Westwood Elementary School Master Plan
Initial Study / Mitigated Negative Declaration

Santa Clara Unified School District

1889 Lawrence Road
Santa Clara, CA 95051

August 2024

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Santa Clara Unified School District

Santa Clara Unified School District

DRAFT MITIGATED NEGATIVE DECLARATION

The Santa Clara Unified School District (SCUSD) Board has reviewed the proposed project described below to determine whether it could have a significant effect on the environment as a result of project implementation. “Significant effect on the environment” means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affect by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance (CEQA Guidelines Section 15382).

PROJECT INFORMATION AND LOCATION

Project Name: Westwood Elementary Master Plan Project

Location: 435 Saratoga Avenue, Santa Clara, California 95050

PROJECT DESCRIPTION

The project is the implementation of a school master plan which sets forth planned improvements the school district intends to undertake over the next 30 years. Full buildout of the Master Plan includes replacement of most of the buildings on campus and would ultimately support 27 classrooms and a maximum capacity of 584 students, which represents ten fewer classrooms and 162 fewer students than are currently accommodated, and other on-site improvements. Phase 1 (targeted for completion in Fall 2026) includes: a new multipurpose building, cooking kitchen, shaded outdoor lunch area, kindergarten shade structure, and metal PE shade structure; new drives, parking, and entry plaza; and accessibility, utility, paving, fencing, and roofing improvements. Other future Master Plan improvements include field/blacktop improvements, removal of all portable classrooms on the site, classroom modernization including new kindergarten and preschool classroom buildings, a two-story classroom building, additional student support spaces, maker space, an administration building, shade structures, and additional drives and parking lot reconfiguration. Currently, funding has only been identified for Phase 1 with other improvements identified in the Master Plan to be completed as funding becomes available for each phase. No new uses are proposed by the project.

FINDINGS OF DECISION-MAKING BODY

The SCUSD Board finds the project will not have a significant effect on the environment based on the analysis completed in the attached Initial Study. The SCUSD Board, before the public release of this draft Mitigated Negative Declaration (MND), has agreed to make project revisions that mitigate the project’s effects to a less than significant level. The SCUSD agrees to implement the mitigation measures identified in the attached Initial Study and summarized below.

Mitigation Measures

The project could result in significant adverse effects to biological resources, cultural resources, geology and soil resources, noise, and tribal cultural resources. However, the project includes the mitigation measures listed below, which reduce these impacts to a less-than-significant level. With implementation of these mitigation measures, the project would not substantially degrade the quality of the environment, or cause substantial adverse effects on humans, either directly or indirectly.

Mitigation Measures Incorporated into the Project	
Impact BIO-1: Project related activities and noise during the avian breeding season (generally February 1st to September 15th) could cause injury to individuals and nest abandonment as well as temporarily disturb nesting and foraging activities.	**Mitigation Measure BIO-1: Avoidance.** To the extent feasible, construction activities should be scheduled to avoid the nesting season. If construction activities are scheduled to take place outside the nesting season, all impacts to nesting birds protected under the MBTA and California Fish and Game Code would be avoided. The nesting season for most birds in Santa Clara County extends from February 1 through September 15. **Pre-Construction Surveys.** If construction activities (including but not limited to mobilization and staging, clearing, grubbing, vegetation removal, fence installation, demolition, and grading) cannot avoid the avian nesting season (that is, prior to February 1 or after September 15), all suitable habitats located within the project's area of disturbance, including staging and storage areas plus a 100-foot buffer for non-raptors and 300-foot buffer for raptor nests shall be thoroughly surveyed, as access allows, for the presence of active nests. The surveys shall be conducted by a qualified biologist no more than five days before commencement of any vegetation trimming, site disturbance activities and equipment mobilization. If project activities are delayed by more than five days, an additional nesting bird survey shall be performed. Active nesting is present if a bird is building a nest, sitting in a nest, a nest has eggs or young in it, or adults are observed carrying food to the nest. The results of the surveys shall be documented. If pre-construction nesting bird surveys result in the location of active nests, no site disturbance and mobilization of heavy equipment (including but not limited to equipment staging, fence installation, clearing, grubbing, vegetation removal, fence installation, demolition, and grading), shall take place within 100 feet of non-raptor nests and 300 feet of raptor nests, unless smaller buffers are determined by a qualified biologist. The buffer shall remain in place until the young have fledged. Monitoring will ensure compliance with MBTA and relevant California Fish and Game Code

	requirements. Monitoring dates and findings shall be documented. A qualified biologist is an individual who has a degree in biological sciences or related resource management with a minimum of two seasonal years post-degree experience conducting surveys for nesting birds. During or following academic training, the qualified biologist will have achieved a high level of professional experience and knowledge in biological sciences and special-status species identification, ecology, and habitat requirements.
Impact BIO-2: The project may adversely impact bird mortality due to glass windows and building façade.	**Mitigation Measure BIO-2. Implement Bird-Safe Building Design.** If extensive glass facades (e.g., glass walls, walkway railings, balcony railings) are proposed on proposed buildings, the project shall implement the following bird-safe design considerations: • Use glazing or window coatings/markings that reduce bird strike hazard caused by transparency, reflectance, black hole, or passage effect, etc., such as Guardian Bird1st etch glass or similar. See recommendations in ABC (2019) at https://abcbirds.org/glass-collisions/ • Minimize plantings and landscaped areas behind glass walls or railings. • Minimize concentrations of plantings adjacent to glass facades and glass corners.
Impact CUL-1: Construction of the project could potentially result in disturbance to unknown buried cultural resources including prehistoric Native American burials.	**Mitigation Measure CUL-1a: Project Plan Notes.** The SCUSD shall note on any plans that require ground disturbing excavation that there is a potential for exposing buried cultural resources including prehistoric Native American burials. Significant prehistoric cultural resources are defined as human burials, features or other clusterings of finds made, modified, or used by Native American peoples in the past. The prehistoric and protohistoric indicators of prior cultural occupation by Native Americans include artifacts and human bone, as well as soil discoloration, shell, animal bone, sandstone cobbles, ashy areas, and baked or vitrified clays. Prehistoric cultural materials may include: • Human bone - either isolated or intact burials. • Habitation (occupation or ceremonial structures as interpreted from rock rings/features, distinct ground depressions, differences in compaction (e.g., house floors)). • Artifacts including chipped stone objects such as projectile points and bifaces; groundstone artifacts

	such as manos, metates, mortars, pestles, grinding stones, pitted hammerstones; and shell and bone artifacts including ornaments and beads. • Various features and samples including hearths (fire-cracked rock; baked and vitrified clay), artifact caches, faunal and shellfish remains (which permit dietary reconstruction), or distinctive changes in soil stratigraphy indicative of prehistoric activities. • Isolated artifacts. Historic cultural materials may include finds from the late 19th through early 20th centuries. Objects and features associated with the Historic Period can include: • Structural remains or portions of foundations (bricks, cobbles/boulders, stacked field stone, postholes, etc.). • Trash pits, privies, wells, and associated artifacts. • Isolated artifacts or isolated clusters of manufactured artifacts (e.g., glass bottles, metal cans, manufactured wood items, etc.). • Human remains. In addition, cultural materials including both artifacts and structures that can be attributed to Hispanic, Asian and other ethnic or racial groups are potentially significant. Such features or clusters of artifacts and samples include remains of structures, trash pits, and privies. **Mitigation Measure CUL-1b: On-Call Archaeologist.** The SCUSD shall retain a Professional Archaeologist on an on-call basis during ground disturbing construction activities to review, identify, and evaluate any potential cultural resources that may be inadvertently exposed during construction. The archaeologist shall review and evaluate any discoveries to determine if they are historical resource(s) and/or unique archaeological resources under the California Environmental Quality Act (CEQA). If the Professional Archaeologist determines that any cultural resources exposed during construction constitute a historical resource and/or unique archaeological resource under CEQA, they shall notify the SCUSD and other appropriate parties of the evaluation and recommend mitigation measures to mitigate to a less than significant impact in accordance with California Public Resources Code Section 15064.5. Mitigation measures may include avoidance, preservation in place, recordation, additional archaeological testing and data recovery among other options. The completion of a formal Archaeological

	Monitoring Plan (AMP) and/or Archaeological Treatment Plan (ATP) that may include data recovery may be recommended by the Professional Archaeologist if significant archaeological deposits are exposed during ground disturbing construction. Development and implementation of the AMP and ATP and treatment of significant cultural resources will be determined by the SCUSD in consultation with any regulatory agencies. **Mitigation Measure CUL-1c: Monitoring Closure Report.** A Monitoring Closure Report shall be filed with the SCUSD at the conclusion of ground disturbing construction if archaeological and Native American monitoring of excavation was undertaken.
Impact CUL-2: Project excavation could disturb previously unknown human remains.	**Mitigation Measure CUL-2**: **Contact County Coroner.** If potential human remains are found, the lead agency (SCUSD) and the Santa Clara County Coroner shall be immediately notified of the discovery. State law shall be followed in regard to Native American burials, Section 7050.5, Chapter 1492 of the California Health and Safety Code and Sections 5097.94, 5097.98 and 5097.99 of the Public Resources Code. The coroner would provide a determination regarding the nature of the remains within 48 hours of notification. No further excavation or disturbance of the identified material, or any area reasonably suspected to overlie additional remains, can occur until a determination has been made. If the County Coroner determines that the remains are, or are believed to be, of Native American ancestry, the coroner would notify the Native American Heritage Commission within 24 hours. In accordance with California Public Resources Code, Section 5097.98, the Native American Heritage Commission must immediately notify those persons it believes to be the Most Likely Descendant from the deceased Native American. Within 48 hours of this notification, the Most Likely Descendant would recommend to the lead agency their preferred treatment of the remains and associated grave goods.
Impact GEO-1: Construction activities could inadvertently expose, damage, and destroy paleontological resources.	**Mitigation Measure GEO-1: Paleontological Resources**. Discovery of a paleontological specimen during any phase of the project shall result in a work stoppage in the vicinity of the find until it can be evaluated by a professional paleontologist. Should loss or damage be detected, additional protective measures or further action (e.g., resource removal), as determined by a professional paleontologist, shall be implemented to mitigate the impact.

Impact NOI-1: Project construction activities could result in a substantial temporary increase in ambient noise level in the vicinity of the project site that could annoy sensitive noise receptors and/or interfere with the normal use and enjoyment of residential properties.	**Mitigation Measure NOI-1: Reduce Potential Project Construction Noise Levels.** To reduce potential noise levels from project construction activities, the SCUSD and/or its construction contractor(s) shall: 1) All work shall be subject to the time limitations of the City of Santa Clara Municipal Code and shall be performed within approved working hours (7 AM to 6 PM on Monday through Friday and 9 AM to 6 PM on Saturdays with work prohibited on Sundays and holidays). Signs shall be posted at the entrance to the site and at construction equipment staging areas informing all workers and construction contractors of City code requirements. 2) Construction Equipment Selection, Use, and Noise Control Measures: The following measures shall apply to construction equipment used at the project site: a. Construction staging shall occur as far away from residential land uses as possible given site and active work constraints. b. Electric hook-ups shall be provided for stationary equipment (e.g., pumps, compressors, welding sets). This measure shall be subject to the approval of the local electric utility. If electric service is denied, the SCUSD shall ensure actions 3a and 3c are implemented. c. All stationary noise generating equipment shall be located as far as possible from residential land uses given site and active work constraints. d. Heavy equipment engines shall be equipped with standard noise suppression devices such as mufflers, engine covers, and engine/mechanical isolators, mounts, and be maintained in accordance with manufacturer's recommendations during active construction activities. e. Pneumatic tools shall include a suppression device on the compressed air exhaust. f. No radios or other amplified sound devices shall be audible beyond the property line of the construction site, unless necessary to complete the construction of the proposed project. 3) Prepare a Construction Noise Complaint Plan: The contractor shall prepare a Construction Noise Complaint Plan that shall: a. Identify the name and/or title and contact information (including phone number and email) for a designated contractor representative responsible for addressing construction-related noise issues.

	b. At a minimum, upon receipt of a noise complaint, describe that the contractor representative shall identify the noise source generating the complaint, determine the cause of the complaint, and take steps to resolve the complaint in coordination with the SCUSD.
Impact TCR-1: Project construction could result in discovery of significant Native American artifacts (tribal finds) that the lead agency considered significant to a local tribe.	**Mitigation Measure TCR-1: Consider all Native American Archaeological Discoveries to be Significant Resources**. All Native American artifacts (tribal finds) shall be considered as a significant Tribal Cultural Resource, pursuant to PRC 21074 until the lead agency has enough evidence to make a determination of significance. The SCUSD shall coordinate with an archaeologist who meets the U.S. Secretary of the Interior's Professional Qualifications, as well as an appropriate tribe or tribes, as determined by the NAHC, to develop an appropriate treatment plan for the resources. The plan may include implementation of archaeological data recovery excavations to address treatment of the resource along with subsequent laboratory processing and analysis. An archaeological report will be written detailing all archaeological finds and submitted to the SCUSD. The implementation of Mitigation Measures CUL-1a, through CUL-1c, and CUL-2 (see 3.5.3 Impact Discussion) and TCR-1 would reduce potential impacts to Tribal Cultural Resources to a less-than-significant level.

These Standard Design and Construction Measures will be included in project construction drawings and/or specifications and as such are considered a part of the project and are not considered mitigation measures.

Impact Area	Standard Design and Construction Measure
Air Quality	**Fugitive Dust** – To reduce potential fugitive dust that may be generated by project construction activities, the SCUSD or its contractor shall implement the following BAAQMD basic construction measures when they are appropriate: • All active construction areas will be watered twice daily or more often if necessary. Increased watering frequency will be required whenever wind speeds exceed 15 miles-per-hour. • Cover stockpiles of debris, soil, sand, and any other materials that can be windblown. Trucks transporting these materials will be covered. • If required pursuant to BAAQMD Regulation 6 Rule 6 (regarding construction site size being 1-acre or larger), all visible mud or dirt trackout onto adjacent public roads will be removed using wet power vacuum street

Impact Area	Standard Design and Construction Measure
	sweepers at least once per day or as often as necessary to keep them free of dust and debris associated with site construction. The use of dry power sweeping is prohibited. • Subsequent to clearing, grading, or excavating, exposed portions of the site will be watered, landscaped, treated with soil stabilizers, or covered as soon as possible. Hydroseed or apply (nontoxic) soil stabilizers to inactive construction areas and previously graded areas inactive for 10 days or more. • Installation of sandbags or other erosion control measures to prevent silt runoff to public roadways. • Replanting of vegetation in disturbed areas as soon as possible after completion of construction. • Idling times will be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes. Clear signage will be provided for construction workers at vehicle access points. • All construction equipment will be maintained and properly tuned in accordance with manufacturer's specifications. All equipment will be checked by a certified mechanic and determined to be running in proper condition prior to operation. • Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person will respond and take corrective action within 48 hours. The BAAQMD's phone number will also be visible to ensure compliance with applicable regulations.
Geology and Soils	**Geotechnical Investigation.** The Field Act and Division of the State Architect (DSA) require the preparation of site and project specific geotechnical reports. All recommendations from these required reports shall be included in project plans and specifications.
Hazardous Materials	**Identification Removal and or Remediation.** Future phases of construction would be subject to both Division of the State Architect and Department of Toxic Substances Control (DTSC) oversight for the identification and remediation of hazardous materials affected by Master Plan activities. This process includes the preparation of a Preliminary Environmental Assessment (PEA) to identify hazardous materials and would be conducted for each subsequent phase of the Master Plan as the phases are funded. The PEA identifies materials for remediation and a phase-specific Work Plan would be developed, then would need to be reviewed and approved by

Impact Area	Standard Design and Construction Measure
	DTSC then implemented by the District and/or it's contractors to address and remediate any concerns.
Hydrology/Water Quality	**General Permit for Construction Activity.** The project disturbs more than one acre of land and therefore requires compliance with the requirements of the California General Permit For Stormwater Discharges associated with Construction Activity (Permit No. CAS000002). The Construction General Permit requires the filing of a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) during construction. In order to meet the requirements of the National Pollutant Discharge Elimination System (NPDES) program for construction, construction contractors shall install and maintain appropriate BMPs, as shown in the erosion control plans and in accordance with the SWPPP, on all construction projects. BMPs shall be installed in accordance with industry recommended standards, and/or in accordance with the Construction General Permit issued by the state. Sediment, construction materials, debris and wastes, and other pollutants must be retained on site and may not be transported from the site via sheet flow, swales, area drains, natural drainage courses, wind, or vehicle tracking to the extent feasible. Under direction of the Contractor's qualified SWPPP practitioner, erosion and/or sediment control devices shall be modified as needed as the project progresses to ensure effectiveness. The contractor shall download and keep a copy of the SWPPP on site and available for review throughout the entire construction period.
Noise	**Construction Noise** – As a good neighbor, the District and its contractors shall adhere to the construction hours as stated in City's Municipal Code requirements which restricts noise from construction activities as follows: • Section 9.10.230, sets forth that no person shall engage or authorize others to engage in construction of any building or related road or walkway, pool or landscape improvement, or in construction operations related thereto, including delivery of construction materials, supplies, or improvements on or to a construction site within three hundred (300) feet of any residentially zoned property except within the hours of 7:00 A.M. to 6:00 P.M. following on weekdays other than holidays, Monday through Friday, inclusive; and within the hours of 9:00 A.M. to 6:00 P.M. following, inclusive, on any Saturday which is not a holiday.

Impact Area	Standard Design and Construction Measure
Transportation	**Traffic Control -** For all construction affecting vehicle, bicycle, or pedestrian circulation patterns, the contractor will provide vehicle traffic control measures to ensure safety and vehicle flow during construction, and which ensure public safety and provide for adequate access to public rights-of-way during construction.

WESTWOOD ELEMENTARY SCHOOL MASTER PLAN INITIAL STUDY

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Chapter 1. Introduction

This Initial Study (IS) evaluates the potential environmental effects of a project to implement Master Plan improvements at the Santa Clara Unified School District's Westwood Elementary School site, located at 435 Saratoga Avenue, Santa Clara, California.

1.1 PROJECT BACKGROUND AND OVERVIEW

The Santa Clara Unified School District has prepared a Master Plan that is intended to modernize the campus and update facilities for current and projected school needs at Westwood Elementary School. Full buildout of the Master Plan includes replacement of most of the buildings on campus and ultimately supports 27 classrooms and a maximum capacity of 584 students, which represents ten fewer classrooms and 162 fewer students than are currently accommodated, and other on-site improvements.

The first phase of the Master Plan (Phase 1) is being funded with general obligation bond Measure BB funds approved by voters in 2018. Phase 1 is comprised of Phase 1-A and Phase 1-B. Phase 1-A, which consisted of all-inclusive playgrounds, perimeter security fencing, and relocation of nine portable classrooms and restrooms, was completed in 2023. This Initial Study evaluates the potential effects of Phase 1-B, which is currently funded and targeted for completion in Fall 2026, as well as future Master Plan improvements for which funding is not currently available. The other improvements would be completed as funding becomes available for each phase.

Phase 1-B improvements include: a new multipurpose building, cooking kitchen, shaded outdoor lunch area, kindergarten shade structure, and metal PE shade structure; new drives, parking, and entry plaza; and accessibility, utility, paving, fencing, and roofing improvements. Other future Master Plan improvements include field/blacktop improvements, removal of all portable classrooms on the site, classroom modernization including new kindergarten and preschool classroom buildings, a two-story classroom building, additional student support spaces, maker space, an administration building, shade structures, and additional drives and parking lot reconfiguration. No new uses are proposed by the project.

Regulatory Guidance

The California Environmental Quality Act (CEQA; Public Resources Code § 21000 et seq.) and the CEQA Guidelines (14 CCR §15000 et seq.) establish the Santa Clara Unified School District (SCUSD) as the lead agency for the project. The lead agency is defined in CEQA Guidelines Section 15367 as, "the public agency which has the principal responsibility for carrying out or approving a project." The lead agency is responsible for preparing the appropriate environmental review document under CEQA. The SCUSD Board serves as the decision-making body for the SCUSD and is responsible for adopting the CEQA document and approving the project.

CEQA Guidelines Section 15070 states a public agency shall prepare a proposed Negative Declaration or a Mitigated Negative Declaration when:

1. The Initial Study shows that there is no substantial evidence, in light of the whole record before the agency, that the project may have a significant effect on the environment, or

2. The Initial Study identifies potentially significant effects, but:

    - Revisions in the project plans made before a proposed Mitigated Negative Declaration and Initial Study are released for public review would avoid the effects or mitigate the effects to a point where no significant effects would occur, and

    - There is no substantial evidence, in light of the whole record before the agency, that the project as revised may have a significant effect on the environment.

Pursuant to Section 15070, the SCUSD has determined a Mitigated Negative Declaration (MND) is the appropriate environmental review document for the Westwood Elementary School Master Plan project.

To ensure that the mitigation measures and project revisions identified in a Mitigated Negative Declaration (MND) are implemented, CEQA Guidelines Section 15097(a) requires the SCUSD to adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects. The SCUSD shall prepare a Mitigation, Monitoring and Reporting Plan based on the mitigation measures contained in this IS/MND.

1.2 LEAD AGENCY CONTACT INFORMATION

The lead agency for the project is the Santa Clara Unified School District. The contact person for the lead agency is:

Michal Healy, Architect, LEED AP
Santa Clara Unified School District
Director, Facility Development and Planning
1889 Lawrence Road
Santa Clara, CA 95051
408.423.2085

1.3 DOCUMENT PURPOSE AND ORGANIZATION

The purpose of this document is to evaluate the potential environmental effects of the Westwood Elementary School Master Plan Project. This document is organized as follows:

- Chapter 1 – Introduction. This chapter introduces the project and describes the purpose and organization of this document.

- Chapter 2 – Project Description. This chapter describes the project location, area, site, objectives, and characteristics.

- Chapter 3 – Environmental Checklist and Responses. This chapter contains the Environmental Checklist that identifies the significance of potential environmental

impacts (by environmental issue) and a brief discussion of each impact resulting from implementation of the proposed project. This chapter also contains the Mandatory Findings of Significance.

- Chapter 4 – References. Identifies source materials that have been consulted in the preparation of this Initial Study.

- Chapter 5 – List of Preparers. Provides a list of those involved in the preparation of this document.

- Appendices. Includes technical reports.

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Chapter 2. Project Description

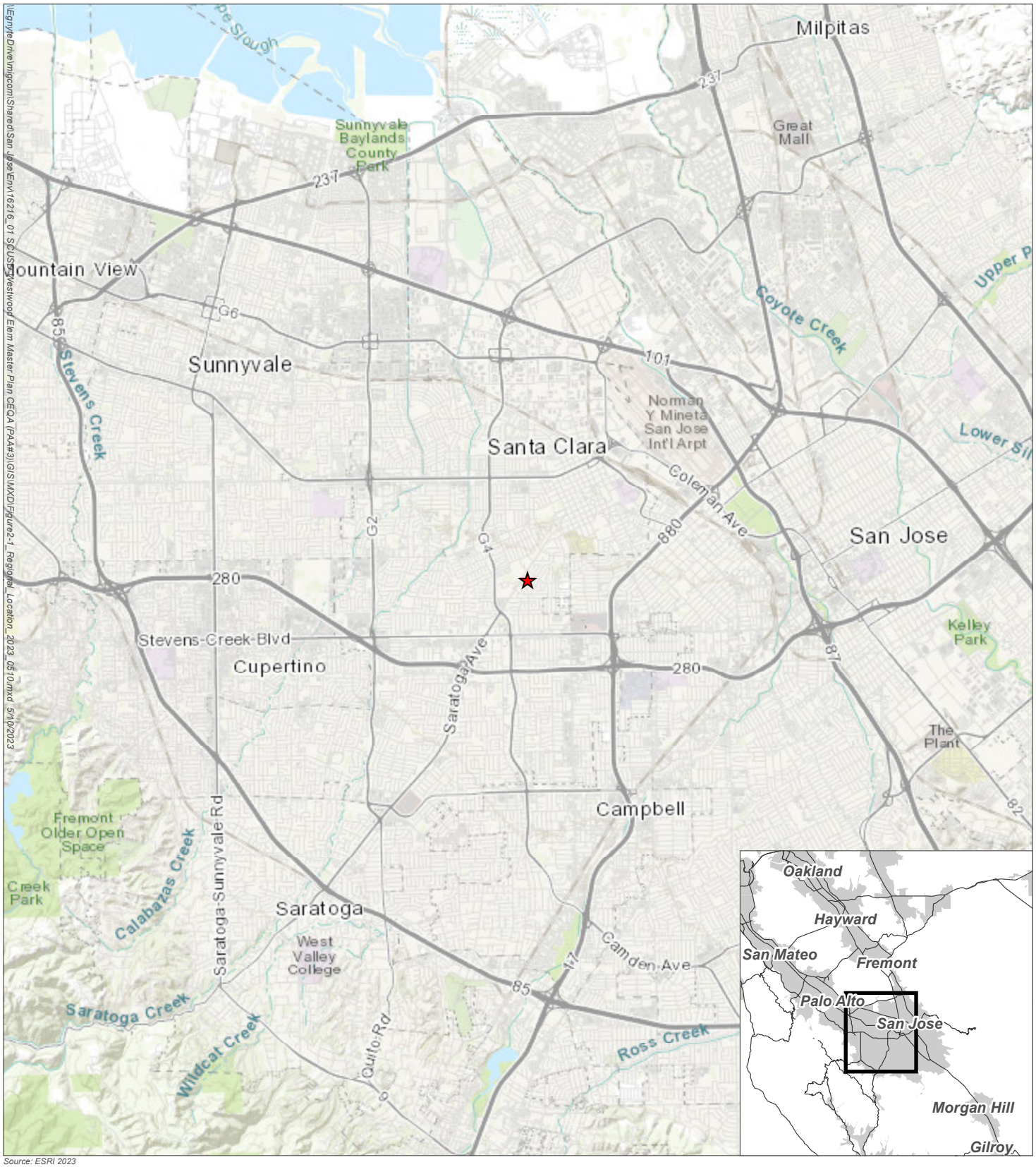
2.1 PROJECT PURPOSE

The SCUSD is undertaking Master Plan (project) improvements at Westwood Elementary School to modernize the campus and update facilities for current and projected school needs. The improvements are being funded by Measure BB funds, approved by SCUSD voters in 2018.

2.2 PROJECT LOCATION AND SURROUNDING LAND USES

The project site is the 10.52-acre Westwood Elementary School campus, located at 435 Saratoga Avenue (APN 303-10-035) in the southeast portion of the City of Santa Clara. The project site is primarily surrounded by residential uses. Single-family housing exists adjacent to the project site along Cypress Avenue to the south, Bohannon Drive to the east, and Los Padres Boulevard to the north. Multifamily housing is located to the west across Saratoga Avenue. Henry Schmidt Park is located to the north of the project site at the corner of Saratoga Avenue and Los Padres Boulevard and Pruneridge Golf Club golf course is southwest of the project site across Saratoga Avenue. See Figure 2-1R and Figure 2-2 for regional and aerial mapping of the proposed project site. Photos of the site are shown on Figure 2-3 through Figure 2-7.

The project site's City of Santa Clara General Plan land use designation is Public/Quasi Public and it's zoning designation is B: Public or Quasi Public. Other General Plan land use and zoning designations surrounding the project site include Very Low Density Residential (zoning: R1-6L - Single Family) to the north, east, and south, and Medium Density Residential (zoning: PD-Planned Development) located west across Saratoga Avenue. Henry Schmidt Park has a General Plan land use designation of Parks/Open Space and a zoning designation of B – Public or Quasi-Public, and the Pruneridge Golf Club has a General Plan land use designation of Parks/Open Space and a zoning designation of PD – Planned Development.



Source: ESRI 2023

★ Project Location

0 1.25 2.5 5 Miles

N

Figure 2-1 Regional Location

SCUSD Westwood Elementary Master Plan

MIG



Source: Google Earth 3/10/2022

Property Boundary

0 150 300 600 Feet

N



Photo 1. Viewing northeast along the southeastern boundary of the site.



Photo 2. Viewing southwest along the southeastern boundary of the site.

Figure 2-3 Site Photos 1 & 2



Photo 3. Viewing west across the playing fields toward existing classrooms.



Photo 4. Viewing east across the playing fields toward the easterly corner of the site.

Figure 2-4 Site Photos 3 & 4



Photo 5. Viewing north toward the existing parking area along Saratoga Avenue.



Photo 6. Viewing west toward existing classroom buildings from the central area of the campus.

Figure 2-5 Site Photos 5 & 6



Photo 7. Viewing south toward the existing parking lot from the multipurpose room building area.



Photo 8. Viewing northwest across the existing parking lot towards Saratoga Avenue.

Figure 2-6 Site Photos 7 & 8



Photo 9. Viewing south toward the existing parking lot from the multipurpose room building.



Photo 10. Viewing northeast toward the existing kindergarten building from the southwest boundary of the site.

Figure 2-7 Site Photos 9 & 10

2.3 SITE FEATURES

The school was established in 1957 and currently has a total of 35 self-contained classrooms with the capacity to support up to 746 students from preschool through fifth grade. Current enrollment is 443 students. The classrooms include one specialized academic instruction classroom (K/1) and a speech therapy room, a multipurpose auditorium, a library, and two computer labs. The existing school buildings and their dates of construction are as follows:

- Building A (Admin) - 1954
- Building B (Kindergarten) - 1954
- Building C (Library/Classroom Wing) - 1954
- Building D (Classroom Wing) - 1954
- Building E (Classroom Wing) - 1957, Demolished 2001 and rebuilt 2002
- Building F (Classroom Wing) - 1956, Demolished 2001 and rebuilt 2002
- Building G (Multipurpose Room) - 1959
- Building H - 1956, Demolished in 2001
- Portables - Between 1997-2008, 2018

The project site is rectangular-shaped, with the frontage along Saratoga Avenue running northeast to southwest. The school's buildings are generally centered within the campus, with playing or sports fields/courts on the east and parking areas on the west. All the buildings are single story, with the multipurpose building, located along the Saratoga Avenue frontage, having a taller elevation than the rest. A small forest of native Californian trees and shrubs was planted by school parents in the northern corner of the site in 1961. There are two existing paved pedestrian paths that connect the school property to the surrounding neighborhood streets – one from Cypress Avenue to the south corner of the site, and one from Bohannon Drive to the northeast corner of the site.

2.4 CURRENT OPERATIONS AND EXISTING LAND USES

School operations are currently based on the following schedule:

- Preschool: Monday through Friday – 8:15 a.m. – 11:45 a.m.
- Transitional Kindergarten: Monday, Tuesday, Thursday, and Friday – 8:15 a.m. to 1:31 p.m.; Wednesday - 8:15 a.m. to 1:06 p.m.
- Kindergarten to 2nd Grade: Monday, Tuesday, Thursday, and Friday – 8:15 a.m. to 2:11 p.m.; Wednesday - 8:15 a.m. to 1:22 p.m.

- 3rd, 4th and 5th Grade: Monday, Tuesday, Thursday, and Friday – 8:15 a.m. to 2:36 p.m.; Wednesday – 8:15 a.m. to 1:22 p.m.

All SCUSD school sites including Westwood Elementary are open for community use after 6:00 p.m. on school days and from 7:00 a.m. to dusk on non-school days.

2.5 PROJECT FEATURES

The proposed Master Plan improvements include:

- Removal of all (18 total) existing portable classrooms currently on the site.
- Demolition of all existing buildings except for the library building.
- Construction of a new administration building, kitchen and multipurpose building, kindergarten and preschool classroom buildings, and a new two-story classroom building.
- Expansion and reconfiguration of the parking lots and driveways to provide separate staff and preschool/kindergarten parking and drop off from the main elementary school parking and drop off lot.
- Removal and replacement of the blacktop play area in the northeastern corner of the site with a youth soccer field and adding to the existing blacktop play area to the southwest.

No Master Plan improvements are proposed for the kindergarten play area in the southern corner of the site and the parent nature garden in the north corner of the site. Therefore, these features would remain unchanged as a result of the project. Please refer to Figure 2-8 for the full buildout of the proposed Master Plan improvements.

Of the proposed Master Plan improvements listed above, the Phase 1-B improvements (targeted for completion in Fall 2026) consist of new multipurpose building, cooking kitchen, shaded lunch court, metal PE shade structure, new drives, parking, entry plaza, accessibility, utilities, paving, fencing and roofing improvements (See Figure 2-9).

During Phase 1-B, no changes would be made to the staff/preschool parking lot. The main school/visitor parking lot would remain as it is currently configured, with a two-way driveway entrance on Saratoga Avenue and a one-way circulation loop providing access to angled parking stalls. Driveway widths will be 24 feet for uniform parking spaces, which would provide enough space for vehicles to back out of parking spaces.

The proposed full buildout of the Master Plan includes 27 classrooms and a maximum capacity of 584 students, which represents ten fewer classrooms and 162 fewer students than are currently accommodated. No new uses are proposed by the project.



Classrooms

#	Indicates Grade Level
PS	Preschool
TK	Transitional Kindergarten
K	Kindergarten
ED	Extended Day
OT	Occupational Therapy

Electives / Labs

PE	Physical Education
MU	Music Room
SCI	Science Lab
STEM	STEM Classroom

Shared Spaces

MPR	Multi-Purpose Room
LIB	Library
STG	Stage
COLAB	Collaboration Space

Student Services

WC	Wellness Center (Includes the spaces below)
CO	Counselor
INT	Intervention
PSY	Psychologist
SP	Speech
W	Wellness Coordinator
RSP	RSP

Admin / Faculty

ADMIN	Administration (Includes the spaces below)
CO	Conference
FW	Faculty Workroom
H	Health Room
KIT	Kitchen (Food Service)
M	Main Office / Front Desk
O	Office

Support Spaces

E	Elevator
ST	Storage
T	Single Occupancy Toilet/Restroom
U	Utility
C	Custodian
B	Boys
G	Girls
GN	Gender Neutral
EL	Electrical
LV	Low Voltage
AV	Audio Visual

Main Entry
LS - Lunch Shelter
Drop-Off
Portable Classrooms
Play Structures
Fencing
Shade Structures
Landscape Area

Source: SCUSD 2024

Figure 2-8 Master Plan Improvements



Source: SCUSD 2024

1. New multi-purpose building,
2. Cooking kitchen, shaded lunch court.
3. Metal PE Shade Structure
4. New drives, parking, entry plaza
5. Accessibility
6. Utilities
7. Paving, fencing
8. Roofing improvements

Figure 2-9 Phase 1-B Improvements

SCUSD Westwood Elementary School Master Plan

Utilities

Water, sewer, natural gas, and fiber utilities currently serve the site. Future upgrades are unknown at this time, however, the project does not propose an increase in students, therefore future utility demand is expected to be the same or less than it is currently. Due to new solar requirements, electrical infrastructure may need to be upgraded. All new Master Plan buildings would be constructed using all electricity.

Construction

Phase 1-B construction is anticipated to begin in 2025 and will be ongoing during the 2025-2026 school year. All of the current school uses will continue during the construction period. The site currently has adequate classroom capacity to accommodate students and maintain existing services during the construction period, which will include the demolition of two classroom buildings. The existing multipurpose room would not be demolished until the new multipurpose room is completed. After the multipurpose room is demolished, the parking improvements will be constructed.

Project construction is anticipated to require the use of typical construction equipment including but not limited to backhoes and hauling trucks, which would be used for grading and import and export of building materials, dirt, debris, and demolished items. Small vehicles, such as pickup trucks, would also be used for general construction needs. Since the site is already flat and developed, no fill material is expected to be imported to the site. Staging for construction equipment is anticipated to occur within the existing developed areas of the campus. Off-site staging is not anticipated.

Public road or lane closures are not anticipated to be necessary to accommodate most of the proposed construction. The contractor will be required to prepare a construction logistics plan to coordinate construction and maintain access and safety on the surrounding roads during construction.

Future phases of the Master Plan will be developed once funding is secured, and will be designed and built in accordance with the laws and regulations in effect at that time.

2.6 STANDARD DESIGN AND CONSTRUCTION MEASURES

The proposed Master Plan would be implemented consistent with all relevant federal, state, regional, and local regulations aimed at preventing or reducing environmental impacts. Table 2.6-1 lists the Standard Design and Construction Measures that have been incorporated into the planning, design, construction, operation, and maintenance of the proposed project to minimize the potential adverse effects of the project on the surrounding community and the environment. These Standard Design and Construction Measures will be included in project construction drawings and/or specifications and as such are considered a part of the project and are not considered mitigation measures.

Table 2.6-1: Standard Design and Construction Measures	
Impact Area	**Standard Design and Construction Measure**
Air Quality	**Fugitive Dust** – To reduce potential fugitive dust that may be generated by project construction activities, the SCUSD or its contractor shall implement the following BAAQMD basic construction measures when they are appropriate: • All active construction areas will be watered twice daily or more often if necessary. Increased watering frequency will be required whenever wind speeds exceed 15 miles-per-hour. • Cover stockpiles of debris, soil, sand, and any other materials that can be windblown. Trucks transporting these materials will be covered. • If required pursuant to BAAQMD Regulation 6 Rule 6 (regarding construction site size being 1-acre or larger), all visible mud or dirt trackout onto adjacent public roads will be removed using wet power vacuum street sweepers at least once per day or as often as necessary to keep them free of dust and debris associated with site construction. The use of dry power sweeping is prohibited. • Subsequent to clearing, grading, or excavating, exposed portions of the site will be watered, landscaped, treated with soil stabilizers, or covered as soon as possible. Hydroseed or apply (nontoxic) soil stabilizers to inactive construction areas and previously graded areas inactive for 10 days or more. • Installation of sandbags or other erosion control measures to prevent silt runoff to public roadways. • Replanting of vegetation in disturbed areas as soon as possible after completion of construction. • Idling times will be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes. Clear signage will be provided for construction workers at vehicle access points. • All construction equipment will be maintained and properly tuned in accordance with manufacturer's specifications. All equipment will be checked by a certified mechanic and determined to be running in proper condition prior to operation. • Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person will respond and take corrective action within 48 hours.

Table 2.6-1: Standard Design and Construction Measures	
Impact Area	**Standard Design and Construction Measure**
	The BAAQMD's phone number will also be visible to ensure compliance with applicable regulations.
Geology and Soils	**Geotechnical Investigation.** The Field Act and Division of the State Architect (DSA) require the preparation of site and project specific geotechnical reports. All recommendations from these required reports shall be included in project plans and specifications.
Hazardous Materials	**Identification Removal and or Remediation.** Future phases of construction would be subject to both Division of the State Architect and Department of Toxic Substances Control (DTSC) oversight for the identification and remediation of hazardous materials affected by Master Plan activities. This process includes the preparation of a Preliminary Environmental Assessment (PEA) to identify hazardous materials and would be conducted for each subsequent phase of the Master Plan as the phases are funded. The PEA identifies materials for remediation and a phase-specific Work Plan would be developed, then would need to be reviewed and approved by DTSC then implemented by the District and/or it's contractors to address and remediate any concerns.
Hydrology/Water Quality	**General Permit for Construction Activity.** The project disturbs more than one acre of land and therefore requires compliance with the requirements of the California General Permit for Stormwater Discharges associated with Construction Activity (Permit No. CAS000002). The Construction General Permit requires the filing of a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB) and preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) during construction. In order to meet the requirements of the National Pollutant Discharge Elimination System (NPDES) program for construction, construction contractors shall install and maintain appropriate BMPs, as shown in the erosion control plans and in accordance with the SWPPP, on all construction projects. BMPs shall be installed in accordance with industry recommended standards, and/or in accordance with the Construction General Permit issued by the state. Sediment, construction materials, debris and wastes, and other pollutants must be retained on site and may not be transported from the site via sheet flow, swales, area drains, natural drainage courses, wind, or vehicle tracking to the extent feasible. Under direction of the Contractor's qualified SWPPP practitioner, erosion and/or sediment control devices shall be modified as needed as the project progresses to ensure effectiveness. The

Table 2.6-1: Standard Design and Construction Measures	
Impact Area	**Standard Design and Construction Measure**
	contractor shall download and keep a copy of the SWPPP on site and available for review throughout the entire construction period.
Noise	**Construction Noise** – As a good neighbor, the District and its contractors shall adhere to the construction hours as stated in City's Municipal Code requirements which restricts noise from construction activities as follows: • Section 9.10.230, sets forth that no person shall engage or authorize others to engage in construction of any building or related road or walkway, pool or landscape improvement, or in construction operations related thereto, including delivery of construction materials, supplies, or improvements on or to a construction site within three hundred (300) feet of any residentially zoned property except within the hours of 7:00 A.M. to 6:00 P.M. following on weekdays other than holidays, Monday through Friday, inclusive; and within the hours of 9:00 A.M. to 6:00 P.M. following, inclusive, on any Saturday which is not a holiday.
Transportation	**Traffic Control -** For all construction affecting vehicle, bicycle, or pedestrian circulation patterns, the contractor will provide vehicle traffic control measures to ensure safety and vehicle flow during construction, and which ensure public safety and provide for adequate access to public rights-of-way during construction.

