Scott Lane Elementary School Master Plan

Initial Study / Mitigated Negative Declaration

Santa Clara Unified School District

1889 Lawrence Road

Santa Clara, CA 95051

January 2025

Santa Clara Unified School District

Santa Clara Unified School District

DRAFT MITIGATED NEGATIVE DECLARATION

The Santa Clara Unified School District (SCUSD) Board has reviewed the proposed project described below to determine whether it could have a significant effect on the environment as a result of project implementation. "Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area 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: Scott Lane Elementary School Master Plan

Location: 1925 Scott Boulevard, City of Santa Clara, 95050

PROJECT DESCRIPTION

The project is the implementation of the Scott Lane Elementary School Master Plan which sets forth planned improvements the school district intends to undertake in the future as funding allows including, but not limited to: (1) replace all portables with permanent classrooms; (2) construct a new Early Learning Center with classrooms and play yards for preschool and transitional kindergarten and kindergarten; (3) field renovation; (4) construct a new administration building with offices for student support programs; (5) construct a new larger multipurpose building, cooking kitchen and stage; (6) modernize existing classrooms; (7) construct a new permanent library; and (8) other improvements within the campus.

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:** Nesting Birds 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: To avoid impacts to nesting birds and violation of state and federal laws pertaining to birds, all construction-related activities (including but not limited to mobilization and staging, clearing, grubbing, vegetation removal, fence installation, building demolition, and grading) should occur outside the avian nesting season (February 1 to September 15). If construction and construction noise occurs within the avian nesting season (from 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. If pre-construction nesting bird surveys result in the location of active nests, no site disturbance and mobilization of heavy equipment (including but not limited to equipment staging, fence installation, clearing, grubbing, vegetation removal, fence installation, demolition, and grading), shall take place within 100 feet of non-raptor nests and 300 feet of raptor nests, unless smaller buffers are determined by a

Mitigation Measures Incorporated into the Project	
	qualified biologist. The buffer shall remain in place until the young have fledged. Monitoring will ensure compliance with the Migratory Bird Treaty Act and relevant California Fish and Game Code requirements. Monitoring dates and findings 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/resources/. • 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 human remains.	**Mitigation Measure CUL-1a:** Protect Cultural Resources that Could Be Discovered During Construction. 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

Mitigation Measures Incorporated into the Project	
	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:** Worker Awareness Training. Worker Awareness Training (WAT) shall be completed for all contractors and workers engaged in activities with the potential for ground disturbance. The training shall be conducted by a Professional Archaeologist prior to beginning work. The training shall address the potential for exposing subsurface resources, recognizing basic signs of a potential resource, understanding required procedures if a potential resource is exposed, including protecting the resource and reporting the resource to a Professional Archaeologist, and, understanding all procedures required under Health and Safety Code § 7050.5 and PRC §§ 5097.94, 5097.98, and 5097.99 for the discovery of human remains. An ALERT Sheet shall be prepared by the Professional Archaeologist and provided to all personnel indicating points of contact for notification of a discovery and

Mitigation Measures Incorporated into the Project	
	summarizing the protocols and procedures for an unexpected discovery**.** **Mitigation Measure CUL-1c:** On-Call Archaeologist. The SCUSD shall retain a Professional Archaeologist on an "on-call" basis during ground disturbing construction 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 District and other appropriate parties of the evaluation and recommend standard design and construction measures to mitigate to a less than significant impact in accordance with California Public Resources Code Section 15064.5. Standard design and construction 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 District in consultation with any regulatory agencies**.** **Mitigation Measure CUL-1d:** 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

Mitigation Measures Incorporated into the Project	
	overlie additional remains, can occur until a determination has been made. If the County Coroner determines that the remains are, or are believed to be, of Native American ancestry, the coroner would notify the Native American Heritage Commission within 24 hours. In accordance with California Public Resources Code, Section 5097.98, the Native American Heritage Commission must immediately notify those persons it believes to be the Most Likely Descendant from the deceased Native American. Within 48 hours of this notification, the Most Likely Descendant would recommend to the lead agency their preferred treatment of the remains and associated grave goods.
Impact GEO-1: Construction activities could inadvertently expose, damage, and destroy paleontological resources.	**Mitigation Measure GEO-1: Paleontological Resources.** Discovery of a paleontological specimen during any phase of the project shall result in a work stoppage in the vicinity of the find until it can be evaluated by a professional paleontologist. Should loss or damage be detected, additional protective measures or further action (e.g., resource removal), as determined by a professional paleontologist, shall be implemented to mitigate the impact.
Impact NOI-1: Project construction activities could result in a substantial temporary increase in ambient noise level in the vicinity of the project site that could annoy sensitive noise receptors and/or interfere with the normal use and enjoyment of residential properties.	**Mitigation Measure NOI-1:** Reduce Potential Project Construction Noise Levels. To reduce potential noise levels from project construction activities, the SCUSD and/or its construction contractor(s) shall: 1. All work shall be subject to the time limitations of the City of Santa Clara Municipal Code and shall be performed within approved working hours (7:00 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:

Mitigation Measures Incorporated into the Project	
	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 2a and 2c 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 Measures Incorporated into the Project	
Impact TCR-1: Project construction could result in discovery of significant Native American artifacts (tribal finds).	**Mitigation Measure TCR-1: Consideration of All Native American Archaeological Resource Discoveries.** 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 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 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.
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.

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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 Scott Lane Elementary School site located at 1925 Scott Boulevard in Santa Clara, California.

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 Scott Lane Elementary School, located at 1925 Scott Lane Boulevard, 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 access to the site. The Master Plan construction will be arranged in multiple phases. Phase 1 was completed in 2024 and future phases are currently unfunded with no definitive timeline for implementation. This Initial Study addresses the full buildout of the Master Plan including replacing all of the portable buildings on campus and other campus renovations, including the following:

Phase 2a

- Demolish building F.
- Construct new two-story classroom building.

Phase 2b

- Demolish existing library building.
- Remove four portable buildings.

Phase 3a

- Construct new multipurpose building.

Phase 3b

- Demolish existing multipurpose building.

Phase 4a

- Construct new Early Learning Center with classrooms and play yards for preschool, transitional kindergarten, and kindergarten.
- Modernize existing classrooms and add collaboration spaces.

Phase 4b

- Demolish existing kindergarten buildings.

- Remove existing preschool portable buildings.

Phase 5a

- Expand parking lot.
- Construct new outdoor learning space.
- Construct new administration building and entry plaza.

Phase 5b

- Remove remaining portable buildings.
- Demolish existing administration building.

The intent of the Master Plan is to modernize the campus and update facilities for current and projected school needs by increasing the number of classrooms by six and adding an additional capacity of 157 students. Phase 1 of the Master Plan was funded with several capital improvement sources. A Categorical Exemption was prepared to address proposed improvements in Phase 1 (March 2024). The improvements, while included in the Master Plan, were found to have independent utility from the other phases and therefore was able to be evaluated separately from the remainder of the Master Plan phases that have yet to be funded. The other improvements identified in the Master Plan will be completed as funding is secured for each phase. The intent of this Initial Study is to programmatically cover future, currently unfunded, phases of the Master Plan to streamline future implementation of those phases.

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 Scott Lane 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 Program based on the mitigation measures contained in this Initial Study/Mitigated Negative Declaration (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
Santa Clara Unified School District
Project Manager, Facility Development and Planning
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 Scott Lane 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 in the preparation of this document, in alphabetical order.
- Chapter 5 – List of Preparers. This chapter provides a list of those involved in the preparation of this document.
- Appendices.

Chapter 2. Project Description

2.1 PROJECT PURPOSE

The SCUSD is undertaking Master Plan (project) improvements at Scott Lane Elementary School to modernize the campus and update facilities for current and projected school needs. The Phase 1 improvements were funded by several sources of capital improvement funds. The remaining phases of the Master Plan have no identified funding and therefore no timeline for completion of those subsequent phases. The phases can be implemented in any order and may not follow the numbered sequencing presented in the project description. However, this Initial Study does consider full build-out of the Master Plan phases (that is, it covers all phases).

2.2 PROJECT LOCATION AND SURROUNDING LAND USES

Scott Lane Elementary School is located at 1925 Scott Boulevard in the central portion of the City of Santa Clara. The project site is surrounded by single-family housing to the north along Cabrillo Avenue, and multi-family housing to the east, and south. Single- and multi-family residences exist to the west along Scott Boulevard, directly across from the project site. Rotary Park is situated southeast of the project site on Don Avenue. See Figure 2-1 and Figure 2-2 for regional and aerial mapping of the proposed project site. Photos of the site are shown on Figure 2-3 through Figure 2-8.

2.3 SITE FEATURES

The school currently has a total of 32 self-contained classrooms with the capacity to support up to 781 students from preschool through fifth grade. The classrooms include one specialized academic instruction classroom (K/1) and a speech therapy room, a psychology and counseling room, a multipurpose auditorium, an English language learners room, a YMCA-run daycare room, and a library. The existing school buildings were constructed between 1952-1958 and the portable buildings were added between 1990-1997, 2007, and 2010.

The project site is rectangular with the existing buildings oriented perpendicular Scott Boulevard which runs north/south in the project area. The school's buildings are located on the western half of the site, with play and sports fields/courts on the east. All the buildings are single-story. Three pedestrian accessways are present along Scott Boulevard.

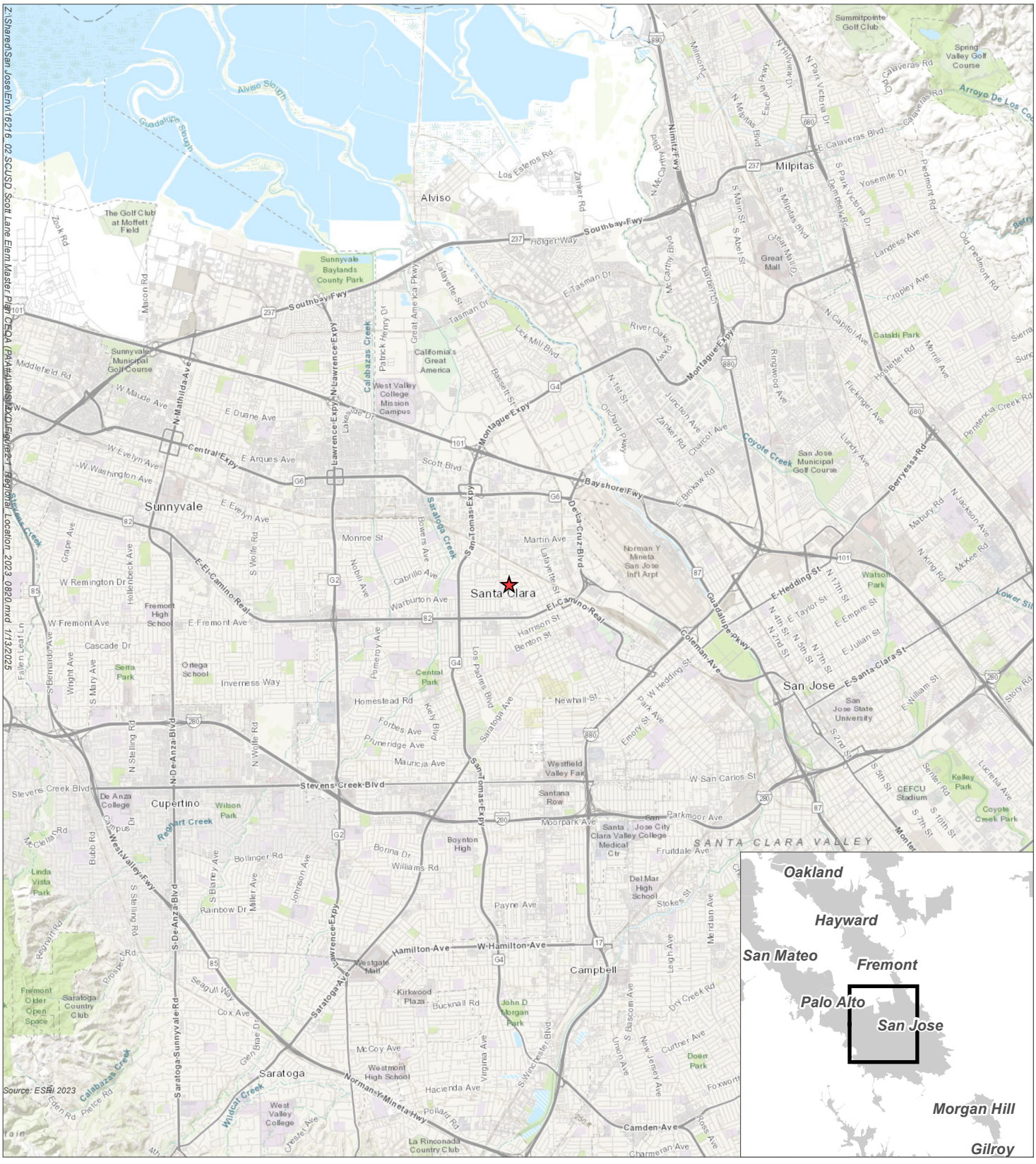

Figure 2-1 Regional Location

SCUSD Scott Lane Elementary Master Plan

Source: Esri 2025

0 100 200 400 600 Feet

N

Project Boundary

Figure 2-2 Project Vicinity

SCUSD Scott Lane Elementary School Master Plan

Photo 1. Viewing south toward existing playground from the center of the campus

Photo 2. Viewing west toward existing playground near Scott Boulevard on the west side of the campus.

Figure 2-3 Site Photos 1 and 2

Photo 3. Viewing west along the existing Building A classroom building toward Scott Boulevard.

Photo 4. Viewing north toward the existing Kindergarten building.

Figure 2-4 Site Photos 3 and 4

Photo 5. Existing storage building in kindergarten play area.

Photo 6. Existing transitional kindergarten portable.

Figure 2-5 Site Photos 5 and 6

Photo 7. Viewing west along the landscape corridor between the existing classroom buildings A and B.

Photo 8. Viewing southeast toward the existing classroom building E from landscape area.

Figure 2-6 Site Photos 7 and 8

Photo 9. Viewing west along the southern site boundary toward Scott Boulevard.

Photo 10. Viewing east toward the existing portable buildings near the southern site boundary.

Figure 2-7 Site Photos 9 and 10

Photo 11. Viewing east toward the existing basketball courts from existing classroom buildings along the northern site boundary.

Photo 12. Viewing southeast across the existing play field from the existing basketball courts.

Figure 2-8 Site Photos 11 and 12

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 11:45 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.

Hours of school operation will not change as a result of implementation of the Master Plan. All 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

The proposed Master Plan improvements include:

- Replace all portable classrooms with permanent classrooms;
- Expand the existing parking lot;
- Demolish the existing library;
- Construct a new two-story building with student support room/wellness center, maker space, library, and classrooms;
- Construct a new preschool, transitional kindergarten, and kindergarten area;
- Demolish the existing multipurpose building;
- Construct a new multipurpose building with cooking kitchen and support spaces;

- Demolish existing administration building; and
- Construct new administration building and entry plaza.

The proposed full buildout of the Master Plan includes 38 classrooms and a maximum capacity of 938 students. The full buildout of the Master Plan would result in six additional classrooms and 157 more students than is currently accommodated. No other new uses are proposed by the Master Plan project.

Construction

Phase 1 of the project (parking lot and access driveway improvements) occurred over approximately five months from April of 2024 through September of 2024 (CEQA approval by Categorical Exemption in March 2024). For future phases of construction, all uses are assumed to remain on site and the construction is anticipated to be ongoing during the school year.

All phases of Master Plan construction are anticipated to require the use of typical construction equipment including but not limited to 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 reconfigured parking lot and driveways. The contractor will be required to prepare a construction logistics plan to coordinate construction and maintain access and safety on the surrounding roads during construction. Figure 2-9 shows the full buildout of the proposed Master Plan improvements.

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

Source: HY 2022

Not to Scale

Figure 2-9 Master Plan Improvements

2.6 STANDARD DESIGN AND CONSTRUCTION MEASURES

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

Table 2.6-1: Standard Design and Construction Measures

Impact 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 Bay Area Air Quality Management District (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 track-out onto adjacent public roads will be removed using wet power vacuum street sweepers 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.

Table 2.6-1: Standard Design and Construction Measures	
Impact Section	**Standard Design and Construction Measure**
	• 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 preparation of a site and project phase-specific geotechnical reports. All recommendations from this report shall be included in project plans and specifications.
Hazardous Materials	**Identification and Removal and or Remediation.** Future phases of construction would be subject to both DSA and Department of Toxics 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 specific Work Plan would be developed, then would need to be reviewed by DTSC and implemented by the District and or it's contractors to address and remediate any concerns.
Hydrology/Water Quality	**General Permit for Construction Activity.** The project disturbs more than one acre of land and therefore requires compliance with the requirements of the California General Permit For Stormwater Discharges associated with

Table 2.6-1: Standard Design and Construction Measures	
Impact Section	**Standard Design and Construction Measure**
	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 Best Management Practices (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 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 for review throughout the entire construction period.
Hazardous Materials	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.
Transportation	**Traffic Control** - For all construction affecting vehicle, bicycle, or pedestrian circulation patterns, the contractor will implement a traffic control plan with traffic control measures to ensure safety and vehicle flow during

Table 2.6-1: Standard Design and Construction Measures	
Impact Section	**Standard Design and Construction Measure**
	construction, and which ensures public safety and provides for adequate access to public rights-of-way during construction.

