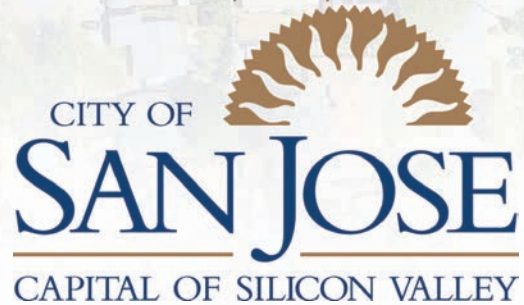


Initial Study/Draft Mitigated Negative Declaration

Harker Bucknall Multi-Purpose Building Project



Prepared by



In Consultation with



January 2026

MITIGATED NEGATIVE DECLARATION

The Director of Planning, Building and Code Enforcement has reviewed the proposed project described below to determine whether it could have a significant effect on the environment as a result of project completion. "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.

PROJECT NAME: Harker Bucknall Multi-Purpose Building Project

PROJECT FILE NOS.: SP25-008 and ER25-076

PROJECT DESCRIPTION: The project consists of the demolition of the existing library building on the north side of campus and a portable classroom building on the south side of campus, and construction of a new two-story multi-purpose building, a new one-level below-grade parking lot with 33 parking spaces below the new multi-purpose building, and reconfiguration of the surface parking lots on the existing private primary school campus. The project would also construct an addition to the existing Building 500, and all other buildings would remain as built on campus. The modifications to the campus are intended to support an increase in enrollment from 580 to 650 students.

The multi-purpose building would be approximately 34,156 square feet with a maximum height of 30 feet to the roof and 44 feet to the top of the mechanical screen and would have a total of 13 classrooms. The proposed project would utilize all electrical appliances and heating systems and not use any natural gas.

LOCATION: 4300 Bucknall Road, San José, CA 95130

ASSESSOR'S PARCEL NO.: 403-59-012

COUNCIL DISTRICT: 1

APPLICANT CONTACT INFORMATION: Harker School (Shayne Hale), 500 Saratoga Avenue, San José, CA 95129; Shayne.Hale@harker.org

FINDING

The Director of Planning, Building and Code Enforcement finds the project described above would not have a significant effect on the environment if certain mitigation measures are incorporated into the project. The attached Initial Study identifies one or more potentially significant effects on the environment for which the project applicant, before public release of this Mitigated Negative Declaration (MND), has made or agrees to make project revisions that will clearly mitigate the potentially significant effects to a less than significant level.

ENVIRONMENTAL RESOURCE AREAS AND MITIGATION MEASURES INCLUDED IN THE PROJECT TO REDUCE POTENTIALLY SIGNIFICANT EFFECTS TO A LESS THAN SIGNIFICANT LEVEL

- A. **AESTHETICS** – The project would not have a significant impact on this resource, therefore no mitigation is required.
- B. **AGRICULTURE AND FORESTRY RESOURCES** – The project would not have a significant impact on this resource, therefore no mitigation is required.
- C. **AIR QUALITY**

Impact AIR-1: The construction activity associated with the proposed project would result in a cancer risk of 13.65 cases per million due to exposure to diesel exhaust from construction equipment, exceeding the Air District threshold of 10 cases per million.

MM AIR-1.1: The project applicant shall implement a feasible plan to reduce diesel particulate matter (DPM) emissions by 30 percent such that increased cancer risk and annual PM_{2.5} concentrations from construction would be reduced below TAC significance levels as follows:

All construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA Tier 4 final emission standards for PM (PM₁₀ and PM_{2.5}), if feasible. Documentation demonstrating compliance shall be submitted to the Director of Planning, Building, and Code Enforcement or the Director's designee for review and approval prior to the issuance of any demolition, grading or building permits, whichever occurs first.

Alternatively, the applicant shall develop another construction operations plan demonstrating that the construction equipment used on-site would achieve a reduction in construction diesel particulate matter emissions by 30 percent or greater. Elements of the plan could include a combination of some of the following measures:

- Installation of electric power lines during early construction phases to avoid use of diesel generators and compressors,
- Use of electrically powered equipment,
- Forklifts and aerial lifts used for exterior and interior building construction shall be electric or propane/natural gas powered,
- Change in construction build-out plans to lengthen phases, and
- Implementation of different building techniques that result in less diesel equipment usage.