Chapter 3. Environmental Checklist and Responses

1. **Project Title:** Westwood Elementary School Master Plan Project

2. **Lead Agency Name and Address:** Santa Clara Unified School District, 1889 Lawrence Road, Santa Clara, CA 95051

3. **Contact Person and Phone Number:** Michal Healy, Director of Facility Development and Planning, (408) 423-2085

4. **Project Location:** 435 Saratoga Avenue, Santa Clara, CA 95050

5. **Project Sponsor's Name and Address:** Santa Clara Unified School District

6. **General Plan Designation:** Public / Quasi Public

7. **Zoning:** B - Public or Quasi Public

8. **Description of the Project:** The project is the implementation of a Master Plan for facility improvements at Westwood Elementary School. The Master Plan would be implemented in phases, as funding becomes available. Phase 1-A, which consisted of all-inclusive playgrounds, perimeter security fencing, and relocation of nine portable classrooms and restrooms, was completed in 2023. The Phase 1-B improvements include: a new multipurpose building, cooking kitchen, shaded outdoor lunch area, kindergarten shade structure, and metal PE shade structure; new drives, parking, and entry plaza; and accessibility, utility, paving, fencing, and roofing improvements. Other future Master Plan improvements include field/blacktop improvements, removal of all portable classrooms on the site, classroom modernization including new kindergarten and preschool classroom buildings, a two-story classroom building, additional student support spaces, maker space, an administration building, shade structures, and additional drives and parking lot reconfiguration. The project includes the proposed Phase1-B and future Master Plan improvements. No new uses are proposed by the project.

9. **Surrounding Land Uses and Setting:** The project site is surrounded by single family housing to the northeast, southeast, and southwest, while multifamily housing is located across Saratoga Avenue to the northwest. Henry Schmidt Park and the Pruneridge Golf Course are also located nearby to the north and west, respectively.

10. **Other public agencies whose approval is required:** Division of the State Architect

11. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?** No Native American tribes have requested formal consultation with the SCUSD under AB 52.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.

☒ I find that although the proposed project COULD have a significant effect on the environment, there WILL NOT be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.

☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature

8/21/24

Date

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4. "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from "Earlier Analyses," as described in 5. below, may be cross-referenced).

5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063(c)(3)(D)). In this case, a brief discussion should identify the following:

    a. Earlier Analysis Used. Identify and state where they are available for review.

    b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

    c. Mitigation Measures. For effects that are "Less Than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a

previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources. A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9. The explanation of each issue should identify:

    a. The significance criteria or threshold, if any, used to evaluate each question; and

    b. The mitigation measure identified, if any, to reduce the impact to less than significance.

3.1 AESTHETICS

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
*Would the project:**				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☒	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐
*Except as provided in Public Resources Code Section 21099				

3.1.1 Environmental Setting

The City of Santa Clara's (City) 2010-2035 General Plan (General Plan) is the primary resource for identifying and determining scenic vistas and scenic resources throughout the City. The General Plan does not identify any scenic vistas or view corridors within the City. The City's General Plan Integrated Environmental Impact Report (General Plan EIR) lists the Santa Cruz Mountains, Diablo Range, San Tomas Aquino Creek, and the Guadalupe River as 'visual resources' within the City. The project site is not located near any natural or historic features that are considered scenic resources by the City (City of Santa Clara 2010).

Scenic viewsheds are also important factors to consider when analyzing the aesthetic character of a project site. While a scenic vista is typically a singular scene or view, scenic viewsheds are areas of particular scenic or historic value deemed worthy of preservation against development and other changes. According to the General Plan, the project site is not located within or near any scenic viewsheds. The California Department of Transportation (Caltrans) Scenic Highway Program has not designated any scenic highways or potentially eligible scenic highways within the City (Caltrans 2019).

Scenic Highway Corridors

As described in the General Plan EIR, the City of Santa Clara is served by four freeways: U.S. 101 traverses east-west through the center of the City, while State Route 237 is located to the north and Interstate Highways 880 (I-880) and 280 (I-280) skirt the southeast and southwest corners of the City, respectively. While these segments have not been officially designated as scenic highways by Caltrans, this portion of I-280 has been identified as being eligible for designation.

There are no state-designated scenic highways within the City. The nearest official state-designated scenic highway is State Route 9, located approximately 6.5 miles south of the project site.

Sensitive Scenic and Visual Resources

The City describes scenic vistas and unique scenic resources in the following manner (page 132 of General Plan EIR):

> *"A scenic vista is the view of an area that is visually or aesthetically pleasing. One example is the area encompassing a lake or a park-land water amenity and the view-shed extending from the lake to the highest visible point surrounding the lake. Aesthetic components of a scenic vista include; 1) scenic quality, 2) sensitivity level, and 3) view access. The City of Santa Clara's physical setting lends opportunities for many views of the community and surrounding natural features, including panoramic views of the Santa Cruz Mountains and the Diablo Range and stretches of open space and undeveloped land in the Ulistac Natural Area. Scenic vistas can be viewed intermittently from the system of formal and informal trails that afford recreational and scenic opportunities for the community."*
>
> *"The City of Santa Clara is primarily suburban in character, with nodes of higher density, urban development. The southern portion of the City is highly developed, with a wide array of residential neighborhoods and the Santa Clara University. The northern portion of the City contains industrial, recreational, and tourist commercial development. The City's character and identity are largely products of it history as a Mission City. The City's historic past is reflected through its historic resources, including Mission Santa Clara and numerous historic homes. Mission Santa Clara is the restored church of Mission Santa Clara de Asís. The Mission Church is open to the public and serves as the University chapel."*

3.1.2 Regulatory Setting

The District is not subject to local (i.e., City) land use and zoning regulations regarding aesthetic design issues. However, since the District has no adopted policies or standards of their own, the local land use policies are presented as context by which other nearby jurisdictions use to govern aesthetic resources.

Local

City of Santa Clara 2010-2035 General Plan

The General Plan contains the following policies related to community character and provide design guidance:

- *Policy 5.3.1-P3:* Support high quality design consistent with adopted design guidelines and the City's architectural review process.
- *Policy 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.
- *Policy 5.3.1-P29:* Encourage design of new development to be compatible with, and sensitive to, nearby existing and planned development, consistent with other applicable General Plan policies.
- *Policy 5.10.3-P4:* Encourage new development to incorporate sustainable building design, site planning and construction, including encouraging solar opportunities.

3.1.3 Impact Discussion

Would the project:

a) Have a substantial adverse effect on a scenic vista?

No Impact. As described in the General Plan EIR, there are no designated scenic vistas within the City. The project site is located within a developed urban area, surrounded primarily by residential uses, as well as a public park and public golf course. Additionally, there is a landscaped median on Saratoga Avenue which includes trees, which further obstructs views. Due to existing development, views are generally limited to one or two blocks in each direction when traveling on foot or in a vehicle. Additionally, long-range views from the project site are obscured by existing development. Therefore, the project would not result in impacts to a scenic vista. No impact would occur.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

No Impact. The project site is not visible from an officially designated state scenic highway. The closest officially designated state scenic highway to project site is State Route (SR) 9, located approximately 6.5 miles south of the project site in Saratoga (Caltrans 2019). Therefore, the project would not damage scenic resources within a state scenic highway. The segment of I-280 extending west from Interstate 880 to the Santa Clara/San Mateo County line, located adjacent to the Junipero Serra Channel to the north, is eligible for designation as a state scenic highway; however, it does not currently have official designated status. Because the project does not affect scenic resources within a state scenic highway, there would be no impact.

c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Less Than Significant Impact. As noted in the regulatory section, the District is not subject to local land use and zoning regulations regarding aesthetic design issues. The proposed project is the implementation of a school Master Plan to redevelop the site for current and future needs primarily by replacing the classroom buildings on an existing school site. The proposed buildings will be located in the same area of the campus where buildings currently exist. Most of the proposed buildings are one story in height with one classroom building at two stories and is therefore similar to the surrounding urban uses. The full buildout of the Master Plan would support fewer students than the site currently has the capacity to support. Additional improvements include reconfiguring the parking areas and replacing landscaping around the site. Tree removal is proposed; however, replacement landscaping will be provided. No permanent significant degradation of the existing visual character or quality of the site is anticipated. Rather, the project is anticipated to permanently enhance the scenic quality of the site by adding new, attractive buildings and new landscaping. Therefore, the impact is considered less than significant.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less Than Significant Impact. No new significant night lighting is proposed as part of the project. Site, building, and parking lot security and safety night lighting is planned, however, this type of lighting currently exists at the site and new buildings will occupy the same areas of the campus where buildings currently exist. All new lighting will be fully shielded and directed toward the ground and not toward neighboring properties. This impact would be less than significant.

3.2 AGRICULTURAL AND FOREST RESOURCES

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

*In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

3.2.1 Environmental Setting

The project site is located in the City of Santa Clara and all proposed project improvements would occur within an existing, urban area. The California Department of Conservation (CDC) Farmland Mapping and Monitoring Program identifies the area as Urban and Built-up Land (CDC 2022).

3.2.2 Regulatory Setting

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 called 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 or near the project site.

3.2.3 Impact Discussion

Would the project:

a) **Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

b) **Conflict with existing zoning for agricultural use or a Williamson Act contract?**

c) **Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?**

d) **Result in the loss of forest land or conversion of forest land to non-forest use?**

e) **Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?**

No Impact. (Responses a – e). The project would not impact Prime Farmland, Unique Farmland, Farmland of Statewide Importance, forest land, or land under a Williamson Act contract as none are present on or near the project site (CDC 2022). None of the proposed construction activities involve agricultural or forestry use. The project would not convert or cause the conversion of any farmland or forest land to a non-agricultural/non-forest use because the project site is within urban and built-up land surrounded by urban uses. Thus, the project would not result in impacts to any agricultural or forestry resources. No impact would occur.

3.3 AIR QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:*				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) 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?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐
*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 following determinations.				

3.3.1 Environmental Setting

Air quality is a function of pollutant emissions and topographic and meteorological influences. Physical atmospheric conditions such as air temperature, wind speed and topography influence air quality.

Criteria Air Pollutants

Federal, state, and local governments control air quality through the implementation of laws, ordinances, regulations, and standards. The federal and state governments have established ambient air quality standards for "criteria" pollutants considered harmful to the environment and public health. National Ambient Air Quality Standards (NAAQS) have been established for carbon monoxide (CO), lead (Pb), nitrogen dioxide (NO_2), ozone (O_3), fine particulate matter (particles 2.5 microns in diameter and smaller, or $PM_{2.5}$), inhalable coarse particulate matter (particles 10 microns in diameter and smaller, or PM_{10}), and sulfur dioxide (SO_2). California Ambient Air Quality Standards (CAAQS) are more stringent than the national standards for the pollutants listed above and include the following additional pollutants: hydrogen sulfide (H_2S), sulfates (SO_X), and vinyl chloride. In addition to these criteria pollutants, the federal and state governments have classified certain pollutants as hazardous air pollutants (HAPs) or toxic air contaminants (TACs), such as asbestos and diesel particulate matter (DPM).

San Francisco Bay Area Air Basin

The proposed project is located in the San Francisco Bay Area Air Basin (SFBAAB), an area of non-attainment for both the 1-hour and 8-hour state ozone standards, both the annual and 24-hour state PM_{10} standards, and the national 24-hour and state annual $PM_{2.5}$ standards (BAAQMD 2023b, Table 5-1).[1] The SFBAAB is comprised of nine counties: all of Alameda, Contra Costa, Santa Clara, San Francisco, San Mateo, Marin, Napa, and the southern portions of Solano and Sonoma. In Santa Clara County, $PM_{2.5}$ does not exceed the national standard (BAAQMD 2019).

The San Francisco Bay Area is generally characterized by a Mediterranean climate with warm, dry summers and cool, damp winters. During the summer daytime high temperatures near the coast are primarily in the mid-60s, whereas areas farther inland are typically in the high-80s to low-90s. Nighttime low temperatures on average are in the mid-40s along the coast and low to mid-30s inland. The Mediterranean climate is seen along most of the West Coast of North America and is primarily due to a (typically dominating) high-pressure system, located off the west coast of North America, over the Pacific Ocean. During the summer and fall months the high-pressure ridge is at its strongest and therefore provides a more stable atmosphere. Warm temperatures and a stable atmosphere associated with the high-pressure ridge provide favorable conditions for the formation of photochemical pollutants (e.g., O_3) and secondary particulates (e.g., nitrogen oxides (NO_X) and SO_2).

Varying topography and limited atmospheric mixing throughout the SFBAAB restrict air movement resulting in reduced dispersion and higher concentrations of air pollutants. The SFBAAB is most susceptible to air pollution during the summer when cool marine air flowing through the Golden Gate can become trapped under a layer of warmer air (a phenomenon known as an inversion) and is prevented from escaping the valleys and bays created by the Coast Ranges.

Existing Emissions Sources

The proposed project would be located on the Westwood Elementary School campus on Saratoga Avenue. The existing campus includes 35 classrooms with the capacity to support up to 746 students. As an active elementary school, the campus generates emissions from mobile sources (e.g., student and staff vehicle trips to and from school), small stationary sources (e.g., boilers, furnaces, or ovens), and area sources (e.g., water and space heating equipment and landscaping). These existing emissions contribute to local and regional air quality conditions near the school and in the greater SFBAAB.

Sensitive Receptors

A sensitive receptor is defined by the Bay Area Air Quality Management District (BAAQMD) as a facility or land use that include members of the population that are particularly sensitive to the effects of air pollution, such as children, seniors, or people will illnesses (BAAQMD 2023b,

[1] On February 7, 2024, the U.S. EPA lowered the primary annual average health-based standard for $PM_{2.5}$ from 12 µg/m^3 to 9 µg/m^3. The U.S. EPA generally makes initial attainment/nonattainment designations within 2 years of the issuance of a new standard.

Appendix F) These typically include residences, hospitals, and schools. Sensitive air quality receptors within 1,000 feet of the project site include:

- Single-family residential receptors adjacent to the school grounds along Los Padres Boulevard, Bohannon Drive, and Cypress Avenue.
- Multi-family residential receptors at the Summerwood Apartments along Saratoga Avenue. The closest of these receptors is approximately 120 feet west of Westwood Elementary School.
- Henry Schmidt Park public sports fields and tennis courts, located approximately 310 feet north of Westwood Elementary School.
- Everett Alvarez Junior Park public park, located along Los Padres Boulevard approximately 420 feet east of Westwood Elementary School.
- Pruneridge Golf Club golf course, located along Saratoga Avenue approximately 750 southwest of Westwood Elementary School.

3.3.2 Regulatory Setting

CARB In-Use Off-Road Diesel Vehicle Regulation

The California Air Resources Board (CARB)'s In-Use Off-Road Diesel Equipment regulation is intended to reduce emissions of NO_X and PM from off-road diesel vehicles, including construction equipment, operating within California. The regulation imposes limits on idling; requires reporting equipment and engine information and labeling all vehicles reported; restricts adding older vehicles to fleets; and requires fleets to reduce their emissions by retiring, replacing, or repowering older engines or installing exhaust retrofits for PM. The requirements and compliance dates of the off-road regulation vary by fleet size, and large fleets (fleets with more than 5,000 horsepower) must meet average targets or comply with Best Available Control Technology requirements beginning in 2014. CARB has off-road anti-idling regulations affecting self-propelled diesel-fueled vehicles of 25 horsepower and up. The off-road anti-idling regulations limit idling on applicable equipment to no more than five minutes, unless exempted due to safety, operation, or maintenance requirements.

CARB On-Road Heavy-Duty Diesel Vehicle (In-Use) Regulation

CARB's On-Road Heavy-Duty Diesel Vehicles (In-Use) regulation (also known as the Truck and Bus Regulation) is intended to reduce emission of NO_X, PM, and other criteria pollutants generated from existing on-road diesel vehicles operating in California. The regulation applies to nearly all diesel-fueled trucks and buses with a gross vehicle weight rating (GVWR) greater than 14,000 pounds that are privately or federally owned, and for privately and publicly owned school buses. Heavier trucks and buses with a GVWR greater than 26,000 pounds must comply with a schedule by engine model year or owners can report to show compliance with more flexible options. Fleets complying with the heavier trucks and buses schedule must install the best available PM filter on 1996 model year and newer engines, and replace the vehicle 8 years later. Trucks with 1995 model year and older engines had to be replaced starting in 2015.

Replacements with a 2010 model year or newer engine meet the final requirements, but owners can also replace the equipment with used trucks that have a future compliance date (as specified in regulation). By 2023, all trucks and buses must have at least 2010 model year engines with few exceptions.

Bay Area Air Quality Management District

The BAAQMD is the agency primarily responsible for maintaining air quality and regulating emissions of criteria and toxic air pollutants within the SFBAAB. The BAAQMD carries out this responsibility by preparing, adopting, and implementing plans, regulations, and rules that are designed to achieve attainment of state and national air quality standards. The BAAQMD is the agency primarily responsible for maintaining air quality and regulating emissions of criteria and toxic air pollutants within the SFBAAB. The BAAQMD carries out this responsibility by preparing, adopting, and implementing plans, regulations, and rules that are designed to achieve attainment of state and national air quality standards. The BAAQMD currently has 14 regulations containing more than 100 rules that control and limit emissions from sources of pollutants. Table 3.3-1 summarizes the major BAAQMD rules and regulations that may apply to the proposed project.

Table 3.3-1: Potentially Applicable BAAQMD Rules and Regulations

1- General Provisions and Definitions	1- General Provisions and Definitions	301 – Public Nuisance: Establishes that no person shall discharge quantities of air contaminants or other materials which cause injury, detriment, nuisance or annoyance to any considerable number or person or the public; or which endangers the comfort, repose, health, or safety of any such person or the public.
6 – Particulate Matter	1 – General Requirements	Limits visible particulate matter emissions.
6 – Particulate Matter	6 – Prohibition of Trackout	Limits the quantity of particulate matter through control of trackout of solid materials on paved public roads from construction sites that are greater than one acre in size.
8 – Organic Compounds	3 – Architectural Coatings	Sets forth VOC limitations and requirements for architectural coatings. Traffic marking coatings are required to meet a standard of 100 g/L.
7- Odorous substances	Odorous Substances	Establishes general limitations on odorous substances and specific emission limitations on certain odorous compounds, such as ammonia.
11- Hazardous Pollutants	2 – Asbestos Demolition, Renovation and Manufacturing	Control emissions of asbestos to the atmosphere during demolition, renovation, milling and manufacturing and establish appropriate waste disposal procedures.

Source: BAAQMD, 2023c.

On April 29, 2017, the BAAQMD adopted its Spare the Air-Cool the Climate 2017 Clean Air Plan (Clean Air Plan). The 2017 Clean Air Plan updates the most recent Bay Area ozone plan, the 2010 Clean Air Plan, in fulfillment of state ozone planning requirements. The Plan focuses on the three following goals:

- Attain all state and national air quality standards.
- Eliminate disparities among Bay Area communities in cancer health risk from toxic air contaminants; and
- Reduce Bay Area GHG emissions to 40 percent below 1990 levels by 2030, and 80 percent below 1990 levels by 2050.
- The plan includes 85 distinct control measures to help the region reduce air pollutants and has a long-term strategic vision which forecasts what a clean air Bay Area will look like in the year 2050. The control measures aggressively target the largest source of GHG, ozone pollutants, and particulate matter emissions – transportation. The 2017 Clean Air Plan includes more incentives for electric vehicle infrastructure, off-road electrification projects such as Caltrain and shore power at ports, and reducing emissions from trucks, school buses, marine vessels, locomotives, and off-road equipment (BAAQMD 2017b).

3.3.3 Impact Discussion

Would the proposed project:

a) Conflict with or obstruct implementation of the applicable air quality plan?

No Impact. The proposed project would not conflict with nor obstruct implementation of the BAAQMD *2017 Clean Air Plan*. The *2017 Clean Air Plan* includes increases in regional construction, area, mobile, and stationary source activities, and operations in its emission inventories and plans for achieving attainment of air quality standards. Chapter 5 of the *2017 Clean Air Plan* contains the BAAQMD's strategy for achieving the plan's climate and air quality goals. This control strategy is the backbone of the *2017 Clean Air Plan*. It identifies 85 distinct control measures designed to:

- Reduce ozone precursors, in order to fulfill California Health & Safety Code ozone planning requirements;
- Protect public health by reducing emissions of ozone precursors, PM, and TACs; and
- Serve as a regional climate protection strategy by reducing emissions of GHG across the full range of economic sectors.

The 85 control strategies identified in the *2017 Clean Air* plan are grouped by nine economic-based "sectors" as shown in Table 3.3-2.

Table 3.3-2: BAAQMD 2017 Clean Air Plan Control Measure Sectors		
Sector	**No. of Measures**	**General Description of Sector Applicability**
Agriculture (AG)	4	Applies to sources of air pollution from agricultural operations include on and off-road trucks and farming equipment, aircraft for crop spraying, animal waste, pesticide and fertilizer use, crop residue burning, travel on unpaved roads, and soil tillage. AG control measures would not apply to the proposed project because it is located in a developed, urban area.
Buildings (BL)	4	Applies to residential, commercial, governmental and institutional buildings, which generate emissions through energy use for heating, cooling, and operating the building, and from the materials used in building construction and maintenance. BL measures would potentially apply to the proposed new school building.
Energy (EN)	2	Applies to emissions of criteria pollutants, TACs, and GHGs from electricity generated and used within the Bay area, as well as GHG emissions from electricity generated outside the Bay area that is imported and used within the region. EN measures would potentially apply to the proposed new school building.
Natural and Working Lands (NW)	3	Applies to emissions from natural and working lands, including forests, woodlands, shrub lands, grasslands, rangelands, and wetlands. NW control measures generally do not apply to the proposed project because it is located in a developed, urban area, with the exception of measures addressing urban heat island effects.
Stationary Sources (SS)	40	Applies to stationary sources generally used in commercial and industrial facilities. Such sources are typically regulated through BAAQMD rulemaking, permitting, and enforcement programs. SS measures would potentially apply to the proposed project, although most SS measures would be implemented by the BAAQMD via its rulemaking and permitting processes.
Super GHGs (SL)	3	Applies to emissions of methane, black carbon, and fluorinated gases from landfills, wood burning, and large refrigeration systems. SL control measures would not apply to the proposed project because it does not involve operations covered by these measures.
Transportation (TR)	23	Applies to on-road motor vehicles such as light-duty automobiles or heavy-duty trucks, as well as off-road vehicles, including airplanes, locomotives, ships and boats, and off-road equipment such as airport ground-support equipment, construction equipment and farm equipment. In general, most TR measures are not directly applicable to the proposed

Table 3.3-2: BAAQMD 2017 Clean Air Plan Control Measure Sectors		
		project, with the exception of measures addressing school-related vehicle trips.
Waste (WA)	4	Applies to emissions from landfills and composting activities. WA measures apply to the proposed project because it would generate waste that contributes to emissions from landfills and composting activities.
Water (WR)	2	Applies to direct emissions from the treatment of water and wastewater at publicly owned treatment works and indirect emissions associated with the energy used to pump, convey, recycle, and treat water and wastewater throughout the Bay. WR measures pertaining to water conservation would apply to the proposed project.
Source: BAAQMD 2017b		

As described in Table 3.3-2, of the nine economic sectors identified in the Clean Air Plan, five contain at least one control measure that is potentially relevant to the proposed project. As described below, the proposed project includes features and design elements that are consistent with the potentially relevant 2017 Clean Air Plan control measures and implementation mechanisms.

- In general, the 2017 Clean Air Plan control measures EN2 (Decrease Energy Use), BL1 (Green Buildings), and BL4 (Urban Heat Island Mitigation) reduce multiple pollutant emissions by promoting and increasing energy efficiency and reducing urban heat island effects. These 2017 Clean Air Plan measures would be implemented via the BAAQMD's dissemination of information and best practices, as well as funding for energy efficiency programs. The proposed project would comply with Title 24 Chapter 5 nonresidential mandatory measures that include the planting of shade trees to reduce urban heat island effects including evaporative emissions from automobiles in parking lots.

- 2017 Clean Air Plan control measures SS36 (PM from Trackout) and SS38 (Fugitive Dust) reduce $PM_{2.5}$ emissions from trackout of mud and dirt onto paved, public roadways and fugitive dust emissions from sources including construction activities, respectively. These 2017 Clean Air Plan measures would be implemented via the BAAQMD's Regulation 6, Rule 6, Prohibition of Trackout. As described in Table 2.6-1 in Project Description and under discussion b) below, the proposed project includes BMPs to address potential fugitive dust emissions from project construction activities.

- 2017 Clean Air Plan control measure TR7 (Safe Routes to Schools and Transit) reduces multiple pollutant emissions by providing funding and assistance to implement safe pedestrian and bicycle access to schools. This measure would be implemented via BAAQMD grants. The SCUSD is already an active participant in the City of Santa Clara's Safe Routes to School Program, and according to local hauling policies.

- 2017 Clean Air Plan control measure WA4 (Recycling and Waste Reduction) reduces emissions from landfills by diverting recyclables and other materials from landfills. This

measure would be implemented via the BAAQMD's dissemination of best practices, such as model ordinances. The SCUSD currently implements waste diversion programs that divert recyclables and other materials from landfills consistent with state Integrated Waste Management Board requirements.

The proposed project would be consistent with potentially applicable 2017 Clean Air Plan control measures. In addition, the proposed project would result in eight fewer classrooms and 162 fewer students than can be currently accommodated. This would lower the potential air pollutants that could be generated by the school campus.

Finally, the project would not exacerbate or contribute to disparities among Bay Area communities in cancer health risk from toxic air contaminants (see discussion d) below). For the reasons described above, the proposed project would not conflict with the 2017 Clean Air Plan.

b) 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. The proposed project would generate criteria air pollutant emissions from fuel combustion in heavy-duty construction equipment, motor vehicles, and area sources such as landscaping equipment, using of cleaning products, etc. The BAAQMD's CEQA Air Quality Guidelines contain screening criteria to provide lead agencies with a conservative indication of whether a proposed project could result in potentially significant air quality impacts (BAAQMD 2023b). Consistent with the BAAQMD's guidance, if a project meets all the screening criteria, then the project would result in a less than significant air quality impact and a detailed air quality assessment is not required for the project.

Project Consistency with BAAQMD Construction and Operational Screening Criteria

The proposed project would generate short-term emissions from construction activities including demolition, site preparation, building construction, and paving. Phase 1-B would include construction of new multipurpose and kitchen buildings, shaded lunch court and PE shade structures, and expansion and re-surfacing of the main school/visitor parking lot (the staff/preschool parking lot would remain unchanged during Phase 1-B). Future phases would ultimately include expansion and re-surfacing of the staff/preschool parking lot and hardcourts, construction of 25 new classrooms, administration, wellness center, storage and office buildings, landscaping for the youth fields, northern quad, and southern preschool/kindergarten play area, and sensory garden. The project would disturb, landscape, and resurface approximately 7.37 acres in total. Grading was assumed to be balanced on site. Construction of Phase 1-B is anticipated to begin in 2025 and last approximately 8-12 months. Details regarding scheduling for the construction of the subsequent phases are unknown at this time due to the fact that funding has yet to be confirmed for future phases. For the purposes of this report, all project phases were combined and analyzed together.

Table 3.3-3 compares the proposed project with the BAAQMD's construction and operational screening criteria for an elementary school land use.

Table 3.3-3: Project Consistency with BAAQMD Screening Criteria		
Screening Criterion	**Requirement**	**Project Consistency**
Land Use Type and Size	Project is below the construction (452,000 sf) and operational screening size (488,000 sf)(A) for elementary school land use.	Consistent - The proposed project would construct approximately 55,000 sf of building square footage on school grounds.
Basic Construction Measures	Project design and implementation includes all BAAQMD Basic Construction Mitigation Measures.	Consistent - The proposed project would incorporate all BAAQMD Basic Construction Mitigation Measures into all construction documents.
Demolition	Construction activities would not include demolition.	Not consistent - The project would include demolition of all existing buildings apart from the library.
Construction Phases	Construction does not include simultaneous occurrence of more than two construction phases (e.g., grading, paving, and building construction would occur simultaneously).	Potentially Inconsistent – Subsequent phases of the proposed project could potentially include simultaneous occurrence of more than two construction phases.
Site Preparation	Construction does not include extensive site preparation (e.g., grading, cut and fill, or earth movement.	Consistent - The proposed project would not include extensive site preparation as the site is already developed and used for elementary school purposes.
Stationary Sources	Construction and operation do not include stationary sources (e.g., backup generators) subject to BAAQMD rules and regulation.	Consistent - The proposed project would not include stationary sources.
Material Transport	Construction does not require extensive material transport (e.g., soil import and export requiring a considerable amount of haul truck activity.	Consistent - The project would balance existing soils on-site and would involve less than 2,800 cubic yards of other hauling activity.
Construction and Operation Overlap	Construction related activities would not overlap with operational activities.	Potentially Inconsistent - The proposed project could have minor construction activities at the same time as operations.

Source: BAAQMD 2023b
(A) *Screening level sizes from Table 4-1 of BAAQMD CEQA Guidelines (BAAQMD 2023b)*

As shown in Table 3.3-3, the proposed project is not consistent with all BAAQMD construction-related screening criteria because it would include demolition activities, potentially simultaneous construction phases, and overlap of construction and operations. Accordingly, the proposed

project's construction emissions were estimated using the California Emissions Estimator Model (CalEEMod, Version 2022.1). Potential construction emissions were estimated using default CalEEMod assumptions, with the following project-specific modifications:

- **Fugitive Dust Control Measures:** Fugitive dust control measures consistent with the BAAQMD's CEQA Air Quality Guidelines were incorporated in the construction emissions modeling. Specifically, the model assumes the site would be watered twice a day, reducing fugitive dust emissions by 36%.

- **Demolition Building Square Footage:** Approximately 37,000 square feet of building demolition was added to the model to account for demolition and removal of the existing structures.

- **Project Phasing:** All project construction activities were modeled as a single construction project to provide a worst-case estimate of potential construction emissions.

The project's estimated construction criteria air pollutant emissions are presented in Table 3.3-4 Refer to Appendix A for detailed CalEEMod assumptions and output files.

Table 3.3-4: Estimated Project Construction Criteria Air Pollutant Emissions

Year	Pollutant Emissions (Tons Per Year)						
	ROG	NO_x	CO	PM_{10}		$PM_{2.5}$	
				Dust	Exhaust	Dust	Exhaust
2025	0.2	1.7	2.0	0.1	0.1	<0.1	0.1
2026	0.3	0.2	<0.1	<0.1	<0.1	<0.1	<0.1
Year	**Pollutant Emissions (Average Pounds per Day)**						
	ROG	**NO_x**	**CO**	**PM_{10}**		**$PM_{2.5}$**	
				Dust	**Exhaust**	**Dust**	**Exhaust**
2025	1.0	9.3	11.0	0.4	0.6	0.4	0.2
2026	1.7	1.1	1.5	<0.1	<0.1	<0.1	<0.1
BAAQMD CEQA Threshold	**54**	**54**	**--**	**BMPs**	**82**	**BMPs**	**82**
Potentially Significant Impact?	**No**	**No**	**No**	**No**	**No**	**No**	**No**

Source: MIG 2023 (see Appendix A); BAAQMD 2023b

As shown in Table 3.3-4, the proposed project would not result in construction emissions that exceed the BAAQMD's recommended CEQA thresholds of significance. For all projects, the BAAQMD recommends implementation of nine "Basic Best Management Practices for

Construction-Related Fugitive Dust Emissions" to reduce construction fugitive dust emissions levels; these basic measures are also used to meet the BAAQMD's best management practices (BMPs) threshold of significance for construction fugitive dust emissions (i.e., the implementation of all basic construction measures renders fugitive dust impacts a less than significant impact). The BAAQMD's recommended fugitive dust BMPs are as follows (BAAQMD 2023b, Table 5-2):

- *B-1:* All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.

- *B-2:* All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

- *B-3:* All visible mud or dirt trackout 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.

- *B-4:* All vehicle speeds on unpaved roads shall be limited to 15 mph.

- *B-5:* 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.

- *B-6:* All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.

- *B-7:* All trucks and equipment, including their tires, shall be washed off prior to leaving the site. [Only applies if required pursuant to BAAQMD Regulation 6 Rule 6 (regarding construction site size being 1-acre or larger)].

- *B-8:* Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6- to 12-inch layer of compacted layer of wood chips, mulch, or gravel. [Only applies if required pursuant to BAAQMD Regulation 6 Rule 6 (regarding construction site size being 1-acre or larger)].

- *B-9:* Publicly visible signs shall be posted with the telephone number and name of the person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's General Air Pollution Complaints number shall also be visible to ensure compliance with applicable regulations.

As shown in Table 2.6-1, the SCUSD has incorporated the BAAQMD basic construction measures into the proposed project. These measures would be implemented by the construction contractor (s). Regarding B-3, B-7, B-8 (trackout control measures), it is currently unknown whether BAAQMD Regulation 6 Rule 6 would apply to the proposed project (specifically regarding future subsequent phases) because it is unknown whether subsequent phases would involve a construction site of 1-acre or larger. In the event that BAAQMD Regulation 6 Rule 6 does apply to the proposed project, the project construction contractor(s)

will incorporate trackout control measures in compliance with the requirements listed in BAAQMD Regulation 6 Rule 6. The implementation of measures commensurate with the BAAQMD BMPs would render the proposed project's potential construction emissions a less than significant impact.

The BAAQMD's operational screening criteria indicate a project would result in a less-than-significant impact related to criteria air pollutants (including precursors pollutants) if the project size is at or below the applicable operational screening level size (as shown in Table 4-1 of the BAAQMD CEQA Guidelines), operational activities would not include stationary engines (e.g., backup generators) and industrial sources subject to Air District rules and regulations, and operational activities would not overlap with construction-related activities. As shown in Table 3.3-4, the proposed project would be below the operational screening level size and would not include any stationary sources, however operations may overlap with construction activities due to the phased nature of the project design. Therefore, the proposed project may not meet all BAAQMD operations-related screening criteria. However, as described in Section 2.5, the proposed project would result in eight fewer classrooms and have capacity for 162 fewer students. Therefore, operational-related emissions would not increase as the result of the project. The proposed project, therefore, would not result in significant operational emissions. This impact would be less than significant.

Cumulative Impact Discussion

The SFBAAB is an area of non-attainment for national and state ozone, state PM_{10}, and national and state $PM_{2.5}$ air quality standards (BAAQMD 2023b Table 5-1). As shown in Table 3.3-4, the BAAQMD has established project-level thresholds of significance for criteria air pollutants. The BAAQMD's project-level thresholds are also the levels at which the BAAQMD has determined that a project's individual contribution to the cumulative impact of non-attainment is cumulative considerable (BAAQMD 2023b). As discussed under paragraphs a) and b) above, the proposed project does not conflict with the BAAQMD's 2017 Clean Air Plan and would not result in construction or operational emissions that exceed BAAQMD thresholds of significance. As such, the proposed project would not result in a cumulatively considerable contribution to regional air quality impacts.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant Impact. The proposed project's construction activities would emit TACs that have the potential to disperse and result in adverse health risks at sensitive receptor locations near the Westwood Elementary School Campus. In addition, operational vehicle trips would have the potential to contribute to CO concentrations on road segments and intersections used to access the site. Finally, CEQA Guidelines Section 15186 sets forth special requirements for certain school projects to ensure that potential health impacts resulting from exposure to hazards emissions materials, substances, or wastes is examined and disclosed. As explained in detail below, the proposed project would not expose off-site sensitive receptors nor on-campus students, faculty, and staff to substantial pollutant concentrations or significant adverse health risks. This impact would be less than significant.

Project Construction Emissions

Project-related construction activities would emit $PM_{2.5}$ from equipment exhaust. Nearly all the project's $PM_{2.5}$ emissions from equipment exhaust would be DPM, which is a TAC. Site grading, foundation installation, trenching, and paving would occur intermittently during the daytime weekday period for approximately three to five months. Building construction and finishing would require little to no diesel-powered construction equipment other than an equipment lift or vendor trucks. Although project construction would emit criteria and hazardous air pollutants, these emissions would be well below the BAAQMD's construction thresholds of significance (see discussion b) above). In addition, the construction BMPs listed in Table 2.6-1 further reduce construction-related pollutant concentrations by limiting construction activities, requiring equipment to be inspected, tuned, and maintained during construction, and restricting idling to no more than five minutes. Furthermore, the sensitive receptors in close proximity to construction work areas (i.e., nearby residents and students and employees at Westwood Elementary School) would not be continuously exposed to outdoor pollutant concentrations associated with project construction activities for a prolonged period of time. Importantly, students and employees would spend a large part of their time indoors while on-site and would benefit from air filtered by the school's air ventilation units. The combination of low emission levels and limited receptor exposure to construction-generated DPM emissions would render potential risks and hazards from construction DPM emissions a less than significant impact.

Asbestos

An asbestos survey prepared for the proposed project concluded that asbestos containing building materials are potentially present but that no abatement is necessary for building materials assumed to contain asbestos. The asbestos survey also states these materials should be removed if they become damaged or repairs and maintenance work may impact these materials. The removal and disposal of asbestos containing building materials is regulated by the BAAQMD Regulation 11, Rule 2 (see Table 3.3-1). Subsequent surveys may be conducted for any future demolition activities associated with the Master Plan, however the removal of any asbestos materials would be subject to BAAQMD Regulation 11, Rule 2 and therefore, would not result in a significant impact.

Project Operation – CO Hotspots

Based on BAAQMD CEQA Guidelines, the proposed project would result in a less than significant impact in terms of carbon monoxide if it is consistent with the applicable congestion management plan, it does not generate traffic volumes that would increase volumes at affected intersections to more than 44,000 vehicles per hour, and it does not generate traffic volumes that would increase volumes at affected intersections to more than 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited such as in tunnels, garages, underpasses, canyons, and below grade roadways that restrict air flow and mixing. Operationally, the proposed project would result in eight fewer classrooms and approximately 162 fewer students at the Westwood Elementary School Campus. Since the proposed project would result in an overall net reduction in students and associated vehicle trips, it would not have the potential to contribute to traffic volumes that exceed the screening criteria. The project, therefore, would not result in substantial CO concentrations from vehicle trips or idling.

