Briarwood Elementary School Master Plan

Initial Study / Mitigated Negative Declaration

Santa Clara Unified School District

1889 Lawrence Road

Santa Clara, CA 95051

December 2024

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Santa Clara Unified School District

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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 affected 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: Briarwood Elementary School Master Plan

Location: 1930 Townsend Avenue, City of Santa Clara, 95051

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 classroom modernization, replacement of portable classrooms with permanent classroom buildings, and would ultimately support 23 classrooms and a maximum capacity of 563 students, which represents nine fewer classrooms and 232 fewer students than are currently accommodated, and other on-site improvements. Phase 1 (targeted for completion in Fall 2026) includes: converting two wings into flex, transitional kindergarten, kindergarten, and preschool classrooms; installation of a new early childhood playground and shade structure, a new shade structure, and a new metal PE shade structure; construction of new drives, parking, and entry plaza; and accessibility, utility, paving, fencing, and roofing improvements. Other future, but currently unfunded Master Plan improvements include a new multipurpose building and kitchen, field improvements, classroom modernization, replacement of portables with permanent buildings, additional student support spaces, makerspace, and administration building.

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 soils, 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 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 Migratory Bird Treaty Act 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 (February 1 to 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.
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.
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: a. Human bone - either isolated or intact burials. b. Habitation (occupation or ceremonial structures as interpreted from rock rings/features, distinct ground depressions, differences in compaction (e.g., house floors). c. 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.

	d. 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. e. 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: i. Structural remains or portions of foundations (bricks, cobbles/boulders, stacked field stone, postholes, etc.). ii. Trash pits, privies, wells, and associated artifacts. iii. Isolated artifacts or isolated clusters of manufactured artifacts (e.g., glass bottles, metal cans, manufactured wood items, etc.). iv. 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, he/she 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: Inadvertent Discovery of Human Remains.** 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:** 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 (7:00 AM to 6:00 PM on Monday through Friday and 9:00 AM to 6:00 PM on Saturdays with work prohibited on Sundays and holidays). Work on Sundays and holidays shall be approved if it is essential to ensure the project stays on schedule and avoids delays to allow completion of construction work activities prior to the start of school. Signs shall be posted at the entrance to the site and at construction equipment staging areas informing all workers and construction contractors of these requirements. Signs shall also be posted informing community members who to contact with noise concerns or questions. 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.

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 Section	**Standard Design and Construction Measure**
Air Quality	**Fugitive Dust** – To reduce potential fugitive dust that may be

Impact Section	Standard Design and Construction Measure
	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. 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

Impact Section	Standard Design and Construction Measure
	specific geotechnical reports. All recommendations from these required reports shall be included in project plans and specifications.
Hazardous Materials	**Identification Removal and or Remediation.** Current and 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 its 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.

Impact Section	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.

BRIARWOOD ELEMENTARY SCHOOL MASTER PLAN INITIAL STUDY

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Appendix A: Briarwood Elementary Detailed Emissions Report

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Appendix C: Archaeological Review [Confidential – held on file at the District]

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Chapter 1. Introduction

This Initial Study evaluates the potential environmental effects of a project to implement Master Plan improvements at the Santa Clara Unified School District's Briarwood Elementary School site.

1.1 PROJECT BACKGROUND AND OVERVIEW

This Initial Study evaluates the environmental impacts of the project which is the implementation of a Master Plan for facility improvements at Briarwood Elementary School, located at 1930 Townsend Avenue, Santa Clara. A Master Plan is a dynamic long-term planning document that provides a visionary site plan to guide future expansion with enhanced student and community access to the site. The Master Plan construction will be arranged in phases of which only Phase 1 is funded. Full buildout of the Master Plan includes replacing or renovating most of the buildings on campus and other campus renovations include the following:

- Replace the Children's Center portable buildings with permanent buildings;
- Construct new office/administration building with student support spaces for wellness;
- Construct new classrooms to replace old portable buildings;
- Construct a new multipurpose building with kitchen;
- Construct new drives, pick-up/drop-off, entry plaza, and parking facilities;
- Classroom modernization
- Additional student support spaces
- Makerspace
- All-inclusive playgrounds and shade structures;
- Field improvements; and
- Accessibility, utilities, paving, fencing, and roofing improvements.

The intent of the Master Plan is to modernize the campus and update facilities for current and projected school needs. The Master Plan supports a decrease in student population at the site from 795 to 563 students. Currently, funding is only identified for Phase 1. Phase 1 of the project will be funded with general obligation bond Measure BB funds approved by voters in 2018. The other improvements identified in the Master Plan will be completed as funding is secured for each phase.

1.2 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 is the appropriate environmental review document for the Briarwood 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.

1.3 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:

Melissa Kersh
Project Manager for Facility Development and Planning
Santa Clara Unified School District
1889 Lawrence Road
Santa Clara, CA 95051
408.423.2148

1.4 DOCUMENT PURPOSE AND ORGANIZATION

The purpose of this document is to evaluate the potential environmental effects of the Briarwood 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. This chapter provides a list of references used to support the analysis.
- Chapter 5 –Report Preparation. This chapter provides a list of those involved in the preparation of this document
- Appendices – Includes the technical reports.

Chapter 2. Project Description

2.1 PROJECT PURPOSE

The SCUSD is undertaking Master Plan (project) improvements at Briarwood 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 District voters in 2018.

2.2 PROJECT LOCATION AND SURROUNDING LAND USES

The project site is the 12.13-acre Briarwood Elementary School site located at 1930 Townsend Avenue in the central 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 Victoria Avenue to the south, and Nobili Avenue to the west. Multifamily housing is located to the east along Cabrillo Avenue and Townsend Avenue. Machado Park and baseball fields abut the campus to the north. The District's Briarwood Elementary School site property includes the baseball fields, but not Machado Park. See Figure 2-1 and Figure 2-2 for regional and aerial mapping of the project site.

The project site is designated by the General Plan as Public/Quasi Public and Zoned B: Public or Quasi Public. Other General Plan land use designations surrounding the project site include Very Low Density Residential (Zoned R1-6L - Single Family) to the north, west, and south, and Medium Density Residential (R3-25D - Moderate Density Multiple Dwelling) located east across Cabrillo Avenue and along Townsend Avenue.

2.3 SITE FEATURES

The school was established in 1954 and currently has a total of 32 self-contained classrooms with the capacity to support up to 795 students from preschool through fifth grade. The classrooms include one specialized academic instruction classroom (K/1), a speech therapy room, and two computer labs. Other existing buildings include a multi purpose building and a library.

The project site is rectangular with frontage along Townsend Avenue, which runs in a north-south direction. The school's buildings are located in the southeast quadrant of the site, with playing or sports fields/courts on the west and parking areas on the northeast. All the buildings are single-story, except for the multipurpose building, which is 1.5 stories and located near the entrance driveway off of Townsend Avenue. One pedestrian accessway to the west side of the campus is present on Nobili Avenue at Bella Vista Avenue.

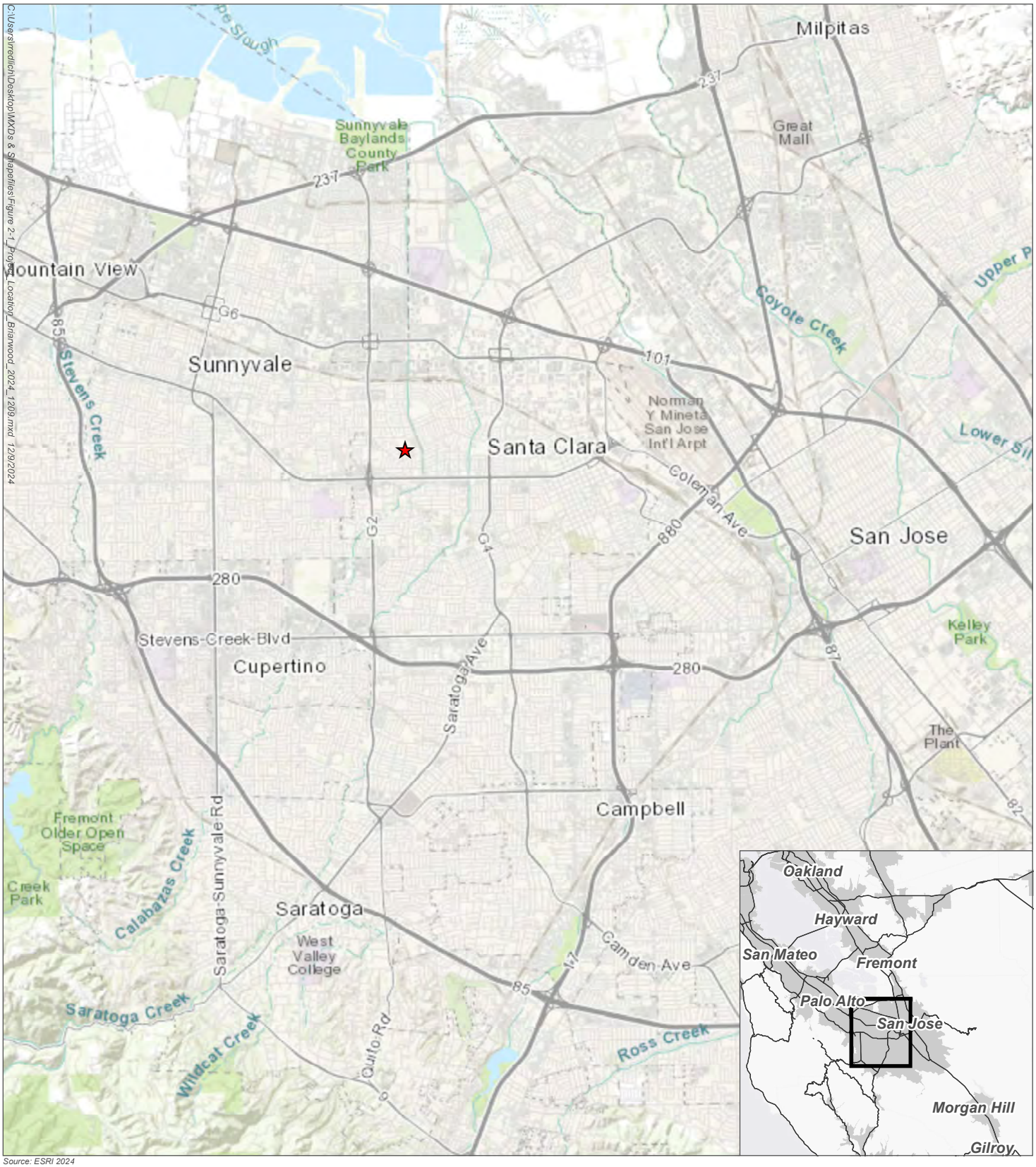


Figure 2-1 Project Location

SCUSD Briarwood Elementary Master Plan

Figure 2-2 Project Vicinity

Photo 1: Viewing west toward the front of the school from Townsend Avenue.

Photo 2: Viewing southwest along the southwest boundary of the site from Townsend Avenue.

Figure 2-3 Site Photos 1 & 2

Photo 3: Viewing west along the baseball fields from the existing walkway.

Photo 4: Viewing west across the play field toward the northwest boundary of the site.

Figure 2-4 Site Photos 3 & 4

Photo 5: Viewing east toward the existing classroom buildings from the play field.

Photograph 6: Viewing south across the play field toward the south and west boundaries of the site.

Figure 2-5 Site Photos 5 & 6

Photo 7: Viewing northeast toward the existing classroom buildings from the southwest corner of the site.

Photo 8: Viewing south toward the southeast boundary of the site.

Figure 2-7 Site Photos 9 & 10

Photo 9: Viewing southeast along the northeast boundary of the site toward Townsend Avenue.

Photo 10: Viewing north along the northeast boundary of the site from the existing parking lot.

Figure 2-7 Site Photos 9 & 10

2.4 CURRENT OPERATIONS AND EXISTING USES

School operations currently operate according to the following schedule:

- Preschool
    - Monday through Friday – 8:15 a.m. to 11:15 a.m.
- Transitional Kindergarten:
    - Monday, Tuesday, Thursday, and Friday – 8:15 a.m. to 1:30 p.m.
    - Wednesday - 8:15 a.m. to 1:05 p.m.
- Kindergarten to 2nd Grade:
    - Monday, Tuesday, Thursday, and Friday – 8:15 a.m. to 2:10 p.m.
    - Wednesday - 8:15 a.m. to 1:21 p.m.
- 3rd Grade to 5th Grade:
    - Monday, Tuesday, Thursday, and Friday – 8:15 a.m. to 2:35 p.m.
    - Wednesday – 8:15 a.m. to 1:21 p.m.

Proposed hours of school operation will not change as a result of implementation of the Master Plan. Some elementary and middle SCUSD school sites 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

Currently, funding is only identified for Phase 1 of the Master Plan. The Phase 1 proposed Master Plan improvements include:

- Demolishing and reconstructing two wings into flex, transitional kindergarten, kindergarten, and preschool classrooms;
- New early childhood playground and shade structures;
- Metal PE shade structure;
- New driveways and parking;
- New entry plaza;
- Accessibility, utility, paving, fencing, and roofing improvements.