The construction operations plan shall be prepared by an air quality expert and submitted to the Director of Planning, Building, and Code Enforcement or the Director's designee for review and approval prior to the issuance of any demolition, grading or building permits, whichever occurs first.

D. **BIOLOGICAL RESOURCES**

Impact BIO-1: Construction activities associated with the proposed project could result in the loss of fertile eggs, nesting raptors or other migratory birds, or nest abandonment due to the removal of trees on site which may provide nesting and/or foraging habitat for migratory birds protected under the Migratory Bird Treaty Act and California Department of Fish and Wildlife Code Sections 3503, 3503.5, and 3800.

MM BIO-1.1: Tree removal and construction shall be scheduled to avoid the nesting season. The

nesting season for most birds, including most raptors in the San Francisco Bay area, extends from February 1st through August 31st, inclusive.

If tree removals and construction cannot be scheduled outside of nesting season, a qualified ornithologist shall complete pre-construction surveys to identify active nests including raptor nests that may be disturbed during project implementation. This survey shall be completed no more than 7 days prior to the initiation of demolition/construction activities during the breeding season (February 1st through August 31st, inclusive), unless a shorter pre-construction survey is determined to be appropriate based on the presence of a species with a shorter nesting period. During this survey, the qualified ornithologist shall inspect all trees and other possible nesting habitats in and immediately adjacent to the construction areas for nests. If an active nest is found in an area that will be disturbed by construction, the qualified ornithologist shall designate a construction-free buffer zone (typically 250 feet) to be established around the nest, in consultation with California Department of Fish and Wildlife (CDFW). The buffer would ensure that raptor or migratory bird nests will not be disturbed during project construction.

Prior to any tree removal, or issuance of any grading, demolition or building permits, the project applicant shall submit a report indicating the results of the survey and any designated buffer zones to the satisfaction of the Director of Planning, Building and Code Enforcement or Director's designee for review and approval.

E. CULTURAL RESOURCES

Impact CUL-1: The ground disturbance associated with the proposed project for the track portion between Building 100 and the Gymnasium/Pool Area would impact areas where historic-era resources may be present.

MM CUL-1.1: During ground-disturbing activity including excavation and grading within the areas of historic-period sensitivity, ground disturbing activities shall be monitored by a qualified archaeologist. If archaeological deposits are discovered, an archaeological investigation plan shall be prepared by the qualified archaeologist to determine whether the deposits are eligible for registry in the California Register of Historic Resources (CRHR). These resources will be evaluated consistent with the Subsurface Cultural Resources Standard Permit Condition established by the City of San José for the proposed project.

F. ENERGY – The project would not have a significant impact on this resource, therefore no mitigation is required.

G. GEOLOGY AND SOILS – The project would not have a significant impact on this resource, therefore no mitigation is required.

H. GREENHOUSE GAS EMISSIONS – The project would not have a significant impact on this resource, therefore no mitigation is required.

I. HAZARDS AND HAZARDOUS MATERIALS

Impact HAZ-1: The ground disturbance associated with the proposed project has the potential to encounter agricultural soils with remnant contamination resulting from the use of pesticides and fertilizer on the project site.

MM HAZ-1.1: Prior to the issuance of any demolition, grading or building permits (whichever occurs first), the project proponent shall conduct soil sampling for metals (including lead and arsenic) and organochlorine pesticides on the project site where ground disturbance is occurring to determine whether elevated concentrations of contaminants in the soil exceed environmental screening levels due to a historic agricultural use. A report containing the findings and any recommendations of the soil sampling shall be prepared by a qualified expert and submitted to the Director of Planning, Building and Code Enforcement or the Director's designee for review and approval. If the sampling on the site finds organochlorine pesticides or metals above regulatory environmental screening levels for public health the project proponent shall coordinate with the San José Department of Planning, Building and Code Enforcement and Santa Clara County Department of Environmental Health (SCCDEH) to remove and replace soils on the project site.