Westwood School Campus Exposure to Existing Sources of Hazardous Air Emissions

CEQA Guidelines Section 15186(c)(1) requires that when a project involves the construction of a secondary or elementary school by a school district, the CEQA document prepared for the project determine if the school property is within 500 feet of the edge of the closest traffic lane of a freeway or other busy traffic corridor, which is defined in CEQA Guidelines Section 15186(e)(5) as roadways that have average daily traffic volumes in excess of 100,000 vehicles in an urban area. In addition, CEQA Guidelines Section 15186(c)(2), requires the lead agency for such a project to notify in writing and consult with the local air pollution control district or air quality management district and the local agency responsible for implementing the State's Unified Hazardous Waste and Hazardous Materials Regulatory Program to determine if there are facilities within ¼ mile of the school site which might reasonably be anticipated to emit hazardous emissions.

Pursuant to CEQA Guidelines Section 15186(c)(1), the SCUSD has determined there are no busy traffic corridors that have an average daily traffic volume in excess of 100,000 vehicles within 500 feet of the project site. The proposed project is located on the segment of Saratoga Avenue between Pruneridge Avenue and Scott Boulevard. As identified in the City's General Plan Transportation and Mobility Assumptions, this road segment has an existing average daily traffic (ADT) volume of 11,120 vehicles as of 2008 and a projected 2035 ADT volume of 14,276 vehicles (City of Santa Clara 2014, Appendix 7, Table 8.7-5).

Pursuant to CEQA Guidelines Section 15186(c)(2), the SCUSD has notified in writing and consulted with the BAAQMD and the City of Santa Clara Fire Department to determine if there are facilities within ¼-mile of the Westwood Elementary School campus that might reasonably be anticipated to emit hazardous emissions. The results of the consultation with the BAAQMD identified two facilities within ¼-mile of the existing school (BAAQMD, 2023a). The first facility (at 2323 Pruneridge Avenue) is a fire station with a diesel-fueled back-up generator and the second facility (at 400 Saratoga Avenue) is a golf club with a gasoline dispensing facility. These facilities are located approximately 0.17 miles and 0.15 miles, respectively, from Westwood Elementary School and the emissions from these facilities are below the BAAQMD's acute and chronic trigger levels that require the preparation of a health risk assessment (i.e., the facilities emissions levels are sufficiently low enough that a health risk assessment was not required pursuant to BAAQMD Regulation 2, Rule 5 during permitting). The results of the consultation with the City of Santa Clara Fire Department identified no additional facilities within ¼-mile of Westwood Elementary School.

Pursuant to CEQA Guidelines Section 15816, the information above indicates the Westwood Elementary School Campus is not located within 500 feet of a freeway or busy traffic corridor and the potential health risks from existing facilities that use, store, handle, or emit hazardous materials do not and will not constitute an actual or potential endangerment of public health to students, faculty, or staff present at Westwood Elementary School. This impact would be less than significant.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less Than Significant Impact. The proposed project could generate odors from the following sources and activities:

- Evaporation of gasoline, oil, and other fluids that can escape from construction equipment and motor vehicles (e.g., passenger vehicles, school buses, and other vehicles).

- Off-gassing of volatile compounds from asphalt surfaces (e.g., paving of parking lot) and volatile building products (e.g., architectural coatings).

Potential odors may or may not, depending on the individual's olfactory sensitivity, be perceived as objectionable, offensive, a nuisance, etc. Odors are generally regarded as an annoyance rather than a health hazard. An odor that is offensive to one person may not be offensive to a different person, and unfamiliar odors are more easily detected and are more likely to cause complaints than familiar odors, as a person can become desensitized to almost any odor over time (known as odor fatigue). In general, the quality and intensity of an odor influence a person's reaction. The quality of an odor indicates the nature of the smell experience (e.g., flowery, putrid). The intensity of an odor depends on its concentration in the air. When an odor sample is progressively diluted, the odor concentration decreases. As this occurs, the odor intensity weakens and eventually becomes low enough where the odor is no longer detectable.

Although the proposed project could generate potential odors that could be detectable at adjacent residential receptor locations, this impact would not be significant for several reasons. First, the potential odors associated with the proposed project are common in the vicinity of the project area due to existing roads and vehicle trips. The project, therefore, would not result in the release of atypical or unfamiliar odors near sensitive receptors (e.g., odors associated with traffic). Second, construction activities would not result in the continuous generation of odors. Rather, odors would be intermittent and only generated during certain activities (e.g., equipment operations, vehicle

trips) and times of day (e.g., during and immediately after equipment operations). Construction activities would also be short in duration. Finally, potential odors from construction and operational activities would disperse due to wind flow across the project site and surrounding lands. For these reasons, the construction and operation of the proposed project would not generate unusual, atypical, or excessive odors that could affect a substantial number of people.

3.4 BIOLOGICAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☒	☐	☐
b) 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 California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c) 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?	☐	☐	☐	☒
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	☒	☐	☐
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	☒

3.4.1 Environmental Setting

The proposed project site is a fully developed campus with existing buildings, sidewalks, paved areas (e.g., parking lots, walkways, play area), and landscaped lawn, with manicured landscaping surrounding the building's exterior throughout the campus. The project site is primarily surrounded by residential development. Single-family housing exists adjacent to the project site along Cypress Avenue to the south, Bohannon Drive to the east, and Los Padres Boulevard to the north. Multifamily housing is located to the west across Saratoga Avenue. Henry Schmidt Park is located to the north of the project site at the corner of Saratoga Avenue and Los Padres Boulevard.

Existing Land Cover Types, Vegetation Communities, and Habitats

Developed

The landcover type within the study area is classified as developed. This landcover type includes existing buildings, a manicured lawn, paved areas (e.g., parking lots, walkways, play area), and a variety of ornamental trees and shrubs throughout the campus. Trees surrounding the perimeter of the site include Chinese pistache (*Pistacia chinensis*), crape myrtle (*Lagerstroemia indica*), Mayten tree (*Maytenus boarial*), fruitless mulberry (*Morus alba*), southern magnolia (*Magnolia grandiflora*), Italian stone pine (*Pinus pinea),* coast redwood (*Sequoia sempervirens)*, valley oak (*Quercus lobata*), coast live oak (*Quercus agrifolia*), Modesto ash (*Fraxinus velutina*), and Deodar cedar (*Cedrus deodara*). Shrubs throughout the campus include Japanese boxwood (*Buxus microphylla*), Chinese Fringe Flower (*Loropetalum chinense*), Indian hawthorn (*Rhaphiolepis indica*), and red escallonia (*Escallonia rubra*) (See Appendix B).

The wildlife commonly associated with developed landcover types are often those that are tolerant of disturbance from human activities and include both native and non-native species. Common introduced species that are present in developed landcover include European starling (*Sturnus vulgaris*), rock pigeon (*Columbia livia*), eastern gray squirrel (*Sciurus carolinensis*), house mouse (*Mus musculus*), and Norway rat (*Rattus norvengicus).* Many common, native species are also able to utilize these habitats, and may forage primarily in the ornamental plantings along the site perimeter. These species include the western fence lizard (*Sceloporus occidentalis*), striped skunk (*Mephitis mephitis*), and raccoon (*Procyon lotor*). Native birds such as the mourning dove (*Zenaida macroura*), lesser goldfinch (*Spinus psaltria*), Anna's hummingbird (*Calypte anna*), American crow (*Corvus brachyrhynchos*), and Brewer's blackbird (*Euphagus cyanocephalus*) may forage and/or nest in the landscaped areas along the perimeter of the study area. House finch (*Haemorhous mexicanus*), Bewick's wren (*Thryomanes bewickii*), and northern mockingbird (*Mimus polyglottos*) may also nest in the landscaped areas and were observed during the reconnaissance survey. Although some species of bats will roost in trees and buildings, none of the trees and buildings on the site support potential features (e,g., crevices or cavities) suitable for roosting bats.

Special-Status Species

Special-status species are those plants and animals that are legally protected or otherwise recognized as vulnerable to habitat loss or population decline by federal, state, or local resource conservation agencies and organizations. In this analysis, special-status species include:

- Listed, proposed for listing, or candidate for possible future listing as threatened or endangered under the Federal Endangered Species Act (FESA, 50 CFR §17.12)
- Listed or candidate for listing by the State of California as threatened or endangered under the California Endangered Species Act (CESA, Fish and Game Code §2050 et seq.)
- Listed as rare under the California Native Plant Protection Act (Fish and Game Code §1900 et seq.)
- Listed as a Fully Protected Species (Fish and Game Code §§3511, 4700, 5050, and 5515)
- Listed as a California Species of Special Concern (CSSC) by the California Department of Fish and Wildlife (CDFW)
- Plant species considered by California Native Plant Society (CNPS) and CDFW to be "rare, threatened, or endangered in California" (Ranks 1A, 1B, and 2)

The potential for special-status species to occur within the project area was analyzed by conducting a query of the CNDDB and the CNPS Rare Plant Inventory to see which species occur within the project site vicinity and performing a reconnaissance site visit on April 14, 2023 (CNDDB 2023, CNPS 2023). Based on this analysis, none of the special-status species known to occur in the region are expected to occur on the project site because the site is fully developed and lacks suitable habitat (e.g., salt marsh, freshwater marsh, stream, pond, riparian forest, grassland, scrub, chaparral, burrowing habitat) to support these species. Special-status species that were considered for potential occurrence on the project site, and the reasons that they were determined to be absent, are as follows:

Based on a review of the CNPS (2023) and CNDDB (2023), 19 special-status plant species are known to occur in the region surrounding the project site. None of these species have any potential to occur on site because the site is fully developed, lacks suitable habitat (e.g., serpentine, salt marsh, grassland), is outside of the range of the species, or the species is considered to be extirpated from the project vicinity. For example, the Congdon's tarplant (*Centromadia parryi ssp. congdonii*), a CNPS Rank 1.B1 species, is known to occur within 3.25 miles of the site and occasionally occurs in disturbed habitats, such as non-native grasslands. However, the project site does not support any grassland habitat. Thus, this species is not expected to occur on the project site.

Based on a review of the CNDDB (CNDDB 2023), 33 special-status animal species are known to occur in the region. None of these species have any potential to occur on the project site due to the developed nature of the site, lack of suitable habitat (e.g., burrowing habitat, salt marsh,

riparian, grassland), the site is outside the range of the species, or the species is considered to be extirpated from the project region. For example, the western burrowing owl (*Athene cunicularia*), a California species of special concern, is known to occur at the San Jose Mineta Airport, approximately one mile east of the project site (SCVHA 2021). However, due to the absence of grassland habitat and California ground squirrel (*Spermaphilous beecheyi*) burrows, an essential habitat component for the species, there is no potential for this species to occur on the project site.

Nesting Birds

Nesting birds of common species may occur in trees, shrubs, understory vegetation, shallow scrapes on bare ground, building eaves, building overhangs, and light fixtures in and around the project areas. No active nests were observed during the field survey. All migratory bird species are protected under the federal Migratory Bird Treaty Act and California Fish and Game code.

Sensitive and Regulated Plant Communities and Habitats

There are no sensitive or regulated plant communities within the project site.

3.4.2 Regulatory Setting

Federal

Endangered Species Act

The Federal Endangered Species Act (FESA) of 1973, as amended, provides the regulatory framework for the protection of plant and animal species (and their associated critical habitats), which are formally listed, proposed for listing, or candidates for listing as endangered or threatened under FESA. FESA has the following four primary components: (1) provisions for listing species, (2) requirements for consultation with the United States Fish and Wildlife Service (USFWS) and the National Oceanic and Atmospheric Administration's National Marine Fisheries Service (NOAA Fisheries), (3) prohibitions against "taking" (i.e., harassing, harming, hunting, shooting, wounding, killing, trapping, capturing, or collecting, or attempting to engage in any such conduct) of listed species, and (4) provisions for permits that allow incidental "take". FESA also discusses recovery plans and the designation of critical habitat for listed species.

Both the USFWS and NOAA Fisheries share the responsibility for administration of FESA. Section 7 requires federal agencies, in consultation with, and with the assistance of the USFWS or NOAA Fisheries, as appropriate, to ensure that actions they authorize, fund, or carry out are not likely to jeopardize the continued existence of threatened or endangered species or result in the destruction or adverse modification of critical habitat for these species. Non-federal agencies and private entities can seek authorization for take of federally listed species under Section 10 of FESA, which requires the preparation of an HCP.

U.S. Migratory Bird Treaty Act

The U.S. Migratory Bird Treaty Act (MBTA; 16 USC §§ 703 et seq., Title 50 Code of Federal Regulations [CFR] Part 10) states it is "unlawful at any time, by any means or in any manner, to pursue, hunt, take, capture, kill; attempt to take, capture or kill; possess, offer for sale, sell, offer

to barter, barter, offer to purchase, purchase, deliver for shipment, ship, export, import, cause to be shipped, exported, or imported, deliver for transportation, transport or cause to be transported, carry or cause to be carried, or receive for shipment, transportation, carriage, or export any migratory bird, any part, nest, or egg of any such bird, or any product, whether or not manufactured, which consists, or is composed in whole or in part, of any such bird or any part, nest or egg thereof…" In short, under MBTA it is illegal to disturb a nest that is in active use, since this could result in killing a bird, destroying a nest, or destroying an egg. The USFWS enforces MBTA. The MBTA does not protect some birds that are non-native or human-introduced or that belong to families that are not covered by any of the conventions implemented by MBTA.

Clean Water Act

The Clean Water Act (CWA) is the primary federal law regulating water quality. The implementation of the CWA is the responsibility of the U.S. Environmental Protection Agency (EPA). However, the EPA depends on other agencies, such as the individual states and the U.S. Army Corps of Engineers (USACE), to assist in implementing the CWA. The objective of the CWA is to "restore and maintain the chemical, physical, and biological integrity of the Nation's waters."

State

California Environmental Quality Act (CEQA)

CEQA (Public Resources Code Sections 21000 et. seq.) requires public agencies to review activities which may affect the quality of the environment so that consideration is given to preventing damage to the environment. When a lead agency issues a permit for development that could affect the environment, it must disclose the potential environmental effects of the project. This is done with an "Initial Study and Negative Declaration" (or Mitigated Negative Declaration) or with an "Environmental Impact Report". Certain classes of projects are exempt from detailed analysis under CEQA if they meet specific criteria and are eligible for a Categorical Exemption.

CEQA Guidelines Section 15380 defines endangered, threatened, and rare species for purposes of CEQA and clarifies that CEQA review extends to other species that are not formally listed under the state or federal Endangered Species acts but that meet specified criteria. The state maintains a list of sensitive, or "special-status", biological resources, including those listed by the state or federal government or the California Native Plant Society (CNPS) as endangered, threatened, rare or of special concern due to declining populations. During CEQA analysis for a proposed project, the California Natural Diversity Data Base (CNDDB) is usually consulted. CNDDB relies on information provided by the California Department of Fish and Wildlife (CDFW), USFWS, and CNPS, among others. Under CEQA, the lists kept by these, and any other widely recognized organizations, are considered when determining the impact of a project.

California Endangered Species Act

The California Endangered Species Act (CESA; Fish and Game Code 2050 et seq.) generally parallels FESA. It establishes the policy of the State to conserve, protect, restore, and enhance threatened or endangered species and their habitats. Section 2080 of the California Fish and Game Code prohibits the take, possession, purchase, sale, and import or export of endangered, threatened, or candidate species, unless otherwise authorized by permit or by the regulations. "Take" is defined in Section 86 of the California Fish and Game Code as to "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." This definition differs from the definition of "take" under FESA. CESA is administered by CDFW. CESA allows for take incidental

to otherwise lawful projects but mandates that State lead agencies consult with the CDFW to ensure that a project would not jeopardize the continued existence of threatened or endangered species.

Native Plant Protection Act

The Native Plant Protection Act (NPPA) was created in 1977 with the intent to preserve, protect, and enhance rare and endangered plants in California (California Fish and Game Code sections 1900 to 1913). The NPPA is administered by CDFW, which has the authority to designate native plants as endangered or rare and to protect them from "take." CDFW maintains a list of plant species that have been officially classified as endangered, threatened, or rare. These special-status plants have special protection under California law and projects that directly impact them may not qualify for a categorical exemption under CEQA guidelines.

California Fish and Game Code

California Migratory Bird Protection Act. Fish & Game Code section 3513 states that federal authorization of take or possession is no longer lawful under the state Fish & Game Code if the federal rules or regulations are inconsistent with state law. The California Migratory Bird Protection Act (MBPA) was passed in September 2019 to provide a level of protection to migratory birds in California consistent with the U.S. MBTA before it was altered by Executive Order in 2017.

Nesting Birds. Nesting birds, including raptors, are protected under California Fish and Game Code Section 3503, which reads, "It is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto." In addition, under California Fish and Game Code Section 3503.5, "it is unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto". Passerines and non-passerine land birds are further protected under California Fish and Game Code 3513. As such, CDFW typically recommends surveys for nesting birds that could potentially be directly (e.g., actual removal of trees/vegetation) or indirectly (e.g., noise disturbance) impacted by project-related activities. Disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered "take" by CDFW.

Non-Game Mammals. Sections 4150-4155 of the California Fish and Game Code protects non-game mammals, including bats. Section 4150 states "A mammal occurring naturally in California that is not a game mammal, fully protected mammal, or fur-bearing mammal is a non-game mammal. A non-game mammal may not be taken or possessed except as provided in this code or in accordance with regulations adopted by the commission". The non-game mammals that may be taken or possessed are primarily those that cause crop or property damage. Bats are classified as a non-game mammal and are protected under California Fish and Game Code, in addition to being protected if they are a listed species (e.g., CSSC, CFP, state or federal threatened, or state or federal endangered).

Fully Protected Species and Species of Special Concern

The classification of California fully protected (CFP) species was the CDFW's initial effort to identify and provide additional protection to those animals that were rare or faced possible extinction. Lists were created for fish, amphibians and reptiles, birds, and mammals. Most of the species on these lists have subsequently been listed under CESA and/or FESA. The Fish and Game Code sections (§5515 for fish, §5050 for amphibian and reptiles, §3511 for birds, §4700 for mammals) deal with CFP species and state that these species "…may not be taken or possessed at any time and no provision of this code or any other law shall be construed to authorize the issuance of permits or licenses to take any fully protected species" (CDFW Fish and Game Commission 1998). "Take" of these species may be authorized for necessary scientific research. This language makes the CFP designation the strongest and most restrictive regarding the "take" of these species. In 2003, the code sections dealing with CFP species were amended to allow the CDFW to authorize take resulting from recovery activities for state-listed species. Additionally, on July 10, 2023, Senate Bill 147 (SB 147) was signed into law, which allows for take of a "fully protected" species for certain renewable energy and infrastructure projects, but CDFW incidental take permits and mitigation for take would still be required.

California species of special concern (CSSC) are broadly defined as animals not listed under FESA or CESA, but which are nonetheless of concern to CDFW because they are declining at a rate that could result in listing, or historically occurred in low numbers and known threats to their persistence currently exist. This designation is intended to result in special consideration for these animals by CDFW, land managers, consulting biologists, and others, and is intended to focus attention on the species to help avert the need for costly listing under FESA and CESA, and cumbersome recovery efforts that might ultimately be required. This designation also is intended to stimulate collection of additional information on the biology, distribution, and status of poorly known at-risk species, and focus research and management attention on them. Although these species generally have no special legal status, they are given special consideration under CEQA during project review.

Sensitive Vegetation Communities

Sensitive vegetation communities are natural communities and habitats that are either unique in constituent components, of relatively limited distribution in the region, or are of particularly high wildlife value. These communities may or may not necessarily contain special-status species. Sensitive natural communities are usually identified in local or regional plans, policies, or regulations, or by the CDFW (i.e., CNDDB) or the USFWS. The CNDDB identifies a number of natural communities as rare, which are given the highest inventory priority (Holland 1986;

CDFW 2022). Impacts to sensitive natural communities and habitats must be considered and evaluated under CEQA (CCR: Title 14, Div. 6, Chap. 3, Appendix G).

Local

City of Santa Clara Municipal Code (City Code)

The City of Santa Clara City Code includes provisions to protect existing trees on private property in the City. Protected trees are defined under the City of Santa Clara City Code (Section 12.35.080). Section 12.35.090 of the City Code states that it is unlawful for any person to remove, or cause to be removed, any protected tree from any parcel of property in the City without first obtaining a permit from the City. The SCUSD has consulted with the City over the applicability of the Sections 12.35.080 and 12.35.090 to this project, however, and it was determined that the SCUSD does not fall under the City's jurisdiction for tree removals and therefore these City Code sections do not apply to tree removals on the school site (Pers. Comm. M. Healy, 2024).

3.4.3 Impact Discussion

Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Less Than Significant With Mitigation Incorporated. No special-status wildlife or plant species are anticipated to occur in the project area. Therefore, no impacts to special-status species would occur.

Nesting Birds

Nesting birds, including raptors, protected under the MBTA and California Fish and Game Code could be present in the trees and shrubs on the project site and adjacent to the project site. Tree and vegetation removal, if required, during the avian breeding season (generally February 1st to September 15th) could cause injury to individuals or nest abandonment. In addition, noise and increased construction activity could temporarily disturb nesting or foraging activities, potentially resulting in the abandonment of active nests. However, with the implementation of Mitigation Measure BIO-1 below, impacts to nesting birds will be less than significant.

> **Impact BIO-1:** Project related activities and noise during the avian breeding season (generally February 1st to September 15th) could cause injury to individuals and nest abandonment as well as temporarily disturb nesting and foraging activities.
>
> **Mitigation Measure BIO-1: Avoidance of Active Nests**
>
> **Avoidance.** To the extent feasible, construction activities should be scheduled to avoid the nesting season. If construction activities are scheduled to take place outside the

nesting season, all impacts to nesting birds protected under the MBTA and California Fish and Game Code would be avoided. The nesting season for most birds in Santa Clara County extends from February 1 through September 15.

Pre-Construction Surveys. If construction activities (including but not limited to mobilization and staging, clearing, grubbing, vegetation removal, fence installation, demolition, and grading) cannot avoid the avian nesting season (that is, prior to February 1 or after September 15), all suitable habitats located within the project's area of disturbance, including staging and storage areas plus a 100-foot buffer for non-raptor nests and 300-foot buffer for raptor nests shall be thoroughly surveyed, as access allows, for the presence of active nests. The surveys shall be conducted by a qualified biologist no more than five days before commencement of any vegetation trimming, site disturbance activities and equipment mobilization. If project activities are delayed by more than five days, an additional nesting bird survey shall be performed. Active nesting is present if a bird is building a nest, sitting in a nest, a nest has eggs or young in it, or adults are observed carrying food to the nest. The results of the surveys shall be documented.

If pre-construction nesting bird surveys result in the location of active nests, no site disturbance and mobilization of heavy equipment (including but not limited to equipment staging, clearing, grubbing, vegetation removal, fence installation, demolition, and grading), shall take place within 100 feet of non-raptor nests and 300 feet of raptor nests, unless smaller buffers are determined by a qualified biologist. The buffer shall remain in place until the young have fledged. Monitoring will ensure compliance with MBTA and relevant California Fish and Game Code requirements. Monitoring dates and findings shall be documented.

A qualified biologist is an individual who has a degree in biological sciences or related resource management with a minimum of two seasonal years post-degree experience conducting surveys for nesting birds. During or following academic training, the qualified biologist will have achieved a high level of professional experience and knowledge in biological sciences and special-status species identification, ecology, and habitat requirements.

b) 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 California Department of Fish and Wildlife or US Fish and Wildlife Service?

and;

c) 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?

No Impact. (Responses b and c). There is no riparian habitat or other sensitive natural communities, or state or federally-protected wetlands on the site; thus, none will be impacted by the project.

d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.

Migratory Wildlife Corridors

No Impact. The project site does not provide extensive and/or high-quality habitat areas that would support large breeding populations of any wildlife species, and therefore, no native wildlife nursery sites are present. The project site is a developed site and is surrounded on all sides by dense residential development and associated roadways. While some urban adapted species may occasionally occupy the site, the site is not connected to any corridors (e.g., stream corridors) and does not provide substantial habitat features (e.g., groves of trees) that would support movement of wildlife. Once the site is constructed, those urban-adapted species that use the site currently, would continue to do so. Thus, the project would not impact wildlife movement or established wildlife corridors.

As noted above, some common bird species may nest on the project site. Potential impacts on nesting birds are addressed in BIO-1 above.

Wildlife Movement – Bird Collisions with New Buildings

Less Than Significant with Mitigation Incorporated. It is well-documented that glass windows and building facades can cause injury or mortality to birds when they collide with these structures (Klem et al. 2009, Loss et al. 2019, Riding et al. 2020). This is because birds do not perceive glass as an obstruction to movement in the same way as humans. Most often, collisions occur when highly reflective glass facades reflect the sky or nearby vegetation; when transparent glass windows or building corners are perceived as an unobstructed flight path; or when transparent glass is situated in front of landscaped plantings. The greatest risk for collisions occurs between the first 40 and 60 feet of buildings, as this is where birds are most active in the daytime (ABC Birds 2019).

Under existing conditions, terrestrial land uses and habitat conditions on the project site and in surrounding areas in all directions consist of dense residential development and paved roads. Vegetation throughout much of this area is composed of ornamental trees and shrubs but may also include small numbers of native trees and other vegetation. These conditions do not attract large numbers of birds, as do more natural landscapes, and are not expected to change following the redevelopment of the site. If new buildings are composed of extensive glass, there is potential for small numbers of birds to collide with the façades, especially if landscaping is located in proximity to those facades. Although the number of collisions is not expected to be substantial, as the site does not attract large numbers of birds, such collisions would be greater compared to existing conditions because the existing buildings do not currently have glass facades and do not pose a collision risk. Therefore, project impacts resulting from bird collisions would constitute a significant impact under CEQA. If extensive glass building facades are proposed, implementation of Mitigation Measure BIO-2 would reduce this impact to less than significant.

> **Impact BIO-2:** The project may adversely impact bird mortality due to glass windows and building façades.

Mitigation Measure BIO-2. Implement Bird-Safe Building Design. If extensive glass facades (e.g., glass walls, walkway railings, balcony railings) are proposed on proposed buildings, the project shall implement the following bird-safe design considerations:

- Use glazing or window coatings/markings that reduce bird strike hazard caused by transparency, reflectance, black hole, or passage effect, etc., such as Guardian Bird1st etch glass or similar. See recommendations in ABC (2019) at https://abcbirds.org/glass-collisions/Minimize plantings and landscaped areas behind glass walls or railings.

- Minimize concentrations of plantings adjacent to glass facades and glass corners.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (including the County Heritage and Significant Tree Ordinances)?

Less Than Significant Impact. The project may result in the removal of up to 53 existing trees as a result of redevelopment. The City of Santa Clara City Code includes provisions to protect existing trees on private property in the City. Five of the trees inventoried on the project site are classified as protected trees under the City of Santa Clara City Code (Section 12.35.080). Section 12.35.090 of the City Code states that it is unlawful for any person to remove, or cause to be removed, any protected tree from any parcel of property in the City without first obtaining a permit from the City. The SCUSD has consulted with the City over the applicability of the Sections 12.35.080 and 12.35.090 to this project, however, and it was determined that the SCUSD does not fall under the City's jurisdiction for tree removals on District property and therefore these City Code sections do not apply to the removals proposed by the project on District property (pers. comm. M. Healy, 2024). Phased development of the Master Plan would include replacement landscaping. If trees on City property are required to be removed as a result of the Master Plan, the City's tree permit and replacement policies would be followed by the District. The impact is considered less than significant.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

No Impact. The project site is not located within an area covered by an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, the project would not conflict with any such plans.

3.5 CULTURAL RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☒	☐	☐

The following discussion is based in part on an Archaeological Resources Assessment Report (Appendix C) prepared for the project by Basin Research Associates (Basin, February 6, 2023). Inquiries regarding the report should be directed to the SCUSD.

3.5.1 Environmental Setting

Prehistoric

The project area is within the territory of the Tamyen (Tamien) tribelet of the Ohlone or Ohlone/Costanoan Native Americas. The Tamyen held the eastern Santa Clara Valley along the Guadalupe River to present-day Cupertino on upper Stevens Creek to the east.

Hispanic Period

The Spanish philosophy of government in northwestern New Spain was directed at the founding of presidios, missions, and secular towns with the land held by the Crown (1769-1821), while the later Mexican Period policy (1822-1848) stressed individual ownership of the land. None of the known routes of Spanish expeditions proceed through or near the project. No adobe dwellings or other structures and/or features, etc. have been identified in or adjacent to the project. The project is located in ungranted lands; the closest grant, the “Bennett Tract” is situated within the northern periphery of the project search area. The project is approximately 1.25 miles southwest of present-day Mission Santa Clara, founded in 1777 and moved to its present-day location and dedicated in 1825/1828 The project is not mapped within or near the “City of Santa Clara Archeologically Sensitive Boundaries.”

American Period

The project site is not within the early boundaries of City of Santa Clara that developed around Mission Santa Clara. Saratoga Avenue was in existence by 1876 and proceeded northeasterly to the southwest corner of the expanding City. By 1953 the streets surrounding the project site had been constructed, but Los Padres (now Boulevard) was truncated and did not extend as far as Saratoga Avenue. The 1961 USGS topographic quadrangle shows Westwood School surrounded by urban development though the opposite side of Saratoga Avenue was agricultural.

The City of Santa Clara

Santa Clara County was created in 1852 and Santa Clara was incorporated as a state-chartered city ten years later. In 1852 Santa Clara consisted of about 2,000 acres with a population of approximately 200 people but by 1880 had increased to 2,416. California created its public education system in 1852, the same year the Santa Clara County Office of Education was founded to verse K-12 education throughout the county. San José's selection as the first state capital, the discovery of gold in the Sierra foothills, and the introduction of the railroad spurned an influx of immigration, rapid development, and economic growth in the Santa Clara Valley.

The decade of the 1860s saw the introduction of railroad transportation into Santa Clara County. The line connected San José with the transcontinental railroad in 1869. The Santa Clara Valley became part of a network that opened new markets for agricultural and manufactured production. The new rail line, increasing population, and agricultural development introduced a new era of land use (Archives, 2004).

By 1870, nearly all acreage in the rural areas of Santa Clara County was devoted to wheat and barley production. Poor crop yields in 1879-80 resulted in a more diverse farming approach and by the late 1880s, orchard products became prominent in the local agricultural industry. Acreage expanded rapidly during the 1890s and orchards completely dominated agriculture in Santa Clara County by the end of the decade. Commercial growth in Santa Clara County boomed during the 1880s and continued with a steady increase in population toward the end of the nineteenth century. Streetcars that were initially horse drawn became electric around the turn of the century. By 1905, electric streetcar lines connected Santa Clara to San José, Saratoga, Campbell, Los Gatos, and other nearby cities (Archives, 2004).

The business of fruit production, including growing, packing, and canning, continued to be the focus of Santa Clara County agriculture in the early twentieth century. With the increased ratio of crop value to land unit, large farms that had evolved in the nineteenth century out of the ranchos became unnecessary (Archives, 2004). The City of Santa Clara had a population of 3,650 in 1900 and by that time the Santa Clara County Office of Education was overseeing 84 school districts, 562 teachers and 97 schoolhouses serving a total of 14,320 students.

Interwar Period 1918-1945

Major highway improvements and construction took place during this period with increased private automobile ownership and use. Streetcar lines were abandoned and replaced by private bus lines. The San Francisco Bay area was the gateway to the Pacific theater from 1941 to

1945. The large naval air station at Moffett Field became a center of much activity. Thousands of military personnel were brought to the area for training and processing.

Period of Industrialization and Suburbanization 1945-1975

Following World War II, research and technology companies based in Santa Clara County began to form the nucleus of what became known as Silicon Valley. The business community launched an active campaign to attract new non-agricultural related industries to the area. By the 1960s, Santa Clara County's economic base was increasingly dependent upon the electronic and defense industries (Archives, 2004).

Drawn by a booming job market, the population of Santa Clara Valley experienced rapid growth after 1950. Between 1950 and 1975 the population increased from 95,000 to over 500,000, with close to 60,000 calling the City of Santa Clara home by 1960. Orchards were replaced with suburban housing tracts, shopping centers, and commercial or office park development (Archives, 2004).

1n 1963, the Santa Clara City Council voted to knock down the eight-block grid of Downtown Santa Clara in order to receive federal funding for urban renewal (Schuk, 2017).

Since July 1960 the City of Santa Clara has had a master plan which provides for the location of public schools within its boundaries. The Santa Clara Unified School District was created in 1966 (City of Santa Clara v Santa Clara Unified School District).

The operations of three private bus companies serving Santa Clara County were consolidated and taken over by a newly formed Santa Clara County Transit District (SCCTD) on January 1, 1973. This eventually merged with the county Congestion Management Agency to become the Santa Clara Valley Transit Authority.

Early Silicon Valley 1975-2000

Coined "Silicon Valley" in the early 1970s as a reference to the silicon-based transistors and circuit chips, this name roughly corresponds to the geographical area of the Santa Clara Valley. Silicon Valley was born through the intersection of several contributing factors including a skilled science research base housed in the area's universities, ample venture capital, and steady U.S. Department of Defense spending. In the 1980s and '90s the Silicon Valley landscape changed further as the economy shifted from semiconductors to personal computer manufacturing and then to computer software and Internet-based business. Silicon Valley is generally considered to have been the center of the dot-com bubble, which started in the mid-1990s and collapsed after the NASDAQ stock market began to decline dramatically in April 2000. During the bubble era, real estate prices reached unprecedented levels.

2001 to Present

Over nineteen square miles and now holding over 125,000 people in 2023, the City has grown to include a large area of industrial parks north toward San Francisco Bay, as well as its historic neighborhood to the south. The City serves as a high-tech center and as home to the Santa Clara University.

Santa Clara Unified School District is the public school district that serves 14,028 students in Santa Clara and small portions of Sunnyvale, Cupertino, and North San Jose. The school district hosts 34 educational programs and schools with K–8, middle, elementary, and high schools. Many of the schools are named for former farmers, ranchers, and other notable Santa Clara residents such as Bowers and Bracher elementary schools, Buchser Middle School, Wilcox High School, and Santa Clara High School.

Mid Century Modernism 1945-1975

The term “Mid-Century Modern” is broadly applied to describe the array of modern styles that became popular following World War II. Deeply influenced by noted American architect Frank Lloyd Wright, from 1949 to 1966 California developer Joseph Eichler built thousands of Midcentury Modern houses in the Bay Area, bringing Wright’s aesthetic to the middle class (Schuk, 2019). As the Mid-Century Modern style matured and became the dominant mode of postwar architecture, it was gradually adapted to other types of properties and eventually applied to commercial, institutional, and industrial development.

Mid-century modern architecture made use of standardized, prefabricated materials. Its emphasis on efficiency and economy meant that it had widespread appeal and could easily be adapted to meet the needs of a range of clients and properties. Businesses favored the style due to its association with modernity and the latest trends, while public and private institutions set out to expand and modernize their facilities to keep pace with postwar growth (SurveyLA, 2021).

As the postwar period progressed, mid-century modern became the face of public and private institutions. The style became visually synonymous with the numerous civic buildings and government facilities that were constructed in the postwar period. Police and fire stations, public school campuses, post offices, and civic administration buildings were designed with simple geometric shapes, flat roofs, and relatively plain exterior walls (SurveyLA, 2021). Notably, mid-century modern architecture attempted to blur the boundaries between indoor and outdoor spaces with consideration to daylight and sunlight, landscaping, and the overall site (Knapp & VerPlanck, 2011).

Mid-Century Modern Schools

Rising post-war construction costs meant that modern designs were cheaper to build than the neo-classical or art deco designs from prior decades (Forsi, 2020). Mid-century schools used new technologies, materials, and mass production methods to meet demands for fast and affordable construction. The 1933 Field Act also dramatically affected school design in California, as it required the Division of the State Architect to oversee the planning, design, construction, and alteration of public schools consistent with seismic standards (Knapp & VerPlanck, 2011).

Schools built in the post-war era were typically long, one-story buildings with large windows, light-filled outdoor courtyards, and a decentralized floor plan. Instead of a single rectangular block that contained all school facilities, mid-century schools had a sprawling design typically connected by covered walkways under wood-paneled ceilings (Forsi, 2020). Facilities were clustered by function with classrooms separated from noisier cafeteria and auditorium uses.

Built on larger sites with a greater emphasis on landscaping and outdoor recreation, plans were often irregular.

In addition to flat or low pitch roofs with deep overhangs, mid-century schools were designed with expansive windows and contrasting wall materials rather than extensive decorative elements. Windows were positioned to allow cross-ventilation and keep temperatures down. Floorplans were laid out to maximize space and flexibility. Classrooms typically featured extensive built-ins that included sinks, slots for bulky rolls of paper, and coat storage (Forsi, 2020).

The growing influx of students starting in the late 1940s meant schools in the Bay Area had become severely overcrowded, with half-day double school sessions and classes held in school corridors, homes, and elsewhere to accommodate all the students. Ease of expansion was another notable element of mid-century modern school design. The layout and outdoor circulation pattern of these schools allowed additional classrooms to be added easily and inexpensively (Knapp & VerPlanck, 2011).

Westwood Elementary School

Westwood Elementary School was built starting in 1954. Two classroom wings were added in 1956, and 1957, and a multipurpose room was added in 1959. Two buildings were demolished in 2001 and rebuilt in 2002. Portables were added between 1997 and 2008, and in 2018.

Architect's Biography: L.F. Richards

Westwood Elementary School was originally designed by architect L.F. Richards in 1954. Limited information on Richards is available, however, he is listed as the architect for several government and educational facilities in the City of Santa Clara. While Richards is identified as an architectural firm with an office in Santa Clara as early as 1948, the first known building Richards designed was the Santa Rosa Swim Center in 1949.

In addition to Westwood, Richards designed two other elementary schools in Santa Clara in the 1950s: C. W. Haman Elementary in 1952 and Scott Lane Elementary in 1954. He also designed Emil R. Buchser High School, now known as Santa Clara High School, in the late 1950s as well as W. A Wilson Intermediate School, now an Alternative School and adult education site, and Bollinger McCoy Elementary School, which is now closed. Richards also worked on several school additions and expansions in Santa Clara including phases two and three of Adrian Wilcox High School. Richards had also developed a temporary (portable) classroom design for the Santa Clara School District. Richards designed other schools in the broader Bay Area including Gilroy High School in the City of Gilroy and Live Oak Union High School in the City of Morgan Hill.

While he seemed to have built a niche in the design of public-school buildings, Richards was also known for other work in Santa Clara. He was awarded the contract for the Santa Clara City Fire House in 1958 and in 1980 Richards was identified as one of the architects for the Santa Clara City Hall. Richards is also credited as the architect for Memorial Cross Park (also known as Mission Cross Park) which is located at the second site of the Santa Clara Mission. He

designed several aquatic facilities in the 1950s, which included bath houses and swimming pools for Washington Park in the City of Sunnyvale and an unnamed high school in Alameda.

Active in the several chapters of the American Institute of Architects, Richards was elected president of the California Council of Architects in 1958 having previously served as vice president and holding other positions within the Coast Valleys Chapter.

Architectural Description

The Westwood Elementary School campus is oriented towards Saratoga Avenue to its west and is accessed from Saratoga Avenue via two parking lots. A wood perimeter fence separates the campus from the surrounding neighborhood. The campus comprises ten permanent buildings as well as several modular buildings and ancillary structures.

The permanent buildings (A-J) were built between 1954 and 1959, except for buildings E and F which were demolished and rebuilt in 2002. These buildings house classrooms, a multipurpose room, library, administrative offices, and other school functions. They are linked by a circulation system that includes a covered walkway. Consistent with the era in which they were originally built, these buildings are designed in the Mid-Century Modern style of architecture. The modular and portable buildings (1-20) are placed to the north, east, and south of the permanent buildings and were constructed between 1997 and 2018. They are used for preschool, and after school care. An existing plan with the buildings labeled and representative photos of the various building types are included below.

Play areas are located to the north and east on the property and comprised primarily of blacktop or lawns. There are trees planted along the northern perimeter of the campus as well as along portions of the campus' frontage with Saratoga Avenue.