Chapter 3. Environmental Checklist and Responses

1. **Project Title:** Scott Lane Elementary School Master Plan

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

3. **Contact Person and Phone Number:** Melissa Kersh, Project Manager, Facility Development and Planning, (408) 423-2148

4. **Project Location:** 1925 Scott Boulevard, Santa Clara, CA 95050

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

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

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

8. **Description of the Project:** The project is the implementation of the Scott Lane Elementary School Master Plan which sets forth planned improvements the school district intends to undertake in the future as funding allows including, but not limited to: (1) replace all portables with permanent classrooms; (2) construct a new Early Learning Center with classrooms and play yards for preschool and transitional kindergarten and kindergarten; (3) field renovation; (4) construct a new administration building with offices for student support programs; (5) construct a new larger multipurpose building, cooking kitchen and stage; (6) modernize existing classrooms; (7) construct a new permanent library; and (8) other improvements within the campus. The intent of the Master Plan is to modernize the campus and update facilities for current and projected school needs over the next 30 years. Full buildout of the Master Plan supports six additional classrooms and an increase of 157 students at the site.

9. **Surrounding Land Uses and Setting:** The project site is surrounded by single- and multi-family housing to the north, east, and south. Single- and multi-family residences exist along Scott Boulevard, directly across the project site. Rotary Park is situated southeast of the project site on Don Avenue. See Figure 2-1 and Figure 2-2 for regional and aerial mapping of the proposed project site.

10. **Other public agencies whose approval is required:** Division of the State Architect, and the Department of Toxic Substances Control.

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

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

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

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

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

Signature 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 natural or historic features that are considered scenic resources by the City.

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.

As discussed in Section 2.2, Scott Lane Elementary School is located in the central portion of the City of Santa Clara. The project site is surrounded by single- and multi-family housing to the north, east, and south. Single- and multi-family residences exist along Scott Boulevard, directly across from the project site.

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 8.0 miles south of the project site.

Sensitive Scenic and Visual Resources

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

> *"A scenic vista is the view of an area that is visually or aesthetically pleasing. One example is the area encompassing a lake or a park-land water amenity and the view-shed extending from the lake to the highest visible point surrounding the lake. Aesthetic components of a scenic vista include; 1) scenic quality, 2) sensitivity level, and 3) view access. The City of Santa Clara's physical setting lends opportunities for many views of the community and surrounding natural features, including panoramic views of the Santa Cruz Mountains and the Diablo Range and stretches of open space and undeveloped land in the Ulistac Natural Area. Scenic vistas can be viewed intermittently from the system of formal and informal trails that afford recreational and scenic opportunities for the community."*
>
> *"The City of Santa Clara is primarily suburban in character, with nodes of higher density, urban development. The southern portion of the City is highly developed, with a wide array of residential neighborhoods and the Santa Clara University. The northern portion of the City contains industrial, recreational, and tourist commercial development. The City's character and identity are largely products of its 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 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, and a public park. Due to existing development, views are generally limited to one or two blocks in each direction when traveling on foot or in a vehicle. Additionally, long-range views from the project site are obscured by existing development. Therefore, the project would not result in impacts to a scenic vista. No impact would occur.

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

No Impact. The project site is not visible from an officially designated state scenic highway. The closest officially designated state scenic highway to project site is State Route (SR) 9, located

approximately 8 miles south of the project site in Saratoga. Therefore, the project would not damage scenic resources within a state scenic highway. No impact would occur.

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?

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 and other school site facilities on an existing school site. The proposed buildings will be located in the same area of the campus where buildings currently exist. Most of the proposed buildings are one story in height with one classroom building at two stories. Additional improvements include reconfiguring the parking areas and replacing landscaping around the site. As noted previously, construction equipment would be visible for the duration of construction, which is anticipated to occur in several phases as funding becomes available. However, the amount of equipment on the site or in staging areas would vary as construction progresses and would be temporary in nature.

The project may result in the removal of up to 53 existing trees, the majority of which are located within the interior of the site. However, replacement landscaping, including trees, would be provided in subsequent phases to offset the losses. 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 significant new night lighting is proposed as part of the project. Site, building, and parking lot security and safety night lighting is planned; however, this type of lighting currently exists at the site and new buildings will occupy the same areas of the campus where buildings currently exist. All new lighting will be fully shielded and directed toward the ground and not toward neighboring properties. This impact would be less than significant.

3.2 AGRICULTURAL AND FOREST RESOURCES

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:*				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	☒
*In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.				

3.2.1 Environmental Setting

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

3.2.2 Regulatory Setting

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 classified as Prime Farmland. For the purpose of CEQA analyses, the FMMP classifications and published county maps are used to identify whether agricultural resources that could be affected are present on-site or in the project area.

3.2.3 Impact Discussion

Would the project:

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

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

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

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

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

No Impact. (Responses a – e). The project would not impact Prime Farmland, Unique Farmland, Farmland of Statewide Importance, forest land, or land under a Williamson Act contract as none are present on or near the project site (CDC 2018). The project would not convert or cause the conversion of any farmland or forest land to a non-agricultural/non-forest use because the project site is within urban and built-up land surrounded by urban uses. Thus, the project would not result in impacts to any agricultural or forestry resources. No impact would occur.

3.3 AIR QUALITY

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:*				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐
*Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.				

3.3.1 Environmental Setting

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

Criteria Air Pollutants

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

San Francisco Bay Area Air Basin

The proposed project is located in the San Francisco Bay Area Air Basin (SFBAAB), an area of non-attainment for both the 1-hour and 8-hour state ozone standards, both the annual and 24-hour state PM_{10} standards, and the national 24-hour and state annual $PM_{2.5}$ 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 Scott Lane Elementary School campus on Scott Boulevard. The existing campus includes 32 classrooms with the capacity to support up to 781 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 landscaping). These existing emissions contribute to local and regional air quality conditions near the school and in the greater SFBAAB.

Sensitive Receptors

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

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

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

- Single-family residential receptors north of the site adjacent to the school grounds along Cabrillo Avenue and multi-family residential receptors at the Civic Plaza Apartments east of the site adjacent to the school grounds.
- Multi-family residential receptors approximately 50 feet south of the site at Greenpointe Apartment Homes along Warburton Avenue.
- Single-family receptors approximately 100 feet west of the site across Scott Boulevard.
- Noor Active Living Center assisted living facility, located approximately 430 feet southwest of Scott Lane Elementary School.

3.3.2 Regulatory Setting

State

CARB In-Use Off-Road Diesel Vehicle Regulation

CARB's In-Use Off-Road Diesel Equipment regulation is intended to reduce emissions of NO_x and PM from off-road diesel vehicles, including construction equipment, operating within California. The regulation imposes limits on idling; requires reporting equipment and engine information and labeling all vehicles reported; restricts adding older vehicles to fleets; and requires fleets to reduce their emissions by retiring, replacing, or repowering older engines or installing exhaust retrofits for PM. The requirements and compliance dates of the off-road regulation vary by fleet size, and large fleets (fleets with more than 5,000 horsepower) must meet average targets or comply with Best Available Control Technology requirements beginning in 2014. CARB has off-road anti-idling regulations affecting self-propelled diesel-fueled vehicles 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.

Bay Area Air Quality Management District

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

Table 3.3-1: Potentially Applicable BAAQMD Rules and Regulations

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.

Table 3.3-1: Potentially Applicable BAAQMD Rules and Regulations		
Regulation	**Rule**	**Description**
7 – Odorous substances	Odorous Substances	Establishes general limitations on odorous substances and specific emission limitations on certain odorous compounds, such as ammonia.
11 – Hazardous Pollutants	2 – Asbestos Demolition, Renovation and Manufacturing	Control emissions of asbestos to the atmosphere during demolition, renovation, milling and manufacturing and establish appropriate waste disposal procedures.
Source: BAAQMD, 2023c.		

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

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

The plan includes 85 distinct control measures to help the region reduce air pollutants and has a long-term strategic vision which forecasts what a clean air Bay Area will look like in the year 2050. The control measures aggressively target the largest source of GHG, ozone pollutants, and particulate matter emissions – transportation. The 2017 Clean Air Plan includes more incentives for electric vehicle infrastructure, off-road electrification projects such as Caltrain and shore power at ports, and reducing emissions from trucks, school buses, marine vessels, locomotives, and off-road equipment (BAAQMD 2017).

Local

City of Santa Clara 2010-2035 General Plan

Chapter 5, section 10.2 of the City's General Plan includes goals and policies to address air quality (City of Santa Clara, 2014). The following goals and policies from the General Plan may be applicable to the proposed project:

- *Goal 5.10.2-G1:* Improve air quality in Santa Clara and the region.

- *Policy 5.10.2-P1:* Support alternative transportation modes and efficient parking mechanisms to improve air quality.

- *Policy 5.10.2-P2:* Encourage development patterns that reduce vehicle miles traveled and air pollution.

- *Policy 5.10.2-P3:* Encourage implementation of technological advances that minimize public health hazards and reduce the generation of air pollutants.

- *Policy 5.10.2-P6:* Require “Best Management Practices” for construction dust abatement.

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; and
    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; and
    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; and

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 which include on and off-road trucks and farming equipment, aircraft for crop spraying, animal waste, pesticide and fertilizer use, crop residue burning, travel on unpaved roads, and soil tillage. AG control measures would not apply to the proposed project because it is located in a developed, urban area.
Buildings (BL)	4	Applies to residential, commercial, governmental and institutional buildings, which generate emissions through energy use for heating, cooling, and operating the building, and from the materials used in building construction and maintenance. BL measures would potentially apply to the proposed new school building.
Energy (EN)	2	Applies to criteria pollutant, TAC, and GHG emissions from electricity that is generated and used within the Bay Area, as well as GHG emissions from electricity that is generated outside the Bay Area and 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.
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 2017.		

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 PM2.5 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 2-2 in Project Description and under discussion b) below, the proposed project includes BMPs to address potential fugitive dust emissions from project construction activities.

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

- *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, and according to local hauling policies.

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, 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 2023b). Consistent with the BAAQMD's guidance, if a project meets all the screening criteria, then the project would result in a less than significant air quality impact and a detailed air quality assessment is not required for the project.

Project Consistency with BAAQMD Construction and Operational Screening Criteria

The proposed project would generate short-term emissions from construction activities including demolition, site preparation, building construction, and paving. The project would disturb, landscape, and resurface approximately 6.76 acres in total. Grading was assumed to be balanced on site. Details regarding scheduling for the construction of the subsequent phases are unknown at this time due to the fact that funding has yet to be confirmed for future phases. For the purposes of this report, all future phases were combined into an "End Phase" and analyzed together.

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

Table 3.3-3: Project Consistency with BAAQMD Screening Criteria

Screening Criterion	***Requirement***	***Project Consistency***
Land Use Type and Size	Project is below the construction (452,000 square feet) and operational screening size (488,000 square feet)[(A)] for elementary school land use.	Consistent - The proposed project would construct approximately 45,000 square feet of building area on school grounds.

Table 3.3-3: Project Consistency with BAAQMD Screening Criteria		
Screening Criterion	***Requirement***	***Project Consistency***
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 existing Building F, library, multipurpose building, administration, kindergarten classroom and preschool classroom buildings.
Construction Phases	Construction does not include simultaneous occurrence of more than two construction phases (e.g., grading, paving, and building construction would occur simultaneously).	Consistent - The proposed project does not include simultaneous occurrence of more than two construction phases.
Site Preparation	Construction does not include extensive site preparation (e.g., grading, cut and fill, or earth movement).	Consistent - The proposed project would not include extensive site preparation as the site is already developed and used for elementary school purposes.
Stationary Sources	Construction and operation do not include stationary sources (e.g., backup generators) subject to BAAQMD rules and regulation.	Consistent - The proposed project would not include stationary sources.
Material Transport	Construction does not require extensive material transport (e.g., soil import and export requiring a considerable amount of haul truck activity).	Consistent - The project would balance existing soils on-site and would involve less than 29,000 building square-footage debris export of other hauling activity.
Construction and Operation Overlap	Construction related activities would not overlap with operational activities.	Potentially Inconsistent – The proposed project could have construction activities at the same time as operations.

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

As shown in Table 3.3-3, the proposed project is not consistent with all BAAQMD construction-related screening criteria because it would include demolition activities. Accordingly, the proposed project's construction emissions were estimated using the California Emissions Estimator Model (CalEEMod, Version 2022.1). Potential construction emissions for End Phase

(combination of all subsequent phases) 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 for End Phase.
- **Demolition Building Square Footage:** Approximately 25,000 square feet of building demolition was added to End Phase to account for demolition and removal of the existing structures.
- **Project Phasing:** Due to the uncertainty of funding and scheduling associated with the other phases, all subsequent phases of construction activities were modeled as a single construction project to provide a worst-case estimate of potential construction emissions.

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

Table 3.3-4: Estimated End Phase 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	0.4	1.2	1.3	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	2.1	6.3	7.3	0.3	0.2	0.1	0.2
BAAQMD CEQA Threshold	**54**	**54**	**--**	**BMPs**	**82**	**BMPs**	**82**
Potentially Significant Impact?	**No**	**No**	**No**	**No**	**No**	**No**	**No**

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

As shown in Table 3.3-4, the proposed project would not result in construction emissions that exceed the BAAQMD's recommended CEQA thresholds of significance. For all projects, the BAAQMD recommends implementation of nine "Basic Best Management Practices for Construction-Related Fugitive Dust Emissions" to reduce construction fugitive dust emissions levels; these basic measures are also used to meet the BAAQMD's best management practices (BMPs) threshold of significance for construction fugitive dust emissions (i.e., the implementation of all basic construction measures renders fugitive dust impacts a less than

significant impact). The BAAQMD's recommended fugitive dust BMPs are as follows (BAAQMD 2023b, Table 5-2):

- B-1: All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- B-2: All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- B-3: All visible mud or dirt trackout onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- B-4: All vehicle speeds on unpaved roads shall be limited to 15 mph.
- B-5: All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- B-6: All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
- B-7: All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
- 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 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 Air District rules and regulations, and operational activities would not overlap with construction-related activities. As shown in Table 3.3-3, the proposed project would be below the operational screening level size and would not

include any stationary sources, however operations may overlap with construction activities due to the phased nature of the project design. Therefore, the proposed project may not meet all BAAQMD operations-related screening criteria.

Emissions associated with operations of Scott Lane Elementary School were estimated using CalEEMod, for both the existing student capacity of 781 students and for the proposed Master Plan (i.e. operations after end phase construction is completed) student capacity of 938 students. Table 3.3-5 and Table 3.3-6 show the estimated operational criteria air pollutant emissions under existing conditions and under the proposed Master Plan, respectively. The net change in operational emissions that would occur with all Master Plan projects is shown in Table 3.3-7.

Table 3.3-5: Estimated Existing Operational Criteria Air Pollutant Emissions

Source	Pollutant Emissions (Tons per Year)				
	ROG	**NOx**	**CO**	**PM10**	**PM2.5**
Area Sources	0.3	<0.1	0.3	<0.1	<0.1
Energy Demand	<0.1	0.1	0.1	<0.1	<0.1
Mobile Sources	0.9	0.8	7.2	1.5	0.4
TOTAL(A)	1.2	1.0	7.5	1.5	0.4
BAAQMD CEQA Threshold	**10**	**10**	**--**	**15**	**10**
Potentially Significant Impact?	**No**	**No**	**No**	**No**	**No**
Source	**Pollutant Emissions (Average Pounds per Day)**				
	ROG	**NOx**	**CO**	**PM10**	**PM2.5**
Area Sources	1.8	<0.1	1.4	<0.1	<0.1
Energy Demand	<0.1	0.7	0.6	0.1	0.1
Mobile Sources	4.8	4.5	39.2	8.1	2.1
TOTAL(A)	6.7	5.2	41.2	8.2	2.2
BAAQMD CEQA Threshold	**54**	**54**	**--**	**82**	**54**
Potentially Significant Impact?	**No**	**No**	**No**	**No**	**No**

Source: BAAQMD 2023b and MIG 2023. See Appendix A.
(A) Totals may not equal due to rounding.

Table 3.3-6: Estimated Master Plan Operational Criteria Air Pollutant Emissions					
Source	**Pollutant Emissions (Tons per Year)**				
	ROG	**NOx**	**CO**	**PM10**	**PM2.5**
Area Sources	0.4	<0.1	0.3	<0.1	<0.1
Energy Demand	<0.1	0.2	0.1	<0.1	<0.1
Mobile Sources	0.9	0.8	7.2	1.8	0.5
TOTAL[(A)]	1.3	1.0	7.6	1.8	0.5
BAAQMD CEQA Threshold	**10**	**10**	**--**	**15**	**10**
Potentially Significant Impact?	**No**	**No**	**No**	**No**	**No**
Source	**Pollutant Emissions (Average Pounds per Day)**				
	ROG	**NOx**	**CO**	**PM10**	**PM2.5**
Area Sources	2.2	<0.1	1.7	<0.1	<0.1
Energy Demand	0.1	0.9	0.7	0.1	0.1
Mobile Sources	5.0	4.2	39.2	9.7	2.5
TOTAL[(A)]	7.2	5.1	41.6	9.7	2.6
BAAQMD CEQA Threshold	**54**	**54**	**--**	**82**	**54**
Potentially Significant Impact?	**No**	**No**	**No**	**No**	**No**

Source: BAAQMD 2023b and MIG 2023. See Appendix A.
(A) Totals may not equal due to rounding.