The following other improvements identified in the Master Plan will be completed as funding is secured for each phase:

- Multipurpose building and kitchen;
- Field improvements
- Classroom modernization;
- Replacement of portables with permanent buildings
- Additional student support spaces;
- Makerspace
- Administration building.

The proposed full buildout of the Master Plan includes 23 classrooms and would support a maximum capacity of 563 students. The full buildout of the Master Plan would result in nine fewer classrooms and 232 fewer students than are currently accommodated, therefore the proposed school under the Master Plan would result in a smaller number of students than the current school. No new uses are proposed by the Master Plan project.

Construction

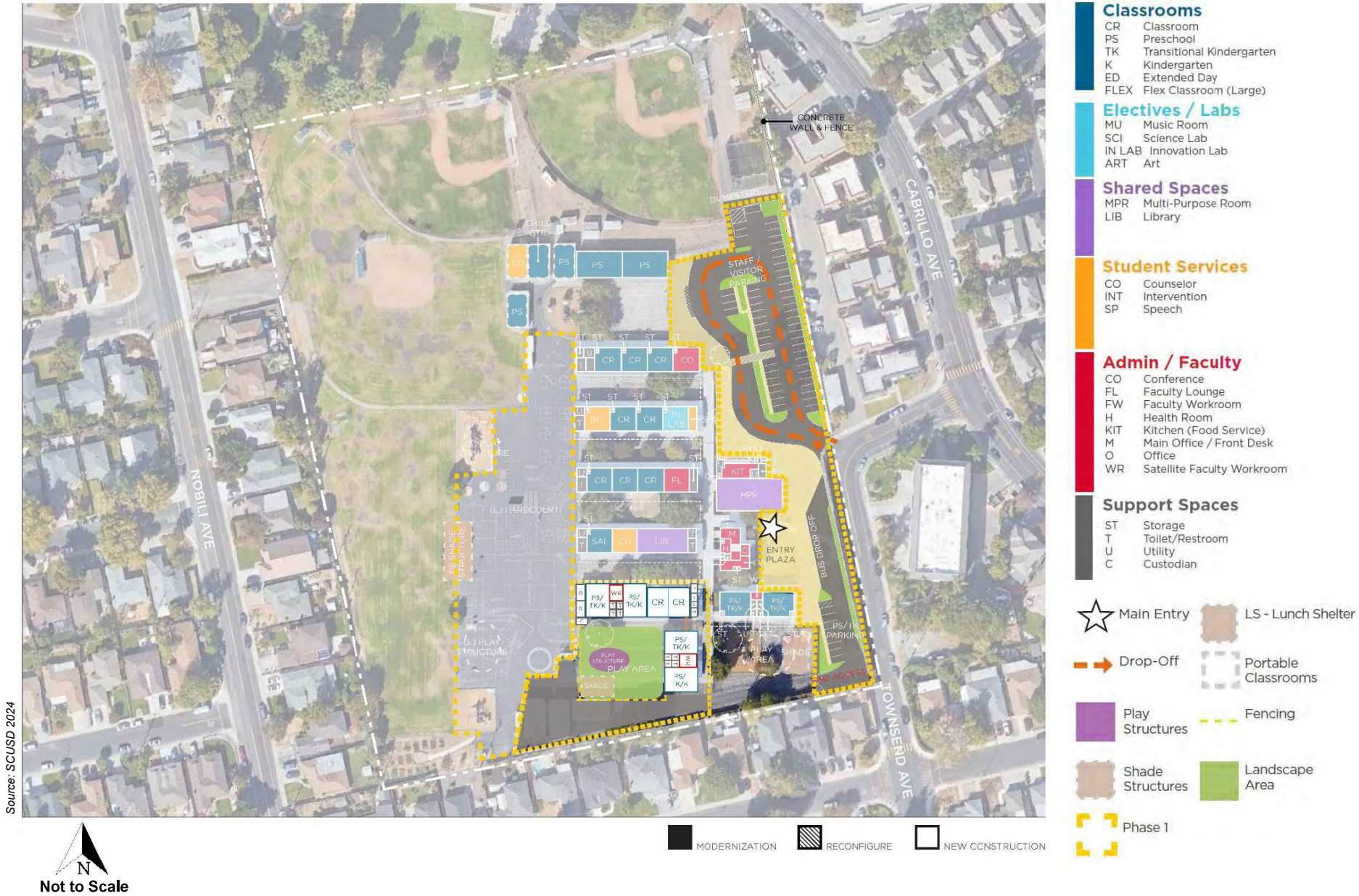
Phase 1 of project construction is anticipated to begin in the summer of 2025. All uses are anticipated to remain on site and the construction is anticipated to be ongoing during the school year. The site currently may have adequate availability of classrooms and facilities to accommodate the students and provide services that will be unavailable during Phase 1 constuction. If there is not adequate space on the campus for all existing programs, the District will temporarily relocate those programs, students and staff to another campus that currently has available space. These programs will remain off site until the construction of Phase 1 is completed.

All phases of Master Plan construction are anticipated to require the use of typical construction equipment. This would include backhoes and hauling trucks, which would be used for grading as well as for import and export of material such as earth, 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 Master Plan construction. Short periods of lane closures may be required when new driveways are constructed for the new parking lot. The contractor will be required to prepare a construction logistics plan to coordinate construction and maintain access and safety during construction.

Figure 2-8 Full Build Out Master Plan Improvements

SCUSD Briarwood Elementary School Master



Source: SCUSD 2024

Figure 2-9 Phase 1-B Master Plan Improvements

SCUSD Briarwood Elementary School Master Plan

2.6 STANDARD DESIGN AND CONSTRUCTION MEASURES

The proposed Briarwood Master Plan improvements would be implemented consistent with all relevant federal, state, regional, and local regulations intended to prevent or reduce 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 Section	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

Table 2.6-1 Standard Design and Construction Measures	
Impact Section	**Standard Design and Construction Measure**
	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 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.** Current and 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 and implemented by the District and/or its 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 (Construction General Permit). The Construction General Permit requires the filing of a Notice of Intent with the State Water Resources Control Board 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 program for construction, construction contractors shall install and maintain appropriate

Table 2.6-1 Standard Design and Construction Measures	
Impact Section	**Standard Design and Construction Measure**
	Best Management Practices, 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.
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:** Briarwood 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, Architect, LEED AP, Director, Facility Development and Planning, (408) 423-2085

4. **Project Location:** 1930 Townsend Avenue, Santa Clara, CA 95051

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 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 classroom modernization, replacement of portable classrooms with permanent classroom buildings, and would ultimately support 23 classrooms and a maximum capacity of 563 students, which represents nine fewer classrooms and 232 fewer students than are currently accommodated, and other on-site improvements. Phase 1 (targeted for completion in Fall 2026) includes: Converting two wings into flex, transitional kindergarten, kindergarten, and preschool classrooms; new early childhood playground and shade structure, new shade structure, new metal PE shade structure; new drives, parking, and entry plaza; and accessibility, utility, paving, fencing, and roofing improvements. Other future Master Plan improvements include a new multipurpose building and kitchen, field improvements, classroom modernization, replacement of portables with permanent buildings, additional student support spaces, makerspace and administration building.

9. **Surrounding Land Uses and Setting:** Single-family residences abut the site along Nobili Avenue and Victoria Avenue on the west and south sides, respectively. Multi-family residences abut the site along Townsend Avenue and Cabrillo Avenue on the east side. Machado Park is adjacent to the site on the north. The baseball fields are located within the northern portion of the project site and are accessed through Machado Park from Cabrillo Avenue, or through the Briarwood Elementary School parking lot.

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.

Mark A. Olivo — 12/16/24

Signature — 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's 2010-2035 General Plan (General Plan) is the primary source 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 of these visual resources, nor any natural or historic features that are considered scenic resources by the City (City of Santa Clara 2014).

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 2018).

As discussed in Section 2.2, Briarwood Elementary School is located in the central portion of the City of Santa Clara. Single-family residences abut the site along Nobili Avenue and Victoria Avenue on the west and south sides, respectively. Multi-family residences abut the site along Townsend Avenue and Cabrillo Avenue on the east side. Machado Park is adjacent to the site on the north. Baseball fields are located within the northern portion of the project site and are accessed through Machado Park from Cabrillo Avenue, or through the Briarwood Elementary School parking lot.

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 the California Department of Transportation, 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 7.1 miles southwest 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.

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. 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 trees and 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 seven miles southwest of the project site in Saratoga. Therefore, the project would not damage scenic resources within a state scenic highway. 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. 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. All of the proposed buildings are one to two stories in height. 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. Construction equipment would be visible for the duration of construction period, which is anticipated to occur in several phases as funding becomes available over the next 30 years; however, the presence of equipment would be temporary as construction progresses. Tree removal is proposed; however, landscape plans include additional tree plantings to offset the losses. Phase 1 shows four trees to be removed and 11 trees to be protected in place within the Phase 1 footprint. Phase 1 also proposes 40 new 36-inch box tree plantings. 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 exist currently. 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 Farmland (CDC) Mapping and Monitoring Program identifies the area as Urban and Built-up Land, defined as "Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, construction, institutional, public administration, railroad and other

transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes (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 proposed 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 the project site (CDC 2022). All construction activities are not in 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, in general, 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 $PM_{2.5}$ standard (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 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 Briarwood Elementary School campus on Townsend Avenue. The existing campus includes 32 classrooms with the capacity to support up to 795 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, ovens), and area sources (e.g., water and space heating equipment and

[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.

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, senior citizens, or people will illnesses (BAAQMD 2023a, 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 that border the school grounds to the west and south (Nobili Avenue and Victoria Avenue, respectively).
- Multi-family residential receptors approximately 50 feet east of the site, across Townsend Avenue, as well as farther to the east across Cabrillo Avenue.
- Receptors north of the site adjacent to the school grounds at Machado Park.

3.3.2 Regulatory Setting

State

CARB In-Use Off-Road Diesel Vehicle Regulation

The California Air Resources Board (CARB) 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 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. In 2022, CARB approved amendments requiring the use of renewable diesel fuel starting January 1, 2024. Fleets comprised of Tier 4 Final equipment or zero emission equipment are exempt from this requirement.

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 eight 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.

Regional

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 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

Regulation	***Rule***	***Description***
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.

Table 3.3-1: Potentially Applicable BAAQMD Rules and Regulations		
Regulation	***Rule***	***Description***
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).

Local

Santa Clara Unified School District

The District maintains a Board Policy Manual which establishes the long range vision for District programs and activities that focuses on the achievement and well-being of students and reflects the importance of preparing students for the future academically, professionally, and personally. Below are relevant policies that apply to air quality:

- *Board Policy 3510: Green School Operations*. The Governing Board believes everyone has a responsibility to be a steward of the environment and desires to integrate environmental accountability into all district programs and operations. The Superintendent or designee shall develop strategies to promote district use of "green" school principles and practices in order to conserve natural resources, reduce the impact of district operations on the environment, and protect the health of students, staff, and the community.

- In developing such strategies and assessing the environmental conditions in district facilities and operations, the Superintendent or designee shall involve staff at all levels and with varying job responsibilities, including administrators, certificated staff, and classified staff. As appropriate, the Superintendent or designee may also consult with health professionals; representatives of local governmental agencies, utilities, solid waste and recycling companies, and community organizations; and/or others with expertise.

  In selecting and prioritizing strategies, the Superintendent or designee shall give consideration to long-term potential cost savings, initial costs, feasibility of implementation, quality and performance of the product or service, health impacts, environmental considerations, and potential educational value.

  District strategies may include, but are not limited to:

  1. Reducing energy and water consumption, and using renewable and clean energy technologies and alternatives when available.

  2. Establishing recycling programs in district facilities.

  3. Reducing the consumption of disposable materials by reusing materials and by using electronic rather than paper communications when feasible .

  4. Using environmentally preferable products and services whenever practical, including, but not limited to, products that:

     a. Minimize environmental impacts, toxins, pollutants, odors and hazards.

     b. Contain postconsumer recycled content.

     c. Are durable and long-lasting.

     d. Conserve energy and water.

     e. Reduce waste.

  5. Using least toxic, independently certified green cleaning products when feasible, as well as high-efficiency cleaning equipment that reduces the need to use chemicals.

  6. Providing professional development to maintenance staff in the proper use, storage, and disposal of cleaning supplies.

  7. Using effective, least toxic pest management practices for the control and management of pests.

  8. Ensuring that any construction of new facilities complies with green building standards pursuant to 24 CCR 101.1-703.1, and focusing on sustainability and

student health in the design and implementation of facilities modernization projects.