Figure 3-1*:* Labeled Site Plan



Source: SCUSD, edited by MIG 2023

Figure 3-2: Building A (Multipurpose Room). East façade, viewing southwest.



Figure 3-3 Building B (Office). West façade, viewing northeast.



Figure 3-4: Building D (Classrooms). West and north facades, view facing southeast.



Figure 3-5: Covered Walkway connected buildings D through J. *view facing south.*



Figure 3-6: Modular Buildings. North façade, viewing southwest.



Records Search Results

A prehistoric and historic site record and literature search was completed by the California Historical Resources Information System, Northwest Information Center, at Sonoma State University, Rohnert Park (CHRIS/NWIC File No. 22-0939 dated 1/13/23 by Murazzo). Reference material from the Bancroft Library at UC Berkeley and Basin Research Associates, San Leandro was also consulted. Specialized listings reviewed include:

The CHRIS/NWIC records search was negative for reports and/or resources within or adjacent to the project site or within a 0.25-mile radius:

- No known ethnographic Native American villages, trails, traditional use areas or contemporary use areas and/or other features of cultural significance have been identified within or adjacent to the project site.
- No known potential Hispanic Period archaeological resources (e.g., adobe dwellings or other structures, features, etc.) have been reported within or adjacent to the project site.
- No American Period archaeological sites have been recorded or reported within or adjacent to the project site.
- A field inventory was not completed due to the nature of the project within a developed school campus and the lack of visible native sediments.

- No listed or known potential NRHP and/or CRHR are located within or adjacent to the project site. No other significant or potentially significant local, state or federal cultural resources/historic properties, landmarks, points of interest, etc. have been identified within or adjacent to the project site

Native American Outreach

The NAHC was contacted for a search of the SLF for the project site. The review was negative. Ten locally knowledgeable Native American individuals/organizations listed by the NAHC were contacted to determine if "tribal cultural resources" are/were present.

- Valentin Lopez, Chairperson, Amah Mutsun Tribal Band, Galt;
- Irenne Zwierlein, Chairperson, Amah Mutsun Tribal Band of Mission San Juan Bautista, Lakeport;
- Ann Marie Sayers, Chairperson, Indian Canyon Mutsun Band of Costanoan; Hollister;
- Kanyon Sayers-Roods, Indian Canyon Mutsun Band of Costanoan, San Jose;
- Charlene Nijmeh, Chairperson, Muwekma Ohlone Indian Tribe of the SF Bay Area, Castro Valley;
- Monica Arellano, Vice Chairwoman, Muwekma Ohlone Indian Tribe of the SF Bay Area, Castro Valley;
- Katherine Perez, Chairperson, North Valley Yokuts Tribe, Linden;
- Timothy Perez, North valley Yokuts Tribe, Linden;
- Andrew Galvan, The Ohlone Indian Tribe, Fremont;
- Kenneth Woodrow, Chairperson, Wuksache Indian Tribe/Eshom Valley Band; Salinas.
- Quirina Luna Geary, Chairperson, Tamien Nation, San Jose.

One response was received from the Tamien Nation who had no concerns.

3.5.2 Regulatory Setting

Federal

National Historic Preservation Act

Federal protection is legislated by the National Historic Preservation Act of 1966 (NHPA) and the Archaeological Resource Protection Act of 1979. These laws maintain processes for determination of the effects on historical properties eligible for listing in the National Register of Historic Places (NRHP). Section 106 of the NHPA and related regulations (36 Code of Federal Regulations [CFR] Part 800) constitute the primary federal regulatory framework guiding cultural

resources investigations and require consideration of effects on properties that are listed or eligible for listing in the NRHP for projects that involve federal spending or permitting.

National Register of Historic Places

Criteria for listing on the National Register of Historic Places (NRHP) (see 36 CFR Part 63), includes significance within the contexts of American history, architecture, archaeology, engineering, and culture. Resources that are eligible for listing in the NRHP include historic districts, sites, buildings, structures, and objects. In addition to significance, historic properties must possess integrity of 1) location, 2) design, 3) setting, 4) materials, 5) workmanship, 6) feeling, and 7) association.

Significance is established under the following NRHP criteria:

A. Associated with events that have made a significant contribution to the broad patterns of our history.

B. Associated with the lives of persons significant in our past.

C. Embody the distinctive characteristics of a type, period, or method of construction; represent the work of a master; possess high artistic values, represent a significant and distinguishable entity whose components may lack individual distinction.

D. Have yielded, or may be likely to yield, information important in prehistory or history. Criterion D is usually reserved for archaeological and paleontological resources.

State

California Environmental Quality Act

Pursuant to CEQA, a historical resource is a resource listed in, or eligible for listing in, the California Register of Historical Resources (CRHR). In addition, resources included in a local register of historic resources or identified as significant in a local survey conducted in accordance with state guidelines are also considered historic resources under CEQA, unless a preponderance of the facts demonstrates otherwise. Per CEQA, the fact that a resource is not listed in or determined eligible for listing in the CRHR or is not included in a local register or survey shall not preclude a Lead Agency from determining that the resource may be a historic resource as defined in California Public Resources Code (PRC) Section 5024.1. CEQA applies to archaeological resources when (1) the archaeological resource satisfies the definition of a historical resource or (2) the archaeological resource satisfies the definition of a “unique archaeological resource.” A unique archaeological resource is an archaeological artifact, object, or site that has a high probability of meeting any of the following criteria:

1. The archaeological resource contains information needed to answer important scientific research questions and there is a demonstrable public interest in that information.

2. The archaeological resource has a special and particular quality such as being the oldest of its type or the best available example of its type.

3. The archaeological resource is directly associated with a scientifically recognized important prehistoric or historic event or person.

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, or may be defined as a building, structure, site, area, place, record, object or manuscript that is historically significant in the architectural, engineering, scientific, economic, agricultural, education, social, political, or cultural annals of California. CRHR criteria are parallel to the NRHP criteria but are listed as such:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.

2. Is associated with the lives of persons important in our past.

3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.

4. Has yielded, or may be likely to yield, information important in prehistory or history.

Historical resources eligible for listing in the CRHR must meet 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.

Senate Bill 18

Senate Bill (SB) 18 requires cities and counties to contact and consult with California Native American tribes prior to making land use decisions. The bill requires local governments to provide notice to tribes at certain key points in the planning process. These consultation and notice requirements apply to adoption and amendment of general plans (defined in Government Code §65300 et seq.). For projects proposed on or after March 1, 2005, the city or county shall

conduct consultations with California Native American tribes that are on the contact list maintained by the NAHC for the purpose of preserving or mitigating impacts to places, features, and objects described in Sections 5097.9 and 5097.995 of the Public Resources Code that are located within the city or county's jurisdiction. The intent of SB 18 is to provide California Native American tribes an opportunity to participate in local land use decisions at an early planning stage, for the purpose of protecting, or mitigating impacts to, cultural places. The purpose of involving tribes at these early planning stages is to allow consideration of cultural places in the context of broad local land use policy, before individual site-specific, project-level land use decisions are made by a local government.

Assembly Bill 52

Assembly Bill 52 (AB 52), which was approved in September 2014 and became effective on July 1, 2015, requires that CEQA lead agencies consult with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of a proposed project, if so, requested by the tribe. A provision of the bill, chaptered in CEQA Section 21084.2, also specifies that a project with an effect that may cause a substantial adverse change in the significance of a Tribal Cultural Resource (TCR) is a project that may have a significant effect on the environment. Defined in Section 21074(a) of the Public Resources Code, TCRs are:

1. Sites, features, places, cultural landscapes, sacred places and objects with cultural value to a California

   Native American tribe that are either of the following:

   a. Included or determined to be eligible for inclusion in the CRHR; or

   b. Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.

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 Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe. TCRs are further defined under Section 21074 as follows:

   a. A cultural landscape that meets the criteria of subdivision (a) is a TCR to the extent that the landscape is geographically defined in terms of the size and scope of the landscape; and

   b. A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a "nonunique archaeological resource" as defined in subdivision (h) of Section 21083.2 may also be a TCR if it conforms with the criteria of subdivision (a).

Mitigation measures for TCRs must be developed in consultation with the affected California Native American tribe(s) pursuant to newly chaptered Section 21080.3.2, or according to

Section 21084.3. Section 21084.3 identifies mitigation measures that include avoidance and preservation of TCRs and treating TRCs with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource.

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.

Health and Safety Code, Sections 7050 and 7052

Health and Safety Code Section 7050.5 declares that, in the event of the discovery of human remains outside a dedicated cemetery, all ground disturbances must cease, and the county coroner must be notified. Section 7052 establishes a felony penalty for mutilating, disinterring, or otherwise disturbing human remains, except by relatives.

Government Code Section 6254(r)

Government Code explicitly authorizes public agencies to withhold information from the public relating to Native American graves, cemeteries, and sacred places maintained by the Native American Heritage Commission.

3.5.3 Impact Discussion

Would the project:

a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

No Impact. No listed or eligible National Register of Historic Places (NRHP) and/or California Register of Historical Resources (CRHR) properties are located within or adjacent to the project site. No other significant or potentially significant local, state or national historical resources, landmarks, or points of interest have been identified within or adjacent to the project site.

While Westwood Elementary School was built during the post-war period of expansion in Santa Clara, it does not appear to individually illustrate broad patterns of history or be associated with persons that are significant within local, state, or national history. Furthermore, while the permanent buildings exhibit characteristics of the mid-century design style and they were designed by a local architect, the campus does not exemplify the style, express high artistic value, or represent the work of a master. Therefore, the project will not result in impacts to historical resources.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Less Than Significant with Mitigation Incorporated. The Basin report stated that the proposed construction could proceed as planned as it would not affect any recorded historic properties or unique archaeological resources. However, the following mitigation measures, based on the recommendations of the Basin report, will be implemented to reduce potential impacts to unknown archaeological resources to a less than significant level.

> **Impact CUL-1:** Construction of the project could potentially result in disturbance to unknown buried cultural resources including prehistoric Native American burials.
>
> **Mitigation Measure CUL-1a: Project Plan Notes.** The SCUSD shall note on any plans that require ground disturbing excavation that there is a potential for exposing buried cultural resources including prehistoric Native American burials.
>
> Significant prehistoric cultural resources are defined as human burials, features or other clusterings of finds made, modified, or used by Native American peoples in the past. The prehistoric and protohistoric indicators of prior cultural occupation by Native Americans include artifacts and human bone, as well as soil discoloration, shell, animal bone, sandstone cobbles, ashy areas, and baked or vitrified clays. Prehistoric cultural materials may include:
>
> - Human bone - either isolated or intact burials.
> - Habitation (occupation or ceremonial structures as interpreted from rock rings/features, distinct ground depressions, differences in compaction (e.g., house floors)).

- Artifacts including chipped stone objects such as projectile points and bifaces; groundstone artifacts such as manos, metates, mortars, pestles, grinding stones, pitted hammerstones; and shell and bone artifacts including ornaments and beads.

- Various features and samples including hearths (fire-cracked rock; baked and vitrified clay), artifact caches, faunal and shellfish remains (which permit dietary reconstruction), or distinctive changes in soil stratigraphy indicative of prehistoric activities.

- Isolated artifacts.

  Historic cultural materials may include finds from the late 19th through early 20th centuries. Objects and features associated with the Historic Period can include:

- Structural remains or portions of foundations (bricks, cobbles/boulders, stacked field stone, postholes, etc.).

- Trash pits, privies, wells, and associated artifacts.

- Isolated artifacts or isolated clusters of manufactured artifacts (e.g., glass bottles, metal cans, manufactured wood items, etc.).

- Human remains.

In addition, cultural materials including both artifacts and structures that can be attributed to Hispanic, Asian and other ethnic or racial groups are potentially significant. Such features or clusters of artifacts and samples include remains of structures, trash pits, and privies.

Mitigation Measure CUL-1b: On-Call Archaeologist. The SCUSD shall retain a Professional Archaeologist on an on-call basis during ground disturbing construction activities to review, identify, and evaluate any potential cultural resources that may be inadvertently exposed during construction. The archaeologist shall review and evaluate any discoveries to determine if they are historical resource(s) and/or unique archaeological resources under the California Environmental Quality Act (CEQA).

If the Professional Archaeologist determines that any cultural resources exposed during construction constitute a historical resource and/or unique archaeological resource under CEQA, they shall notify the SCUSD and other appropriate parties of the evaluation and recommend mitigation measures to mitigate to a less than significant impact in accordance with California Public Resources Code Section 15064.5. Mitigation measures may include avoidance, preservation in place, recordation, additional archaeological testing and data recovery among other options. The completion of a formal *Archaeological Monitoring Plan* (AMP) and/or *Archaeological Treatment Plan* (ATP) that may include data recovery may be recommended by the Professional Archaeologist if significant archaeological deposits are exposed during ground disturbing construction. Development and implementation of the AMP and ATP and treatment of

significant cultural resources will be determined by the SCUSD in consultation with any regulatory agencies.

Mitigation Measure CUL-1c: Monitoring Closure Report. A Monitoring Closure Report shall be filed with the SCUSD at the conclusion of ground disturbing construction if archaeological and Native American monitoring of excavation was undertaken.

Implementation of mitigation measures MM CUL-1 would ensure that the project would not have a significant impact on buried archaeological resources.

c) Disturb any human remains, including those interred outside of dedicated cemeteries?

Less Than Significant Impact with Mitigation Incorporated. No known ethnographic Native American villages, trails, traditional use areas or contemporary use areas and/or other features of cultural significance have been identified within or adjacent to the project site. In addition, no American Period archaeological sites have been recorded or reported within or adjacent to the project site. The project will still implement the following mitigation measures that will reduce potential impacts to a less than significant level.

Impact CUL-2: Project excavation could disturb previously unknown human remains.

Mitigation Measure CUL-2: Contact County Coroner. If potential human remains are found, the lead agency (SCUSD) and the Santa Clara County Coroner shall be immediately notified of the discovery. State law shall be followed in regard to Native American burials, Section 7050.5, Chapter 1492 of the California Health and Safety Code and Sections 5097.94, 5097.98 and 5097.99 of the Public Resources Code. The coroner would provide a determination regarding the nature of the remains within 48 hours of notification. No further excavation or disturbance of the identified material, or any area reasonably suspected to overlie additional remains, can occur until a determination has been made. If the County Coroner determines that the remains are, or are believed to be, of Native American ancestry, the coroner would notify the Native American Heritage Commission within 24 hours. In accordance with California Public Resources Code, Section 5097.98, the Native American Heritage Commission must immediately notify those persons it believes to be the Most Likely Descendant from the deceased Native American. Within 48 hours of this notification, the Most Likely Descendant would recommend to the lead agency their preferred treatment of the remains and associated grave goods.

Implementation of mitigation measures MM CUL-2 would ensure that the project would not have a significant impact on human remains.

3.6 ENERGY

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

3.6.1 Environmental Setting

Energy consumption is closely tied to the issues of air quality and greenhouse gas (GHG) emissions, as the burning of fossil fuels and natural gas for energy has a negative impact on both, and petroleum and natural gas currently supply most of the energy consumed in California.

In general, California's per capita energy consumption is relatively low, in part due to mild weather that reduces energy demand for heating and cooling, and in part due to the government's proactive energy-efficiency programs and standards. According to the California Energy Commission, Californians consumed about 280,738 gigawatt hours (GWh) of electricity and 11,923 million therms of natural gas in 2021 (CEC 2023a and CEC 2023b).

In 2021, total electricity use in Santa Clara County was 16,905 million kilowatt hours (kWh), including 12,632 million kWh of consumption for non-residential land uses (CEC 2023a). Natural gas consumption was 417 million therms in 2021, including 181 million therms from non-residential uses (CEC 2023b).

Energy conservation refers to efforts made to reduce energy consumption to preserve resources for the future and reduce pollution. It may involve diversifying energy sources to include renewable energy, such as solar power, wind power, wave power, geothermal power, and tidal power, as well as the adoption of technologies that improve energy efficiency and adoption of green building practices. Energy conservation can be achieved through increases in efficiency in conjunction with decreased energy consumption and/or reduced consumption from conventional energy sources.

3.6.2 Regulatory Setting

Since increased energy efficiency is so closely tied to the State's efforts to reduce GHG emissions and address global climate change, the regulations, policies, and action plans aimed at reducing GHG emissions also promote increased energy efficiency and the transition to renewable energy sources. The U.S. EPA and the State address climate change through numerous pieces of legislation, regulations, planning, policy-making, education, and implementation programs aimed at reducing energy consumption and the production of GHG.

The proposed project would not involve the development of facilities that include energy intensive equipment or operations. While there are numerous regulations that govern GHG emissions reductions through increased energy efficiency, the following regulatory setting description focuses only on regulations that: 1) provide the appropriate context for the proposed project's potential energy usage; and 2) may directly or indirectly govern or influence the amount of energy used to develop and operate the proposed improvements. See the Environmental and Regulatory Setting discussion in Section 0, Greenhouse Gas Emissions, for a description of the key regulations related to global climate change, energy efficiency, and GHG emission reductions.

State

Senate Bill 350 (Clean Energy and Pollution Reduction Act) and Senate Bill 100

SB 350 was signed into law in September 2015 and establishes tiered increases to the state's Renewable Portfolio Standard (RPS). The bill requires 40 percent of the state's energy supply to come from renewable sources by 2024, 45 percent by 2027, and 50 percent by 2030. SB 350 also set a new goal to double the energy efficiency savings in electricity and natural gas through energy efficiency and conservation measures. The state's RPS program was further strengthened by the passage of SB 100 in 2018. SB 100 revised the state's RPS Program to require retail sellers of electricity to serve 50 percent and 60 percent of the total kilowatt-hours sold to retail end-use customers be served by renewable energy sources by 2026 and 2030, respectively, and requires 100 percent of all electricity supplied come from renewable sources by 2045.

Low Carbon Fuel Standard Regulation

CARB initially approved the LCFS regulation in 2009, identifying it as one of the nine discrete early action measures in the 2008 Scoping Plan to reduce California's GHG emissions. The LCFS regulation is designed to encourage the use of cleaner low-carbon transportation fuels in California, encourage the production of those fuels, and therefore, reduce GHG emissions and decrease petroleum dependence in the transportation sector. The LCFS regulation defines a Carbon Intensity, or "CI," reduction target (or standard) for each year, which the rule refers to as the "compliance schedule."

The LCFS regulation initially required a reduction of at least 10 percent in the CI of California's transportation fuels by 2020. CARB approved some amendments to the LCFS in December 2011, which were implemented on January 1, 2013. In September 2015, the Board approved the re-adoption of the LCFS, which became effective on January 1, 2016, to address procedural

deficiencies in the way the original regulation was adopted. The 2015 rulemaking included many amendments, updates, and improvements to the program, including a compliance schedule that maintained the 2009 LCFS regulation's target of a 10 percent reduction in average carbon intensity by 2020 from a 2010 baseline. In 2018, the Board approved amendments to the regulation, which included strengthening and smoothing the carbon intensity benchmarks through 2030 in-line with California's 2030 GHG emission reduction target enacted through SB 32, adding new crediting opportunities to promote zero emission vehicle adoption, alternative jet fuel, carbon capture and sequestration, and advanced technologies to achieve deep decarbonization in the transportation sector (CARB, 2020).

3.6.3 Impact Discussion

Would the project:

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Less Than Significant Impact. The proposed project would involve the demolition/removal of existing portable classrooms and buildings (except for the library) and construction of several new buildings for administration, kitchen, multipurpose room, and classrooms. Construction activities would require the use of heavy-duty off-road construction equipment and on-road vehicles (e.g., passenger vehicles truck trips for deliveries and hauling) that would combust fuel, primarily diesel and gasoline. The use of this fuel energy would be necessary to construct the project. Once constructed, the new facilities would consume electricity and natural gas to power building lighting, space heating, and water heating facilities. The construction of buildings at an existing campus is inherently energy efficient because it avoids new school construction and maximizes use of existing school grounds. In addition, all public school projects are submitted to the Division of the State Architect (DSA) for plan review and must comply with DSA and California Energy Commission (CEC) requirements for energy efficiency, currently the 2022 Building Energy Efficiency Standards. DSA reviews all applications for compliance with these standards. The new buildings would be subject to more stringent energy efficiency requirements that would be more energy efficient than existing campus buildings. The proposed project would also include solar panel installation (on the rooftop of the multipurpose building), which would be in line with State building code and Cal Green requirements. Furthermore, the proposed project would result in eight fewer classrooms and 162 fewer students than the existing campus, reducing overall energy use from the site. For these reasons, the proposed project would not result in wasteful, inefficient, or unnecessary consumption of resources during operation or construction and would not conflict with any plan or policy for renewable energy or energy efficiency. This impact would be less than significant.

3.7 GEOLOGY AND SOILS

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? *Note: Refer to Division of Mines and Geology Special Publication 42.*	☐	☐	☒	☐
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

3.7.1 Environmental Setting

Geologic Setting

The following information is based in part on a Geotechnical Investigation and a Geologic and Seismic Hazards Assessment prepared for a previous project at the Westwood School site by Kleinfelder, Inc. in 1999 and 2001, respectively. However, the discussion remains relevant for the currently proposed project. The geotechnical reports are included as Appendix D.

The San Francisco Bay Area lies within the Coast Range Geomorphic Province, a more or less discontinuous series of northwest trending mountain ranges, ridges, and intervening valleys characterized by complex folding and faulting.

Geologic and geomorphic structure within the San Francisco Bay area is controlled by the San Andreas fault. This right-lateral strike-slip fault which extends from the Gulf of California, in Mexico, to Cape Mendocino, off the coast of Humboldt County in northern California, forms a portion of the boundary between two independent tectonic plates on the surface of the earth. To the west of the San Andreas Fault is the Pacific plate, which moves north relative to the North American plate, located east of the fault. In the San Francisco Bay area, movement across this plate boundary is concentrated on the San Andreas Fault; however, it is also distributed, to a lesser extent across a number of other faults which include the San Gregorio, Hayward, Calaveras and Monte Vista among others. Together, these faults are referred to as the San Andreas Fault system. The northwest trend of the faults within the system are responsible for the strong northwest structural orientation of geologic and geomorphic features in the San Francisco Bay area.

Basement rock west of the San Andreas Fault is generally granitic, while to the east it consists of a chaotic mixture of highly deformed marine sedimentary, submarine volcanic and metamorphic rocks of the Franciscan Complex. Both are typically Jurassic to Cretaceous in age (190-65 million years old). Overlying the basement rocks are Tertiary (about 65 to 2 million years old) marine and non-marine sedimentary rocks with some continental volcanic rock. These Tertiary rocks have typically been extensively folded and faulted largely as a result of forces driving movement along the San Andreas Fault system, which has been ongoing for about the last 25 million years. The inland valleys as well as San Francisco and San Pablo Bays are filled with unconsolidated to semi-consolidated deposits of Quaternary age (about the last 2 million years). Continental deposits (alluvium) consist of sand, silt, clay and gravel while the bay deposits typically consist of very soft organic rich silt and clay (bay mud) or sand.

The City of Santa Clara and the project site are located in a broad alluvial basin known as the Santa Clara Valley. The site is underlain by unconsolidated Quaternary alluvial deposits. Materials underlying the site are mapped as Qham - medium grained alluvium. This unit, as described is generally unconsolidated, fine grained, silty and clayey sands, and clayey silts. Holocene alluvial deposits are possibly as thick as 50 feet but generally less than 20 feet thick. Underlying the Holocene alluvium is generally 150 feet or more of Late Pleistocene age (less than about 70,000 years) alluvial deposits (Qpa) of variable composition.

Based on Kleinfelder's review of the geologic maps covering the site and vicinity and their experience in the area, they estimated that the upper 100 feet of geologic materials beneath the site include materials consistent with the descriptions of Holocene medium grained alluvium (Qham) and Late Pleistocene alluvium (Qpa) per Helley, et al., (1979). The depth to bedrock is not known but believed to be well in excess of 200 feet at the site.

Local and Regional Seismicity

The project site is not located within an Alquist-Priolo Earthquake Fault Zone where special studies addressing the potential for surface fault rupture are required. The closest fault considered capable of surface fault rupture is the San Andreas fault, located approximately 8.9 miles southwest of the site.

Santa Clara is within a region characterized by numerous active faults and high seismic activity. An active fault is one which has experienced seismic activity during historic time (since roughly 1800) or exhibits evidence of surface rupture during Holocene time. A potentially active fault is the one that exhibits evidence of activity during Quaternary time. The closest active or potentially active fault to the site, according to the California Department of Mines and Geology (CDMG) is the Monte Vista-Shannon fault, located approximately 5.1 miles southwest of the site. The next closest active or potentially active faults are the Hayward (SE Extension, 8.6 miles north), San Andreas (8.9 miles southwest), Hayward (total, 11.4 miles north), Calaveras (southern, 12.2 miles northeast), and Calaveras (northern, 12.3 miles northeast).

The site's location places it in an area which has been repeatedly closely scrutinized by others for evidence of active faulting and surface deformation, with the most recent evaluations focusing on deformation associated with the Monte Vista/Shannon fault, which is the most outboard and most recent/active of the family of west-dipping thrusts rooted in the Santa Cruz Mountains bend of the San Andreas fault. However, none has been observed in the site vicinity that are of concern to the project.

Soils

A field investigation conducted by Kleinfelder in 2001 included a subsurface exploration program consisting of five exploratory borings drilled to depths between 5 and 40 feet below the existing ground surface. The soils encountered in the borings revealed a layer of sandy clay, described as moist, very stiff to hard in consistency and moderately plastic, to depths of 3 ½ to 8 ½ feet below the ground surface. Below this surface clay layer were layers of clay, silty sand and clayey sand to a depth of 20 feet. These clay layers were very stiff to hard in consistency and the sand layers were medium dense. A layer of dense poorly graded sand with clay and gravel was encountered between depths of 23 ½ and 31 feet. This sand was underlain by a

layer of very dense silty sand to a depth of 40 feet. Borings taken from asphalt-paved areas revealed a layer of lean clay to a depth of 5 feet. This clay was dark brown to olive brown and very stiff to hard in consistency.

Expansive Soils

Expansive soils are soils that tend to shrink or swell depending on their moisture content. As expansive soils get wet, the clay minerals absorb water molecules and expand; conversely, as they dry, they shrink. When structures are located on expansive soils, foundations have the tendency to rise during the wet season and shrink during the dry season. This movement can create new stresses on various sections of the foundation and connected utilities and can lead to structural failure and damage to infrastructure. Cracked foundations, floors, and basement walls are typical types of damage created by expansive soils. Damage to the upper floors of the building can occur when differential movement of the structure is significant. However, locally expansive soils may occur wherever clayey soils exist.

Groundwater

Groundwater was encountered on the project site at a depth of 28 feet below the existing ground surface at the time of drilling. This groundwater level may not have been stabilized during the short time period before the hole was backfilled. Fluctuations in the groundwater level may occur due to variations in rainfall, temperature, pumping from wells and other factors that were not evident at the time of our investigation.

Erosion

Soil erosion is a process whereby soil materials are worn away and transported to another area by either wind or water. Rates of erosion can vary depending on the soil material and structure, placement, and human activity. Soil with high amounts of silt can be easily eroded, while sandy soils are less susceptible to erosion. Erosion is most prevalent on sloped areas with exposed soil, especially where unnatural slopes are created by cut-and-fill activities. Typically, soil erosion potential is reduced once the soil is graded and covered with concrete, structures, or asphalt. Potential for erosion at the project site is low due to the flat topography, and the soils being primarily made up of lean clay and fat clay of low plasticity.

Liquefaction

Soil liquefaction is a phenomenon in which saturated granular soils, and certain fine-grained soils, lose their strength due to build-up of excess pore water pressure during cyclic loading, such as from earthquakes. Soils most susceptible to liquefaction are saturated, clean, loose, fine-grained sands and non-plastic silts. Certain gravels, plastic silts, and clays are also susceptible to liquefaction. The primary factors affecting soil liquefaction include: 1) intensity and duration of seismic shaking; 2) soil type; 3) relative density of granular soils; 4) moisture content and plasticity of fine-grained soils; 5) overburden pressure; and 6) depth to ground water. Sandy soils were encountered below groundwater during the geotechnical investigation. However, these soils consisted of dense poorly graded sand and very dense silty sand. Therefore, potential for liquefaction of these sands is considered low.

Subsidence

Land subsidence results in a slow-to-rapid downward movement of the ground surface as a result of the vertical displacement of the ground surface, usually resulting from groundwater withdrawal. Periodic surveys of land elevation have been conducted in Santa Clara County since 1934. The lowest historical water levels were generally observed in the 1960s and 1970s. Since then, groundwater levels have recovered, primarily due to the Santa Clara Valley Water District's (SCVWD) managed recharge and in lieu recharge programs. The SCVWD measures water levels at ten subsidence index wells on a regular basis (daily to quarterly) to ensure they remain above established thresholds. Measured groundwater levels were consistently above subsidence thresholds from 2003 to 2013 at all index wells. Although human-caused subsidence has been minimal since 1967, a certain amount of subsidence continues to occur naturally because of regional tectonic movements, peat decay, and a 3-inch rise in the sea level during the last years.

Settlement

Surface settlement can occur due to immediate settlement of coarse-grained soils or consolidation of fine-grained soils under increased loading. Immediate settlement occurs when a load from a structure or placement of new fill material is applied, causing distortion in the underlying materials. This settlement occurs relatively quickly and is typically substantially complete within several hours or days after placement of the final load. Consolidation settlement occurs in saturated or near-saturated fine-grained (clay) soil due to volume change caused by load-induced squeezing of water from the pore spaces. Consolidation occurs over a relatively long period of time (often years or even decades) and is followed by secondary compression, which is a continued change in void ratio (the volume of voids, i.e., air or fluid, compared to volume of solids) under the continued application of the load from the pore water to the soil grains. Total settlements can vary over an area, referred to as differential settlement, because of variations in loading, soil characteristics, and thickness of compressible layers. Lands are generally susceptible to differential settlement if underlain by compressible sediments, such as poorly engineered artificial fill or young unconsolidated sediments.

Ground Shaking

Ground shaking is the most widespread effect of an earthquake. The sudden release of energy in an earthquake causes waves to travel through the earth. These waves not only shake structures to the breaking point but can trigger secondary effects such as landslides or other types of ground failure. Strong ground shaking is expected to occur within the City of Santa Clara during moderate to severe earthquakes.

3.7.2 Regulatory Setting

Federal

Earthquake Hazards Reduction Act

The Earthquake Hazards Reduction Act of 1977 (Public Law 95-124) established the National Earthquake Hazards Reduction Program which is coordinated through the Federal Emergency

Management Agency (FEMA), the U.S. Geological Survey (USGS), the National Science Foundation, and the National Institute of Standards and Technology. The purpose of the Program is to establish measures for earthquake hazards reduction and promote the adoption of earthquake hazards reduction measures by federal, state, and local governments; national standards and model code organizations; architects and engineers; building owners; and others with a role in planning and constructing buildings, structures, and lifelines through (1) grants, contracts, cooperative agreements, and technical assistance; (2) development of standards, guidelines, and voluntary consensus codes for earthquake hazards reduction for buildings, structures, and lifelines; and (3) development and maintenance of a repository of information, including technical data, on seismic risk and hazards reduction. The Program is intended to improve the understanding of earthquakes and their effects on communities, buildings, structures, and lifelines through interdisciplinary research that involves engineering, natural sciences, and social, economic, and decisions sciences.

U.S. Geological Survey Landslide Hazard Program

The USGS Landslide Hazard Program provides information on landslide hazards including information on current landslides, landslide reporting, real time monitoring of landslide areas, mapping of landslides through the National Landslide Hazards Map, local landslide information, landslide education, and research.

State

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act regulates development in California near known active faults due to hazards associated with surface fault ruptures. There are no Alquist-Priolo earthquake fault zones on the project site (California Geological Survey, 1974).

Alquist-Priolo Special Study Zones

The Alquist-Priolo Act requires that special geologic studies be conducted to locate and assess any active fault traces in and around known active fault areas prior to development of structures for human occupancy. This state law was a direct result of the 1971 San Fernando Earthquake, which was associated with extensive surface fault ruptures that damaged numerous homes, commercial buildings, and other structures. The Alquist-Priolo Act's main purpose is to prevent the construction of buildings used for human occupancy on the surface trace of active faults. This Act addresses only the hazard of surface fault rupture and is not directed toward other earthquake hazards.

Seismic Hazard Mapping Act

The Seismic Hazard Mapping Act was passed in 1990 following the Loma Prieta earthquake to reduce threats to public health and safety and to minimize property damage caused by earthquakes. The act directs the U.S. Department of Conservation to identify and map areas prone to the earthquake hazards of liquefaction, earthquake-induced landslides, and amplified ground shaking. The act requires site-specific geotechnical investigations to identify potential

seismic hazards and formulate mitigation measures prior to permitting most developments designed for human occupancy within the Zones of Required Investigation.

California Building Code

The California Building Code (CBC) is a compilation of building standards codified in the California Code of Regulations, Title 24, Part 2. The provisions of the CBC apply to the construction, alteration, movement, replacement, location, and demolition of every building or structure in California. The CBC is published on a triennial basis, and supplements and errata can be issued throughout the cycle. The 2019 edition of the CBC became effective on January 1, 2020, and is based on the 2018 International Building Code of the International Code Council, with California amendments. The 2019 CBC incorporates the latest seismic design standards for structural loads and materials, as well as provisions from the National Earthquake Hazards Reduction Program to mitigate losses from an earthquake. CBC standards are based on the following:

- Building standards that have been adopted by state agencies without change from a national model code such as the International Building Code;
- Building standards based on a national model code that have been changed to address conditions specific to California; and
- Building standards authorized by the California legislature but not covered by the national model code.
- The CBC includes provisions for demolition and construction, as well as regulations regarding building foundations and soil types to protect people and property from hazards associated with falling debris or construction processes. Seismic standards within the CBC are among the strictest in the world due to California's susceptibility to earthquakes and other seismic events.

California Public Resources Code

Section 5097 of the Public Resources Code specifies the procedures to be followed in the event of the unexpected discovery of historic, archaeological, and paleontological resources, including human remains, historic or prehistoric resources, paleontological resources on nonfederal land. The disposition of Native American burial falls within the jurisdiction of the California Native American Heritage Commission (NAHC). Section 5097.5 of the Code states the following:

> *No person shall knowingly and willfully excavate upon, or remove, destroy, injure or deface any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over such lands. Violation of this section is a misdemeanor.*

Division of the State Architect

California public K–12 schools, community colleges, and essential services buildings projects must be certified through the Division of the State Architect (DSA). Project certification consists of examination of specific project files for documents required to be submitted before, during and after construction, and to determine if outstanding issues have been resolved. Project Inspectors, design professionals, and districts all have a part in ensuring compliance.

Public school construction has been governed by the Field Act since 1933 and enforced by the DSA. The Field Act was enacted on April 10, 1933, one month after the Long Beach Earthquake in which 70 schools were destroyed, 120 schools suffered major damage, and 300 schools received minor damage. Since: (a) public schools are funded with public money; (b) schools house the children of the electorate; and (c) the State Constitution requires children to attend schools, the state is liable and thus responsible for protecting children and staff from injury in public schools' grades K-12 and protecting the public's investment in school buildings during and after earthquakes.

The Act requires:

- School building construction plans be prepared by qualified California licensed structural engineers and architects;
- Designs and plans be checked by the DSA for compliance before a contract for construction is awarded;
- Qualified inspectors, independent of the contractors and hired by the school districts, continuously inspect construction and verify full compliance with plans;
- The responsible architects and/or structural engineers observe the construction periodically and prepare changes to plans (if needed) subject to approval by DSA; and
- Architects, engineers, inspectors and contractors must file reports to verify compliance of the construction with the approved plans emphasizing the importance of testing and inspections to achieve seismically safe construction.

3.7.3 Impact Discussion

Would the project:

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other significant evidence of a known fault?

Less Than Significant Impact. The project site is not located in an Alquist-Priolo Earthquake Fault Zone, and no active or potentially-active faults are known to pass directly beneath the site.

Therefore, the potential for surface rupture due to faulting occurring beneath the site during the design life of the project is low. As stated, the closest fault to the project site is the San Andreas fault, located approximately 8.9 miles southwest. Due to the distances of faults from the project

site, and the absence of known faults within or near the project site, implementation of the project would not expose people or buildings to known risks of fault rupture. This impact would be less than significant.

ii) Strong seismic ground shaking?

Less Than Significant Impact. Earthquakes along several nearby active faults in the region could cause moderate to strong ground shaking at the project site. The intensity of the earthquake ground motions and the damage done by shaking would depend on the characteristics of the generating fault, distance to the fault and rupture zone, earthquake magnitude, earthquake duration, and site-specific geologic conditions. The project site is located in an area of high seismicity. Based on the general knowledge of the site seismicity, it should be anticipated that, during their useful life, the proposed structures will be subject to at least one severe earthquake (Magnitude 7 to 8+) that could cause considerable ground shaking at the project site. It is also anticipated that that the site will periodically experience small to moderate magnitude earthquakes. The project would not expose people or structures to any greater risks involving seismic ground shaking than would any other development. Impacts concerning strong seismic ground shaking would be addressed by compliance with seismic safety requirements of the Field Act and DSA, which would ensure that potential hazards from strong seismic ground shaking is addressed through the design and construction of the new structures. This impact would be less than significant.

iii) Seismic-related ground failure, including liquefaction?

Less Than Significant Impact. The project site is located within a State-designated Liquefaction Hazard Zone as well as a Santa Clara County Liquefaction Hazard Zone (Santa Clara County, 2012). The project site is located within an area of “moderate” liquefaction susceptibility. Design and construction of the project would be according to project site- and phase- specific geotechnical reports that would be reviewed by DSA and prepared according to the relevant CBC and Education Code design standards, thereby reducing potential impacts to less than significant.

iv) Landslides?

No Impact. The project site is located on flat land and does not have any steep slopes or hillsides that would be susceptible to landslides. The project would not, therefore, be exposed to landslide-related hazards. No impact would occur.

b) Result in significant soil erosion or the loss of topsoil?

Less Than Significant Impact. Project construction would involve ground disturbing activities that would temporarily expose soils and increase the potential for soil erosion from wind or stormwater runoff. As discussed in Section 3.10 Hydrology and Water Quality of this Initial Study, the proposed project would implement erosion control measures during construction

consistent with the National Pollutant Discharge Elimination System (NPDES) Construction General Permit. Compliance with these requirements would ensure the project would not result in substantial soil erosion or the loss of topsoil. As a result, impacts related to erosion and loss of topsoil would be less than significant.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Less Than Significant Impact. Lateral spreading is horizontal movement of soil toward a free face, such as a creek bank, typically associated with liquefaction. Liquefaction-induced lateral spreading can also occur on mild slopes (flatter than 5%) underlain by loose sands and shallow groundwater. If liquefaction occurs, the unsaturated overburden soil can slide as intact blocks over the lower, liquefied deposit, creating fissures and scarps. The potential for lateral spreading in general mirrors the potential for liquefaction, and the depth of the liquefiable soil layers with respect to the creek banks. The nearest significant free face is Saratoga Creek, located approximately 1.2 miles west of the project site. The potential for lateral spreading to adversely affect the proposed improvements is considered low.

Hydro collapse of soils is a phenomenon that is typically associated with dry-climate settings, rather than a setting such as distal alluvial fan settings adjacent to the marine influenced climate fringing the San Francisco Bay. Because the project site resides within the San Franscisco Bay Area Region, potential for hydro-collapse of on-site soils is very low. Furthermore, the site has been subjected to agricultural irrigation (commonly flood irrigation under early farming practices), and irrigation of non-paved lawn areas in years past.

Land subsidence occurs when large amounts of groundwater have been withdrawn from certain types of rocks, such as fine-grained sediments. The rock compacts because the water is partly responsible for holding the ground up. When the water is withdrawn, the rocks falls in on itself. Subsidence of roughly 6 to 8 feet in was in the vicinity of the project site between 1934 and 1967. Due to groundwater recharge program by the Valley Water, this trend has been halted.

