Geological Survey. Earthquake Zones and Required Investigation. Accessed December 18, 2021. https://maps.conservation.ca.gov/cgs/EQZApp/app/.
[51] City of Santa Clara. Integrated Final EIR for the City of Santa Clara Draft 2010-2035 General Plan. January 2011. Figure 4.5-1.
[52] Ibid. City of Santa Clara. Integrated Final EIR for the City of Santa Clara Draft 2010-2035 General Plan. January 2011. Page 323.)

4.7.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
– Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (refer to Division of Mines and Geology Special Publication 42)?	☐	☐	☒	☐
– Strong seismic ground shaking?	☐	☐	☒	☐
– Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
– Landslides?	☐	☐	☒	☐
2) Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐
3) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?	☐	☐	☒	☐
4) Be located on expansive soil, as defined in the current California Building Code, creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
5) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	☒
6) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	☐	☐	☐	☒

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

The proposed project is not located within an Alquist-Priolo Earthquake Fault Zoning Map area where fault rupture may occur.[53] Therefore, the proposed project would not cause risk of loss, injury, or death involving rupture of a known earthquake fault. The project site and surrounding areas are also relatively flat; therefore, development on-site would not expose adjacent or nearby properties to landslide related hazards.

The proposed project would be constructed on soils identified as a risk for liquefaction, however a site-specific geotechnical analysis found the risk of liquefaction-related hazards is low. Although no active faults are known to cross the project site, the project would experience intense ground shaking in the event of a large earthquake.

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

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

The project would require ground disturbance due to grading, trenching for utilities, and excavation for construction of the footings and foundations of the new structures. Ground disturbance would expose soils and increase the potential for wind or water-related erosion and sedimentation until construction is complete.

Mitigation Measures: The following mitigation measures have been included in the project to reduce possible construction-related erosion impacts:

MM GEO-2.1: All excavation and grading work would be scheduled in dry weather months or construction sites would be weatherized[54] to withstand or avoid erosion.

MM GEO-2.2: Stockpiles and excavated soils would be covered with secured tarps or plastic sheeting.

[53] California Geological Survey. Earthquake Zones and Required Investigation. Accessed December 18, 2021. https://maps.conservation.ca.gov/cgs/EQZApp/app/.

[54] Weatherized refers to measures that would protect exposed soils from rain and stormwater runoff.

MM GEO-2.3: Vegetation in disturbed areas would be replanted as quickly as possible.

Implementation of the identified mitigation measures would reduce erosion and sedimentation impacts to a less than significant level. **(Less Than Significant Impact with Mitigation Incorporated)**

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

The proposed project would be constructed on soils with low risk of liquefaction during seismic events. As described in Impact GEO-1, the proposed project would be constructed in compliance with a site-specific geotechnical report, City Code, and the CBC requiring the project to analyze and remediate site-specific soil conditions. Therefore, the proposed project would not result in a risk of instability because of liquefaction or lateral spread and would have a less than significant impact. **(Less than Significant Impact)**

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

Soils on-site contain clay and sand and have a moderate expansion potential. Consistent with City requirements, buildings will be designed and constructed in accordance with the design-level geotechnical investigation prepared for the site, which identifies specific design features that will be required for the project, including site preparation, compaction, foundation design, and pavement design. The design-level geotechnical investigation shall be reviewed and approved by the City prior to issuance of a building permit for the project.

The proposed project would be built in conformance with the requirements of the CBC and, therefore, would not expose people or property to significant impacts associated with the soil conditions of the site. **(Less than Significant Impact)**

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

The proposed project would utilize the existing wastewater disposal system in the City of Santa Clara and would not require the use of septic tanks or alternative wastewater disposal systems. Therefore, the proposed project would not have impacts resulting from inadequate soils. **(No Impact)**

Impact GEO-6:	The project would not directly or indirectly destroy a unique paleontological resource or site or unique geological feature. **(No Impact)**

The project site is underlain by geologic units of Holocene age, which are generally not considered sensitive for paleontological resources because biological remains younger than 10,000 years are not usually considered fossils. Thus, these sediments have low potential to yield fossil resources or to contain significant nonrenewable paleontological resources. More recent sediments, however, may overlie older Pleistocene sediments with high potential to contain paleontological resources. These older sediments, often found at depths of greater than 10 feet bgs, have yielded the fossil remains of plants and extinct terrestrial Pleistocene vertebrates. The proposed project would not include subsurface structures; however, it would require excavation for utilities, foundation footings, and other underground features which would require trenching to a depth of approximately seven feet bgs. Therefore, the project would not directly or indirectly destroy a unique paleontological resource or site or unique geological feature. **(No Impact)**

4.8 GREENHOUSE GAS EMISSIONS

The following discussion is based in part on an Air Quality and Greenhouse Gas Assessment completed by Illingworth & Rodkin, Inc. in May 2022. A copy of the report is provided in Appendix A of this Initial Study.

4.8.1 Environmental Setting

4.8.1.1 *Background Information*

Gases that trap heat in the atmosphere, GHGs, regulate the earth's temperature. This phenomenon, known as the greenhouse effect, is responsible for maintaining a habitable climate. In GHG emission inventories, the weight of each gas is multiplied by its global warming potential (GWP) and is measured in units of CO_2 equivalents (CO_2e). The most common GHGs are carbon dioxide (CO_2) and water vapor but there are also several others, most importantly methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6). These are released into the earth's atmosphere through a variety of natural processes and human activities. Sources of GHGs are generally as follows:

- CO_2 and N_2O are byproducts of fossil fuel combustion.
- N_2O is associated with agricultural operations such as fertilization of crops.
- CH_4 is commonly created by off-gassing from agricultural practices (e.g., keeping livestock) and landfill operations.
- Chlorofluorocarbons (CFCs) were widely used as refrigerants, propellants, and cleaning solvents, but their production has been stopped by international treaty.
- HFCs are now used as a substitute for CFCs in refrigeration and cooling.
- PFCs and SF_6 emissions are commonly created by industries such as aluminum production and semiconductor manufacturing.

An expanding body of scientific research supports the theory that global climate change is currently causing changes in weather patterns, average sea level, ocean acidification, chemical reaction rates, and precipitation rates, and that it will increasingly do so in the future. The climate and several naturally occurring resources within California are adversely affected by the global warming trend. Increased precipitation and sea level rise will increase coastal flooding, saltwater intrusion, and degradation of wetlands. Mass migration and/or loss of plant and animal species would also occur. Potential effects of global climate change that could adversely affect human health include more extreme heat waves and heat-related stress; an increase in climate-sensitive diseases; more frequent and intense natural disasters such as flooding, hurricanes, and drought; and increased levels of air pollution.

4.8.1.2 *Regulatory Framework*

State

Assembly Bill 32

Under the California Global Warming Solutions Act, also known as AB 32, CARB established a statewide GHG emissions cap for 2020, adopted mandatory reporting rules for significant sources of GHGs, and adopted a comprehensive plan, known as the Climate Change Scoping Plan, identifying how emission reductions would be achieved from significant GHG sources.

In 2016, SB 32 was signed into law, amending the California Global Warming Solution Act. SB 32, and accompanying EO B-30-15, require CARB to ensure that statewide GHG emissions are reduced to 40 percent below the 1990 level by 2030. CARB updated its Climate Change Scoping Plan in December of 2017 to express the 2030 statewide target in terms of million metric tons of CO_2e ($MMTCO_2e$). Based on the emissions reductions directed by SB 32, the annual 2030 statewide target emissions level for California is 260 $MMTCO_2e$.

Senate Bill 375

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

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

Regional

Plan Bay Area 2050

Plan Bay Area 2050 is a long-range plan for the nine-county San Francisco Bay Area that provides strategies that increase the availability of affordable housing, support a more equitable and efficient economy, improve the transportation network, and enhance the region's environmental resilience. Plan Bay Area 2050 promotes the development of a variety of housing types and densities within identified Priority Development Areas (PDAs). PDAs are areas generally near existing job centers or frequent transit that are locally identified for housing and job growth.[55]

ABAG allocates regional housing needs to each city and county within the San Francisco Bay Area, based on statewide goals. These allocations are designed to lay the foundation for Plan Bay Area 2050's long-term envisioned growth pattern for the region. ABAG also develops a series of forecasts and models to project the growth of population, housing units, and jobs in the Bay Area. ABAG,

[55] Association of Bay Area Governments and Metropolitan Transportation Commission. *Plan Bay Area 2050*. October 21, 2021. Page 20.

MTC, and local jurisdiction planning staff created the Forecasting and Modeling Report, which is a technical overview of the of the growth forecasts and land use models upon which Plan Bay Area 2050 is based.

Bay Area 2017 Clean Air Plan

Regional air quality management districts, such as BAAQMD, must prepare air quality plans specifying how state and federal air quality standards would be met. BAAQMD's most recently adopted plan is the Bay Area 2017 Clean Air Plan (2017 CAP). The 2017 CAP focuses on two related BAAQMD goals: protecting public health and protecting the climate. To protect the climate, the 2017 CAP includes control measures designed to reduce emissions of CH_4 and other super-GHGs that are potent climate pollutants in the near-term, and to decrease emissions of CO_2 by reducing fossil fuel combustion.

CEQA Air Quality Guidelines

The BAAQMD CEQA Air Quality Guidelines are intended to serve as a guide for those who prepare or evaluate air quality impact analyses for projects and plans in the San Francisco Bay Area. The City of Santa Clara and other jurisdictions in the San Francisco Bay Area Air Basin utilize the thresholds and methodology for assessing GHG impacts developed by BAAQMD within the CEQA Air Quality Guidelines. The guidelines include information on legal requirements, BAAQMD rules, methods of analyzing impacts, and recommended mitigation measures.

Local

City of Santa Clara Climate Action Plan

The City of Santa Clara has a Climate Action Plan (CAP),[56] adopted in December 2013, that established goals and measures to reduce GHG emissions by 23 percent below 2008 levels by 2020, which is enough to surpass the City and State goals. However, the Plan does not have a specific metric ton GHG threshold for project-level construction or operation.

City of Santa Clara General Plan

The Santa Clara 2010-2035 General Plan includes policies that address the reduction of GHG emissions during the planning horizon of the General Plan. The applicable General Plan policies and the project's consistency with these policies is discussed in Section 4.8.2, Impacts Discussion, under the response to Impact GHG-2 (see Table 4.8-2).

4.8.1.3 *Existing Conditions*

Unlike emissions of criteria and toxic air pollutants, which have regional and local impacts, emissions of GHGs have a broader, global impact. Global warming is a process whereby GHGs accumulating in the upper atmosphere contribute to an increase in the temperature of the earth and changes in weather patterns. The project site is unoccupied and does not currently contribute to the City's GHG emissions.

[56] City of Santa Clara, 2013. *City of Santa Clara Climate Action Plan.* Accessible at: https://www.santaclaraca.gov/home/showdocument?id=10170.

Post 2020-Impact Thresholds

As described previously, BAAQMD adopted GHG emissions thresholds of significance to assist in the review of projects under CEQA. These thresholds were designed to establish the level at which BAAQMD has determined that GHG emissions would cause significant environmental impacts. The GHG emissions thresholds identified by BAAQMD are 1,100 metric tons (MT) of CO_2e per year or 4.6 MT CO_2e per service population per year. A project that is in compliance with the City's Climate Action Plan (a qualified GHG Reduction Strategy) is considered to have a less than significant GHG impact regardless of its emissions.

The numeric thresholds set by BAAQMD and included within the City's Climate Action Plan were calculated to achieve the state's 2020 target for GHG emissions levels (and not the SB 32 specified target of 40 percent below the 1990 GHG emissions level). Because the project would be completed in the post-2020 timeframe, the project would not be covered under the City's Climate Action Plan and the 2020 thresholds would not be applicable.

CARB has completed a Scoping Plan to achieve SB 32 GHG reduction targets, which will be utilized by BAAQMD to establish the 2030 GHG efficiency threshold. BAAQMD has yet to publish a quantified GHG efficiency threshold for 2030. In-lieu of an updated efficiency threshold from BAAQMD, a Substantial Progress efficiency threshold of 2.8 MT CO_2e/service population/year threshold, which is a 40 percent reduction from the BAAQMD 2020 service population emissions target of 4.6 MT CO_2e /service population/year, is utilized in this Initial Study. An adjusted bright-line threshold of 660 MTCO_2e/year, which is 40 percent below BAAQMD 2020 bright-line threshold of 1,100 MT CO_2e, is also used in this Initial Study.[57] The efficiency and adjusted bright-line thresholds were calculated based on the GHG reduction goals of SB 32 and EO B-30-15 for 2030.[58]

4.8.2 Impact Discussion

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

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

[57] The 2020 BAAQMD bright-line threshold of 1,100 MT CO_2e was established by BAAQMD to help the state reduce GHG emissions to 1990 levels by 2020. 1,100 MT CO_2e – (1,100 MT CO_2e * 0.4) = 660 MT CO_2e. 660 MT CO_2e is the 2030 bright-line threshold calculated for projects constructed and operational post-2020 and pre-2031.
[58] Personal Communications: Reyff, James, Illingworth & Rodkin, Inc. (air quality consultant). March 4, 2020.

GHG emissions associated with development of the proposed project would occur over the short-term from construction activities, consisting primarily of emissions from equipment exhaust and worker and vendor trips. There would also be long-term operational emissions associated with vehicular traffic within the project vicinity, energy, and water usage, and solid waste disposal. Emissions for the proposed project were analyzed using CalEEMod and the methodology recommended in the BAAQMD CEQA Air Quality Guidelines and are discussed below.

Construction Emissions

Project construction would generate approximately 382 MT of CO_2e for the total construction period. These are the emissions from on-site operation of construction equipment, vendor and hauling truck trips, and worker trips. Neither the City nor BAAQMD have an adopted threshold of significance for construction related GHG emissions, though BAAQMD recommends quantifying emissions and disclosing that GHG emissions would occur during construction. BAAQMD also encourages the incorporation of BMPs to reduce GHG emissions during construction where feasible and applicable. The project would be required to implement BAAQMD's recommended BMPs as a condition of approval, as previously described in Section 4.3 Air Quality.

Operational Period Emissions

Project operation would generate approximately 595 total MT of CO_2e in 2026 and approximately 566 total MT of CO_2e in 2030. The service population emissions for the years 2026 and 2030 are predicted to be 2.1 and 2.0 MT/CO_2e/year/service population, respectively. The service population calculation was based on the assumption that the project would house approximately 285 residents (see Section 4.14 Population and Housing). It is anticipated that the project's first full year of operation would be in 2026. However, the applicable thresholds are for the year 2030, thus, the estimated GHG emissions for year 2030 are shown in Table 4.8-1 by source category.

Table 4.8-1: Annual Project Operational GHG Emissions (CO_2e)

Source Category	Project Operational Emissions (MT CO_2e/year)	
	2026	**2030**
Area	1	1
Energy Consumption	113	113
Mobile	432	403
Solid Waste Generation	25	25
Water Usage	12	12
Total (MT CO_2e/year)	584	554
Bright-Line Significance Threshold	**--**	**660 MT CO_2e/year**
Service Population Emissions (MT CO_2e/year/service population)	2.1	2.0
Service Population Significance Threshold	**--**	**2.8 in 2030**
Exceeds Both Thresholds?	--	No

To be considered a significant impact, project emissions must exceed both the bright-line threshold and the service population threshold in the year 2030. As shown in Table 4.8-1, the project would not exceed either threshold for the year 2030. Therefore, project operation would not generate a significant amount of GHG emissions. **(Less than Significant Impact)**

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

2017 BAAQMD Clean Air Plan

As discussed in Section 4.3 Air Quality, the project supports the goals of the 2017 BAAQMD CAP for protecting public health and the climate and is consistent with 2017 BAAQMD CAP control measures of reducing exposure to TACs and reducing DPM emissions by:

- Implementing mitigation measures to reduce criteria air pollutants during construction,
- Reducing motor VMT by proposing residential development in proximity to existing/proposed/planned pedestrian, bicycle, and transit facilities,
- Complying with applicable regulations that would result in energy and water efficiency including Title 24 and California Green Building Standards Code,
- Planting new trees in accordance with the City's General Plan Policy 5.3.1-P10 to reduce the urban heat island effect, and
- Complying with the City's construction debris diversion ordinance and state waste diversion requirements to reduce the amount of waste in landfills.

In addition, the project, as proposed, would not disrupt or hinder the implementation of applicable control measures in the 2017 BAAQMD CAP. **(Less than Significant Impact)**

Santa Clara Climate Action Plan

As described previously, the City of Santa Clara Climate Action Plan (CAP) was adopted in December 2013, and the City is currently preparing the 2030 CAP, which would include strategies for meeting the GHG emission reduction targets required by SB 32 and identify further actions the City can undertake to further reduce GHG emissions and meet new targets. A summary of the project's consistency with current CAP measures is provided in Table 4.8-2.

Table 4.8-2: Summary of Applicable Climate Action Plan Measures and Project Consistency

Applicable Climate Action Plan Measures		Notes/Comments
Energy Efficiency		
2.4	Customer Installed Solar Photovoltaic Systems on Customer-Owned Residential and Nonresidential Projects	The project proposes to include photovoltaic arrays and solar thermal arrays on the roof of the proposed building.

Table 4.8-2: Summary of Applicable Climate Action Plan Measures and Project Consistency		
Applicable Climate Action Plan Measures		**Notes/Comments**
Water Conservation		
3.1	Water Conservation: Reduce GHG-Intensive Water Use Practices	The project proposes to integrate water conservation practices, such as high-efficiency irrigation systems.
Waste Reduction		
4.2	Increase Waste Diversion: Recycle, Food Waste Pickup, Construction, and Demolition Waste Programs to Increase Solid Waste Diversion to 80 percent	The proposed project would include recycling services and participate in the City's Construction and Demolition Debris Recycling Program.
Off-Road Equipment		
5.2	Use Cleaner Alternative Technologies for Construction Vehicles and Equipment (BAAQMD BMPs)	As discussed in Section 3.3, the project proposes to implement BAAQMD construction BMPs.
Transportation and Land Use		
6.1	Transportation Demand Management (TDM) Programs for Residential Projects More Than 25 Units and Nonresidential Projects More Than 10,000 square feet in Transportation Districts	The project does not propose to implement a TDM Plan. Per the City's VMT Policy, the project would be considered to have a less than significant VMT impact because it is a 100 percent affordable housing project in an infill location.
6.3	Electric Vehicle Parking and Charging Station(s) for Multi-Family Residential or Nonresidential Projects	The project would provide clean air and electric vehicle parking stations.
Urban Heat Island Effect		
7.1	Urban Forestry: Shade trees on new developments near south- or west- facing windows.	The project proposes to have shade trees for south- and west- facing windows.

General Plan Policies

In addition to the reduction measures in the CAP, the City of Santa Clara General Plan has goals and policies to address sustainability (see Appendix 8.13: Sustainability Goals and Policies Matrix in the General Plan) aimed at reducing the City's contribution to GHG emissions. For the proposed project, implementation of policies that increase energy efficiency or reduce energy use would effectively reduce indirect GHG emissions associated with energy generation. The consistency of the proposed project with the Air Quality, Energy, Transportation, and Water Policies of the General Plan is described in Table 4.8-3.

Table 4.8-3: General Plan Sustainability Policies	
Emission Reduction Policies	**Project Consistency**
Air Quality Policies	
5.10.2-P3 Encourage implementation of technological advances that minimize public health hazards and reduce the generation of air pollutants.	Water conservation and energy efficiency measures included in the project would reduce GHG emissions associated with the generation of electricity.
5.10.2-P4 Encourage measures to reduce GHG emissions to reach 30 percent below 1990 levels by 2020.	
Energy Policies	
5.10.3-P1 Promote the use of renewable energy resources, conservation, and recycling programs.	The project would divert at least 65 percent of construction waste. Water efficient landscaping and low flow plumbing fixtures in the building would be installed to limit water consumption.
5.10.3-P4 Encourage new development to incorporate sustainable building design, site planning and construction, including encouraging solar opportunities.	
5.10.3-P5 Reduce energy consumption through sustainable construction practices, materials, and recycling.	
5.10.3-P6 Promote sustainable buildings and land planning for all new development, including programs that reduce energy and water consumption in new development.	
5.10.3-P8 Provide incentives for LEED certified, or equivalent development.	
5.3.1-P10 Provide opportunities for increased landscaping and trees in the community, including requirements for new development to provide street trees and a minimum 2:1 on- or off-site replacement for trees removed as part of the proposal to help increase the urban forest and minimize the heat island effect.	The project would plant trees that would provide shading throughout the site to reduce the heat island effect.
Transportation Policies	
5.3.1-P14 Encourage TDM strategies and the provision of bicycle and pedestrian amenities in all new development greater than 24 housing units or more than 10,000 non-residential square feet, and for City employees, in order to decrease use of the single-occupant automobile and reduce vehicle miles traveled, consistent with the Climate Action Plan.	The project does not propose to implement a TDM Plan. Per the City's VMT Policy, the project would be considered to have a less than significant VMT impact because it is a 100 percent affordable housing project in an infill location.

Table 4.8-3: General Plan Sustainability Policies	
Emission Reduction Policies	**Project Consistency**
5.8.5-P1 Require new development and City employees to implement TDM programs that can include site-design measures, including preferred carpool and vanpool parking, enhanced pedestrian access, bicycle storage and recreational facilities.	The project would include new pedestrian sidewalks, bicycle storage facilities, and would be located near public transit.
5.8.5-P5 Encourage TDM programs that provide incentives for the use of alternative travel modes to reduce the use of single-occupant vehicles.	
Water Policies	
5.10.4-P7 Require installation of native and low-water consumption plant species with landscaping new development and public spaces to reduce water usage.	The project would use water efficient landscaping with low water usage plant material to minimize irrigation requirements.

The project is consistent with the above 2017 BAAQMD CAP, City CAP, and General Plan policies and measures and, therefore, would not conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of GHGs. **(Less Than Significant Impact)**

4.9 HAZARDS AND HAZARDOUS MATERIALS

The following discussion is based in part upon a Phase I Environmental Site Assessment prepared by Professional Service Industries, Inc. in September 2021 and a Phase II Subsurface Investigation prepared by Professional Service Industries, Inc. in February 2022. The assessment is included in Appendix D of this Initial Study.

4.9.1 Environmental Setting

4.9.1.1 *Regulatory Framework*

Overview

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

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

Federal and State

Federal Aviation Regulations Part 77

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

Comprehensive Environmental Response, Compensation, and Liability Act

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

up abandoned or uncontrolled hazardous waste sites. CERCLA accomplished the following objectives:

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

The law authorizes two kinds of response actions:

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

CERCLA also enabled the revision of the National Contingency Plan (NCP). The NCP provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The NCP also established the National Priorities List (NPL) which is a list of sites of national priority among the known releases or threatened releases of hazardous substances, pollutants, or contaminants throughout the U.S. and its territories. The NPL serves as a guide to the U.S. EPA in determining which sites warrant further investigation.[59] CERCLA was amended by the Superfund Amendments and Reauthorization Act on October 17, 1986.[60]

Resource Conservation and Recovery Act

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

The Federal Hazardous and Solid Waste Amendments (HSWA) are the 1984 amendments to RCRA that focused on waste minimization, phasing out land disposal of hazardous waste, and corrective action for releases. Some of the other mandates of this law include increased enforcement authority for the EPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program.[61]

[59] United State Environmental Protection Agency. Superfund: National Priorities List (NPL). Accessed December 16, 2021. https://www.epa.gov/superfund/superfund-national-priorities-list-npl.
[60] United States Environmental Protection Agency. "Superfund: CERCLA Overview." Accessed December 16, 2021. https://www.epa.gov/superfund/superfund-cercla-overview.
[61] United States Environmental Protection Agency. "Summary of the Resource Conservation and Recovery Act." Accessed December 16, 2021. https://www.epa.gov/laws-regulations/summary-resource-conservation-and-recovery-act.