Table 3.3-7: Net Change in Operational Criteria Air Pollutant Emissions					
Source	**Pollutant Emissions (Tons per Year)**				
	ROG	**NOx**	**CO**	**PM10**	**PM2.5**
Existing Operational Total	1.2	1.0	7.5	1.5	0.4
Master Plan Operational Total	1.3	1.0	7.6	1.8	0.5
Net Change(A)	0.1	<0.1	0.1	0.3	0.1
BAAQMD CEQA Threshold	**10**	**10**	**--**	**15**	**10**
Potentially Significant Impact?	**No**	**No**	**No**	**No**	**No**
Source	**Pollutant Emissions (Average Pounds per Day)**				
	ROG	**NOx**	**CO**	**PM10**	**PM2.5**
Existing Operational Total	6.7	5.2	41.2	8.2	2.2
Master Plan Operational Total	7.2	5.1	41.6	9.7	2.6
Net Change(A)	0.5	-0.1	0.4	1.5	0.4
BAAQMD CEQA Threshold	**54**	**54**	**--**	**82**	**54**
Potentially Significant Impact?	**No**	**No**	**No**	**No**	**No**
Source: BAAQMD 2023b and MIG 2023. See Appendix A. (A) Totals may not equal due to rounding.					

As shown in Table 3.3-5, Table 3.3-6, and Table 3.3-7, the proposed project would not result in a net change in operational emissions that exceeds the BAAQMD's recommended CEQA thresholds of significance. Therefore, construction and operation of the proposed project would not exceed BAAQMD significance thresholds. This impact is less than significant.

Cumulative Impact Discussion

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

c) Expose sensitive receptors to substantial pollutant concentrations?

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

Project Construction Emissions

Project-related construction activities would emit $PM_{2.5}$ from equipment exhaust. Nearly all the project's $PM_{2.5}$ emissions from equipment exhaust would be DPM, which is a TAC. Site grading, foundation installation, trenching, and paving would occur intermittently during the daytime weekday period for approximately three to five months. Building construction and finishing would require little to no diesel-powered construction equipment other than an equipment lift or vendor trucks. Although project construction would emit criteria and hazardous air pollutants, these emissions would be well below the BAAQMD's construction thresholds of significance (see discussion b) above). In addition, the construction BMPs listed in Table 2.6-1 Standard Design and Construction Measures 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 Scott Lane 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 six more classrooms and capacity for 157 more students than the school currently accommodates. Based on the information presented in the Transportation Analysis Memorandum prepared for the proposed project by Hexagon

Transportation Consultants, the project would result in 12 additional employee daily trips and 356 additional student daily trips (Hexagon 2024). The proposed project is not anticipated to increase traffic levels 24,000 vehicles per hour. The project, therefore, would not result in substantial CO concentrations from vehicle trips or idling.

Scott Lane School Campus Exposure to Existing Sources of Hazardous Air Emissions

CEQA Guidelines Section 15186(c)(1) requires that when a project involves the construction of a secondary or elementary school by a school district, the CEQA document prepared for the project determine if the school property is within 500 feet of the edge of the closest traffic lane of a freeway or other busy traffic corridor, which is defined in CEQA Guidelines Section 15186(e)(5) as roadways that have average daily traffic volumes in excess of 100,000 vehicles in an urban area. 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 the segment of Scott Boulevard between Monroe Street and El Camino Real. As identified in the City's General Plan Transportation and Mobility Assumptions, this road segment has an existing average daily traffic (ADT) volume of 8,610 vehicles as of 2008 and a projected 2035 ADT volume of 9,900 vehicles (City of Santa Clara 2014, Appendix Seven Table 8.7-5).

Pursuant to CEQA Guidelines Section 15186(c)(2), the BAAQMD Stationary Source Screening Map GIS tool indicates there are four facilities within ¼-mile of the existing school that might reasonably be anticipated to emit hazardous emissions (BAAQMD 2023a). The first facility (at 1500 Warburton Avenue) is a City of Santa Clara public administration building with a diesel-fueled back-up generator. The second facility (at 1220 Memorex Drive) is a real estate and rental and leasing building with a diesel-fueled back-up generator. The third facility (at 2090 Scott Boulevard) and fourth facility (at 1995 Warburton Avenue) are retail buildings with gasoline dispensing facilities. These facilities are located approximately 0.17 mile, 0.25 mile, 0.12 mile, and 0.12 mile, respectively, from Scott Lane Elementary School and the emissions from these facilities are below the BAAQMD's acute and chronic trigger levels that require the preparation of a health risk assessment (i.e., the facilities emissions levels are sufficiently low enough that a health risk assessment was not required pursuant to BAAQMD Regulation 2, Rule 5 during permitting).

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

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

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

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

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

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

Although the proposed project could generate potential odors that could be detectable at adjacent residential receptor locations, this impact would not be significant for several reasons. First, the potential odors associated with the proposed project are common in the vicinity of the project area due to existing roads and vehicle trips. The project, therefore, would not result in the release of atypical or unfamiliar odors near sensitive receptors (e.g., odors associated with traffic). Second, construction activities would not result in the continuous generation of odors. Rather, odors would be intermittent and only generated during certain activities (e.g., equipment operations, vehicle trips) and times of day (e.g., during and immediately after equipment operations). Construction activities would also be short in duration. Finally, potential odors from construction and operational activities would disperse due to wind flow across the project site and surrounding lands. For these reasons, the construction and operation of the proposed project would not generate unusual, atypical, or excessive odors that could affect a substantial number of people.

3.4 BIOLOGICAL RESOURCES

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

3.4.1 Environmental Setting

The proposed project site is a fully developed elementary school 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, parking lot, and walkways. The

project site is surrounded by single- and multi-family housing to the north, east, and south. Single- and multi-family residences exist along Scott Boulevard, directly across from the project site. The project site is accessed via Scott Boulevard.

Existing Land Cover Types, Vegetation Communities, and Habitats

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

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 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, including the western fence lizard (*Sceloporus occidentalis*), striped skunk (*Mephitis mephitis*), and raccoon (*Procyon lotor*). 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 project area. House finch (*Haemorhous mexicanus*), Bewick's wren (*Thryomanes bewickii*), black phoebe (*Sayornis nigricans*), and northern mockingbird (*Mimus polyglottos*) may also nest in the landscaped areas and were observed during the reconnaissance survey. Although some species of bats will roost in trees and buildings, none of the trees and buildings on the site support potential features (e,g., crevices or cavities) suitable for roosting bats.

Special-Status Species

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

- 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. 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, 33 special-status animal species are known to occur in the region. None of these species have any potential to occur on the project site due to the developed nature of the site, lack of suitable habitat (e.g., burrowing habitat, salt marsh, riparian, grassland), the site is outside the range of the species, or the species is considered to be extirpated from the project region. For example, the western burrowing owl (*Athene cunicularia*), a California species of special concern, is known to occur at the San Jose Mineta Airport, approximately one mile east of the project site (SCVHA 2021). However, due to the absence of grassland habitat and California ground squirrel (*Spermaphilous beecheyi*) burrows, an essential habitat component for burrowing owls, there is no potential for this species to occur on the project site.

Nesting Birds

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

Sensitive and Regulated Plant Communities and Habitats

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

3.4.2 Regulatory Setting

Federal

Endangered Species Act

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

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

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

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

California Endangered Species Act

The California Endangered Species Act (CESA; Fish and Game Code 2050 et seq.) generally parallels FESA. It establishes the policy of the State to conserve, protect, restore, and enhance threatened or endangered species and their habitats. Section 2080 of the California Fish and Game Code prohibits the take, possession, purchase, sale, and import or export of endangered,

threatened, or candidate species, unless otherwise authorized by permit or by the regulations. "Take" is defined in Section 86 of the California Fish and Game Code as to "hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill." This definition differs from the definition of "take" under FESA. CESA is administered by CDFW. CESA allows for take incidental to otherwise lawful projects but mandates that State lead agencies consult with the CDFW to ensure that a project would not jeopardize the continued existence of threatened or endangered species.

Native Plant Protection Act

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

California Fish and Game Code

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

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

Non-Game Mammals. Sections 4150-4155 of the California Fish and Game Code protects non-game mammals, including bats. Section 4150 states "A mammal occurring naturally in California that is not a game mammal, fully protected mammal, or fur-bearing mammal is a non-game mammal. A non-game mammal may not be taken or possessed except as provided in this code or in accordance with regulations adopted by the commission". The non-game mammals that may be taken or possessed are primarily those that cause crop or property damage. Bats are

classified as a non-game mammal and are protected under California Fish and Game Code, in addition to being protected if they are a listed species (e.g., CSSC, CFP, state or federal threatened, or state or federal endangered).

Fully Protected Species and Species of Special Concern

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

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

Sensitive Vegetation Communities

Sensitive vegetation communities are natural communities and habitats that are either unique in constituent components, of relatively limited distribution in the region, or are of particularly high wildlife value. These communities may or may not necessarily contain special-status species. Sensitive natural communities are usually identified in local or regional plans, policies, or regulations, or by the CDFW (i.e., CNDDB) or the USFWS. The CNDDB identifies a number of natural communities as rare, which are given the highest inventory priority (Holland 1986; CDFW 2022). Impacts to sensitive natural communities and habitats must be considered and evaluated under CEQA (CCR: Title 14, Div. 6, Chap. 3, Appendix G).

Local

City of Santa Clara Municipal Code (City Code)

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

3.4.3 Impact Discussion

Would the project:

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

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

Nesting Birds

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

Impact BIO-1: 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 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.

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 Migratory Bird Treaty Act 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 - 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 Mitigation Measure BIO-1 above.

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

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

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

Mitigation Measure BIO-2. Implement Bird-Safe Building Design

If extensive glass facades (e.g., glass walls, walkway railings, balcony railings) are proposed on proposed buildings, the project shall implement the following bird-safe design considerations:

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

- Minimize plantings and landscaped areas behind glass walls or railings.
- Minimize concentrations of plantings adjacent to glass facades and glass corners.

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

Less Than Significant Impact. The project may result in the removal of up to 53 existing trees as a result of redevelopment. The City of Santa Clara City Code includes provisions to protect existing trees on private property in the City. Five of the trees inventoried on the project site are classified as protected trees under the City of Santa Clara City Code (Section 12.35.080). Section 12.35.090 of the City Code states that it is unlawful for any person to remove, or cause to be removed, any protected tree from any parcel of property in the City without first obtaining a permit from the City. The SCUSD has consulted with the City over the applicability of the Sections 12.35.080 and 12.35.090 to this project, however, and it was determined that the SCUSD does not fall under the City's jurisdiction for tree removals and therefore these City Code sections do not apply to the removals proposed by the project on school property (Michal Healy, SCUSD). If trees on City property are required to be removed as a result of future phases 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 dated June 14, 2023. Inquiries regarding the report should be directed to the SCUSD.

3.5.1 Environmental Setting

Prehistoric

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

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.

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 passed through or near the project site.

The project site is approximately 1.2 miles northwest of present-day Mission Santa Clara, founded in 1777 and moved to its present-day location and dedicated 1825/1828. Until about 1846 the Mission buildings were the only known adobe structures in Santa Clara. With the coming of the American possession, a few Americans arrived, settled and built adobe buildings.

After the first gold rush, a second wave of American immigrants arrived in Santa Clara and formed the adobe buildings era of the late ‘40s and early ‘50s.”

American Period

The project is not within the early boundaries of the City of Santa Clara that developed around Mission Santa Clara. A reported but unrecorded early American Period built environment site dating from the early 1850s, the John G. Bray Site composed of two buildings was present within the campus and immediate vicinity. The property included a large frame residence and a low, four room oblong building that incorporated an 1850s adobe dwelling. The property was razed in 1951/1952 for the construction of Scott Lane Elementary School.

Historic Dwelling Identified In/Adjacent/Near the Campus

The school site was occupied by The Bray Adobe Building [site] constructed during the 1850s. Review of a 1931 aerial photograph shows the Bray Ranch and at least five buildings including the residence and the probable four room building that incorporated the 1850s adobe within the southwest quarter of the existing school campus. Two of the current classroom wings and a parking area appear to cover the former ranch buildings.

A 1866 Plat of Santa Clara and the 1876 Historical Atlas of Santa Clara County, show a building on the east side of Scott's Lane (now Scott Boulevard) within the southwest corner of a 36-acre parcel owned by J.G. Bray Est. An orchard covered most of the parcel, but not the western 10-acre area along Scott’s Lane (now Scott Boulevard) and the southern part of the parcel.

According to the Bray family, the adobe dwelling was built in 1850 by Marcello and his Indians (i.e., three Native Americans named Marcello, Pio and Cristobal) who were granted Rancho Ulistac north of Bray between Campbell Creek and the Guadalupe River.

The Bray parcel would have been part of former Mission Lands. The parcel was transferred on December 8, 1852 from Wm. Haun to Benson and Headen; and then on January 8, 1855 in two transfers to John G. Bray. Bray declared it a homestead in 1860. It remained in the Bray family until it was transferred to Manuel Barba ca. 1940.

A Map Showing Sites of Santa Clara Mission, Santa Clara County, California from 1777 to 1825 shows a 34-acre parcel owned by “Geo. Bray” on the east side of “Gould Street” north of a parcel owned by “Mrs. T.” whose parcel is bounded on the south by Reed Street. A 1940 Map of Town of Santa Clara 1781 to early 1850 shows the Bray Adobe as extant, east of Scott’s Lane and north of Reed Street. The adobe was still standing in 1940, but is not listed in the Adobe Houses in the San Francisco Bay Region.

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 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, 1 TK-8, 4 middle, 3 high schools, and 4 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.

Scott Lane Elementary School

Scott Lane Elementary School was built in the 1950s and expanded with portable classroom buildings during the 1990s, and 2000s. The original building was designed in the mid-century

modern style by architect L.F. Richards, 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 mid-century 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: L.F. Richards

Scott Lane Elementary School was originally designed by architect L.F. Richards in 1952. Limited information on Richards is available, however, he is listed as the architect for several government and educational facilities in the City of Santa Clara. While Richards is identified as an architectural firm with an office in Santa Clara as early as 1948, the first known building Richards designed was the Santa Rosa Swim Center in 1949.

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

While he seemed to have built a niche in the design of public-school buildings, Richards was also known for other work in Santa Clara. He was awarded the contract for the Santa Clara City Fire House in 1958 and in 1980 Richards was identified as one of the architects for the Santa Clara City Hall. Richards is also credited as the architect for Memorial Cross Park (also known as Mission Cross Park) which is located at the second site of the Santa Clara Mission. He designed several aquatic facilities in the 1950s, which included bath houses and swimming pools for Washington Park in the City of Sunnyvale and an unnamed high school in Alameda.

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

Architectural Description

The Scott Lane Elementary School campus is oriented towards Scott Boulevard to its west. The campus is accessed primarily by two-way drive aisles on Scott Boulevard and Cabrillo Avenue that connect to the school's onsite parking lot. A fire lane at the southern end of the campus provides emergency access. Paved pedestrian paths connect the parking lot, buildings, and hardscaped play areas throughout the site. A variety of fencing styles are used to restrict access to the campus.

The campus comprises nine permanent buildings and thirteen modular (portable) buildings. The buildings house classrooms, a cafeteria, library, administrative offices, and other school functions. Buildings are clustered around the parking lot on Scott Boulevard to the west, while paved blacktops, two playgrounds, and an open lawn area make up the eastern portion of the campus. A third playground is located near the kindergarten classrooms on the western edge of the campus between two of the permanent buildings. One blacktop is located on the southern portion of the campus and surrounds one playground. Most of the modular buildings are located along the campus' northern border and are used as classrooms. Three modular buildings are located along the southern border of the campus and are used for preschool and are enclosed with full height chain link fencing.