The potential for lateral spreading at the project site as well as hydro collapse is low. Additionally, there is no presence of subsidence at the project site due to the Santa Clara Valley Water Recharge program. Also, as noted above all new buildings constructed as part of the Master Plan would be designed and constructed according to relevant CBC design and site and project specific geotechnical reports. Given this information, any project related impacts would be less than significant.

d) Be located on expansive soil, as noted in the 2010 California Building Code, creating substantial direct or indirect risks to life or property?

Less Than Significant Impact. Because the majority of soils on the project site are clay soils that have low plasticity, the potential for onsite soil expansion is low. However, expansive soils are known to exist throughout the South Bay Area, including the City of Santa Clara. As described in Section 3.7.1, expansive soils are clay rich soils that have the ability to undergo large volume changes with changes in moisture content. The large fluctuations in volume, often referred to as shrink/swell potential, can adversely impact building and structure foundations. To

avoid risks associated with expansive soils, all future building design and construction would be based on a project- and site-specific geotechnical report which is required to be reviewed by DSA for approval of school facilities. These report recommendations would address any soil and or foundation design or construction requirements. Therefore, the impact is considered less than significant.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

No Impact. The proposed project is the implementation of a school Master Plan to redevelop the site for current and future needs primarily by replacing the classroom buildings on an existing school site. The project does not include the construction of septic tanks or alternatives for wastewater disposal. Therefore, no impacts related to septic systems would occur.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less Than Significant with Mitigation Incorporated. The project site is currently developed as an elementary school with existing single-story buildings, paved black top, and a parking lot. Ground disturbance from project construction activities would be primarily limited to previously disturbed areas. Project construction would require excavation two to three feet deep. As such, it is not anticipated that project construction would encounter paleontological resources. However, in the unlikely event that paleontological resources are encountered during construction, they may be inadvertently damaged or destroyed. This is a potentially significant impact. Mitigation Measure GEO-1 would require the implementation of discovery procedures if paleontological resources are encountered and require a qualified paleontologist to recommend measures specific to the discovered resource.

> **Impact GEO-1:** Construction activities could inadvertently expose, damage, and destroy paleontological resources.
>
> **Mitigation Measure GEO-1:** Discovery of a paleontological specimen during any phase of the project shall result in a work stoppage in the vicinity of the find until it can be evaluated by a professional paleontologist. Should loss or damage be detected, additional protective measures or further action (e.g., resource removal), as determined by a professional paleontologist, shall be implemented to mitigate the impact.

With implementation of Mitigation Measure GEO-1, potential impacts to paleontological resources would be reduced to less than significant.

3.8 GREENHOUSE GAS EMISSIONS

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

3.8.1 Environmental Setting

Gases that absorb and emit infrared thermal radiation (heat) in the atmosphere and affect regulation of the Earth's temperature are known as greenhouse gases (GHGs). There are many compounds present in the Earth's atmosphere which are GHGs, including but not limited to water vapor (H_2O), carbon dioxide (CO_2), methane (CH_4), and nitrous oxide (N_2O). GHGs allow solar radiation (sunlight) to enter the atmosphere freely. When solar radiation strikes the earth's surface, it is either absorbed by the atmosphere, land, and ocean surface, or reflected back toward space. The land and ocean surface that has absorbed solar radiation warms up and emits infrared radiation toward space. GHGs absorb some of this infrared radiation and "trap" the energy in the earth's atmosphere. Entrapment of too much infrared radiation produces an effect commonly referred to as the "Greenhouse effect." Human activities since the beginning of the Industrial Revolution (approximately 1750) have increased atmospheric GHG concentrations. Average global surface temperatures have risen as a result of GHG emissions. This increase in globally averaged surface temperatures is commonly referred to as "Global Warming," although the term "Global Climate Change" is preferred because effects associated with increased GHG concentrations are not just limited to higher global temperatures (NOAA, 2023).

GHGs that contribute to climate regulation are a different type of pollutant than criteria or hazardous air pollutants because climate regulation is global in scale, both in terms of causes and effects. Some GHGs are emitted to the atmosphere naturally by biological and geological processes such as evaporation (water vapor), aerobic respiration (carbon dioxide), and off-gassing from low oxygen environments such as swamps or exposed permafrost (methane); however, GHG emissions from human activities such as fuel combustion (e.g., carbon dioxide) and refrigerants use (e.g., hydrofluorocarbons) significantly contribute to overall GHG concentrations in the atmosphere, climate regulation, and global climate change.

Human production of GHG has increased steadily since pre-industrial times (approximately pre-1880), and atmospheric CO_2 concentrations have increased from a pre-industrial value of 280 parts per million (ppm) in the early 1800s to approximately 427 ppm in April 2024 (NOAA, 2024). The effects of increased GHG concentrations in the atmosphere include climate change (increasing temperature and shifts in precipitation patterns and amounts), reduced ice and snow cover, sea level rise, and acidification of oceans. These effects in turn will impact food and water supplies, infrastructure, ecosystems, and overall public health and welfare.

The 1997 United Nations' Kyoto Protocol international treaty set targets for reductions in emissions of four specific GHGs – carbon dioxide, methane, nitrous oxide, and sulfur hexafluoride – and two groups of gases – hydrofluorocarbons and perfluorocarbons. These GHGs are the primary GHGs emitted into the atmosphere by human activities. The six common GHGs are described below.

Carbon Dioxide (CO_2) is released to the atmosphere when fossil fuels (oil, gasoline, diesel, natural gas, and coal), solid waste, and wood or wood products are burned.

Methane (CH_4) is emitted during the production and transport of coal, natural gas, and oil. Methane emissions also result from the decomposition of organic waste in municipal solid waste landfills and the raising of livestock.

Nitrous oxide (N_2O) is emitted during agricultural and industrial activities, as well as during combustion of solid waste and fossil fuels.

Sulfur hexafluoride (SF_6) is commonly used as an electrical insulator in high voltage electrical transmission and distribution equipment such as circuit breakers, substations, and transmission switchgear. Releases of SF_6 occur during maintenance and servicing as well as from leaks of electrical equipment.

Hydrofluorocarbons (HFCs) and perfluorocarbons (PFCs) are generated in a variety of industrial processes.

GHG emissions from human activities contribute to overall GHG concentrations in the atmosphere and the corresponding effects of global climate change (e.g., rising temperatures, increased severe weather events such as drought and flooding). GHGs can remain in the atmosphere long after they are emitted. The potential for a GHG to absorb and trap heat in the atmosphere is considered its global warming potential (GWP). The reference gas for measuring GWP is CO_2, which has a GWP of one. By comparison, CH4 has a GWP of 25, which means that one molecule of CH_4 has 25 times the effect on global warming as one molecule of CO_2. Multiplying the estimated emissions for non-CO_2 GHGs by their GWP determines their carbon dioxide equivalent (CO_2e), which enables a project's combined global warming potential to be expressed in terms of mass CO_2 emissions. GHG emissions are often discussed in terms of Metric Tons of CO_2e, or $MTCO_2e$.

3.8.2 Regulatory Setting

State

The CARB is the lead agency for implementing Assembly Bill (AB) 32, the California Global Warming Solutions Act adopted by the Legislature in 2006. AB 32 requires the CARB to prepare a Scoping Plan containing the main strategies that will be used to achieve reductions in GHG emissions in California.

Executive Order B-30-15, 2030 Carbon Target and Adaptation, issued by Governor Brown in April 2015, sets a target of reducing GHG emissions by 40 percent below 1990 levels in 2030. By directing state agencies to take measures consistent with their existing authority to reduce GHG emissions, this order establishes coherence between the 2020 and 2050 GHG reduction goals set by AB 32 and seeks to align California with the scientifically established GHG emissions levels needed to limit global warming below two degrees Celsius.

To reinforce the goals established through Executive Order B-30-15, Governor Brown went on to sign SB 32 and AB 197 on September 8, 2016. Senate Bill 32 made the GHG reduction target to reduce GHG emissions by 40 percent below 1990 levels by 2030 a requirement as opposed to a goal. Assembly Bill 197 gives the Legislature additional authority over CARB to ensure the most successful strategies for lowering emissions are implemented, and requires CARB to, “protect the state’s most impacted and disadvantaged communities …[and] consider the social costs of the emissions of greenhouse gases.”

CARB Scoping Plan

On December 14, 2017, CARB adopted the second update to the Scoping Plan, the 2017 Climate Change Scoping Plan Update (2017 Scoping Plan Update; CARB 2017). The primary objective for the 2017 Climate Change Scoping Plan is to identify the measures required to achieve the mid-term GHG reduction target for 2030 (i.e., reduce emissions by 40 percent below 1990 levels by 2030) established under EO B-30-15 and SB 32. The 2017 Climate Change Scoping Plan identifies an increased need for coordination among State, regional, and local governments to realize the potential for GHG emissions reductions that can be gained from local land use decisions. The third update to the scoping plan, the 2022 Scoping Plan, was released in May 2022 and adopted by CARB in December 2022 (CARB 2022b). The plan presents a scenario for California to meet the State goal of reducing GHG emissions 40% below 1990 levels by 2030 and to achieve carbon neutrality by 2045 (CARB 2022b).

Regional

ABAG/MTC Plan Bay Area 2050

In January 2009, California SB 375 went into effect known as the Sustainable Communities and Climate Protection Act. The objective of SB 375 is to better integrate regional planning of transportation, land use, and housing to reduce greenhouse gas emissions and other air pollutants. SB 375 tasks CARB to set GHG reduction targets for each of California’s 18 regional Metropolitan Planning Organizations (MPOs). Each MPO is required to prepare a Sustainable Communities Strategy (SCS) as part of their Regional Transportation Plan. The SCS is a growth

strategy in combination with transportation policies that will show how the MPO will meet its GHG reduction target. If the SCS cannot meet the reduction goal, an Alternative Planning Strategy may be adopted that meets the goal through alternative development, infrastructure, and transportation measures or policies.

Plan Bay Area was the integrated long-range transportation, land-use, and housing plan developed for the Bay Area pursuant to SB 375 that was adopted by the Association of Bay Area Governments (ABAG) and Metropolitan Transportation Commission (MTC) in 2013. An update to Plan Bay Area, titled Plan Bay Area 2040, was jointly approved by the ABAG Executive Board and by MTC in 2017. Plan Bay Area and Plan Bay Area 2040 identified Priority Development Areas, which were transit-oriented infill development opportunities in areas where future growth would not increase urban sprawl.

On October 1, 2021, MTC and ABAG released Plan Bay Area 2050 which focused on the elements of Housing, Economy, Transportation, and Environment. Across these elements, there were a total of 35 strategies, which are long-term policies or investments, and 80 implementation actions, which contain advocacy and legislation, initiatives, and planning and research. Plan Bay Area 2050 projected that it would achieve a 20% reduction in GHG emissions from cars and light duty trucks by 2035 if all of its strategies were implemented, which would meet SB 375's GHG target (MTC/ABAG 2021).

BAAQMD 2017 Clean Air Plan

As discussed in Section 3.3, Air Quality, the BAAQMD's 2017 Clean Air Plan is a multi-pollutant plan focused on protecting public health and the climate (BAAQMD 2017a). The 2017 Clean Air Plan lays the groundwork for a long-term effort to reduce Bay Area GHG emissions 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050, consistent with GHG reduction targets adopted by the state of California. As opposed to focusing solely on the nearer 2030 GHG reduction target, the 2017 Clean Air Plan makes a concerted effort to imagine and plan for a successful and sustainable Bay Area in the year 2050. In 2050, the Bay Area is envisioned as a region where:

- Energy efficient buildings are heated, cooled, and powered by renewable energy.
- The transportation network has been redeveloped with an emphasis on non-vehicular modes of transportation and mass transit.
- The electricity grid is powered by 100 percent renewable energy; and
- Bay Area residents have adopted lower-carbon intensive lifestyles (e.g., purchasing low-carbon goods in addition to recycling and putting organic waste to productive use).

The 2017 Clean Air Plan includes a comprehensive, multipollutant control strategy that is broken up into 85 distinct measures and categorized based on the same economic sector

framework used by CARB for the AB 32 Scoping Plan Update.[2] The accumulation of all 85 control measures being implemented support the three overarching goals of the plan. These goals are:

- Attain all state and national air quality standards.
- Eliminate disparities among Bay Area communities in cancer health risk from toxic air contaminants; and
- Reduce Bay Area GHG Emissions to 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050.

3.8.3 Impact Discussion

Global climate change is the result of GHG emissions worldwide; individual projects do not generate enough GHG emissions to influence global climate change. Thus, the analysis of GHG emissions is by nature a cumulative analysis focused on whether an individual project's contribution to global climate change is cumulatively considerable.

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

and;

b) Conflict with an applicable policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less Than Significant Impact. The proposed project would involve the demolition/removal of existing portable classrooms and buildings (except for the library) and construction of several new buildings for administration, kitchen, multipurpose room, and classrooms. The proposed project would generate pollutant emissions, including GHG emissions, from fuel combustion in heavy-duty construction equipment, motor vehicles, and area sources such as landscaping equipment. Construction activities would generate GHG emissions primarily from equipment fuel combustion as well as worker, vendor, and haul trips to and from the project site during site preparation, installation, and paving. Construction activities would cease to emit GHGs upon project completion. Operationally, the proposed project would result in eight fewer classrooms and 162 fewer students being supported at Westwood Elementary School. This reduction in classrooms and students would reduce on-site energy use, off-site vehicle trips, and overall GHG emissions generated by activities at the Westwood Elementary School campus. This reduction in GHG emissions would also offset the temporary GHG emissions generated by project construction. Furthermore, the proposed project would include solar panel installation (on the rooftop of the multipurpose building), which would be in line with State building code and

[2]The sectors included in the AB 32 Scoping Plan Update are: stationary (industrial) sources, transportation, energy, buildings, agriculture, natural and working lands, waste management, water, and super-GHG pollutants.

Cal Green requirements. For these reasons, the proposed project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions, including the BAAQMD Clean Air Plan, and Plan Bay Area. This impact would be less than significant.

3.9 HAZARDS AND HAZARDOUS MATERIALS

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

The following discussion is based on a Draft Preliminary Environmental Assessment prepared for the project by Arcadis, dated April 19, 2024 and is included as Appendix E. The Draft Preliminary Environmental Assessment refers to the "subject property" which is a 3.4 acre portion of the project site that would be impacted by Phase 1 construction. Subsequent phases of the Master Plan development and construction would be subject to the same Preliminary Environmental Assessment Work Plan, Report, and Supplemental Site Investigation Work Plan process to identify and mitigate any hazardous materials encountered for buildings or other site features affected by future phases of the Master Plan implementation.

3.9.1 Environmental Setting

The project site is an existing school site on Saratoga Avenue and on a city block bounded on three sides by residential properties on Cypress Avenue, Bohannan Drive, and Las Padres Boulevard. The site was developed as a school in the late 1950s and previous to that was an undeveloped orchard.

Prior Investigations and Areas of Concern

Arcadis conducted a due diligence evaluation at the subject property in February 2023 that is summarized in the Preliminary Environmental Assessment (PEA) Work Plan (Arcadis 2023). As summarized in the PEA Work Plan, the background due diligence assessment identified the following potential Recognized Environmental Conditions (RECs):

- **Agricultural Land and Orchard Use:** The subject property was developed as part of a larger agricultural tract of land from at least 1939 through 1954, when the buildings at the subject property were constructed. Based on the use of the subject property as a historical orchard, the application of agricultural chemicals (including, but not limited to, lead arsenate pesticides and other pesticides) is a potential REC for the subject property.

- **Lead-based Paint:** Lead-based paint was commonly used for a variety of purposes, until 1978 when federal regulations banned consumer uses of lead-containing paint. The buildings at the subject property were constructed in 1954 and 1958, which pre-dates the ban on consumer uses of lead-containing paint. No information was available regarding lead sampling conducted at the school site. It was Arcadis' understanding that the onsite buildings would be properly abated prior to demolition and a sampling plan was therefore not included. Based on the construction dates of the buildings, the potential historical use of lead-based paint on site structures and peeling off the structure and contacting surficial soil is a potential REC in soil for the subject property.

- **Polychlorinated Biphenyls (PCBs):** PCBs were manufactured in the United States from 1929 until 1979, when PCB manufacturing was banned due to the toxicity of PCBs. Based on the construction dates of the buildings, PCBs may have been used in the window glazing or window caulking at the subject property. The potential use of PCBs in building materials is a potential REC for the subject property.

- **Termiticide Application:** Organochlorine pesticides were historically used as insecticides for termite controls around wooden structures. The buildings at the subject

property were constructed in 1954 and 1958 and are wood-framed buildings with plaster exteriors. Based on the construction dates, the potential presence of termiticides in soil adjacent to the structures at the subject property is a potential REC.

Draft Preliminary Environmental Assessment

The purpose of the Draft Preliminary Environmental Assessment (PEA) was to establish whether a release or threatened release of hazardous substances, which could pose a threat to human health or the environment, exists at the subject property and to evaluate that potential risk, if any, to human health and the environment. The PEA included the following:

- Conducting a field sampling and analysis program to evaluate areas of concern identified in the PEA Work Plan as well as additional soil sampling to delineate elevated detections of constituents during an initial November 2022 sampling event.
- Conducting a screening level evaluation of the analytical results of the sampling event for human health and ecological receptors.
- Recommendations for site investigation work based on the findings.

Results

The Draft PEA (Arcadis 2024) investigation was conducted in accordance with the PEA Work Plan (Arcadis 2023) to evaluate the historical operations at the site prior to the redevelopment of portions of the Westwood Elementary School Campus. Based on the historical agricultural operations at the site and the proximity of the site to serpentine rock deposits that are associated with Naturally Occurring Asbestos (NOA), surface and subsurface soil samples were analyzed for California Assessment Manual metals, Organochlorine pesticides, NOA, Polychlorinated Biphenyls (PCBs), and total petroleum hydrocarbons (TPH). Arsenic was the only chemical of potential concern (COPC) with an estimated cancer risk above the DTSC risk threshold values for carcinogenic endpoints. Arsenic, cobalt, and TPH as DRO were the only COPCs with an estimated non-cancer risk that exceeded the DTSC risk threshold for noncarcinogenic endpoints. Based on these results, additional delineation and excavation work was recommended near the surface soil areas with arsenic above regional background values. Given the continued use of the asphalt-paved parking lots during the redevelopment of the school, no further work is recommended in the parking lot. Additional work proposed for the management of the arsenic exceedances in surficial soil will be included in a Supplemental Site Investigation Work Plan to be approved by Department of Toxic Substances Control (DTSC) then implemented by the District.

3.9.2 Regulatory Setting

Federal

United States Environmental Protection Agency

The United States Environmental Protection Agency (EPA) was created in 1970 to serve as a single source collection of all federal research, monitoring, standard-setting, and enforcement

activities to make sure there is appropriate protection of the environment. The EPA's duty is to create and enforce regulations that protect the natural environment and apply the laws passed by Congress. The EPA is also accountable for establishing national criteria for various environmental programs and enforcing compliance.

Comprehensive Environmental Response, Compensation, and Liability Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) provides a Federal "Superfund" to clean up uncontrolled or abandoned hazardous-waste sites as well as accidents, spills, and other emergency releases of pollutants and contaminants into the environment. Through CERCLA, the EPA was given power to seek out those parties responsible for any release and assure their cooperation in the cleanup.

U.S. Department of Transportation, Hazardous Materials Transport Act (49 USC 5101)

The U.S. Department of Transportation, in conjunction with the U.S. EPA, is responsible for enforcement and implementation of federal laws and regulations pertaining to transportation of hazardous materials. The Hazardous Materials Transportation Act of 1974 directs the U.S. Department of Transportation to establish criteria and regulations regarding the safe storage and transportation of hazardous materials. Code of Federal Regulations (CFR) 49, 171–180, regulates the transportation of hazardous materials, types of material defined as hazardous, and the marking of vehicles transporting hazardous materials.

Toxic Substances Control Act

Congress enacted the Toxic Substances Control Act of 1976 to give U.S. EPA the ability to track the approximately 75,000 industrial chemicals currently produced or imported into the United States. The U.S. EPA repeatedly screens these chemicals and can require reporting or testing of those that may pose an environmental or human-health hazard. The U.S. EPA can ban the manufacture and import of those chemicals that pose an unreasonable risk.

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA) enacted in 1976 governs the disposal of solid waste and hazardous materials. The Resource Conservation and Recovery Act gives the EPA the power to control the generation, transportation, treatment, storage, and disposal of hazardous substances that cannot be disposed of in ordinary landfills. It also allows for each state to apply their own hazardous waste programs instead of implementing the federal program on the condition that the state's program is just as strict in its requirements. This state program must be permitted by the EPA in order to be used.

Emergency and Community Right to Know Act

The Emergency and Community Right to Know Act (EPCRA) was enacted by Congress as the national legislation on community safety. This law was designated to help local communities protect public health, safety, and the environment from chemical hazards. EPCRA was passed in response to concerns regarding the environmental and safety hazards posed by the storage and handling of toxic chemicals. EPCRA establishes requirements for federal, state, and local

governments, tribes and industry regarding emergency planning and "Community Right-to-Know" reporting on hazardous and toxic chemicals. The Community Right-to-Know provisions help increase the public's knowledge and access to information on chemicals at individual facilities, their uses, and releases into the environment. States and communities, working with facilities, can use the information to improve chemical safety and protect public health and the environment. To implement EPCRA, Congress required each state to appoint a State Emergency Response Commission (SERC). The SERCs were required to divide their states into Emergency Planning Districts and to name a Local Emergency Planning Committee for each district.

State

California Environmental Protection Agency

The California Environmental Protection Agency (CalEPA) was established in 1991 and is comprised of: the California Air Resources Board, the State Water Resources Control Board, the Regional Water Quality Control Board, CalRecycle, the Department of Toxic Substances Control, the Office of Environmental Health Hazard Assessment, and the Department of Pesticide Regulation. This integrated group amalgamates all of California's environmental authority agencies into one and has led the state of California in developing and applying numerous progressive environmental policies in the United States of America. The primary goal of the CalEPA is to restore, protect, and enhance the environment.

Department of Toxic Substances Control

The DTSC is authorized by CalEPA to administer the hazardous waste laws and oversee remediation of hazardous wastes sites. Regulations require that DTSC "shall compile and update as appropriate, but at least annually, and shall submit to the Secretary for Environmental Protection, a list of all the following: (1) [a]ll hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code (HSC)."

The hazardous waste facilities identified in HSC Section 25187.5 are those where DTSC has taken or contracted for corrective action because a facility owner/operator has failed to comply with a date for taking corrective action in an order issued under the HSC, or because DTSC determined that immediate corrective action was necessary to abate an imminent or substantial endangerment. DTSC's Brownfields Restoration and School Evaluation Branch is responsible for assessing, investigating, and cleaning up proposed school sites. The Branch ensures that selected properties are free of contamination or, if the properties were previously contaminated, that they have been cleaned up to a level that protects the students and staff who will occupy the new school. All proposed school sites that will receive State funding for acquisition or construction are required to go through a rigorous environmental review and cleanup process under DTSC's oversight.

School districts conduct environmental assessments to provide basic information for determining if there has been a release of hazardous material at the sites, or if a naturally occurring hazardous material that presents a risk to human health, or the environment may be present. Outreach activities integrated into the process allow a more active role for stakeholders in the selection process for school sites. Through the environmental review process, DTSC

ensures protection of children, staff and the environment from the potential effects of exposure to hazardous materials.

As the only comprehensive school environmental evaluation program in the United States, the DTSC Brownfields Restoration and School Evaluation Branch continues to set the national standard.

Hazardous Waste Control Law of 1972

The Hazardous Waste Control Act (Health and Safety Code Sections 25100 et seq.) created the state hazardous waste management program. The Act is implemented by regulations contained in Title 26 of the California Code of Regulations (CCR), which describes the following required aspects for the proper management of hazardous waste: identification and classification; generation and transportation; design and permitting of recycling, treatment, storage, and disposal facilities; treatment standards; operation of facilities and staff training; and closure of facilities and liability requirements. These regulations list more than 800 materials that may be hazardous and establish criteria for identifying, packaging, and disposing of such waste. Under the Hazardous Waste Control Act and Title 26, the generator of hazardous waste must complete a manifest that accompanies the waste from generator to transporter to the ultimate disposal location. Copies of the manifest must be filed with DTSC.

Regional Water Quality Control Board

The RWQCB oversees cases involving groundwater contamination within the San Francisco Bay Area from Spills, Leaks, Incidents and Clean-up (SLIC) cases while the County of Santa Clara's Department of Environmental Health would oversee most leaking underground storage tank cases. In the incidence of a spill at a project site, the applicant would notify the County of Santa Clara and a lead regulator (County, RWQCB or DTSC) would be determined.

Cortese List

The Cortese list was authorized by the state legislature in 1985. A list of several types of hazardous materials is gathered by a few agencies as directed by the statute.

Government Code Section 65962.5. (a) The Department of Toxic Substances Control shall compile and update as appropriate, but at least annually, and shall submit to the Secretary for Environmental Protection, a list of all of the following:

1. All hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code.

2. All land designated as hazardous waste property or border zone property pursuant to Article 11 (commencing with Section 25220) of Chapter 6.5 of Division 20 of the Health and Safety Code.

3. All information received by the Department of Toxic Substances Control pursuant to Section 25242 of the Health and Safety Code on hazardous waste disposals on public land.

4. All sites listed pursuant to Section 25356 of the Health and Safety Code.

All sites included in the Abandoned Site Assessment Program. Government Code Section 65962.5. (c) The State Water Resources Control Board shall compile and update as appropriate, but at least annually, and shall submit to the Secretary for Environmental Protection, a list of all of the following:

1. All underground storage tanks for which an unauthorized release report is filed pursuant to Section 25295 of the Health and Safety Code.

2. All solid waste disposal facilities from which there is a migration of hazardous waste and for which a California regional water quality control board has notified the Department of Toxic Substances Control pursuant to subdivision (e) of Section 13273 of the Water Code.

3. All cease and desist orders issued after January 1, 1986, pursuant to Section 13301 of the Water Code, and all cleanup or abatement orders issued after January 1, 1986, pursuant to Section 13304 of the Water Code, that concern the discharge of wastes that are hazardous materials.

The proposed project site is located on the Hazardous Waste and Substances Sites (Cortese) List, and is further discussed in Section 3.9.3, under item d).

Hazardous Materials Release Response Plans and Inventory Law of 1985

The Hazardous Materials Release Response Plans and Inventory Law of 1985 (Business Plan Act; HSC Division 20 Chapter 6.95 [25500–25547.8]) governs hazardous materials handling, reporting requirements, and local agency surveillance programs.

Hazardous Materials Release Cleanup (Assembly Bill 440 Chapter 588)

Assembly Bill (AB) 440 Chapter 588, passed into law in 2013, authorizes a local agency to take clean up action similar to that under the Polanco Redevelopment Act that the local agency determines is necessary, consistent with other state and federal laws, to remedy or remove a release of hazardous substances within the boundaries of the local agency. AB 440 allows the local agency to designate another agency, in lieu of the department or the regional board, to review and approve a cleanup plan and to oversee the cleanup of hazardous material from a hazardous material release site, under certain conditions. It also provides immunity to the local agency as long as the action is in accordance with a cleanup plan prepared by a qualified independent contractor, and approved by the department, a regional board, or the designated agency, and the cleanup is undertaken and properly completed. Finally, AB 440 authorizes the local agency to recover cleanup costs from the responsible party.

Asbestos Regulations

In 1990, ARB issued an Airborne Toxic Control Measure (ATCM), which prohibited the use of serpentine aggregate for surfacing if the asbestos content was 5 percent or more. In July 2000, ARB adopted amendments to the existing ATCM prohibiting the use or application of serpentine, serpentine-bearing materials and asbestos-containing ultramafic rock for covering

unpaved surfaces unless it has been tested using an approved asbestos bulk test method and determined to have an asbestos content that is less than 0.25 percent (CARB 2001a). In July 2001, ARB adopted a new ATCM for construction, grading, quarrying, and surface mining operations in areas with serpentine or ultramafic rocks (CARB 2001b). These regulations are codified in Title 17, Section 93105 of the CCR. The regulations require preparation and implementation of an Asbestos Dust Mitigation Plan for construction or grading activities on sites greater than 1 acre in size with known Naturally Occurring Asbestos (NOA) soils. The air districts enforce this regulation.

In October 2000, the Governor's Office of Planning and Research issued a memorandum providing guidance to lead agencies in analyzing the impacts of NOA on the environment through the California Environmental Quality Act (CEQA) review process. In November 2000, the California Department of Real Estate added a section to subdivision forms that includes questions related to NOA on property proposed for development. In 2004, as part of its school-site review program, the DTSC's School Property Evaluation and Cleanup Division released interim guidance on evaluating NOA at school sites. In addition, HSC Section 19827.5 prohibits the issuance of demolition permits by local and State agencies for any building or structure that has not submitted all required asbestos notifications to the U.S. EPA, pursuant to Part 61 of Title 40 of the Code of Federal Regulations.

California Occupational Safety and Health Administration (Cal/OSHA) Regulations

Cal/OSHA sets forth regulations for the disturbance of Asbestos Containing Construction Materials (ACCMs) including removal operations for all types of ACCMs. Cal/OSHA requires contractors and employers that remove ACCMs to be registered and consultants and technicians who conduct sampling and/or removal to be certified. In addition, the agency has developed standards for general industry and the construction industry hazardous waste operations and emergency response. Cal/OSHA ensures that employers must have controls to reduce and monitor exposure levels of hazardous materials, an informational program describing any exposure during operations and the inspection of drums and containers prior to removal or opening. Decontamination procedures and emergency response plans must be in place before employees begin working in hazardous waste operations (CAL/OSHA 2019).

California Code of Regulations (CCR) Title 8 Section 1529

This section of the CCR regulates asbestos exposure for work identified in Section 1502, including demolition or salvage of structures where asbestos is present; removal or encapsulation of materials containing asbestos; construction, alteration, repair, maintenance, or renovation of structures, substrates, or portions thereof, that contain asbestos, installation of products containing asbestos; asbestos spill/emergency cleanup; transportation, disposal, storage, containment of and housekeeping activities involving asbestos or products containing asbestos, on the site or location at which construction activities are performed; and excavation that may involve exposure to asbestos as a natural constituent which is not related to asbestos mining and milling activities.

Lead Regulations

Because of its toxic properties, lead is regulated as a hazardous material. Lead is also regulated as a toxic air contaminant. State-certified contractors must perform inspection, testing, and removal (abatement) of lead-containing building materials in compliance with applicable health and safety and hazardous materials regulations, including those outlined in Title 17 of the CCR.

CCR Title 8 Section 1532.1. This section of the CCR applies to all construction work where employees could be occupationally exposed to lead, including demolition or salvage of structures where lead or materials containing lead are present; removal or encapsulation of materials containing lead; new construction, alteration, repair, or renovation of structures, substrates, or portions thereof, that contain lead or materials containing lead; installation of products containing lead; lead contamination/emergency clean-up; transportation, disposal, storage, or containment of lead or materials containing lead on the site or location at which construction activities are performed; and maintenance operations associated with construction activities. This section sets a maximum exposure limit; requires an assessment to determine whether employees may be exposed to lead; requires employees to create a compliance program to ensure that employee exposure to lead are at or below the permissible exposure limit to the extent feasible; and requires that employees with exposure to lead are provided with respiratory protection, protective work clothing and equipment.

Other state laws that address lead include:

- Hazardous Waste Control Law
- Safe Drinking Water and Toxic Enforcement Act of 1986 (Proposition 65)
- Carpenter-Presley-Tanner Hazardous Substances Account Act
- Hazardous Waste Management Planning and Facility Siting (Tanner Act)
- Hazardous Materials Release Response Plan and Inventory Law of 1985 (Business Plan Act)

California Accidental Release Prevention Program

The California Accidental Release Prevention Program (CalARP; CCR Title 19, Division 2, Chapter 4.5) was implemented on January 1, 1997, and replaced the California Risk Management and Prevention Program. The CalARP program encompasses both the federal "Risk Management Program," established in the Code of Federal Regulations, Title 40, Part 68, and the State of California program, in accordance with the Title 19 of the California Code of Regulations, Division 2, Chapter 4.5.

The main objective of the CalARP program is to prevent accidental releases of those substances determined to potentially pose the greatest risk of immediate harm to the public and the environment, and to minimize the consequences if releases do occur. These substances are called regulated substances and include both flammable and toxic hazardous materials listed on the Federal Regulated Substances for Accidental Release Prevention and on the State of

California Regulated Substances lists. Businesses that handle regulated substances in industrial processes above threshold quantity levels are subject to CalARP program requirements.

The CalARP program requires businesses to have planning activities that are intended to minimize the possibility of an accidental release by encouraging engineering and administrative controls. It is further intended to mitigate the consequences of an accidental release, by requiring owners or operators of facilities to develop and implement an accident prevention program.

California Human Health Screening Levels

The California Human Health Screening Levels (CHHSLs) were developed as a tool to assist in the evaluation of contaminated sites for potential adverse threats to human health. Preparation of the CHHSLS was required by the California Land Environmental Restoration and Reuse Act of 2001. The CHHSLs were developed by the Office of Environmental Health Hazard Assessment, an agency under the umbrella of CalEPA, and are contained in its report entitled Human-Exposure-Based Screening Numbers Developed to Aid Estimation of Cleanup Costs for Contaminated Soil. The thresholds of concern used to develop the CHHSLs are an excess lifetime cancer risk of one in 1 million and a hazard quotient of 1.0 for non-cancer health effects. The CHHSLs were developed using standard exposure assumptions and chemical toxicity values published by the U.S. EPA and CalEPA. The CHHSLs can be used to screen sites for potential human health concerns where releases of hazardous chemicals to soils have occurred. Under most circumstances, the presence of a chemical in soil, soil gas, or indoor air at concentrations below the corresponding CHHSLs can be assumed to not pose a significant health risk to people who may live (residential CHHSLs) or work (commercial/ industrial CHHSLs) at the site.

California Fire Code

The California Fire Code (CFC) is Chapter 9 of CCR Title 24. It is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. The CFC regulates the use, handling, and storage requirements for hazardous materials at fixed facilities. The CFC and the California Building Code use a hazard classification system to determine what protective measures are required to protect fire and life safety. These measures may include construction standards, separations from property lines, and specialized equipment. To ensure that these safety measures are met, the CFC employs a permit system based on hazard classification. The CFC is updated every three years.

2017 State of California Emergency Plan

The 2017 State of California Emergency Plan, also referred to as the State Emergency Plan (SEP), addresses the state’s response to extraordinary emergency situations associated with natural disasters or human-caused emergencies. The California Emergency Services Act provides the basic authorities for conducting emergency operations following the proclamation of emergencies by appropriate local officials and/or the Governor. The provisions of this act are further reflected and expanded upon by local emergency ordinances. In accordance with this

act, the SEP describes the methods for carrying out emergency operations, the process for rendering mutual aid, the emergency services of governmental agencies, how resources are mobilized, how the public will be informed and the process to ensure continuity of government during an emergency or disaster. The SEP emphasizes mitigation programs to reduce the vulnerabilities to disaster and preparedness activities to ensure the capabilities and resources are available for an effective response. To assist communities and governments to recover from the disaster, the SEP outlines programs that establish a consistent, statewide framework to enable state, local, tribal governments, federal government and the private sector to work together to mitigate, prepare for, respond to and recover from the effects of emergencies regardless of cause, size, location, or complexity.

2018 State Hazard Mitigation Plan

Approved by the Federal Emergency Management Agency in September 2018, as an Enhanced State Mitigation Plan, the 2018 State Hazard Mitigation Plan update continues to build upon California's commitment to reduce or eliminate the impacts of disasters caused by natural, technological, accidental, and adversarial/human-caused hazards, and further identifies and documents progress made in hazard mitigation efforts, new or revised state and federal statutes and regulations, and emerging hazard conditions and risks that affect the State of California. Resilience depends on the whole community and is a shared responsibility for all levels of government, private and nonprofit sectors, and individuals.

Local

The District is not subject to local (i.e., City) land use and zoning regulations regarding hazards and hazardous materials. However, since the District has no adopted policies or standards of their own, the local land use policies are presented as context by which other nearby jurisdictions use to govern these resources.

Santa Clara 2010-2035 General Plan

The General Plan outlines policies and programs aimed at handling and transporting hazardous materials as well as managing, reducing, and effectively responding to hazardous events. These include:

- *Policy 5.10.5-G1:* Protection of life, the environment and property from natural catastrophes and man-made hazards.
- *Policy 5.10.5-P4:* Identify appropriate evacuation routes so people can be efficiently evacuated in the event of a natural disaster.
- *Policy 5.10.5-P22:* Regulate development on sites with known or suspected contamination of soil and/or ground water 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-P24:* Protect City residents from the risks inherent in the transport, distribution, use and storage of hazardous materials.

- *Policy 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.

- *Policy 5.10.5-P28:* Continue to require all new development and subdivisions to meet or exceed the City's adopted Fire Code provisions.

Santa Clara County Integrated Waste Management Plan

The Santa Clara County Integrated Waste Management Plan adopted in 1996, contains policies and objectives as well as recommendations for hazardous waste minimizations, recycling and reclaiming, treatment, and disposal. The plan identifies future hazardous waste treatment and disposal needs and establishes County wide policy for waste treatment, transportation, and disposal. The plan also outlines criteria for choosing appropriate treatment and disposal sites.

3.9.3 Impact Discussion

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less Than Significant Impact. The project would not involve the routine transport, use, storage, and/or disposal of hazardous materials, including fuels, solvents, paints, and adhesives, because operation of a school does not typically involve regular use of hazardous materials. Use of hazardous materials would be limited to small quantities of construction fuels and fluids during the temporary construction period as well as small quantities of chemicals for landscaping and maintenance including commercial cleansers, lubricants, and paints would also be stored on-site. These materials would be stored and used in accordance with the manufacturer's specifications and handled in compliance with applicable standards and regulations. In accordance with federal and state law, the project would be required to disclose hazardous materials handled at reportable amounts. Compliance with existing regulations regarding the storage, use, handling, and disposal of hazardous materials would ensure the project does not create a significant hazard to the public or environment related to hazardous materials. This impact would be less than significant.

As described in the setting discussion, the historic agricultural use as well as the age of the onsite facilities, suggest that construction activities may encounter pesticides, PCBs, asbestos containing materials, termiticides and lead based paints. These hazardous materials will be abated in accordance with DTSC, BAAQMD, Cal/OSHA, and California Health and Safety Code requirements prior to demolition or renovation activities.

Any pesticides, asbestos, termiticides, lead, PCBs, or other hazardous materials that may be encountered during demolition or construction activities would be transported and disposed of in compliance with all applicable regulations for the handling of such waste, including DTSC, BAAQMD rules and the California Code of Regulations. Additionally, appropriate documentation for hazardous waste that is transported in connection with activities at development sites (such as disposal of asbestos or building materials containing lead-based paint or PCBs) would be

required by the District prior to issuance of any demolition or construction permits (as required by federal, state, and city regulations) to ensure compliance with the existing hazardous materials regulations described above.

The Draft PEA (Arcadis 2024) soil investigation was conducted in conformance with the PEA Work Plan (Arcadis 2023) and recommended Investigation Derived Waste soil management for surficial soils at two locations to address arsenic concentrations above regional background values. A Supplemental Site Investigation Work Plan will be prepared, which requires approval by the DTSC, and once approved would be executed by the District. Any identified hazardous conditions will be removed or remediated under the oversite of the DTSC to conditions appropriate for use of the site for school operations.