Government Code Section 65962.5

Section 65962.5 of the Government Code requires CalEPA to develop and update a list of hazardous waste and substances sites, known as the Cortese List. The Cortese List is used by state and local agencies and developers to comply with CEQA requirements. The Cortese List includes hazardous substance release sites identified by the Department of Toxic Substances Control (DTSC) and State Water Resources Control Board (SWRCB).[62]

Toxic Substances Control Act

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

Asbestos-Containing Materials

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

CCR Title 8, Section 1532.1

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

Regional and Local

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

The Norman Y. Mineta San José International Airport (Airport) is located approximately 1.3 miles southeast of the project site. The project site is not located within the Airport Influence Area (AIA) of the Airport, as defined by the Comprehensive Land Use Plan (CLUP).

[62] California Environmental Protection Agency. "Cortese List Data Resources." Accessed December 16, 2021. https://calepa.ca.gov/sitecleanup/corteselist/.

Federal Aviation Administration Regulations

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

Santa Clara Emergency Operations Plan

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

City of Santa Clara General Plan

The Santa Clara 2010-2035 General Plan includes policies that address hazards and hazardous materials during the planning horizon of the General Plan. The following goals, policies, and actions are applicable to the proposed project:

Policies	Description
5.10.5-P22	Regulate development on sites with known or suspected contamination of soil and/or groundwater to ensure that construction workers, the public, future occupants, and the environment are adequately protected from hazards associated with contamination, in accordance with applicable regulations.
5.10.5-P24	Protect City residents from risks inherent in the transport, distribution, use and storage of hazardous materials.
5.10.5-P25	Use Best Management Practices to control the transport of hazardous substances and to identify appropriate haul routes to minimize community exposure to potential hazards.
5.10.5-P26	Survey pre-1980 buildings and abate any lead-based paint and asbestos prior to structural renovation and demolition, in compliance with all applicable regulations.
5.10.5-P33	Limit the height of structures in accordance with the Federal Aviation Administration Federal Aviation Regulations, FAR Part 77 criteria.

4.9.1.2 *Existing and Historic Site Conditions*

Site History and Current Use

Based on a review of historic aerial photographs, the project site consisted of undeveloped land and agricultural land with internal roads from the 1930s to the 1960s. While no structures that show of pesticide/herbicide/chemical storage/mixing areas were identified in the aerial photographs, typically, crops are maintained with chemicals applied as a normal agricultural process. No surficial evidence

of misuse, application of residual materials from pesticides, herbicides, or fertilizers were observed during the site reconnaissance however, as with any agriculturally developed land, there is a possibility that pesticides, herbicides, or fertilizers have been applied; therefore, the presence of these agricultural chemicals could be present in the on-site soils.

From 1968 to 1970, the site was undeveloped land. In 1974, the existing 30,000 square foot office building on-site was constructed. The building includes multiple offices, break rooms, and conference rooms. The office building has been unoccupied since 2018. The site consists of a surface parking lot and limited landscaping. A site reconnaissance was completed on August 20, 2021. No evidence of recognized environmental conditions was observed at the site.

Asbestos and Lead-Based Paint

Exposure to asbestos-containing materials (ACMs) and lead-based paint (LBP) can result in adverse health effects, including effects to the central nervous system and vital organs. ACMs and LBP were common building products/materials until the 1970s. In 1978, the U.S. Consumer Product Safety Commission banned the sale of lead-based paint. The existing office building was constructed in 1974. Based on an initial asbestos analysis of bulk materials for the office building, the building interior contains ACMs. Given the age of the existing office building, it is possible that LBP is present on-site.

Regulatory Database Listings

A review of regulatory environmental database searches was completed for the project site and surrounding properties. The project site was listed on two environmental databases as shown in Table 4.9-1 below.

Table 4.9-1: Project Site Listings on Regulatory Databases

Database Listing	Description	Potential Impact
Facility Registry Service/Facility Index (FINDS/FRS) Emissions	The database listings are associated with the site being regulated as a small source of air point pollution with BAAQMD for an emergency back-up generator on-site.	The listings do not have any violations associated with them nor do they identify a release to the project site. Based on this information, the emergency back-up generator is not considered a recognized environmental condition.

Subsurface Investigation

A total of 10 soil borings were taken on the project site with soil samples taken a one and four feet bgs. Groundwater was not encountering in any soil borings. The samples were tested for chlorinated pesticides and one sample was found to have a measurable concentration of DDE at 0.054 milligrams per kilogram (mg/kg). The RWQCB Environmental Screening Levels (ESLs) for residential land uses have a threshold of 0.65 mg/kg. The level of contamination documented on-site is below the ESL residential threshold.

4.9.1.3 *Surrounding Land Uses*

Historical and Current Uses of the Surrounding Properties

The surrounding properties consisted of agricultural or fallow land (to the north), undeveloped land to the east and south, and agricultural land and a single-family residence to the west from the 1930s to the 1960. In 1968, the adjacent property to the north was developed with the existing church building and the property to the east of Lincoln Street was developed with the existing City Hall structures in their current configuration. The property to the south was undeveloped land from the 1930s to the 1960s and was developed with the current hotel building by 1971. By 1974, the property to the south was in its current configuration and included the existing hotel building and bank with various tenants. The property to the west was developed with single-family residences from 1968 until the late 1980s. Since the early 1990s, the property to the west has been developed in its current configuration with residences.

Given the former agricultural uses at the properties to the north and west, there is the possibility that pesticides, herbicides, or fertilizers have been applied to these properties, which may have affected the project site.

Regulatory Databases

Based on a review of regulatory environmental databases within one mile of the site, no off-site facilities/properties on the database listings have the potential to significantly affect environmental conditions at the project site, based on the following factors:

- the nature of the listing;
- the use of the facility;
- when the facility was listed and its current listed status;
- the developmental density of the setting;
- the potential for vapors to encroach from the property;
- the distance between the listing and project site related to whether releases are likely to migrate based on local surface and subsurface drainage conditions;
- the contaminant of concern; and/or
- the presence of intervening drainage divides; and/or inferred groundwater movement.

The following facility shown in Table 4.9-2, located approximately 250 feet east of the site, was listed on regulatory databases, however, it does not represent a recognized environmental condition.

Table 4.9-2: Nearby Project Site Listings on Regulatory Databases		
Site Address, Name, and Database Listing[1]	**Description**	**Potential Impact**
Santa Clara Police Department 1541 Civic Center Drive Santa Clara, California Listed on LOP Santa Clara, LUST, HHSS, Hist Tank, UST SWEEPS[1]	These listings are associated with the removal of a number of USTs from the site between 1985 and 2001. Due to low concentrations of gasoline hydrocarbons identified in the soil and groundwater, the site received closure on April 23, 2004, from the Santa Clara Department of Environmental Health LOP.	Given the case closure and the former USTs had no significant effect on groundwater, this property is not considered an environmental concern for the site.
Notes: [1] LOP Santa Clara: Local Oversight Program: Santa Clara County Department of Environmental Health LUST: Leaking Underground Storage Tank HHSS: Historical Hazardous Substance Storage Information Database Hist Tank: Historical Hazardous Substance Storage Container Information – Facility Summary UST SWEEPS: Underground Storage Tank Statewide Environmental Evaluation and Planning System		

4.9.1.4 *Other Hazards*

Airports

The nearest airport to the site project site the Norman Y. Mineta San José International Airport, approximately 1.3 miles east of the site. Development within the AIA could be subject to hazards from aircraft and pose hazards to aircraft traveling to and from the airport. The AIA is a composite of areas surrounding the airport that are affected by noise, height and safety considerations. These hazards are addressed in federal and state regulations as well as in land use regulations and policies in the CLUP. The project site is not located within the AIA nor the safety zones designated by the CLUP.

Based on FAA FAR Part 77 regulations, any proposed structure of a height greater than approximately 45 feet in height above the ground surface is required to be submitted to the FAA for airspace safety review.[63]

Wildfire Hazards

The project site is located in an urbanized area of Santa Clara. According to the California Department of Forestry and Fire Protection (CAL FIRE), the project site is not located within a moderate, high, or very high fire hazard severity zone (FHSZ).[64]

[63] Norman Y. Mineta San José International Airport. *Notice Requirement Criteria for Filing FAA Form 7460-1*. 2013.
[64] CAL FIRE: Office of the State Fire Marshal. "Fire Hazard Severity Zones Maps." Accessed December 16, 2021. https://osfm.fire.ca.gov/divisions/wildfire-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/.

4.9.2 Impact Discussion

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

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

Site Operation

Operation of the proposed project could include the use and storage of small quantities of chemicals for janitorial cleaning and landscape maintenance. Compliance with applicable federal, state, and local handling, storage, and disposal requirements would avoid significant hazards to the public or the environment created by the routine transport, use, or disposal of these substances. **(Less Than Significant Impact)**

Construction

No long-term release of hazardous materials into the environment would occur as a result of project implementation. Project construction would require the temporary use of heavy equipment. Construction would also require the use of hazardous materials including petroleum products, lubricants, cleaners, paints, and solvents. The use and storage of hazardous materials in the City of Santa Clara is regulated by the Santa Clara Fire Department. Construction of the proposed project would conform to the requirements of the Santa Clara County Department of Environmental Health (SCCDEH). Compliance with applicable federal, state, and local handling, storage, and disposal requirements would ensure that no significant hazards to the public or the environment are created by these routine activities. The project would also implement mitigation measures MM HAZ-2.1 through MM HAZ-2.4 and ACM/LBP conditions below to ensure proper handling and disposal of contaminated soil. For these reasons, the storage and handling of hazardous materials on the site, under the proposed project, would not result in a significant impact. **(Less than Significant Impact)**

Impact HAZ-2:	The project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment**. (Less than Significant Impact)**

Agricultural Chemicals

Given the project site and adjacent properties to the north and west were used for agricultural purposes until at least 1960, it is possible that agricultural chemicals, such as pesticides, herbicides and fertilizers, were used on site. Soils on-site and groundwater beneath the site could have potentially be contaminated with agricultural chemicals, which could be released into the environment during construction.

A subsurface investigation of the soil on-site concluded that there are residual chlorinated pesticides on-site. The contaminates are, however, in concentrations below the RWQCB ESL residential threshold.

The probability of encountering groundwater is low due to the depth of excavation for utilities relative to the depth of shallow groundwater on-site. In addition, there are no recorded releases of off-site contaminants upgradient of the project site which could have resulted in contaminated groundwater migrating onto the project site.

In addition, dust control measures would be implemented during all applicable phases of construction (refer to Section 4.3, Air Quality of this Initial Study). For these reasons, adjacent land uses and construction workers would not be exposed to contaminated soils and/or groundwater. **(Less Than Significant Impact)**

Asbestos Containing Materials/Lead-based Paint

The existing office building on-site contains ACMs and may contain LBP due to the age of the building. Because the project proposes to demolish the existing structure, an in-depth asbestos survey must be completed under National Emission Standards for Hazardous Air Pollutants (NESHAP)

guidelines. In addition, NESHAP guidelines require that all potentially friable ACMs be removed prior to building demolition or renovation that may disturb the ACMs.

Demolition of the existing building on the project site could expose construction workers to harmful levels of ACMs or lead.

The project would be required to conform to the following regulatory programs and to implement the following measures to reduce impacts construction works as a condition of project approval, due to the presence of ACMs and/or LBP, to a less than significant level.

Conditions of Approval

- In conformance with state and local laws, a visual inspection/pre-demolition survey, and possible sampling, shall be conducted prior to the demolition of on-site buildings to determine the presence of asbestos-containing materials and/or LBP.
- Prior to demolition activities, all building materials containing LBP shall be removed in accordance with Cal/OSHA Lead in Construction Standard, Title 8, California Code of Regulations 1532.1, including employee training, employee air monitoring, and dust control. Any debris or soil containing lead-based paint or coatings would be disposed of at landfills that meet acceptance criteria for the waste being disposed.
- All potentially friable ACMs shall be removed in accordance with National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines prior to any building demolition or renovation that may disturb the materials. All demolition activities will be undertaken in accordance with Cal/OSHA standards contained in Title 8 of CCR, Section 1529, to protect workers from exposure to asbestos.
- A registered asbestos abatement contractor shall be retained to remove and dispose of ACMs identified in the asbestos survey performed for the site in accordance with the standards stated above.
- Materials containing more than one percent asbestos are also subject to BAAQMD regulations. Removal of materials containing more than one percent asbestos shall be completed in accordance with BAAQMD requirements.

Conformance with the aforementioned regulatory requirements would ensure project construction would not create a significant hazard to the public or the environment from accident conditions involving the release of hazardous materials (i.e., asbestos and lead) into the environment. **(Less Than Significant Impact)**

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

The nearest school to the project site is Scott Lane Preschool located at 1925 Scott Boulevard, approximately one-quarter mile northwest of the project site. As discussed under Impact-HAZ-2, the project applicant will implement mitigation measures MM HAZ-2.1 through MM HAZ-2.4 and

ACM/LBP conditions to ensure proper handling of soil and prevent the release of hazardous wastes into the environment. The project would also implement conditions of approval and mitigation measure MM AIR-1.1 to reduce emissions of construction criteria pollutants and TACs. Given the distance the site from the nearest school and with the implementation of the aforementioned measures, the project would not result in a significant impact, from the project's hazardous wastes or emissions to nearby schools. **(Less than Significant Impact)**

Impact HAZ-4:	The project would not be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment. **(No Impact)**

The project is not included on a list of hazardous materials sites pursuant to Government Code Section 65962.5 and, as a result, would not create a significant hazard to the public or the environment.[65]. The project will implement mitigation measures MM HAZ-2.1 through MM HAZ-2.4 and ACM/LBP conditions to avoid exposure of the public to contaminated soil/groundwater and prevent the release hazardous material release of hazardous materials into the environment. (**No Impact)**

Impact HAZ-5:	The project would be located within an airport land use plan or and would be within two miles of a public airport. The project would not result in a safety hazard or excessive noise for people residing or working in the project area. **(Less than Significant Impact)**

The site is 1.3 miles west of the Norman Y. Mineta San José International Airport. New development within the AIA can be subject to hazards from aircraft and pose hazards to aircraft traveling to and from the airport. The project site is not located within the AIA nor the safety zones designated by the CLUP.

The proposed five-story multi-family residential building would be approximately 60 feet tall at the top of the roof. Since the maximum height of the proposed building is above 45 feet tall, the project applicant would be required to submit the proposed project to the FAA for airspace safety review. With the subsequent FAA issuance of no-hazard determinations, the project would be compatible with aircraft operations and would not result in a significant aircraft safety hazard. **(Less than Significant Impact)**

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

In June 2016, the City adopted an Emergency Response Plan, which addresses the planned response of the City of Santa Clara to emergency situations associated with natural disasters, technological incidents, and chemical, biological, radiological, nuclear, and explosive emergencies. The project

[65] CalEPA. *Cortese List Data Resources*. Accessed December 16, 2021. https://calepa.ca.gov/sitecleanup/corteselist/.

would include construction of a residential development and would comply with relevant building and fire codes. The proposed project would not, therefore, impair or interfere with the implementation of an adopted emergency response plan or emergency evacuation plan. **(No Impact)**

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

The project site is in a developed urban area and it is not adjacent to any wildland areas that would be susceptible to fire. The project site is not located in a fire hazard severity zone (FHSZ). Therefore, implementation of the proposed project would not expose people or structures in the project area to wildland fires. **(No Impact)**

4.9.3 Non-CEQA Effects

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

The project would comply with the following General Plan policies to reduce hazardous materials effects on future residents of project:

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

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

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

Based on the Phase II ESA, past agricultural chemicals used on-site have not impacted the surface and sub-surface soils of the property. Off-site properties listed in regulatory databases were not considered an environmental concern for the site due to factors such as the distance between the listing and project site, the remediation of contaminants of concern; and/or inferred groundwater movement. Therefore, the project would be consistent with Policy 5.10.5-P22, Policy 5.10.5-P23, and Policy 5.10.5-P25 and would not pose a safety risk to future residents.

In addition, a vapor encroachment screening (VES) was completed for the project site. The purpose of a VES is to identify a vapor encroachment condition (VEC), which is defined as the presence or likely presence of chemicals of concern vapors in the subsurface of the site caused by the release of vapors from contaminated soil either on or near the site. Information regarding the potential presence

of releases on or near the project site that were researched as a part of the Phase I ESA process was utilized for the screening. Based on a VES completed, no evidence of VECs were identified at the site. Therefore, the project would comply with all applicable City policies pertaining to hazardous materials.

4.10 HYDROLOGY AND WATER QUALITY

4.10.1 Environmental Setting

4.10.1.1 *Regulatory Framework*

Federal and State

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

National Flood Insurance Program

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

Statewide Construction General Permit

The SWRCB has implemented an NPDES General Construction Permit for the State of California (Construction General Permit). For projects disturbing one acre or more of soil, a Notice of Intent (NOI) must be filed with the RWQCB by the project sponsor, and a Storm Water Pollution Prevention Plan (SWPPP) must be prepared by a qualified professional prior to commencement of construction and filed with the RWQCB by the project sponsor. The Construction General Permit includes requirements for training, inspections, record keeping, and, for projects of certain risk levels, monitoring. The general purpose of the requirements is to minimize the discharge of pollutants and to protect beneficial uses and receiving waters from the adverse effects of construction-related storm water discharges.

Regional and Local

San Francisco Bay Basin Plan

The San Francisco Bay RWQCB regulates water quality in accordance with the Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan). The Basin Plan lists the beneficial uses that the San Francisco Bay RWQCB has identified for local aquifers, streams, marshes, rivers, and the San Francisco Bay, as well as the water quality objectives and criteria that must be met to protect these uses. The San Francisco Bay RWQCB implements the Basin Plan by issuing and enforcing waste discharge requirements, including permits for nonpoint sources such as the urban runoff

discharged by a City's stormwater drainage system. The Basin Plan also describes watershed management programs and water quality attainment strategies.

Municipal Regional Permit Provision C.3

The San Francisco Bay RWQCB re-issued the Municipal Regional Stormwater NPDES Permit (MRP) in 2015 to regulate stormwater discharges from municipalities and local agencies (co-permittees) in Alameda, Contra Costa, San Mateo, and Santa Clara Counties, and the cities of Fairfield, Suisun City, and Vallejo.[66] Under Provision C.3 of the MRP, new and redevelopment projects that create or replace 10,000 square feet or more of impervious surface area are required to implement site design, source control, and Low Impact Development (LID)-based stormwater treatment controls to treat post-construction stormwater runoff. LID-based treatment controls are intended to maintain or restore the site's natural hydrologic functions, maximizing opportunities for infiltration and evapotranspiration, and using stormwater as a resource (e.g. rainwater harvesting for non-potable uses). The MRP also requires that stormwater treatment measures be properly installed, operated, and maintained.

In addition to water quality controls, the MRP requires new development and redevelopment projects that create or replace one acre or more of impervious surface to manage development-related increases in peak runoff flow, volume, and duration, where such hydromodification is likely to cause increased erosion, silt pollutant generation, or other impacts to local rivers, streams, and creeks. Projects may be deemed exempt from these requirements if they do not meet the minimized size threshold, drain into tidally influenced areas or directly into the Bay, or drain into hardened channels, or if they are infill projects in subwatersheds or catchment areas that are greater than or equal to 65 percent impervious.

Municipal Regional Permit Provision C.12.f

Provision C.12.f of the MRP requires co-permittee agencies to implement a control program for PCBs that reduces PCB loads by a specified amount during the term of the permit, thereby making substantial progress toward achieving the urban runoff PCBs wasteload allocation in the Basin Plan by March 2030.[67] Programs must include focused implementation of PCB control measures, such as source control, treatment control, and pollution prevention strategies. Municipalities throughout the Bay Area are updating their demolition permit processes to incorporate the management of PCBs in demolition building materials to ensure PCBs are not discharged to storm drains during demolition. Buildings constructed between 1950 and 1980 that are proposed for demolition must be screened for the presence of PCBs prior to the issuance of a demolition permit.[68]

Water Resources Protection Ordinance and District Well Ordinance

Valley Water operates as the flood control agency for Santa Clara County. Their stewardship also includes creek restoration, pollution prevention efforts, and groundwater recharge. Permits for well

[66] MRP Number CAS612008
[67] San Francisco Bay Regional Water Quality Control Board. *Municipal Regional Stormwater Permit, Provision C.12.* November 19, 2015.
[68] City of Santa Clara. "Managing PCBs-Containing Materials During Demolitions, Polychlorinated Biphenyls (PCBs) Screening Assessment Applicant Package". Accessed December 14, 2021. https://www.santaclaraca.gov/home/showdocument?id=64431.

construction and destruction work, most exploratory boring for groundwater exploration, and projects within Valley Water property or easements are required under Valley Water's Water Resources Protection Ordinance and District Well Ordinance.

2016 Groundwater Management Plan

This 2016 Groundwater Management Plan (GWMP) describes the Valley Water's comprehensive groundwater management framework, including existing and potential actions to achieve basin sustainability goals and ensure continued sustainable groundwater management. The GWMP covers the Santa Clara and Llagas subbasins, which are located entirely in Santa Clara County. Valley Water manages a diverse water supply portfolio, with sources including groundwater, local surface water, imported water, and recycled water. About half of the county's water supply comes from local sources and the other half comes from imported sources. Imported water includes the District's State Water Project and Central Valley contract supplies and supplies delivered by the San Francisco Public Utilities Commission (SFPUC) to cities in northern Santa Clara County. Local sources include natural groundwater recharge and surface water supplies. A small portion of the county's water supply is recycled water.

Local groundwater resources make up the foundation of the county's water supply, but they need to be augmented by the District's comprehensive water supply management activities to reliably meet the county's needs. These include the managed recharge of imported and local surface water and in-lieu recharge through the provision of treated surface water, acquisition of supplemental water supplies, and water conservation and recycling.[69]

Dam Safety

Since August 14, 1929, the State of California has regulated dams to prevent failure, safeguard life, and protect property. The California Water Code entrusts dam safety regulatory power to California Department of Water Resources, Division of Safety of Dams (DSOD). The DSOD provide oversight to the design, construction, and maintenance of over 1,200 jurisdictional sized dams in California.[70]

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

Construction Dewatering Waste Discharge Requirements

Each of the RWQCBs regulate construction dewatering discharges to storm drains or surface waters within its Region under the NPDES program and Waste Discharge Requirements.

[69] Valley Water. *2016 Groundwater Management Plan, Santa Clara and Llagas Subbasins*. November 2016.
[70] California Department of Water Resources, Division of Safety of Dams. https://water.ca.gov/Programs/All-Programs/Division-of-Safety-of-Dams#:~:text=Since%20August%2014%2C%201929%2C%20the,Safety%20of%20Dams%20(DSOD). Accessed December 14, 2021.