The permanent buildings (A through J) were built between 1952 and 1958 and exhibit characteristics of the mid-century modern style of architecture. Constructed of reinforced concrete over poured concrete foundations, they are rectangular in form and composed of multiple classrooms separated by interior walls with dedicated entrances. The buildings have low pitch, uneven span end-gabled roofs (metal in most cases) with the long span overhanging one side of the building to create a covered walk that is supported by metal columns. Exterior walls are clad in stucco. Entrances to the classrooms and glazing systems line both sides of the buildings, while restrooms with vent openings in the gable-ends are typically located at one end of the building plan. The other permanent buildings with open space floor plans include the cafeteria with a flat roof and wide concrete overhang, and the physical education room with a ridge and furrow roof form and clerestory windows. The permanent buildings are connected to one another by covered walkways. The modular and portable buildings (1 through 13) on the campus were installed to accommodate growth in the student body. 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 Location of Buildings and Features

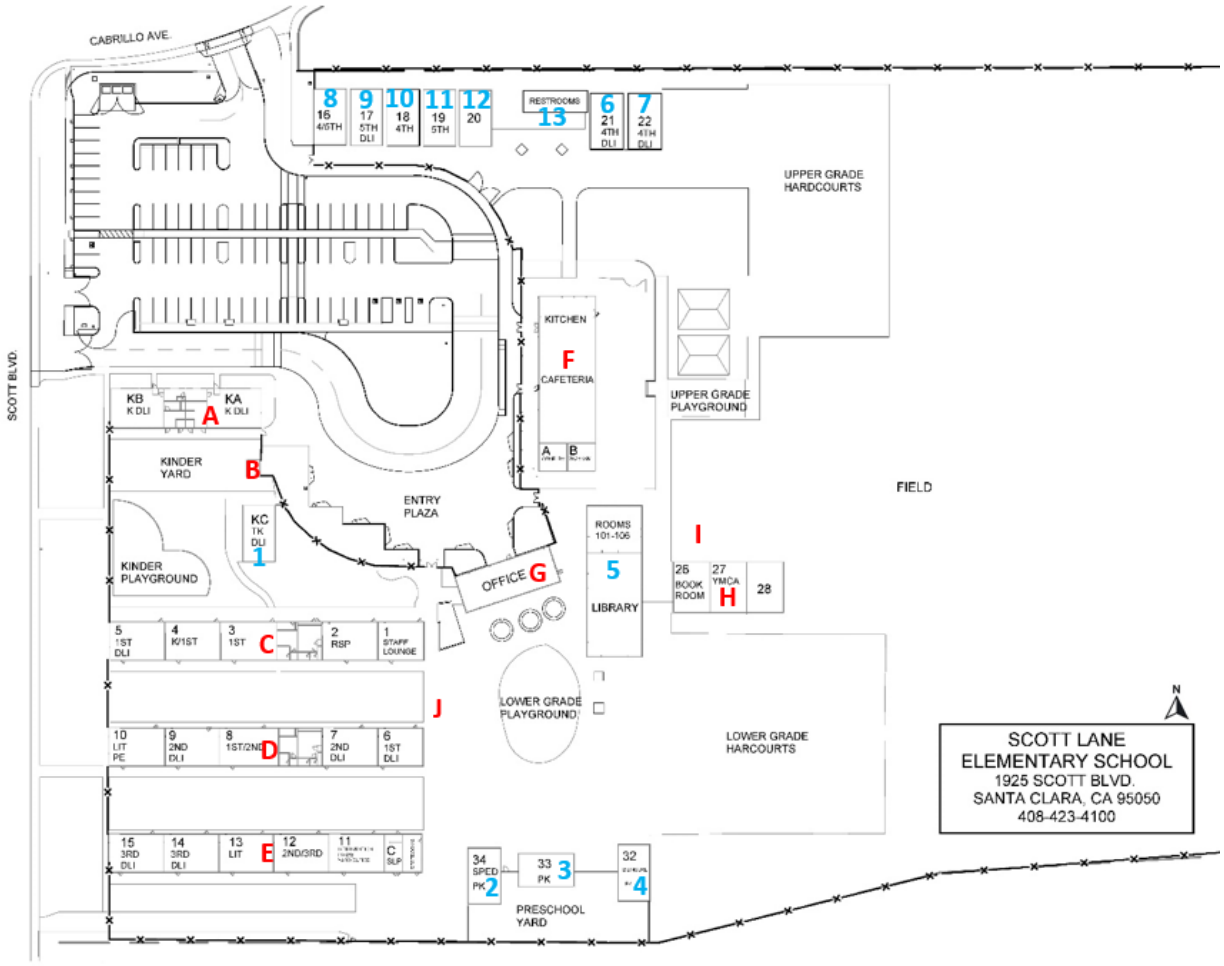

Figure 3-2: Site Photos of Classroom Building E

Photo 1. Building E, north façade, view southeast

Photo 2. Building E, east façade, view west

Figure 3-3: Site Photos of Classroom Building 5

Photo 1. Building 5, west façade, view southwest

Photo 2. Building 5, 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, Northwest Information Center, Sonoma State University, Rohnert Park (CHRIS/NWIC File No. 22-1618 dated 5/15/2023). Reference material from the Bancroft Library, University of California, Berkeley and Basin Research Associates,

San Leandro was also consulted. Specialized listings for cultural resources include the following:

- California History Plan (CAL/OHP 1973).
- California Inventory of Historic Resources (CAL/OHP 1976).
- Five Views: An Ethnic Sites Survey for California (CAL/OHP 1988).
- National Register of Historic Places (NRHP) listings in Santa Clara County (USNPS 2023ac).
- Built Environment Resources Directory (BERD) for Santa Clara County (CAL/OHP 2023a).
- California Historical Resources for Santa Clara County (CAL/OHP 2023b).
- Archaeological Determinations of Eligibility for Santa Clara County [ADOE] (CAL/OHP 2023c).

No other agencies, departments or local historical societies were contacted regarding landmarks, potential historic sites or structures. An archaeological field inventory of the Scott Lane Elementary School was not conducted due to the lack of native soil exposures within the campus.

The CHRIS/NWIC records search was negative for recorded archaeological sites, built environment resources, and/or reported resources within or adjacent to the project site.

One resource has been recorded within 0.25 miles of the campus. A prehistoric site was exposed approximately 500 feet north of the Scott Lane Elementary School within the southeast corner of 2095 Scott Boulevard during construction in December 2000. Two male burials (18+ years old) were found in association with a dark, silty-clay midden (culturally affected soil) with scant Cerithidea californica shell and small bits of charcoal. No artifacts were present. No further information aside from the site form is available. The remains were removed by The Ohlone Tribe. No other finds have been reported in the area.

Native American Outreach

The Native American Heritage Commission (NAHC) was contacted in regard to resources on the Sacred Lands File (SLF). The results were negative. No Native American Tribes have requested consultation with the District per AB 52.

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 a California Native American tribe that are either of the following:

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

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

2. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe. TCRs are further defined under Section 21074 as follows:

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

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

Mitigation measures for TCRs must be developed in consultation with the affected California Native American tribe(s) pursuant to newly chaptered Section 21080.3.2, or according to Section 21084.3. Section 21084.3 identifies mitigation measures that include avoidance and preservation of TCRs and treating TRCs with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource.

California Native American Historical, Cultural, and Sacred Sites Act

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

Public Resources Code Sections 5097 and 5097.98

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

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

Health and Safety Code, Sections 7050 and 7052

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

Government Code Section 6254(r)

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

3.5.3 Impact Discussion

Would the project:

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

No Impact. No listed or 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 Scott Lane 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 CHRIS/NWIC records search was positive for one report of archaeological reports within or adjacent to the project site. Fifteen reports are within a 1/4-mile radius. However, no recorded resources are known for the project site. One Native American prehistoric burial location site located 500 feet north of the project site was discovered in 2000, although no additional finds have been reported since then. Therefore, the project does not have the potential to result in a substantial adverse change to a known archaeological resource.

The recommendations of the Basin report shall be included as Mitigation Measures that will be implemented with each subsequent Phase of the Master Plan to protect currently unknown resources that may be on site. These mitigation measures include notation on subsequent Phases' plan notes that there is a potential for exposing buried cultural resources, including Native American burials, worker awareness training for construction crews, and having an archaeologist available on an on-call basis to address potential finds if they are discovered and preparation of a monitoring report if finds are made.

Impact CUL-1: Construction of the project could potentially result in disturbance to unknown buried cultural resources including human remains.

Mitigation Measure CUL-1a: Protect Cultural Resources that Could Be Discovered During Construction.

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 the following:

- 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 the following:

- 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: Worker Awareness Training. Worker Awareness Training (WAT) shall be completed for all contractors and workers engaged in activities with the potential for ground disturbance. The training shall be conducted by a Professional Archaeologist prior to beginning work.

The training shall address the potential for exposing subsurface resources, recognizing basic signs of a potential resource, understanding required procedures if a potential resource is exposed, including protecting the resource and reporting the resource to a Professional Archaeologist, and, understanding all procedures required under Health and Safety Code § 7050.5 and PRC §§ 5097.94, 5097.98, and 5097.99 for the discovery of human remains.

An ALERT Sheet shall be prepared by the Professional Archaeologist and provided to all personnel indicating points of contact for notification of a discovery and summarizing the protocols and procedures for an unexpected discovery**.**

Mitigation Measure CUL-1c: On-Call Archaeologist. The SCUSD shall retain a Professional Archaeologist on an "on-call" basis during ground disturbing construction 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 District and other appropriate parties of the evaluation and recommend standard design and construction measures to mitigate to a less than significant impact in accordance with California Public Resources Code Section 15064.5. Standard design and construction 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 District in consultation with any regulatory agencies**.**

Mitigation Measure CUL-1d: 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**.**

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

Less Than Significant 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 Measure 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% of statewide electricity consumption and 3.6% 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 LCFS regulation in 2009, identifying it as one of the nine discrete early action measures in the 2008 Scoping Plan to reduce California's GHG emissions. The LCFS regulation is designed to encourage the use of cleaner low-carbon transportation fuels in California, encourage the production of those fuels, and therefore, reduce GHG emissions and decrease petroleum dependence in the transportation sector. The LCFS regulation defines a Carbon Intensity, or "CI," reduction target (or standard) for each year, which the rule refers to as the "compliance schedule."

The LCFS regulation initially required a reduction of at least 10 percent in the CI of California's transportation fuels by 2020. CARB approved some amendments to the LCFS in December 2011, which were implemented on January 1, 2013. In September 2015, the Board approved the re-adoption of the LCFS, which became effective on January 1, 2016, to address procedural deficiencies in the way the original regulation was adopted. The 2015 rulemaking included many amendments, updates, and improvements to the program, including a compliance schedule that

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

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 library, multipurpose building, administration building, kindergarten and preschool classrooms, and building F) and construction of several new buildings for administration, kitchen, multipurpose building, 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 that would be more energy efficient than existing campus buildings. The proposed project would be required to include solar photovoltaic panel system installation per the 2022 Building Energy Efficiency Standards. 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?	☐	☐	☒	☐
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?	☐	☒	☐	☐

The following information is based in part on a Geotechnical Study and a Geologic and Seismic Hazards Evaluation report prepared by Geo-Logic Associates (GLA), dated September 9, 2022. Copies of these reports are included as Appendix D to this Initial Study. It should be noted that the reports are based on information provided to GLA by the SCUSD, dated August 16, 2022 for improvements constructed in Summer 2024. The subsequent phases would be subject to separate geotechnical review at the time that the details and timelines for the subsequent Phases become available.

3.7.1 Environmental Setting

Geologic Setting

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. Materials underlying the site are Alluvium Lean Clay (dry to moist, hard to very stiff), and Fat Clay (stiff to hard and soft to stiff). The project site is mapped as being at the transition from older alluvial fan deposits of Holocene age under much of the site to Holocene basin deposits in the northeastern portion of the site. In general, the alluvial deposits become finer in particle size with distance from the mountain front; the site is approximately two-thirds of the way from the range front to the modern Bay margin. The older alluvial fan deposits are described as consisting of “brown gravelly sand and sandy and clayey gravel, grading upward to sandy and silty clay, moderately dense to dense, coarser near the fan heads and upstream, deposited by flooding streams where they emerge from constrained channels of the uplands.”

These include terrace deposits within some upland valleys, and merge downslope into flood plain and basin deposits.

Local and Regional Seismicity

Santa Clara is within a region characterized by numerous active faults and high seismic activity. An active fault is one which has experienced seismic activity during historic time (since roughly 1800) or exhibits evidence of surface rupture during Holocene time. A potentially active fault is the one that exhibits evidence of activity during Quaternary time. The closest active or potentially active fault to the site, according to the California Department of Mines and Geology (CDMG) is the Monte Vista-Shannon Fault, located approximately 6.5 miles southwest of the project site. The next closest active or potentially active faults are the Hayward Fault, approximately 6.9 miles east, San Andreas Fault (approximately 10 miles southwest), Calaveras (Central Segment,10.2 miles east), and Sargent (approximately 15.3 miles south).

The project site is not located within an Alquist-Priolo Earthquake Fault Zone where special studies addressing the potential for surface fault rupture are required. The closest fault considered capable of surface fault rupture is the San Andreas Fault, located approximately 10 miles southwest of the site.

According to CGS's Seismic Hazard Zone map for the San Jose West 7.5' quadrangle, the project site is located in a liquefaction hazard zone but not in a landslide hazard zone. According to the CGS Earthquake Zones of Required Investigation website, the project site is located in a State liquefaction hazard zone, but not in an earthquake fault zone nor a landslide hazard zone.

The project site is located within a liquefaction hazard zone, as defined by the County of Santa Clara (Santa Clara County, 2012). The County's liquefaction zone closely matches that of CGS in the general site vicinity. The site does not lie within a County of Santa Clara fault rupture hazard zone, or "combined hazards" zone (including landsliding). The project site is shown as lying within an area of "moderate" liquefaction susceptibility.

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

Soils

A field investigation conducted by Geo-Logic Associates included a subsurface exploration program consisting of nine exploratory borings drilled to depths between 10 and 50 feet below the existing ground surface. The soils encountered in the borings revealed a layer of lean clay of low plasticity was encountered to the maximum explored depth of about 10 feet below ground surface (bgs). A layer of very stiff lean clay of low plasticity was encountered to a depth of about 9.5 feet bgs. This clay is underlain by firm to hard fat clay of high plasticity to a depth of about

27 feet bgs, medium dense to dense clayey sand to a depth of about 32 feet bgs, dense to very dense poorly graded sand to a depth of about 37.5 feet bgs, firm to stiff clay of intermediate plasticity 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. Damage to the upper floors of the building can occur when differential movement of the structure is significant. However, locally expansive soils may occur wherever clayey soils exist.

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.

Groundwater

Groundwater was encountered in one of the drill holes at a depth of about 20 feet bgs at the time of drilling and at a depth of about 37.2 feet bgs after completion of drilling. Groundwater was not encountered in the other eight drill holes for this study because they were too shallow. It should be noted that fluctuations in the groundwater level may occur due to seasonal variations in rainfall and temperature, water level in the adjacent creek, pumping from wells, regional groundwater recharge program, irrigation, or other factors that were not evident at the time of the investigation.

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.

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 (Valley Water) managed recharge and in lieu recharge programs. Valley Water measures water levels at ten subsidence index wells on a regular basis (daily to quarterly) to ensure they remain above established thresholds. Measured groundwater levels were consistently above subsidence thresholds from 2003 to 2013 at all index wells. Although human-caused subsidence has been minimal since 1967, a certain amount of subsidence continues to occur naturally because of regional tectonic movements, peat decay, and a 3-inch rise in the sea level during the last years.

Settlement

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

Ground Shaking

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

3.7.2 Regulatory Setting

Federal

Earthquake Hazards Reduction Act

The Earthquake Hazards Reduction Act of 1977 (Public Law 95-124) established the National Earthquake Hazards Reduction Program which is coordinated through the Federal Emergency Management Agency (FEMA), the U.S. Geological Survey (USGS), the National Science Foundation, and the National Institute of Standards and Technology. The purpose of the Program is to establish measures for earthquake hazards reduction and promote the adoption of earthquake hazards reduction measures by federal, state, and local governments; national standards and model code organizations; architects and engineers; building owners; and others with a role in planning and constructing buildings, structures, and lifelines through (1) grants, contracts, cooperative agreements, and technical assistance; (2) development of standards, guidelines, and voluntary consensus codes for earthquake hazards reduction for buildings, structures, and lifelines; and (3) development and maintenance of a repository of information, including technical data, on seismic risk and hazards reduction. The Program is intended to improve the understanding of earthquakes and their effects on communities, buildings, structures, and lifelines through interdisciplinary research that involves engineering, natural sciences, and social, economic, and decision 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 building 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 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 (Geo-Logic Associates 2022a), 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 project is low. Due to the distances of faults from the project site, and the absence of known faults within or near the project site, implementation of the project would not expose people or buildings to known risks of fault rupture. This impact would be less than significant.

ii) Strong seismic ground shaking?

Less Than Significant Impact. Earthquakes along several nearby active faults in the region could cause moderate to strong ground shaking at the project site. The intensity of the earthquake ground motions and the damage done by shaking would depend on the characteristics of the generating fault, distance to the fault and rupture zone, earthquake magnitude, earthquake duration, and site-specific geologic conditions. The project site is located in an area of high seismicity. Based on the general knowledge of the site seismicity, it should be anticipated that, during their useful life, the proposed structures will be subject to at least one severe earthquake (Magnitude 7 to 8+) that could cause considerable ground shaking at the project site. It is also anticipated that the site will periodically experience small to moderate magnitude earthquakes. The proposed Master Plan improvements would be designed accordingly using applicable building codes and experience of the design professionals. 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 safety design requirements identified in a sites-specific geotechnical report that is reviewed and approved by the California Geological Survey (see Project Description, section 2.6 Standard Design and Construction Measures). 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 these requirements would ensure that potential hazards from strong seismic ground shaking is addressed through the design and construction of the new structures. This impact would be less than significant.

iii) Seismic-related ground failure, including liquefaction?

Less Than Significant Impact. The project site is located within a State-designated Liquefaction Hazard Zone as well as a Santa Clara County Liquefaction Hazard Zone (Santa

Clara County, 2012). The project site is located within an area of “moderate” liquefaction susceptibility. As previously mentioned, the project would be constructed in compliance with the current CBC and DSA standards and requirements, including all applicable seismic standards for structures. Compliance with these standards reduces potential risks associated with settlement from seismically-induced liquefaction.

The design and construction of school facilities proposed under all phases of the Master Plan will be subject to the recommendations of future project/phase specific geotechnical reports, which must be prepared to address soils and seismic hazards on site and off site to the extent feasible, in compliance with the current California Building Code, Field Act, and DSA requirements, 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 and after construction consistent with the National Pollutant Discharge Elimination System (NPDES) Construction General Permit. Compliance with these requirements would ensure the project would not result in substantial soil erosion or the loss of topsoil. As a result, impacts related to erosion and loss of topsoil would be less than significant.

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

Less Than Significant Impact. Lateral spreading is horizontal movement of soil toward a free face, such as a creek bank, typically associated with liquefaction. Liquefaction-induced lateral spreading can also occur on mild slopes (flatter than 5%) underlain by loose sands and shallow groundwater. If liquefaction occurs, the unsaturated overburden soil can slide as intact blocks over the lower, liquefied deposit, creating fissures and scarps. The potential for lateral spreading in general mirrors the potential for liquefaction, and the depth of the liquefiable soil layers with respect to the creek banks. The nearest significant free face is Saratoga Creek, located approximately 3,600 feet northwest of the project site. Therefore, the potential for lateral spreading to adversely affect the proposed improvements would be 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-Logics Associates

2022b). 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 rock falls in on itself. Subsidence of roughly 6 to 8 feet in was in the vicinity of the project site between 1934 and 1967. Due to groundwater recharge program by the Santa Clara Valley Water District, this trend has been halted.