- J. HYDROLOGY AND WATER QUALITY** – The project would not have a significant impact on this resource, therefore no mitigation is required.
- K. LAND USE AND PLANNING** – The project would not have a significant impact on this resource, therefore no mitigation is required.
- L. MINERAL RESOURCES** – The project would not have a significant impact on this resource, therefore no mitigation is required.
- M. NOISE** – The project would not have a significant impact on this resource, therefore no mitigation is required.
- N. POPULATION AND HOUSING** – The project would not have a significant impact on this resource, therefore no mitigation is required.
- O. PUBLIC SERVICES** – The project would not have a significant impact on this resource, therefore no mitigation is required.
- P. RECREATION** – The project would not have a significant impact on this resource, therefore no mitigation is required.
- Q. TRANSPORTATION** – The project would not have a significant impact on this resource, therefore no mitigation is required.
- R. TRIBAL CULTURAL RESOURCES**

Impact TCR-1: – The project would not have a significant impact on this resource, therefore no mitigation is required.
- S. UTILITIES AND SERVICE SYSTEMS** – The project would not have a significant impact on this resource, therefore no mitigation is required.
- T. WILDFIRE** – The project would not have a significant impact on this resource, therefore no mitigation is required.
- U. MANDATORY FINDINGS OF SIGNIFICANCE.**

Cumulative impacts would be less than significant. The project would comply with existing

regulations and City standard conditions of approval. The proposed project would implement the identified mitigation measures and would either have no impacts or less than significant impacts on applicable air quality, biological resources, cultural resources, and hazards and hazardous materials. Therefore, the proposed project would not contribute to any cumulative impact for these resources. The project would not cause changes in the environment that have any potential to cause substantial adverse direct or indirect effects on human beings.

PUBLIC REVIEW PERIOD

Before 5:00 p.m. on **February 26, 2026, at 5:00 p.m.** any person may:

1. Review the Draft Mitigated Negative Declaration (MND) and attached Initial Study as an informational document only; or
2. Submit written comments regarding the information and analysis in the Draft MND/Initial Study. Before the MND is adopted, Planning staff will prepare written responses to any comments, and revise the Draft MND/Initial Study, if necessary, to reflect any concerns raised during the public review period. All written comments will be included as part of the Final MND. Please submit comments to: Cort Hitchens, Environmental Project Manager; 200 E. Santa Clara Street – Tower 3; San Jose, CA 95113 or via e-mail at cort.hitchens@sanjoseca.gov.

CHRISTOPHER BURTON, Director
Planning, Building and Code Enforcement



Deputy

1/30/2026

Date

Cort Hitchens
Environmental Project Manager

Circulation period: February 6, 2026, to February 26, 2026

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Appendix B: Arborist Report
Appendix C: Historic Resources Evaluation
Appendix D: Geotechnical Engineering Investigation
Appendix E: Green House Gas Reduction Strategy Checklist
Appendix F: Phase I/II Environmental Site Assessments
Appendix G: Noise and Vibration Assessment

Appendix H: Local Transportation Analysis

All appendices are incorporated herein by reference.

Section 1.0 Introduction and Purpose

1.1 Purpose of the Initial Study

The City of San José, as the Lead Agency, has prepared this Initial Study for the Harker Bucknall Campus Update in compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines (California Code of Regulations §15000 et. seq.) and the regulations and policies of the City of San José, California.

As proposed, the project would demolish an existing library structure on the Harker-Bucknall campus to construct a two-story multi-purpose building, and minor improvements to an existing classroom and play areas. This Initial Study evaluates the environmental impacts that might reasonably be anticipated to result from implementation of the proposed project.

1.2 Public Review Period

Publication of this Initial Study marks the beginning of a 20-day public review and comment period. During this period, the Initial Study will be available to local, state, and federal agencies and to interested organizations and individuals for review. Written comments concerning the environmental review contained in this Initial Study during the 20-day public review period should be sent to:

Cort Hitchens, Planner IV
City of San José Planning, Building & Code Enforcement
200 E. Santa Clara Street, 3rd Floor
San José, CA 95113
(408) 794-7386

1.3 Consideration of the Initial Study and Project

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

1.4 Notice of Determination

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

Section 2.0 Project Information

2.1 Project Title

Harker Bucknall Multi-Purpose Building Project

2.2 Lead Agency Contact

Cort Hitchens, Planner IV
City of San José Planning, Building & Code Enforcement

2.3 Project Applicant

Harker School
500 Saratoga Avenue
San José, CA 95129
Contact: Shayne Hale; Shayne.Hale@harker.org

2.4 Project Location

4300 Bucknall Road, San José, CA 95130-2015
The project site can be seen in a Regional Map (Figure 2-1), Vicinity Map (Figure 2-2), and Aerial Imagery (Figure 2-3) below.