These requirements were developed to protect human health and the environment and compliance with these existing regulations would reduce impacts related to demolition, transport, and disposal of hazardous materials to a less than significant level.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less Than Significant Impact. As discussed above, the project would not involve the routine transport, use, storage, and/or disposal of significant amounts of fuels (i.e., gasoline, diesel, oil, etc.), adhesives, paints, or solvents. However, the project includes the temporary transport, storage, and use of fuels, paints, solvents, and adhesives during construction. Fuels would be used to power the construction equipment used in the demolition, grading, and construction phases of the project. Paints, solvents, and adhesives would be used during the construction phase of the project and hazardous materials identified in the PEA would be removed or remediated according to the Supplemental Site Investigation Work Plan. As a result, the project would temporarily increase the potential for accidental release of hazardous materials into the environment. However, the project's temporary transport, storage, use and disposal of fuels, paints, solvents, adhesives, or other hazardous materials would be subject to existing Federal, State, and local regulations related to transport, storage, and disposal of hazardous materials. Compliance with said regulations would ensure the project minimizes the potential for accidental release or upset of hazardous materials to a less than significant impact.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or hazardous waste within one-quarter mile of an existing or proposed school?

Less Than Significant Impact. The project site is an existing elementary school and would continue to operate as a school after project completion. As described under items a) and b), the project would temporarily use fuels, paints, solvents, and adhesives during the construction and demolition phases of the project. Operation of the project would involve the regular intermittent use of cleaners, adhesives, and solvents for regular cleaning and periodic maintenance activities. The project's transport, storage, and use of fuels, paints, solvents, and adhesives during construction and operations is subject to existing Federal, State, and local regulations. Compliance with said regulations would ensure the project's transport, use, and

storage of hazardous materials results in a less than significant impact on the users of the existing onsite schools.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Less Than Significant Impact. The project site is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (otherwise known as the Cortese List) (DTSC 2024). The DTSC's EnviroStor database lists the project site as undergoing a School Site Investigation that has been active since March 22, 2023. This School Site Investigation is the process the District is currently undertaking with DTSC to identify and remediate /remove hazardous materials from the project site and includes the preparation of a PEA Work Plan (October 2023), Draft PEA Report (April 2024), and a subsequent Supplemental Site Investigation Work Plan prepared under the oversight of DTSC, as described in Section 3.9.1, above. This process, along with adherence to DTSC, BAAQMD, Cal/OSHA, and California Health and Safety Code requirements prior to demolition or renovation activities would ensure the potential for hazardous materials creating a significant hazard to the public a less than significant impact.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

No Impact. The project alignment is not within an airport land use plan or within two miles of a public or public use airport. The closest airports to the project site are Norman Y. Mineta San Jose International Airport, located approximately 2.3 miles northeast, and Moffett Federal Airfield, located approximately eight miles northwest, respectively of the project site.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact. Roadways adjacent to the project would be utilized during construction for the delivery of materials to the construction site. The project may involve lane closures. Should the need arise, the contractor would be required to create and implement a traffic control plan to maintain access for emergency vehicles for the duration of construction. Therefore, the project would not significantly impair or physically interfere with an adopted emergency evacuation plan. After project construction is completed, there would be no impediment to vehicular or emergency vehicle access. Thus, the proposed project would have a less than significant impact to emergency plans**.**

g) 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 not within the wildland-urban interface (WUI) (ABAG 2022). The closest WUI designated area to the project site is approximately four miles west in the City of Cupertino on South De Anza Boulevard. The project does not propose new structures within

areas designated within the WUI and are therefore not subject to wildfire-related building practices. Therefore, the project would not expose people or structures to significant risk of loss due to wildland fires.

3.10 HYDROLOGY AND WATER QUALITY

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

3.10.1 Environmental Setting

Groundwater

The City's source of groundwater is supplied by the Santa Clara subbasin. The Santa Clara subbasin is part of the Santa Clara Valley Basin, which is divided into four subbasins, including the Santa Clara subbasin. The Santa Clara subbasin extends from the Coyote Narrows near Metcalf Road to the southern San Francisco Bay as the northern boundary. It is bounded on the west by the Santa Cruz Mountains and on the east by the Diablo Range. The two mountain ranges converge at the Coyote Narrows to form the southern limit of the subbasin. The Santa Clara subbasin covers a surface area of 189,581 acres. The subbasin is further divided into two groundwater management areas based on differences in hydrogeology, land use and water supply management: Santa Clara Plain and Coyote Valley with the City overlaying the Santa Clara Plain.

Valley Water manages the groundwater supply in Santa Clara County and works with various water retailers in the area to prevent subsidence and overdraft of the basin to ensure reliable water supplies. The Santa Clara Valley Basin is not adjudicated or currently listed as overdrafted. This can be attributed to Valley Water's network of imported surface water supplies, groundwater recharge system, water supply long-term planning, and aggressive conservation efforts through community outreach and rebate programs. The Santa Clara Valley Basin is the largest of three interconnected groundwater basins occupying approximately 246,000 acres of the 835,000 acres of Santa Clara County.

According to the project's geotechnical report, groundwater was encountered in one of the drill holes at a depth of about 28 feet below ground surface (bgs) at the time of drilling. It was noted that fluctuations in the groundwater level may occur due to seasonal variations in rainfall and temperature, or other factors that were not evident at the time of the investigation.

Stormwater

The City's storm drain system consists of curb inlets that collect and channel surface water, from rainfall and other sources, into a series of pipelines beneath City roadways. Stormwater is conveyed through these underground pipelines to the local creeks and channels within the City, which then discharge directly into San Francisco Bay. Valley Water operates as the flood control agency for the County. Their stewardship also includes creek restoration, pollution prevention efforts and groundwater recharge. Santa Clara is committed to improving water quality in the San Francisco Bay and streams by reducing urban runoff pollution through participation in the regional program for the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP), whose members include twelve other cities and towns, the County of Santa Clara, and Valley Water that collectively discharge stormwater to San Francisco Bay.

Water Quality

Surface water quality is affected by point source and non-point source (NPS) pollutants. Point source pollutants are emitted at a specific point, such as a pipe, while NPS pollutants are generated primarily by surface stormwater runoff from diffuse sources such as streets, paved areas, and landscape areas. Point source pollutants are mainly controlled with pollutant

discharge regulations established by the RWQCB through National Pollutant Discharge Elimination System, or waste discharge requirements (see Regulatory section, below).

NPS pollutants are more difficult to monitor and control and are important contributors to reductions in surface water quality in urban areas. Typical stormwater runoff pollutants include oil, grease, and metals accumulated in streets, driveways, parking lots, and rooftops, as well as pesticides, herbicides, particulate matter, nutrients, animal waste, and other substances from landscaped areas. In general, pollutant concentrations in stormwater runoff do not vary significantly within an urbanized watershed. However, pollutant concentrations do increase when impervious cover is more than 40 to 50 percent of the drainage area. Runoff volume is the most important variable in predicting pollutant loads.

Flooding

Flooding within Santa Clara can occur in localized areas along streams running through the City during brief extensive storms. The nearest stream to the Westwood Elementary School site is Saratoga Creek, located approximately one mile northwest of the site.

The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) categorize and rank areas that are susceptible to flooding. According to FEMA mapping, only a portion of the City is located in the Special Flood Hazard Area (SFHA). The SFHA is defined as the area subject to inundation during a flood event that has a one percent chance of occurring in any given year (100-year flood). Development is allowed within this floodplain area as long as it complies with local flood management ordinances. Much of the SFHA area within the City is located in low-lying areas between creek levees, north of US 101. The City has adopted the Flood Damage Prevention Code, 1987 ed., to address requirements for flood protection. The remainder of the City is located outside the SFHA but within Other Flood Hazard Areas, which include the 0.2 percent (500-year) floodplain; areas where the one percent flood event would result in flooding to an average depth of less than one foot, or where flooding would occur on a watercourse with a drainage area smaller than one square mile; and lands protected by levees from the one percent flood. The project site is located in FEMA Flood Zone D, defined as areas of undetermined flood hazard. The nearest SFHAs are the creek channel of Saratoga Creek, and areas along the west side of San Tomas Expressway, north and south of Homestead Road, approximately ½-mile northwest of the site. These areas have designations of AO (Depth 1) and AH (Elevation 101), indicating that the expected flooding in a 100-year flood event would be 1 foot (AO), and at elevation 101 (AH), respectively), Saratoga Creek is designated as Flood Zone A, with a note that the one percent annual chance flood discharge is contained within the structure. This means that the flood flows from a 100-year flood event would be contained within the banks of the channel.

Tsunamis and Seiches

Seismically-induced ocean waves are caused by displacement of the sea floor by a submarine earthquake and are called tsunamis. Seiches are waves produced in a confined body of water such as a lake or reservoir by earthquake ground shaking or landsliding. Seiches are possible at reservoir, lake or pond sites. There are no large bodies of water near the project site.

3.10.2 Regulatory Setting

Federal

Clean Water Act

Under the Clean Water Act (CWA) of 1977, the United States Environmental Protection Agency (USEPA) seeks to restore and maintain the chemical, physical, and biological integrity of the nation's waters. The statute employs a variety of regulatory and non-regulatory tools to reduce direct pollutant discharges into waterways, finance municipal wastewater treatment facilities, and manage polluted runoff. The CWA authorizes the USEPA to implement water quality regulations. The National Pollutant Discharge Elimination System (NPDES) permit program under Section 402(p) of the CWA controls water pollution by regulating stormwater discharges into the waters of the United States (US). California has an approved state NPDES program. The USEPA has delegated authority for water permitting to the State Water Resources Control Board (SWRCB), which has divided the state into nine regional basins, each under the jurisdiction of a Regional Water Quality Control Board (RWQCB).

Section 401 requires an applicant for any Federal permit that proposes an activity that may result in a discharge to "waters of the U.S." to obtain certification from the State that the discharge will comply with other provisions of the CWA. In California, a Water Quality Certification is provided by the State Water Resources Control Board and/or RWQCB. Section 401 establishes the basic structure for regulating discharges of pollutants into the waters of the U.S. and regulating quality standards for surface waters. Under the CWA, the U.S. EPA has implemented pollution control programs such as setting wastewater standards for industries and surface waters.

Section 404 authorizes the USACE to regulate the discharge of dredged or fill material to waters of the U. S., including wetlands. The USACE issues individual site-specific or general (Nationwide) permits for such discharges.

Federal Emergency Management Agency

The Federal Emergency Management Agency (FEMA) administers the National Flood Insurance Program (NFIP), which provides subsidized flood insurance to communities that comply with FEMA regulations, which limit development in flood plains. FEMA also issues Flood Insurance Rate Maps (FIRMs) that identify which land areas are subject to flooding. These maps provide flood information and identify flood hazard zones in the community. The design standard for flood protection is established by FEMA, with the minimum level of flood protection for new development set as the 100-year flood event, also described as a flood that has a 1-in-100 chance of occurring in any given year.

National Pollutant Discharge Elimination System

As previously discussed, the NPDES permit program was established by the CWA to regulate municipal and industrial discharges to surface waters of the U.S. from their municipal separate storm sewer systems (MS4s). Under the NPDES Program, all facilities which discharge pollutants from any point source into waters of the U.S. are required to obtain an NPDES permit.

Point source discharges include discharges from publicly owned treatment works, discharges from industrial facilities, and discharges associated with urban runoff, such as storm water. The NPDES permit programs in California are administered by the SWRCB and the nine RWQCBs.

National Flood Insurance Act

The U.S. Congress passed the National Flood Insurance Act in 1968 and the Flood Disaster Protection Act in 1973 to restrict certain types of development on floodplains and to provide for a National Flood Insurance Program (NFIP). The purpose of these acts is to reduce the need for large, publicly-funded flood control structures and disaster relief. The NFIP is a federal program administered by the Flood Insurance Administration of FEMA. It enables individuals who have property (a building or its contents) within the 100-year floodplain to purchase insurance against flood losses. FEMA works with the states and local communities to identify flood hazard areas and publishes a flood hazard boundary map of those areas. Floodplain mapping is an ongoing process in the Bay Area and flood maps must be regularly updated for both major rivers and tributaries as land uses and development patterns change.

State

Porter-Cologne Water Quality Control Act

The Porter-Cologne Water Quality Act (Water Code Sections 1300 et seq.) is the basic water quality control law in California. The Act established the State Water Resources Control Board (SWRCB), and divided the state into nine regional basins, each under the jurisdiction of a Regional Water Quality Control Board (RWQCB). The Act authorizes the SWRCB and RWQCBs to issue and enforce Waste Discharge Requirements, NPDES permits, Section 401 water quality certifications, or other approvals.

State Water Resources Control Board

The SWRCB is the primary State agency responsible for the protection of the state's water quality and groundwater supplies. Construction activities that disturb one or more acres of land must comply with the requirements of the SWRCB Construction General Permit (2009-0009-DWQ) as amended by 2010-0014-DWQ. Under the terms of the permit, applicants must file permit registration documents with the SWRCB prior to the start of construction. The registration documents include a Notice of Intent (NOI), risk assessment, site map, Stormwater Pollution Prevention Plan (SWPPP), annual fee, and a signed certification statement.

Sustainable Groundwater Management Act (SGMA)

On September 16, 2014, Governor Edmund G. Brown Jr., signed a three-bill package known as the Sustainable Groundwater Management Act. The legislation allows local agencies to customize groundwater sustainability plans to their regional economic and environmental needs. SGMA creates a framework for sustainable, local groundwater management for the first time in California history. The three bills that make up SGMA are Assembly Bill (AB) 1739 by Assembly Member Roger Dickinson, Senate Bill (SB) 1319, and SB 1168 by Senator Fran Pavley. In September 2015, Governor Brown signed SB 13, by Senator Fran Pavley. The Bill makes various technical, clarifying changes to SGMA including requirements for groundwater

sustainability agency formation, the process for State Water Board intervention if no responsible agency is specified for a basin, guidelines for high- and medium-priority basins, and participation of mutual water companies in a groundwater sustainability agency.

Construction General Permit

The California Construction Stormwater Permit (Construction General Permit), adopted by the SWRCB, regulates construction activities that include clearing, grading, and excavation resulting in soil disturbance of at least one acre of total land area. The Construction General Permit requires that all developers of land where construction activities will occur over more than one acre file a Notice of Intent with the SWRCB and develop and implement a stormwater pollution prevention plan (SWPPP), which specifies BMPs that will reduce pollution in stormwater discharges from the construction site. Typical BMPs contained in SWPPPs are designed to minimize erosion during construction, stabilize construction areas, control sediment, control pollutants from construction materials, and address post construction runoff quantity (volume) and quality (treatment). The SWPPP must also include a discussion of the program to inspect and maintain all BMPs.

California Stormwater Quality Association Best Management Practices Handbooks

The California Stormwater Quality Association (CASQA) is a professional member association dedicated to the advancement of stormwater quality management through collaboration, education, implementation guidance, regulatory review, and scientific assessment. CASQA's membership is comprised of a diverse range of stormwater quality management organizations and individuals, including cities, counties, special districts, industries, and consulting firms throughout the state. CASQA develops and publishes four BMP Handbooks. The New Development and Redevelopment Handbook provides guidance on developing project-specific SWMPs, including selection and implementation of BMPs, for a particular development or redevelopment project.

California Fish and Game Code

The California Department of Fish and Wildlife (CDFW) protects streams, water bodies, and riparian corridors through the streambed alteration agreement process under Section 1600 to 1616 of the California Fish and Game Code. The California Fish and Game Code establishes that “an entity may not divert or obstruct the natural flow or substantially change the bed, channel, or bank of any river, stream or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river stream, or lake (Fish and Game Code Section 1602(a)) without notifying the CDFW, incorporating necessary mitigation and obtaining a streambed alteration agreement. The CDFW’s jurisdiction extends from the top of banks and often includes the outer edge of riparian vegetation canopy cover.

California Stormwater Quality Association Best Management Practices Handbooks

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membership is comprised of a diverse range of stormwater quality management organizations and individuals, including cities, counties, special districts, industries, and consulting firms throughout the state. CASQA develops and publishes four BMP Handbooks. The New Development and Redevelopment Handbook provides guidance on developing project-specific SWMPs, including selection and implementation of BMPs, for a particular development or redevelopment project.

Regional

San Francisco Bay Regional Water Quality Control Board

The San Francisco Bay RWQCB is the regional authority responsible for planning, permitting and enforcement of the CWA. Santa Clara is within the jurisdiction of the San Francisco Bay RWQCB (Region 2), which covers most of the Bay Area region, including Santa Clara County. The San Francisco Bay RWQCB addresses region-wide water quality issues through the Water Quality Control Plan for San Francisco Bay Region (Basin Plan), which is updated every three years. The Basin Plan was adopted in 1993 and updated most recently in May 2017. The Basin Plan has been updated to reflect the Basin Plan amendments adopted up through March 7, 2023.The Basin Plan designates beneficial uses of the State waters within Region 2, describes the water quality that must be maintained to support such uses, and provides programs, projects, and other actions necessary to achieve the standards established in the Basin Plan.

The SWRCB issued county-wide municipal stormwater permits in the early 1990s to operators of MS4s serving populations over 100,000 (Phase 1). On November 19, 2015, the San Francisco Bay RWQCB re-issued a single regional municipal stormwater discharge permit known as the Municipal Regional Stormwater NPDES Permit (MRP) to regulate stormwater discharges from municipalities and local agencies in Alameda, Contra Costa, San Mateo, and Santa Clara Counties, and the cities of Fairfield, Suisun City, and Vallejo. The MRP was most recently updated in May 2022.

Provision C.3 of the MRP (New Development and Redevelopment) allows the co-permittees to require the implementation of appropriate source control, site design, and stormwater treatment measures in new development and redevelopment projects to address stormwater runoff pollutant discharges and prevent increases in runoff flows to local waterways. The use of Low Impact Development (LID) measures such as bioretention basins, flow-through planters and rain gardens would reduce flow velocities and volumes as well as filter out pollutants from post-construction runoff.

Santa Clara Valley 2016 Groundwater Management Plan

The SCVWD's Groundwater Management Plan (GWMP) describes the District'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, located entirely in Santa Clara County. The SCVWD's prior Groundwater Management Plan was adopted by the Board in 2012 and described the District's comprehensive groundwater management framework, including basin management objectives, strategies, groundwater management programs, and outcome

measures. The 2016 GWMP updates and expands on technical information in the 2012 GWMP and is prepared as an alternative to a Groundwater Sustainability Plan under the Sustainable Groundwater Management Act (SGMA).

Santa Clara Valley Urban Runoff Pollution Prevention Program

The Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) is an association of 13 cities and towns in the Santa Clara Valley, the County of Santa Clara, and the SCVWD all working to improve the water quality of south San Francisco Bay and the streams of Santa Clara County, by reducing nonpoint source pollution in storm water runoff and other surface flows. The Program and member agencies collaborate and share in implementation of the NPDES permit and municipal SWPPP to mitigate discharges, also referred to as the MRP, into the San Francisco Bay. Member agencies include Campbell, Cupertino, Los Altos, Los Altos Hills, Los Gatos, Milpitas, Monte Sereno, Mountain View, Palo Alto, San Jose, Santa Clara, Saratoga, Sunnyvale, the County of Santa Clara, and Valley Water.

Valley Water

Valley Water, previously known and referred to herein as Santa Clara Valley Water District (SCVWD), is a water resources agency responsible for balancing flood protection needs with the protection of natural watercourses and habitat in the Santa Clara Valley. Valley Water serves 16 cities and 1.8 million residents, provides wholesale water supply, operates three water treatment plants, and provides flood protection along the creeks and rivers within the county. Valley Water implements the Clean, Safe Creeks and Natural Flood Protection Plan that created a countywide special parcel tax for flood protection, improved water quality and safety, healthy creek and bay ecosystems and trails, parks, and open space along waterways.

Valley Water reviews plans for development projects near streams to ensure that the proposed storm drain systems and wastewater disposal systems will not adversely impact water quality in the streams. In addition, Valley Water reviews projects for conformance to Valley Water flood control design criteria, stream maintenance and protection plans, and groundwater protection programs.

Local

Santa Clara 2010-2035 General Plan

The General Plan outlines policies and programs aimed at ensuring water quality and water conservation. These include:

- *Policy 5.10.4-P1:* Promote water conservation through development standards, building requirements, landscape design guidelines, education, compliance with the State Water Conservation Ordinance, and other applicable City-wide policies and programs.

- *Policy 5.10.4-P3:* Promote water conservation, recycled water use and sufficient water importation to ensure an adequate water supply.

- *Policy 5.10.4-P4:* Require an adequate water supply and water quality for all new development.

- *Policy 5.10.4-P5:* Prohibit new development that would reduce water quality below acceptable State and local standards.

- *Policy 5.10.4-P6:* Maximize the use of recycled water for construction, maintenance, irrigation and other appropriate applications.

- *Policy 5.10.4-P-7:* Require installation of native and low-water-consumption plant species when landscaping new development and public spaces to reduce water usage.

- *Policy 5.10.5-P11:* Require that new development meet stormwater and water management requirements in conformance with State and regional regulations.

- *Policy 5.10.5-P13:* Require that development complies with the Flood Damage Protection Code.

- *Policy 5.10.5-P15:* Require new development to minimize paved and impervious surfaces and promote on-site Best Management Practices for infiltration and retention, including grassy swales, pervious pavement, covered retention areas, bioswales, and cisterns, to reduce urban water run-off.

- *Policy 5.10.5-P16:* Require new development to implement erosion and sedimentation control measures to maintain an operational drainage system, preserve drainage capacity and protect water quality.

- *Policy 5.10.5-P17:* Require that grading and other construction activities comply with the Association of Bay Area Governments' Manual of Standards for Erosion and Sediment Control Measures and with the California Stormwater Quality Association (CASQA), Stormwater Best Management Practice Handbook for Construction.

Santa Clara Municipal Code

The City's Municipal Code is another primary tool that guides development in the City. It identifies land use categories, site development regulations, and other general provisions that ensure consistency between the General Plan and proposed development projects. The Municipal Code contains all ordinances for the City. The following municipal code sections contain directives pertaining to hydrology and water quality issues:

- **13.20.030 Discharge into the storm drain prohibited.** (a) It shall be unlawful to discharge, or cause, allow, or permit to be discharged into any storm drain, storm sewer, or natural outlet or channel any waste, including, but not limited to, sewage, industrial wastes, petroleum products, coal tar, or any refuse substance arising from the manufacture of gas from coal or petroleum, chemicals, detergents, solvents, paints, contaminated water, or chlorinated swimming pool water, pesticides, herbicides, fertilizers, or other process wastewater.

(b) No person shall discharge any substance directly into a manhole or other opening in a City storm drain or storm sewer other than through a City-approved storm drain connection.

(c) Upon permit application and approval by the Director of Streets and Automotive Services, unpolluted water may be discharged into the City's storm drain system or into a natural outlet. No discharge other than rainfall runoff shall be allowed, except for such discharge as is expressly permitted by the City's permit and the National Pollution Discharge Elimination System (NPDES) and will not cause any impairment in the beneficial uses or quality of water of the State as defined in the California Water Code, or any special requirements of the Regional Water Quality Control Board, San Francisco Bay Region, or injure or interfere with the City's storm drain system or the operation of the State's watercourses.

(d) The City may, from time to time, by resolution of the City council, adopt supplementary rules and regulations on discharge into any storm drain or natural outlet or channel that shall have the same force and effect as if set forth herein and for which the remedies herein for violation shall be applicable. (Ord. 1655 § 1, 4-26-94; Ord. 1771 § 3, 8-20-02. Formerly § 24-3).

- **13.20.080 Discharge pursuant to City and/or NPDES permit.** (a) Subject to review and approval under SCCC 13.20.020, the provisions of this chapter shall not prohibit any discharge in compliance with a valid NPDES permit issued to the discharger.

  (b) Any discharge that would result in or contribute to a violation of the City-issued permit and the City's NPDES permit (this permit is available for viewing at the City of Santa Clara, Office of the City Clerk, 1500 Warburton Avenue, Santa Clara, California) and any amendment, revision, or reissuance thereof, either separately considered or when combined with other discharges, is prohibited. Liability for any such discharge shall be the responsibility of the person causing or responsible for the discharge, and such person shall protect, defend, indemnify and hold harmless the City in any administrative or judicial enforcement action relating to such action. (Ord. 1655 § 1, 4-26-94. Formerly § 24-8).

3.10.3 Impact Discussion

Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less Than Significant Impact. The proposed project could impact water quality during the short-term construction period through the accidental release of equipment fuels or fluids or through an increase in sedimentation or erosion from grading activities.

The project involves more than one acre of ground disturbance and is therefore required to obtain coverage under the Construction General Permit. The Construction General Permit requires the preparation of a SWPPP to address stormwater pollution prevention at the

construction site and provide an implementation framework for construction BMPs to minimize impacts. In addition to the SWPPP required by the Construction General Permit, Standard Design and Construction Measures for the project include the preparation of an erosion control plan, which would address erosion and sediment controls, tracking controls, non-stormwater management (including, but not limited to, dewatering operations, paving and grinding operations, illicit connections/discharge, and non-stormwater discharges), and source controls (waste management, spill prevention and control, etc.). Additionally, the project would be subject to the post-construction requirements (Provision C.3) of the MRP Provision, requiring installation and maintenance of source control measures and on-site stormwater treatment controls with the project. Implementation of these measures would reduce stormwater runoff volumes, rates and pollutant loads generated by the project, ensuring the project would not violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality. Therefore, the proposed project would not violate any water quality standards or waste discharge requirements, and impacts would be less than significant.

b) 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. As described above, Valley Water manages the groundwater supply in Santa Clara County and works with various water retailers in the area to prevent subsidence and overdraft of the basin to ensure reliable water supplies. The Santa Clara Valley Basin is not currently listed as overdrafted.

Buildout of the proposed Master Plan could result in a net increase in impervious surface area compared to existing conditions, although the amount of increase would be minor. Based on available drawings for the Master Plan, a relatively small portion of the existing play field would be replaced by hardscape. The net increase in overall impervious surface area would therefore not be expected to result in a significant decrease in the amount of stormwater infiltrating into the ground. The project site is not located within a local groundwater recharge area and no groundwater extraction would occur as part of the project. Implementation of the proposed Master Plan would therefore not result in the need for new or additional groundwater supplies. Therefore, the project would not result in any groundwater extraction or depletion of groundwater supplies and is not anticipated to interfere with Valley Water's Groundwater Management Plan. The impacts to groundwater supplies and groundwater management would be less than significant.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i) Result in substantial erosion or siltation on- or off-site;

Less Than Significant Impact. Implementation of the project is not anticipated to substantially change the drainage patterns within the project area, as any proposed grading would be relatively minor and would not affect existing drainage systems on the existing developed site. As described above, the project would include demolition of existing structures and impervious

surfaces and construction of new buildings and other impervious surfaces, potentially resulting in an amount of impervious surface that is slightly greater than existing conditions. Grading, excavation, and other construction activities associated with the project could adversely affect water quality due to erosion resulting from exposed soils and the generation of stormwater pollutants, including trash, construction materials, and equipment fluids. However, as discussed under item a), associated construction activities would be subject to the Construction General Permit, requiring construction

contractors be responsible for preparing and implementing a SWPPP that outlines project-specific BMPs to control erosion, sediment release, and otherwise reduce the potential for discharge of polluted stormwater from the site.

As described above, the project would result in an increase in the overall amount of impervious surface area on the site, which could increase the amount of post-construction stormwater runoff from the site. The drainage system for the project would be designed to comply with MRP requirements to provide source controls and on-site LID-based treatment measures that would reduce runoff velocities, volumes and pollutant loads, thus minimizing potential on- and off-site erosion and siltation impacts.

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;

Less Than Significant Impact. The project could potentially increase the amount of impermeable surfaces compared to existing conditions with the expansion of the parking lot and driveway, and new buildings. However, the increase would be minor, resulting in correspondingly minor increases in stormwater runoff rates. As stated above, on-site treatment controls would be implemented in conformance with MRP requirements that would reduce stormwater flows and thus reduce the potential for any off-site flooding. In addition, the project design would include features that minimize surface water runoff (e.g., drought tolerant landscaping, and efficient water irrigation). These features would help to mimic natural hydrologic conditions which can help reduce sheet flow and the velocity of stormwater and prevent soil erosion. Impacts would be less than significant.

iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or

Less Than Significant Impact. As stated, project development could potentially increase the rate and/or amount of stormwater runoff in comparison to existing conditions. The contractor would be required to develop and implement a stormwater quality control plan which will include the required source control and on-site treatment controls discussed under item c) to slow and treat surface water runoff (treatment provided through infiltration and bioretention techniques). Given that there are no such controls currently in place on the site, implementation of the proposed Master Plan would not be anticipated to increase runoff from the site that would adversely affect the capacity of the City's existing stormwater drainage system. Impacts would be less than significant.

iv) Impede or redirect flood flows?

No Impact. The project site is not located within a mapped flood hazard zone. Therefore, the project would not impede or redirect flood flows.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

No Impact. The project is not located in a flood hazard zone. The terms tsunami or seiche are described as ocean waves or similar waves in large water bodies, usually created by undersea fault movement or by a coastal or submerged landslide. The project site is approximately six miles south of the San Francisco Bay shoreline tsunami zone. Therefore, the project is not at risk to release pollutants in the event of a seiche or tsunami since there is no nearby waterbody. Additionally, the project does not propose work areas, storage areas, or other areas that are potential sources for polluted water that could be released in the event of a flood.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

No Impact. As noted above, while the project increases impermeable surfaces over existing conditions, it would conform to MRP requirements to provide site design, source control and on-site treatment controls, and would not result in impacts to groundwater recharge. Therefore, the project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. The impact is considered less than significant.

3.11 LAND USE AND PLANNING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
b) 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?	☐	☐	☒	☐

3.11.1 Environmental Setting

The project site is located in southeastern Santa Clara. The project site is an existing school that was originally constructed in the early 1950s. Land use designations surrounding the project site are primarily Medium Density Residential and Very Low Density Residential. The Westwood Elementary School property is designated as Public/Quasi Public by the City's General Plan.

3.11.2 Regulatory Setting

State

California Government Code, Section 65300

State planning law requires every city in California to adopt a comprehensive, long-term general plan for the physical development of the city, and of any land outside its boundaries (sphere of influence) that in the planning agency's judgment bears relation to its planning. A general plan should consist of an integrated and internally consistent set of goals and policies that are grouped by topic into a set of elements and are guided by a citywide vision. State law requires that a general plan address seven elements or topics (land use, circulation, housing, conservation, open space, noise, and safety), but allows some discretion on the arrangement and content.

California Government Code, Section 53094 (2017)

a) Notwithstanding any other provision of this article, this article does not require a school district to comply with the zoning ordinances of a county or city unless the zoning ordinance makes provision for the location of public schools and unless the city or county has adopted a general plan.

b) Notwithstanding subdivision (a), the governing board of a school district, that has complied with the requirements of Section 65352.2 of this code and Section 21151.2 of the Public Resources Code, by a vote of two-thirds of its members, may render a city or county zoning ordinance inapplicable to a proposed use of property by the school district. The governing board of the school district may not take this action when the proposed use of the property by the school district is for non-classroom facilities, including, but not limited to, warehouses, administrative buildings, and automotive storage and repair buildings.

California Education Code, Section 17251 and California Code of Regulations, Title 5

Section 14001 through 14012 Education Code Section 17251 and the CCR Title 5, Section 14001 through 14012 outline the California Department of Education's (CDE) authority for approving proposed school sites and constructing school buildings. CDE must approve each site in order for that site to receive State acquisition funds under the School Facilities Program administered by the State Allocation Board. According to the CDE School Site Selection and Approval Guide, some of the many factors that affect school site selection include health and safety, location, size, and surrounding land uses. The School Facilities Planning Division (SFPD) has developed screening and ranking procedures applied during the site selection process.

California Education Code, Section 38131.b

The Civic Center Act permits public use of school facilities. School facilities available for Civic Center use include gyms, playing fields, stadiums, auditoriums, multipurpose rooms, cafeterias, and classrooms. Facilities are available within designated time frames outside school hours. Organizations wishing to use a school location for a Civic Center use must apply for a permit from the District. A variety of rules, regulations, and restrictions governing the use of school buildings for civic center purposes appear in detail on the permit and the application.

Local

This section provides a general discussion of the most important City plans and policies that are related to the proposed Master Plan. Although some of these may not be directly applicable to the Master Plan, they are included to assist in identifying potential impacts and significance thresholds.

City of Santa Clara General Plan

The Santa Clara General Plan sets the City's policy direction in a number of areas including land use, mobility, housing, open space, infrastructure, public health and safety, and sustainability. The General Plan outlines land use goals and policies that guide future physical change in the City. Land Use goals and policies relevant to the project include:

- *Goal 5.3.1-G2:* Consistency between new development, the General Plan, Zoning Code, Capital Improvements Program, and other implementing regulations.

- *Policy 5.3.1-P1:* Preserve the unique character and identity of neighborhoods through community-initiated neighborhood planning and design elements incorporated in new development.

- *Policy 5.3.1-P3:* Support high quality consistent with adopted design guidelines and the City's architectural review process.

- *Policy 5.3.1-P9:* Require that new development provide adequate public services and facilities, infrastructure and amenities to serve future employment or residential growth.

3.11.3 Impact Discussion

Would the project:

a) Physically divide an established community?

No Impact. The project would not physically divide an established community. The project site is located in a developed area surrounded by single-family and multi-family housing. The project is consistent with the pattern of surrounding land uses. Project improvements would generally be confined to the existing parcel that is accessible from public streets. The project would not include any changes to existing physical features that would physically divide the community (e.g., blocking of roadways or sidewalks) and would not interfere with the movement of residents through a neighborhood. Therefore, the project would not physically divide an established community. No impact would occur.

b) 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. The SCUSD holds jurisdiction over land use planning and development on the project site. No changes to the existing land use on site are proposed as part of the project. Therefore, the project would maintain the existing land uses, and the project's impacts would be less than significant.

The project's consistency with other plans and policies adopted for the purpose of avoiding or mitigating environmental effects are discussed throughout this Initial Study. This Initial Study incorporates Standard Design and Construction Measures and mitigation measures that would reduce the project's potentially significant impacts to less than significant. Therefore, 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. This impact would be less than significant.

3.12 MINERAL RESOURCES

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

3.12.1 Environmental Setting

The City is located in an area zoned MRZ-1 for aggregate materials by the State of California. MRZ-1 zones are areas where adequate information indicates that no significant mineral deposits are present or where it is judged that little likelihood exists for their presence. The area is not known to support significant 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.

3.12.2 Regulatory Setting

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 (CDC 2023).

3.12.3 Impact Discussion

Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

No Impact (Responses a – b). There are no known mineral resources of regional value or local importance on or adjacent to the project site. Therefore, the project would not result in the loss of availability of known mineral resources. No impact would occur.

3.13 NOISE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a) 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 in other applicable standards of other agencies?	☐	☒	☐	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐
c) 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?	☐	☐	☐	☒

3.13.1 Environmental Setting

Noise may be defined as loud, unpleasant, or unwanted sound. The frequency (pitch), amplitude (intensity or loudness), and duration of noise all contribute to the effect on a listener, or receptor, and whether the receptor perceives the noise as objectionable, disturbing, or annoying.

The Decibel Scale (dB)

The decibel scale (dB) is a unit of measurement that indicates the relative amplitude of a sound. Sound levels in dB are calculated on a logarithmic basis. An increase of 10 dB represents a tenfold increase in acoustic energy, while 20 dBs is 100 times more intense, 30 dBs is 1,000 more intense, and so on. In general, there is a relationship between the subjective noisiness, or loudness of a sound, and its amplitude, or intensity, with each 10 dB increase in sound level perceived as approximately a doubling of loudness.

Sound Characterization

There are several methods of characterizing sound. The most common method is the “A-weighted sound level,” or dBA. This scale gives greater weight to the frequencies of sound to which the human ear is typically most sensitive. Thus, most environmental measurements are reported in dBA, meaning decibels on the A-scale. Human hearing matches the logarithmic A-

weighted scale, so that a sound of 60 dBA is perceived as twice as loud as a sound of 50 dBA. In a quiet environment, an increase of 3 dB is usually perceptible, however, in a complex noise environment such as along a busy street, a noise increase of less than 3 dB is usually not perceptible, and an increase of 5 dB is usually perceptible. Normal human speech is in the range from 50 to 65 dBA. Generally, as environmental noise exceeds 50 dBA, it becomes intrusive and above 65 dBA noise becomes excessive. Nighttime activities, including sleep, are more sensitive to noise and are considered affected over a range of 40 to 55 dBA. Table 3.13-1 lists typical outdoor and indoor noise levels in terms of dBA.

Table 3.13-1: Typical Outdoor and Indoor Noise Levels

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
	-110-	Rock Band
Jet flyover at 1,000 feet		
	-100-	
Gas lawn mower at 3 feet		
	-90-	
Diesel truck at 50 feet at 50 mph		Food blender at 3 feet
	-80-	Garbage disposal at 3 feet
Noise urban area, daytime		
Gas lawnmower, 100 feet	-70-	Vacuum cleaner at 10 feet
Commercial area		Normal speech at 3 feet
Heavy traffic at 300 feet	-60-	
		Large business office
Quiet urban daytime	-50	Dishwasher next room
Quite urban nighttime	-40-	Theater, large conference room (background)
Quiet suburban nighttime		
	-30-	Library
Quite rural nighttime		Bedroom at night
	-20-	

Table 3.13-1: Typical Outdoor and Indoor Noise Levels		
Common Outdoor Activities	**Noise Level (dBA)**	**Common Indoor Activities**
		Broadcast/recording studio
	-10-	
Lowest threshold of human hearing	-0-	Lowest threshold of human hearing
Source: Caltrans 2013		

Sound levels are typically not steady and can vary over a short time period. The equivalent noise level (L_{eq}) is used to represent the average character of the sound over a period of time. The L_{eq} represents the level of steady noise that would have the same acoustical energy as the sum of the time-varying noise measured over a given time period. L_{eq} is useful for evaluating shorter time periods over the course of a day. The most common L_{eq} averaging period is hourly, but L_{eq} can describe any series of noise events over a given time period.

Variable noise levels are values that are exceeded for a portion of the measured time period. Thus, L01 is the level exceeded one percent of the time and L90 is the level exceeded 90 percent of the time. The L90 value usually corresponds to the background sound level at the measurement location.

Noise exposure over the course of an entire day is described by the day/night average sound level, or L_{dn}, and the community noise equivalent level, or CNEL. Both descriptors represent the 24-hour noise impact on a community. For L_{dn}, the 24-hour day is divided into a 15-hour daytime period (7:00 AM to 10:00 PM) and a nine-hour nighttime period (10:00 PM to 7:00 AM) and a 10-dB “penalty” is added to measure nighttime noise levels when calculating the 24-hour average noise level. For example, a 45-dBA nighttime sound level would contribute as much to the overall day-night average as a 55-dBA daytime sound level. The CNEL descriptor is similar to L_{dn}, except that it includes an additional 5-dBA penalty beyond the 10 dBA for sound events that occur during the evening time period (7:00 PM to 10:00 PM). The artificial penalties imposed during L_{dn} and CNEL calculations are intended to account for a receptor’s increased sensitivity to sound levels during quieter nighttime periods.

Sound Propagation

The energy contained in a sound pressure wave dissipates and is absorbed by the surrounding environment as the sound wave spreads out and travels away from the noise generating source. Theoretically, the sound level of a point source attenuates, or decreases, by 6 dB with each doubling of distance from a point source. Sound levels are also affected by certain environmental factors, such as ground cover (asphalt vs. grass or trees), atmospheric absorption, and attenuation by barriers. Outdoor noise is also attenuated by the building envelope so that sound levels inside a residence are from 10 to 20 dB less than outside, depending mainly on whether windows are open for ventilation or not.

When more than one point source contributes to the sound pressure level at a receiver point, the overall sound level is determined by combining the contributions of each source. Decibels, however, are logarithmic units and cannot be directly added or subtracted together. Under the dB scale, a doubling of sound energy corresponds to a 3 dB increase in noise levels. For example, if one noise source produces a sound power level of 70 dB, two of the same sources would not produce 140 dB – rather, they would combine to produce 73 dB.