The potential for lateral spreading at the project site as well as hydro collapse is low (Geo-Logic Associates 2022b). Additionally, there is no presence of subsidence at the project site due to the Santa Clara Valley Water Recharge program. 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 described in Section 3.7.1, expansive soils are clay rich soils that have the ability to undergo large volume changes with changes in moisture content. The large fluctuations in volume, often referred to as shrink/swell potential, can adversely impact building and structure foundations. As mentioned previously in Responses a.ii, and a.iii, above, all future building design and construction will be based on a project- and site-specific geotechnical report which is required to be reviewed by DSA for approval of school facilities. These report recommendations would address any soil and or foundation design or construction requirements. Therefore, the impact is considered less than significant.

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

No Impact. The project would involve the implementation of a Master Plan for facility improvements at Scott Lane Elementary School within a developed urbanized area. No septic systems would be constructed or used; therefore, no impacts related to septic systems would occur.

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

Less Than Significant with Mitigation Incorporated. The project site is currently developed as an elementary school with existing single-story buildings, paved blacktop, and a parking lot. Ground disturbance from project construction activities would be primarily limited to previously disturbed/developed areas of the site. As such, it is not anticipated that project construction would encounter paleontological resources. However, in the unlikely event that paleontological resources are encountered during construction, they may be inadvertently damaged or destroyed. This is a potentially significant impact. Mitigation Measure GEO-1 would require the

implementation of discovery procedures if paleontological resources are encountered and require a qualified paleontologist to recommend measures specific to the discovered resource.

Impact GEO-1: Construction activities could inadvertently expose, damage, and destroy paleontological resources.

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

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

3.8 GREENHOUSE GAS EMISSIONS

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

3.8.1 Environmental Setting

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

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

and refrigerants use (e.g., hydrofluorocarbons) significantly contribute to overall GHG concentrations in the atmosphere, climate regulation, and global climate change.

Human production of GHG has increased steadily since pre-industrial times (approximately pre-1880), and atmospheric CO_2 concentrations have increased from a pre-industrial value of 280 parts per million (ppm) in the early 1800s to approximately 424 ppm in November 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

California Air Resources Board (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 2022). The plan presents a scenario for California to meet the State goal of reducing GHG emissions 40% below 1990 levels by 2030 and to achieve carbon neutrality by 2045 (CARB 2022).

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% 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.

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 2017). 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.

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?

Less Than Significant Impact (Responses a and b). The proposed project would involve the demolition/removal of existing portable classrooms and buildings (including the library, multipurpose building, administration building, kindergarten and preschool classrooms, and building F) and construction of several new buildings for administration, kitchen, multipurpose, 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

[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.

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.

GHG emissions associated with construction and operation of the proposed project were estimated in CalEEMod. Table 3.8-1 shows the annual GHG emissions associated with the existing operations of Scott Lane Elementary School compared with annual GHG emissions associated with the proposed project.

Table 3.8-1: Existing and Project Greenhouse Gas Emissions	
Existing Operational Annual GHG Emissions	
Source	**GHG Emissions ($MTCO_2e$/Year)**
Area	1.0
Energy	167
Mobile	1,506
Refrigerants	<0.1
Solid Waste	44.5
Water/Wastewater	4.6
Total Mass Emissions[(A)]	*1,724*
Project Operational Annual GHG Emissions	
Source	**GHG Emissions ($MTCO_2e$/Year)**
Area	1.2
Energy	207
Mobile	1,690
Refrigerants	0.1
Solid Waste	53.4
Water/Wastewater	5.6
Amortized Construction	9.2
Total Mass Emissions[(A)]	*1,965*
Source: MIG 2023 (See Appendix A). (A) Totals may not equal due to rounding.	

Based on the total mass emissions presented in Table 3.8-1, operational activities associated with the proposed project would increase annual GHG emissions by approximately 241 $MTCO_2e$/year. The modeling estimates presented in Table 3.8-1 are considered conservative because they do not account for operational requirements such as heat pumps, waste reduction programs, and water conservation programs that would result in reduced GHG emissions. As described in Section 3.6.3, the newly constructed buildings associated with the proposed project would be more energy efficient than the existing buildings, which would yield lower GHG

emissions associated with energy generation. Expansion of the existing local school capacity could potentially reduce changing enrollment patterns and excess VMT from students travelling further away. 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 conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions, including the BAAQMD Clean Air Plan, and Plan Bay Area. Although the proposed project could result in a small net increase in GHG emissions, these emissions would occur in an efficient manner and would be consistent with all applicable plans and policies adopted for the purposes 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 on Scott Boulevard and is bounded to the north, east, and south by residential properties on Cabrillo Avenue, and Don Avenue. Single

and multi-family residences exist across Scott Boulevard, and on Cabrillo Avenue. The site was developed as a school in the early 1950s and previous to that an adobe house.

A review of the California Department of Toxic Substances Control Envirostor Database did not reveal active hazardous materials or waste cleanup cases within a 1,000-foot radius of the project site (DTSC 2024). The State Water Resources Control Board's GeoTracker database (SWRCB 2024) identifies four sites within a 1,000-foot radius of the project site involving one open site and three former leaking underground storage tank (LUST) sites with a "Completed – Case Closed" status.

- 1990 Warburton Avenue – a former flower shop/nursery that was proposed for residential development with covenants placed on the property to notify damages to remedy and monitoring systems upon discovery, notify prior to change in land use, notify prior to subsurface work, perform a health and safety plan prior to subsurface work, and requires surface covers. Status is "Open – verification monitoring as of 7/9/2019).

- 2090 Scott Boulevard - Chevron (formerly Shell): LUST cleanup site, case closed as of January 2018.

- 1995 Warburton Avenue – Arco Gas Station: LUST cleanup site, case closed as of December 2003.

- 1795 Scott Boulevard – Chevron #9-7116 LUST cleanup site, case closed as of 5/16/2005.

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 each state to apply their own hazardous waste programs instead of implementing the federal program on the condition that the state's program is just as strict in its requirements. This state program must be permitted by the EPA in order to be used.

Emergency and Community Right to Know Act

The Emergency and Community Right to Know Act (EPCRA) was enacted by Congress as the national legislation on community safety. This law was designated to help local communities protect public health, safety, and the environment from chemical hazards. EPCRA was passed in response to concerns regarding the environmental and safety hazards posed by the storage and handling of toxic chemicals. EPCRA establishes requirements for federal, state, and local governments, tribes and industry regarding emergency planning and "Community Right-to-Know" reporting on hazardous and toxic chemicals. The Community Right-to-Know provisions help increase the public's knowledge and access to information on chemicals at individual facilities, their uses, and releases into the environment. States and communities, working with facilities, can use the information to improve chemical safety and protect public health and the environment. To implement EPCRA, Congress required each state to appoint a State Emergency Response Commission (SERC). The SERCs were required to divide their states into Emergency Planning Districts and to name a Local Emergency Planning Committee for each district.

State

California Environmental Protection Agency

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

Department of Toxic Substances Control

The 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 (DTSC 2024).

Hazardous Materials Release Response Plans and Inventory Law of 1985

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

Hazardous Materials Release Cleanup (Assembly Bill 440 Chapter 588)

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

Asbestos Regulations

In 1990, ARB issued an Airborne Toxic Control Measure (ATCM), which prohibited the use of serpentine aggregate for surfacing if the asbestos content was 5 percent or more. In July 2000, ARB adopted amendments to the existing ATCM prohibiting the use or application of serpentine, serpentine-bearing materials and asbestos-containing ultramafic rock for covering unpaved surfaces unless it has been tested using an approved asbestos bulk test method and determined to have an asbestos content that is less than 0.25 percent (CARB 2001a). In July 2001, ARB adopted a new ATCM for construction, grading, quarrying, and surface mining

operations in areas with serpentine or ultramafic rocks (CARB 2001b). These regulations are codified in Title 17, Section 93105 of the CCR. The regulations require preparation and implementation of an Asbestos Dust Mitigation Plan for construction or grading activities on sites greater than 1 acre in size with known Naturally Occurring Asbestos (NOA) soils. The air districts enforce this regulation.

In October 2000, the Governor's Office of Planning and Research (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.

California Department of Education

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 would be prepared for future phases of Master Plan implementation 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 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.

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 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.

2024 State of California Emergency Plan

The 2024 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 SEP provides an overview of how the state prepares, mitigates, responds, and recovers from emergencies in California. The plan is a requirement of the California Emergency Services Act (ESA), and describes: California's hazards and vulnerabilities, the state's emergency management organization, integrating considerations for people with access and functional needs, resource mobilization, roles of government during an emergency, mitigation programs, emergency planning and preparedness, whole community planning, response operations, mutual aid, public information, California emergency support functions, recovery operations, California recovery support functions, continuity of government and essential functions, roles and responsibilities of state government agencies and departments during emergencies, plan development and maintenance.

2023 State Hazard Mitigation Plan

The State Hazard Mitigation Plan (SHMP) is California's primary hazard mitigation guidance document and demonstrates the state's continued commitment to a comprehensive mitigation strategy. The SHMP details California's historical and current hazards, identifies mitigation strategies and actions to address those hazards, and provides guidance to local jurisdictions developing their own hazard mitigation plans.

The 2023 Plan update expands on previous SHMP discussions of hazard impacts on equity priority communities and of climate change as a hazard exacerbator. It also organizes hazards according to an impact rating, rather than by hazard type as seen in previous plans. The 2023 SHMP will expire on August 29, 2028.

Local

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:

- *Goal 5.10.5-G1:* Protection of life, the environment and property from natural catastrophes and man-made hazards.
- *Policy 5.10.5-P4:* Identify appropriate evacuation routes so people can be efficiently evacuated in the event of a natural disaster.
- *Policy 5.10.5-P22:* Regulate development on sites with known or suspected contamination of soil and/or ground water to ensure that construction workers, the public, future occupants and the environment are adequately protected from hazards associated with contamination, in accordance with applicable regulations.
- *Policy 5.10.5-P24:* Protect City residents from the risks inherent in the transport, distribution, use and storage of hazardous materials.
- *Policy 5.10.5-P25:* Use Best Management Practices to control the transport of hazardous substances and to identify appropriate haul routes to minimize community exposure to potential hazards.
- *Policy 5.10.5-P28:* Continue to require all new development and subdivisions to meet or exceed the City's adopted Fire Code provisions.

Santa Clara 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 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.

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

Less Than Significant Impact. As discussed above, the project would not involve the routine transport, use, storage, and/or disposal of fuels (i.e., gasoline, diesel, oil, etc.), adhesives, paints, or solvents. However, the project includes the temporary transport, storage, and use of fuels, paints, solvents, and adhesives 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 said regulations would ensure the project does not represent a significant hazard to the public or the environment from reasonably foreseeable upset and accident conditions, temporary transport, use, and storage of hazardous materials results in a less than significant impact.

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

Less Than Significant Impact. The project site is an existing elementary school and would continue to operate as a school after project completion. As described under items a) and b), the project would temporarily use fuels, paints, solvents, and adhesives during the construction and demolition phases of the project. Operation of the project would involve the regular intermittent use of cleaners, adhesives, and solvents for regular cleaning and periodic maintenance activities. The project's transport, storage, and use of fuels, paints, solvents, and adhesives during construction and operations is subject to existing federal, state, and local regulations. As noted in the project description, future construction of the Master Plan phases would be subject to both Division of the State Architect and Department of Toxic Substances Control oversight for the identification and remediation of hazardous materials affected by Master Plan activities. Assessments to identify hazardous materials would be conducted as the phases are funded and Work Plans would be developed and implemented to address and remediate any concerns. Compliance with 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 the impacts are considered less than significant impact. Please also reference 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?

No Impact. A search of the Department of Toxic Substances Control EnviroStor database along with a search of the San Francisco Bay Regional Water Quality Control Board (RWQCB) GeoTracker database show there are no known hazardous materials or spills on the project site. The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (otherwise known as the Cortese List) (CalEPA 2024, DTSC 2024, SWRCB 2024). There are three voluntary cleanup sites within 1,000 feet of the project site. Two of these sites, an Arco gas station located approximately 452 feet south of the project site on Warburton Avenue, and a Chevron gas station located approximately 560 feet northeast of the project site on Scott Boulevard are now considered "completed – case closed" (SWRCB 2024). One site (1990 Warburton Avenue) is considered "Open," but would not be affected by project activities. Additionally, as noted above in response c), and in the project description section 2.6, the planning and design future phases of the Master Plan would be subject to a Preliminary Environmental Assessment and Work Plan approval process with DTSC to identify and mitigate any hazardous materials encountered for buildings affected by future phases of the Master Plan implementation. Therefore, there would be no impact.

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

Less Than Significant Impact. The project site is located approximately 1.1 miles west of the San Jose Mineta International Airport. The project site is not located within the Airport Influence Area; however, the project site borders the Airport Safety Zone Traffic Pattern. Implementation of the proposed project would result in construction-related noise. However, this noise would be temporary and would cease upon project completion. Additionally, according to FAA regulations,

the obstruction surface—or the height at which an object may present an obstruction to aircraft flight—at the project site begins at approximately 212 feet above ground. Because the existing single-story buildings onsite would be replaced with new one- and two-story structures that would be well below 212 feet above ground. Thus, any hazard to planes taking off from or landing at the airport would be negligible. Therefore, this impact would be less than significant.

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 and implement 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 (WUI) (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

Topography across the campus is flat and nearly level, with the site surface sloping down gently towards the northeast and the total relief across the school campus being about three to seven feet. The site is located within the Guadalupe River Watershed, which covers an area of approximately 171 square miles. The Guadalupe River is located approximately 1.8 miles northeast of the site, on the east side of San Jose Mineta International Airport. While the headwaters lie in the eastern Santa Cruz Mountains near the summit of Loma Prieta, the Guadalupe River actually begins on the valley floor at the confluence of Alamitos Creek and Guadalupe Creek, just downstream of Coleman Road in San Jose. From here it flows north, approximately 14 miles until it flows into the Lower South San Francisco Bay via Alviso Slough. The river traverses through the town of Los Gatos, and the Cities of San Jose, Campbell, and Santa Clara, and is joined by three other tributaries: Ross, Canoas, and Los Gatos Creeks. The upper watershed is characterized by heavily forested areas with pockets of scattered residential areas. Residential density gradually increases to high density on the valley floor. Commercial development is focused along major surface streets. Industrial developments are located closer to the Bay, primarily downstream of the El Camino Real crossing. Six major reservoirs exist in the watershed: Calero Reservoir on Calero Creek, Guadalupe Reservoir on Guadalupe Creek, Almaden Reservoir on Alamitos Creek, Vasona Reservoir, Lexington Reservoir, and Lake Elsman on Los Gatos Creek (SCVURPPP 2024). Saratoga Creek, located within the West Valley Watershed, is located approximately 3,600 feet northwest of the project site.

Water Supply

The City's water supply system consists of 335 miles of water mains, 21 active groundwater wells, seven storage tanks with more than 28.8 million gallons (MG) of water storage capacity, and three booster pump stations. Sources available to the City include an extensive local underground aquifer and imported water supplies delivered by two wholesale water agencies: San Francisco Public Utilities Commission (SFPUC) and Valley Water. In 2020, water purchased from the wholesale water agencies comprised nearly 41% of the potable water supply and over 59% of the City’s drinking water was supplied by the network of groundwater wells.

The City imports recycled water for non-potable use from South Bay Water Recycling (SBWR). The recycled water system has been in operation since 1989. In 2020, roughly 16 percent of the City’s overall water supply was recycled water purchased from SBWR. Currently there are approximately 33 miles of recycled water pipelines situated within the city limits. Recycled water comes from the San Jose-Santa Clara Regional Wastewater Facility (RWF), an advanced tertiary treatment facility located in San Jose near Alviso. Since March 2014, some of the recycled water from the RWF has been supplied to Valley Water’s Silicon Valley Advanced Water Purification Center for advanced treatment (microfiltration, reverse osmosis, and advanced oxidation) to create a blend of high-quality recycled water (City of Santa Clara 2021).

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 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 to the project's geotechnical report, groundwater was encountered in one of the drill holes at a depth of about 20 feet bgs at the time of drilling and at a depth of about 37.2 feet bgs after completion of drilling. Groundwater was not encountered in the other eight drill holes for the study because they were too shallow. It should be noted that fluctuations in the groundwater level may occur due to seasonal variations in rainfall and temperature, water level in the nearby Saratoga Creek, from wells, regional groundwater recharge program, irrigation, or other factors.

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.

[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.

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 Setting section, below).

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

Flooding

Flooding within Santa Clara can occur in localized areas along streams running through the City during brief extensive storms. The nearest waterway is Saratoga Creek, located approximately 3,600 feet northwest of the project site.

The Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) categorize and rank areas that are susceptible to flooding. According to FEMA mapping, only a portion of the City is located in the Special Flood Hazard Area (SFHA). The SFHA is defined as the area subject to inundation during a flood event that has a one percent chance of occurring in any given year. 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 U.S. 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 within the 0.2 percent annual chance (or 500-year) floodplain, which is considered moderate to low flood hazard risk (FEMA 2009).