2.5 Assessor's Parcel Number

403-59-012

2.6 General Plan Designation and Zoning District

General Plan Designation: Public/Quasi-Public (PQP)
Zoning District: Public/Quasi-Public (PQP)

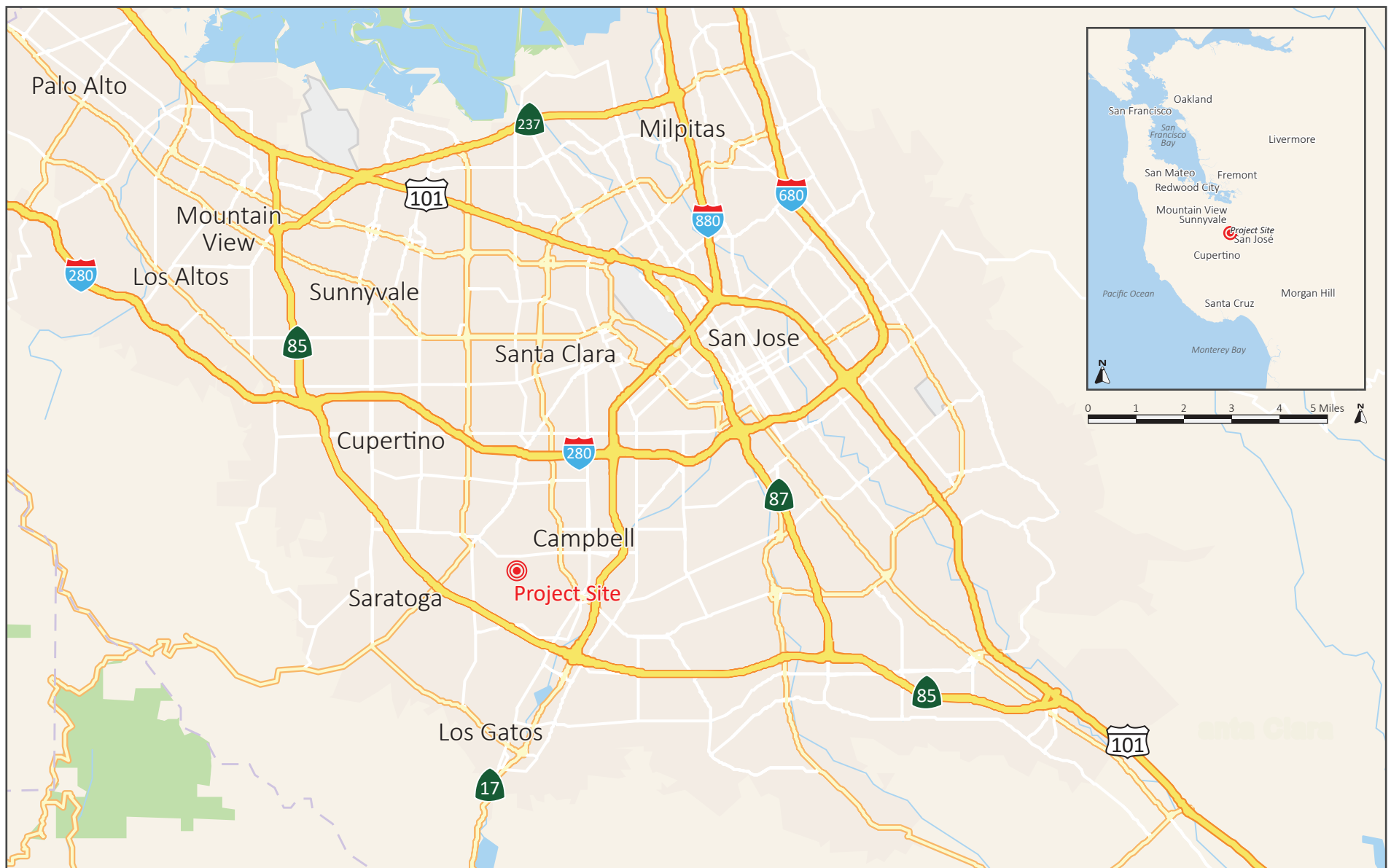