9. Reducing vehicle emissions by:

    a. Encouraging students to walk or bicycle to school or to use district or public transportation.

    b. Using reduced or zero emission school buses and vehicles and providing accompanying infrastructure such as charging stations.

    c. Limiting unnecessary idling of school buses in accordance with 13 CCR 2480.

    d. Limiting unnecessary idling of personal vehicles by encouraging parents/guardians, through signage or other means of communication, to turn off their vehicles when parked on and around school grounds.

10. Implementing green school practices in the district's food service programs by:

    a. Providing fresh, locally sourced, unprocessed, organic food, including plant-based options, when available

    b. Reducing food packaging and using packaging that is recyclable and/or biodegradable

    c. Utilizing reusable products

    d. Encouraging zero-waste lunches when food is brought from home

    e. Maintaining a system for food waste, such as composting

    f. Providing sharing tables where unused cafeteria food items may, in accordance with Health and Safety Code 114079, be returned for student use or donated to a food bank or other nonprofit charitable organization

11. Integrating green school practices and activities into the educational program by providing instruction to students on the importance of the environment, involving students in the implementation and evaluation of green school activities and projects as appropriate, and utilizing green school activities and projects as learning tools

12. New school buildings and campuses will benchmark energy and track energy use over time using the US EPA's Portfolio Manager. Energy will be monitored and tracked for at least 2 years after occupancy and compared to the baseline benchmark to ensure building systems are operating correctly.

- *Board Policy 3514: Environmental Safety.* The Governing Board recognizes its obligation to provide a safe and healthy environment at school facilities for students, staff, and community members. The Superintendent or designee shall regularly assess school facilities to identify environmental health risks and shall develop strategies to prevent and/or mitigate environmental hazards. He/she shall consider the proven effectiveness of various options, anticipated short-term and long-term costs and/or savings to the district, and the potential impact on staff and students, including the impact on student achievement and attendance.

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

Table 3.3-2: BAAQMD 2017 Clean Air Plan Control Measure Sectors		
		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 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.

Table 3.3-2: BAAQMD 2017 Clean Air Plan Control Measure Sectors		
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 track-out 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 Chapter 2 (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.

- 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. Finally, the project would not exacerbate or contribute to disparities among Bay Area communities in cancer health risk from toxic air contaminants (see discussion c) 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, and from using 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 2023a). 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 would include expansion and re-surfacing of the parking lot and landscaping for the early childhood play area. Future phases would ultimately include expansion and re-surfacing of the hardcourts, construction of the physical education, STEM and extended day classrooms, storage and office buildings, landscaping for the field, outdoor learning areas, STEM garden, sensory garden, and early childhood garden. The project would disturb landscaping, and resurface approximately 1.6 acres during Phase 1, and ultimately an additional 6.4 acres in future phases for a combined 8.0 acres in total. Project construction is anticipated to begin in 2025 and last approximately 8-12 months. Once constructed, the new school building would generate emissions of criteria air pollutants from student use of the site such as vehicle trips, building energy consumption, etc.

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 square feet) and operational screening size (488,000 square feet)[(A)] for elementary school land use.	Consistent - The proposed project would construct approximately 21,500 square feet 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 two classroom buildings, existing kitchen, and storage building.
Construction Phases	Construction does not include simultaneous occurrence of more than two construction phases (e.g., grading, paving, and building construction would occur simultaneously).	Not consistent - The proposed project would 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.	Potentially Inconsistent - The project would balance existing soils on-site and would involve approximately 13,000 square feet of building debris export activity.

Table 3.3-3 Project Consistency with BAAQMD Screening Criteria		
Screening Criterion	***Requirement***	***Project Consistency***
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 2023a (A) Screening level sizes from Table 4-1 of BAAQMD CEQA Guidelines (BAAQMD 2023a)		

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. 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 percent.

- **Demolition Building Square Footage:** Approximately 13,000 square feet of building demolition was added to the model to account for demolition and removal of the existing structures.

- **Project Phasing:** Although the project includes potentially multiple phases, all project construction activities were modeled as a single project to provide a conservative 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	1.9	0.1	0.1	<0.1	0.1
2026	0.2	0.2	0.3	<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	9.1	10.7	0.5	0.4	0.2	0.4
2026	0.9	1.1	1.4	<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 2023a

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 2023a, 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.

- *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.

- *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.

The SCUSD has incorporated the BAAQMD basic construction measures into the project as BMPs that would be included in all construction documents (see Chapter 2 Project Description, Table 2.6-1). The inclusion of the BAAQMD's construction measures as BMPs for the project 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 BAAQMD 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, but 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 Project Features, the proposed project would result in nine fewer classrooms, reducing school enrollment capacity by 232 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 2023a 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 2023a). 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 Briarwood 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 diesel particulate matter (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 equipment and material lifts and 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 Briarwood 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.

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 nine fewer classrooms and approximately 232 fewer students at the Briarwood 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.

Briarwood 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 shall not be adopted or certified unless it contains sufficient information to 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. 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 project site is located on Townsend Avenue near the segment of Cabrillo Avenue between Calabazas Boulevard and Nobili Avenue. As identified in the City's General Plan Transportation and Mobility Assumptions, the segment of Calabazas Boulevard between Monroe Street and Cabrillo Avenue has an existing average daily traffic (ADT) volume of 7,160 vehicles as of 2008 and a projected 2035 ADT volume of 10,810 vehicles (City of Santa Clara 2014, Appendix Seven Table 8.7-5). The segment of Calabazas Boulevard between Cabrillo Avenue and El Camino Real has an existing ADT volume of 7,360 vehicles as of 2008 and a projected 2035 ADT volume of 9,229 vehicles (City of Santa Clara 2014, Appendix Seven 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 Briarwood Elementary School Campus that might reasonably be anticipated to emit hazardous emissions. The results of the consultation with the BAAQMD identified one facility within ¼-mile of the existing school (BAAQMD, 2023b). The facility (at 1693 Pomeroy Avenue) is a City of Santa Clara public administration building with a diesel-fueled back-up generator. This facility is located approximately 0.25 miles from Briarwood Elementary School and the emissions from this facility 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).

Pursuant to CEQA Guidelines Section 15816, the information above indicates the Briarwood 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 Briarwood Elementary School. This impact would be less than significant.

d) Result in other emissions (such as leading to odors) adversely affecting a substantial amount 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 Victoria Avenue to the south, and Nobili Avenue to the west. Multi-family

housing is located to the east along Cabrillo Avenue and Townsend Avenue. Machado Park and the baseball fields abut the school campus to the north.

Existing Landcover Types, Vegetation Communities, and Habitats

Developed

The landcover type within the study area is developed. This landcover type includes existing buildings, a manicured lawn, paved areas (e.g., parking lots, walkways, play area), baseball playing fields, Machado Park, and a variety of ornamental trees and shrubs throughout the campus. Trees surrounding the perimeter of the site and within Machado Park include crape myrtle (*Lagerstroemia indica*), fruitless mulberry (*Morus alba*), southern magnolia (*Magnolia grandiflora*), Italian stone pine (*Pinus pinea),* coast redwood (*Sequoia sempervirens)*, oak species (*Quercus* sp.), coast live oak (*Quercus agrifolia*), and western sycamore (*Platanus racemose)*. Shrubs throughout the campus include Japanese boxwood (*Buxus microphylla*), Chinese fringe flower (*Loropetalum chinense*), Indian hawthorn (*Rhaphiolepis indica*), and red escallonia (*Escallonia rubra*).

The wildlife that is 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. A 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. An active house finch nest was observed within the awning of an existing building associated with the baseball field. Although some species of bats will roost in trees and buildings, none of the trees and buildings on the site support potential roost 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 International 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 in 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 a Habitat Conservation Plan.

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 the 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 the 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 the 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." Section 404 and 401 of the CWA apply to activities that would impact waters of the U.S. The USACE enforces Section 404 of the CWA, and the California State Water Resources Control Board enforces Section 401.

State

California Environmental Quality Act (CEQA)

The California Environmental Quality Act (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 approves a development project 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. On July 10, 2023, Governor Newsom signed Senate Bill 147, which allows for permits to take "fully protected" species for certain renewable energy and infrastructure projects (e.g., critical regional or local water agency infrastructure, and certain transportation projects). This law now establishes a permitting process for these species. Under this new law, all permits must be processed pursuant to provisions in the CESA that authorize the CDFW to issue incidental take permits and require permittees to minimize and fully mitigate impacts to the species. The law also requires permittees to satisfy "conservation standards" that essentially require permittees to exceed typical minimization and mitigation measures associated with permits under CESA.

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, shrubs, and buildings on the project site and adjacent to the project site. Vegetation removal and building demolition, 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: Construction of the project could cause injury to individual birds or nest abandonment.

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-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, 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 MM 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 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.

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. There are a total of 47 trees on the project site according to the Draft Tree Inventory Report. Therefore, the project may result in the removal of up to 47 existing trees as a result of the Master Plan redevelopment. The City of Santa Clara City Code includes provisions to protect existing trees on private property in the City. 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 Sections 12.35.080 and 12.35.090 to this project, however, it was determined that the SCUSD does not fall under the City's jurisdiction for tree removals on District property (pers. comm. M. Healy 2024). As noted in the Aesthetics section, Phase 1 shows four trees would be removed and 11 trees would be protected in place within the Phase 1 footprint. Phase 1 also proposes 40 new 36-inch box tree plantings. 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?	☐	☒	☐	☐

Part of the following discussion is based on an Archaeological Resources Assessment Report prepared for the project by Basin Research Associates (Basin, November 2024). The geographic boundary in which the archeological resources assessment was conducted is known as the study area. The study area for the project is the project site including a 0.25-mile radius surrounding the parcel. Inquiries regarding the archeological resource assessment 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 site. No adobe dwellings or other structures and/or features, etc. have been identified in or adjacent to the project site. The project site is located along the west boundary of the Enright Tract; “Enright’s House” in/near the northwest corner of the tract.

The project is approximately 2.5 miles northwest of present-day Mission Santa Clara, founded in 1777 and moved to its present-day location and dedicated 1825/1828. The project is not mapped within or near the “City of Santa Clara Archeologically Sensitive Boundaries.”

American Period

The project was not within the early boundaries of City of Santa Clara that developed around Mission Santa Clara. The USGS topographic quadrangle map series indicates that Briarwood School site was undeveloped until the school was constructed between 1953 and 1961. By 1961 the school was surrounded by urban development. No known significant or listed American Era sites or places are located in and/or adjacent to the project.

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 (City of Santa Clara, 2022). 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).

In 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 18 elementary schools, three high schools, four middle schools, one K-8 school, and four alternative 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, and Wilcox High School.

Briarwood Elementary School

Briarwood Elementary School was built in the 1950s and expanded with portable classroom buildings between the 1970s and 1990s. The original building was designed in the mid-century modern style by architect Clyde D. Goudie and has sustained some minor alterations to material finishes over time, but retains its form and overall design.

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).

Architect's Biography: Clyde D. Goudie

Briarwood Elementary School was designed by architect Clyde Derwood Goudie (1909-1985) in 1954, while he was part of the architectural firm Kress & Gibson. Limited biographical information on Goudie is available, however he is identified as an architect, either individually or in partnership, for several schools in the Santa Clara Valley during this period.

As an architect, Goudie worked both independently and as a partner at various firms including Goudie & Griffin and Kress, Goudie, and Kress. The first known building Goudie designed was the Walter L. Bachrodt School under Goudie & Griffin/Griffin Joyce Associates, Inc., in San Jose, which opened in 1953. Kress, Goudie, and Kress designed Booksin Elementary and Schallenberger Elementary in Willow Glen in 1954. Goudie also designed a cafeteria addition at Willow Glen Elementary School in 1958.

Goudie designed several of the schools in the former Jefferson Union School District in Santa Clara. The firm Goudie & Griffin designed Pomeroy Elementary School, Sutter Elementary School, Curtis Middle School, and Bracher Elementary School. Goudie was listed as a member of the American Institute of Architects from 1960-1969.

Architectural Description

The Briarwood Elementary School campus occupies an area that constitutes approximately three and a half city blocks. Its boundaries are defined by Townsend Avenue and a private residential road (east), Machado Park (north), and residential buildings to the west and south. The campus is generally rectangular in plan. The campus is accessed by a two-way drive aisle on its east boundary that connects to a roundabout for drop-off parking. Paving connects the parking lots, buildings, and hardscaped play areas together. Chain link fencing restricts access to the campus along sections of the boundary.

The campus comprises nine permanent buildings and nine modular (portable) buildings. The buildings house classrooms, a multipurpose room, library, administrative offices, and other school functions. Buildings are clustered on the southeastern portion of the campus, while paved blacktops, playgrounds, sports fields, and an open lawn area make up the west and north portions of the campus.