City of Santa Clara 2010 – 2035 General Plan

The Santa Clara 2010-2035 General Plan includes policies that address the supply, demand, and quality of hydrological resources during the planning horizon of the General Plan. The following goals, policies, and actions are applicable to the proposed project:

Policies	Description
5.10.4-P1	Promote water conservation through development standards, building requirements, landscape design guidelines, education, compliance with the State Water Conservation Landscaping Ordinance, incentives, and other applicable City-wide policies and programs.
5.10.4-P4	Require an adequate water supply and water quality for all new development.
5.10.4-P6	Maximize the use of recycled water for construction, maintenance, irrigation and other appropriate application.
5.10.4-P7	Require installation of native and low-water-consumption plant species when landscaping new development and public spaces to reduce water usage.
5.10.4-P12	Encourage diversion of run-off from downspouts, and replacement of hardscapes to landscaped areas and permeable surfaces.

4.10.1.2 *Existing Conditions*

Storm Drainage System

The City of Santa Clara owns and maintains the storm drainage system which serves the project site. There is no overland release of stormwater directly into any creek from the project site; all stormwater enters the San Tomas Aquino Creek through the existing stormwater drainage system.

Under existing conditions, the project site is approximately 74 percent impervious (i.e., the site consists of approximately 45,732 square feet of impervious surfaces). There are existing storm drain lines that run along Civic Center Drive and Lincoln Street.

Based on the Valley Water Storm Drain Catchment Map for the City of Santa Clara, the project site drains into a vegetated channel and is located in subwatersheds greater than or equal to 65 percent impervious. [71,72] As a result, the project is not subject to the NPDES hydromodification requirements.

Groundwater

Groundwater depth in the project area ranges from 7.5 feet bgs to 12 feet bgs.[73] Groundwater levels will typically fluctuate seasonally depending on the variations in rainfall, irrigation from landscaping, and other factors.

[71] Valley Water. HMP Storm Drain Catchments. Accessed December 14, 2021.https://data-valleywater.opendata.arcgis.com/datasets/hmp-storm-drain-catchments/explore?location=37.354926%2C-121.956076%2C17.00.
[72] Santa Clara Valley Urban Runoff Pollution Prevention Program. C.3 Stormwater Handbook, HMP Applicability and Requirements Flow Chart. https://scvurppp.org/pdfs/1516/c3_handbook_2016/Appendix_E.pdf.
[73] Professional Service Industries, Inc. Geotechnical Engineering Report. January 12, 2021.

Flooding

Based on the FEMA FIRMs (Map No. 06085C0227H, dated May 18, 2009), the project site is located in Flood Zone X. Zone X is defined as areas with 0.2 percent chance of flooding annually; areas with one percent chance of flooding annually with average depths of less than one foot or with drainage areas less than one square mile; and areas protected by levees from the one percent annual flood.[74]

Dam Failure

According to the Valley Water dam failure inundation hazard maps, the project site is located within the Lexington Dam failure inundation hazard zone and outside the Anderson Dam failure inundation zone.[75]

Seiches and Tsunamis

A seiche is the oscillation of water in an enclosed body of water such as a lake or the San Francisco Bay. There are no landlocked bodies of water near the project site that would affect the site in the event of a seiche.

A tsunami is a sea wave generated by an earthquake, landslide, or other large displacement of water in the ocean. There are no bodies of water near the project site that would affect the site in the event of a tsunami.[76]

A mudflow is the rapid movement of a large mass of mud formed from loose soil and water. The project area is flat and there are no mountains in proximity that would affect the site in the event of a mudflow.

4.10.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐

[74] Federal Emergency Management Agency. "FEMA Flood Map Service Center: Welcome!" Accessed December 14, 2021. https://msc.fema.gov/portal.
[75] Santa Clara Valley Water District. "Local Dams and Reservoirs." Accessed December 14, 2021. https://www.valleywater.org/your-water/local-dams-and-reservoirs.
- Inundation Map of Hypothetical Fair Weather Failure of Lenihan Dam (index map). Sheet 13. November 2019.
[76] California Geological Survey. "Tsunami Hazard Area Map." Accessed December 14, 2021. https://maps.conservation.ca.gov/cgs/informationwarehouse/ts_evacuation/.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
2) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
3) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☐	☐	☒	☐
– result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
– substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☒	☐
– create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
– impede or redirect flood flows?	☐	☐	☒	☐
4) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
5) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

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

Construction Water Quality Impacts

There is the potential for water quality impacts to occur during project construction. In addition to generating dust, litter, oil, and other pollutants that could contaminate runoff from the site, construction activities would increase the potential for erosion and sedimentation by disturbing and exposing underlying soil to the erosive forces of water and wind. Since construction of the proposed project would disturb more than one acre of soil, the project would be required to comply with the NPDES General Permit for Construction Activities. The project would include stormwater quality BMPs such as directing site runoff into bioretention areas and using beneficial landscaping (i.e., minimizing irrigation, pesticides, and fertilizer application). These measures are consistent with the site design, treatment control and source control requirements of the NPDES General Permit.

Conditions of Approval: The proposed project would implement the following BMPs in order to reduce construction-related water quality impacts.

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

Implementation of the above conditions of approval would reduce construction-related water quality impacts to less than significant level. **(Less than Significant Impact)**

Post-Construction Water Quality

The existing and proposed square footages of pervious and impervious surfaces for the project site are shown below in Table 4.10-1. Implementation of the project would result in a less than one percent increase in impervious surfaces on-site, compared to existing conditions.

Table 4.10-1: Pervious and Impervious Surfaces On-Site				
Total Site Area: 1.41 acres	Total Site Area Disturbed: 1.41 acres (including clearing, grading, or excavating)			
	Existing Area (ft^2)	**Proposed Area (ft^2)**		**Total Post-Project Area (ft^2)**
		Replaced	**New**	
Impervious Area				
Roof	15,192	15,192	18,816	34,053
Parking/Concrete Surfaces	28,742	10,645	--	10,645
Sidewalks and Streets	1,798	1,798	2,097	3,895
Total Impervious Area	45,732	27,635	20,958	48,593
Total new and replaced impervious area		48,593		
Pervious Area				
Landscaping	15,678	--	--	12,817
Total Pervious Area	15,678	--	--	12,817

Because the proposed project would replace more than 10,000 square feet of impervious surfaces, the project would be required to comply with the provisions of the NPDES MRP. Plans would be certified by engineers to ensure incorporation of appropriate and effective source control measures to meet LID requirements to prevent discharge of pollutants, reduce impervious surfaces, retain a percentage of runoff on-site for percolation, and treatment control measures to remove pollutants from runoff entering the storm drainage system. Stormwater runoff on-site would flow to bio-treatment areas and would be collected via on-site catch basins. Stormwater would be treated, then directed to the City's stormwater system.

The following measures, based on the RWQCB BMPs and City requirements, are included in the proposed project as a condition of project approval to ensure compliance with NPDES permit requirements to reduce post-construction water quality impacts.

Conditions of Approval: The project applicant shall implement the following measures to reduce the project's impact on post-construction water quality:

- When the construction phase is complete, a Notice of Termination (NOT) for the General Permit for Construction will be filed with the RWQCB and the City of Santa Clara. The NOT shall document that all elements of the SWPPP have been executed, construction materials and waste have been properly disposed of, and a post-construction stormwater management plan is in place as described in the SWPPP for the project site.

- All post-construction Treatment Control Measures (TCMs) shall be installed, operated, and maintained by qualified personnel. On-site inlets will be cleaned out at a minimum of once per year, prior to the wet season.

- The property owner/site manager shall keep a maintenance and inspection schedule and record to ensure the TCMs continue to operate effectively for the life of the project. Copies of the schedule and record must be provided to the City upon request and must be made available for inspection on-site at all times.

The City will review the project's Stormwater Control Plan (SWCP) to ensure that the project would not exceed the capacity of the local drainage system and ensure compliance with the NPDES permit requirements to reduce post-construction water quality impacts. Therefore, installation and maintenance of the proposed stormwater treatment systems would result in a less than significant impact on water quality. **(Less Than Significant Impact)**

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

The highest depth to groundwater expected at the project site is approximately 7.5 feet bgs. The maximum depth of excavation proposed is seven feet bgs for the installation of utilities and building foundations. Any dewatering required for excavation and construction activities would comply with the City of Santa Clara's requirements for the discharge of groundwater and any applicable RWQCB procedures for discharges. Development of the proposed project would include trenching/grading for utilities but would not have any substantial excavations. The project site is not an aquifer recharge facility (i.e., streams or ponds). The project would not use groundwater, deplete groundwater supply, or interfere with groundwater recharge. Therefore, the impact to groundwater would be less than significant. **(Less than Significant Impact)**

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

The proposed project would not substantially alter the existing drainage pattern of the site or area through the alteration of any waterway. As a result, the project would not substantially increase erosion or increase the rate or amount of stormwater runoff. **(Less than Significant Impact)**

Under existing conditions, the storm drainage system has sufficient capacity to convey runoff from the site. Implementation of the project would result in a less than one percent increase in impervious

surfaces compared to existing conditions, which would not substantially increase stormwater runoff. In addition, the project would be required to comply with the NPDES MRP requirements which would reduce the total volume of stormwater exiting the site; therefore, runoff from the project site would not exceed the capacity of the local drainage system. With the implementation of the conditions of approval to reduce construction-related water quality impacts discussed in the response to Impact HYD-1 and compliance with the post-construction NPDES MRP requirements to reduce or prevent discharge of pollutants from stormwater runoff, the project would not provide substantial additional sources of polluted runoff to the City's storm drainage system. The project site is not in a flood hazard area, and, therefore, the project would not impede or redirect flood flows. **(Less Than Significant Impact)**

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

The project site is located within Flood Zone X and is not located in a flood hazard area. The project site is not subject to inundation by tsunami or seiche; therefore, there would be no risk of release of pollutants at the project site due to floods, tsunamis, or seiches.

The project site is within the Lexington Dam failure inundation hazard zone and outside the Anderson Dam failure inundation zone. As discussed in Section 4.10.1, as a part of its comprehensive dam safety program, Valley Water routinely monitors and studies the condition of each of its 10 dams. Valley Water also has its own Emergency Operations Center and a response team that inspects dams after significant earthquakes, which reduces the risk of dam failure. Given the project would implement mitigation measures MM HAZ-2.1 through MM HAZ-2.4 and conditions of approval to avoid the release of contaminants and the low risk of dam failure, the project would not result in a significant release of pollutants in the environment from inundation. **(Less than Significant Impact)**

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

The proposed project would implement the BMPs, and conditions of project approval identified under Impact HYD-1, the NPDES General Construction Permit requirements, and the Santa Clara Valley Nonpoint Source Pollution Control Program, Santa Clara Valley Urban Runoff Pollution Prevention Program, and the Urban Runoff Management Plan requirements. Therefore, the proposed project would not conflict or obstruct implementation of a water quality control plan. **(Less than Significant Impact)**

4.11 LAND USE AND PLANNING

4.11.1 Environmental Setting

4.11.1.1 *Regulatory Framework*

Regional

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

The project site is not located within the AIA, as defined by the Airport's CLUP, adopted by the Santa Clara County ALUC on May 25, 2011 and amended Nov. 16, 2016. The CLUP includes land use compatibility policies and standards, which form the basis for evaluating the land use compatibility of individual projects with the Airport and its operations. Standards in the CLUP focus on the three areas of ALUC responsibility: 1) aircraft noise, 2) the safety of persons on the ground and in aircraft, and 3) the control of objects in navigable airspace.

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

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

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

Local

Santa Clara General Plan

The City of Santa Clara adopted its comprehensive 2010-2035 General Plan in November 2010, and amended it in December 2014. The General Plan policies applicable to land use include, but are not limited to, the following:

Policies	Description
General	
5.3.1-P9	Require new development provide adequate public services and facilities, infrastructure, and amenities to serve the new employment or residential growth.
5.3.1-P13	Support high density and intensity development within a quarter-mile of transit hubs and stations and along transit corridors.
5.3.2-P1	Encourage the annual construction of the housing units necessary to meet the City's regional housing needs assessment by reducing constraints to housing finance and development.
Residential	
5.3.2-G3	Affordable housing units dispersed throughout the City to avoid a concentration in any one neighborhood.
5.3.2-P2	Encourage higher-density residential development in transit and mixed-use areas and in other locations throughout the City where appropriate.
5.3.2-P3	Encourage below-grade parking and parking structures for development in Medium Density and High Density designations.
5.3.2-P6	Provide adequate choices for housing tenure, type and location, including higher density, and affordability for low- and moderate-income and special needs household.
Safety	
5.10.5-P29	Continue to refer proposed projects located within the Airport Influence Area to the Airport Land Use Commission.
5.10.5-P30	Review the location and design of development within Airport Land Use Commission jurisdiction for compatibility with the Airport Land Use Compatibility Plan.
5.10.5-P31	Discourage schools, hospitals, sensitive uses and critical infrastructure, such as power plants, electric substations and communications facilities, from locating within specified safety zones for the Airport as designated in the Airport Comprehensive Land Use Plan.
5.10.5-P32	Encourage all new projects within the Airport Influence Area to dedicate an avigation easement.
5.10.5-P33	Limit the height of structures in accordance with the Federal Aviation Administration Federal Aviation Regulations, FAR Part 77 criteria.

Zoning Code

The intent of the Zoning Code (Title 18 of the City Code) is to encourage development of various kinds of living, working and commercial activities in specific areas as defined in general in the General Plan and to segregate and protect the activities of these areas one from another and to accomplish the following purposes:

- To promote the public health, safety, comfort, and general welfare.
- To conserve the values of property throughout the City and to protect the character and stability of residential, commercial, professional and manufacturing areas, and to promote the orderly and beneficial development of such areas.
- To provide adequate light, air, privacy, and convenience of access to property.
- To minimize congestion on the public streets and highways.

- To provide for the elimination of incompatible and nonconforming uses of land, buildings, and structures which are adversely affecting the character and value of desirable development in each district.
- To establish official plan lines and building setback lines.
- To define the powers and duties of the administrative officers and bodies as provided herein.
- To promote efficient urban design arrangement and to secure economy in governmental expenditures.
- To preserve landmarks which reflect the City's historical, architectural, cultural and aesthetic traditions and promote a sense of community identity and historic perspective.

4.11.1.2 *Existing Conditions*

The approximately 1.4-acre site is located at 1601 Civic Center Drive (Assessor's Parcel Number 224-49-006) in the City of Santa Clara (see Figure 3.2-1 through Figure 3.2-3). The project site has a General Plan land use designation of Community Commercial and is zoned OG - General Office. The Community Commercial designation allows for development of uses such as shopping centers, offices, and neighborhood serving retail with a maximum FAR of 0.50. The site's existing OG – General Office zoning is intended for office, clinic, lodge, mortuary, instruction facility, preschool and restaurant uses.

The project site is bounded by Lincoln Street and City Hall to the east, Civic Center Drive and commercial uses to the south, single-family residences to the west, and a church to the north. The project site contains a vacant two-story office building, a surface parking lot, and landscaping.

4.11.2 Impact Discussion

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

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

The project area includes a mix of residential, office, commercial, and public and quasi-public (parks and church uses). Examples of projects that have the potential to physically divide an established community include new freeways and highways, major arterial streets, and railroad lines. The project, which proposes to construct a five-story multi-family building, would not include the construction of dividing infrastructure. The project site is located in an area with similar uses and

patterns of development and, therefore, implementation of the project would not physically divide an established community. **(No Impact)**

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

General Plan

The project proposes to construct up 108-unit multi-family/affordable building with a residential density of approximately 76 residential units per acre with 82 parking spaces. The current Community Commercial General Plan land use designation only allows for commercial uses. As a result, the project proposes a General Plan Amendment to change the land use designation to High-Density Residential.

The proposed High-Density Residential General Plan land use designation is intended for development of mid-rise buildings ranging in density of 37 to 50 units per acre. Given the proposed project would be 100 percent affordable housing, the project qualifies for a State Density Bonus which would allow for a density of up to 90 dwelling units per acre. As discussed in Section 4.11.1, the project would be consistent with General Plan Policy 5.3.2-G3 which encourages the development of affordable housing to be dispersed throughout the City. The project is also consistent with General Plan Policy 5.3.2-P2, which encourages higher-density residential development in transit and mixed-use areas and in other locations throughout the City. With approval of the General Plan Amendment, the project would be consistent with High Density Residential General Plan requirements and would not conflict with any applicable land use plan. **(Less Than Significant Impact)**

Zoning

The site's existing OG – General Office zoning is intended for office and restaurant uses, but the zoning is not applicable to the specific development currently proposed for the project site. Therefore, the project proposes to rezone the site to Planned Development which would allow development of the proposed project. With approval of the rezoning, the project would not conflict with any applicable zoning regulations. **(Less Than Significant Impact)**

Land Use Conflicts

Land use conflicts can arise from a new development or land use that would cause impacts to persons or the physical environment in the vicinity of the project site or elsewhere. Potential incompatibility may arise from placing a particular development or land use at an inappropriate location, or from some aspect of the project's design or scope. Depending on the nature of the impact and its severity, land use compatibility conflicts can range from minor irritations and nuisance to potentially significant effects on human health and safety.

The project is surrounded by church, residential, commercial, City Hall and office uses. The project's conformance with various City policies adopted for the purpose of avoiding or mitigating an

environmental effect is discussed in various other sections of this Initial Study (e.g., Air Quality, Noise, and Hazards and Hazardous Materials, etc.). There are no additional policies pertaining specifically to land use and planning that were adopted for the purpose of avoiding or mitigating an environmental effect, therefore, the project would not create a significant environmental impact or create a conflict with any plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. **(Less than Significant Impact)**

4.12 MINERAL RESOURCES

4.12.1 Environmental Setting

4.12.1.1 *Regulatory Framework*

State

Surface Mining and Reclamation Act

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

4.12.1.2 *Existing Conditions*

The City of Santa Clara is located in an area zoned MRZ-1, which classifies an area where adequate information indicates that no significant mineral deposits are present. The area is not known to support significant resources of any other type. No mineral resources are currently being extracted in the City. The State Office of Mine Reclamation's list of mines (the AB 3098 List) regulated under the Surface Mining and Reclamation Act (SMARA) does not include any mines within the City.[77]

4.12.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒
2) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☐	☐	☐	☒

[77] City of Santa Clara. 2010-2035 General Plan Integrated Final EIR. January 2011.

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

As stated above, the proposed project is located in an area where no mineral resources exist or are expected to be encountered. Therefore, the proposed project would not impact the availability of a known mineral resource that would be of value to the region and residents of the state. **(No Impact)**

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

As stated above, the proposed project is located in an area where no mineral resources exist or are expected to be encountered. Therefore, the proposed project would not impact the availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. **(No Impact)**

4.13 NOISE AND VIBRATION

This discussion is in part based upon a Noise and Vibration assessment prepared by Illingworth & Rodkin, Inc. in December 2021. The assessment is attached to Appendix E of this Initial Study.

4.13.1 Environmental Setting

4.13.1.1 *Background Information*

Noise

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

Since excessive noise levels can adversely affect human activities and human health, federal, state, and local governmental agencies have set forth criteria or planning goals to minimize or avoid these effects. Noise guidelines are generally expressed using one of several noise averaging methods, including L_{eq}, DNL, or CNEL.[78] These descriptors are used to measure a location's overall noise exposure, given that there are times when noise levels are higher (e.g., when a jet is taking off from an airport or when a leaf blower is operating) and times when noise levels are lower (e.g., during lulls in traffic flows on freeways or in the middle of the night). L_{max} is the maximum A-weighted noise level during a measurement period.

Vibration

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

[78] L_{eq} is a measurement of average energy level intensity of noise over a given period of time. Day-Night Level (DNL) is a 24-hour average of noise levels, with a 10 dB penalty applied to noise occurring between 10:00 PM and 7:00 AM. Community Noise Equivalent Level (CNEL) includes an additional five dB applied to noise occurring between 7:00 PM and 10:00 PM. Where traffic noise predominates, the CNEL and DNL are typically within two dBA of the peak-hour L_{eq}.

4.13.1.2 *Regulatory Framework*

Federal and State

Federal Transit Administration Vibration Limits

The US Department of Transportation Federal Transit Administration (FTA) has developed vibration impact assessment criteria for evaluating vibration impacts associated with transit projects. FTA has vibration impact criteria based on maximum overall levels for a single event. The impact criteria for groundborne vibration are shown in Table 4.13-1, below. As summarized in Table 4.13-1, there are criteria for frequent events (more than 70 events of the same source per day), occasional events (30 to 70 vibration events of the same source per day), and infrequent events (less than 30 vibration events of the same source per day).

Table 4.13-1: Groundborne Vibration Impact Criteria

Land Use Category	**Groundborne Vibration Impact Levels** (VdB re 1 µinch/sec, RMS)		
	Frequent Events[1]	**Occasional Events**[2]	**Infrequent Events**[3]
Category 1 – Buildings where vibration would interfere with interior operations.	65 VdB[4]	65 VdB[4]	65 VdB[4]
Category 2 – Residences and buildings where people normally sleep.	72 VdB	75 VdB	80 VdB
Category 3 – Institutional land uses with primarily daytime use.	75 VdB	78 VdB	83 VdB

Notes: VdB re 1 µinch/sec, RMS = Root-mean-square vibration velocity in vibration decibel relative to 1 micro-inch per second

[1] "Frequent Events" is defined as more than 70 vibration events of the same source per day. Most rapid transit projects fall into this category.

[2] "Occasional Events" is defined as between 30 and 70 vibration events of the same source per day. Most commuter trunk lines have this many operations.

[3] "Infrequent Events" is defined as fewer than 30 vibration events of the same kind per day. This category includes most commuter rail branch lines.

[4] This criterion limit is based on levels that are acceptable for most moderately sensitive equipment such as optical microscopes. Vibration sensitive manufacturing or research should always require detailed evaluation to define the acceptable vibration levels. Ensuring low vibration levels in a building requires special design of HVAC systems and stiffened floors.

California Building Code, Title 24, Part 2

The State Building Code, Title 24, Part 2 of the State of California Code of Regulations establishes uniform minimum noise insulation performance standards to protect persons within new buildings which house people, including hotels, motels, dormitories, apartments, and dwellings other than

single-family dwellings. Title 24 mandates that interior noise levels attributable to exterior sources shall not exceed 45 dBA DNL or CNEL[79] in any habitable room.

California Green Building Standards Code

The state established exterior sound transmission control standards for non-residential buildings as set forth in the California Green Building Standards Code, Section 5.507.4.1 and 5.507.4.2. CALGreen requires that wall and roof-ceiling assemblies exposed to the adjacent roadways have a composite Sound Transmission Class (STC) rating of at least 50 or a composite Outdoor-Indoor Transmission Class (OITC) rating of no less than 40. Exterior windows must have a minimum STC of 40 or OITC of 30 when the commercial property falls within the 65 dBA DNL noise contour for a freeway or expressway, railroad, industrial source or fixed-guideway noise source, as determined by the local general plan noise element.