Tsunamis and Seiches

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

3.10.2 Regulatory Setting

Federal

Clean Water Act

Under the Clean Water Act (CWA) of 1977, the United States Environmental Protection Agency (USEPA) seeks to restore and maintain the chemical, physical, and biological integrity of the nation's waters. The statute employs a variety of regulatory and non-regulatory tools to reduce direct pollutant discharges into waterways, finance municipal wastewater treatment facilities, and manage polluted runoff. The CWA authorizes the USEPA to implement water quality regulations. The National Pollutant Discharge Elimination System (NPDES) permit program under Section 402(p) of the CWA controls water pollution by regulating stormwater discharges into the waters of the United States (see below). 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

The National Pollutant Discharge Elimination System (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 stormwater. 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 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 acre of land must comply with the requirements of the SWRCB Construction General Permit. Under the terms of the permit, applicants must file permit registration documents with the SWRCB prior to the start of construction. The registration documents include a Notice of Intent (NOI), risk assessment, site map, Stormwater Pollution Prevention Plan (SWPPP), annual fee, and a signed certification statement.

Sustainable Groundwater Management Act (SGMA)

On September 16, 2014, Governor Edmund G. Brown Jr., signed a three-bill package known as the Sustainable Groundwater Management Act. The legislation allows local agencies to customize groundwater sustainability plans to their regional economic and environmental needs. SGMA creates a framework for sustainable, local groundwater management for the first time in California history. The three bills that make up SGMA are Assembly Bill (AB) 1739 by Assembly Member Roger Dickinson, Senate Bill (SB) 1319, and SB 1168 by Senator Fran Pavley. In September 2015, Governor Brown signed SB 13, by Senator Fran Pavley. The Bill makes various technical, clarifying changes to SGMA including requirements for groundwater sustainability agency formation, the process for State Water Board intervention if no responsible

agency is specified for a basin, guidelines for high- and medium-priority basins, and participation of mutual water companies in a groundwater sustainability agency.

Construction General Permit

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

California Stormwater Quality Association Best Management Practices Handbooks

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

California Fish and Game Code

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

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 3 years. The Basin Plan was adopted in 1993 and updated most recently in March 2023. 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

City of Santa Clara 2010-2035 General Plan

The following General Plan goals and policies related to water resources are applicable to the project:

- *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.

Buildout of the proposed Master Plan would result in comparable amounts of impervious surfaces as existing conditions, and when considered in combination with on-site treatment controls required by the MRP, would therefore have very little effect on the amount of stormwater runoff infiltrating into the ground. Additionally, 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 project is not anticipated to substantially change the drainage patterns within the project area, as any proposed grading would be relatively minor and would not affect existing drainage systems on the existing developed site. As described above, the project would include demolition of existing structures and impervious surfaces and construction of new buildings and other impervious surfaces, resulting in an amount of impervious surface that is similar to existing conditions. Grading, excavation, and other construction activities associated with the project could adversely affect water quality due to erosion resulting from exposed soils and the generation of stormwater pollutants, including trash, construction materials, and equipment fluids. However, as discussed under item a), associated construction activities would be subject to the Construction General Permit, requiring construction contractors be responsible for preparing and implementing a SWPPP that outlines project-specific BMPs to control erosion, sediment release, and otherwise reduce the potential for discharge of polluted stormwater from the site.

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., 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) Substantially 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)ii) 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 63 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 four miles south of the San Francisco Bay shoreline tsunami zone and is also at 74 feet above mean sea level (CDC 2022). 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), above, 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 eastern Santa Clara on an existing school site that was originally constructed in the early 1950s. General Plan land use designations surrounding the project site are primarily Very Low Density Residential, and Medium Density Residential. Zoning designations on the surrounding properties allow single-family, duplex, and multiple dwelling residential uses. The Scott Lane Elementary School property is designated as Public/Quasi Public by the General Plan and is zoned B- Public or Quasi-Public.

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 Master Plan. Although these may not be directly applicable to the Master Plan, they are included to assist in identifying potential impacts and significance thresholds.

City of Santa Clara 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.

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, duplex and multi-family housing. The existing school is a land use that is compatible with residential development, and public schools such as this one are typically located within the residential neighborhoods whose residents they serve. 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 their school sites. No changes to the General Plan land use designations or

zoning regulations are proposed with the project. 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. Mitigation measures are incorporated into the project for the purpose of reducing potential environmental impacts to less than significant levels, as detailed in the Initial Study. The project would therefore 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 of Santa Clara is located in an area zoned Mineral Resource Zone 1 (MRZ-1) for aggregate materials by the State Geologist (CA Dept. of Conservation, State Mining and Geology Board). 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 (SMARA)

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). 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 dB is 100 times more intense, 30 dB is 1,000 times 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

Table 3.13-1: Typical Outdoor and Indoor Noise Levels		
Common Outdoor Activities	**Noise Level (dBA)**	**Common Indoor Activities**
Quite urban nighttime	-40-	Theater, large conference room (background)
Quiet suburban nighttime	-30-	Library
Quite rural nighttime	-20-	Bedroom at night
	-10-	Broadcast/recording studio
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.

Under controlled conditions in an acoustical laboratory, the trained, healthy human ear can 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 can 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.

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.

Groundborne Vibration

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

Existing Noise Environment

The City's noise environment consists of transportation and non-transportation-related noise sources. The General Plan Appendix 8.14 Noise identifies transportation facilities, including vehicular traffic, railroads, and the San Jose Norman Y. Mineta International Airport as the predominant noise sources in the City. General Plan Appendix 8.14 also identifies commercial, recreational and school uses as other noise sources. The City's General Plan defines noise generating activities associated with schools to include children at play, bells, and public address systems.

MIG collected ambient noise measurements at representative elementary school campuses throughout the District, including the Westwood, Bracher, and Briarwood Elementary School Campuses on April 11, 2023, April 12, 2023, and April 13, 2023, respectively (see Appendix E). 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. Ambient noise levels measured at the Westwood, Bracher, and Briarwood Elementary School Campuses are considered to be representative of typical noise levels at Scott Lane Elementary School.

Based on observations made during each monitoring period, outdoor child activity and traffic noise on nearby roadways were key factors in the ambient noise monitoring. Average noise levels measured during the monitoring periods ranged from approximately 45 dBA to 59 dBA L_{eq}. The typical noise levels associated with the Scott Lane Elementary School operations are anticipated to be in this range due to similar enrollment levels and activities/uses of school facilities.

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 north of the site adjacent to the school grounds along Cabrillo Avenue and multi-family residential receptors at the Civic Plaza Apartments east of the site adjacent to the school grounds.
- Multi-family residential receptors approximately 50 feet south of the site at Greenpointe Apartment Homes along Warburton Avenue.
- Single-family receptors approximately 100 feet west of the site across Scott Boulevard.
- Noor Active Living Center assisted living facility, located approximately 430 feet southwest of Scott Lane Elementary School.

3.13.2 Regulatory Setting

State

California Building Standards Code

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

- Section 5.507.4.1.1 sets forth that buildings exposed to a noise level of 65 dB L_{eq} (1-hour) during any hour of operation shall have exterior wall and roof-ceiling assemblies exposed to the noise source meeting a composting sound transmission class (STC) rating of at least 45 (or an outdoor indoor transmission class (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 Leq pursuant to Section 5.507.4.1.1, shall be constructed to provide an interior noise environment attributable to exterior sources that does not exceed 50 dBA L_{eq} in occupied areas during any hour of operation. This requirement shall be documented by preparing an acoustical analysis documenting interior sound levels prepared by personnel approved by the architect or engineer of record.

Local

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

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

City of Santa Clara Municipal Code

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

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. The operation of the project would not substantially change noise levels in the vicinity of the Scott Lane 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 multiple phases. Construction activities would include demolition, relocating the portable classrooms, site preparation (e.g., land clearing), grading and paving. 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 Scott Boulevard.

Typical construction noise levels at different distances are shown in **Table 3.13-2**.

Table 3.13-2: Typical Construction Equipment Noise Levels

Equipment	Noise Level at 50 feet (L_{max})[A]	Percent Usage Factor[B]	Predicted Equipment Noise Levels (L_{eq})[C]					
			50 Feet	100 Feet	150 Feet	200 Feet	250 Feet	300 Feet
Backhoe	80	40	76	70	66	64	62	60
Bulldozer	85	40	81	75	71	69	67	65
Compressor	80	40	76	70	68	66	64	62
Concrete Mixer	85	40	81	75	73	71	69	67
Crane	85	16	77	71	67	65	63	61
Delivery Truck	84	40	80	74	72	70	68	66
Excavator	85	40	81	75	73	71	69	67

Table 3.13-2: Typical Construction Equipment Noise Levels								
Equipment	**Noise Level at 50 feet (L_{max})(A)**	**Percent Usage Factor(B)**	**Predicted Equipment Noise Levels (L_{eq})(C)**					
			50 Feet	**100 Feet**	**150 Feet**	**200 Feet**	**250 Feet**	**300 Feet**
Front End Loader	80	40	76	70	68	66	64	62
Generator	82	50	79	73	71	69	67	65
Man Lift	85	20	78	72	70	68	66	64
Paver	85	50	82	76	74	72	70	68
Pneumatic tools	85	50	82	76	72	70	68	66
Pumps	77	50	74	68	66	64	62	60
Roller	85	20	78	72	70	68	66	64
Scraper	85	40	81	75	73	71	69	67
Tractor	84	40	80	74	72	70	68	66

Sources: Caltrans, 2013; FHWA, 2010.

(A) L_{max} noise levels based on manufacturer's specifications.

(B) Usage factor refers to the amount (percent) of time the equipment produces noise over the time period.

(C) Estimate does not account for any atmospheric or ground attenuation factors. Calculated noise levels based on Caltrans, 2013: Leq (hourly) = Lmax at 50 feet – 20log (D/50) + 10log (UF), where: Lmax = reference Lmax from manufacturer or other source; D = distance of interest; UF = usage fraction or fraction of time period of interest equipment is in use.

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

- Adjacent single-family residential receptors north of the site (along Cabrillo Avenue) were assumed to be within approximately 25 feet of work areas in Phase 4a (kindergarten pod).

- Single-family residential receptors west of the site (across Scott Boulevard) were assumed to be within approximately 50 feet of work areas in Phase 5a (parking lot expansion and new driveway).

- Multi-family residential receptors south of the site (at Greenpointe Apartment Homes) were assumed to be within approximately 50 feet of work areas in Phase 4b (remove preschool classrooms).

- Adjacent multi-family residential receptors east of the site at the Civic Plaza Apartments along Don Avenue were assumed to be within approximately 330 feet of work areas Phase 2a (two-story building) and Phase 4a (kindergarten pod).

- Noor Active Living Center assisted living facility was assumed to be within approximately 550 feet of work areas in Phase 4b (remove preschool classrooms).

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 3.13-2, the worst-case noise levels associated with the operation of equipment such as a dozer, excavator, and paver are predicted to be approximately 82 dBA L_{eq} at a distance of 50 feet from the equipment operating area. The nearest sensitive receptors would be residential properties that border the school campus. The noise from equipment operating near the edge of the project site would be 82 dBA L_{eq} for a single piece of equipment and up to 85 dBA L_{eq} for two pieces of equipment operating in close proximity at the same time. These worst-case noise levels would be approximately 26 dBA to 40 dBA higher than typical ambient noise levels assumed to occur in the vicinity of the school campus. Such noise levels would only occur during potential demolition and site preparation activities because the phased nature of the project would limit the number of receptors exposed to construction noise levels at any one time. Future phases would ultimately involve removal of existing seven portable classrooms, construction of a new entry courtyard and administration building, kitchen and multipurpose building, library and art building, 15 classrooms, reconfiguration of the existing parking and drop-off area as well as construction of additional parking, landscaping in the kindergarten pod area. Since construction would be in phases, only certain receptors would be exposed to construction noise levels at certain times. Residences to the north of the project site would be most impacted by construction activities occurring on the north side of the property, such as during the Phase 4a, while residences to the south would be most impacted by construction activities occurring during construction of the library and art building in the future. Phased construction also allows existing buildings at the Scott Lane 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 5 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 Scott Lane 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 annoy residential receptors and/or interfere with the receptors' normal use and enjoyment of their property. This is considered a potentially significant impact.

Although the proposed project's construction activities may result in a substantial temporary increase in ambient noise levels, they are not anticipated to result in physical harm (e.g., temporary or permanent hearing loss or damage) to any adjacent sensitive residential noise receptor for several reasons. First, the largest construction equipment would be used during site preparation and grading construction phases, and the proposed project would not require substantial grading. In addition, the estimated worst-case noise levels would only occur when equipment operations occur directly adjacent to a receptor. As equipment moves along the property line and throughout the site, noise levels would decrease at one receptor and increase at a different receptor. Worst-case conditions (i.e., equipment operating directly adjacent to a specific receptor), are not anticipated to occur for a substantial period of time. Thus, any individual receptor would not be continuously exposed to estimated worst-case noise levels (i.e., noise levels would lower when equipment moves away and return to ambient conditions when construction ceases for the day). Finally, the estimated construction noise level values presented in Table 3.13-2 are exterior noise levels, whereas receptors would be likely to be inside residential buildings. Interior noise levels associated with the project's construction at nearby sensitive receptors would be approximately 12 dBA to 30 dBA lower depending on the presence of existing barriers, setback distances, façade construction type, and whether windows or doors were open or closed. Physiological effects occur when the human ear is subjected to either very high noise levels (e.g., 110 dB or more) for a short period or prolonged exposure to high noise environments. For example, to protect workers from noise-induced hearing loss, the U.S. Occupational Safety and Health Administration (OSHA) limits worker noise exposure to 90 dBA as averaged over an 8-hour time period (29 CFR 1910.95). Similarly, the National Institute for Occupational Safety and Health (NIOSH) recommends workers limit noise exposure to no more than 85 dBA over an 8-hour period to protect against noise-induced hearing loss (NIOSH, 1998). Although hourly construction noise levels may approach approximately 85 dBA L_{eq}, such noise levels would not be sustained over an 8-hour period (due to movement of equipment and changes in operations that occur during daily construction activities). Therefore, at worst-case, noise from construction activities may pose a temporary interference or annoyance effect on nearby sensitive receptors but would not result in adverse physiological effects on human receptors in the surrounding area.

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 conform to the following:

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 a.m. to 6:00 p.m. on Monday through Friday and 9:00 a.m. to 6:00 p.m. 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 City code requirements. Signs shall also be posted informing community members who to contact with noise concerns or questions Notify Residential Land Uses of Planned Construction Activities.

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 measures 2a and 2c 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 SCUSD/Contractor shall prepare a Construction Noise Complaint Sign that shall:

   a. Identify the name and/or title and contact information (including phone number and email) for a designated project 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 six more classrooms and capacity for 157 more 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 of Santa Clara standards or otherwise result in a substantial permanent increase in noise levels in the vicinity of the campus. Some noise sources, such as HVAC equipment on the portable classrooms, would be eliminated after completion of the proposed project as these portable classrooms would ultimately be removed from the Scott Lane campus. Other noise sources would be relocated or repositioned around the campus as buildings, landscaping, and parking areas are updated or modernized. However, the proposed project would ultimately result in an increase of six classrooms and capacity for 157 additional students, which is not a substantial increase in terms of operations of the school.

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 six more classrooms and capacity for 157 more students than the school currently accommodates. The City's General Plan identifies the roadway segment along Scott Boulevard between Monroe Street and El Camino Real (within which the project site is located) average daily traffic levels are 8,610 based on existing 2008 data and forecast to be 9,900 for the 2035 projection. The proposed project would result in 12 additional employee daily trips and 356 additional student daily trips (Hexagon 2024). The addition of project traffic to Scott Boulevard is not anticipated to substantially change existing traffic volumes or traffic-related noise levels. This impact would be less than significant.

Other Planning Considerations – Noise and Land Use Compatibility

Typical exterior daytime noise levels associated with the operation of Scott Lane Elementary could potentially reach approximately 64 dBA L_{eq}. Residential and school construction in California typically provides at least 20 dBA of exterior to interior noise attenuation with windows closed.[4] 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

[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.

approximately 64 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 100 feet or more from receptor locations, which would reduce direct transmission of groundborne vibration to residential buildings. The proposed project, therefore, would not generate substantial or excessive groundborne vibration levels.

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 Mineta International Airport, is located approximately 1.1 miles northeast of the project site. According to the Comprehensive Land Use Plan prepared by Santa Clara County, the project site is not located within the Airport Influence Area (County of Santa Clara 2016). The proposed project would not expose people to excessive aircraft noise levels. No impact would occur.

3.14 POPULATION AND HOUSING

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Induce 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 (U.S. Census Bureau 2023). The average number of persons per household in Santa Clara in 2022 was 2.60.

3.14.2 Regulatory Setting

Regional and Local

Plan Bay Area 2050

Plan Bay Area 2050 is a regional long-range transportation, land-use, and housing plan for the nine-county San Francisco Bay Area (Bay Area), adopted by the Metropolitan Transportation Commission and Association of Bay Area Governments (ABAG) in 2021. It is 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 Bay Area, based on statewide goals. ABAG also develops forecasts for population, households, and economic activity in the Bay Area. ABAG, with the assistance of local jurisdiction planning staff, created the “Final Blueprint

Compendium," which provides a regional forecast of jobs, population, and housing upon which Plan Bay Area 2050 is based.

SCUSD Master Plan

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

3.14.3 Impact Discussion

Would the project:

a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

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

No Impact. (Responses a and b). The project would involve the implementation of a Master Plan for facility improvements at Scott Lane Elementary School within a developed urbanized area. The project does not propose new housing or new commercial businesses. The proposed project would not construct school facilities that would induce unplanned job or population growth, or result in the creation of new homes either directly or indirectly. The proposed improvements occur on an existing developed school site; 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. The project would generate short-term construction employment; however, such construction employment is anticipated to be filled by the regional labor force, rather than attracting new workers to the region. Thus, there would be no impact.

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 #2, located approximately 0.7 miles north of the site at 1900 Walsh Avenue.