The permanent buildings (identified as A through I in the below site plan) were built between 1954 and 1956 and exhibit characteristics of the Mid-Century Modern style of architecture. The majority are built of reinforced concrete over poured concrete foundations. The classroom blocks are rectangular in form, composed of multiple classrooms separated by interior walls with dedicated entrances. The buildings have a low pitch, even span end-gabled roofs (metal in most cases) with a second, lower overhang that slants upward on one side. Exterior walls are clad in stucco. Entrances to the classrooms and fenestration line both long sides of the buildings, while restrooms are typically located at one end. Other permanent buildings include the multipurpose building, the main office, and a kindergarten wing. The multipurpose building and kindergarten wing are similar in appearance to the classrooms but include clerestory windows and lack the second, lower overhang. The main office has a low pitch, uneven span end-gabled roof and is clad with brick wainscotting. The permanent buildings are connected by a covered walkway supported by metal posts.

There are nine modular and portable buildings on the campus that were installed to accommodate growth in the student body between 1971 and 1998. While they match the color schemes used on the permanent buildings, these modular and portable buildings are utilitarian in appearance and lack architectural distinction.

Figure 3-1 Site plan depicting the location of buildings

Figure 3-2 Typical Classroom: **Building F, west façade, view east**

Figure 3-3 **Typical Portable Building 8, north façade, view south**

Records Search Results

A prehistoric and historic site record and literature search was completed by the California Historical Resources Information System (CHRIS), Northwest Information Center (NWIC), at Sonoma State University, Rohnert Park. 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 and four reports are within the study area.

- 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 the study area.

- No known potential Hispanic Period archaeological resources (e.g., adobe dwellings or other structures, features, etc.) have been reported within the study area.

- No American Period archaeological sites have been recorded or reported within the study area.

- 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 National Register of Historic Places (NRHP) and/or California Register of Historical Resources (CRHR) are located within the study area. 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.

No archaeological field inventory of the Briarwood Elementary School was conducted due to the lack of native soil exposures within the campus.

Native American Outreach

The NAHC was contacted for a search of the SLF for the project site. The results were negative.

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 (NRHP)

Criteria for listing on the 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 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 potential 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 Briarwood 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 prolific 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 (Mitigation Measures CUL-1a, CUL-1b, and CUL-1c), 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.

With implementation of mitigation measures MM CUL-1a, b, and c, project related impacts to archaeological resources would be reduced to a less than significant level.

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: Inadvertent Discovery of Human Remains. 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.

With implementation of mitigation measures MM CUL-2 potential disturbance of human remains would be protected from direct and indirect impacts from construction. Therefore, project impacts would be less than significant with mitigation.

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 287,826 gigawatt hours (GWh) of electricity and 11,711 million therms of natural gas in 2022 (CEC 2023a and CEC 2023b).

In 2022, Santa Clara County accounted for approximately 5.9 percent of statewide electricity consumption and 3.6 percent of statewide natural gas consumption. Total electricity use in Santa Clara County was 17,102 million kilowatt hours (kWh), including 12,852 million kWh of consumption for non-residential land uses (CEC 2023a). Natural gas consumption was 424 million therms in 2022, including 190 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. For example, the project would not result in permanently occupied buildings and thus the State building code requirements pertaining to energy efficiency are not discussed below. See the Environmental and Regulatory Setting discussion in Section 3.8, 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 Low Carbon Fuel Standard (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 CARB 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 CARB 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).

Local

Santa Clara Unified School District

The District maintains a Board Policy Manual which establishes the long range vision for District programs and activities that focuses on the achievement and well-being of students and reflects the importance of preparing students for the future academically, professionally, and personally. Below are relevant policies that apply to energy:

- *Board Policy 3510: Green School Operations*. The Governing Board believes everyone has a responsibility to be a steward of the environment and desires to integrate environmental accountability into all district programs and operations. The Superintendent or designee shall develop strategies to promote district use of "green" school principles and practices in order to conserve natural resources, reduce the impact of district operations on the environment, and protect the health of students, staff, and the community.

  In developing such strategies and assessing the environmental conditions in district facilities and operations, the Superintendent or designee shall involve staff at all levels and with varying job responsibilities, including administrators, certificated staff, and classified staff. As appropriate, the Superintendent or designee may also consult with health professionals; representatives of local governmental agencies, utilities, solid waste and recycling companies, and community organizations; and/or others with expertise.

  In selecting and prioritizing strategies, the Superintendent or designee shall give consideration to long-term potential cost savings, initial costs, feasibility of implementation, quality and performance of the product or service, health impacts, environmental considerations, and potential educational value.

  District strategies may include, but are not limited to:

1. Reducing energy and water consumption, and using renewable and clean energy technologies and alternatives when available

2. Establishing recycling programs in district facilities

3. Reducing the consumption of disposable materials by reusing materials and by using electronic rather than paper communications when feasible

4. Using environmentally preferable products and services whenever practical, including, but not limited to, products that:

    a. Minimize environmental impacts, toxins, pollutants, odors and hazards

    b. Contain postconsumer recycled content

    c. Are durable and long-lasting

    d. Conserve energy and water

    e. Reduce waste

5. Using least toxic, independently certified green cleaning products when feasible, as well as high-efficiency cleaning equipment that reduces the need to use chemicals

6. Providing professional development to maintenance staff in the proper use, storage, and disposal of cleaning supplies

7. Using effective, least toxic pest management practices for the control and management of pests

8. Ensuring that any construction of new facilities complies with green building standards pursuant to 24 CCR 101.1-703.1, and focusing on sustainability and student health in the design and implementation of facilities modernization projects

9. Reducing vehicle emissions by:

    a. Encouraging students to walk or bicycle to school or to use district or public transportation

    b. Using reduced or zero emission school buses and vehicles and providing accompanying infrastructure such as charging stations

    c. Limiting unnecessary idling of school buses in accordance with 13 CCR 2480

d. Limiting unnecessary idling of personal vehicles by encouraging parents/guardians, through signage or other means of communication, to turn off their vehicles when parked on and around school grounds

10. Implementing green school practices in the district's food service programs by:

    a. Providing fresh, locally sourced, unprocessed, organic food, including plant-based options, when available

    b. Reducing food packaging and using packaging that is recyclable and/or biodegradable

    c. Utilizing reusable products

    d. Encouraging zero-waste lunches when food is brought from home

    e. Maintaining a system for food waste, such as composting

    f. Providing sharing tables where unused cafeteria food items may, in accordance with Health and Safety Code 114079, be returned for student use or donated to a food bank or other nonprofit charitable organization

11. Integrating green school practices and activities into the educational program by providing instruction to students on the importance of the environment, involving students in the implementation and evaluation of green school activities and projects as appropriate, and utilizing green school activities and projects as learning tools

12. New school buildings and campuses will benchmark energy and track energy use over time using the US EPA's Portfolio Manager. Energy will be monitored and tracked for at least 2 years after occupancy and compared to the baseline benchmark to ensure building systems are operating correctly.

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 (Responses a and b). The proposed project would involve the demolition/removal of existing portable classrooms and buildings (including the kitchen and storage building) and construction of several new buildings for administration, kitchen, storage, 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 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 than existing campus buildings and would include solar photovoltaic panel systems per the 2022 Building Energy Efficiency Standards. Furthermore, the proposed project would result in nine fewer classrooms and 232 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?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

3.7.1 Environmental Setting

The following information is based in part on two geological reports prepared for the project by Geo-Logic Associates: a Geotechnical Study dated September 23, 2024, and a Geologic and Seismic Hazards Evaluation report dated February 7, 2023. Both reports are included as Appendix D.

Geologic Setting

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.

Local and Regional Seismicity

The 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 8.7 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 is the Monte Vista-Shannon fault, located approximately 5.6 miles southwest of the site. The next closest active or potentially active faults are the Hayward Fault, located approximately 9.3 miles northeast, and the Calaveras Fault, located approximately 11 miles northeast.

There are several other minor faults concealed beneath the alluvium of Santa Clara Valley which are considered to have been active during Quaternary time and thus are potentially active; however, evidence of Late Quaternary activity is lacking. These faults include the San Jose, and Silver Creek faults, and are not considered significant independent seismic sources by Geo-Logic Associates and were therefore not considered independently in their seismic source assessment.

Soils

A field investigation conducted by Geo-Logic Associates on April 17, 2024 included a subsurface exploration program consisting of two exploratory drill holes to depths of approximately 7 to 20 feet below ground surface (bgs) and one cone penetration test probe to depths of approximately 15 to 50 feet bgs. For drill hole testing, soils encountered at depths of 7 – 17 feet bgs included stiff to very stiff fat clay of high plasticity, loose to medium dense clayey sand to stiff sandy clay, as well as medium dense to dense clayey sand with gravel. Soft to firm clay of intermediate plasticity was encountered at depths of about 17 – 20 feet bgs. Soils encountered during cone penetration testing consisted of stiff cohesive soils, and medium dense granular soils to depths of about 15 – 26 feet bgs. Stiff to very stiff cohesive soils with interbeds of granular soils were encountered to a depth of about 49 feet bgs, and medium dense to dense granular soils were encountered to the maximum explored depth of about 50 feet bgs.

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. Locally expansive soils may occur

wherever clayey soils exist. Soil samples taken on site indicate the clay has a high plasticity which generally corresponds to a high expansion potential. Therefore, soils with expansive potential occur on site.

Groundwater

Groundwater was encountered in the drill hole and cone penetration tests at a depth of about 7.4, 7.5, and 9, feet bgs, respectively. It should be noted that fluctuations in the groundwater level may occur due to seasonal variations in rainfall and temperature, water level in nearby creeks, pumping from wells, regional groundwater recharge program, irrigation, or other factors that were not evident at the time of our study.

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.

The project site is located in a California Geological Survey (CGS) Earthquake Zones of Required Investigation liquefaction hazard zone and a County of Santa Clara liquefaction hazard zone. Computer programs were used to assess liquefaction potential at the project site. According to the results, the risk of liquefaction at the project site 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.

Ground Shaking

The site is in an area of high seismicity. Based on general knowledge of site seismicity, it should be anticipated that, during the design life of the improvements, the site will be subject to high intensity ground shaking from at least one severe earthquake (magnitude 7 to 8+). It is also anticipated that the site will periodically experience small to moderate magnitude earthquakes. The proposed improvements should be designed accordingly using applicable building codes and experience of the design professionals.

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 2022 edition of the CBC became effective on January 1, 2023, and is based on the 2021 International Building Code (IBC) of the International Code Council, with California amendments. The 2022 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 IBC;
- 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 State Division of the State Architect (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 Division of the State Architect (DSA) for compliance before a contract for construction is awarded;
- Qualified inspectors, independent of the contractors and hired by the school districts, 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 8.7 miles southwest. Due to the distances of faults from the project site, and the absence of known active 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 the seismic design requirements identified in a site-specific geotechnical report that is reviewed and approved by California Geological Survey. In addition to site-specific geotechnical recommendations, the project, design and construction of new buildings will comply with seismic safety requirements of the DSA and CBC. Compliance with DSA and CBC requirements would ensure that potential hazards from strong seismic ground shaking is addressed through the design 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 in a California Geological Survey (CGS) Earthquake Zones of Required Investigation liquefaction hazard zone and a County of Santa Clara liquefaction hazard zone. As discussed in Section 3.7.1, liquefaction potential at the project site was assessed and the risk of liquefaction at the project site is considered low. 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 each phase of 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 Calabazas Creek, located approximately 1,040 feet east of the site and its invert is about 13 to 15 feet bgs.

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 (Geo-Logic 2022). 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 fall in on themselves. Due to groundwater recharge program by Valley Water, this trend has been halted (Geo-Logic 2022).

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. As stated in Section 3.7.1, soils with high expansion potential are present as the project site. 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. The 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. No septic systems or alternative wastewater disposal systems would be constructed or used; therefore, no impact 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 2 to 3 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. Therefore, Mitigation Measure GEO-3 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 air pollutants (see Section 3.3.1) 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 422 ppm in October 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, CH_4 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 percent 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 (RTP). 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 percent 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 2017b). 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.

Local

Santa Clara Unified School District

The District maintains a Board Policy Manual which establishes the long range vision for District programs and activities that focuses on the achievement and well-being of students and reflects the importance of preparing students for the future academically, professionally, and personally. Below are relevant policies that apply to energy:

- *Board Policy 3510: Green School Operations*. See sections 3.3.2 or 3.6.2 for full text of the District's Green School Operations policy.

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.

Would the project:

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

[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.

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

Less Than Significant Impact (Responses a – b). The proposed project would involve the demolition/removal of existing portable classrooms and buildings (including the kitchen and storage building) and construction of several new buildings for administration, kitchen, storage, 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 completion. Operationally, the proposed project would result in nine fewer classrooms and 232 fewer students being supported at Briarwood 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 Briarwood Elementary School campus. This reduction in GHG emissions would also offset the temporary GHG emissions generated by project construction. Furthermore, as required by the 2022 Building Energy Efficiency Standards, the proposed project would include solar panel installation. For these reasons, the proposed project would not generate GHG emissions that could have a significant impact on the environment and would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions. 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?	☐	☐	☐	☒

3.9.1 Environmental Setting

The project site is an existing elementary school campus on Townsend Avenue in the City of Santa Clara on a city block bounded on three sides by single- and multi-family residential properties on Nobili Avenue, Victoria Avenue, and part of Cabrillo Avenue. The site was developed as a school in the early 1950s and previous to that was undeveloped.