Local

Santa Clara General Plan

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

Policies	Description
5.10.6-P1	Review all land use and development proposals for consistency with the General Plan compatibility standards and acceptable noise exposure levels. Residential land uses are considered compatible in noise environments of 55 dBA CNEL or less, where the exterior noise levels are greater than 55 dBA CNEL and less than 70 dBA CNEL, the design of the project should include measures to reduce noise levels to acceptable levels. Noise levels exceeding 70 dBA CNEL at residential land uses are considered incompatible. Residential land uses proposed in noise environments exceeding 70 dBA CNEL should generally be avoided, except when the residential use is entirely indoors and where interior noise levels can be maintained at 45 dBA CNEL or less. Commercial land uses are considered compatible in noise environments of 65 dBA CNEL or less.
5.10.6-P2	Incorporate noise attenuation measures for all projects that have noise exposure levels greater than General Plan "normally acceptable" levels (as defined above).
5.10.6-P3	New development should include noise control techniques to reduce noise to acceptable levels, including site layout (setbacks, separation and shielding), building treatments (mechanical ventilation system, sound-rated windows, solid core doors and baffling) and structural measures (earthen berms and sound walls).
5.10.6-P4	Encourage the control of noise at the source through site design, building design, landscaping, hours of operation and other techniques.
5.10.6-P5	Require noise-generating uses near residential neighborhoods to include solid walls and heavy landscaping along common property lines, and to place compressors and mechanical equipment in sound-proof enclosures.
5.10.6-P6	Discourage noise sensitive uses, such as residences, hospitals, schools, libraries and rest homes, from areas with high noise levels, and discourage high noise generating uses from areas adjacent to sensitive uses.

[79] Title 24 states that the determination of whether to apply DNL or CNEL should be consistent with the metric used in the noise element of the local general plan.

City Code

The City Code establishes noise and vibration level performance standards for fixed sources. Section 9.10.040 of the City Code limits noise levels at residences to 55 dBA during daytime hours (7:00 AM to 10:00 PM) and 50 dBA at night (10:00 PM to 7:00 AM), noise levels at commercial uses to 65 dBA during daytime hours and 60 dBA during nighttime hours, and noise levels at light industrial uses to 70 dBA at any time. The noise limits are not applicable to emergency work, licensed outdoor events, City-owned electric, water, and sewer utility system facilities, construction activities occurring within allowable hours, permitted fireworks displays, or permitted heliports. The City Code does not define the acoustical time descriptor such as L_{eq} (the average noise level) or L_{max} (the maximum instantaneous noise level) that is associated with the above limits. A reasonable interpretation of the City Code would identify the ambient base noise level criteria as an average or median noise level (L_{eq}/L_{50}).

Section 9.10.230 of the City Code states construction activities are not permitted within 300 feet of residentially zoned property except within the hours of 7:00 AM and 6:00 PM on weekdays and 9:00 AM and 6:00 PM on Saturdays. No construction is permitted on Sundays or holidays.

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

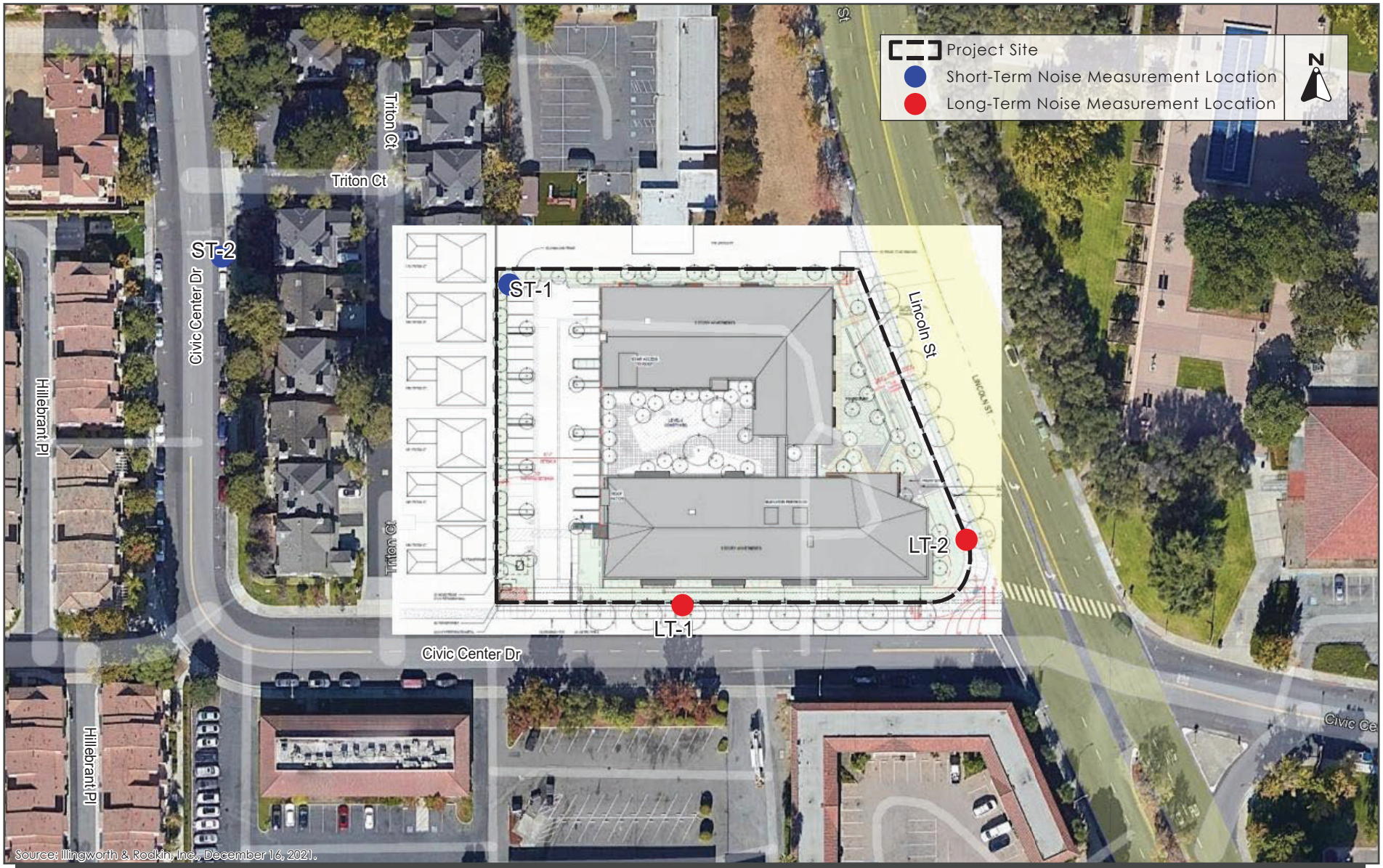
4.13.1.3 *Existing Conditions*

The project site is located northwest of the Civic Center Drive and Lincoln Street intersection in the City of Santa Clara. The project site is occupied by a vacant office building. The site is bounded by Civic Center Drive and commercial/hotel and office uses to the south, Lincoln Street and City Hall to the east, a church to the north, and single-family residences to the west.

The noise environment at the site and in the surrounding areas results primarily from vehicular traffic along Civic Center Drive and Lincoln Street. State Route 82/El Camino Real and aircraft associated with Mineta San José International Airport also contribute to the noise environment.

A noise monitoring survey, which included one long-term and two short-term noise measurements, occurred at the site from Wednesday September 29, 2021, to Friday October 1, 2021. Additionally, a second long-term measurement occurred at the site from Friday November 19, 2021, to Wednesday November 24, 2021. All measurement locations are shown in Figure 4.13-1.

Long-term noise measurement LT-1 was collected approximately 30 feet from the centerline of Civic Center Drive and approximately 255 feet from the centerline of Lincoln Street. Hourly average noise levels at LT-1 typically ranged from 51 to 58 dBA L_{eq} during the day and from 45 to 55 dBA L_{eq} at night. The average community noise equivalent level (CNEL) for 24-hour periods occurring between Wednesday September 29, 2021, and Friday October 1, 2021, was 58 dBA CNEL.



NOISE MEASUREMENT LOCATIONS

FIGURE 4.13-1

Long-term measurement LT-2 was collected approximately 40 feet from the centerline of Lincoln Street and approximately 75 feet from the centerline of Civic Center Drive. Hourly average noise levels at LT-2 typically ranged from 55 to 61 dBA L_{eq} during the day and from 48 to 59 dBA L_{eq} at night on weekdays. On weekends, typical hourly average noise levels ranged from 55 to 60 dBA L_{eq} during the day and from 47 to 58 dBA L_{eq} at night. The average CNEL was 62 dBA on weekdays and ranged from 60 to 61 dBA on weekends.

Both short-term noise measurements were collected on Wednesday September 29, 2021, in 10-minute intervals between 11:40 AM. and 11:50 AM. Short-term measurement ST-1 was collected in the northwestern corner of the project site, approximately 245 feet north of the centerline of Civic Center Drive and approximately 285 feet west of the centerline of Lincoln Street. During this measurement, 14 passenger cars drove by along Lincoln Street, generating noise levels at ST-1 ranging from 45 to 50 dBA. Additionally, a nearby slammed car door generated noise levels up to 62 dBA. The 10-minute average noise level at ST-1 was 45 dBA L_{eq} (10-min).

Short-term measurement ST-2 was collected along the sidewalk at the backyard equivalent location of 1690 Triton Court, approximately 20 feet from the centerline of Civic Center Drive. Vehicles along Civic Center Drive during this 10-minute period generated noise levels of 48 to 50 dBA, and a scooter generated noise levels up to 61 dBA. The maximum noise level of 74 dBA was due to a barking dog. The 10-minute average noise level at ST-2 was 54 dBA L_{eq} (10-min).

Table 4.13-2 summarizes the results of the 10-minute noise measurements made at ST-1 and ST-2. Figure 4.13-1 shows the locations of the short-term and long-term measurements collected at the site and surrounding area.

Table 4.13-2: Short-term Measurement Locations

Noise Measurement Location (Date, Time)	L_{max}	$L_{(01)}$	$L_{(10)}$	$L_{(50)}$	$L_{(90)}$	$L_{eq(10)}$
ST-1: Northwest corner of project site (September 29, 2021, 11:40 to 11:50 AM)	62	54	47	43	42	45
ST-2: Backyard equivalent of 1690 Triton Court, approximately 20 feet from the centerline of Civic Center Drive (September 29, 2021, 11:40 to 11:50 AM)	74	67	55	43	40	54

Notes:
L_{max} = The maximum A-weighted noise level during the measurement period.
L_{01}, L_{10}, L_{50}, L_{90} = The A-weighted noise levels that are exceeded one, 10, 50, and 90 percent of the time during the measurement period.
L_{eq} (10) = The average A-weighted noise level during the 10-minute interval.

Norman Y. Mineta San José International Airport is a public-use airport located approximately 1.3 miles east of the project site. Aircraft were observed to produce noise levels of 48 to 55 dBA in the project vicinity as well.

4.13.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in:				
1) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	☒	☐
2) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☒	☐	☐
3) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☒	☐

Significance Criteria

The following criteria were used to evaluate the significance of environmental noise resulting from the project:

- A significant noise impact would be identified if the project would generate a substantial temporary or permanent noise level increase over ambient noise levels at existing noise-sensitive receptors surrounding the project site and that would exceed applicable noise standards presented in the General Plan or Municipal Code at existing noise-sensitive receptors surrounding the project site.
    - Hourly average noise levels during construction that would exceed 60 dBA L_{eq} at residential land uses or exceed 70 dBA L_{eq} at commercial land uses and exceed the ambient noise environment by at least 5 dBA L_{eq} for a period of more than one year would constitute a significant temporary noise increase in the project vicinity.
    - A significant permanent noise level increase would occur if project-generated traffic generated by the project or project improvements/operations would substantially increase noise levels at sensitive receivers in the vicinity. A substantial increase would occur if: a) the noise level increase is five (5) dBA CNEL or greater, with a future noise level of less than the "normally acceptable" standard, or b) the noise level increase is three (3) dBA CNEL or greater, with a future noise level equal to or greater than the "normally acceptable" standard.
    - A significant noise impact would be identified if the project would expose persons to or generate noise levels that would exceed applicable noise standards described in the General Plan or City Code.

- A significant impact would be identified if the construction of the project would generate excessive vibration levels surrounding receptors. Groundborne vibration levels exceeding 0.3 in/sec PPV would have the potential to result in cosmetic damage to normal buildings.

- A significant noise impact would be identified if the project would expose people residing or working in the project area to excessive aircraft noise levels.

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

Construction Noise

Noise impacts resulting from construction depend upon the noise generated by various types of construction equipment, the timing and duration of noise-generating activities, and the distance between construction noise sources and noise-sensitive areas. Construction noise impacts primarily result when construction activities occur during noise-sensitive times of the day (e.g., early morning, evening, or nighttime hours), the construction occurs in areas immediately adjoining noise-sensitive land uses, or when construction lasts over extended periods of time.

The City Code limits construction activities (including the loading and unloading of materials and truck movements) within 300 feet of residentially zoned properties to the hours of 7:00 AM to 6:00 PM on weekdays and between the hours of 9:00 AM and 6:00 PM on Saturdays. No construction is permitted on Sundays or holidays.

While noise thresholds for temporary construction are not provided in the City's General Plan or Municipal Code, the Federal Transit Administration (FTA) includes daytime construction noise limits in the *Transit Noise and Vibration Impact Assessment Manual* from 2018. During daytime hours, an exterior threshold of 90 dBA L_{eq} shall be enforced at residential land uses and 100 dBA L_{eq} at commercial and industrial land uses. Therefore, the temporary construction noise impact would be considered significant if project construction activities produced noise levels exceeding 90 dBA L_{eq} at residential land uses or 100 dBA L_{eq} at commercial land uses surrounding the site.

Construction activities generate considerable amounts of noise, especially during earth-moving activities when heavy equipment is used. The typical range of maximum instantaneous noise levels for the proposed project would be 70 to 90 dBA L_{max} at a distance of 50 feet. Table 4.13-3 shows typical hourly average construction-generated noise levels measured at a distance of 50 feet from the center of the site during busy construction periods (e.g., earth moving equipment, impact tools, etc.). As shown in Table 4.13-3, typical residential buildings generate construction noise levels ranging from 72 to 88 dBA L_{eq} at a distance of 50 feet from the center of the active site. Construction-generated noise levels drop off at a rate of about six dBA per doubling of the distance between the source and receptor. Shielding by buildings or terrain often result in lower construction noise levels at distant receptors; however, for purposes of this assessment, construction noise levels are estimated assuming no attenuation due to intervening buildings or structures.

Table 4.13-3: Typical Ranges of Construction Noise at 50 feet, L_{eq} (dBA)								
	Domestic Housing		**Office Building, Hotel, Hospital, School, Public Works**		**Industrial Parking Garage, Religious Amusement and Recreations, Store, Service Station**		**Public Works Roads and Highways, Sewers, and Trenches**	
	I	**II**	**I**	**II**	**I**	**II**	**I**	**II**
Ground Clearing	83	83	84	84	84	83	84	84
Excavation	88	75	89	79	89	71	88	78
Foundations	81	81	78	78	77	77	88	88
Building Construction	81	65	87	75	84	72	79	78
Finishing	88	72	89	75	89	74	84	84

I – All pertinent equipment present at the site.
II – Minimum required equipment present at the site.
Source: Illingworth & Rodkin, Inc. Civic Center Family Housing Noise and Vibration Assessment. December 3, 2021.

Construction for the proposed project would have a duration of approximately 18 months. Construction activities for the proposed project would be completed in phases. During each phase of construction, there would be a different mix of equipment operating, and noise levels would vary by phase and vary within phases, based on the amount of equipment in operation and the location at which the equipment is operating. For the purposes of this assessment and to provide a conservative estimate, it is assumed that all pieces of equipment would operate simultaneously for each phase.

Based on the hourly average noise levels calculated with Federal Highway Administration's (FHWA's) Roadway Construction Noise Model (RCNM), construction noise levels for each construction phase were assumed to be at the center of the project site, which represents the geometrical center of the active construction site, to the property lines of the receiving land uses surrounding the site.

The estimated construction noise levels would not exceed 90 dBA L_{eq} at the adjacent residences or church or 100 dBA L_{eq} at the adjacent commercial properties. The maximum noise levels estimated at the residences to the west and church to the north during construction would be approximately 80 dBA $L_{eq.}$ The maximum construction noise levels at the City Hall buildings and commercial buildings would be approximately 76 dBA L_{eq} (refer to Table 7 in the noise assessment provided in Appendix E).

Reasonable regulation of the hours of construction, as well as regulation of the arrival and operation of heavy equipment and the delivery of construction materials, are necessary to protect the health and safety of persons, promote the general welfare of the community, and maintain the quality of life. The construction crew shall adhere to the following construction best management practices as a condition of project approval to reduce construction noise levels emanating from the site and reduce disruption and annoyance at existing noise-sensitive receptors in the project vicinity.

Conditions of Approval

The project applicant shall develop a construction noise control plan, including, but not limited to, the following available controls:

- Ensure that excavating, grading and filling activities, and other construction activities (including the loading and unloading of materials and truck movements) within 300 feet of residentially zoned property, including hotel properties, are limited to the hours of 7:00 a.m. to 6:00 p.m. on weekdays and between the hours of 9:00 a.m. and 6:00 p.m. on Saturdays. No construction is permitted on Sundays or holidays.

- Construct temporary noise barriers, where feasible, to screen stationary noise-generating equipment. Temporary noise barrier fences would provide a 5 dBA noise reduction if the noise barrier interrupts the line-of-sight between the noise source and receptor and if the barrier is constructed in a manner that eliminates any cracks or gaps.

- Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.

- Unnecessary idling of internal combustion engines shall be prohibited.

- Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors as feasible. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used to reduce noise levels at the adjacent sensitive receptors. Any enclosure openings or venting shall face away from sensitive receptors.

- Utilize "quiet" air compressors and other stationary noise sources where technology exists.

- Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.

- Locate material stockpiles, as well as maintenance/equipment staging and parking areas, as far as feasible from residential receptors.

- Route construction-related traffic along major roadways and as far as feasible from sensitive receptors.

- Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.

- The contractor shall prepare a detailed construction schedule for major noise-generating construction activities. The construction plan shall include notification to adjacent residential land uses of scheduled construction activities.

- Designate a "disturbance coordinator" who would be responsible for responding to any complaints about construction noise. The disturbance coordinator will determine the cause of the noise complaint (e.g., bad muffler, etc.) and will require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.

Implementation of the above best management practices would reduce construction noise levels, limit construction hours, and minimize disruption and annoyance. With the implementation of these best management practices, the project would not result in generation of a substantial increase in ambient noise levels in the vicinity of the project or conflict with the City's standards established in the General Plan or City Code. **(Less than Significant Impact)**

Operational/Permanent Noise Impacts

Project-Generated Traffic Noise

Existing ambient noise measurements collected at the project site and vicinity indicate that existing and future ambient noise levels at the noise-sensitive receptors would result in noise levels over 60 dBA CNEL. Therefore, a significant impact would occur if project-generated traffic increased levels by three dBA CNEL or more. For reference, a three dBA CNEL noise increase would be expected if the project would double existing traffic volumes along a roadway.

Based upon trip generation estimates prepared by Hexagon Transportation Consultants, the project would generate 40 trips during the peak AM hour and 42 trips during the peak PM hour. Compared to the 2016 volumes along the surrounding roadways estimated for a previous project,[80] these peak hour trips would result in a one dBA CNEL increase under project conditions. Therefore, the project-generated traffic would not cause a substantial permanent noise increase at the surrounding noise-sensitive receptors in excess of applicable noise standards.

Project-Generated Mechanical Equipment Noise Impacts

Under the City Code, noise generated by fixed sources would be restricted to 55 dBA during daytime hours (7:00 AM to 10:00 PM) and to 50 dBA during nighttime hours (10:00 PM to 7:00 AM) at residentially zoned land uses. At existing commercial land uses, noise would be restricted to 65 dBA during daytime hours and to 60 dBA during nighttime hours.
The roof of the proposed residential building would have solar thermal arrays and photovoltaic arrays, which would not generate measurable noise levels at the property lines of the project site. It is assumed

[80] The 2016 traffic volumes in the area are considered to be pre-pandemic/normal traffic conditions.

that heating, ventilation, and air conditioning systems (HVAC) units would be located on the rooftop, a minimum of 10 feet from the roof's edge.

Typical noise levels produced by residential HVAC units would range from 53 to 63 dBA at three feet from the HVAC unit during operation. These types of units typically cycle on and off continuously during daytime and nighttime hours. Therefore, multiple units clustered in the same general vicinity usually operate simultaneously at any given time. Assuming up to eight units would operate simultaneously at any given time, the estimated combined noise level at three feet would be up to 72 dBA.

The property lines of the nearest single-family residences would be approximately 85 feet from the nearest rooftop equipment. At this distance, the combined noise levels would be up to 43 dBA. The property line of the church to the north would be approximately 35 feet from the nearest rooftop equipment, and at this distance, the combined noise levels would be up to 51 dBA. While this is a sensitive use, the church would not have occupants during nighttime hours. All other nearby sensitive uses would be 100 feet or more from the rooftop equipment and would not be subject to operational noise levels exceeding the City Code noise standards.

Additionally, a transformer pad would be located at the rear of the building on the ground level. Typically, transformers up to 1,000 kilovolt amperes (kVA) generate noise levels up to 64 dB, as measured at one meter (3.28 feet). This would represent a conservative estimate for a building of this size. The nearest receiving residential property line would be approximately 60 feet to the west of the transformer pad. At this distance, transformer noise levels would be up to 38 dBA, which would meet the City's thresholds during daytime and nighttime hours. The nearest commercial property line would be approximately 110 feet south of the transformer pad. At this distance, noise levels generated by the transformer would be up to 33 dBA. For these reasons, the project would not result in generation of a substantial permanent increase in ambient noise levels (from the project's mechanical equipment) in the project vicinity in excess of the City Code noise standards. **(Less than Significant Impact)**

Impact NOI-2:	As mitigated, the project would not result in generation of excessive groundborne vibration or groundborne noise levels. **(Less than Significant Impact with Mitigation Incorporated)**

The construction of the project may generate vibration when heavy equipment or impact tools (e.g., jackhammers, hoe rams) are used. Construction activities would include grading, foundation work, paving, and new building framing and finishing. The project would not implement construction activities that cause excessive vibration, such as impact and vibratory pile driving activities.

For structural damage, Caltrans recommends a vibration limit of 0.5 in/sec PPV for buildings structurally sound and designed to modern engineering standards, 0.3 in/sec PPV for buildings that are found to be structurally sound but where structural damage is a major concern, and a conservative limit of 0.08 in/sec PPV for ancient buildings or buildings that are documented to be structurally weakened. No known historic buildings or buildings that are documented to be structurally weakened are adjacent to the project site. Therefore, groundborne vibration levels less than 0.5 in/sec PPV would not have the potential to result in a significant vibration impact.

Table 4.13-4 shows typical vibration levels that could be expected from construction equipment, as measured at a distance of 25 feet. Project construction activities, such as drilling, the use of jackhammers, rock drills and other high-power or vibratory tools, and rolling stock equipment (tracked vehicles, compactors, etc.), may generate substantial vibration in the immediate vicinity. Jackhammers typically generate vibration levels of 0.035 in/sec PPV and drilling typically generates vibration levels of 0.09 in/sec PPV at a distance of 25 feet. Vibration levels would vary depending on soil conditions, construction methods, and equipment used.