Noise Effects

Noise effects on human beings are generally categorized as:

- Subjective effects of annoyance, nuisance, and/or dissatisfaction
- Interference with activities such as speech, sleep, learning, or relaxing
- Physiological effects such as startling and hearing loss

Most environmental noise levels produce subjective or interference effects; physiological effects are usually limited to high noise environments such as industrial manufacturing facilities or airports. Predicting the subjective and interference effects of noise is difficult due to the wide variation in individual thresholds of annoyance and past experiences with noise; however, an accepted method to determine a person's subjective reaction to a new noise source is to compare it to the existing environment without the noise source, or the "ambient" noise environment. In general, the more a new noise source exceeds the ambient noise level, the more likely it is to be considered annoying and to disturb normal activities.

Under controlled conditions in an acoustical laboratory, the trained, healthy human ear is able to discern 1 dB changes in sound levels when exposed to steady, single-frequency ("pure-tone") signals in the mid-frequency (1,000–8,000 Hz) range. In typical noisy environments, changes in noise of 1 to 2 dB are generally not perceptible. However, it is widely accepted that people are able to begin to detect sound level increases of 3 dB in typical noisy environments. Further, a 5 dB increase is generally perceived as a distinctly noticeable increase, and a 10 dB increase is generally perceived as a doubling of loudness that would almost certainly cause an adverse response from community noise receptors.

Groundborne Vibration

Vibration is the movement of particles within a medium or object such as the ground or a building. As is the case with airborne sound, groundborne vibrations may be described by amplitude and frequency. Vibration amplitudes are usually expressed in peak particle velocity (PPV), or root mean squared, in inches per second (in/sec). PPV represents the maximum instantaneous positive or negative peak of a vibration signal and is most appropriate for evaluating the potential for building damage. Human response to groundborne vibration is subjective and varies from person to person.

Existing Noise Environment

The City's noise environment consists of transportation and non-transportation related noise sources. The General Plan Appendix 8.14 Noise identifies transportation facilities, including vehicular traffic, railroads, and the San Jose Norman Y. Mineta International Airport as the predominant noise sources in the City.

The City's General Plan Appendix 8.14 also identifies commercial, recreational and school uses as other noise sources. The City's General Plan defines noise generating activities associated with schools to include children at play, bells, and public address systems.

MIG collected ambient noise measurements at the Westwood Elementary School Campus between approximately 10:30 AM and 12:15 PM on Tuesday, April 11, 2023 (see Appendix F). The ambient noise levels were digitally measured and stored using two Larson Davis SoundTrack LxT sound level meters that meet American National Standards Institute (ANSI) requirements for a Type 1 integrating sound level meter and one Piccolo-II Integrating Averaging Sound Level Meter that meets the ANSI S1.43 Type 2 requirements for an integrated sound level meter. Each sound meter was calibrated immediately before and after the monitoring period using a reference one-kilohertz (1kH) check frequency and 114 dB (Larson Davis Soundtrack LxT) or 94 dB (Piccolo-II) sound pressure level and found to be operating within normal parameters for sensitivity. Short-term measurements were periodically collected over the sample periods in 2-second and 10-second intervals for each Larson Davis and Piccolo meter, respectively. These intervals were selected to capture short-term noise events and increases in noise levels above typical background conditions.

Weather conditions during the monitoring were generally overcast and temperature was approximately 60 degrees (Fahrenheit). Wind conditions were approximately 6-miles per hour from the northwest.

The ambient noise monitoring conducted included three short-term (ST) measurements at locations selected to:

- Provide direct observations and measurements of existing noise sources at and in the vicinity of the northeastern and southeastern property lines; and
- Determine typical ambient noise levels associated with school operations, playground equipment, and portable classroom HVAC units.

The ambient noise monitoring locations are described below and shown in Figure 3-7.

- Site ST-1 was located in the approximate center of the northeastern portion of the school grounds, approximately five (5) feet from the tree line and approximately 21 feet from the northeastern property line fence.
- Site ST-2 was located along the southeastern portion of the school grounds (adjacent to the single family residence located at 2357 Bohannon Drive), approximately five (5) feet from the fence and 26 feet from the nearest classroom building.

- Site ST-3 was located on the south side of portable classroom number 36, approximately five (5) feet from the HVAC unit and 120 feet from the fence adjacent to the single-family residence located at 2345 Bohannon Drive.

Table 3.13-2 summarizes the results of the short-term measurements at each location ST-1, ST-2, and ST-3, respectively.

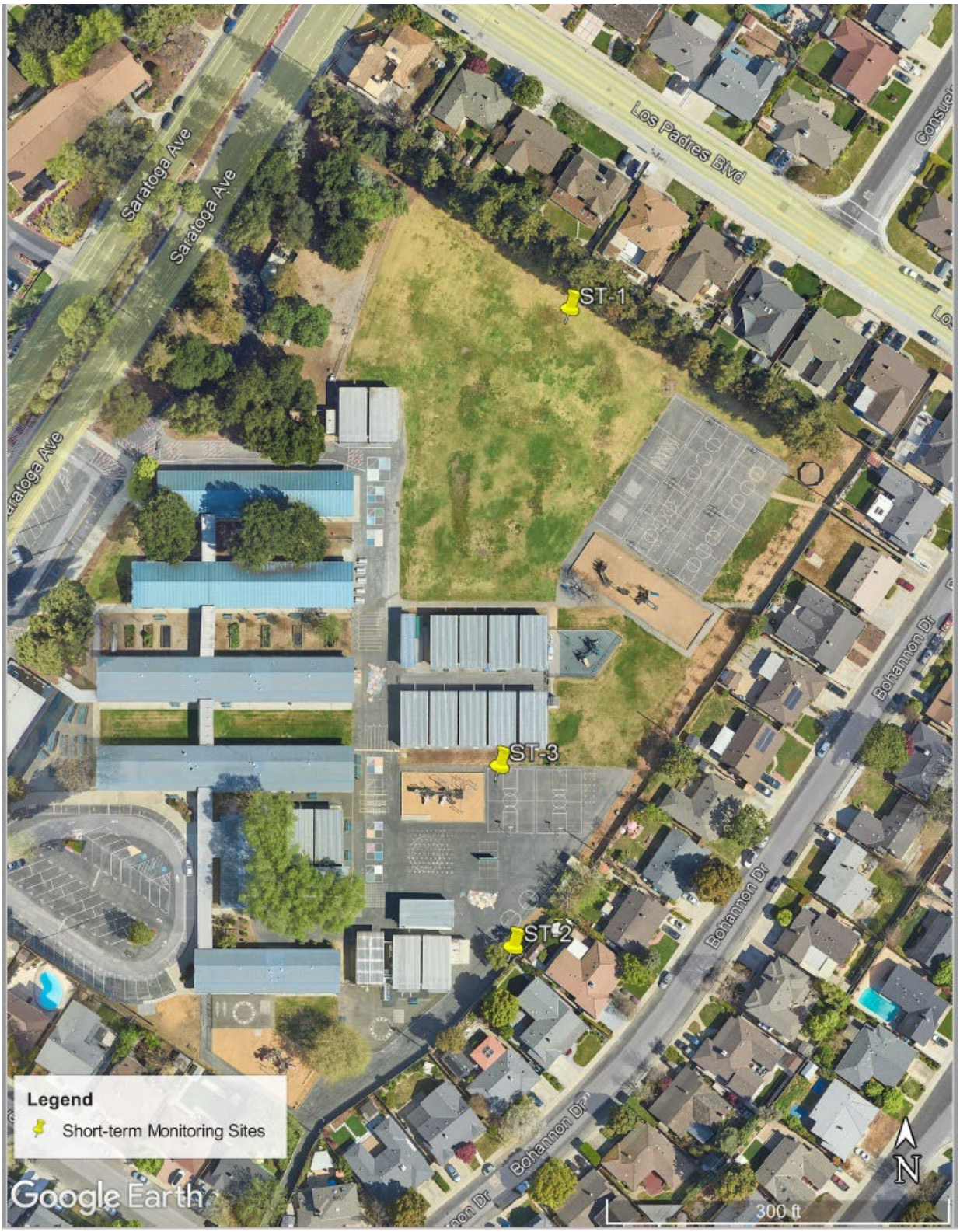
Table 3.13-2: Summary of Measured Short-Term Ambient Noise Levels (dBA) on Tuesday April 11th, 2023

Site	Start Time	Duration	Measured Noise Level		
			L_{eq}	L_{min}	L_{max}
ST-1	10:30 AM	10 Minutes	57.5	40.3	72.2
ST-2	10:46 AM	10 Minutes	48.9	38.6	63.4
ST-3	11:59 AM	8 Minutes	64.0	63.3	65.4

Source: MIG 2023

Based on observations made during the monitoring, outdoor child activity was a key factor in the ambient noise monitoring. There was little to no child activity in the vicinity of ST-2, whereas child activity associated with recess and physical education class occurred in the vicinity of ST-1 during the monitoring. Noise levels measured at location ST-3 were primarily associated with noise generation from the portable classroom HVAC unit. There was little to no child activity in the vicinity of ST-3 during the monitoring. Based on the results of the monitoring presented in Table 3.13-1, outdoor activity was the predominant source of noise observed on April 11, 2023. Higher noise levels measured at ST-1 compared to those at ST-2 are mainly associated with outdoor activity (See Figure 3-7).

Figure 3-7 Short-term Monitoring Sites



Sensitive Receptors

Noise sensitive receptors are areas where unwanted sound or increases in sound may have an adverse effect on people or land uses. Residential areas, hospitals, schools, and parks are examples of noise receptors that could be sensitive to changes in existing environmental noise levels. Sensitive noise receptors in proximity of the project site include:

- Single-family residential receptors adjacent to the school grounds along Los Padres Boulevard, Bohannon Drive, and Cypress Avenue.
- Multi-family residential receptors at the Summerwood Apartments along Saratoga Avenue. The closest of these receptors are approximately 120 feet from Westwood Elementary School.
- Henry Schmidt Park located approximately 310 feet north of Westwood Elementary School.
- Everett Alvarez Junior Park located approximately 420 feet east of Westwood Elementary School.

3.13.2 Regulatory Setting

State

California Building Standards Code

The California Building Standards Code is contained in Title 24 of the California Code of Regulations and consists of 11 different parts that set various construction and building requirements. The California Green Building Standards (CALGreen) Code is Part 11 to the California Building Standards Code. Chapter 5, Nonresidential Mandatory Standards, Section, establishes standards for non-residential interior noise levels:

- Section 5.507.4.1.1 sets forth that buildings exposed to a noise level of 65 dB L_{eq} (1-hour) during any hour of operation shall have exterior wall and roof-ceiling assemblies exposed to the noise source meeting a composting sound transmission class (STC) rating of at least 45 or an outdoor indoor transmission class of 35, with exterior windows of a minimum STC of 40.

- Section 5.507.4.2 sets forth that wall and roof assemblies for buildings exposed to a 65 dBA L_{eq} pursuant to Section 5.507.4.1.1, shall be constructed to provide an interior noise environment attributable to exterior sources that does not exceed 50 dBA L_{eq} in occupied areas during any hour of operation. This requirement shall be documented by preparing an acoustical analysis documenting interior sound levels prepared by personnel approved by the architect or engineer of record.

Local

The SCUSD does not have adopted noise standards. While school districts are not subject to local zoning or general plan requirements, the City of Santa Clara's Municipal Code provides a

measure of acceptability for community noise in Santa Clara and can be used to identify potential land use compatibility conflicts related to noise.

City of Santa Clara Municipal Code

- Chapter 9.10, Regulation of Noise and Vibration
    - Section 9.10.040, Noise or sound regulation, states that it shall be unlawful for any person to operate or cause to allow to be operated, any fixed source of disturbing, excessive or offensive sound or noise on property owned, leased, occupied or otherwise controlled by such person, such that the sound or noise originating from that source causes the sound or noise level on any other property to exceed the maximum noise or sound levels which are set forth in Schedule A, which sets a daytime noise limit for residential land use of 55 dBA.
    - Section 9.10.230, Off-Street Operation of Certain Construction Sites. Regulation, states that no person shall engage or authorize others to engage in construction of any building or related road or walkway, pool or landscape improvement, or in construction operations related thereto, including delivery of construction materials, supplies, or improvements on or to a construction site within three hundred (300) feet of any residentially zoned property except within the hours of 7:00 A.M. to 6:00 P.M. following on weekdays other than holidays, Monday through Friday, inclusive; and within the hours of 9:00 A.M. to 6:00 P.M. following, inclusive, on any Saturday which is not a holiday.
    - Section 9.10.240, Exempt from Regulation, states that operations preempted from local regulation by State law, such as the construction of public school buildings, are exempt from the regulations contained in Chapter 9.10 of the Municipal Code (City of Santa Clara 2022b).

3.13.3 Impact Discussion

Would the project result in:

a) 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 in other applicable local, state, or federal standards?

Less Than Significant with Mitigation Incorporated. As described in more detail below, the construction and operation of the proposed project would generate noise levels from a variety of sources. The operation of the project would not substantially change noise levels in the vicinity of Westwood Elementary School Campus and would not result in a significant noise impact. Project construction could temporarily increase noise levels in the vicinity of the campus but would be less than significant with mitigation.

The District does not have its own general standards of significance for noise; however, since the proposed project is located in the City of Santa Clara, the District considered the City of

Santa Clara Municipal Code as guidelines for project-specific noise standards of significance. In reviewing these standards, the District considered: 1) the nature of the standard for the project (e.g., a 24-hour standard is not appropriate for a daytime construction event); 2) the general applicability of the standard (i.e., is the standard intended to apply to transportation noise sources or non-transportation noise sources); and 3) the extent to which existing ambient noise levels exceed established standards.

Construction Noise

The construction of the proposed project is anticipated to have two phases, with Phase 1-B beginning in 2025. Construction activities would include demolition, site preparation (e.g., land clearing), grading, building construction, paving, and architectural coating. In general, construction activities would involve the use of worker vehicles, delivery trucks, and heavy-duty construction equipment such as (but not limited to) backhoes, tractors, excavators, cranes, material lifts, and air compressors. These types of construction activities would generate noise and vibration from the following sources:

- Heavy equipment operations at different work areas. Some heavy equipment would consist of mobile equipment such as a backhoe or excavator that would move around work areas; other equipment would consist of stationary equipment (e.g., cranes or material hoists/lifts) that would generally operate in a fixed location until work activities are complete. Heavy equipment generates noise from engine operation, mechanical systems, and components (e.g., fans, gears, propulsion of wheels or tracks), and other sources such as back-up alarms. Mobile equipment generally operates at different loads, or power outputs, and produces higher or lower noise levels depending on the operating load. Stationary equipment generally operates at a steady power output that produces a constant noise level.

- Vehicle trips, including worker, vendor, and haul truck trips. These trips are likely to primarily occur on Saratoga Boulevard.

Typical construction noise levels at different distances are shown in Table 3.13-3.

Table 3.13-3: Typical Construction Equipment Noise Levels

Equipment	Noise Level at 50 feet (L_{max})[A]	Percent Usage Factor[B]	Predicted Equipment Noise Levels (L_{eq})[C]					
			50 Feet	100 Feet	150 Feet	200 Feet	250 Feet	300 Feet
Backhoe	80	40	76	70	66	64	62	60
Bulldozer	85	40	81	75	71	69	67	65
Compressor	80	40	76	70	68	66	64	62
Concrete Mixer	85	40	81	75	73	71	69	67
Crane	85	16	77	71	67	65	63	61

Table 3.13-3: Typical Construction Equipment Noise Levels								
Equipment	**Noise Level at 50 feet (L_{max})[A]**	**Percent Usage Factor[B]**	**Predicted Equipment Noise Levels (L_{eq})[C]**					
			50 Feet	**100 Feet**	**150 Feet**	**200 Feet**	**250 Feet**	**300 Feet**
Delivery Truck	84	40	80	74	72	70	68	66
Excavator	85	40	81	75	73	71	69	67
Front End Loader	80	40	76	70	68	66	64	62
Generator	82	50	79	73	71	69	67	65
Man Lift	85	20	78	72	70	68	66	64
Paver	85	50	82	76	74	72	70	68
Pneumatic tools	85	50	82	76	72	70	68	66
Pumps	77	50	74	68	66	64	62	60
Roller	85	20	78	72	70	68	66	64
Scraper	85	40	81	75	73	71	69	67
Tractor	84	40	80	74	72	70	68	66

Sources: Caltrans, 2013; FHWA, 2010
(A) L_{max} noise levels based on manufacturer's specifications.
(B) Usage factor refers to the amount (percent) of time the equipment produces noise over the time period
(C) Estimate does not account for any atmospheric or ground attenuation factors. Calculated noise levels based on Caltrans, 2013: Leq (hourly) = Lmax at 50 feet – 20log (D/50) + 10log (UF), where: Lmax = reference Lmax from manufacturer or other source; D = distance of interest; UF = usage fraction or fraction of time period of interest equipment is in use.

Construction noise impacts generally occur when construction activities occur in areas immediately adjoining noise sensitive land uses, during noise sensitive times of the day, or when construction durations last for extended periods of time. The closest that construction activities could occur to sensitive receptors located near the project site are:

- Single-family residential receptors along Los Padres Boulevard, Bohannon Drive, and Cypress Avenue. These receptors are located adjacent to or within 50 feet of the Westwood Elementary School Campus.

- Multi-family residential receptors at the Summerwood Apartments along Saratoga Avenue. The closest of these receptors is 120 feet west of the Westwood Elementary School Campus (across Saratoga Avenue).

- Henry Schmidt Park public sports fields and tennis courts, located approximately 310 feet north of the Westwood Elementary School Campus.

- Everett Alvarez Junior Park public park, located along Los Padres Boulevard approximately 420 feet east of the Westwood Elementary School Campus.

- Pruneridge Golf Club field, located along Saratoga Avenue approximately 750 southwest of the Westwood Elementary School Campus.

With regard to construction noise, demolition, site preparation, and grading phases typically result in the highest temporary noise levels due to the use of heavy-duty equipment such as dozers, excavators, graders, loaders, scrapers, and trucks. As shown in Table 3.13-3, the worst-case noise levels associated with the operation of equipment such as a dozer, excavator, and paver are predicted to be approximately 82 dBA L_{eq} at a distance of 50 feet from the equipment operating area. The nearest sensitive receptors would be residential properties that border the school campus. The noise from equipment operating near the edge of the project site would be 82 dBA L_{eq} for a single piece of equipment and up to 85 dBA L_{eq} for two pieces of equipment operating in close proximity at the same time. These worst-case noise levels would be approximately 21 dBA to 39 dBA higher than typical ambient noise levels at sensitive receptor locations in the vicinity of the school campus. Such noise levels would only occur during potential demolition and site preparation activities because the phased nature of the project would limit the amount of receptors exposed to construction noise levels at any one time. Phase 1-B would include construction of new multipurpose and kitchen buildings, shaded lunch court and PE shade structures, and expansion and re-surfacing of the main school/visitor parking lot (the staff/preschool parking lot would remain unchanged during Phase 1-B). Future phases would ultimately involve removal of existing 18 portable classrooms, construction of a new administration building, 25 classrooms, reconfiguration of the existing staff/preschool parking and drop-off area as well as construction of additional parking, landscaping in the fields, northern quad, and southern preschool/kindergarten play area, and sensory garden. Since construction would occur in phases, only certain receptors would be exposed to construction noise levels. Residences to the southwest of the project site would be most impacted by construction activities occurring on the southwestern portion of the property, such as during the Phase 1-B, while residences to the south would be most impacted by construction activities occurring during kindergarten and preschool classroom construction and staff parking reconfiguration. Phased construction also allows existing buildings at the Westwood Elementary School campus to fully or partially shield receptors from potential construction noise levels, which was not factored into the noise level estimates presented above (i.e., potential construction noise levels are likely overestimated). New building construction activities during future phase(s) occur farther from property lines, require less heavy-duty equipment, and generate lower construction noise levels. Construction activities on the interior of the site would generate noise levels that are approximately five to 15 dBA L_{eq} less than worst case noise levels (depending on the distance to the receptor), but still at least 5 dBA to 10 dBA higher than typical ambient noise levels in the vicinity of Westwood Elementary School.

The City's Municipal Code does not establish a specific, numeric standard for construction noise levels (e.g., 90 dBA L_{eq}). In addition, while the City's Municipal Code limits construction activities to certain times, the Municipal Code exempts the SCUSD from these limitations. As described above, the proposed Project's potential exterior construction noise levels could reach up to 85 dBA L_{eq} at sensitive receptor locations, depending on the specific equipment in use and the distance between the equipment and the sensitive receptor. Although the City does not maintain

a specific construction noise level standard, the temporary increase in noise levels associated with the proposed construction activities could, at times, be substantial and have the potential annoy residential receptors and/or interfere with the receptors' normal use and enjoyment of their property. This is considered a potentially significant impact.

To reduce the potential for the proposed project's construction activities to result in a substantial temporary increase in ambient noise levels in the vicinity of the project site that could annoy sensitive noise receptors and/or interfere with the normal use and enjoyment of residential properties, the SCUSD would incorporate Mitigation Measure NOI-1 into the project:

> **Impact NOI-1:** Project construction activities could result in a substantial temporary increase in ambient noise level in the vicinity of the project site that could annoy sensitive noise receptors and/or interfere with the normal use and enjoyment of residential properties.
>
> **Mitigation Measure NOI-1: Reduce Potential Project Construction Noise Levels**
>
> To reduce potential noise levels from project construction activities, the SCUSD and/or its construction contractor(s) shall:
>
> 1) All work shall be subject to the time limitations of the City of Santa Clara Municipal Code and shall be performed within approved working hours (7 AM to 6 PM on Monday through Friday and 9 AM to 6 PM on Saturdays with work prohibited on Sundays and holidays). Signs shall be posted at the entrance to the site and at construction equipment staging areas informing all workers and construction contractors of City code requirements.
>
> 2) *Construction Equipment Selection, Use, and Noise Control Measures*: The following measures shall apply to construction equipment used at the project site:
>
>   a. Construction staging shall occur as far away from residential land uses as possible given site and active work constraints.
>
>   b. Electric hook-ups shall be provided for stationary equipment (e.g., pumps, compressors, welding sets). This measure shall be subject to the approval of the local electric utility. If electric service is denied, the SCUSD shall ensure actions 3a and 3c are implemented.
>
>   c. All stationary noise generating equipment shall be located as far as possible from residential land uses given site and active work constraints.
>
>   d. Heavy equipment engines shall be equipped with standard noise suppression devices such as mufflers, engine covers, and engine/mechanical isolators, mounts, and be maintained in accordance with manufacturer's recommendations during active construction activities.
>
>   e. Pneumatic tools shall include a suppression device on the compressed air exhaust.

f. No radios or other amplified sound devices shall be audible beyond the property line of the construction site, unless necessary to complete the construction of the proposed project.

3) *Prepare a Construction Noise Complaint Plan:* The contractor shall prepare a Construction Noise Complaint Plan that shall:

a. Identify the name and/or title and contact information (including phone number and email) for a designated contractor representative responsible for addressing construction-related noise issues.

b. At a minimum, upon receipt of a noise complaint, describe that the contractor representative shall identify the noise source generating the complaint, determine the cause of the complaint, and take steps to resolve the complaint in coordination with the SCUSD.

Mitigation Measure NOI-1 would require the SCUSD to restrict work hours to periods when humans are less sensitive to elevated noise levels in accordance with Santa Clara Municipal Code requirements, implement equipment noise control measures, and address unanticipated or unexpected construction noise issues. The implementation of Mitigation NOI-1 would lower overall project construction noise levels and reduce the potential for project construction noise levels to interfere with normal use of residential properties. The implementation of Mitigation Measure NOI-1 would, therefore, render the proposed Project's potential construction noise levels less than significant with mitigation.

Operational Noise (On-Site Noise Sources)

Once operational, the proposed project would keep all existing uses, but result in eight fewer classrooms and 162 fewer students than the school currently accommodates. Although the project could result in new noise sources at the existing campus (e.g., new heating, ventilation, and air conditioning, or HVAC, systems, public address systems, bells, fields, etc.), these noise sources would not generate noise levels that exceed City standards or otherwise result in a substantial permanent increase in noise levels in the vicinity of the campus for the following reasons:

- HVAC equipment: Noise associated with HVAC equipment on the 18 portable classrooms would be eliminated once the proposed project is complete, as these portable classrooms would ultimately be removed from the Westwood campus.

- Other site operations: Relocation and expansion of the hardcourts and play fields would not result in a substantial change in noise levels near adjacent property lines because similar areas currently exist and, under the proposed project, there is no expansion of capacity.

- School drop-off and pick-up periods: The proposed project would ultimately reduce the total student capacity at the Westwood campus. Therefore, traffic noise levels associated with school drop-off and pick-up activities would not increase as the result of the project.

For the reasons described above, the proposed project would not generate a substantial permanent increase in ambient noise levels in the vicinity of the project. This impact would be less than significant.

Operational Noise (Off-Site Traffic Noise)

As described above, the proposed project would result in eight fewer classrooms and 162 fewer students than the school currently accommodates. Therefore, the proposed project is anticipated to result in a reduction in total vehicle trips from the campus and a reduction in traffic noise levels on Saratoga Avenue. This impact would be less than significant.

Other Planning Considerations – Noise and Land Use Compatibility

As shown in Table 3.13-1, typical exterior daytime noise levels associated with operation of Westwood Elementary could reach approximately 64 dBA L_{eq}. Residential and school construction in California typically provides at least 20 dBA of exterior to interior noise attenuation with windows closed.[3] Interior noise level would, therefore, be approximately 20 dBA L_{eq} lower than exterior noise levels. Therefore, even under worst case conditions where exterior noise levels could be approximately 64 dBA L_{eq}, interior noise levels would be less than 45 dBA L_{eq}.

Once operational, the proposed project would result in eight fewer classrooms and 162 fewer students than the school currently accommodates. Therefore, noise levels associated with operation of the proposed project would not increase above existing typical noise levels generated by Westwood Elementary School. Therefore, the proposed project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project. This impact would be less than significant.

b) Generation of excessive groundborne vibration or groundborne noise levels?

Less Than Significant Impact. The potential for groundborne vibration and noise is typically greatest when vibratory or large equipment such as rollers, impact drivers, or bulldozers are in operation. For the proposed project, these types of equipment would primarily operate during site preparation, grading, and paving work. This equipment would, at worst-case, operate at least 100 feet or more from receptor locations, which would reduce direct transmission of groundborne vibration to residential buildings. The proposed project, therefore, would not generate substantial or excessive groundborne vibration levels.

[3] The U.S. Department of Housing and Urban Development (HUD) Noise Guidebook and supplement (2009a, 2009b) includes information on noise attenuation provided by building materials and different construction techniques. As a reference, a standard exterior wall consisting of 5/8-inch siding, wall sheathing, fiberglass insulation, two by four wall studs on 16-inch centers, and 1/2-inch gypsum wall board with single strength windows provides approximately 35 dBs of attenuation between exterior and interior noise levels, provided windows do not occupy more than 30% of the exterior wall space.

c) 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?

No Impact. The nearest airport, San José Norman Y. Mineta International Airport, is located approximately 2.3 miles northeast of the project site. According to the Comprehensive Land Use

Plan prepared by Santa Clara County, the project site is not located within the Airport Influence Area (Santa Clara County 2016). The proposed project would not expose people to excessive aircraft noise levels. No impact would occur.

3.14 POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Induce a 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)?	☐	☐	☐	☒
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

3.14.1 Environmental Setting

Based on information from the U.S. Census Bureau, the City of Santa Clara population was estimated to be approximately 121,151 in 2021 (U.S. Census Bureau 2021). The average number of persons per household in Santa Clara in 2021 was 2.68.

3.14.2 Regulatory Setting

Local and Regional

Plan Bay Area 2050

Plan Bay Area 2050 is a long-range transportation, land-use, and housing plan intended to support a growing economy, provide more housing and transportation choices, and reduce transportation related pollution and GHG emissions in the Bay Area. Plan Bay Area 2050 promotes compact, mixed-use residential and commercial neighborhoods near transit, particularly within identified Priority Development Areas. ABAG allocates regional housing needs to each city and county within the nine-county San Francisco Bay Area, based on statewide goals. ABAG also develops forecasts for population, households, and economic activity in the Bay Area. ABAG, with the assistance of local jurisdiction planning staff, created the “Final Blueprint Compendium,” which provides a regional forecast of jobs, population, and housing upon which Plan Bay Area 2050 is based.

SCUSD Master Plan

The proposed Master Plan is being developed under the SCUSD Facility Development and Planning Department and the construction will be planned by the SCUSD Bond Projects Office. Objectives from the Bond programs include: Measure BB-2018: A General Obligation Bond approved by voters on November 6, 2018 to construct classrooms, labs, and school libraries to support student achievement, college readiness, and career training in math, science, engineering, technology, and arts; acquire, renovate, construct, and equip facilities to improve older schools; to fix deteriorating roofs, plumbing and electrical systems.

3.14.3 Impact Discussion

Would the project:

a) **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)?**

b) **Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

No Impact. (Responses a – b). The project would involve the implementation of a Master Plan for facility improvements at Westwood Elementary School within a developed urbanized area. The proposed project does not construct school facilities that would induce unplanned job or population growth, or result in the creation of new homes either directly or indirectly as the full buildout of the Master Plan envisions a reduced student capacity than is currently available at the site. The proposed improvements occur on an existing developed school site within the City, therefore, the project would not remove any existing housing or people that would require the construction of additional housing to compensate for the loss of housing. Therefore, no impact would occur.

3.15 PUBLIC SERVICES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) 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:				
i) Fire protection?	☐	☐	☐	☒
ii) Police protection?	☐	☐	☐	☒
iii) Schools?	☐	☐	☐	☒
iv) Parks?	☐	☐	☐	☒
v) Other public facilities?	☐	☐	☐	☒

3.15.1 Environmental Setting

Fire Protection

The City of Santa Clara Fire Department provides fire suppression, emergency medical and fire marshal services, hazardous materials regulation and response, rescue and extrication, public education, and fire investigation services in the City of Santa Clara, including the project site. The City currently has nine fire stations consisting of eight engines, two trucks, one rescue/light unit, one hazardous materials unit, and two command vehicles. The closest station to the project site is Santa Clara Fire Station #4, located approximately 0.2 miles south of the site at 2323 Pruneridge Avenue.

Police Protection

Police protection services for the project site are provided by the City of Santa Clara Police Department located approximately 1.7 mile northeast of the project site at 601 El Camino Real. There are 232 officially authorized full-time employees, equating to 1.71 personnel per thousand by population.

Schools

The project site is located within the Santa Clara Unified School District. The school district operates 34 schools including elementary, middle, high schools, as well as pre-and-after school

programs, immersion programs, independent study programs, and adult schools. Servicing over 21,300 students from pre-school to adult education programs in 56 square mile area. The project site is one of the schools within the District. It is an Elementary school for preschool through fifth grade.

Parks

The City of Santa Clara owns or manages approximately 497.6 acres of parks, trails, creek corridors, sports fields, and recreation facilities at 199 sites located throughout the City. All SCUSD school sites are open for community use after 6:00 pm on school days and from 7:00 am to dusk on non-school days.

Other Public Facilities

The City of Santa Clara manages three libraries, and four community centers. The closest library and community centers are the Central Park Library and Community Center located approximately 0.8 miles northwest of the project site.

3.15.2 Regulatory Setting

Local

City of Santa Clara 2010-2035 General Plan

While the SCUSD is not subject to local zoning or general plan requirements, the City of Santa Clara's General Plan policies provide a measure of acceptability for public services in Santa Clara and can be used to identify potential compatibility conflicts related to public services:

- *Policy 5.9.3-P3:* Maintain a City-wide average three-minute response time for 90 percent of police emergency service calls.
- *Policy 5.9.3-P4:* Maintain a City-wide average three-minute response time for fire emergency service calls.

3.15.3 Impact Discussion

Would the project:

a) 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:

i) Fire protection?

No Impact. The project consists of implementation of planned improvements to a public elementary school campus that the school district intends to undertake over the next 30 years. Implementation of the project would reduce the student capacity at the site from 746 students

currently to 584 students. The project would have no impact on the provision of fire protection services or facilities.

ii) Police?

No Impact. The project consists of implementation of planned improvements to a public elementary school campus that the school district intends to undertake over the next 30 years. Implementation of the project would reduce the student capacity at the site from 746 students currently to 584 students. The project would have no impact on the provision of police protection services or facilities.

iii) Schools?

No Impact. The project does not include housing or provide for an increase in student capacity; therefore, the project would not increase the demand for school services. The project proposes improvements to an existing school site and therefore would not result in any adverse impacts.

iv) Parks?

No Impact. The project would not affect existing demand on City parks or similar facilities. The project would decrease the student capacity at the site compared to existing conditions. Therefore, the project would have no impact.

v) Other public facilities?

No Impact. The project results in a decrease in the number of students at the site therefore it would not result in the use of public facilities to the extent that new facilities would be needed. Therefore, the project's impact on other public facilities would be less than significant.

3.16 RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) 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?	☐	☐	☐	☒
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐

3.16.1 Environmental Setting

The City of Santa Clara owns or manages approximately 497.6 acres of parks, trails, creek corridors, sports fields, and recreation facilities at 199 sites located throughout the City. Recreational opportunities include community parks, neighborhood parks, special use sites, and trail corridors. The District allows the public to use school fields during daylight hours, when schools are not in session.

3.16.2 Regulatory Setting

State

Government Code Section 66477

The Quimby Act (included within Government Code Section 66477) requires local governments to set aside parkland and open space for recreational purposes. It provides provisions for the dedication of parkland and/or payment of fees in lieu of parkland dedication to help mitigate the impacts from new residential developments. 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

While the SCUSD is not subject to local zoning or general plan requirements, the City of Santa Clara's General Plan policies provide context for recreational uses or goals in Santa Clara and can be used to identify potential compatibility conflicts related to recreation:

Parks, Open Space and Recreation Policies:

- *Policy 5.9.1-P10:* Explore opportunities to partner with local private non-profits and public agencies, such as school districts, to provide community gardens and opportunities for community socialization in the City.
- *Policy 5.9.1-P11:* Encourage the shared use of open space resources, such as school grounds, for neighborhood recreation to maximize public accessibility.
- *Policy 5.9.1-P12:* Promote the preservation of open space and recreational areas on existing and closed school sites.

3.16.3 Impact Discussion

Would the project:

a) Increase the use of existing neighborhood or regional parks or other recreational facilities such that significant physical deterioration of the facility would occur or be accelerated?

No Impact. The proposed project would not induce population growth (see Response 3.14.3a-b) as the project reduces the existing student capacity from 746 to 584 with the full buildout of the proposed Master Plan. Construction activities could limit the use of the schools playfields by the public, but the impacts would be temporary and not expected to affect the use of neighborhood or regional parks. Therefore, the proposed project would not substantially increase the use of existing neighborhood and regional parks or other recreational facilities such that physical deterioration of these facilities would occur or be accelerated. This impact would be less than significant.

b) 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 school Master Plan would replace existing facilities with new modern school facilities, including school recreational amenities such as black top renovation/painting, play structures, and grass turf renovation. Renovation or replacement of existing recreational facilities at the site as part of Master Plan implementation could result in adverse effects on the environment. However, project compliance with the standard design and construction measures contained in Table 2.6-1 and Mitigation Measures presented in this Initial

Study, any potentially significant environmental impacts would be reduced to less than significant. As such, the project would not have an adverse physical effect on the environment through construction of improvements at the school site.

3.17 TRANSPORTATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3(b), which pertains to vehicle miles travelled?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒
d) Result in inadequate emergency access?	☐	☐	☒	☐

The following discussion is based on a transportation analysis memo prepared by Hexagon Traffic Consultants, Inc. dated May 17, 2024, and included as Appendix G.

3.17.1 Environmental Setting

The Westwood Elementary School Master Plan is part of the school district's master plan update for four existing elementary schools in the City of Santa Clara. These schools include the following:

- Westwood Elementary School
- Bracher Elementary School
- Briarwood Elementary School
- Scott Lane Elementary School

As part of the master plan for each school, each site will include modernization, reconfiguration, and/or expansion for each campus. The campus adjustments may result in reconfiguration and/or addition of parking along with adjustments to access and circulation. Full buildout of the Westwood Elementary School Master Plan would reduce the number of classrooms from 35 to 27, reduce the number of staff from 84 to 76, and reduce the student capacity from 746 to 584.

In addition, an entry plaza would be constructed, additional parking would be installed, and there would be small changes to on-site circulation and inbound vehicular access.

Site Access

Regional access to the project site is provided by Interstate 280 (I-280) and Interstate 880 (I-880). I-280 is an eight-lane freeway aligned in an east-west direction about one mile south of the project site. Site access to and from I-280 is provided by San Tomas Expressway. I-880 is an eight-lane freeway aligned in a north-south direction approximately one mile east of the project site. Local access to the site is provided by San Tomas Expressway, Stevens Creek Boulevard, Saratoga Road, El Camino Real and Winchester Boulevard.

Local bus service is provided by the Valley Transportation Authority (VTA). Several bus stops are located within 0.5 mile of the project on Winchester Boulevard and San Tomas Expressway. Bus routes in the area include buses 57 and 60.

Transit Services and Pedestrian and Bicycle Facilities

Pedestrian facilities in the project area consist primarily of sidewalks along streets. Some roads in the area, including Saratoga Avenue and Los Padres Boulevard, have marked bicycle lanes. Some of the students may walk or ride their bike to school. The residential neighborhood in the vicinity of the school site has continuous sidewalks along most roadways. The intersections of Saratoga Avenue/Los Padres Boulevard, Bohannon Drive/Los Padres Boulevard, and Bohannon Drive/Cypress Avenue have yellow crosswalks due to their proximity to Westwood Elementary School. ADA-compliant curb ramps are provided at the Saratoga Avenue/Los Padres Boulevard (northwest and northeast corners), Saratoga Avenue/Cypress Avenue, Bohannon Drive/Cypress Avenue, Consuelo Avenue/Los Padres Boulevard, and Bohannon Drive/Los Padres Boulevard intersections. Dedicated Class II striped bike lanes are provided along the project frontage on Saratoga Avenue and along the nearby Los Padres Boulevard.

3.17.2 Regulatory Setting

Federal

Americans with Disabilities Act (ADA) of 1990

Titles I, II, III, and V of the ADA have been codified in Title 42 of the United States Code, beginning at Section 12101. Title III prohibits discrimination based on disability in “places of public accommodation” (businesses and non-profit agencies that serve the public) and “commercial facilities” (other businesses). The regulation includes Appendix A through Part 36 (Standards for Accessible Design), establishing minimum standards for ensuring accessibility when designing and constructing a new facility or altering an existing facility. Examples of key guidelines include detectable warnings for pedestrians entering traffic where there is no curb, a clear zone of 48 inches for the pedestrian travel way, and a vibration-free zone for pedestrians.

State

Senate Bill 743

Senate Bill 743 (SB 743) was enacted in 2013 and became effective in July 2014. It requires the Office of Planning Research and the Natural Resources Agency to amend the State CEQA Guidelines through developing criteria for determining the way transportation impacts are measured in California for new development projects, making sure they are built in a way that allows Californians more options to drive less (Pub. Res. Code § 21099(b). Starting on July 1, 2020, agencies analyzing the transportation impacts of new projects must now look at a metric known as vehicle miles traveled (VMT) instead of LOS. VMT measures how much actual auto travel (additional miles driven) a proposed project would create on California roads. If the project adds excessive car travel onto our roads, the project may cause a significant transportation impact. This change is intended to help the State achieve climate commitments, preserve the environment, improve health and safety and boost the economy by prioritizing co-located jobs, services, and housing. It will also reduce the time spent in cars to get places and provide more choices for how people travel, which will help to promote business, provide access to opportunity, and improve the quality of life across California.