Police Protection

Police protection services for the project site are provided by the City of Santa Clara Police Department located approximately one mile southeast of the project site at 601 El Camino Real. There are 232 officially authorized full-time employees and 153 sworn officers, equating to 1.13 sworn officers per thousand residents (City of Santa Clara 2024).

Schools

The project site is located within the Santa Clara Unified School District. The District operates 34 schools including elementary, middle, high schools, as well as preschool and afterschool programs, immersion programs, independent study programs, and adult schools. The District serves over 21,300 students in neighborhoods in the Cities of Santa Clara, Sunnyvale, San Jose, and Cupertino within its 56-square mile area. Scott Lane Elementary School provides preschool, transitional kindergarten, kindergarten through fifth grade and currently maintains 32 classrooms.

Other Public Facilities

The City of Santa Clara manages three libraries, and four community centers. The closest library and community centers are the Mission Branch Library located approximately 0.93 miles southeast of the project site and the Santa Clara Community Recreation Center located approximately 1.3 miles southwest of the project site.

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 elementary and middle school sites are open for community use after 6:00 a.m. on school days and from 7:00 a.m. to dusk on non-school days. The closest park to the project site is Rotary Park located approximately 250 feet southeast of the campus on Don Avenue.

3.15.2 Regulatory Setting

Local

City of Santa Clara 2010-2035 General Plan

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

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

3.15.3 Impact Discussion

Would the project:

a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant

environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

i) Fire protection?

ii) Police?

Less Than Significant Impact. The project would not increase the demand for police and fire protection services as the project site is an existing school site that already receives fire and police protection services from the City. The impact is considered less than significant.

iii) Schools?

No Impact. The project includes the provision of new school buildings and improvements on an existing school campus; therefore, it would not require construction of such facilities elsewhere. The project proposes improvements that would serve the existing community's students within the District's service boundary.

iv) Parks?

No Impact. The project would not affect existing demand for City parks or similar facilities. The proposed improvements would not induce population growth (see Response 3.14 a). Additionally the project site would provide recreation facilities to serve the existing and new student population would not affect the availability of the school's playfields for use by the public. Therefore, there would be no impact.

v) Other public facilities?

No Impact. Impacts to other public facilities as a result of the project are not anticipated.

3.16 RECREATION

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☒	☐
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☒	☐

3.16.1 Environmental Setting

The City of Santa Clara owns or manages approximately 497.6 acres of parks, trails, creek corridors, sports fields, and recreation facilities at 199 sites located throughout the City. These include community parks, neighborhood parks, special use sites, and trail corridors.

3.16.2 Regulatory Setting

State

Government Code Section 66477

The Quimby Act (included within Government Code Section 66477) requires local governments to set aside parkland and open space for recreational purposes. It provides provisions for the dedication of parkland and/or payment of fees in lieu of parkland dedication to help mitigate the impacts from new residential developments. The Quimby Act authorizes local governments to establish ordinances requiring developers of new residential subdivisions to dedicate parks, pay a fee in lieu of parkland dedication, or perform a combination of the two.

Local

City of Santa Clara 2010-2035 General Plan

Parks, Open Space and Recreation Policies

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

3.16.3 Impact Discussion

Would the project:

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

Less Than Significant Impact. The proposed project would increase student capacity at Scott Elementary School from 781 to 938 students. However, the projected increase in capacity would not significantly affect the use of existing neighborhood and regional parks or other facilities as the project does not provide housing that would increase enrollment within the District, nor does it adjust the current attendance boundaries. The proposed project would not induce population growth (see Response 3.14a); therefore, it would not increase the use of existing neighborhood and/or regional parks or other recreational facilities or substantially increase the use of existing neighborhood and regional parks or other recreational facilities such that physical deterioration of these facilities would occur or be accelerated. This impact would be less than significant.

b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Less Than Significant Impact. The proposed school Master Plan would replace existing facilities with new modern school facilities, including school recreational amenities such as play structures and turf renovation on the playing fields. The implementation of standard design and construction measures identified in Table 2.6-1 as well as construction BMPs for air quality and noise and Mitigation Measures presented in this Initial Study for construction impacts to biological resources would reduce potential effects on the environment to less-than-significant levels. 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

The following information is based in part on a Transportation Analysis Memorandum prepared for the project by Hexagon Transportation Consultants Inc., dated January 9, 2025. A copy of the memorandum is included as Appendix F.

Regional access to the project site is provided via U.S 101. U.S. 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 U.S. 101 is provided via San Tomas Expressway. I-280 is an eight-lane interstate freeway aligned in an east-west direction approximately three miles south of the project site. Site access to and from I-280 is provided via Saratoga Avenue.

Roadways that provide primary vehicular circulation to the project site include local access to the site is provided by San Tomas Expressway, Saratoga Avenue, Monroe Street, and El Camino Real. Pedestrian facilities in the project area consist primarily of sidewalks along streets with bike lanes.

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.

California Vehicle Code (CVC)

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

Local

City of Santa Clara 2010-2035 General Plan

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

General Mobility and Transportation Goals

- *Goal 5.8.1-G1:* Transportation networks that support the General Plan Major Strategies as well as the Goals and Policies for Prerequisites, Land Use, Focus Areas, Neighborhood Compatibility, Public Services and Environmental Quality.
- *Goal 5.8.1-G2:* Transportation networks that provide a safe, efficient, convenient and integrated system to move people and goods.
- *Goal 5.8.1-G3:* Transportation networks that promote a reduction in the use of personal vehicles and vehicle miles traveled.

General Mobility and Transportation Policies

- *Policy 5.8.1-P1*: Create accessible transportation network systems to meet the needs of all segments of the population, including youth, seniors, persons with disabilities and low-income households.
- *Policy 5.8.1-P4*: Expand transportation options and improve alternate modes that reduce greenhouse gas emissions.
- *Policy 5.8.1-P6:* Implement Level of Service standards that support increased transit ridership, biking and walking, in order to decrease vehicle miles traveled and reduce air pollution, energy consumption and greenhouse gas emissions.

City of Santa Clara Pedestrian Master Plan 2019

In 2019, the City of Santa Clara adopted its first Pedestrian Master Plan to create a blueprint for creating safe, comfortable and enjoyable walking for current and future Santa Clara residents. The Pedestrian Master Plan is a forward-looking plan to capture the benefits of walking as the City anticipates growth and redevelopment. Goals of the 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. 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 increase maximum student capacity from 781 to 938, (increase of 157) students as well as adding six additional classrooms to the campus. The existing sidewalk along the site frontage at Scott Boulevard and along Cabrillo Avenue would be maintained. There are no transit stops along the school frontage.

The project may also require lane closures on Scott Boulevard during the construction period. If lane closures are required, the contractor would be required to 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 right-of-way (ROW), or length of the trail (VTA 2014).

Pedestrian facilities in the project area consist primarily of sidewalks and crosswalks at intersections. The residential neighborhood in the vicinity of the school site has continuous sidewalks along most roadways. The intersection of Scott Boulevard/Royal Drive has yellow crosswalks due to their proximity to Scott Lane Elementary School. ADA-compliant curb ramps are provided at the Monroe Street/Cabrillo Avenue intersection. ADA-compliant curb ramps are missing at all corners of the Scott Boulevard/Royal Drive and Scott Boulevard/Cabrillo Avenue intersections. Various school area signs and pavement markings are currently located along Scott Boulevard, Cabrillo Avenue, and Monroe Street in the project vicinity including high visibility crosswalks, yellow crosswalks, and school zone signs. The proposed project improvements would be confined to the project site and would not permanently alter the existing frontage on Scott Boulevard 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 intersections at Royal Drive and Cabrillo Avenue provide 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.

The Transportation Analysis did identify two recommendations for improvements to the transportation system to improve existing bicycle and pedestrian access on the site. These include:

- Section 7A.02 of the California Manual on Uniform Traffic Control Devices (CA MUTCD) recommends that a safe routes to school plan be prepared by the City of Santa Clara to fully identify pedestrian routes and address existing deficiencies to the pedestrian network.

- School zone sign assemblies or school warning assemblies are not provided along Cabrillo Avenue and Royal Drive. Additionally, a downstream end school speed limit sign or speed limit sign is not provided Scott Boulevard. The City may want to conduct a full review of existing traffic control devices in the project vicinity to ensure conformity with CA MUTCD standards.

These are recommendations for improvements in the vicinity to improve access at the existing school site and not considered mitigation for potentially significant impacts related to implementation of the project. Additionally, these are off-site improvements that would need to be implemented in coordination with the City. The impact remains less than significant.

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

Less Than Significant.

Student VMT Analysis

The Master Plan for the Scott Elementary School site would allow for an increase in student enrollment from 781 to 938 students. However, the proposed Master Plans for the four elementary schools would cumulatively decrease the combined total enrollment at the four school sites by 32 students. A summary of the proposed classrooms and maximum student enrollment for each site is shown on Table 3.17-1.

Table 3.17-1: Summary of Proposed Classrooms and Student Enrollment					
School	**Existing Classrooms**	**Proposed Classrooms**	**Existing Student Capacity**	**Proposed Student Capacity**	**Change to Student Capacity**
Bracher	27	35	665	870	205
Briarwood	32	23	795	563	-232
Scott Lane	32	38	781	938	157
Westwood	35	27	746	584	-162
Combined Total:			**2,987**	**2,955**	**-32**
Source: Hexagon 2024.					

Public schools typically have a attendance boundary that identifies a student's designated school based on where the student resides. The school district map and its boundaries are shown in Figure 2 of the Hexagon memo (see Appendix F). 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.

Based on the locations of other elementary schools and the school district's attendance boundaries, it is estimated that a majority of the students attending the Scott Lane Elementary site would reside within one-half mile of the project site. Based on the District's open enrollment policy, some students could reside in other areas within the greater school district boundaries (approximately 5 miles). However, the number of students that could reside outside of the Scott Lane Elementary attendance boundary would be small when compared to the total student population and have minimal effect on the overall average trip length of students at Scott Lane Elementary School.

Therefore, it can be concluded that the planned increase in student enrollment at the Scott Lane Elementary School would not result in a significant increase in student trip length and VMT. In addition, the cumulative decrease in student enrollment as a result of the four Master Plans for the four elementary schools would result in a district-wide decrease in VMT and a less than significant impact on VMT.

Staff VMT Analysis

Since the residences of staff members are not restricted by the school attendance boundaries, staff trips could originate from outside of the school district boundaries, the Santa Clara Countywide VMT Evaluation Tool was used to determine the VMT per employee for Scott Lane

Elementary School. The inputs used for the VMT Evaluation Tool are Office Land Use and the VMT metric used for this analysis is home-based work VMT per worker. Thus, the evaluation of school staff VMT is completed by converting the trips estimated to be generated by the school staff to an equivalent amount of office square footage. This is a reasonable approach since trips generated by school employees would have similar trip-making characteristics (origin/destination and length of trips) as typical office employees.

The estimated number of daily trips generated by the school staff was converted into an equivalent amount of office space using trip generation estimates based on trip rates published in the Institute of Transportation Engineers' (ITE) Trip Generation Manual, 11th Edition (2021). The Scott Lane Elementary School Master Plan proposes up to 76 staff members at full buildout, up from the existing 70 staff members. Assuming each school employee generates two daily trips, the proposed 6 additional school employees for the Scott Lane Elementary School site at buildout are expected to generate 12 daily trips, which is equivalent to the trips estimated to be generated by 1,100 square feet of office space. Table 3.17-2 presents the school staff to office equivalency calculation.

Table 3.17-2: Office Equivalency Calculation

Land Use	Size	Daily	
		Rate	Trips
#520 – Elementary School	6 Employees	2.000	12
#710 – General Office Building	1,100 Square Feet	10.840	12

For employment uses, the City of Santa Clara has established a threshold of significance at 15 percent below the existing Countywide average VMT per employee. This equates to a threshold of significance of 14.14 VMT per employee (based on an existing countywide average VMT of 16.64). Therefore, any office project which exceeds this threshold would have a significant impact on VMT. If a project is found to have a significant impact on VMT, the impact must be reduced by modifying the project to reduce its VMT to an acceptable level (below the established thresholds of significance applicable to the project) and/or mitigating the impact.

The City's Transportation Analysis Policy identifies an impact threshold of 15 percent below the countywide average per-employee VMT of 16.64. Thus, the proposed project would result in a significant impact if it results in a project VMT of 14.14 VMT per employee.

The results of the VMT evaluation, using the Santa Clara Countywide VMT Evaluation Tool, indicate that the proposed project is projected to generate VMT per capita (14.01) that is below the established impact threshold. Therefore, the employees of the proposed project would not have an impact on the transportation system based on the City's VMT impact criteria.

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

No Impact. The project does not include any changes to local streets or intersections, nor does it involve incompatible land uses. Access to the project site would continue to be provided via Scott Boulevard and an additional access driveway would be added on the north side of the project site on Cabrillo Avenue. Construction of the driveway would comply with City development standards. There would be no reconfiguring of Cabrillo Avenue. As such, the project would not introduce or increase hazards due to geometric design features. No impact would occur.

d) Result in inadequate emergency access?

Less Than Significant Impact. As described in Section 4.9, Hazards and Hazardous Materials, the proposed project would not interfere with emergency response access in the project area. Construction of the project would not prevent emergency vehicles from accessing the project area. The contractor will be required to prepare a Traffic Control Plan to manage traffic during construction, including pedestrian and bicyclists, and maintain access to emergency vehicles and residents' access to their homes during construction. The impact would be less than significant.

3.17.4 Non-CEQA Transportation Related Issues

The Transportation Analysis prepared for the project by Hexagon included analyses of non-CEQA related transportation site access, onsite circulation, parking, and local roadway performance as a result of the project. These issues are not addressed in the CEQA Initial Study checklist, however, the District opted to include these analyses to benefit the community and interested agencies such as the City of Santa Clara.

Site Access

Site access across most phases of development would remain the same. During phases 1 through 4 of the Master Plan, primary site access will be provided via two driveways along Scott Boulevard. The existing two-way driveway along Scott Lane Boulevard would be converted into an inbound only driveway ("Main Entry Driveway) and a new outbound only driveway ("Main Exit Driveway") would be constructed just north of the existing driveway. A new left-turn pocket along Scott Boulevard would facilitate left-turns into the main entry driveway. Additionally, a new two-way driveway would be constructed along Cabrillo Avenue. During the final phase (phase 5) of the Master Plan, the converted inbound main entry driveway along Scott Boulevard would be removed and a new inbound only driveway along Scott Boulevard would be constructed just south of the existing driveway.

Project Traffic Estimates

The magnitude of traffic produced by a new development and the locations where that traffic would occur were estimated using a three-step process: (1) trip generation, (2) trip assignment, and (3) trip distribution. In determining project trip generation, the magnitude of traffic entering and exiting the site was estimated for the a.m., school p.m., and p.m. peak hours. As part of the project trip distribution step, an estimate was made of the directions to and from which the project trips would travel. In the project trip assignment step, the project trips were assigned to

specific streets and intersections in the project area. These procedures are described further in the following paragraphs.

Trip Generation. Trip generation estimates for the proposed project were based on trip rates published in the Institute of Transportation Engineers' (ITE) Trip Generation Manual, 11th Edition for "Elementary School" (Land Use 520) located in a general Urban/Suburban area. The trip generation estimate represents the increase (157) in maximum number of students (from 781 to a maximum of 938 students). Based on the ITE rates, the increase in maximum number of students would generate 356 daily trips including 116 a.m. peak-hour trips (63 inbound and 53 outbound), 71 school p.m. peak-hour trips (33 inbound and 38 outbound) and 25 p.m. peak-hour trips (12 inbound and 13 outbound) (see Table 3.17-3).

Table 3.17-3: Trip Generation Estimates

Proposed Land Use	No. of Students	Daily			Trip (a.m Peak Hour)				Trip (School p.m Peak Hour)				Trip (p.m. Peak Hour)		
		Rate	Trip	Rate	In	Out	Total	Rate	In	Out	Total	Rate	In	Out	Total
#520 Elementary School	157	2.27	356	0.74	63	53	116	0.45	33	38	71	0.16	13	13	25

Source: Hexagon 2024.

Trip Assignment and Distribution. The directional distribution of site-generated traffic to and from the project site was estimated based on the surrounding roadway network and the location of the project driveways and the location of residential areas. The net additional peak-hour project trips associated with the proposed school were added to the transportation network in accordance with the distribution pattern. The project trip distribution pattern and assignment of project trips at the Scott Boulevard and Cabrillo Avenue intersection under existing plus project conditions are shown on Figure 8 of the Hexagon memo (see Appendix F).

Existing Intersection Level of Service

Traffic conditions at the unsignalized intersection of Scott Boulevard and Cabrillo Avenue was analyzed for the weekday a.m. and p.m. peak hours of traffic. Other intersections in the project area were not studied because the addition of project trips will be minimal, less than 10 peak hour trips per lane. The weekday a.m. peak hour of traffic generally falls within the 7:00 a.m. to 9:00 a.m. period and the weekday p.m. peak hour is typically in the 4:00 p.m. to 6:00 p.m. period. It is during these times that the most congested traffic conditions occur on a typical weekday. Existing traffic volumes at Scott Boulevard and Cabrillo Avenue intersection were obtained from new traffic counts in January 2024.

Level of service for unsignalized intersections was evaluated using TRAFFIX, which utilizes the Highway Capacity Manual (HCM) 2000 methodology. 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.

The results of the intersection level of service analysis show that the study intersection of Scott Boulevard and Cabrillo Avenue currently operates at acceptable LOS D conditions and would continue to operate at acceptable LOS D conditions with the addition of project traffic during the a.m. and p.m. peak hours. Additionally, peak-hour volumes at the unsignalized study intersection would not meet signal warrant thresholds. Based on the results of the intersection level of service analysis, the project would not have an adverse effect on operations at the Scott Boulevard and Cabrillo Avenue intersection.