Table 4.13-4: Vibration Source Levels for Construction Equipment							
Equipment		**PPV at 25 ft. (in/sec)**	**Estimated Vibration Levels at Structures Surrounding the Project Site, in/sec PPV**				
			West Residences (10 feet)	**North Church (10 feet)**	**South Commercial (80 feet)**	**South Hotel (65 feet)**	**East Civic Buildings (125 feet)**
Clam shovel drop		0.202	**0.553**	**0.553**	0.056	0.071	0.034
Hydromill (slurry wall)	in soil	0.008	0.022	0.022	0.002	0.003	0.001
	in rock	0.017	0.047	0.047	0.005	0.006	0.003
Vibratory Roller		0.210	**0.575**	**0.575**	0.058	0.073	0.036
Hoe Ram		0.089	0.244	0.244	0.025	0.031	0.015
Large bulldozer		0.089	0.244	0.244	0. 025	0.031	0.015
Caisson drilling		0.089	0.244	0.244	0.025	0.031	0.015
Loaded trucks		0.076	0.208	0.208	0.021	0.027	0.013
Jackhammer		0.035	0.096	0.096	0.010	0.012	0.006
Small bulldozer		0.003	0.008	0.008	0.001	0.001	0.001

Bold = Exceeds vibration threshold.

Source: Transit Noise and Vibration Impact Assessment Manual, Federal Transit Administration, Office of Planning and Environment, U.S. Department of Transportation, September 2018, as modified by Illingworth & Rodkin, Inc., November 2021.

Table 4.13-4 also summarizes the estimated vibration levels at the nearest existing buildings surrounding the project site. Construction vibration levels would depend on the specific location of individual pieces of equipment. Equipment scattered throughout the site would not generate a collective vibration level, but a vibratory roller, for instance, operating near the project site boundary would generate the worst-case vibration levels for the receptor sharing that property line. Further, construction vibration impacts are assessed based on the potential for damage to off-site buildings. Therefore, the distances used to calculate construction vibration levels were estimated under the assumption that each piece of equipment was operating along the nearest boundary of the project site, which would provide a conservative estimate of vibration impacts.

As shown in Table 4.13-4, vibration levels could potentially exceed the conservative 0.5 in/sec PPV at the residences to the west of the site and at the nearest church building to the north of the site.

Cosmetic damage from construction vibration could include hairline cracking in plaster, the opening of old cracks, the loosening of paint or the dislodging of loose objects. Major structural damage could include wide cracking or shifting of foundation or bearing walls. Based on noise and vibration modeling, the project would have in a less than eight percent chance of causing cosmetic damage at a maximum vibration level of 0.6 in/sec PPV during construction. while no minor or major structural damage would result from construction vibration generated by the project, there is a possibility of cosmetic damage at the surrounding buildings. As a result, the project would result in a significant groundborne construction vibration impacts due to excessive vibration levels.

Mitigation Measures: The following mitigation measures would reduce the impacts of project-generated construction vibration to a less than significant level.

MM NOI-2.1: The project applicant or the applicant's contractor shall implement the following measures during construction to reduce construction vibration generated by the project:

- Limit vibration-inducing equipment to the extent feasible.
- Where possible, use of the heavy vibration-generating construction equipment shall be prohibited within 20 feet of the adjacent building to the west and to the north.
- Use a smaller vibratory roller, such as the Caterpillar model CP433E vibratory compactor, when compacting materials within 20 feet of adjacent structures.
- Modify/design or identify alternative construction methods to reduce vibration levels below the limits.
- Alternative methods for breaking up existing pavement, such as a pavement grinder, shall be used instead of dropping heavy objects, within 20 feet of adjacent buildings.

With the implementation of the mitigation measure MM NOI-2.1, the project would not result in excessive construction vibration levels or significant construction vibration impacts. **(Less than Significant with Mitigation Incorporated)**

Impact NOI-3:	The project is within an airport land use plan and is within two miles of a public airport or public use airport. The project would not expose people residing or working in the project area to excessive noise levels. **(Less than Significant Impact)**

Based on the Mineta San José International Airport Master Plan Update Environmental Impact Report,[81] the project site is located outside the 60 dBA CNEL contour line. Aircraft noise would result in exterior noise levels below the City's threshold for residential land uses. Therefore, the proposed project would be compatible with the City's exterior noise standards for aircraft noise and would not expose people residing or working in the project area to excessive noise levels. **(Less than Significant Impact)**

4.13.3 Non-CEQA Effects

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

- **5.10.6-P1**: Review all land use and development proposals for consistency with the General Plan compatibility standards and acceptable noise exposure levels. Residential land uses are considered compatible in noise environments of 55 dBA CNEL or less, where the exterior noise levels are greater than 55 dBA CNEL and less than 70 dBA CNEL, the design of the project should include measures to reduce noise levels to acceptable levels. Noise levels exceeding 70 dBA CNEL at residential land uses are considered incompatible. Residential land uses proposed in noise environments exceeding 70 dBA CNEL should generally be avoided, except when the residential use is entirely indoors and where interior noise levels can be maintained at 45 dBA CNEL or less. Commercial land uses are considered compatible in noise environments of 65 dBA CNEL or less.

- **5.10.6-P3**: New development should include noise control techniques to reduce noise to acceptable levels, including site layout (setbacks, separation and shielding), building treatments (mechanical ventilation system, sound-rated windows, solid core doors and baffling) and structural measures (earthen berms and sound walls).

Based on General Plan Policy 5.10.6-P1, noise levels in outdoor use areas that are affected by transportation noise are required to be maintained at or below 55 dBA CNEL to be considered normally acceptable for residential land uses. Additionally, residential interior noise levels are required to meet the performance standard of 45 dBA CNEL.

[81] City of San José. Integrated Final Environmental Impact Report, Amendment to Norman Y. Mineta San Jose International Airport Master Plan, April 2020.

The future noise environment at the project site would continue to be dominated by traffic along Lincoln Street and other local roadways surrounding the site. As stated in Section 4.13.2, based on the low existing traffic volumes along Civic Center Drive and Lincoln Street, the peak hour trips would result in a one dBA CNEL increase under project conditions. Additionally, a conservative one to two percent increase in traffic volumes each year for the next 20 years was assumed for the traffic volume increase in the project area. With the project trips, the total increase by the year 2040 would be approximately two dBA CNEL at the project site.

Future Exterior Noise Levels

The project would include two outdoor use areas intended for common use: 1) open space with seating located on the ground level adjacent to Lincoln Street; and 2) a Level 2 podium courtyard located on the interior of the site.

The ground level open space would have direct line-of-sight to traffic noise along Lincoln Street, and the center of this open space would be set back approximately 85 feet from the centerline of the roadway. Due to the angle of the proposed buildings, the center of the open space would be partially shielded by the building façades. The future exterior noise levels at the center of the open court would be 60 dBA CNEL, which would exceed the City's 55 dBA CNEL threshold for residential land uses by five dBA.

The podium courtyard located on Level 2 would receive partial shielding via the north and south sections of the residential building and the upper-floor walkways connecting the two building sections. The center of the courtyard would be approximately 215 feet from the center of Lincoln Street. At this distance and assuming partial shielding, future exterior noise levels would be below 55 dBA CNEL.

While the common outdoor use area facing Lincoln Street would exceed the City's exterior noise limits for residential uses, the incorporation of a barrier fence or sound wall would obscure the view of this open area and diminish the aesthetic appeal. Further, the future exterior noise levels at the open space would fall within the City's conditionally acceptable threshold. Since the podium courtyard falls within the City's normally acceptable threshold and the open space falls within the conditionally acceptable threshold, no additional measures are needed to reduce future exterior noise levels at the open space, assuming conditionally acceptable approval is obtained from the City of Santa Clara.

Future Interior Noise Levels

Standard residential construction provides approximately 15 dBA of exterior-to-interior noise reduction, assuming the windows are partially open for ventilation. Standard construction with the windows closed provides approximately 20 to 25 dBA of noise reduction in interior spaces. Where exterior noise levels range from 60 to 65 dBA CNEL, the inclusion of adequate forced-air mechanical ventilation is often the method selected to reduce interior noise levels to acceptable levels by closing the windows to control noise. Where noise levels exceed 65 dBA CNEL, forced-air mechanical ventilation systems and sound-rated construction methods are normally required. Such methods or materials may include a combination of smaller window and door sizes at the building

façade facing the noise source, sound-rated windows and doors, sound rated exterior wall assemblies, and mechanical ventilation so that windows may be kept closed at the occupant's discretion.

Residential units located along the project's eastern building façades would be set back approximately 60 to 105 feet from the centerline of Lincoln Street. At these distances, the units with direct line-of-sight to Lincoln Street would be exposed to future exterior noise levels up to 62 dBA CNEL. Assuming windows to be partially open, future interior noise levels in these units would be up to 47 dBA CNEL.

Units along the southern façade of the southern building would have direct line-of-sight to Civic Center Drive, with setbacks of approximately 50 feet from the centerline. At this distance, the units facing Civic Center Drive would be exposed to future exterior noise levels would of up to 57 dBA CNEL. Assuming windows to be partially open, future interior noise levels in these units would of 42 dBA CNEL.

To meet the interior noise requirements set forth by the State of California of 45 dBA CNEL and General Plan Policy 5.106.-P1 and standards set forth in Policy 5.10.6-P3, which requires new developments to include noise control techniques to reduce noise to acceptable levels, standard construction materials would be sufficient with the incorporation of forced-air mechanical ventilation, as determined by the local building official. This would allow occupants on the project site to keep windows closed to control interior noise and achieve the interior noise standards consistent with City policy.

4.14 POPULATION AND HOUSING

4.14.1 Environmental Setting

4.14.1.1 *Regulatory Framework*

State

Housing-Element Law

State requirements mandating that housing be included as an element of each jurisdiction's general plan is known as housing-element law. The Regional Housing Need Allocation (RHNA) is the state-mandated process to identify the total number of housing units (by affordability level) that each jurisdiction must accommodate in its housing element. California housing-element law requires cities to: 1) zone adequate lands to accommodate its RHNA; 2) produce an inventory of sites that can accommodate its share of the RHNA; 3) identify governmental and non-governmental constraints to residential development; 4) develop strategies and a work plan to mitigate or eliminate those constraints; and 5) adopt a housing element and update it on a regular basis.[82] The City of Santa Clara Housing Element and related land use policies were last updated in 2015.

Regional and Local

Plan Bay Area 2050

Plan Bay Area 2050 is a long-range plan for the nine-county San Francisco Bay Area that provides strategies that increase the availability of affordable housing, support a more equitable and efficient economy, improve the transportation network, and enhance the region's environmental resilience. Plan Bay Area 2050 promotes the development of a variety of housing types and densities within identified Priority Development Areas (PDAs). PDAs are areas generally near existing job centers or frequent transit that are locally identified for housing and job growth.[83]

ABAG allocates regional housing needs to each city and county within the San Francisco Bay Area, based on statewide goals. These allocations are designed to lay the foundation for Plan Bay Area 2050's long-term envisioned growth pattern for the region. ABAG also develops a series of forecasts and models to project the growth of population, housing units, and jobs in the Bay Area. ABAG, MTC, and local jurisdiction planning staff created the Forecasting and Modeling Report, which is a technical overview of the of the growth forecasts and land use models upon which Plan Bay Area 2050 is based.

Santa Clara General Plan

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

[82] California Department of Housing and Community Development. "Regional Housing Needs Allocation and Housing Elements" Accessed November 15, 2021. http://hcd.ca.gov/community-development/housing-element/index.shtml.

[83] Association of Bay Area Governments and Metropolitan Transportation Commission. *Plan Bay Area 2050*. October 21, 2021. Page 20.

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

4.14.1.2 *Existing Conditions*

According to the California Department of Finance, the City had a population of approximately 130,746 residents in 127,550 households as of January 2021.[84] Of these residents, approximately 51 percent are employed residents.[85] There are approximately 143,000 jobs in the City (estimated by ABAG for 2020). In 2035, it is estimated that the City will have approximately 154,825 residents, 54,830 households, 154,300 jobs and 72,080 employed residents.[86]

The jobs/housing relationship is quantified by the jobs/employed resident ratio. When the ratio reaches 1.0, a balance is struck between the supply of local housing and jobs. The jobs/housing resident ratio is determined by dividing the number of local jobs by the number of employed residents that can be housed in local housing.

The City of Santa Clara had an estimated 2.50 jobs for every employed resident in 2010.[87] The General Plan focuses on increased housing and the placement of housing near employment. As a result, the jobs to housing ratio is projected to slightly decrease to 2.48 by 2040.[88] Some employees who work within the City are, and still would be, required to seek housing outside the community with full implementation of the General Plan.

The existing project site is occupied by a vacant commercial office building and does not contribute to the current permanent resident population of the City.

[84] California Department of Finance. "E-5 City/County Population and Housing Estimates." May 2021. Accessed on November 11, 2021. http://www.dof.ca.gov/Forecasting/Demographics/Estimates/E-5/.
[85] Association of Bay Area Governments. *Plan Bay Area 2040: Projections 2020*. December 2013.
[86] Ibid.
City of Santa Clara. 2010-2035 General Plan. December 2014.
[87] City of Santa Clara 2010-2035 General Plan. December 2014. Appendix 8.12 (Housing Element). Page 8.12-25.
[88] City of Santa Clara 2010-2035 General Plan Final Environmental Impact Report. 2011.

4.14.2 Impact Discussion

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

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

The project site is occupied by a vacant office building and surrounded by existing development. The project proposes to change its current General Plan designation from Community Commercial, which does not allow residential development, to High Density Residential. The current designation would have an approximate range of 90 employees for office to 120 employees for retail and no residents, assuming maximum development.[89] As proposed, the project would construct up to 108 residential units. Assuming 2.64 persons per household, the project would accommodate up to 290 new residents in the City of Santa Clara.[90] Therefore, the project would result in an additional 108 residential units and 285 new residents on-site compared to the allowable development under the existing land use designation. This would be a 0.22 percent increase in the City's population.[91]

The projected growth of the project is evaluated by this Initial Study. Based upon the analysis conducted in 4.3 Utilities and Service Systems and 4.1 Public Services, the project would be adequately served by existing utilities and supported by existing public services.

The project does not involve extension of roads and would connect to existing utilities, would not directly or indirectly impact substantial growth through the construction of public service facilities. **(Less than Significant Impact)**

[89] Existing General Plan designation allows up to 30,500 square feet of commercial space (given the 0.5 FAR). At approximately 3 employees per 1,000 square feet, the office building would have capacity for approximately 91 employees. Retail use assumes one employee per 250 square feet, which equates to approximately 122 employees

[90] United States Census Bureau. City of Santa Clara Selected Housing Characteristics Table. Accessed November 8, 2021. https://data.census.gov/cedsci/table?q=%20Santa%20Clara%20City%20housing&tid=ACSDP1Y2019.DP04&hidePreview=false. 2.64 People per dwelling unit x 108 dwelling units = 285 people

[91] Ibid. Total population on January 1, 2021, was 130,746 people.

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

The project contains a vacant office building and proposes to construct 108-unit multi-family development. The proposed project would not remove housing from the project site. Therefore, the proposed project would not displace existing people or housing, necessitating the construction of replacement housing elsewhere. **(No Impact)**

4.15 PUBLIC SERVICES

4.15.1 Environmental Setting

4.15.1.1 *Regulatory Framework*

State

Quimby Act and Mitigation Fee Act

The Quimby Act (Government Code Section 66477) was approved by the California legislature to set aside parkland and/or payment of fees due in-lieu of parkland dedication to help mitigate the impacts from new residential developments. This legislation was initiated in response to California's increased rate of urbanization and the need to preserve open space and provide parks and recreation facilities for California's growing communities. The Quimby Act authorizes local governments to establish ordinances requiring developers of new residential subdivisions to dedicate parks, pay a fee in-lieu of parkland dedication, or perform a combination of the two. For projects not involving a subdivision, the Mitigation Fee Act (Government Code Section 66000 et seq.) authorizes cities to impose fee and dedication requirements on new development based on the analysis of a nexus study, including parkland dedications.

Government Code Section 65995 through 65998

California Government Code Section 65996 specifies that an acceptable method of offsetting a project's effect on the adequacy of school facilities is the payment of a school impact fee prior to the issuance of a building permit. Government Code Sections 65995 through 65998 set forth provisions for the payment of school impact fees by new development by "mitigating impacts on school facilities that occur (as a result of the planning, use, or development of real property" (Section 65996[a]). The legislation states that the payment of school impact fees "are hereby deemed to provide full and complete school facilities mitigation" under CEQA (Section 65996[b]).

Developers are required to pay a school impact fee to the school district to offset the increased demands on school facilities caused by the proposed residential development project. The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code.

Regional and Local

City of Santa Clara 2010 – 2035 General Plan

The City of Santa Clara 2010-2035 General Plan includes policies and programs to provide public services throughout the City. Applicable General Plan policies include, but are not limited to, the following listed below.

Policies	Description
Parks, Open Space and Recreation	
5.4.3-P3	Provide pedestrian-oriented ground floor uses and a network of parks and public spaces to serve both residential and non-residential development.

Policies	Description
5.9.1-P1	Develop additional parkland in the City so that it is integrated into neighborhoods and meets the standards for size, amenities, and locations to server residents and employees.
5.9.1-P2	Develop new parks to serve the needs of the surrounding community based on the criteria for mini (less than one acre, appropriate for all areas), neighborhood (1-15 acres, appropriate for medium- and high-density residential areas serving individual neighborhoods), and community (over 15 acres, appropriate for medium- and high-density residential areas serving the City as a whole) parks.
5.9.1-P4	Provide connections between private and public open space through publicly accessible trails and pathways and by orienting open spaces to public streets.
5.9.1-P5	Encourage public visibility for all parks, trails and open spaces.
5.9.1-P14	Encourage publicly accessible open space in new development.
5.9.1-P15	Provide opportunities for private maintenance of publicly accessible open space and trails.
5.9.1-P17	Foster site design for new development so that building height and massing do not overshadow new parks and plazas.
5.9.1-P18	Promote open space and recreational facilities in large-scale developments in order to meet a portion of the demand for parks generated by new development.
5.9.1-P20	Promote the continuation of parks per population ratio of 2.4 per 1,000 residents and explore the potential to increase the ratio to 3.0, based on the Parks and Recreation Needs Assessment (Parks Master Plan), referenced in Plan Prerequisite 5.1.1-P24.
Schools and Community Facilities	
5.9.2-P7	Support efforts by school districts to maintain, improve and expand educational facilities and services, to meet the demands of new development.
5.9.2-P8	Cooperate with local school districts in collecting fees for development projects as required by State regulations.
Public Service Policies	
5.9.3-P1	Encourage design techniques that promote public and property safety in new development and public spaces.
5.9.3-P3	Maintain a City-wide average three-minute response time for fire emergency service calls.
5.9.3-P4	Maintain a City-wide average three-minute response time for fire emergency service calls.

Countywide Trails Master Plan

The Santa Clara County Trails Master Plan Update is a regional trails plan approved by the Santa Clara County Board of Supervisors. It provides a framework for implementing the County's vision of providing a contiguous trail network that connects cities to one another, cities to the county's regional open space resources, County parks to other County parks, and the northern and southern urbanized regions of the County. The plan identifies regional trail routes, sub-regional trail routes, connector trail routes, and historic trails.

City of Santa Clara City Code Chapter 17.35

The purpose of City Code Chapter 17.35 is to help mitigate the impacts of new housing development growth on existing parkland and recreational facilities subject to the provisions of the State of California Quimby Act (Quimby) and/or the California Mitigation Fee Act (MFA). Chapter 17.35 requires new residential developments to provide developed park and recreational land and/or pay a fee in-lieu of parkland dedication, at the City's discretion. The City is meeting the parkland

dedication standard of three acres per 1,000 residents per the Quimby provisions of the City Code and 2.53 acres per 1,000 residents per the MFA provisions of the City Code with regard to neighborhood parks.

4.15.1.2 *Existing Conditions*

Fire Protection

Fire protection services are provided by the City of Santa Clara Fire Department (SCFD). The SCFD operates 10 fire stations. The nearest station to the project site is Station #1 located at 777 Benton Street (approximately 0.6 miles southeast of the project site). Based on the City's General Plan Policy 5.9.3-P4, the SCFD has a three-minute response time goal.

Police Protection

Police protection services are provided by the Santa Clara Police Department (SCPD). There are two police stations: the headquarters located at 601 El Camino Real (approximately 0.6 miles east of the project site) and a substation located at 3992 Rivermark Parkway (approximately 2.8 miles northwest of the project site). Based on the City's General Plan Policy 5.9.3-P3, the SCPD has a three-minute response time goal, which should be attained for 90 percent of emergency calls.

Schools

The project site is located within the Santa Clara Unified School District (SCUSD). The nearest public schools to the project site are Scott Lane Elementary School (approximately 0.3 miles northwest of the project site), Buchser Middle School (approximately 0.9 miles southeast of the project site), and Santa Clara High School (approximately one mile southwest of the project site).

Parks

The Santa Clara Parks and Recreation Department (Department) provides parks and recreational services in the City. The department is responsible for maintaining and programming the various parks and recreation facilities and works cooperatively with public agencies in coordinating all recreational activities within the City. Overall, as of February 2022, the Department maintains and operates Central Park, a 45.04-acre community park (45.04 acres improved and Central Park North 34.93 acres unimproved, resulting in 79.97 acres), 30 neighborhood parks (121.261 acres improved and 9.389 acres unimproved resulting in 130.65 acres), 13 mini parks (2.687 acres improved and 3.189 acres unimproved resulting in 5.876 acres), public open space (16.323 acres improved and 40.08 acres unimproved resulting in 56.403 acres), recreational facilities (23.898 acres improved and excluding the BMX track), recreational trails (7.59 acres improved and 0.20 acres unimproved resulting in 7.79 acres), and joint use facilities (48.588 acres) throughout the City, totaling approximately 265.387 improved acres and 87.788 unimproved acres. Community parks are over fifteen acres, neighborhood parks are one to fifteen acres and mini parks are typically less than one acre in size.

Santa Clara City Code Chapter 17.35 requires new residential developments to provide developed park and recreational land and/or pay a fee in-lieu of parkland dedication, at the City's discretion, and pursuant to the State of California Quimby Act (Quimby) and/or the Mitigation Fee Act (MFA)

to help mitigate the impacts of the new resident demand on existing parkland and recreational facilities. The City is meeting the standard of three acres per 1,000 residents per the Quimby provisions of the City Code and 2.6 acres per 1,000 residents per the MFA provisions of the City Code with regard to neighborhood parks.

The nearest public open space to the project site is Civic Center Park (approximately 260 feet to the southeast). The nearest min parks to the project site are Geof Goodfellow Sesquicentennial Park (approximately 640 feet to the southeast), Fremont Park (0.3 miles to the southeast), and Rotary Park (approximately 0.2 miles to the north). Neighborhood parks within one mile include Warburton Park (approximately 0.7 miles northwest) and Larry J. Marsalli Park (approximately 0.6 miles southeast). San Tomas Aquino Creek Trail also provides recreational opportunities in the project area and is located approximately one-mile northwest of the project site.

Libraries

Library services are provided by the Santa Clara City Library (SCCL). The City of Santa Clara is served by the Central Park Library (approximately 1.3 miles southwest of the site), Mission Library Family Reading Center (approximately 0.7 miles west of the site), and Northside Branch Library located at 695 Moreland Way (approximately 2.9 miles north of the site).