Senate Bill 375

Senate Bill 375 (SB 375) requires MPOs to prepare a Sustainable Communities Strategy (SCS) that demonstrates how the region will meet its greenhouse gas (GHG) reduction targets through integrated land use, housing and transportation planning. Specifically, the SCS must identify a transportation network that is integrated with the forecasted development pattern for the plan area and will reduce GHG emissions from automobiles and light trucks in accordance with targets set by the California Air Resources Board.

California Vehicle Code

The California Vehicle Code provides requirements for ensuring emergency vehicle access regardless of traffic conditions. Sections 21806(a)(1), 21806(a)(2), and 21806(c) define how motorists and pedestrians are required to yield the right-of-way to emergency vehicles.

Local

City of Santa Clara 2010-2035 General Plan

The mobility and transportation goals and policies outlined in the City's General Plan support connected networks that facilitate pedestrian, bicycle and vehicular movement throughout the City.

General Mobility and Transportation Goals

- *Goal 5.8.1-G1:* Transportation networks that support the General Plan Major Strategies as well as the Goals and Policies for Prerequisites, Land Use, Focus Areas, Neighborhood Compatibility, Public Services and Environmental Quality.

- *Goal 5.8.1-G2:* Transportation networks that provide a safe, efficient, convenient and integrated system to move people and goods.

- *Goal 5.8.1-G3:* Transportation networks that promote a reduction in the use of personal vehicles and vehicle miles traveled.

General Mobility and Transportation Policies

- *Policy 5.8.1-P1*: Create accessible transportation network systems to meet the needs of all segments of the population, including youth, seniors, persons with disabilities and low-income households.

- *Policy 5.8.1-P4*: Expand transportation options and improve alternate modes that reduce greenhouse gas emissions.

- *Policy 5.8.1-P6:* Implement Level of Service standards that support increased transit ridership, biking and walking, in order to decrease vehicle miles traveled and reduce air pollution, energy consumption and greenhouse gas emissions.

City of Santa Clara Pedestrian Master Plan 2019

In 2019, the City of Santa Clara adopted its first Pedestrian Master Plan to create a blueprint for creating safe, comfortable and enjoyable walking for current and future Santa Clara residents. The Pedestrian Master Plan is a forward-looking plan to capture the benefits of walking as the City anticipates growth and redevelopment. Goals of the Pedestrian Master Plan include:

- *Safety:* Design pedestrian environments that are accessible and reduce the risk of pedestrian-involved collisions.

- *Comfort:* Identify pedestrian improvements that create an easy-to-navigate and comfortable pedestrian environment.

- *Convenience:* Coordinate future land use efforts that will provide more mobility options for people in Santa Clara to include walking for their utilitarian trips.

- *Active:* Develop lively and unique pedestrian spaces that sustain healthy communities and generate economic activity.

- *Implementable:* Identify, develop, and maintain a complete and convenient pedestrian network.

3.17.3 Impact Discussion

Would the project:

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?

Less Than Significant Impact. Hexagon conducted a local transportation analysis (LTA) to supplement the VMT analysis and identify transportation and traffic operational issues that may arise due to implementation of the project (see Section 3.17.4, below). Although the SCUSD is exempt from preparing transportation analyses in accordance with the City of Santa Clara Transportation Policy, the LTA includes an operational analysis of the project utilizing other standard reference sources such as: the *California Manual on Uniform Traffic Control Devices for Streets and Highways (CA MUTCD), Part 4, Highway Traffic Signals, 2018;* the *2000 Highway Capacity Manual (HCM);* and the *California Vehicle Code.*

The LTA determined that during construction, the project may temporarily affect access into the site from Saratoga Avenue, however the project includes the preparation of a traffic control plan to address vehicle, bicycle, or pedestrian circulation patterns, and provide vehicle traffic control measures to ensure safety and vehicle flow during construction, and which ensure public safety and provide for adequate access to public rights-of-way during construction. Once construction is complete for each phase of the Master Plan, the project would not affect the existing vehicle travel or bike lanes on Saratoga Avenue. For these reasons, the project would not conflict with a program, plan, ordinance or policy addressing the circulation system including transit, roadway, bicycle, and pedestrian facilities. This impact would be less than significant.

b) Conflict or be inconsistent with CEQA Guidelines section 15064.3(b), which pertains to vehicle miles travelled?

Less Than Significant Impact. The transportation analysis conducted by Hexagon consisted of a VMT assessment pursuant to Senate Bill (SB) 743, the California Environmental Quality Act (CEQA) 2019 Update Guidelines Section 15064.3, subdivision (b) which states that projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact. The VMT assessment for students included a qualitative analysis that considers the cumulative effect of the master plans for the four school sites district-wide. Since there is a decrease in proposed staff numbers, it can be concluded that the VMT generated by staff members and employees would decrease.

<u>City of Santa Clara Vehicle Miles Traveled Policy</u>

The City of Santa Clara's adopted VMT policy identifies screening criteria that determine whether a CEQA transportation analysis would be required for projects. The criteria are based on the type of project, characteristics, and/or location. If a project meets the City's screening criteria, it is presumed that the project would result in a less-than-significant transportation impact and a detailed VMT analysis is not required. The type of projects that may meet the screening criteria include the following:

- Small Projects (generating 110 daily trips or less)

- Retail uses of 50,000 square feet or less ("Local Serving Retail")
- Local serving public projects such as fire stations, neighborhood parks, libraries, and community centers
- 100% Affordable Housing projects
- "Transit Supportive Projects." A project will qualify as a Transit Supportive Project if it meets the following requirements:
    - The Project is located within ½ mile of an existing Major Transit Stop or an existing transit stop along a High-Quality Transit Corridor
    - For Office/R&D projects, a minimum Floor Area Ratio of 0.75
    - For Residential projects, a minimum density of 35 units/acre
    - Project promotes multimodal transportation networks
    - Project includes transit-oriented design elements
    - No excess parking: the project does not include more parking for use by residents, customers, or employees of the project than required by the City Code
    - No loss of affordable dwelling units: the project does not replace affordable residential units with a smaller number of affordable units, and any replacement units are at the same level of affordability

Evaluation of Screening Criteria

The Master Plan proposes a decrease in student capacity and staff members. Therefore, the Master Plan would result in a decrease in trips and a decrease in VMT, meeting the city's screening criteria for a small project. As such, the project would have a less than significant impact related to VMT.

Cumulative VMT Analysis

In consultation with city staff, the student VMT analysis consists of a qualitative assessment of the cumulative effect on VMT for the four elementary school master plans and the combined decrease in student capacity along with the school's and district's service boundaries.

The Master Plan for the Westwood Elementary School site would decrease the student enrollment capacity from 746 to 584 students. Additionally, the proposed master plans for the four elementary schools would cumulatively decrease the combined total enrollment capacity at the four public schools by 32 students. Public schools typically have a service boundary that identifies a student's designated school based on where the student resides. The school district is not proposing any changes to its current district or individual school service boundaries. It should be noted that the school district maintains an open enrollment policy which allows students to attend any school within the school district regardless of their school of residence

provided there is space. Therefore, it can be assumed that most students that would attend each of the four elementary schools would continue to reside and commute from within the school district boundaries. Based on the established service boundaries, changes to the number of students at each school or neighborhoods where students would reside within the service boundaries would not significantly change the length of student trips and resulting average student VMT.

The proposed decrease in student enrollment for the Westwood Elementary School campus and overall cumulative decrease in student enrollment capacity as a result of the master plans for the four elementary schools would result in a district-wide decrease in VMT and a less than significant impact on VMT.

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

No Impact. The Master Plan shows the primary driveway along Saratoga Avenue providing access to the visitor parking lot and the elementary school drop-off area measuring approximately 24 feet in width at the throat, providing adequate width for two-way operations. The existing secondary driveway providing access to the staff/pre-school parking lot measures approximately 26 feet in width, providing adequate width for two-way operations. The project provides the appropriate sight distance in accordance with Caltrans standards. Sight distance requirements vary depending on the roadway speeds. For Saratoga Avenue, which has a speed limit of 25 mph, the Caltrans stopping sight distance is 200 feet (based on a design speed of 30 mph). This means that a driver must be able to see 200 feet down Saratoga Avenue to locate a sufficient gap to turn out of the project driveway. No obstructions block an exiting driver's vision along either direction of Saratoga Avenue. The existing red curb adjacent to both driveways prohibit on-street parking to ensure adequate sight distance. Due to the lack of obstructions along Saratoga Avenue, it can be concluded that sight distance is adequate at the main exit driveway. Additionally, the project does not include any changes to local streets, intersections, nor involves incompatible land uses. As such, the project would not introduce or increase hazards due to geometric design features. No impact would occur.

d) Result in inadequate emergency access?

Less Than Significant Impact. The project site plan was reviewed for truck access including delivery trucks, garbage trucks, and emergency vehicles. Construction delivery operations would occur within the parking lot areas of the school site. Any deliveries should occur during off-peak hours or on days when school is not in session. Emergency vehicle access is provided along Saratoga Avenue. In order to not block the parking area and drop-off area, garbage collection vehicles should only pick up trash at off peak hours; either before the student drop-off period, during class hours, or after the student pick-up period ends. Construction of the project would not prevent emergency vehicles from accessing the project area. The contractor will be required to prepare and implement a Traffic Control Plan to manage traffic during construction, including pedestrian and bicyclists, and maintain access to emergency vehicles and residents' access to their homes during construction. The impact would be less than significant.

3.17.4 Non-CEQA Transportation Related Issues

As stated above, Hexagon conducted a LTA to supplement the VMT analysis and identify transportation and traffic operational issues that may arise due to implementation of the project. The LTA includes an evaluation of the effects of the project on transportation, access, circulation, and related safety elements in the proximate area of the project. The LTA includes the evaluation of weekday AM and PM peak hour operations at a limited number of intersections for the purpose of identifying operational issues (queuing, signal operations, and potential multi-modal issues) at intersections in the general vicinity of the project site. The LTA is provided to inform the District of the project's impacts on local roadways, however, the operational deficiencies identified as part of the LTA are not considered impacts per CEQA guidelines.

Operational Analysis

An operational analysis was conducted at the intersections of Saratoga Avenue/Los Padres Boulevard and Saratoga Avenue/Cypress Avenue. The operational analysis includes an evaluation of level of service and signal warrant analysis during the AM and PM peak hours. The purpose of the operational analysis is to determine whether there are any existing deficiencies at these locations. It should be noted that the proposed Master Plan would reduce the maximum student capacity and result in a decrease in trips generated by the school.

Intersection Level of Service Analysis

Traffic conditions at the intersections of Saratoga Avenue/Los Padres Boulevard and Saratoga Avenue/Cypress Avenue were analyzed for the weekday AM and PM peak hours of traffic. The weekday AM peak hour of traffic generally falls within the 7:00 AM to 9:00 AM period and the weekday PM peak hour is typically in the 4:00 PM to 6:00 PM period. It is during these times that the most congested traffic conditions occur on a typical weekday.

Existing traffic volumes at the study intersections were obtained from new traffic counts in April 2024. Level of service was evaluated using TRAFFIX, which utilizes the HCM 2000 methodology.

Signalized Intersections

The City of Santa Clara evaluates level of service at signalized intersections based on the 2000 HCM level of service methodology. This HCM method evaluates signalized intersection operations on the basis of average control delay time for all vehicles at the intersection. This average delay can then be correlated to a level of service. The City uses a minimum acceptable level of service standard of LOS D for signalized intersections.

Unsignalized Intersections

Level of service for unsignalized intersections is determined using the 2000 HCM methodology for unsignalized intersection analysis. This method is applicable for both two-way and all-way stop-controlled intersections. For the analysis of stop-controlled intersections, the 2000 HCM evaluates intersection operations on the basis of average control delay time for all vehicles on the stop-controlled approaches. For the purpose of reporting level of service for one- and two-

way stop-controlled intersections, the delay and corresponding level of service for the stop-controlled minor street approach with the highest delay is reported. For all-way stop-controlled intersections, the reported average delay and corresponding level of service is the average for all approaches at the intersection. The City uses a minimum acceptable level of service standard of LOS D for unsignalized intersections.

Signal Warrants

Level of service analysis at unsignalized intersections is supplemented with an assessment of the need for signalization at the intersection. The need for signalization of unsignalized intersections is assessed based on the Peak Hour Volume Warrant (Warrant 3) described in the California Manual on Uniform Traffic Control Devices for Streets and Highways (CA MUTCD), Part 4, Highway Traffic Signals, 2018. This method makes no evaluation of intersection level of service, but simply provides an indication whether vehicular peak hour traffic volumes are, or would be, sufficient to justify installation of a traffic signal. The decision to install a traffic signal should not be based purely on the warrants alone. Instead, the installation of a signal should be considered and further analysis performed when one or more of the warrants are met. Additionally, engineering judgment is exercised on a case-by-case basis to evaluate the effect a traffic signal will have on certain types of accidents and traffic conditions at the subject intersection as well as at adjacent intersections. Intersections that meet the peak hour warrant are subject to further analysis before determining that a traffic signal is necessary. Other options such as traffic control devices, signage, or geometric changes may be preferable based on existing field conditions.

Level of Service Results

The results of the intersection level of service analysis show that both study intersections currently operate at acceptable LOS D conditions. Additionally, peak-hour volumes at the unsignalized study intersection would not meet signal warrant thresholds. While the southbound U-turn at Saratoga Avenue/Cypress Avenue carries moderate volume due to vehicles making the U-turn to access the school, the opposing through traffic volume is relatively light, and vehicles are able to easily find a gap in traffic to make the U-turn.

Site Access

Site access during both Master Plan phases would remain the same. Primary site access will be provided by a driveway along Saratoga Avenue. The existing exit-only driveway along Saratoga Avenue will be reconstructed and converted into a two-way driveway. Secondary site access is provided via an existing driveway to the staff/pre-school parking lot. During Phase 1-B of the Master Plan, the visitor parking/drop-off area will be separated from the staff parking lot. After full buildout of the Master Plan, the visitor parking/drop-off area would be connected to the staff/pre-school parking lot. It should be noted that bollards would be installed between the two parking areas, retaining the separation between the two distinct parking areas.

Driveway Design and Sight Distance

The master plan shows primary driveway along Saratoga Avenue providing access to the visitor parking lot and the elementary school drop-off area measuring approximately 24 feet in width at

the throat, providing adequate width for two-way operations. A right-turn only sign should be installed to alert drivers that only right-turns may be completed from the main exit driveway. The existing secondary driveway providing access to the staff/pre-school lot measures approximately 26 feet in width, providing adequate width for two-way operations.

Providing the appropriate sight distance reduces the likelihood of a collision at a driveway or intersection and provides drivers with the ability to locate sufficient gaps in traffic. Sight distance generally should be provided in accordance with Caltrans standards. The minimum acceptable sight distance is often considered the Caltrans stopping sight distance. Sight distance requirements vary depending on the roadway speeds. For Saratoga Avenue, which has a speed limit of 25 mph, the Caltrans stopping sight distance is 200 feet (based on a design speed of 30 mph). This means that a driver must be able to see 200 feet down Saratoga Avenue to locate a sufficient gap to turn out of the project driveway. This also gives drivers traveling along Saratoga Avenue adequate time to react to vehicles exiting the project driveway. No obstructions block an exiting driver's vision along either direction of Saratoga Avenue. The existing red curb adjacent to both driveways prohibit on-street parking and should be maintained to ensure adequate sight distance. Due to the lack of obstructions along Saratoga Avenue, it can be concluded that sight distance is adequate at the main exit driveway.

On-Site Vehicular Circulation and Parking Layout

On-site vehicular circulation was reviewed in accordance with generally accepted traffic engineering standards. The on-site vehicular circulation during drop-off and pick-up hours allows all students to be dropped off or picked up at the curb. The student drop-off and pick-up area located near the east side of the parking lot area removes the need for students to walk through the parking lot areas. The proposed master plan shows a designated drop-off/pick-up lane on-site.

Phase 1-B

During phase 1-B of the master plan, no changes would be made to the staff/preschool parking lot. The main school/visitor parking lot would consist of a one-way drive aisle. The conceptual plans are unclear on the width of each drive aisle. The school district has indicated that the drive aisles would be designed to a minimum 24-foot width, which would provide enough space for vehicles to back out of parking spaces.

Full Buildout

During the full buildout of the master plan, the driveways along Saratoga Avenue would remain the same as Phase 1-B. The staff/pre-school parking lot would be reconstructed and the drop-off area would be removed. The conceptual site plan shows bollards separating the staff/pre-school parking lot from the visitor parking/elementary school drop-off lots. All pre-school students must be dropped-off/picked-up from campus and parents must park and walk to drop-off/pick-up their children.

Parking Stall Dimensions

The conceptual plans are unclear on the size of each parking space but are shown to be of the same size. The parking spaces should be designed with uniform size stalls measuring 8.5 feet by 17 feet. For Phase 1-B 1, 96 parking spaces are shown on the school site. At full buildout, 88 parking spaces are shown on the school site. The conceptual plans show adequate parking for the number of proposed classrooms during phase 1-B and full buildout of the master plan.

Truck Access and Circulation

The project site plan was reviewed for truck access including delivery trucks, garbage trucks, and emergency vehicles.

Delivery operations would occur within the parking lot areas of the school site. Any deliveries should occur during off-peak hours or on days when school is not in session. Emergency vehicle access is provided along Saratoga Avenue.

The site plan shows a trash enclosure adjacent to the entry plaza near the east side of the visitor parking lot. In order to not block the parking area and drop-off area, garbage collection vehicles should only pick up trash at off peak hours; either before the student drop-off period, during class hours, or after the student pick-up period ends.

Pick-up and Drop-off Operations

The master plan proposes up to 584 students and up to 76 staff members. Typical school hours would begin at 8:15 am. Dismissals are staggered from 1:30-2:35 pm, depending on grade level. The staggered dismissal times are beneficial for pick-up operations. During phase 1-B and full buildout of the master plan, vehicles would enter the primary driveway along Saratoga Avenue to access the drop-off/pick-up lane. Vehicles would navigate through the parking lot to the drop-off area. The conceptual plans are not clear on the drive aisle width of the elementary school drop-off lane. It is recommended two lanes to be provided: one at the curb, facilitating loading and a through lane for vehicles to pull out once their student has been dropped off or picked up. All vehicles would then make a right-turn exiting the school site onto Saratoga Avenue. It is estimated that the on-site drop-off/pick-up area provides space for at least 8 vehicles to drop-off and pick-up students simultaneously.

Based on the project trip generation estimates, it is estimated that approximately 233 vehicles would enter the drop-off area during the AM peak-hour (highest peak hour). An average of up to 8 vehicles per minute would arrive for drop-off in the morning when assuming that approximately 50 percent of the student drops-off/pick-ups will occur within the peak 15-minute period. No queueing would be expected to occur with the 8-vehicle capacity in the drop-off/pick up areas assuming unloading time of no more than one minute per vehicle.

Figure 3-8 shows the number of peak hour project trips at the primary project driveway and loading curb for student drop off and pick up.

Figure 3-8: Site Access and Circulation



Recommendation. It is recommended that a second through lane be provided in the on-site dropoff/pick-up aisle to allow vehicles to pull out once students are dropped off or picked up.

Recommendation. It is recommended that school staff or parent volunteers be stationed along the drop-off area to assist students in and out of vehicles and improve drop-off procedures efficiency. School staff should ensure that students do not unload outside of the designated loading zone.

Recommendation. The loading lane should be designed to provide the maximum loading area possible. At least 8 vehicles should be accommodated within the on-site drop-off area.

Recommendation. Measures should be taken to ensure the efficient and safe loading/unloading of the students. It is recommended that the drop-off/pick-up area be well defined with the implementation of appropriate signage and pavement markings clearly showing the student loading zone and each vehicle position. Additionally, staff should ensure that students leave and board via the passenger side of the vehicle and that students do not cross the loading zone drive aisle unattended. If a student must exit or board via the driver's side of the vehicle, staff should accompany the student while crossing the drive aisle.

Pedestrian and Bicycle Access and Circulation

Some of the students may walk or ride their bike to school. Pedestrian facilities in the study area consist primarily of sidewalks and crosswalks at intersections. The residential neighborhood in the vicinity of the school site has continuous sidewalks along most roadways. The intersections of Saratoga Avenue/Los Padres Boulevard, Bohannon Drive/Los Padres Boulevard, and Bohannon Drive/Cypress Avenue have yellow crosswalks due to their proximity to Westwood Elementary School. ADA-compliant curb ramps are provided at the Saratoga Avenue/Los Padres Boulevard (northwest and northeast corners), Saratoga Avenue/Cypress Avenue, Bohannon Drive/Cypress Avenue, Consuelo Avenue/Los Padres Boulevard, and Bohannon Drive/Los Padres Boulevard intersections. Dedicated Class II striped bike lanes are provided along the project frontage on Saratoga Avenue and along the nearby Los Padres Boulevard.

Signage and Striping Requirements for Schools

Various school area signs and pavement markings are currently located along Saratoga Avenue, Los Padres Boulevard, Cypress Avenue, and Bohannon Drive in the project vicinity. These include the following:

- High visibility crosswalks (yellow crosswalk with longitudinal lines) at the intersections of Bohannon Drive/Cypress Avenue (West and north legs) and Bohannon Drive/Los Padres Boulevard (west leg only).

- Yellow crosswalks at the intersections of Saratoga Avenue/Los Padres Boulevard (all approach legs) and Bohannon Drive/Los Padres Boulevard (north and south legs)

- California Manual on Uniform Traffic Control Devices (CA MUTCD) school zone sign assemblies and school crossing ahead sign along Los Padres Boulevard and Cypress Avenue.

- CA MUTCD in-street pedestrian crossing sign (yield to pedestrians within crosswalk sign) along Los Padres Boulevard and Bohannon Drive.

- CA MUTCD school zone sign assemblies (school, 25 mph speed limit, and when children are present assembly) along Saratoga Avenue and on mast arms with flashing lights along Saratoga Avenue.

Installation of new signage and additional traffic studies or surveys may be needed to conform with requirements set forth by the CA MUTCD and California Vehicle Code.

Recommendation. Section 7A.02 of the CA MUTCD recommends that the City prepare a safe routes to school plan to fully identify pedestrian routes and address existing deficiencies to the pedestrian network. The study would identify whether there is need for improvements such as the following:

- New high-visibility crosswalks at Saratoga Avenue and Los Padres Boulevard intersection.

- Change existing white crosswalk at Consuelo Avenue and Los Padres Boulevard to yellow crosswalk.

- All-way stop-control at the Bohannon Drive/Los Padres Boulevard and Bohannon Drive/Cypress Avenue intersections.

- Advanced limit lines with proper signage before all yellow crosswalks to increase pedestrian visibility to drivers.

- Curb-extensions to shorten pedestrian crossing distances and/or install Rectangular Rapid Flashing Beacons Pedestrian Crosswalk systems along with proper signage and roadway striping including Yield Here to Pedestrians and In-Street Pedestrian Crossing signage at the Bohannon Drive/Los Padres Boulevard and Bohannon Drive/Cypress Drive intersections.

- Speed limit reduction to 15 or 20 mph on Los Padres Boulevard.

Recommendation. School zone or warning sign assemblies are not provided in advance of the school speed limit assemblies along Saratoga Avenue. School crossing assemblies and advance school zone sign assemblies are not provided across Bohannon Drive at the Bohannon Drive/Cypress Avenue intersection. The existing school zone sign and school speed limit assemblies have a yellow-colored background instead of a fluorescent yellow-green background. Additionally, if Los Padres Boulevard is classified as a school zone, school zone sign assemblies or school warning assemblies are not provided along Los Padres Boulevard. The City should conduct a full review of existing traffic control devices in the project vicinity to ensure conformity with CA MUTCD standards.

3.18 TRIBAL CULTURAL RESOURCES

	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 resources, 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:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?	☐	☒	☐	☐
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying 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.	☐	☒	☐	☐

3.18.1 Environmental Setting

The following discussion is based on an Archaeological Review prepared for the project by Basin Research Associates (Basin). A copy of the review memo, dated February 6, 2023, is kept on file at the Santa Clara Unified School District.

No known prehistoric, ethnographic and/or mission era settlements or contemporary Native American resources, including sacred places and/or traditional use areas, have been identified in or adjacent to the project. The Native American Heritage Commission (NAHC) was contacted for a search of the Sacred Lands File (SLF) for the project site and the search results were negative. Eleven locally knowledgeable Native American individuals/organizations listed by the NAHC were contacted to determine if “tribal cultural resources” are/were present . One response was received from the Tamien Nation who had no concerns. (See 3.5.1 for additional information).

3.18.2 Regulatory Setting

Federal

Native American Graves Protection and Repatriation Act of 1990

The Native American Graves Protection and Repatriation Act (NAGPRA) of 1990 sets provisions for the intentional removal and inadvertent discovery of human remains and other cultural items from federal and tribal lands. It clarifies the ownership of human remains and sets forth a process for repatriation of human remains and associated funerary objects and sacred religious objects to the Native American groups claiming to be lineal descendants or culturally affiliated with the remains or objects. It requires any federally funded institution housing Native American remains or artifacts to compile an inventory of all cultural items within the museum or with its agency and to provide a summary to any Native American tribe claiming affiliation.

State

Native American Heritage Commission, Public Resources Code Sections 5097.9 – 5097.991

Section 5097.91 of the Public Resources Code (PRC) established the NAHC, whose duties include the inventory of places of religious or social significance to Native Americans and the identification of known graves and cemeteries of Native Americans on private lands. Under Section 5097.9 of the PRC, a state policy of noninterference with the free expression or exercise of Native American religion was articulated along with a prohibition of severe or irreparable damage to Native American sanctified cemeteries, places of worship, religious or ceremonial sites or sacred shrines located on public property. Section 5097.98 of the PRC specifies a protocol to be followed when the NAHC receives notification of a discovery of Native American human remains from a county coroner. Section 5097.5 defines as a misdemeanor the unauthorized disturbance or removal of archaeological, historic, or paleontological resources located on public lands.

California Native American Graves Protection and Repatriation Act of 2001

Codified in the California Health and Safety Code Sections 8010–8030, the California Native American Graves Protection Act (NAGPRA) is consistent with the federal NAGPRA. Intended to "provide a seamless and consistent state policy to ensure that all California Indian human remains and cultural items be treated with dignity and respect," the California NAGPRA also encourages and provides a mechanism for the return of remains and cultural items to lineal descendants. Section 8025 established a Repatriation Oversight Commission to oversee this process. The act also provides a process for non–federally recognized tribes to file claims with agencies and museums for repatriation of human remains and cultural items.

Assembly Bill 52

Assembly Bill (AB) 52 specifies that a project that may cause a substantial adverse change in the significance of a tribal cultural resource, as defined, is a project that may have a significant effect on the environment. AB 52 requires a lead agency to begin consultation with a California

Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project, if the tribe requests in writing to the lead agency, to be informed by the lead agency of proposed projects in that geographic area and the tribe requests consultation, prior to determining whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project.

3.18.3 Impact Discussion

Would the project:

a) Cause a substantial adverse change in the significance of a tribal cultural resources, 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:

i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)?

ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying 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?

a) Less Than Significant with Mitigation Incorporated. Under CEQA, a significant resource is one that is listed in a California or local historic register or is eligible to be listed. As such, lead agencies have a responsibility to evaluate such resources against the California Register criteria prior to making a finding as to a proposed project's impacts to historical resources (PRC § 21084.1, 20174, 14 CCR § 15064.5(3). It is possible for a lead agency to determine that an artifact, site, or feature is considered significant to a local tribe, without necessarily being eligible for the CRHR. A determination of such by a lead agency would make an artifact a significant resource under CEQA.

The NAHC was contacted for a review of the SLF. Letters and/or emails were sent to the 11 knowledgeable Native American individuals/organizations identified by the NAHC, one response was received from the Tamien Nation who had no concerns. However, Mitigation Measures CUL-1a and CUL-1b (see Section 3.5 Cultural Resources) require the District to retain a professional archaeologist on an on-call basis during ground disturbing construction activities to review, identify and evaluate any potential cultural resources that may be inadvertently exposed during construction. Furthermore, Mitigation Measure CUL-1c necessitates the filing of a Monitoring Closure Report with the SCUSD if archaeological and Native American monitoring of excavation was undertaken. In addition, CUL-2 addresses the inadvertent discovery of human remains and how said remains are to be properly handled in alignment with Section 7050.5, Chapter 1492 of the California Health and Safety Code and Sections 5097.94, 5097.98 and 5097.99 of the Public Resources Code.

Some Native American artifacts may not be considered unique archaeological resources under the CEQA guidelines (i.e., if there is not a demonstrable public interest in that information, it does not possess a special and particular quality such as being the oldest of its type or the best available example of its type, and it is not directly associated with a scientifically recognized important prehistoric event or person). However, it is possible for a lead agency to determine that an artifact is considered significant to a local tribe, and therefore be considered a significant resource under CEQA. To prevent otherwise non-significant resources which are significant to a local tribe from getting destroyed or damaged, the implementation of Mitigation Measure TCR-1 would reduce impacts to TCRs to less than significant.

> **Impact TCR-1:** Project construction could result in discovery of significant Native American artifacts (tribal finds) that the lead agency considered significant to a local tribe.
>
> **Mitigation Measure TCR-1: Consider all Native American Archaeological Discoveries to be Significant Resources.** All Native American artifacts (tribal finds) shall be considered as a significant Tribal Cultural Resource, pursuant to PRC 21074 until the lead agency has enough evidence to make a determination of significance. The District shall coordinate with an archaeologist who meets the U.S. Secretary of the Interior's Professional Qualifications, as well as an appropriate tribe or tribes, as determined by the NAHC, to develop an appropriate treatment plan for the resources. The plan may include implementation of archaeological data recovery excavations to address treatment of the resource along with subsequent laboratory processing and analysis. An archaeological report will be written detailing all archaeological finds and submitted to the SCUSD. The implementation of Mitigation Measures CUL-1a, CUL-1b, CUL-1c CUL-2, (see 3.5.3 Impact Discussion) and TCR-1 would reduce potential impacts to Tribal Cultural Resources to a less than significant level.

3.19 UTILITIES AND SERVICE SYSTEMS

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

3.19.1 Environmental Setting

Water Supply

Water services are provided to residents and businesses in the City of Santa Clara by the Water Utility. The water system consists of approximately 335 miles of water mains, 26 wells and seven storage tanks with approximately 28.8 million gallons of water capacity.

Sources available to the City include an extensive local underground aquifer and imported water supplies delivered by two wholesale water agencies: the Santa Clara Valley Water District (SCVWD) and the San Francisco Hetch Hetchy system.

The City operates 26 wells that tap the underground aquifers and make up about 60 percent of the City's potable water supply. A water recharge program administered by Valley Water from local reservoirs and imported water enhances the dependability of the underground aquifer. The remaining water is supplied by water imported from the two wholesale water agencies.

Recycled water within the City is supplied from the jointly owned San Jose-Santa Clara Regional Wastewater Facility (RWF). Recycled water from the plant is delivered to the City through a system of water pipelines totaling 33 miles. The City utilizes recycled water in order to offset and conserve use of potable water citywide. Recycled water is primarily used for irrigation within the City and makes up over 15 percent of the water sales in the City (City of Santa Clara 2020).

Wastewater

Sewer services in the City of Santa Clara is provided by the Sewer Utility. Wastewater in Santa Clara is conveyed to the San Jose/Santa Clara RWF. The City's wastewater collection system includes approximately 270 miles of sewer pipelines ranging from 4 to 48 inches in diameter, and six sewage pump stations. The RWF treats an average of 110 million gallons of wastewater per day and has the capacity to treat 167 million gallons a day of liquid waste. Built in 1956, the RWF serves 1.4 million residents and over 17,000 businesses in eight cities and four sanitation districts. The wastewater is treated in three stages: primary treatment, activated sludge secondary treatment, and advanced tertiary treatment, comprised of nitrification, filtration and chlorine disinfection. This highly treated water is then discharged to the south San Francisco Bay and a portion delivered to the South Bay Water Recycling (SBWR) Project, which is used to irrigate food crops, parks, schools, golf courses, street medians and business park landscaping (City of Santa Clara 2020).

Solid Waste

The City contracts with Mission Trail Waste System for solid waste collection and disposal. The municipal waste is disposed of at Newby Island Landfill in San Jose. Mission Trail Waste Systems also has a contract to implement the Clean Green portion of the City's recycling plan by collecting yard waste. Santa Clara has an arrangement with the owners of the Newby Island Landfill, located in San Jose, to provide disposal capacity for the City of Santa Clara. Additionally, the Newby Island Landfill is currently permitted to operate until 2041.Recycling services are provided through Stevens Creek Disposal and Recycling (City of Santa Clara 2011).

Electricity and Natural Gas

The City of Santa Clara owns and operates the municipal electric utility, a department of the City, also known as Silicon Valley Power (SVP). SVP serves over 60,000 residential, commercial, industrial, and municipal customers within the City. It owns, operates and participates in the production of more than 669 megawatts of electricity. SVP maintains over

382.9 miles of underground and 186.1 miles of overhead distribution lines and has 51,000 electric meters in its 18.41-square mile service area (City of Santa Clara 2023b). Electricity is delivered via 61.8 miles of transmission lines within the City. Source of electricity include natural gas, wind and hydroelectric generation resources in California and other western states. Through the Santa Clara Green Power Program, a voluntary renewable energy program from SVP, residents and businesses can choose renewable energy for 100 percent of their energy usage. As of 2022, 68 percent of the electricity provided by SVP is renewable (SVP 2022). The City's natural gas is provided by Pacific Gas & Electric Company (PG&E) via natural gas lines. Gas is delivered from basins in California by transmission mains (City of Santa Clara 2010).

3.19.2 Regulatory Setting

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.

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 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 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.

3.19.3 Impact Discussion

Would the project:

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunication facilities, the construction or relocation of which could cause significant environmental effects?

Less Than Significant Impact. The project includes the redevelopment of an existing elementary school campus with new updated classroom facilities. The project would use water temporarily in the short-term for construction and water would continue to be used for school use operations. The project would utilize existing connections to the municipal water supply and because the project is anticipated to result in a smaller student capacity, the water usage as a result of the Master Plan development is anticipated to be equal to or less than current water usage. Offsite improvements for new or expanded water, wastewater or stormwater drainage, electric power, natural gas or telecommunication facilities are not anticipated as part of the project. Future construction associated with the Master Plan would be all electric (no natural gas in new buildings). Therefore, the project would have a less than significant impact related to the provision of utility services.

b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Less Than Significant Impact. As noted above, the full build out of the Master Plan would result in a smaller school student capacity. Therefore, water usage is expected equal to or less than current water usage. This impact would be less than significant.

c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Less Than Significant Impact. The intent of the Master Plan is to modernize the campus and update facilities for current and projected school needs. The project proposes additional bathrooms than is currently provided on campus. However, the project anticipates less students on campus overall, therefore the proposed bathrooms or other facilities would not generate more wastewater than existing conditions. As previously discussed in Section 3.10, Hydrology and Water Quality and in the Valley Water Groundwater Management Plan, the City has sufficient potable water supplies to service the project. Therefore, the project is anticipated to generate wastewater that is equal to or less than current wastewater generation. This impact would be less than significant.

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less Than Significant Impact. Construction activities such as demolition, grading and excavation would generate construction debris and excavated materials on site. Where feasible, such material would be used on site or recycled to reduce impacts on local and regional landfills. Material that cannot feasibly be used on site or recycled would be off-hauled by trucks to the Newby Island Sanitary Landfill. Before export, soils would be tested to determine if disposal at a hazardous materials facility is required, as discussed in Section 3.9**.** As previously stated, the intent of the Master Plan is to modernize the campus and update facilities for current and projected school needs. Additionally, full buildout of the Master Plan would result in a smaller school student capacity. Therefore, the project would not generate solid waste in excess of local infrastructure nor would it impair attainment of solid waste reduction goals. This impact would be less than significant.

e) Comply with Federal, State, and local management and reduction statutes and regulations related to solid waste?

No Impact. As stated above, full build out of the Master Plan would result in decreased student capacity. Therefore, the project would not result in a net increase of solid waste in the City that would conflict with any federal, state, or local statutes and regulations related to solid waste. No impact would occur.

3.20 WILDFIRE

	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:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b) 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?	☐	☐	☐	☒
c) Require the installation 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?	☐	☐	☐	☒
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☐	☐	☐	☒

3.20.1 Environmental Setting

The project site is located in the City of Santa Clara in a Local Responsibility Area. The project site is in a fully urbanized area surrounded by residential uses. The site is not located in an area designated as a Very High Fire Hazard Severity Zone (CAL FIRE 2022). The nearest area with a very high fire hazard designation is located in Portola Valley, approximately 6.3 miles southwest of the project site.

3.20.2 Impact Discussion

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

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

b) 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?

c) Require the installation 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?

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

No Impact (a through d). As discussed in Section 3.20.1 above, the project site is not located in a Very High Fire Hazard Severity Zone. The nearest such zone is located approximately 6.3 miles southwest of the project site. Therefore, the project would not substantially impair an adopted emergency response or evacuation plan. Additionally, the project does not propose the installation of infrastructure that may exacerbate fire risk. Further, the topography of the project site is flat and therefore, would not expose occupants to pollutant concentrations from wildfires or expose people or structures to post wildfire dangers such as landslides or floods. There would be no impact.

3.21 MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) 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?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means the incremental effects of a project are considerable when viewed in connection with the efforts of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

3.21.1 Discussion

a) 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?

Less Than Significant 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 the implementation of the identified mitigation measures and Standard Design and Construction Measures. As discussed in Section 3.4 Biological Resources, with implementation of the identified mitigation measures (MM BIO-1 and BIO-2) and Standard Design and Construction Measures, the project would not significantly impact sensitive habitats or species. As discussed in Section 3.5 Cultural Resources and Section 3.18 Tribal Cultural Resources, with

implementation of the identified mitigation measures (MM CUL-1a, -1b, -1c, CUL-2 and MM TCR-1) and Standard Design and Construction Measures, the project would result in a less than significant impact on archaeological and historic resources. Mitigation Measure GEO-1 would ensure impacts to paleontological resources remain less than significant if they are encountered during construction.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means the incremental effects of a project are considerable when viewed in connection with the efforts of past projects, the effects of other current projects, and the effects of probable future projects)?

Less Than Significant Impact. 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." Using this definition, a project that has no impact in a given impact category cannot have a cumulatively considerable contribution because its contribution is zero.

The proposed project will not have environmental effects that are individually limited but cumulatively considerable because it does not cause any long term or growth-related impacts. The project will construct new buildings at an existing elementary school. The new facilities would serve the existing students and would not provide for increased enrollment. The uses provided by the buildings are uses that are already accommodated on site. Past and subsequent projects to update SCUSD facilities would not result in cumulative impacts because the projects would be implemented incrementally in phases and as SCUSD capital improvement funding allows. School facilities are a function of the housing supply in the school district area and improvements occur within already developed school sites. Therefore, the cumulative impacts are considered less than significant.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less Than Significant with Mitigation Incorporated. Consistent with Section 15065(a)(4) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has the potential to cause substantial adverse effects on human beings, either directly or indirectly. Under this standard, a change to the physical environment that might otherwise be minor must be treated as significant if people would be significantly affected. This factor relates to adverse changes to the environment of human beings generally, and not to effects on particular individuals. While changes to the environment that could indirectly affect human beings would be represented by all of the designated CEQA issue areas, those that could directly affect human beings include hazardous

materials, and construction-related noise. Implementation of Standard Design and Construction Measures (listed in Section 2.6) and mitigation measures identified in Chapter 3 (MM NOI-1), however, would reduce these impacts to a less than significant level. No other direct or indirect adverse effects on human beings have been identified.

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