Calabazas Creek, located approximately 680 feet east of the project site, is an existing concrete lined creek channel in a highly urbanized setting along Calabazas Boulevard.

A review of the California Department of Toxic Substances Control Envirostor Database reveals the school site with an "active" clean up status undergoing a school site investigation (see Preliminary Environmental Assessment Work (PEA) Plan, below). The Envirostor database did not reveal active hazardous materials or waste cleanup cases within a 1000-foot radius of the project site. The State Water Resources Control Board's GeoTracker database identifies one site within a 1000-foot radius of the project site: a former Chevron Gas station at 3205 Cabrillo Avenue with a former leaking underground storage tank (LUST). However, status of this case is "Completed – Case Closed" as of 1997 (SWRCB 2022).

Preliminary Environmental Assessment Report

The California Department of Education (CDE) has adopted an environmental policy requiring that, if applicable, ambient air, subsurface soils, and shallow groundwater at school sites will be evaluated for contamination. A "No Further Action" and/or "partial site approval" designation from the DTSC must be obtained before the CDE can approve a school district for the acquisition and/or construction of a new school site or buildings.

A Preliminary Environmental Assessment (PEA) Report is currently being prepared for the project which is intended to identify whether a release or threatened release of hazardous substances exists at the subject property and to evaluate the potential risk to human health or the environment before the DTSC issues a "No Further Action" designation. The PEA Report summarizes the findings and conclusions of the Draft Preliminary Environmental Assessment Work Plan (see Draft Preliminary Environmental Assessment Work Plan discussion, below).

The overall objectives of the PEA include the following:

- evaluate historical information regarding the past use, storage, disposal, or release of hazardous wastes/substances at the subject property;
- conduct a field sampling and analysis program to characterize the nature, concentration, and extent of hazardous wastes/substances present in soil;
- estimate the potential threat to public health and/or the environment posed by known hazardous constituents at the Site using a residential land use scenario.

Using information developed during the PEA and the conservative human and ecological risk evaluation to be conducted using the DTSC PEA Guidance Manual, the DTSC will make an informed decision regarding potential risks, if any, posed by the subject property.

Possible outcomes of the PEA decision include the following:

- The requirement for further assessment through the remedial investigation/feasibility study process if the site is found to be significantly affected by hazardous substances;
- The need to perform a removal action for areas where localized impacts by hazardous substances release(s) are found;

- Issuance of a “No Further Action” finding if the site is found not to be affected or if risks to human health and the environment are found to be within acceptable levels based on the conservative screening-level risk assessment.

Draft Preliminary Environmental Assessment Work Plan (Arcadis 2024)

A Draft Preliminary Environmental Assessment (PEA) Work Plan was prepared by Arcadis in August 2024 and submitted to the Department of Toxic Substances Control for review and approval. The work plan addressed a 3.29-acre portion of the Briarwood Elementary School campus. The PEA work plan presents a background due diligence assessment of the subject property and a scope of work to evaluate potential areas of concern (PAOC) found during the background due diligence.

The purpose of the background due diligence is to identify recognized environmental conditions (RECs), controlled recognized environmental conditions (CRECs), and historical recognized environmental conditions (HRECs) associated with the subject property. A REC is defined as “the presence of hazardous substances or petroleum products in, on, or at the subject property due to a release to the environment”; (2) the likely presence of hazardous substances or petroleum products in, on, or at the subject property due to a release or likely release to the environment; or (3) the presence of hazardous substances or petroleum products in, on, or at the subject property under conditions that pose a material threat of a future release to the environment. A CREC is defined in as “recognized environmental condition affecting the subject property that has been addressed to the satisfaction of the applicable regulatory authority or authorities with hazardous substances or petroleum products allowed to remain in place subject to implementation of required controls (for example, activity and use limitations or other property use limitations).” An HREC is defined as “a previous release of hazardous substances or petroleum products affecting the subject property that has been addressed to the satisfaction of the applicable regulatory authority or authorities and meeting unrestricted use criteria established by the applicable regulatory authority or authorities without subjecting the subject property to any controls (for example, activity and use limitations or other property use limitations).”

The findings of the field activities will be presented in a PEA report following implementation of the PEA work plan. A summary of the Draft PEA Work Plan findings is provided below:

Site History. The subject property appeared in topographic maps from as early as 1889 as undeveloped land depicted as part of the Enright Tract. This tract appeared to denote the bounds of a historical farm owned by James Enright. No significant changes were evident until 1939 when the subject property was visible in aerial photography as part of a larger tract of agricultural row crop land that adjoins orchards to the west and south. By 1948, two small structures were visible along the southern boundary of the subject property. No significant changes were evident until 1956, when the subject property was developed with the original portion of the concrete-paved driveways along the eastern boundary of Briarwood Elementary School, Building F, and the adjoining paved recreational area. By 1960, the remaining buildings at Briarwood Elementary had been constructed including Building G in the southern portion of the subject property. No significant changes were evident until 1963, when markings were visible on the asphalt-paved recreational areas in the western portion of the subject property. No

changes were evident until sometime prior to 1993, when the two playground areas were constructed in the southwestern and southeastern portions of the subject property. By 1998, the portable classroom buildings had been constructed in the southern portion of the subject property. No significant changes were evident until 2000, when the garden area in the southwestern portion of the subject property was first visible in aerial photography. By 2002, the pad-mounted transformer located along the southern boundary of the subject property was visible. No changes were evident until 2008, when the current Conex container west of the portable classrooms was first visible. No other significant changes were evident through the present.

The subject property was historically listed as Jefferson Union School District Administration Building (1957, 1963), SCUSD Board of Education Administration Building (1975, 1980), and Briarwood Elementary School (1960 to 2020). According to the EDR Radius Map listings, the school was also historically named Pomeroy Elementary School.

Conclusions and Recommendations. Based on the results of Arcadis' subject property history research and site reconnaissance, a sampling and analysis program will be implemented during the PEA to evaluate the following:

- The potential presence of metals (e.g., lead and arsenic) and organochlorine pesticides (OCPs) in shallow soil associated with historical agricultural use throughout the subject property.
- The possible presence of lead and in shallow soil associated with historical use of lead-based paint on the buildings (excluding recent portable buildings) at the subject property.
- The possible presence of polychlorinated biphenyls (PCBs) in shallow soil associated with the potential historical use of PCBs in window caulking and/or glazed paint.
- The possible presence of termiticides in soil associated with the historical use with wood-framed buildings.
- The potential presence of naturally occurring asbestos (NOA) in shallow soils throughout the subject property.
- The possible presence of total petroleum hydrocarbons (TPH) in soils underlying the asphalt-paved parking lots at the subject property.
- The potential presence of volatile organic compounds (VOCs), particularly tetrachloroethylene (PCE), in soil vapor from off-site sources. Note, if VOCs are detected in soil vapor, the potential presence of VOCs in groundwater should be investigated in future assessments.

PEA Work Plan Soil and Materials Testing. The work plan outlined a proposed sampling strategy to address the recommendations provided. Sampling strategies were proposed for classrooms and buildings, portable classroom buildings, recreational asphalt and field areas,

and the school parking lot. Testing was proposed for OCPs, PCBs, CAM-17, THP, metals, naturally occurring asbestos, and VOCs.

Prior to implementation of the PEA work plan, Arcadis will prepare a site-specific Health and Safety plan (HASP) which will be kept on-site during the proposed field activities at the subject property. The HASP documents the potential hazards to worker health and safety at the subject property during the proposed field activities and specifies the appropriate means to mitigate or control these hazards. The HASP will address the potential for exposure to hazardous constituents and describes general safety procedures. Fieldwork will be monitored to ensure that appropriate health and safety procedures are followed.

Human Health Screening Evaluation. A human health screening evaluation will be performed in accordance with the protocols detailed in the DTSC PEA Guidance Manual and DTSC Supplemental Guidance: Screening and Evaluating Vapor Intrusion (DTSC 2023). The human health screening evaluation will include a Human Health Risk Assessment (HHRA). The purpose of the HHRA is to estimate adverse human health effects by qualitatively and quantitatively addressing possible routes of exposure associated with the subject property. The scope of work will include the specific tasks listed below:

- Data Evaluation and Selection of constituents of potential concern (COPCs)
- Exposure Assessment
- Toxicity Assessment
- Risk Characterization

PEA Report Schedule. A Revised Draft Preliminary PEA work plan was submitted to DTSC for approval in early December 2024. Once approved by DTSC, a draft PEA report is planned to be submitted by Arcadis to the DTSC approximately 60 days after Arcadis' receipt and review of the validated analytical data from the laboratory.

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 (TSCA) 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 (Cal/EPA) 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 America. The primary goal of the Cal/EPA is to restore, protect, and enhance the environment.

Department of Toxic Substances Control

The State Department of Toxic Substances Control (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.

San Francisco Bay Regional Water Quality Control Board

The San Francisco Bay Regional Water Quality Control Board (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 (LUST) 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 not on the Hazardous Waste and Substances Sites (Cortese) List.

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 one 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 (OPR) 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 (RMPP). 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 (SHMP) 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. In addition to the District's Board Policies, other 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-P1:* Use the City's Local Hazard Mitigation Plan as the guide for emergency preparedness in Santa Clara
- *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.

Santa Clara Unified School District

The District maintains a Board Policy Manual which establishes the long-range vision for District programs and activities that focuses on the achievement and well-being of students and reflects the importance of preparing students for the future academically, professionally, and personally. Below are relevant policies that apply to hazards and hazardous materials:

- *Board Policy 3511.1 Integrated Waste Management:* The Governing Board believes that the conservation of water, energy, and other natural resources, the protection of the environment, and the implementation of an effective waste diversion program are connected to the district's educational mission and are essential to the health and well-being of the community. The Superintendent or designee shall develop and implement a cost-effective, integrated waste management program that incorporates the principles of green school operations.

  The district's integrated waste management program shall include strategies designed to promote waste management practices of source reduction, recycling, and composting to help the district reduce and recycle solid and organic waste, properly dispose of potentially hazardous materials, improve efficiency in the use of natural resources, and minimize the impact of such use on the environment. The program shall address all areas of the district's operations, including, but not limited to, procurement, resource utilization, and facilities management practices.

  The Superintendent or designee may collaborate with city, county, and state agencies and other public or private agencies in developing and implementing the district's integrated waste management program.

The Superintendent or designee shall make every effort to identify funding opportunities for the district's integrated waste management program, including applying for available grants or other cost-reduction incentives.

The Superintendent or designee may provide appropriate educational and training opportunities to students and staff regarding the benefits and methods of conserving natural resources and the manner in which integrated waste management strategies impact such efforts.

The Superintendent or designee shall regularly monitor all aspects of the district's integrated waste management program and shall provide an update to the Board on its effectiveness as necessary.

- *Board Policy 3514: Environmental Safety.* The Governing Board recognizes its obligation to provide a safe and healthy environment at school facilities for students, staff, and community members. The Superintendent or designee shall regularly assess school facilities to identify environmental health risks and shall develop strategies to prevent and/or mitigate environmental hazards. He/she shall consider the proven effectiveness of various options, anticipated short-term and long-term costs and/or savings to the district, and the potential impact on staff and students, including the impact on student achievement and attendance.

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 (implementation of the Master Plan) 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. 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 historical agricultural use as well as the age of the on-site facilities suggest that demolition and construction activities may encounter pesticides, PCBs, asbestos containing building materials, termiticides, and lead based paints. These hazardous materials would 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 applicable regulations for handling 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 Preliminary Environmental Assessment Work Plan was prepared to evaluate RECs that could be affected by Phase 1 project activities. The work plan must be approved by DTSC and the recommended sampling would be conducted by the District. Based on the sampling results, the Draft PEA would recommend management activities and, if necessary, a Supplemental Site Investigation Work Plan or Remedial Action Work Plan (RAW) would be developed, which requires approval by DTSC, and once approved would be executed by the District. Any identified hazardous conditions would be removed or remediated under the oversight 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 implementation of the Master Plan would not involve the routine transport, use, storage, and/or disposal of fuels (i.e., gasoline, diesel, oil, etc.), adhesives, paints, or solvents. However, the project construction could include the temporary transport of soils contaminated from past agricultural uses and handling of other hazardous materials during demolition activities. As noted above, the PEA would recommend management activities and, if necessary, a Supplemental Site Investigation Work and or RAW would be developed, which requires approval by DTSC, and once approved would be executed by the District. Any identified hazardous conditions would be removed or remediated under the oversight 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.