4.15.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:				
1) Fire Protection?	☐	☐	☒	☐
2) Police Protection?	☐	☐	☒	☐
3) Schools?	☐	☐	☒	☐
4) Parks?	☐	☐	☒	☐
5) Other Public Facilities?	☐	☐	☒	☐

Impact PS-1: The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection services. **(Less than Significant Impact)**

The project site is developed with a vacant office building. As proposed, the project would construct a 108-unit residential building. The proposed development would increase the total resident population of the City of Santa Clara by 290 residents (compared to the 90 employees for office and 120 employees retail, respectively, for the current General Plan designation assuming maximum build-out), (see Impact POP-1). The project only slightly exceeds the growth projections of the certified General Plan EIR, which concluded that additional SCFD officers, if needed to serve the build-out of the General Plan, would be housed in existing facilities and no new or expanded facilities would be necessary. Although the project would intensify the use of the site and generate additional residents in the area, the project would not preclude the SCFD from meeting their service goals. Specifically, the proposed project would be constructed in accordance with current building codes and would be required to be maintained in accordance with applicable City policies identified in the General Plan EIR to avoid unsafe building conditions. As a result, no new facilities would be required, and implementation of the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered police facilities. **(Less Than Significant Impact)**

Impact PS-2:	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police protection services. **(Less than Significant Impact)**

Development in the project area is currently served by SCPD. The project would be constructed in conformance with current codes and the project design would be reviewed by the SCPD to ensure that it incorporates appropriate safety features to minimize criminal activity. The project only slightly exceeds the growth projections of the certified General Plan EIR. Although the project would intensify the use of the site, the project would not preclude the SCPD from meeting their service goals. Specifically, the proposed project would be required to be maintained in accordance with applicable City policies identified in the General Plan EIR to promote public safety. As a result, no new facilities would be required, and implementation of the project would not result in substantial adverse physical impacts associated with the provision of new or physically altered police facilities. **(Less than Significant Impact)**

Impact PS-3:	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for schools. **(Less than Significant Impact)**

The proposed project would increase the City's resident and student population above what was assumed in the General Plan and, as a result, would increase the demand on local school facilities. Based on an average student generation rate of 0.28 per unit for elementary students, 0.12 per unit for middle school students, and 0.16 per unit for high school students, the proposed project would

generate up to 62 new students.[92] Table 4.14-1 summarizes the projected student increase from the project site that would attend nearest schools showing their current capacity and enrollment.

	Table 4.14-1: School Capacity and Enrollment		
School	**Student Increase**	**Existing Capacity[1]**	**Current Enrollment[2]**
Scott Lane Elementary[3]	30	480	369
Buchser Middle School[4]	13	1,294	965
Santa Clara High School[5]	17	1,954	2,030

Source:
[1] Healy, Michal. Director of Facility Development and Planning. Santa Clara Unified School District. Personal Communication. October 17, 2017.
[2] California Department of Education, Data Quest. 2020-2021 Enrollment by Grade. Accessed October 27, 2021. https://dq.cde.ca.gov/dataquest/.
[3] Scott Lane Elementary School's student generation rate for below market rate housing is 0.28 per unit. (0.28 students / unit x 108 units = 30 new students)
[4] Buchser Middle School's student generation rate for below market rate housing is 0.12 per unit. (0.12 students / unit x 108 units = 13 new students)
[5] Santa Clara High School's student generation rate for below market rate housing is 0.16 per unit. (0.16 students / unit x 108 units = 17 new students)

As shown in the table above, Santa Clara High School is operating over capacity. The project would result in an additional 60 students beyond what was assumed in the General Plan. Nevertheless, state law (Government Code Section 65996) specifies an acceptable method of offsetting a project's effect under CEQA on the adequacy of school facilities as the payment of a school impact fee prior to issuance of a building permit. The affected school district(s) are responsible for implementing the specific methods for mitigating school effects under the Government Code, including setting the school impact fee amount consistent with state law. The school impact fees and the school districts' methods of implementing measures specified by Government Code Section 65996 would partially offset project-related increases in student enrollment. Therefore, the proposed project would not create a significant impact through substantial adverse physical impacts associated with the provision of new or physically altered school facilities. **(Less than Significant Impact)**

Impact PS-4:	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for parks. **(Less than Significant Impact)**

The proposed project would construct up to 108 multi-family residences which would increase the permanent City population by approximately 290 people (see Impact POP-1). The project would incrementally increase the resident demand on existing City parks. Therefore, the proposed project is required to provide approximately 0.73 acres of parkland, to meet the City's minimum standard dedication of 2.63 acres of parkland per 1,000 residents under the MFA provisions or pay fees in-lieu of parkland dedication to reduce the impact on the City's existing parks and provide the necessary

[92] Healy, Michal. Facility Development and Planning Director, Santa Clara Unified School District. Personal Communication. October 28, 2021.

parkland to serve the increased population. The proposed project would not include the construction of a new City park or parkland dedication; the project applicant will pay fees in-lieu of parkland dedication, which will be used by the City to acquire and/or develop new parkland and/or amenities. Therefore, the project would not result in substantial adverse physical impacts associated with the need for or construction of new parks to meet the City's parkland goals. Any future construction of parks and recreational facilities by the City would be subject to environmental review at the time of specific development. **(Less than Significant Impact)**

Impact PS-5:	The project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for other public facilities. **(Less than Significant)**

The addition of up to 290 new residents (referenced in the response to Impact PS-1) in the City would increase demand for library facilities. Given the project's location in Santa Clara, the Central Park Library would be able to serve the new development. The Santa Clara General Plan concluded that Central Park Library could serve the anticipated new development along El Camino Real, Homestead Road, Kiely Boulevard, and Stevens Creek Boulevard. Although the proposed project would incrementally increase residential development and population growth above what was anticipated in the General Plan, the proposed project would not require new or expanded library facilities beyond what is already planned in the City to meet service goals. **(Less than Significant Impact)**

4.16 RECREATION

4.16.1 Environmental Setting

4.16.1.1 *Regulatory Framework*

State

Government Code Section 66477 (Quimby Act)

The Quimby Act (included within Government Code Section 66477) was approved by the California legislature to set aside parkland and/or payment of fees due in-lieu of parkland dedication to help mitigate the impacts from new residential developments. This legislation was initiated in response to California's increased rate of urbanization and the need to preserve open space and provide parks and recreation facilities for California's growing communities. The Quimby Act authorizes local governments to establish ordinances requiring developers of new residential subdivisions to dedicate parks, pay a fee in-lieu of parkland dedication, or perform a combination of the two.

Local

City of Santa Clara 2010 – 2035 General Plan

The City of Santa Clara 2010-2035 General Plan includes policies and programs to provide public services throughout the City. Applicable General Plan policies include, but are not limited to, the following listed below.

Policies	Description
5.1.1-P20	Prior to 2023, identify the location for new parkland and/or recreational facilities to serve employment centers and pursue funding to develop these facilities by 2035.
5.9.1-P1	Develop additional parkland in the City so that it is integrated into neighborhoods and meets the standards for size, amenities, and location to serve residents and employees.
5.9.1-P2	Develop new parks to serve the needs of the surrounding community based on the criteria for mini (less than one acre, appropriate for all areas), neighborhood (1-15 acres, appropriate for medium- and high-density residential areas serving individual neighborhoods), and community (over 15 acres, appropriate for medium- and high-density residential areas serving the City as a whole) parks.
5.9.1-P4	Provide connections between private and public open space through publicly accessible trails and pathways and by orienting open spaces to public streets.
5.9.1P5	Encourage public visibility for all parks, trails and open spaces.
5.9.1-P14	Encourage publicly accessible open space in new development.
5.9.1-P15	Provide opportunities for private maintenance of publicly accessible open space and trails.
5.9.1-P17	Foster site design for new development so that building height and massing do not overshadow new parks and plazas.
5.9.1-P18	Promote open space and recreational facilities in large-scale developments in order to meet a portion of the demand for parks generated by new development.
5.9.1-P20	Promote the continuation of parks per population ratio of 2.4 per 1,000 residents and explore the potential to increase the ratio to 3.0, based on the Parks and Recreation Needs Assessment (Parks Master Plan), referenced in Plan Prerequisite 5.1.1-P24.

City of Santa Clara City Code Chapter 17.35

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

4.16.1.2 *Existing Conditions*

The Santa Clara Parks and Recreation Department (Department) provides parks and recreational services in the City. The department is responsible for maintaining and programming the various parks and recreation facilities and works cooperatively with public agencies in coordinating all recreational activities within the City. Overall, as of February 2022, the Department maintains and operates Central Park (45.04 acres improved and Central Park North 34.93 acres unimproved, resulting in 79.97 acres), 30 neighborhood parks (121.261 acres improved and 9.389. acres unimproved resulting in 130.65 acres), 13 mini parks (2.59 acres improved and 3.189 acres unimproved resulting in 5.876 acres), public open space (16.323 acres improved and 40.08 acres unimproved resulting in 56.403 acres), recreational facilities (23.898 acres improved, excluding the BMX track), recreational trails (7.59 acres improved and 0.20 acres unimproved resulting in 7.79 acres), and joint use facilities (48.588 acres) throughout the City totaling approximately 265.387 improved acres and 87.788 unimproved acres. Community parks are over 15 acres, neighborhood parks are one to 15 acres and mini parks are typically less than one acre in size.

Santa Clara City Code Chapter 17.35 requires new residential developments to provide developed park and recreational land and/or pay a fee in-lieu of parkland dedication, at the City's discretion, and pursuant to the Quimby Act and/or the MFA to help mitigate the impacts of the new resident demand on existing parkland and recreational facilities. The City is meeting the standard of three acres per 1,000 residents per the Quimby provisions of the City Code and 2.53 acres per 1,000 residents per the MFA provisions of the City Code with regard to neighborhood parks.

The nearest open space to the project site are Civic Center Park (approximately 260 feet to the southeast), The nearest mini parks are Geof Goodfellow Sesquicentennial Park (approximately 640 feet to the southeast), Fremont Park (0.3 miles to the southeast) and Rotary Park (approximately 0.2 miles to the north). Neighborhood parks within one mile include Warburton Park (approximately 0.7 miles northwest) and Larry J. Marsalli Park (approximately 0.6 miles southeast). San Thomas Aquino Creek Trail also provides recreational opportunities in the project area and is located approximately one mile northwest of the project site.

4.16.2 **Impact Discussion**

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
1) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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: The project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. **(Less than Significant Impact)**

The proposed project would construct up to 108 multi-family residences which would increase the population by approximately 290 people (see Impact POP-1). The project would incrementally increase the resident demand on existing City parks. Therefore, the project applicant is required to provide approximately 0.7 acres of parkland, to meet the City's minimum standard dedication of 2.63 acres of parkland per 1,000 residents under the MFA provisions or pay fees in-lieu of parkland dedication to reduce the impact on the City's existing parks. The project applicant will pay fees in-lieu of parkland dedication, which will be used by the City to acquire and/or develop new parkland and/or amenities.

The proposed project would include on-site recreational facilities, such as ping pong tables, a recreational area with synthetic turf, and a dining court and barbeque area. The proposed on-site recreational facilities and the dedication of parkland or payment of in-lieu fees would reduce the project's demand on existing facilities. Therefore, the incremental increase in population would not result in substantial physical deterioration of existing park and recreational facilities. **(Less than Significant Impact)**

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

The proposed project would include the construction of on-site recreational facilities (refer to Impact REC-1). The impacts (e.g., construction related water quality impacts, nesting birds, cultural resources, construction-related vibration noise, hazards and hazardous materials) from construction of these facilities would be reduced to less than significant with the implementation of conditions of approval and mitigation measures described throughout this Initial Study. Construction of on-site recreational facilities would not result in an adverse physical effect on the environment.
(Less than Significant Impact)

4.17 TRANSPORTATION

The following discussion is based in part upon a transportation memorandum prepared by Hexagon Transportation Consultants in April 2022. The memorandum is included in Appendix F of this Initial Study.

4.17.1 Environmental Setting

4.17.1.1 *Regulatory Framework*

State and Regional

Senate Bill 743

SB 743 establishes criteria for determining the significance of transportation impacts using a VMT metric intended to promote the reduction of GHG emissions, the development of multimodal transportation networks, and a diversity of land uses. Specifically, SB 743 requires analysis of VMT in determining the significance of transportation impacts. Local jurisdictions were required by Governor's Office of Planning and Research (OPR) to implement a VMT policy by July 1, 2020.

California Governor's Office of Planning and Research Technical Advisory

The California Governor's Office of Planning and Research (OPR) develops technical advice on issues that affect CEQA practice and land use planning. Based on the OPR's Technical Advisory on Evaluating Transportation Impacts, adding affordable housing to infill locations generally improves jobs-housing match, in turn shortening commutes and reducing VMT. Also, it is assumed that low-wage workers in particular would be more likely to choose a residential location close to their workplace if one is available. In general, low-income housing generates less VMT than market-rate housing.

Regional Transportation Plan

The Metropolitan Transportation Commission (MTC) is the transportation planning, coordinating, and financing agency for the nine-county San Francisco Bay Area, including Santa Clara County. MTC is charged with regularly updating the Regional Transportation Plan (RTP), a comprehensive blueprint for the development of mass transit, highway, airport, seaport, railroad, bicycle, and pedestrian facilities in the region. MTC and ABAG adopted Plan Bay Area 2050 in October 2021, which includes the region's Sustainable Communities Strategy (integrating transportation, land use, and housing to meet GHG reduction targets set by CARB) and RTP (including a regional transportation investment strategy for revenues from federal, state, regional, and local sources over the next 24 years).

Congestion Management Program

The Santa Clara Valley Transportation Authority (VTA) oversees the Congestion Management Program (CMP), which is aimed at reducing regional traffic congestion. The relevant state legislation requires that all urbanized counties in California prepare a CMP in order to obtain each county's share of gas tax revenues. State legislation requires that each CMP define traffic level of service (LOS) standards, transit service standards, a trip reduction and transportation demand management, a

land use impact analysis program, and a capital improvement element. VTA has review responsibility for proposed development projects that are expected to affect CMP designated intersections.

Local

Santa Clara Transportation Analysis Policy

The City of Santa Clara adopted a VMT Transportation Analysis Policy for environmental review on June 30, 2020. The City of Santa Clara's VMT Policy states that certain projects are presumed to have a less than significant impact based on the state's guidance and do not require a VMT analysis. These include various types of developments such as 100 percent affordable housing projects at infill locations, local-serving public projects, small projects, local-serving retail projects (less than 50,000 square feet or less), and/or transit supportive projects near major transit corridors that meet certain screening criteria.

Santa Clara General Plan

All future development allowed by the proposed GPA shall be in conformance with adopted City plans and policies. General Plan policies applicable to transportation/traffic include, but are not limited to, the following listed below.

Policies	Description
General Mobility and Transportation Policies	
5.8.1-P3	Identify opportunities to connect people to supportive services, public amenities, and transit.
Roadway Network Policies	
5.8.2-P2	Discourage widening of existing roadway or intersection rights-of-way without first considering operational improvements, such as traffic signal modifications, turn-pocket extensions, and intelligent transportation systems.
5.8.2-P3	Encourage undergrounding of utilities and utility equipment within the public right-of-way and site these facilities to provide opportunities for street trees and adequate sidewalks.
5.8.2-P9	Require all new development to provide streets and sidewalks that meet City goals and standards, including new development in employment areas.
5.8.3-P9	Require new development to incorporate reduced on-site parking and provide enhanced amenities, such as pedestrian links, benches, and lighting, in order to encourage transit use and increase access to transit services.
5.8.3-P10	Require new development to participate in public/private partnerships to provide new transit options between Santa Clara residences and businesses.
Bicycle and Pedestrian Network Policies	
5.8.4-P6	Require new development to connect individual sites with existing and planned bicycle and pedestrian facilities, as well as with on-site and neighborhood amenities/services, to promote alternate modes of transportation.
5.8.4-P7	Require new development to provide sidewalks, street trees and lighting on both sides of all streets in accordance with City standards, including new developments in employment areas.
5.8.4-P8	Require new development and public facilities to provide improvements, such as sidewalks, landscaping, and bicycling facilities, to promote pedestrian and bicycle use.

Policies	Description
5.8.4-P9	Encourage pedestrian- and bicycle-oriented amenities, such as bicycle racks, benches, signalized mid-block crosswalks, and bus benches or enclosures.
5.8.4-P10	Encourage safe, secure, and convenient bicycle parking and end-of-trip, or bicycle "stop" facilities, such as showers or bicycle repair near destinations for all users, including commuters, residents, shoppers, students, and other bicycle travelers.
5.8.4-P13	Promote pedestrian and bicycle safety through "best practices" or design guidelines for sidewalks, bicycle facilities, landscape strips and other buffers, as well as crosswalk design and placement

City of Santa Clara Bicycle Plan

The City of Santa Clara Final Bicycle Plan Update (2018) provides a bikeway planning and design tool, which contains the policy vision, design guidance, and specific recommendations to guide public and private investments in active transportation bicycle facilities and related programs.

City of Santa Clara Pedestrian Master Plan

The Pedestrian Master Plan, approved February 25, 2020, is a forward-looking plan to capture the benefits of walking as the City anticipates growth and redevelopment. The plan establishes methods for safe, comfortable, convenient, active, and implementable goals to improve walkability and establish zones for improved pedestrian development.

4.17.1.2 *Existing Conditions*

Roadway Network

Regional access to the project site is provided by Highway (US) 101, as described below.

- *US 101* is an eight-lane freeway with three mixed-flow lanes and one high-occupancy vehicle (HOV) lane in each direction in the vicinity of the site. It extends north through San Francisco and south through Gilroy. Regional access to the project site is provided via its interchange with Bowers Avenue.

Local access to the site is provided by El Camino Real/SR 82, San Tomas Expressway, Scott Boulevard, Lincoln Street, and Civic Center Drive.

- *El Camino Real/SR 82* is an arterial that runs (generally) north-south from San Francisco to San Jose and parallels US 101 and Interstate (I)-280. In the project area, El Camino Real has an east-west alignment and six travel lanes. The major intersections are controlled by traffic signals in the City of Santa Clara's General Plan, El Camino Real is classified as an arterial. El Camino Real intersects with Lincoln Street, which provides access to the project site.

- *San Tomas Expressway* is a six- to eight-lane, north-south roadway that extends between SR 17 in Campbell and US 101 in the City of Santa Clara. One lane in each direction operates as an HOV lane from 6:00 AM to 9:00 AM and from 3:00 PM to 7:00 PM Monday through Friday.

- *Scott Boulevard* is a four-lane arterial roadway that extends between Lawrence Expressway and Washington Street and intersects with several other arterial roadways in the City including Bowers Avenue, San Tomas Expressway, Monroe Street, and El Camino Real.

- *Lincoln Street* is a north-south, connector roadway that provides a link between Warburton Avenue and Winchester Boulevard. Lincoln Street is a four-lane road north of El Camino Real. From El Camino Real to Homestead Road, Lincoln Street is a two-lane road. Lincoln Street becomes Winchester Boulevard south of Homestead Road. Lincoln Street provides access to the project site.

- *Civic Center Drive* is a two-lane local street, between Lincoln Street and Warburton Avenue that provides driveway access directly to the project site.

Existing Bicycle and Pedestrian Facilities

Bicycle Facilities

Bicycle facilities are comprised of paths (Class I), lanes (Class II), routes (Class III), and separated, protected bike lanes (Class IV). Bicycle paths are paved trails that are separate from roadways. There are bicycle lanes on Warburton Avenue and Monroe Street that connect cyclists from the project site to the surrounding areas. Based on the Santa Clara Bicycle Master Plan Update 2018, Class II bicycle lanes are recommended along Lincoln Street between Warburton Avenue and El Camino Real and along Scott Boulevard for the entire street. A Class III bicycle boulevard is recommended along Lincoln Street south of El Camino Real. Class IV separated bike lanes are recommended along El Camino Real for the entire street.

Pedestrian Facilities

Pedestrian facilities in the project area consist of sidewalks and crosswalks. A continuous network of sidewalks is present along all of the surrounding streets. Crosswalks with pedestrian signal heads are located at all of the signalized intersections in the project area. A high visibility crosswalk and a standard crosswalk are available along the north leg and west leg, respectively, at the Lincoln Street/Civic Center Drive intersection.

Existing Transit Facilities

Existing transit service in the project vicinity is provided by the VTA. A bus stop for the Frequent Route 22 is located 635 feet from the project site on El Camino Real at Lincoln Street. Other routes with bus stops less than 2,000 feet from the project site include Local Routes 21 and 59 and Rapid Route 522. Frequent Route 22 and Rapid Route 22 have 15-minute headways during peak commute hours at a bus stop on El Camino Real and Scott Boulevard (see Figure 4.1-1). The nearest VTA bus services are described in Table 4.17-1.

Table 4.17-1: VTA Bus Service in the Project Area			
Route	**Route Description**	**Location of Nearest Bus Stops**	**Headway (min)**
Frequent Route 22	Palo Alto Transit Center to Eastridge Transit Center	El Camino Real/Lincoln Street	10 to 15 min (peak hours) 30 to 60 min (non-peak hour)
Local Route 21	Stanford Shopping Center to Santa Clara Transit Center	Monroe Street/El Camino Real	30
Local Route 59	Saratoga Avenue and Stevens Creek Boulevard to Baypointe Station	Monroe Street/El Camino Real	30 to 50 min
Rapid Route 522	Palo Alto Transit Center to Eastridge Transit Center	El Camino Real/Scott Boulevard	15 to 30 min
VTA. Routes. Accessed December 15, 2021. https://www.vta.org/go/routes. min = minutes			

4.17.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle lanes, and pedestrian facilities?	☐	☐	☒	☐
2) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	☐	☐	☒	☐
3) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
4) Result in inadequate emergency access?	☐	☐	☒	☐

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

The project is consistent with the policies of the City's General Plan to improve sidewalk connectivity and expand pedestrian and transit opportunities. The project's consistency with these policies is described below.

Impacts to Bicycle, Pedestrian, and Transit Facilities

Pedestrian Facilities

Consistent with General Plan Policies 5.8.4-P7 and 5.8.4-P8, the project would construct new 10-foot wide sidewalks along the project frontages on Lincoln Street and Civic Center Drive. The sidewalks would facilitate pedestrian movements between the project site and surrounding points of interest, such as bus stops. In addition to new sidewalks along the project frontages, the project would also construct a publicly accessible courtyard along with pedestrian walkways that would connect to the new sidewalk on Lincoln Street.

In accordance with General Plan Policy 5.8.4-P13 to promote pedestrian safety for sidewalks, the following condition of approval is required for the new sidewalks along Lincoln Street and Civic Center Drive.

Condition of Approval: With the new sidewalks along the project frontages, the project applicant shall build two curb ramps at the northwest corner of the Lincoln Street/Civic Center Drive intersection and built to Americans with Disabilities Act (ADA) standards.

With the implementation of the above condition of approval, the project would improve connectivity and would not conflict a policy or plan addressing pedestrian facilities. **(Less than Significant Impact)**

Bicycle Facilities

The project would provide secure bicycle storage in a bicycle room on the ground level of the northeast corner of the building. The bicycle room would be accessed using the pedestrian walkway from Lincoln Street. The project would also provide bicycle racks in the surface parking lot adjacent to the back entrance of the proposed building.

Since the main entrance of the building would face Lincoln Street, with a publicly accessible courtyard next to the entrance, the following condition of approval shall be implemented.

Condition of Approval: The project applicant shall provide bicycle racks within 200 feet of a building entrance and/or highly visible area.