Level of Service Results

The results of the intersection level of service analysis show that the study intersection of Scott Boulevard and Cabrillo Avenue currently operates at acceptable LOS D conditions and would continue to operate at acceptable LOS D conditions with the addition of project traffic during the a.m. and p.m. peak hours. Additionally, peak-hour volumes at the unsignalized study intersection would not meet signal warrant thresholds. Based on the results of the intersection level of service analysis, the project would not have an adverse effect on operations at the Scott Boulevard and Cabrillo Avenue intersection.

Driveway Design and Sight Distance

The existing main entry driveway along Scott Boulevard measures approximately 22 feet in width at the throat, providing adequate width for inbound operations. The phase 1 conceptual plans do not indicate any changes to the existing inbound driveway. The Master Plan shows the main exit driveway with a right curve to facilitate right-turns only onto Scott Boulevard. A right-turn only sign should be installed to alert drivers that only right-turns may be completed from the main exit driveway. The outbound driveway should be shifted north to align with the parking lot drive aisle to minimize sight distance and turn conflicts within the parking lot. The Master Plan shows two-way operation for the Cabrillo Avenue driveway. The driveways along Scott Boulevard are adequate to serve one-way operations into and out of the project site. The Cabrillo Avenue driveway should be designed to be at least 24 feet in width in order to provide adequate width for two-way operations.

Providing the appropriate sight distance reduces the likelihood of a collision at a driveway or intersection and provides drivers with the ability to locate sufficient gaps in traffic. Sight distance generally should be provided in accordance with Caltrans standards. The minimum acceptable sight distance is often considered the Caltrans stopping sight distance. Sight distance requirements vary depending on the roadway speeds. For Scott Boulevard, which has a speed limit of 35 mph, the Caltrans stopping sight distance is 300 feet (based on a design speed of 40 mph). This means that a driver must be able to see 300 feet down Scott Boulevard to locate a sufficient gap to turn out of the project driveway. This also gives drivers traveling along Scott Boulevard adequate time to react to vehicles exiting the project driveway. No obstructions block

an exiting driver's vision along either direction of Scott Boulevard. The existing red curb adjacent to the proposed Scott Boulevard driveway prohibits on-street parking and should be maintained to ensure adequate sight distance. Due to the lack of obstructions along Scott Boulevard, it can be concluded that sight distance is adequate at the main exit driveway.

For Cabrillo 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 Cabrillo Avenue to locate a sufficient gap to turn out of the project driveway. No obstructions block an exiting driver's vision along either direction of Cabrillo Avenue. Some roadway curvature is present near the proposed Cabrillo Avenue driveway. However, adequate sight distance is provided along Cabrillo Avenue. Red curb should be striped (by the City) adjacent to both sides of the Cabrillo Avenue driveway equal to at least two vehicle lengths to the east of the driveway and the entire segment along the site frontage between Scott Boulevard and the driveway to ensure exiting drivers can see vehicles and bicycles along Cabrillo Avenue. With the addition of red curb adjacent to the proposed Cabrillo Avenue driveway, it can be concluded that sight distance is adequate at the proposed Cabrillo Avenue driveway.

On-Site Vehicular Circulation and Parking Layout

On-site vehicular circulation was reviewed in accordance with generally accepted traffic engineering standards. The on-site vehicular circulation during drop-off and pick-up hours allows all students to be dropped off or picked up at the curb during all phases 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. The proposed Master Plan shows a designated drop-off/pick-up lane across all phases of the Master Plan and a designated through lane for parents to pull out once they have dropped off or picked up their student.

The City of Santa Clara requires a minimum drive aisle width of 24 feet for uniform parking spaces, which would provide enough space for vehicles to back out of parking spaces. For the drive aisle that extends towards the student pick-up and drop-off lanes, a left-turn only sign should be posted so that vehicles do not turn right into the pick-up/drop-off lanes. Additionally, a left-turn pavement marking, STOP marking, and stop bar near the end of the drive aisle are recommended.

The conceptual plans also show a gate near the main entry and main exit driveways. This gate should be closed during pick-up and drop-off operations to ensure a smooth flow for inbound vehicles. All parents should be instructed to enter only along Scott Boulevard for drop-offs and pickups. The plan indicates inbound access via Cabrillo Avenue. The Cabrillo Avenue driveway should be restricted to outbound only during drop-off/pick-up periods to limit drop-off/pick-up within the undesignated areas and traffic flow conflicts within the parking lot. Since the main exit driveway along Scott Boulevard is restricted to right-turns only, parents heading south along Scott Boulevard should be instructed to exit using the Cabrillo Avenue driveway.

The main entry driveway along Scott Boulevard is in the same location as the existing driveway. The drop-off/pick-up area remains on the south side and a through lane is provided so that

parents can pull out after dropping off or picking up their student. Two drive aisles extend towards the student pick-up and drop-off lanes. Left-turn only signs should be posted so that vehicles do not turn right into the pick-up/drop-off lanes. Additionally, a left-turn pavement marking, STOP marking, and stop bar near the end of the drive aisles are recommended.

A new parking module near the northeast corner of the parking lot shows angled parking in a separate drive aisle. The angle of the drop-off/pick-up lane facilitates vehicle movement to proceed into the primary one-way drive aisle in the previous phases of development.

Parking Stall Dimensions

The conceptual plans are unclear on the size of each parking space but are shown to be of the same size. The City of Santa Clara allows parking facilities to be designed with 100 percent uniform size stalls measuring 8.5 feet by 17 feet. For phases 1-4, 73 parking spaces are shown on the school site, with five ADA accessible parking spaces. For phase 5, 122 parking spaces are shown on the school site. The City of Santa Clara requires a minimum of one parking space per classroom or office. The conceptual plans show adequate parking for the number of proposed classrooms across all phases of the Master Plan.

Truck Access and Circulation

The project site plan was reviewed for truck access including delivery trucks, garbage trucks, and emergency vehicles.

Delivery operations would occur within the parking lot areas of the school site. Any deliveries should occur during off-peak hours. Emergency vehicle access is provided along Scott Boulevard and Cabrillo Avenue.

The site plan shows a trash enclosure adjacent to the parking lot near the northwest corner of the parking lot. In order to not block the parking 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 938 students and up to 76 staff members. Typical school hours would begin at 8:15 a.m. Dismissals are staggered from 1:30-2:35 p.m., depending on grade level. The staggered dismissal times are beneficial for pick-up operations. In all phases of the Master Plan, vehicles would enter from either direction from Scott Boulevard to access the drop-off/pick-up lane. Two lanes are 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. Vehicles would continue through the loading area into the parking lot. Vehicles heading northbound along Scott Boulevard can then exit using the main exit driveway along Scott Boulevard. Vehicles heading southbound along Scott Boulevard should use the Cabrillo Avenue driveway to exit and make a left turn onto Scott Boulevard. Parents should be advised of the new drop-off and pick-up circulation pattern once the Master Plan development begins.

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. Based on the project trip generation estimates, it is estimated that approximately 375 vehicles would enter the drop-off area during the a.m. peak-hour (highest peak hour) (See Table 4 in the Transportation Analysis). An average of up to 13 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 30 seconds per vehicle.

The following recommendations were provided in the Hexagon memo to improve drop-off, pick-up and loading/unloading operations:

- 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.

- The loading lane should be designed to provide the maximum loading area possible.

- 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. If a student must exit or board via the driver's side of the vehicle, staff should accompany the student while crossing the drive aisle.

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 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 June 14, 2023, is kept on file at the Santa Clara Unified School District.

No known prehistoric, ethnographic and/or mission era settlements or contemporary Native American resources, including sacred places and/or traditional use areas, have been identified on or adjacent to the project site. The Native American Heritage Commission (NAHC) was contacted for a search of the Sacred Lands File (SLF) for the project site (Basin 2023). The review was negative (Basin 2023). In addition, two Native American burials were recovered from a location approximately 500 feet north of the project site in 2000. However, no additional finds have been reported over the past 22-23 years.

3.18.2 Regulatory Setting

Federal

Native American Graves Protection and Repatriation Act of 1990

The Native American Graves Protection and Repatriation Act (NAGPRA) of 1990 sets provisions for the intentional removal and inadvertent discovery of human remains and other cultural items from federal and tribal lands. It clarifies the ownership of human remains and sets forth a process for repatriation of human remains and associated funerary objects and sacred religious objects to the Native American groups claiming to be lineal descendants or culturally affiliated with the remains or objects. It requires any federally funded institution housing Native American remains or artifacts to compile an inventory of all cultural items within the museum or with its agency and to provide a summary to any Native American tribe claiming affiliation.

State

Native American Heritage Commission, Public Resources Code Sections 5097.9 – 5097.991

Section 5097.91 of the Public Resources Code (PRC) established the NAHC, whose duties include the inventory of places of religious or social significance to Native Americans and the identification of known graves and cemeteries of Native Americans on private lands. Under Section 5097.9 of the PRC, a state policy of noninterference with the free expression or exercise of Native American religion was articulated along with a prohibition of severe or irreparable damage to Native American sanctified cemeteries, places of worship, religious or ceremonial sites or sacred shrines located on public property. Section 5097.98 of the PRC specifies a protocol to be followed when the NAHC receives notification of a discovery of Native American human remains from a county coroner. Section 5097.5 defines as a misdemeanor the unauthorized disturbance or removal of archaeological, historic, or paleontological resources located on public lands. (NAHC, Public Resources Code Sections 5097.9 – 5097.991).

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 mandates that a lead agency must initiate consultation with a

California Native American tribe that has traditional and cultural ties to the area where a proposed project is located, if the tribe submits a written request to be notified of such projects. Consultation should be made prior to determining whether a negative declaration, mitigated negative declaration, or environmental impact report is required for a project. The District has received no such AB 52 requests for consultation from any Native American Tribes.

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 I 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 Impact (Responses *i-ii*). 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 of Historical Resources (CRHR) criteria prior to making a finding as to a proposed project's impacts to historical resources (PRC § 21084.1, 20174, 14 CCR § 15064.5(3). It is possible for a lead agency to determine that an artifact, site, or feature is considered significant to a local tribe, without necessarily being eligible for the CRHR. A determination of such by a lead agency would make an artifact a significant resource under CEQA.

The NAHC was contacted for a review of the SLF. Letters and/or emails were sent to the 11 knowledgeable Native American individuals/organizations identified by the NAHC, and one response was received from the Tamien Nation, which expressed no concerns. However, standard design and construction measures (see Section 2.6) require the SCUSD to retain a professional archaeologist on an on-call basis during ground disturbing construction activities to review, identify and evaluate any potential cultural resources that may be inadvertently exposed during construction. Furthermore, standard design and construction measures necessitates the filing of a Monitoring Closure Report with the SCUSD if archaeological and Native American monitoring of excavation was undertaken. In addition, the project includes standard measures, as recommended by Basin to address the inadvertent discovery of human remains and how said remains are to be properly handled in alignment with State law.

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 SCUSD shall coordinate with an archaeologist who meets the U.S. Secretary of the Interior's Professional Qualifications, as well as an appropriate tribe or tribes, as determined by the NAHC, to develop an appropriate treatment plan for the resources. The plan may include implementation of archaeological data recovery excavations to address treatment of the resource along with subsequent laboratory processing and analysis. An archaeological report will be written detailing all archaeological finds and submitted to the SCUSD. The implementation of Mitigation Measures CUL-1a, CUL-1b, CUL-1c, CUL-1d 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 City's 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: Valley Water and the San Francisco Hetch Hetchy system.

The City operates 26 wells that tap the underground aquifers and make up about 60 percent of the City's potable water supply. A water recharge program administered by Valley Water from local reservoirs and imported water enhances the dependability of the underground aquifer. The remaining water is supplied by water imported from the two wholesale water agencies.

Wastewater

Sewer services in the City of Santa Clara are provided by the City's Sewer Utility. Wastewater in Santa Clara is conveyed to the San Jose-Santa Clara Regional Wastewater Facility (RWF). 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. The City's wastewater collection system includes approximately 270 miles of sewer pipelines 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 per day of liquid waste.

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 Systems 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 (SWIS 2023). 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 accept up to

4,000 tons of municipal solid waste per day, and to operate until 2041. Recycling services are provided through Stevens Creek Disposal and Recycling.

3.19.2 Regulatory Setting

State

State Water Code

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

Assembly Bill 341

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

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. With the implementation of the project, the school would continue to utilize existing connections to the municipal water, electricity, natural gas and telecommunications supplies, as well as the existing municipal sanitary sewer and storm drain systems. Although the project would increase student capacity from 781 to 938 students, the addition of 157 students (representing an increase of approximately 16 percent) would not be expected to create an increase in demand for these services that would require the relocation or construction of new or expanded facilities.

Accordingly, offsite improvements for new or expanded water, wastewater or stormwater drainage, electric power, natural gas or telecommunication facilities are not proposed as part of the project. Thus, 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. The sources of water supply in the City include local groundwater, imported water from the SFPUC Hetch-Hetchy system, imported treated water from Valley Water, and recycled water from SBWR. As noted, the project would increase student capacity from 781 to 938 students. However, according to the City's 2020 Urban Water Management Plan, adopted June 22, 2021, future supplies are projected to be sufficient to serve the City during normal, single dry and multiple dry consecutive years.[5] The City would therefore have sufficient water supply to serve the project both during construction and after project completion. This impact would be less than significant.

c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Less Than Significant Impact. The intent of the Master Plan is to modernize the campus and update facilities for current and projected school needs. The project does not propose the construction of new bathrooms or other facilities that would generate a large amount of additional wastewater treatment demand. The project is anticipated to generate wastewater that is equal to or slightly more than current wastewater generation. Given that the project conforms to the City's General Plan land use designation for the site and the RWF currently treats an average of 110 million gallons of wastewater per day with a capacity to treat 167 million gallons per day, this impact would be less than significant.

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less Than Significant Impact. Construction activities such as demolition, grading and excavation would generate construction debris and excavated materials on site. Where feasible, such material would be used on site or recycled to reduce impacts on local and regional landfills. Material that cannot feasibly be used on site or recycled would be off-hauled by trucks to the Newby Island Sanitary Landfill. As previously stated, the intent of the Master Plan is to modernize the campus and update facilities for current and projected school needs. Although buildout of the Master Plan would result in increased student capacity (157), this represents a relatively small increase of approximately 16 percent of the current capacity. Therefore, implementation of the project would not be expected to generate solid waste in excess of local

[5] The 2020 Urban Water Management Plan is the latest such plan available from the City. California law requires that the City of Santa Clara review and update its Urban Water Management Plan every five years.

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, including the waste stream diversion goals mandated by AB 939. 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, within an area designated as a Local Responsibility Area by the California Department of Forestry and Fire Protection (CAL FIRE). The project site is in a fully urbanized area surrounded by residential uses and 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 Severity Zone designation is the Fremont Older Open Space Preserve in Cupertino, approximately 6.4 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 above, the project site is not located in a Very High Fire Hazard Severity Zone. The nearest such zone is located approximately 6.4 miles southwest of the project site. Therefore, the project would not substantially impair an adopted emergency response or evacuation plan. Additionally, the project does not propose the installation of infrastructure that may exacerbate fire risk. Further, the topography of the project site is flat and therefore would not expose occupants to pollutant concentrations from wildfires or expose people or structures to post-wildfire dangers such as landslides or floods. There would be no impact.

3.21 MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means the incremental effects of a project are considerable when viewed in connection with the efforts of past projects, the effects of other current projects, and the effects of probable future projects)?	☐	☐	☒	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

3.21.1 Discussion

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Less Than Significant with Mitigation Incorporated. As discussed in the previous sections of this Initial Study, the proposed project would not degrade the quality of the environment with the

implementation of the identified standard design and construction measures and Standard Permit Conditions. As discussed in Section 3.4 Biological Resources, with implementation of Mitigation Measure MM BIO-1 and standard design and construction measures for nest avoidance as well as Standard Permit Conditions, the project would not significantly impact sensitive habitats or species. Also, as discussed in Section 3.5 Cultural Resources, Section 3.18.1 Tribal Cultural Resources and Section 3.7 Geology and Soils, with implementation of Mitigation Measures MM CUL-1a, 1b, 1c, 1d, 2, MM TCR-1 and Mitigation Measure MM GEO-1, and the identified standard design and construction measures and Standard Permit Conditions, the project would result in a less-than-significant impact on archaeological, historic, and paleontological resources, as well as to geotechnical conditions.

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 an existing 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 described in Section 2.5, Phase 1 of the project was completed in September 2024. There are no other projects proposed or that would be under construction in the same general area as the proposed project. Short-term, construction related impacts of the project (e.g., equipment/vehicle emissions, dust emissions, noise and vibration) would not combine with the impacts of other projects and would not be cumulatively considerable. The project's impacts to air quality and GHG emissions are discussed in Section 3.3 and Section 3.8, respectively, and it was concluded that the project would have a less than significant impact on air quality and GHG emissions. School facilities are a function of the housing supply in the school district area and improvements occur within an already developed school site. Therefore, the cumulative impacts are considered less than significant.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less Than Significant with Mitigation Incorporated. Consistent with Section 15065(a)(4) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has the potential to cause substantial adverse effects on human beings, either directly or indirectly. Under this standard, a change to the physical environment that might otherwise be minor must be treated as significant if people would be significantly affected. This factor relates to adverse changes to the environment of human beings generally, and not to effects on particular individuals. While changes to the environment that could indirectly affect human beings would be represented by all of the designated CEQA issue areas, those that could directly affect human beings include 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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