Additionally, the project includes the temporary transport, storage, and use of fuels, paints, solvents, and adhesives for the demolition of existing facilities and the construction of new classrooms, buildings, and parking lot improvements. 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. 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, and use of

fuels, paints, solvents, and adhesives would be subject to existing Federal, State, and local regulations.

The project's construction (essentially redevelopment of an existing school site including demolition of existing buildings and construction of new school buildings) presents typical hazards for use of hazardous materials during construction and does not require the use or storage of significant amounts of hazardous materials on site. Compliance with the previously described procedural protocols and regulatory requirements by the DSA and DTSC would ensure the project does not represent a significant hazard to the public or the environment from reasonably foreseeable upset and accident conditions. This impact would be less than significant.

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 household 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. As noted in the project description, future construction of the Master Plan phases would be subject to oversight by both the DSA and DTSC for the identification and remediation of hazardous materials. Assessments to identify hazardous materials would be conducted as the phases are funded and Work Plans, supplemental investigation and remediation plans would be developed and implemented to address and remediate any concerns. Compliance with these regulations would ensure the project does not result in the hazardous emissions or handling of acutely hazardous materials or waste at the school site. Thus, impacts would be considered less than significant. See Section 3.3 for a discussion of the project's air emissions impacts.

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. As noted above, a review of the California Department of Toxic Substances Control Envirostor Database reveals the school site having an "active" clean up status as it is undergoing a school site investigation (see Preliminary Environmental Assessment Work Plan, above). The database did not reveal active hazardous materials or waste cleanup cases within a 1,000-foot radius of the project site. The State Water Resources Control Board's GeoTracker database identifies one site within a 1,000-foot radius of the project site: a former Chevron Gas station at 3205 Cabrillo Avenue with a former leaking underground storage tank (LUST). However, the status of this case is "Completed – Case Closed" as of 1997 (SWRCB 2022). As noted above in Responses a) and b), the project is subject to oversight by

DSA and DTSC for the identification and remediation of hazardous materials, therefore the impact is considered less than significant.

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 site 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 Moffett Federal Airfield (located approximately four miles northwest) and Norman Y. Mineta San Jose International Airport (located approximately 2.6 miles east), 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 prepare a traffic control plan to maintain access for emergency vehicles for the duration of construction and therefore 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 (ABAG 2022). The project does not propose new structures within areas designated within the wildland-urban interface 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. No impact would occur.

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

The approximately 3.7-acre project site is at an approximate elevation of 74 feet above mean sea level and is generally flat, with a slight slope to the north. The topography of the surrounding area is also flat with a general topographic gradient to the north-northeast. (Arcadis, 2024). The

site is located within the Calabazas Creek Watershed, a highly urbanized watershed surrounded predominately by high density residential neighborhoods and heavy industrial land uses. It covers 20.3 acres and includes six tributary creeks, 12.9 miles of natural creek bed and 14.1 miles of engineered channel (Valley Water). The nearest creek to the project site is Calabazas Creek, an engineered channel located approximately 650 feet east of the site.

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[3]. 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 the project's geotechnical report prepared by Geo-logic Associates, groundwater was encountered at depths between 7.4 and 9 feet bgs during their study. The historically high groundwater level at the site was stated to be approximately about 9 feet, and it was noted that fluctuations in the groundwater level may occur due to seasonal variations in rainfall and temperature, water level in nearby creeks, pumping from wells, regional groundwater recharge programs, irrigation, or other factors that were not evident at the time of their study.

[3] Overdraft occurs where the average annual amount of groundwater extraction exceeds the long-term average annual supply of water to the basin. Effects of overdraft can include seawater intrusion, land subsidence, groundwater depletion, and/or chronic lowering of groundwater levels. https://water.ca.gov/programs/groundwater-management/bulletin-118/critically-overdrafted-basins#:~:text=Overdraft%20occurs%20where%20the%20average,chronic%20lowering%20of%20groundwater%20levels.

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 Guadalupe River has flooded 15 times since the early 1940s. The worst flood along the Guadalupe River in recorded history occurred in 1955. More recent floods occurred in 1982, 1983, 1986, and 1995. Beginning in 2003, Valley Water, the local agency responsible for flood protection, upgraded the lower reaches of the Guadalupe River to handle water levels in the event of a 100-year flood, by the construction of floodwalls and levees, and installation of an overflow weir to divert particularly high flows into one of the salt ponds in Alviso.

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. 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 Areas (OFHA), 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 X, areas determined to be outside the 0.2% annual chance floodplain (FEMA 2024).

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 storm water 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 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 (POTWs), 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 SWRCB, (see also below) and divided the state into nine regional basins, each under the jurisdiction of a 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 State Water Resources Control Board (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

On September 16, 2014, Governor Edmund G. Brown Jr., signed a three-bill package known as the Sustainable Groundwater Management Act (SGMA). 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.

Regional

San Francisco Bay Regional Water Quality Control Board

The San Francisco Bay Regional Water Quality Control Board (RWQCB) is the regional authority responsible for planning, permitting and enforcement of the CWA in the Bay Area. The 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. The Basin Plan designates beneficial uses of the State waters, 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 municipal separate sewer systems serving populations over 100,000. In May 2022, 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.

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.

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 (CSC) 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.

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.

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 Landscaping Ordinance, incentives, 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).

Santa Clara Unified School District

The District maintains a Board Policy Manual which establishes the long range vision for District programs and activities that focuses on the achievement and well-being of students and reflects

the importance of preparing students for the future academically, professionally, and personally. Below are relevant policies that apply to hydrology and water quality:

- *Board Policy 3511: Energy and Water Management.* The Governing Board recognizes the environmental and financial benefits that can be derived from conserving energy, water, and other natural resources, preparing for extreme weather and other natural events, and providing an environment that promotes the health and well-being of students and staff. To support district goals for energy and water management, the Superintendent or designee shall develop a resource management program which may include strategies for implementing effective and sustainable resource use practices, exploring the use of renewable and clean energy technology and/or sources, reducing energy and water consumption, and promoting conservation principles in the educational program.

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 General Permit, Standard Design and Construction Measures for the project include the preparation of an erosion control plan, that 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 (CDWR 2020).

Buildout of the Proposed Master Plan would result in a slight increase in total impervious surface area over existing conditions. However, the increase, which is due to expanded parking lot, building roof and hardscape areas, would not be anticipated to have an effect on infiltration of runoff into the below-ground aquifer such that it would impact groundwater supplies. 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 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. Therefore, the project would result in less than significant impacts related to groundwater recharge.

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 Master Plan 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 following construction. As described above, the project would include demolition of existing structures and impervious surfaces and construction of new buildings and other impervious surfaces, resulting in a slight increase in overall imperviousness on the site compared to existing conditions. This would not result in on-site erosion or siltation following construction, as the project includes on-site runoff treatment controls (bioretention areas) that would remove stormwater pollutants and reduce volumes and rates of stormwater runoff. Reduction of volumes and rates of stormwater runoff from the site would also result in a reduced risk of off-site siltation and erosion impacts to local receiving waters.

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

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, a

new 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., permeable pavers, 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?

Less than Significant Impact. The project includes the construction of new buildings, and driveways on an at-grade, paved, existing school campus that is approximately 74 feet above mean sea level. These proposed improvements are not located within mapped areas subject to flooding (FEMA 2022) and would not impede or redirect any flood flows. Therefore, the project would have less than significant impacts.

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

No Impact. 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 three miles south of the San Francisco Bay shoreline tsunami zone and is also at 74 feet above mean sea level. 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?

Less than Significant Impact. As discussed under item b), the project would not substantially decrease groundwater supplies or interfere with Valley Water's Groundwater Management Plan. Therefore, the impact would be 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 the central portion of the City of Santa Clara. The project site is an existing elementary school that was originally constructed in the early 1950s. Land use designations surrounding the project site are primarily single family residential and multi-family residential. The Briarwood Elementary School property is designated as Public/Quasi Public by the 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.

Santa Clara 2010-2035 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 design 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.

Santa Clara Unified School District

The District maintains a Board Policy Manual which establishes the long-range vision for District programs and activities that focuses on the achievement and well-being of students and reflects the importance of preparing students for the future academically, professionally, and personally. Below are relevant policies that apply to land use:

- *Board Policy 7110: Facilities Master Plan.* The Governing Board recognizes the importance of long-range planning for school facilities in order to address changes in student enrollment, teacher and staff housing needs, the district's educational program needs and the condition of the facilities. The Superintendent or designee shall develop, for Board approval, a master plan for district facilities which describes the district's anticipated short- and long-term facilities needs and priorities.

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 sites. No changes to the General Plan land use designation are proposed. Therefore, the project would maintain the existing land uses and thus will be

consistent with the General Plan designations and the Zoning Codes of the City. Thus, 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 best management practices, conditions of approval, 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, after receiving classification information from the State Geologist, to designate lands containing mineral deposits of regional or statewide significance.

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). As discussed in Section 3.12.1, the City is located in an area zoned MRZ-1, which indicates that no significant mineral deposits are present or there is little likelihood the presence of mineral deposits. As such, 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 at 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-	
		Broadcast/recording studio

Table 3.13-1: Typical Outdoor and Indoor Noise Levels		
Common Outdoor Activities	**Noise Level (dBA)**	**Common Indoor Activities**
	-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. 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. General Plan Appendix 8.14 also identifies commercial, recreational and school uses as other noise sources. The General Plan identifies noise generating activities associated with schools can include children at play, bells, and public address systems.

MIG collected ambient noise measurements at the Briarwood Elementary School Campus between approximately 10:45 AM and 12:00 PM on Thursday, April 13, 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 on each respective day and increases in noise levels above typical background conditions. 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 clear skies and temperatures ranged from approximately 50 to 70 degrees (Fahrenheit). Wind conditions were approximately 8 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 and playground equipment.

The ambient noise monitoring locations are described below and shown in Figure 3-4

- Site ST-1 was located in the southwestern portion of the school grounds (adjacent to the single-family residence located at 1851 Nobili Avenue), approximately 11 feet from the property line fence.

- Site ST-2 was located along the southern portion of the school grounds (adjacent to the single-family residence located at 3351 Victoria Avenue), approximately two (2) feet from the fence and 25 feet from the nearest classroom building.

- Site ST-3 was located on the southeastern portion of the school grounds adjacent to the preschool/transitional kindergarten (TK) play area, approximately two (2) feet from the play area fence and 22 feet from the curb along Townsend Avenue.

Table 3.13-2 summarizes the results of the short-term monitoring at Briarwood Elementary School.

Table 3.13-2: Summary of Measured Short-Term Ambient Noise Levels (dBA) on Thursday April 13th, 2023

Site	Start Time	Duration	Measured Noise Level		
			L_{eq}	L_{min}	L_{max}
ST-1	10:57 AM	10 Minutes	44.6	39.0	58.2
ST-2	10:45 AM	60 Minutes	45.8	38.1	67.8
ST-3	10:45 AM	60 Minutes	49.6	35.8	76.4

Source: MIG 2023

Based on observations made during the monitoring, outdoor child activity was a key factor in the ambient noise monitoring. There was some child activity generated from nearby classrooms in the vicinity of ST-2, and child activity associated with recess and physical education class occurred approximately 120 feet east of ST-1 during the monitoring. Noise levels measured at location ST-3 were primarily associated with light traffic along Townsend Avenue and noise generated from the multi-family residential property located at 3270 Cabrillo Avenue. 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 3.13-2, outdoor activity was the predominant source of noise observed on April 13, 2023. Higher noise levels measured at ST-3 compared to those at ST-1 and ST-2 are mainly associated with traffic along Townsend Avenue.

Figure 3-4: Ambient Noise 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 that border the school grounds to the west and south (Nobili Avenue and Victoria Avenue, respectively).
- Multi-family residential receptors approximately 50 feet east of the site, across Townsend Avenue, as well as farther to the east across Cabrillo Avenue.
- Receptors north of the site adjacent to the school grounds at Machado Park.

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 [OITC] 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, 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, Exemption 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.

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. Project construction could temporarily increase noise levels in the vicinity of the campus but would be less than significant with mitigation. Project operation would not substantially change noise levels in the vicinity of Briarwood Elementary School Campus and would not result in a significant noise impact.

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 and General Plan 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 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 Townsend Avenue.

Typical construction noise levels at different distances are shown in Table 3.3-3.