Based on the City's Bicycle Master Plan Update 2018, the proportion of the City's residents that bicycle to work is about two percent, which equates to one new bicycle trip during the AM and PM peak hours for the proposed project. This demand could be served by the various bicycle facilities in the immediate vicinity of the project site. The increase in bicycle trips by the project would not conflict with existing or planned bicycle facilities in the project area shown in the City's Bicycle Master Plan Update 2018. With the implementation of the above condition of approval, the project would not conflict with a program or policy addressing bicycle facilities. **(Less than Significant Impact)**

Transit Services

Due to the proximity of bus stops to the project site, it is assumed that some residents of the project would utilize the existing transit services. Assuming a commute hour transit mode share of two percent (as recommended by VTA guidelines), the project would generate one new transit rider during the peak hours. Therefore, the new ridership could be accommodated by the existing transit services. The proposed project would not interfere with the construction of planned transit facilities, nor would the project exceed the capacity of the existing system. The project would not conflict with a program plan or policy addressing transit. **(Less than Significant Impact)**

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

As discussed in Section 4.17.1, the City of Santa Clara's VMT Policy states that 100 percent affordable housing projects at infill locations are presumed to have a less than significant impact and do not require a VMT analysis. The proposed project would be an infill development and would be a 100 percent affordable housing project, with 106 affordable units and two manager's units. Therefore, the project would result in a less than significant VMT impact. **(Less than Significant Impact)**

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

Vehicle access to the site would be provided via one new full access driveway on Civic Center Drive and one full access driveway on Lincoln Street. The project would close the existing driveway on Civic Center Drive and create a new driveway approximately 175 feet west of the existing driveway to provide access to the surface parking lot. The Lincoln Street driveway would provide access to the parking garage.

Driveway Design

The project driveways would provide two-way access and would be 24 feet wide. This is in compliance with the Santa Clara City Code, Section 18.74.050.

Condition of Approval: The width of the driveway shall be a minimum of 24 feet wide and built to City Standard ST-8.

Sight Distance at Project Driveways

The proposed driveway locations on Civic Center Drive and Lincoln Street were evaluated to determine if the sight distance at the driveways would be adequate. Adequate sight distance reduces the likelihood of a collision at driveways and provides drivers with the ability to locate sufficient gaps in traffic to exit a driveway. Sight distance of a driveway is evaluated based on the stopping sight distance recommended by Caltrain for a given design speed.

The posted speed limit on Civic Center Drive and Lincoln Street is 25 miles per hour (mph). The Caltrans stopping sight distance is 200 feet (based on a design speed of 30 mph). Therefore, a driver must be able to see 200 feet in both directions of Civic Center Drive and Lincoln Street to locate a sufficient gap to turn out of the driveway.

There is a roadway curve on Civic Center Drive, approximately 250 feet west of the driveway and also on Lincoln Street, approximately 190 feet north of the driveway. However, there would be adequate sight distance for seeing vehicles turning around the curves. The proposed driveway on Civic Center Drive is located approximately 305 feet west of the Lincoln Street/Civic Center Drive intersection. As a result, the sight distance would be adequate for drivers exiting the driveway to find sufficient gaps in traffic to continue onto Civic Center Drive. The Lincoln Street driveway is approximately 220 feet north of the Lincoln Street/Civic Center Drive intersections and site distance would be adequate for vehicles turning onto Lincoln Street. Parking will be precluded on Lincoln Avenue along the project frontage, so parked cars would not obstruct views of exiting drivers.

With the implementation of the above conditions of approval, the project would not substantially increase hazards due to a geometric design feature or incompatible uses. **(Less than Significant Impact)**

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

Emergency vehicles (i.e., fire trucks) would access the project site from Lincoln Street, Civic Center Drive, and the surface parking lot drive aisle via the driveway on Civic Center Drive. The project would provide adequate emergency access since the project building within hose reach by fire trucks on Lincoln Street and Civic Center Drive, or in the surface parking lot drive aisle. The project would not result in inadequate emergency access. **(Less than Significant Impact)**

4.17.3 Non-CEQA Effects

While the evaluation of project CEQA impacts on the transportation system is based on VMT, the following operational analysis is included for informational purposes pursuant to the City's Transportation Policy.

4.17.3.1 *Project Trip Generation*

Traffic trips generated by the proposed project were estimated using the "Mid-Rise Multi-family Housing" rates per the Institute of Traffic Engineers (ITE) *Trip Generation Manual, 11th Edition.* Based on the VTA Transportation Impact Analysis (TIA) Guidelines, housing projects located within 2,000 feet of a major bus stop can apply a two percent trip reduction to the trip generation. A major bus stop is defined as a stop where six or more buses per hour from the same or different routes stop during the peak period. As discussion in Section 4.17.2, the project is located within 2,000 feet of the bus stops along El Camino Real for VTA Routes 22 and 522, which both have a headway of 15 minutes during peak periods. A summary of project trip generation estimates is shown in Table 4.17-2, below.

Table 4.17-2: Project Trip Generation Estimates							
Land Use	**Daily Trips**	**AM Peak Hour**			**PM Peak Hour**		
		In	**Out**	**Total**	**In**	**Out**	**Total**
Proposed Project – Multi-Family Residences	499	9	32	41	26	17	43
Transit Reduction (2 percent)	-10	0	-1	-1	-1	0	-1
Net Project Trips	**489**	**9**	**31**	**40**	**25**	**17**	**42**
* ITE Trip Generation Manual, 11th Edition, 2021. Mid-Rise Multifamily Housing (Land Use 221)							

As shown in Table 4.17-2, the project would generate 40 AM peak hour trips and 42 PM peak hour trips. Based on VTA TIA Guidelines, since the project does not generate 100 or more net new weekday AM or PM peak hour trips, the project does not warrant the preparation of a full traffic impact analysis (TIA).

4.17.3.2 *On-site Circulation*

The project driveways would provide access to the surface lot and the parking garage. The project would provide 90-degree parking throughout the proposed parking structure. All drive aisles would be 26 feet wide. The parking stalls would be 8.5 feet wide and 17 feet long. For parking facilities using uniform stall dimensions, the minimum drive aisle width shall be 24 feet. Therefore, the proposed parking stalls would meet the requirement. The proposed drive aisle width, in combination with the parking dimensions, would provide sufficient room for vehicles to back out of the 90-degree parking stalls.

On-site vehicle circulation was also evaluated to identify whether there are dead-end aisles within the surface lot and parking garage. The surface lot would have a dead-end aisle. Therefore, the following condition of approval shall be implemented.

- **Condition of Approval**: The project shall provide a turnaround space at the dead-end aisle in the surface parking lot to provide adequate circulation.

4.18 TRIBAL CULTURAL RESOURCES

This discussion is in part based upon a Native American Consultation Summary Memorandum prepared on December 14, 2021. A copy of this memorandum is on file with the City's Community Development Department.

4.18.1 Environmental Setting

4.18.1.1 *Regulatory Framework*

Senate Bill 18

Senate Bill 18 (SB 18), established in 2005, requires city governments to consult with California Native American tribes on projects which include the adoption or amendment of general plans (defined in Government Code Section 65300 et seq.) and specific plans (defined in Government Code Section 65450 et seq.).

Assembly Bill 52

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

Under AB 52, TCRs are defined as follows:

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

4.18.1.2 *Existing Conditions*

In June 2021, the City received a letter from Tamien Nation (a Native American tribe with traditional and cultural affiliation with the geographic area) requesting to be notified of proposed projects within the City in accordance with AB 52. Therefore, the City is subject to AB 52 requirements. No other tribes have requested to be on the City's AB 52 notification list.

The Native American Heritage Commission (NAHC) was contacted on October 12, 2021; a search of the Sacred Land File (SLF) and a list of Native American representatives with traditional affiliations to the area was requested. The objective of the SLF search was to determine if the NAHC has any knowledge of Native American cultural resources (e.g., traditional use of gathering area, place of

religious or sacred activity, etc.) within the project site and its immediate vicinity. The SLF search was negative.

Since the proposed project would require a General Plan Amendment, the project is subject to SB 18 requirements. Notification letters pertaining to SB 18 were prepared and sent to the Native American contacts listed by the NAHC (based on a list of tribal contacts provided to the City on September 21, 2021) via email on November 19, 2021. The City sent the joint SB 18/AB 52 notification letter to the Tamien Nation by certified mail and email. Based on the date of notification and the required timeline for responses, a formal request for tribal consultation would be required by December 20, 2021, under AB 52, and by February 22, 2022, under SB 18. No response was received from the tribe by the time this Initial Study finalized for circulated and consultation was ended.

4.18.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
1) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?	☐	☐	☒	☐
2) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☒	☐

Impact TCR-1: The project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k). **(Less than Significant Impact)**

Based on the SLF search results, no tribal cultural resources including sites, features, places, cultural landscapes, or sacred place have been identified at the site. In addition, no information on potential

resources was provided by affiliated tribes. Therefore, implementation of the proposed project would have a less than significant impact on tribal cultural resources.

If, however, any unknown tribal cultural resources are found on-site, those resources would be addressed consistent with the mitigation measures CUL-2.1 through CUL-2.3. Therefore, with the implementation of mitigation measures, the proposed project would have a less than significant impact on tribal cultural resources. **(Less Than Significant Impact)**

Impact TCR-2:	The project would not cause a substantial adverse change in the significance of a tribal cultural resource that is determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. **(Less than Significant Impact)**

As discussed under Impact TCR-1, there are no known tribal cultural resources on-site, and the project includes mitigation measures to reduce potential impacts to a less than significant level. For this reason, the project would not cause a substantial adverse change in the significance of a tribal cultural resources that is determined by the lead agency.

4.19 UTILITIES AND SERVICE SYSTEMS

The following analysis is based in part on a Sanitary Sewer Capacity Assessment completed by the City of Santa Clara in December 2021. The memorandum can be found in Appendix G of this Initial Study.

4.19.1 Environmental Setting

4.19.1.1 *Regulatory Framework*

State

State Water Code

Pursuant to the State Water Code, water suppliers providing water for municipal purposes to more than 3,000 customers or supplying more than 3,000 acre-feet (approximately 980 million gallons) of water annually must prepare and adopt an urban water management plan (UWMP) and update it every five years. As part of a UWMP, water agencies are required to evaluate and describe their water resource supplies and projected needs over a 20-year planning horizon, water conservation, water service reliability, water recycling, opportunities for water transfers, and contingency plans for drought events. The City of Santa Clara adopted its most recent UWMP in June 2021.

Assembly Bill 939

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

Assembly Bill 341

AB 341 (2011) sets forth the requirements of the statewide mandatory commercial recycling program. Businesses that generate four or more cubic yards of garbage per week and multi-family dwellings with five or more units in California are required to recycle. AB 341 sets a statewide goal for 75 percent disposal reduction by the year 2020.

Senate Bill 1383

SB 1383 (2016) establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. The bill grants CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that at least 20 percent of currently disposed edible food is recovered for human consumption by 2025.

California Green Building Standards Code

In January 2010, the State of California adopted the California Green Building Standards Code, establishing mandatory green building standards for all buildings in California. The most recent edition was issued by the state in 2019 and became effective in Santa Clara on January 1, 2020. The code covers five categories: planning and design, energy efficiency, water efficiency and conservation, material conservation and resources efficiency, and indoor environmental quality. These standards include the following mandatory set of measures, as well as more rigorous voluntary guidelines, for new construction projects to achieve specific green building performance levels:

1. Reducing indoor water use by 20 percent
2. Reducing wastewater by 20 percent
3. Recycling and/or salvaging 50 percent of nonhazardous construction and demolition debris
4. Providing readily accessible areas for recycling by occupants

Local

City of Santa Clara General Plan

The Santa Clara 2010-2035 General Plan includes policies that address the reduction of GHG gas emissions during the planning horizon of the General Plan. The following goals, policies, and actions are applicable to the proposed project:

Policies	Description
5.3.1-P9	Require that new development provide adequate public services and facilities, infrastructure, and amenities to serve the new employment or residential growth.
5.3.1-P27	Encourage screening of above-ground utility equipment to minimize visual impacts.
5.3.1-P28	Encourage undergrounding of new utility lines and utility equipment throughout the City.
5.10.1-P6	Require adequate wastewater treatment and sewer conveyance capacity for all new development.
5.10.5-P21	Require that storm drain infrastructure is adequate to serve all new development and is in place prior to occupancy.

4.19.1.2 *Existing Conditions*

Water Services

Water is provided to the site by the City of Santa Clara Water Utility. The system consists of more than 335 miles of water mains, 26 active wells, and seven storage tanks with approximately 28.8 million gallons of water capacity.[93] Drinking water is provided by an extensive underground aquifer (accessed by the City's wells) and by two wholesale water importers: Valley Water (imported from the Sacramento-San Joaquin Delta) and the San Francisco Hetch-Hetchy System (imported from the Sierra Nevada). The three sources are used interchangeably or are blended together. A water recharge program administered by Valley Water from local reservoirs and imported Sacramento-San Joaquin Delta water enhances the dependability of the underground aquifer.

[93] City of Santa Clara. "Water Utility." Accessed: May 11, 2021. Available at: https://www.santaclaraca.gov/our-city/departments-g-z/water-sewer-utilities/water-utility.

For certain approved non-potable uses, recycled water from the San Jose/Santa Clara Regional Wastewater Facility's South Bay Recycled Water facility is used. There are no recycled water lines near the project site.[94] The project site consists of a vacant office building and does not currently utilize the City's water utilities for indoor uses. Minimal water services may be required for irrigation of the landscaped area.

Wastewater Services

The City of Santa Clara Departments of Public Works and Water and Sewer Utilities are responsible for the wastewater collection system within the City. Wastewater is collected by sewer systems in Santa Clara and is conveyed by pipelines to the Regional Wastewater Facility (Facility) located in San José. The RWF is one of the largest advanced wastewater treatment facilities in California and serves over 1.4 million people in San José, Santa Clara, Milpitas, Campbell, Cupertino, Los Gatos, Saratoga, and Monte Sereno.[95] The RWF has available capacity to treat up to 167 million gallons per day (mgd). The RWF presently operates at an average dry weather flow of 110 mgd, which is 57 mgd (or 35 percent) under the facility's 167 mgd treatment capacity.[96] Approximately 10 percent of the plant's effluent is recycled for non-potable uses and the remainder flows into San Francisco Bay.

The NPDES permit for the Facility includes wastewater discharge requirements. The site is unoccupied and does not currently generate wastewater.

Stormwater Drainage

The City of Santa Clara owns and maintains the municipal storm drainage system which serves the project site. Existing storm drain lines are located beneath Civic Center Drive and Lincoln Street. All stormwater enters Guadalupe River through the existing stormwater drainage system.

Solid Waste

Solid waste collection in the City of Santa Clara is provided by Mission Trail Waste System through a contract with the City. Mission Trail Waste System also has a contract to implement the Clean Green portion of the City's recycling plan by collecting yard waste. All other recycling services are provided through Stevens Creek Disposal and Recycling. The City has an arrangement with the owners of the Newby Island Landfill, located in San José, to provide disposal capacity for the City of Santa Clara through 2024. The City of San José approved expansion of Newby Island Landfill in August 2012 and the landfill could continue to provide disposal capacity to Santa Clara beyond 2024. Prior to 2024, the City would need to amend their contract with Newby Island or contract with another landfill operator, which would be subject to environmental review. The City also owns property outside its jurisdictional boundaries that could provide for solid waste disposal. The Newby Island Landfill has a remaining capacity of 13.7 million cubic yards.[97] Newby Island Landfill is

[94] City of San Jose. Recycled Water: South Bay Water Recycling. Accessed December 17, 2021. https://www.sanjoseca.gov/home/showdocument?id=522.
[95] City of San José. "San José-Santa Clara Regional Wastewater Facility." Accessed December 17, 2021. https://www.sanjoseca.gov/your-government/environment/water-utilities/regional-wastewater-facility.
[96] City of Santa Clara. 2010-2035 General Plan Integrated Final Environmental Impact Report. SCH# 2008092005. January 2011.
[97] Personal Communication. North, Daniel, General Manager, Republic Services. Re: NISL - remaining capacity and est. closure date. April 19, 2021.

currently in the process of seeking authorization from San José to expand the permitted capacity and accept an additional 15.1 million cubic yards.[98] If the landfill is not available to accept waste, the City will prepare a contract with another landfill, such as Guadalupe Mines in San José, which is anticipated to close in 2048.

As discussed in Section 4.19.1.1, SB 1383 establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. In addition to the state targets, the City of Santa Clara has a construction debris diversion ordinance which requires all projects over 5,000 square feet to divert a minimum 50 percent of construction and demolition debris from landfills. The building contractor would also be required to comply with the 2019 California Green Building Standards Code (codified in Title 24, Part 11 of the California Code of Regulations (CCR)) Section 5.408 Construction Waste Reduction, Disposal and Recycling, which requires the recycling or salvaging for reuse of a minimum of 65 percent of the nonhazardous construction and demolition waste. Landscaping/tree maintenance would occur on the project site that would generate yard waste. Minimal soil waste is generated from site maintenance.

4.19.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
1) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
2) Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
3) Result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
4) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
5) Be noncompliant with federal, state, or local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

[98] The Mercury News. "San José to Study Odors from Newby Island Landfill Before Considering Any Expansion." Accessed: April 24, 2018. Available at: https://www.mercurynews.com/2016/01/14/san-jose-to-study-odors-from-newby-island-landfill-before-considering-any-expansion/.

Impact UTL-1:	The project would not require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. **(Less than Significant Impact)**

The proposed project would connect to the City's existing stormwater, electric, telecommunications, solid waste, and wastewater system infrastructure. Natural gas connections would not be permitted for the project. The proposed project would incrementally increase the demand on existing facilities in the City of Santa Clara. The analysis in the following sections discusses the potential impacts of the project on existing facilities. Based on the following analysis, no relocation of existing or construction of new facilities that would cause a significant environmental effect are needed to serve the proposed project. **(Less than Significant Impact)**

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

The project would construct a 108-unit multi-family development with landscaping. Based on the CalEEMod estimates for water use completed for the project, the project's estimated demand would be approximately 19,635 gallons of water per day for indoor use and 12,380 gallons per day for irrigation.[99]

Based on the maximum 0.5 FAR allowed for the existing Community Commercial General Plan land use designation, an up to 30,500 square foot retail/commercial building would be allowed under this designation. A 30,500 square foot retail space would demand approximately 6,200 gallons of water per day for indoor use and 3,800 gallons per day for outdoor use/landscaping. A 30,500 square foot office space would demand approximately 14,850 gallons of water per day for indoor use and 9,105 gallons per day for outdoor use. [100] The proposed project would result in a higher water demand than uses under the existing General Plan land use and existing uses (with no water demand), however, the increase in water demand would not exceed the capacity of the Santa Clara Water Utility to provide water services to the site. In addition, the City's Water Utility has sufficient water supplies to meet the projected water demand of the City and the proposed project during normal, single dry year, and multiple dry year scenarios. **(Less Than Significant Impact)**

Impact UTL-3:	The project would not result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments**. (Less than Significant Impact with Mitigation Incorporated)**

[99] Based on Senate Bill 610, since the project is not proposed to develop 500 residential units or more, a detailed water supply assessment is not required for the project.
[100] CalEEMod. User Guide. Appendix D, Data Tables. Table 9.1, Water Use Rates: Strip Mall. June 2021. http://www.aqmd.gov/docs/default-source/caleemod/user-guide-2021/appendix-d2020-4-0-full-merge.pdf?sfvrsn=12.

Based on the City's General Plan, the Facility has the capacity to treat 167 million gallons of wastewater a day. The City's average dry weather flow is 13.3 mgd while the treatment capacity is 23 mgd. Based on the wastewater flow unit flow factor of 245 gallons per day provided in the project's sanitary sewer capacity assessment, the project would generate 16,940 gallons per day of wastewater.

The office uses under the existing General Plan land use designation would generate an estimated 12,625 gallons of wastewater per day (assuming the office space's wastewater generation would be 85 percent of indoor water use). Assuming the retail space's wastewater generation would be 85 percent of indoor water use, retail under the current designation would generate approximately 5,270 gallons of wastewater per day. The proposed project would generate more wastewater than uses under the existing General Plan land use designation and existing use on-site (which would generate no wastewater). However, the proposed project would not increase the need for wastewater treatment beyond the capacity of the Facility.

The proposed project would connect to existing sewer lines on Civic Center Drive and Lincoln Avenue. Based on the sewer capacity assessment, wastewater from the project site was directed to flow monitoring sites/manholes on Monroe Street (between Cabrillo Avenue and Don Avenue) and Warburton Avenue at Fillmore Street to determine if the City has capacity to serve the proposed development. The pipelines the project would connect to would have capacity ranging from 56 to 294.5 gallons per minute. The City's sewer pipeline system has capacity to serve the proposed development. City staff have concluded that there is sufficient wastewater treatment capacity for the project. **(Less Than Significant Impact)**

Impact UTL-4:	The project would not generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. **(Less than Significant Impact)**

The Newby Island Landfill, located in San José, has an agreement with the City to provide disposal capacity through 2024. Based on CalEEMod estimates, the proposed project would generate a total of approximately 280 pounds of solid waste per day. This is 280 pounds per day more than the solid waste currently generated on-site. For office uses under the current General Plan land use designation, these uses would generate a maximum of approximately 2,600 pounds of waste per day[101] and retail would generate approximately 100 pounds of solid waste per day.

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

[101] CalRecycle. Commercial Sector Generation Rates. Accessed December 17, 2021. https://www2.calrecycle.ca.gov/wastecharacterization/general/rates. 0.084 lbs/day * 30,500 square feet of office = 2,562 lbs of waste per day.

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

The proposed project would not negatively impact the provision of solid waste services and would comply with AB 341 which requires all businesses in California that generate four or more cubic yards of garbage per week (approximately 6,740 pounds per week) to recycle. Future occupants of the site would be required to direct and recycle waste consistent with federal, state, and local requirements. Thus, the project would not impair the attainment of solid waste reduction goals. **(Less than Significant Impact)**

4.20 WILDFIRE

4.20.1 Environmental Setting

4.20.1.1 *Regulatory Framework*

State

Fire Hazard Severity Zones

CAL FIRE is required by law to map areas of significant fire hazards based on fuels, terrain, weather, and other relevant factors. Referred to as Fire Hazard Severity Zones (FHSZs), these maps influence how people construct buildings and protect property to reduce risk associated with wildland fires. FHSZs are divided into areas where the state has financial responsibility for wildland fire protection, known as state responsibility areas (SRAs), and areas where local governments have financial responsibility for wildland fire protection, known as local responsibility areas (LRAs). Homeowners living in an SRA are responsible for ensuring that their property is in compliance with California's building and fire codes. Only lands zoned for very high fire hazard are identified within LRAs.