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]					
			25 Feet	50 Feet	100 Feet	150 Feet	200 Feet	250 Feet
Backhoe	80	40	82	76	70	66	64	62
Bulldozer	85	40	87	81	75	71	69	67
Compressor	80	40	82	76	70	68	66	64
Concrete Mixer	85	40	87	81	75	73	71	69
Crane	85	16	83	77	71	67	65	63
Delivery Truck	84	40	86	80	74	72	70	68
Excavator	85	40	87	81	75	73	71	69
Front End Loader	80	40	82	76	70	68	66	64

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)**					
			25 Feet	**50 Feet**	**100 Feet**	**150 Feet**	**200 Feet**	**250 Feet**
Generator	82	50	85	79	73	71	69	67
Man Lift	85	20	84	78	72	70	68	66
Paver	85	50	88	82	76	74	72	70
Pneumatic tools	85	50	88	82	76	72	70	68
Pumps	77	50	80	74	68	66	64	62
Roller	85	20	84	78	72	70	68	66
Scraper	85	40	87	81	75	73	71	69
Tractor	84	40	86	80	74	72	70	68

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:

- Adjacent single-family residential receptors west and south of the site (along Nobili Avenue and Victoria Avenue) were assumed to be within approximately 25 feet of work areas (hardcourt paving).
- Adjacent park receptors north of the site (at Machado Park) were assumed to be within approximately 190 feet of work areas (hardcourt paving and classroom building construction).
- Multi-family residential receptors east of the site (along Townsend Avenue and Cabrillo Avenue) were assumed to be within approximately 50 feet of work areas (parking lot paving and kitchen/administration building construction).

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; however, actual noise levels would depend on the specific construction activity occurring and the distance between the work area and sensitive receptor locations.

The project would be phased, which would limit which receptors would be most impacted at any one time. Phase 1 would include expansion and re-surfacing of the parking lot and landscaping of the kindergarten play area. Noise generated from these activities would impact receptors east of the project site (multi-family residences along Cabrillo Avenue) and south of the project site (single-family residences along Victoria Avenue) the most. However, receptors west and north of the site would be shielded from activities in Phase 1. Expansion and re-surfacing of the parking lot would likely involve the loudest activities during Phase 1, which would occur approximately 50 to 90 feet at the closest from the multi-family residential receptors. Under these worst-case conditions, estimated noise levels at receptors east of the project site would be approximately 75 to 81 dBA L_{eq}. For future phases, noise generated from paving the hard courts would impact receptors to the south and west the most, while noise generated from construction of the new kitchen and administration buildings would impact receptors to the east the most. During paving of the hardcourts, paving equipment could operate within approximately 25 feet of receptors to the southwest of the project site, estimated noise levels at single-family residential receptors along Victoria Avenue and Nobili Avenue would be approximately 88 dBA L_{eq} under worst case conditions. During construction of the new kitchen and administration buildings, typical equipment could operate within approximately 160 feet of receptors to the east of the project site, estimated noise levels at multi-family residential receptors along Cabrillo Avenue would be approximately 72 dBA L_{eq} under worst case conditions. Noise generated from construction of the new physical education, STEM and extended day classrooms would impact receptors to the east and north the most. During construction of these classrooms, typical equipment could operate within approximately 160 feet of receptors to the east of the project site and 220 feet of park receptors to the north of the site, respectively. Estimated noise levels at multi-family residential receptors along Cabrillo Avenue would be approximately 70 dBA L_{eq} and estimated noise levels at park receptors (at Machado Park) along Cabrillo Avenue would be approximately 68 dBA L_{eq}, respectively, during construction of these classrooms.

The above noise level estimates are based on worst case conditions and do not account for potential shielding as equipment moves around work areas within the project site and operates farther away from nearby receptors. Construction activities in the interior of the site would yield quietest noise levels at nearby receptors.

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 88 dBA L_{eq} for a single piece of equipment and up to 91 dBA L_{eq} for two pieces of equipment operating in close proximity at the same time. These worst-case noise levels would be approximately 41 dBA to 46 dBA higher than typical ambient noise levels assumed to occur in the vicinity of the school campus. Such noise levels would only occur during hardcourt paving, potential demolition, and site preparation activities because the phased nature of the project would limit the number of receptors exposed to construction noise levels at any one time. The first phase would involve demolition of two existing classroom buildings and the four portables, resurfacing of the parking lot area as well as construction of additional parking, and installing the new kindergarten playground. Future phases would ultimately involve removal of eight existing portable classrooms, construction of a new kitchen addition and administration building, landscaping in the outdoor areas, gardens, and fields. Since construction would be in phases, only certain receptors would be exposed to construction noise levels at certain times. Residences to the

east of project site would be most impacted by construction activities occurring on the east side of the property, such as during the first phase occurring on the west and south sides of the property, while the park to the north and residences to the west and south of the project site would be most impacted by construction activities occurring during construction of the new classrooms and paving of the hardcourts in future phases. Phased construction also allows existing buildings at the Briarwood 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 assumed to occur in the vicinity of Briarwood Elementary School.

Neither the City's General Plan or Municipal Code 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 to 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:

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) Work shall be subject to the time limitations of the City of Santa Clara Municipal Code and shall be performed within approved working hours (7:00 AM to 6:00 PM on Monday through Friday and 9:00 AM to 6:00 PM on Saturdays with work prohibited on Sundays and holidays). Work on Sundays and holidays shall be approved if it is essential to ensure the project stays on schedule and avoids delays to allow completion of construction work activities prior to the start of school. Signs shall be posted at the entrance to the site and at construction equipment staging areas informing all workers and construction contractors of these requirements. Signs shall also be posted informing community members who to contact with noise concerns or questions.

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 as much as possible, 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 nine fewer classrooms and 232 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 eight portable classrooms would be eliminated once the proposed project is complete, as these portable classrooms would ultimately be removed from the Briarwood campus. New HVAC equipment associated with new classroom construction would be located in the northern portion of the project site, approximately 120 feet from the eastern property line and 220 feet from the northern property line, respectively.
- Other site operations: Relocation and expansion of the hard courts toward the single-family residences on the western side of the project site along Nobili Avenue and landscaping of the new kindergarten play area toward the single family residences on the southern side of the project site along Victoria Avenue 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. The kindergarten play area would be adjacent to residential property lines along Victoria Avenue. Upon completion of the proposed project, this area would no longer produce noise from HVAC equipment associated with the portable classrooms once they are removed.
- School drop-off and pick-up periods: The proposed project would ultimately reduce the total student capacity at the Briarwood campus. Therefore, traffic noise levels associated with school drop-off and pick-up activities would not increase as the result of the project. The proposed project would adjust existing vehicle egress associated with school drop-off and pick-up traffic upon completion of the expansion and re-surfacing of the parking lot. Vehicles exiting the project site would occur farther south along Townsend Avenue toward the southeastern corner of the site. Existing vehicle ingress access point would remain unchanged upon completion of the proposed project. However, the proposed project is not expected to result in redistribution of traffic volumes along Townsend Avenue.

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 nine fewer classrooms and 232 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 Townsend 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 Briarwood Elementary could potentially reach approximately 48 dBA L_{eq}. Residential and school construction in California typically provides at least 20 dBA of exterior to interior noise

attenuation with windows closed.[4]

The 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 48 dBA L_{eq}, interior noise levels would be less than 45 dBA L_{eq}. This interior noise level is within the City's General Plan Noise and Land Use Compatibility standard for residential and educational land use.

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 25 feet or more from receptor locations, which would reduce direct transmission of groundborne vibration to residential buildings. However, the project site is developed, and therefore would not require substantial grading. Equipment would move around work areas and the project would be phased, so vibratory equipment would not generate substantial groundborne vibration in any particular area for a prolonged period. The proposed project, therefore, would not generate substantial or excessive groundborne vibration level.

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 2.6 miles east 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 2024). The proposed project would not expose people to excessive aircraft noise levels. No impact would occur.

[4] 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.

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 131,062 in 2023. The average number of persons per household in Santa Clara in 2022 was 2.60 (U.S. Census Bureau 2023).

3.14.2 Regulatory Setting

Local and Regional

Plan Bay Area 2050

Plan Bay Area 2050, prepared by the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG), 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 Phase 1 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 Briarwood Elementary School within a developed urbanized area. The project does not propose new housing or commercial businesses. The project does not propose to construct additional school facilities that would induce unplanned job or population growth, or result in the creation of new homes either directly or indirectly. Full buildout of the Master Plan envisions a reduced student capacity than is currently available at the site. Further, the proposed improvements would be 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. 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 #3, located approximately 1.9 miles south of the project site at 2821 Homestead Road.

Police Protection

Police protection services for the project site are provided by the City of Santa Clara Police Department located approximately 3.2 miles east of the project site at 601 El Camino Real. There are 153 sworn officers, equating to 1.16 officers per thousand by population.

Schools

The project site is located in 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, providing preschool through fifth grade and currently maintaining 32 classrooms.

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 middle and elementary 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. Recreational opportunities include community parks, neighborhood parks, special use sites, and trail corridors. County and regional facilities also provide recreation opportunities for Santa Clara residents. The closest park to the project site is Machado Park, which abuts the northern border of the project site and can be accessed from the project site.

Other Public Facilities

The City of Santa Clara manages three libraries, and four community centers. The closest library and community center is the Central Park Library and Community Center located approximately 1.9 miles southeast of the project site.

3.15.2 Regulatory Setting

Local

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?

Less than Significant Impact. Construction activities would temporarily result in an increase in the number of people at the project site. However, full buildout of the Master Plan would reduce the student capacity at the site from 795 students currently to 563 students. As a result, the project would not increase the need for fire protection services. Site improvements would be designed in accordance with current fire codes and would provide for emergency access. The project would not require the construction of new fire stations. The project's impact on fire protection services would be less than significant.

ii) Police?

Less than Significant Impact. As stated, construction activities would result in a temporary increase in the number of people at the project site. However, the project would result in an overall decrease in the number of people at the site as the student capacity would be reduced by 232 students. As a result, calls for emergency services are unlikely to increase. The project would not require the construction of new police facilities. The project's impact on police services would be less than significant.

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 be a beneficial impact. No impact would occur.

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, there would be no impact.

v) Other public facilities?

No Impact. The project would result 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. No impact would occur.

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 498 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. All SCUSD elementary and middle 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.

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

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:

- *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.

- *5.9.1-P11:* Encourage the shared use of open space resources, such as school grounds, for neighborhood recreation to maximize public accessibility.

- *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 3.14.3 a-b) as the project reduces the existing student capacity from 795 to 563 with the full buildout of the proposed Master Plan. Construction activities could limit the use of the school's 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 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. No impact would occur.

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. With renovation or replacement of existing recreational facilities at the site as part of the Master Plan, implementation could result in adverse effects on the environment. However, with 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 a less-than-significant level. 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?	☐	☐	☒	☐

3.17.1 Environmental Setting

Regional access is to the project site is provided via Highway 101 at Lawrence Expressway. Highway 101 is an eight-lane freeway aligned in a north-south direction about 1.5 miles north of the project site. Site access to and from Highway 101 is provided via Lawrence Expressway. The other freeway that provides regional access is I-280, an eight-lane freeway aligned in an east-west direction approximately 3.10 miles south of the project site. Site access to and from I-280 is provided via Stevens Creek Boulevard.

Roadways that provide primary vehicular circulation to the project site include Lawrence Expressway, Cabrillo Avenue, and Victoria Avenue. Direct access to the project site is via Townsend Avenue.

Pedestrian facilities in the project area consist primarily of sidewalks along streets. Dedicated Class II striped bike lanes are provided along Cabrillo Avenue in the school's vicinity.

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 OPR 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 metropolitan planning organizations (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. The targets for SCAG are a nine percent reduction in per capita transportation by 2020 and 16 percent by 2035.

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-P1*: 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 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.

Santa Clara Unified School District

The District maintains a Board Policy Manual which establishes the long-range vision for District programs and activities that focuses on the achievement and well-being of students and reflects the importance of preparing students for the future academically, professionally, and personally. Below are relevant policies that apply to transportation:

- *Board Policy 3510 Green School Operations*. See sections 3.3.2 or 3.6.2 for full text of the District's Green School Operations policy.

- *Board Policy 3540: Transportation.* The Governing Board desires to provide for the safe and efficient transportation of students to and from school as necessary to ensure student access to the educational program, promote regular attendance, and reduce tardiness. In determining the extent to which the district will provide transportation services, the Board shall weigh student and community needs against the cost of providing such services.

- *Board Policy 5142: Safety.* The Governing Board recognizes the importance of providing a safe school environment that is conducive to learning and promotes student safety and well-being. Appropriate measures shall be implemented to minimize the risk of harm to students, including, but not limited to, protocols for maintaining safe conditions on school grounds, promoting safe use of school facilities and equipment, and guiding student participation in educational programs and school-sponsored activities.

  Additionally, the Superintendent or designee shall regularly review current guidance regarding cybersecurity and digital media awareness and incorporate recommended practices into the district's processes and procedures related to the protection of the district's network infrastructure, and the monitoring and response to suspicious and/or threatening digital media content.

  School staff shall be responsible for the proper supervision of students at all times when students are subject to district rules, including, but not limited to, during school hours, school-sponsored activities, before and after-school programs, morning drop-off and afternoon pick-up, and while students are using district transportation.

  The Superintendent or designee shall ensure that students receive appropriate instruction on topics related to safety and emergency procedures, as well as injury and disease prevention.

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) (Appendix G) 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 project may temporarily affect access into the site from Townsend Avenue during construction. 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 pedestrian travel on Townsend 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.

The proposed project consists of redeveloping an existing elementary school campus with new modern facilities. Full build-out of the school's Master Plan would decrease student capacity by 232 students. The project also includes the reconstruction of an existing two-way driveway along Townsend Avenue, and a new driveway near the southeast corner of the project site. Additionally, the third driveway will provide fire access to the project site. The existing sidewalk along the site frontage at Townsend Avenue would be maintained. There are no transit stops along the school frontage.

The project may also require lane closures on Townsend Avenue during the construction period. If lane closures are required, the contractor shall prepare 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. This would ensure public safety and provide for adequate access to public rights-of-ways during construction.

According to the Valley Transportation Authority (VTA) Transportation Impact Analysis (TIA) Technical Guidelines, a project would create an impact on pedestrian and bike circulation if: (1) it would reduce, sever or eliminate existing or planned bike/pedestrian access and circulation in the area; (2) it would preclude, modify, or otherwise affect proposed bicycle and pedestrian projects and/or policies identified in an adopted plan; or (3) it would cause a change to existing bike paths such as alignment, width of the trail ROW, or length of the trail (VTA 2014).

As stated, the proposed project improvements would be confined to the project site. Except for the addition of the new driveway, the project design would not permanently alter the existing frontage on Townsend Avenue and would not change or eliminate any existing pedestrian or bikeway facilities. Nor would the proposed project preclude or modify any planned bicycle or pedestrian improvements or related policies. Pedestrian trips generated by the project would be predominately elementary school students walking directly to and from campus. The nearest cross streets at Victoria Avenue and Cabrillo Avenue provide traffic signs for striped pedestrian crosswalks. Nearly all the surrounding streets have existing sidewalks. These existing facilities would be adequate to accommodate the anticipated project pedestrian demand. Therefore, the project would not create an adverse impact to bike/pedestrian circulation in the area, nor would the project conflict with the goals of the City's Pedestrian Master Plan. 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.

City of Santa Clara Vehicle Miles Traveled Policy

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, Hexagon determined that the student VMT analysis would consist 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 attendance boundaries.

The Master Plan for the Briarwood Elementary School site would decrease the student enrollment capacity from 795 to 563 students. Additionally, the proposed Master Plans for the four elementary schools would cumulatively decrease the combined total enrollment capacity at the four school sites by 32 students. Public schools typically have an attendance 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 attendance 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 attendance boundaries, changes to the number of students at each school or neighborhoods where students would reside within the attendance boundaries would not significantly change the length of student trips and resulting average student VMT.

The proposed decrease in student enrollment for the Briarwood 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)?

Less than Significant Impact. The Master Plan shows that primary access to the Briarwood campus is provided via a two-way driveway on Townsend Avenue. Upon full build out of the Master Plan, primary access to the project site will be via a reconstructed existing two-way driveway along Townsend Avenue. The primary access will be located near the roadway curve along Townsend Avenue. Secondary ingress access to the bus drop-off and preschool/transitional kindergarten parking lot will be provided just south of the primary driveway. A third driveway near the southeast corner of the project site will provide egress access from the bus drop-off and preschool/transitional kindergarten parking lot. Additionally, the third driveway will provide fire access to the project site. The driveway width will be at least 24 feet in width at the throat in order to provide adequate width for two-way operations, and the proposed project driveways will be located at least 24 feet apart in accordance with Santa Clara City Code.

The project would provide the appropriate sight distance in accordance with Caltrans standards. Sight distance requirements vary depending on the roadway speeds. For Townsend 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 Townsend Avenue to locate a sufficient gap to turn out of the project driveway. This also gives drivers traveling along Townsend Avenue adequate time to react to vehicles exiting the project driveway. There are no obstructions that block an exiting driver's vision southbound along Townsend Avenue. Northbound (eastbound) of the project driveways, Townsend Avenue intersects with Cabrillo Avenue. Drivers who turn from Cabrillo Avenue to Townsend Avenue would travel at slower speeds (5-10 mph), providing adequate time for drivers exiting the driveway to act accordingly. The existing red curb north (east) of the primary driveway prohibits on-street parking and should be maintained to ensure adequate sight distance. 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. The impact would be less than significant.

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. Emergency vehicle access is provided along Townsend 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 for pedestrians and bicyclists, and to maintain access for emergency vehicles and for residents' access to their homes. 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 the CEQA guidelines.

Operational Analysis

An operational analysis was conducted at the intersection of Townsend Avenue/Cabrillo Avenue. The operational analysis includes an evaluation of level of service and signal warrant analysis during the AM, School PM, 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 intersection of Townsend Avenue/Cabrillo Avenue were analyzed for the weekday AM, School PM, 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. The weekday School PM peak hour of traffic occurs around the school's dismissal time and generally falls within the 1:00 PM to 3:00 PM period. 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 Highway Capacity Manual (HCM) 2000 methodology.

Unsignalized Intersections

The methodology used to determine the level of service for unsignalized intersections is 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 methodology 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.

Level of Service Results

The results of the intersection level of service analysis show that the study intersection currently operate at acceptable LOS D conditions. Additionally, peak-hour volumes at the unsignalized study intersection would not meet signal warrant thresholds. While the westbound left turn at Townsend Avenue/Cabrillo Avenue carries moderate volume due to vehicles making the left 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 left turn.

Site Access

Site access to the project site is provided along Townsend Avenue. Figure 3-5 shows the number of gross project trips at the project driveway.

During all phases of the Master Plan, primary access to the project site would be via a reconstructed existing two-way driveway along Townsend Avenue. The primary access would be located near the roadway curve along Townsend Avenue. Secondary ingress access to the bus drop-off and preschool/transitional kindergarten parking lot would be provided just south of the primary driveway. A third driveway near the southeast corner of the project site would provide egress access from the bus drop-off and preschool/transitional kindergarten parking lot. Additionally, the third driveway would provide fire access to the project site.

Driveway Design and Sight Distance

The Master Plan shows multiple driveways along Townsend Avenue providing access to the visitor parking lot, preschool/transitional kindergarten lot, and bus drop-off areas. The site plans do not indicate the planned width of each driveway during each phase of development. The City of Santa Clara requires minimum 24-foot-wide driveways 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 Townsend 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 Townsend Avenue to locate a sufficient gap to turn out of the project driveway. This also gives drivers traveling along Townsend Avenue adequate time to react to vehicles exiting the project driveway. There are no obstructions that block an exiting driver's vision southbound along Townsend Avenue. Northbound (eastbound) of the project driveways, Townsend Avenue intersects with Cabrillo Avenue. Drivers who turn from Cabrillo Avenue to Townsend Avenue would travel at slower speeds (5-10 mph), providing adequate time for drivers exiting the driveway to act accordingly. The existing red curb north (east) of the primary driveway prohibits on-street parking and should be maintained to ensure adequate sight distance. Additionally, red

curb should be striped between the driveways in Phase 1-B so that vision to/from the driveway is not obstructed by a parked vehicle. Similarly, red curb should be striped adjacent to both sides of any new driveways so that the vision of exiting drivers is not blocked.

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 during phase 1-B and full buildout of the Master Plan development. The student drop-off and pick-up area located near the south side of the parking lot area removes the need for students to walk through the parking lot areas.

During all phases of the Master Plan, the parking area would be relocated and expanded. The main school/visitor parking lot would include a two-way drive aisle and a separate loading area for students. However, the loading area routing shown on the site plan implies that one-way circulation should be in effect during drop-off and pick-up hours. A separate driveway will provide access to the bus drop-off and preschool/transitional kindergarten parking area. The conceptual plans do not indicate the planned width of the on-site drive aisles.

Parking Stall Dimensions

The conceptual plans are unclear on the size of each parking space but are shown to be of the same size. For Phase 1-B, 62 parking spaces are shown on the school site. The plans show adequate parking during all phases of the school 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. Emergency vehicle access is provided along Townsend 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.

Pick-up and Drop-off Operations

The Master Plan proposes up to 563 students and up to 48 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 all phases of the Master Plan, vehicles would enter the primary driveway along Townsend 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. However, 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.

It is estimated that the on-site drop-off/pick-up area will provide space for at least 10 vehicles to drop-off and pick-up students simultaneously during all phases of the Master Plan.

Based on the project trip generation estimates, it is estimated that approximately 225 vehicles would enter the drop-off area during the AM peak-hour (highest peak hour)(see Figure 3-5). 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 10-vehicle capacity in the drop-off/pick up areas assuming unloading time of no more than one minute per vehicle.

The existing white curb along Townsend Avenue permits student loading during drop-off and pickup hours. There is approximately 150 feet of loading space (enough for 6 vehicles) to drop-off and pick-up students simultaneously. In all phases of the Master Plan, new driveways would be constructed along Townsend Avenue and remove some of the white curb loading space. It is estimated that up to 75 feet (3 vehicles) of white curb could be retained based on the approximate locations of the driveways. At full buildout, it is unclear on where the driveways would be located and retaining white curb may not be possible depending on the final location of the driveways. However, it should be noted that the on-site queuing and loading area is lengthened and would be longer than existing conditions despite the decrease in maximum enrollment.

Figure 3-5 Site Access and Circulation

Recommendation: It is recommended that a second through lane be provided in the on-site drop-off/ 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 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.

3.18 TRIBAL 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 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 November 13, 2024, 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 site. The NAHC was contacted for a search of the SLF for the project site (Basin 2024). The SLF search was negative (Basin 2024). Eleven locally knowledgeable Native American individuals/organizations listed by the NAHC were contacted to determine if “tribal cultural resources” are/were present (Basin 2024). No responses were received. Refer to section 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 Native American Heritage Commission (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?

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 Native American Heritage Commission (NAHC) was contacted for a review of the Sacred Lands File. Letters and/or emails were sent to the 11 knowledgeable Native American individuals/organizations identified by the NAHC. No responses were received. However, Mitigation Measures CUL-1a and CUL-1b, and (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. Additionally, 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. Further, Mitigation Measure 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 City 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, 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.

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 the SCVWD 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.

Wastewater

Wastewater in Santa Clara is conveyed to the 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.

Recycled Water

Recycled water within the City is supplied from the RWF and delivered to the City by the South Bay Water Recycling Project through a system of water pipelines totaling 33 miles. The City utilizes recycled water in order to offset and conserve the use of potable water citywide. Recycled water is primarily used for irrigation of food crops as well as park, school, golf course, street median and business park landscaping.

Solid Waste

The District and the City contract 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.

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. Sources 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 Regulations

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 341

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

Almost 31 million tons of waste were source reduced, recycled, and composted in California in 2022, resulting in a statewide recycling rate of 41 percent, up from 40 percent in 2021 (CalRecycle 2022). The recycling rate for California was 41 percent in 2022 with a per capita disposal rate of 6.3 pounds of trash per person per day, therefore, the state did not meet the recycling goal of a 75 percent disposal reduction.

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. Off-site 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. 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, there would be temporary increased water usage during the construction period. However, build out of the Master Plan would decrease student capacity by 232 students. The project is expected to have equal to or less water usage than current water usage. Therefore, the project is anticipated to have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years. 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 project would generate construction debris during the construction period. However, as stated, the project does not propose new restrooms or other facilities that would generate an increased amount of wastewater. Therefore, impacts 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. As previously stated, 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?

Less than Significant Impact. The project is not anticipated to substantially increase amounts of solid waste compared to existing conditions as the project would not substantially increase the intensity of the existing land uses onsite. The project is expected to comply with applicable Federal and State solid waste management and reduction statutes and regulations. Impacts would be less than significant.

3.20 WILDFIRE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Is the project located near state responsibility areas or lands classified as very high fire hazard severity zones?		☐ Yes	☒ No	
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 fully urbanized area. 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 and directly adjacent to the Fremont Older Open Space Preserve, approximately 5.5 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 (Responses a – d). As discussed in Section 3.20.1, the project site is not located in a very high fire hazard severity zone. The nearest such zone is located over 5.5 miles to the southwest of the project site in the cities of Cupertino, and Los Altos Hills. Therefore, there would be no impacts related to wildfire.

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 Permit Conditions. As discussed in Section 3.4 Biological Resources, with implementation of the identified mitigation measures (MM BIO-1 and BIO-2) and Standard Permit Conditions, the project would not significantly impact sensitive habitats or species. As discussed in Section 3.5 Cultural Resources, Section 3.18 Tribal Cultural Resources and Section 3.7 Geology and Soils, with implementation of the identified mitigation measures (MM CUL-1a, 1b, and 1c, MM TCR-1, MM

CUL-2, and MM GEO-1) and Standard Permit Conditions, the project would result in a less than significant impact on archaeological, historic, and paleontological resources.

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 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 the existing Briarwood Elementary School Campus. The new facilities would serve the existing students within the District and provide for enrollment current within the District. The uses provided by the new 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 as the SCUSD budget allows and as planned in the Capital Improvement Program. 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 were 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 construction- related noise impacts. Implementation of mitigation measures identified in Section 3.13 (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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