4.20.1.2 *Existing Conditions*

The project site is located in a highly urbanized area in of the City of Santa Clara. This area is not located within a Fire Hazard Severity Zone as designated by Cal Fire's Fire and Resource Assessment Program.[102]

4.20.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
1) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
2) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒
3) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒

[102] California Department of Forestry and Fire Protection. Fire Hazard Severity Zones Maps. Santa Clara. Accessed November 8, 2021. https://osfm.fire.ca.gov/divisions/wildfire-planning-engineering/wildland-hazards-building-codes/fire-hazard-severity-zones-maps/.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
4) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

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

4.21 MANDATORY FINDINGS OF SIGNIFICANCE

		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
1)	Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
2)	Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☒	☐	☐
3)	Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

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

As discussed in the previous sections of this Initial Study, the proposed project would not degrade the quality of the environment with implementation of identified conditions of approval and mitigation measures. As discussed in Section 4.4, Biological Resources, with the implementation of the identified mitigation measures (mitigation measure MM BIO-1.1), the project would not significantly impact migratory bird or nesting raptor populations. The project site is developed, is within an urban area, and does not contain suitable habitat for special-status plant or wildlife species. As discussed in Section 4.5, Cultural Resources and Section 4.18, Tribal Cultural Resources, with implementation of the mitigation measures MM CUL-2.1, MM CUL-2.2, MM CUL-2.3 and MM CUL-3.1, the project would have a less than significant impact on archaeological and tribal cultural resources. The project would not result in any impacts to historic resources. **(Less than Significant Impact with Mitigation Incorporated)**

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

Under Section 15065(a)(3) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has potential environmental effects "that are individually limited, but cumulatively considerable." As defined in Section 15065(a)(3) of the CEQA Guidelines, cumulatively considerable means "that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." This Initial Study evaluates the environmental impacts of the proposed office development project. This Initial Study also takes into account other past, pending, and probable future projects whose impacts could combine to produce cumulative impacts.

Based on the City's pending and approved list of projects, there are no current or future projects adjacent to the project site. Projects within one-half mile of the site include: a 56-unit condominium project under construction at 1890 El Camino Real (approximately 600 southwest of the site) and an approved 13-unit condominium development project under construction located on 1900 Warburton Avenue (approximately 600 feet northwest of the site).

Resource Topics not Impacted by the Project

The project would have no impact on agricultural, mineral resources, and wildfire hazards; therefore, the project has no potential to combine with other projects to result in cumulative impacts to those resources.

Cumulative Air Quality Impacts

Regional Air Quality Impacts

By its nature, air pollution is largely a cumulative impact. The geographic area for cumulative air quality impacts is the San Francisco Bay Area Air Basin. No single project is sufficient in size, by itself, to result in nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. The project would emit criteria air pollutants and contribute to the overall regional emissions of these pollutants. The project-level thresholds identified by BAAQMD (which the project's impacts were compared to in *Section 4.3, Air Quality*) are the basis for determining whether a project has a cumulatively considerable contribution to the existing cumulatively significant air quality impact. The project's construction (with the implementation of best management practices to reduce fugitive dust emissions) and operational criteria air pollutant emissions would be below BAAQMD thresholds for these pollutants. Therefore, the project's incremental contribution to regional air quality impacts would not be cumulatively considerable, resulting in a less than significant cumulative impact. **(Less Than Significant Cumulative Impact)**

Cumulative Community Health Risk Impacts

Community health risk assessments typically look at all substantial sources of TACs that can affect sensitive receptors that are located within 1,000 feet of a project site. The project's impacts combined with stationary and mobile TAC sources were evaluated to assess the impacts on the construction MEIs (shown on Figure 4.21-1). These TAC sources include surface streets and stationary sources identified by BAAQMD. Within the project vicinity, traffic on El Camino Real and Scott Boulevard would exceed 10,000 vehicles per day. A refined analysis was utilized to predict emissions for the traffic volume and mix of vehicle types on both roadways near the project site; an atmospheric dispersion model to predict exposure of the MEIs to TACs. Other nearby streets are assumed to have less than 10,000 vehicles per day.

A review of BAAQMD's stationary source map identified five stationary sources of TACs with potential to affect the project sensitive receptors. The five stationary sources identified include two generators, an auto body coating operation, and a gas dispensing facility. However, one of the stationary sources (source # 24384) is located at the current, vacant project site that will be demolished as part of the proposed project. Therefore, its risk and hazard levels were not included as part of this analysis. The locations of the existing sources of TACs are shown in Figure 4.21-1. Both the project and cumulative community risk impacts at the sensitive receptors most affected by construction (i.e., the MEIs) are reported in Table 4.21-1.



Source: Illingworth & Rodkin, Inc., November 30, 2021.

LOCATIONS OF EXISTING TAC SOURCES | FIGURE 4.21-1

Table 4.21-1: Cumulative Community Health Risk Impacts at Off-Site MEI				
Source		**Cancer Risk (per million)**	**Annual $PM_{2.5}$ ($\mu g/m^3$)**	**Hazard Index**
Project Impacts				
Project Construction	Mitigated	5.99 (infant)	0.15	<0.01
Cumulative Impacts				
El Camino Real, ADT* 26,400		0.65	0.05	<0.01
Scott Boulevard, ADT* 21,762		0.27	0.03	<0.01
Underwriters Laboratories, Inc. (Facility ID #2896), MEI at 0 feet		<0.01	0.02	<0.01
International Auto Center, Inc. (Facility ID #11294), MEI at 1,000+ feet		--	--	<0.01
City of Santa Clara Generator (Facility ID #16266), MEI at 530 feet		0.25	<0.01	<0.01
ARCO Gas Station (Facility ID #111625), MEI at 960 feet		0.26	--	<0.01
Cumulative Total	Mitigated	<7.43	<0.26	<0.07
BAAQMD Cumulative Source Threshold		**100**	**0.8**	**10.0**
Exceed Threshold?	Mitigated	No	No	No
*ADT = Average Daily Traffic				

As shown in Table 4.21-1, the cumulative impact of project construction combined with the existing sources of TACs in the project vicinity would not exceed the BAAQMD cumulative source threshold. There are two projects approved projects under construction located within 1,000 feet of the project site, 1890 El Camino Real and 1900 Warburton Avenue residential projects.[103] For the purposes of this Initial Study, construction of all three projects is assumed to occur simultaneously to provide a conservative analysis. Based on the approved Initial Studies for the approved projects, implementation of construction best management practices to reduce dust emissions and mitigation to reduce diesel emissions would reduce the cancer risk and $PM_{2.5}$ concentrations to below BAAQMD thresholds. Therefore, since the combined TAC sources would be less than BAAQMD

[103] The 1890 El Camino Real and 1900 Warburton Avenue projects are not included in Table 4.21-1. However, the approved Initial Studies for these projects concluded that implementation of mitigation and construction best management practices to reduce diesel and fugitive dust emissions would result in $PM_{2.5}$ concentrations, HI, and cancer risks below BAAQMD thresholds during construction. The 1890 El Camino Real project would result in a $PM_{2.5}$ concentration of 0.1 $\mu g/m^3$ and child cancer risk of 2.6 in one million at sensitive receptors south of El Camino Real (within 1,000 feet of the 1890 El Camino Real site) with mitigation. Given the small size of the 1900 Warburton Avenue project (13 condominiums), short construction duration period, and limited grading, the Warburton project was assumed to result in low construction emissions and did not warrant a quantitative construction health risk assessment.

cumulative source thresholds, the cumulative health risk impact from construction TACs on the project MEIs would be less than significant. **(Less than Significant Cumulative Impact)**

Cumulative Greenhouse Gas Emissions and Energy Impacts

The proposed project and past, present, and future development projects worldwide contribute to global climate change. No single project is sufficient in size to, by itself, change the global average temperature. Therefore, due to the nature of GHG impacts, a significant project impact is a significant cumulative impact. As discussed in *Section 4.8, Greenhouse Gas Emissions*, the project's operational emissions would not exceed the 660 MT of CO_2e per year 2030 bright-line threshold or the per capita threshold of 2.8 MT CO_2e per year per service population. The project would, therefore, not result in a significant GHG impact. For these reasons, the project would not result in a cumulatively considerable contribution to a significant cumulative GHG impact. **(Less Than Significant Cumulative Impact)**

The geographic area for cumulative energy impacts is the State of California. Past, present, and future development projects contribute to the state's energy impacts. If a project is determined to have a significant energy impact, it is concluded that the impact is cumulatively considerable. The project would not result in significant energy impacts or conflict or obstruct a state or local plan for energy efficiency. The project, therefore, would not have a cumulatively considerable contribution to a significant cumulative energy impact. **(Less Than Significant Cumulative Impact)**

Cumulative Noise Impacts

The geographic area for cumulative noise impacts is approximately a 1,000 feet radius from the site. The cumulative projects (i.e., the proposed project, approved 1900 Warburton Avenue and 1890 El Camino Real project) will implement construction and construction-related vibration measures to reduce the cumulative impacts to the nearby noise sensitive receptors to less than significant.

A significant cumulative traffic noise increase would occur if two criteria are met: 1) if the cumulative traffic noise level increase was three dBA CNEL or greater for future levels exceeding 60 dBA CNEL or was 5 dBA CNEL or greater for future levels at or below 60 dBA CNEL; and 2) if the project would make a "cumulatively considerable" contribution to the overall traffic noise increase. A "cumulatively considerable" contribution would be defined as an increase of one dBA CNEL or more attributable solely to the proposed project. Given the project would generate low traffic volumes, 40 AM peak hour trips and 42 PM peak trips, the project would not result in a cumulatively considerable contribution to traffic noise.

Operational mechanical equipment noise generated by the project would be below City Code thresholds for adjacent residential uses. Based on the proposed project's noise assessment, sensitive receptors more than 100 feet from the rooftop mechanical equipment would not experience noise in exceedance of City Code thresholds. Given the distance between the approved projects in the area, the proposed project would not result in any cumulative mechanical impacts to these receptors. **(Less Than Significant Cumulative Impact)**

Cumulative Traffic Impacts

The geographic area for cumulative transportation impacts is the City of Santa Clara. Since the project is 100 percent affordable housing project, the project would result in a less than significant VMT impact and would result in less than 100 trips in the commute peak period; therefore, the project would result in a less than cumulatively considerable contribution to the significant Citywide VMT impact. **(Less than Significant Cumulative Impact)**

Cumulative Aesthetics and Land Use Impacts

The geographic area of cumulative aesthetics (from which the project would be visible) and land use impacts is the project's immediate vicinity. Since there are no pending or approved projects within the project site's immediate vicinity, the project would not result in cumulative aesthetics or land use impacts.

Cumulative Biological Resources Impacts

The geographic area for cumulative impacts to trees includes the project site and adjacent parcels. There are no current or reasonably foreseeable projects adjacent to the project site. Therefore, the project would not have the potential to result in combined impacts to trees. **(No Cumulative Impact)**

The geographic area for cumulative impacts to sensitive habitats such as wetland, riparian habitats, and serpentine habitats, and special-status species would be Santa Clara County. The project would have no impact on riparian, wetland habitats or special-status species and, therefore, would not combine impacts to these habitats with other projects elsewhere. **(No Cumulative Impact)**

The project site is not located within an adopted Habitat Conservation Plan; therefore, the applicant is not required to pay Habitat Plan fees and the project would not have a cumulative impact. **(No Cumulative Impact)**

The geographic area for cumulative impacts to migratory wildlife would be Santa Clara County. Construction of projects throughout the County, including the proposed project, could result in a significant cumulative impact on nesting birds. Each project is subject to federal, state, and local regulations (including the MBTA, Fish and Game Code, and CEQA), which would avoid and/or minimize impacts to nesting birds. The project, with the implementation of mitigation measure MM BIO-1.1 would comply with the MBTA and Fish and Game Code, would not result in a cumulatively considerable contribution to a significant cumulative impact to nesting birds. **(Less Than Significant Cumulative Impact with Mitigation Incorporated)**

Cumulative Cultural Resources, Tribal Cultural Resources, and Geology Impacts

The project would have no impact on historic resources and, therefore, would not combine impacts to these resources with other projects or contribute to any cumulative impacts to these resources. **(No Cumulative Impact).**

The geographic area for archaeological resources, human remains, and tribal cultural resources is the project site and parcels in the project area with similar resources. The nearest approved development projects are located at least 600 feet from the site. The cumulative projects would be required to implement mitigation measures to reduce impacts to unknown archaeological resources, human

remains, and tribal cultural resources during construction. With the implementation of these measures, the cumulative impacts to the resources would be less than significant. **(Less than Significant Cumulative Impact)**

The geographic area for cumulative geological impacts would be locations adjacent to the site. There are no other current projects under construction or future projects immediately adjacent to the project site. Therefore, the project has no potential to combine impacts to geological resources or soils with other projects. **(No Cumulative Impact)**

Hazards and Hazardous Materials Impacts

The geographic area for hazards and hazardous materials is the project site and adjacent parcels. The potential for on-site hazardous materials contamination to affect adjacent properties in combination with other development in the project vicinity is limited. Based on former agricultural uses at the site, the site could contain pesticides in soil or groundwater. Given the distance of the project site from other pending or approved development and with the project's implementation of mitigation measures MM HAZ-1.1 through MM HAZ-2.4 to properly manage and sample soil, the project does not have the potential to hazardous materials combine impacts with other cumulative projects. The project, in combination with cumulative projects in the area, would not result in a cumulative hazardous materials impact. **(Less Than Significant Cumulative Impact with Mitigation Incorporated)**

Cumulative Hydrology Impacts

The geographic area for cumulative hydrology and water quality impacts is the San Tomas Aquino Creek watershed. Cumulative developments within the watershed would have similar hydrological and urban runoff conditions. All projects occurring within Santa Clara would be required to implement the same standard measures/BMPs related to construction water quality as the proposed project (including preparation of a SWPPP if disturbance is greater than one-acre). In addition, all cumulative projects that would disturb more than one-acre of soil or replace/add more at least 10,000 square feet of impervious surfaces would be required to meet applicable San Francisco RWQCB requirements and the City's SWCP requirements on a project-specific basis. For these reasons, the cumulative projects, including the proposed project, would not result in significant cumulative hydrology or water quality impacts. **(Less than Significant Cumulative Impact)**

Cumulative Utility and Service System Impacts

The geographic area for cumulative utility and service system impacts is the City of Santa Clara. The project, by itself, would have a less than significant impact on utilities and service systems (refer to Section 4.19). As discussed in Section 4.19, there is sufficient water supply for the proposed project. The project could demand approximately 21,750 gallons of more water per day than what was assumed in the General Plan.

Build-out of the General Plan and the proposed project would result in an increase in sewage generated within the City. As discussed in the certified General Plan EIR, the average dry weather flows projected from the full build-out of the General Plan were projected to be within the City's allocated treatment capacity at the RWF, which at the time of the certification of the General Plan

EIR was 20.1 mgd[104] and below the City's 2017 flow allocation of approximately 20.5 mgd. The project could result in 21,680 gallons per day of wastewater beyond what is assumed in the General Plan, however, a sanitary sewer capacity assessment determined that the City's sewer system has capacity to serve the project.

Since the certification date of the General Plan EIR, however, the City has approved development applications that have included General Plan amendments, each of which have incrementally increased the potential sewage generation at full build-out. Consequently, it is conceivable that at some point prior to 2035, the City could exceed its current capacity allocation, and the proposed project is anticipated to generate an additional 0.3 mgd.[105] However, the RWF has excess flow capacity of approximately 59.7 mgd, and the City has a process to obtain additional capacity rights at the RWF, without the need for any physical improvements to the RWF.[106]

Based on the above discussion, there is sufficient treatment capacity at the RWF to serve the build-out of the General Plan and the cumulative projects (including the proposed project). The cumulative projects would not result in a significant cumulative impact on wastewater treatment capacity.

Wastewater flow from the site to the City's pump stations would not cause the facilities to exceed capacity. The cumulative projects would not cause the City's pump stations to exceed capacity, as the City is planning for future capacity improvements as additional developments are proposed, for which environmental analysis would be conducted. The project would, therefore, not result in cumulative impacts to pump stations or sanitary sewer facilities. **(Less than Significant Cumulative Impact)**

The project would not relocate natural gas, electricity, or telecommunications lines. The project would not combine impacts to these utility lines with other projects, therefore, no cumulative impacts to these utilities would result from the combined projects. **(No Cumulative Impact)**

Build-out of the City and the proposed project would generate solid waste that would need to be disposed of appropriately. Consistent with the conclusion in the certified General Plan EIR and City Place Santa Clara Project EIR,[107] without a specific plan for disposing of solid waste beyond 2024, the solid waste generated by development in the City post-2024 (including waste from the proposed project and other cumulative projects such as City Place Santa Clara) would result in a significant unavoidable cumulative impact. Although the project would generate more solid waste than assumed in the General Plan, the proposed project, by itself, would not have a cumulatively considerable contribution towards the solid waste impact. **(Less than Significant Cumulative Impact)**

[104] City of Santa Clara. *2010-2035 General Plan Integrated Final Environmental Impact Report.* SCH# 2008092005. January 2011. Page 228.
[105] V&A Consulting Engineers. *City of Santa Clara Gateway Crossing Mixed Use Sewer Capacity Study.* June 2017.
[106] The total flow capacity at the RWF is 167 mgd, and the joint owners (Santa Clara and San José) have agreements with several tributary agencies, which have capacity rights of approximately 35 mgd. Pursuant to Section V.B.3 of the 1983 agreements with the tributary agencies, Santa Clara can purchase additional capacity from those tributary agencies.
[107] City of Santa Clara. *City Place Santa Clara Project Draft Environmental Impact Report.* SCH# 2014072078. Certified June 2016. Pages 3.14-38 and 3.14-39.

Population and Housing

The geographic area for cumulative population and housing impacts is the City of Santa Clara. The cumulative resident-generating projects in the City would be consistent with applicable land use policies aimed at improving the City's jobs/housing balance and related land use assumptions in the existing General Plan. The proposed project would add up to 290 residents and, therefore, incrementally increase the City's population by 290. Although the project would result in an increase in population beyond what was assumed in the General Plan, the project would improve the City's jobs/housing imbalance by adding new residents. For this reason, the jobs added by the project would not make a cumulatively considerable contribution to a worsening of the jobs/housing imbalance. **(Less Cumulatively Considerable Contribution to a Significant Cumulative Impact)**

Public Services and Recreation

The geographic area for cumulative public services impacts is the City of Santa Clara. Development in the project area would increase demand on fire and police protection services, schools, and recreational facilities. All cumulative projects would be subject to state, county, and City policies and regulations associated with public services within Santa Clara (such as payment of in-lieu park fees). Although the project proposes to increase the residential density on-site above the current General Plan, the project would comply with the parkland dedication requirements/in-lieu park fees and school impact fees identified Section 4.15, Public Services and would not result in cumulative public services or recreation impacts.

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

Consistent with Section 15065(a)(4) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has the potential to cause substantial adverse effects on human beings, either directly or indirectly. Pursuant to this standard, a change to the physical environment that might otherwise be minor must be treated as significant if people would be significantly affected. This factor relates to adverse changes to the environment of human beings generally, and not to effects on particular individuals. While changes to the environment that could indirectly affect human beings would be represented by all of the designated CEQA issue areas, those that could directly affect human beings include air quality, hazardous materials, and noise. Implementation of the best management practices, conditions of approval, mitigation measures, and adherence to General Plan, City Code, and state and federal regulations described in these sections of the report, would avoid significant impacts. No other direct or indirect adverse effects on human beings have been identified. **(Less Than Significant Impact)**

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SECTION 6.0 LEAD AGENCY AND CONSULTANTS

6.1 LEAD AGENCY

City of Santa Clara
Community Development Department
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Debby Fernandez, Project Planner

6.2 CONSULTANTS

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Amber Sharpe, Project Manager
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Ryan Osako, Graphic Artist

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Arborists
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PaleoWest, Inc.
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Garret Root, Historical Resources Program Manager/Senior Architectural Historian

Professional Service Industries, Inc.
Geotechnical and Hazardous Materials Consultants
Brand Burfield, P.G., Project Geologist
Douglas T. Abernathy, Senior Project Engineer

SECTION 7.0 ACRONYMS AND ABBREVIATIONS

2017 CAP	Bay Area 2017 Clean Air Plan
AB	Assembly Bill
ABAG	Association of Bay Area Governments
ACM	Asbestos containing material
AIA	Airport Influence Area
ALUC	Airport Land Use
BAAQMD	Bay Area Air Quality Management District
Basin Plan	Water Quality Control Plan for the San Francisco Bay Basin
BMP	Best Management Practice
Btu	British thermal units
CalEEMod	California Emissions Estimator Model
CalEPA	California Environmental Protection Agency
CAL FIRE	California Department of Forestry and Fire Protection
Cal/OSHA	California Department of Industrial Relations, Division of Occupational Safety and Health
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CBC	California Building Standards Code
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
CGS	California Geological Survey
CH_4	Methane
CLUP	Comprehensive Land Use Plan
CMP	Congestion Management Program
CNEL	Community Noise Equivalent Level
CO	Carbon monoxide
CO_2	Carbon dioxide
CO_2e	CO_2 equivalents
CRHR	California Register of Historical Resources
CUPA	Certified Unified Program Agency
dBA	A-weighted decibel

DNL	Day-Night Level
DPM	Diesel particulate matter
DTSC	Department of Toxic Substances Control
EIR	Environmental Impact Report
EPA	Environmental Protection Agency
ESD	Environmental Services Department
FAA	Federal Aviation Administration
FAR Part 77	Federal Aviation Regulations, Part 77 Objects Affecting Navigable Airspace
FEMA	Federal Emergency Management Agency
FHSZ	Fire hazard severity zone
FIRM	Flood Insurance Rate Map
FMMP	Farmland Mapping and Monitoring Program
FTA	Federal Transit Authority
GHG	Greenhouse gas
GPA	General Plan Amendment
GWh	gigawatt hours
GWP	Global warming potential
Habitat Plan	Santa Clara Valley Habitat Plan/Natural Community Conservation Plan
HFCs	Hydrofluorocarbons
HOV	High occupancy vehicle
L_{eq}	Average energy level intensity
L_{max}	Maximum A-weighted noise level
LID	Low Impact Development
LOS	Level of service
LUTE	Land Use and Transportation Element
MBTA	Migratory Bird Treaty Act
mgd	Million gallons per day
MLD	Most Likely Descendant
$MMTCO_2e$	Million metrics tons of carbon dioxide equivalent
MND	Mitigated Negative Declaration
mpg	miles per gallon
MTC	Metropolitan Transportation Commission
NAHC	Native American Heritage Commission

NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Act
NOD	Notice of Determination
NOI	Notice of Intent
N_2O	Nitrous oxide
NO_x	Nitrogen oxides
NO_2	Nitrogen dioxide
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
O_3	Ground-level ozone
OEHHA	California Office of Environmental Health Hazard Assessment
OITC	Outdoor-Indoor Transmission Class
OPR	Office of Planning and Research
PDAs	Priority Development Areas
PFCs	Perfluorocarbons
PG&E	Pacific Gas and Electric Company
PM	Particulate matter
$PM_{2.5}$	Fine particulate matter
PM_{10}	Coarse particulate matter
PPV	Peak Particle Velocity
RHNA	Regional Housing Need Allocation
ROG	Reactive organic gases
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCS	Sustainable Communities Strategy
SCRWA	South County Regional Wastewater Authority
SCVWD	Santa Clara Valley Water District
SHMA	Seismic Hazards Mapping Act
SF_6	Sulfur hexafluoride
SFHAs	Special Flood Hazard Areas
SMARA	Surface Mining and Reclamation Act
SMGB	State Mining and Geology Board
SO_x	Sulfur oxides

SR	State Route
STC	Sound Transmission Class
SVCE	Silicon Valley Clean Energy
SWPCP	Sunnyvale Water Pollution Control Plant
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TACs	Toxic air contaminants
TCRs	Tribal Cultural Resources
USACE	United States Army Corps of Engineers
USFWS	United States Fish and Wildlife Service
USGS	United States Geological Survey
UWMP	Urban water management plan
VTA	Santa Clara Valley Transportation Authority