2.7 Habitat Plan Designation

Urban-Suburban

2.8 Project-Related Approvals, Agreements, and Permits

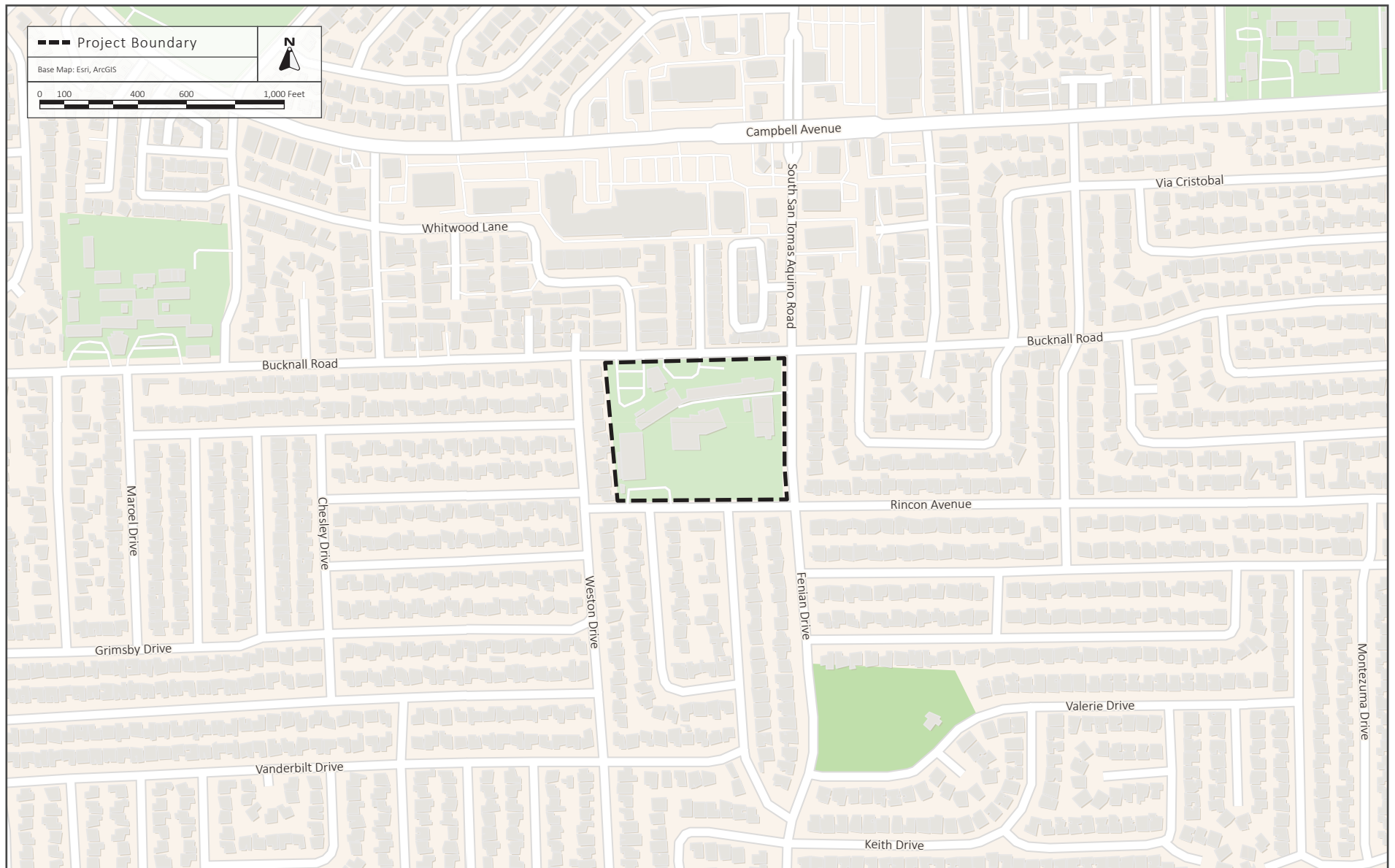
Grading Permit
Special Use Permit

Building Permit



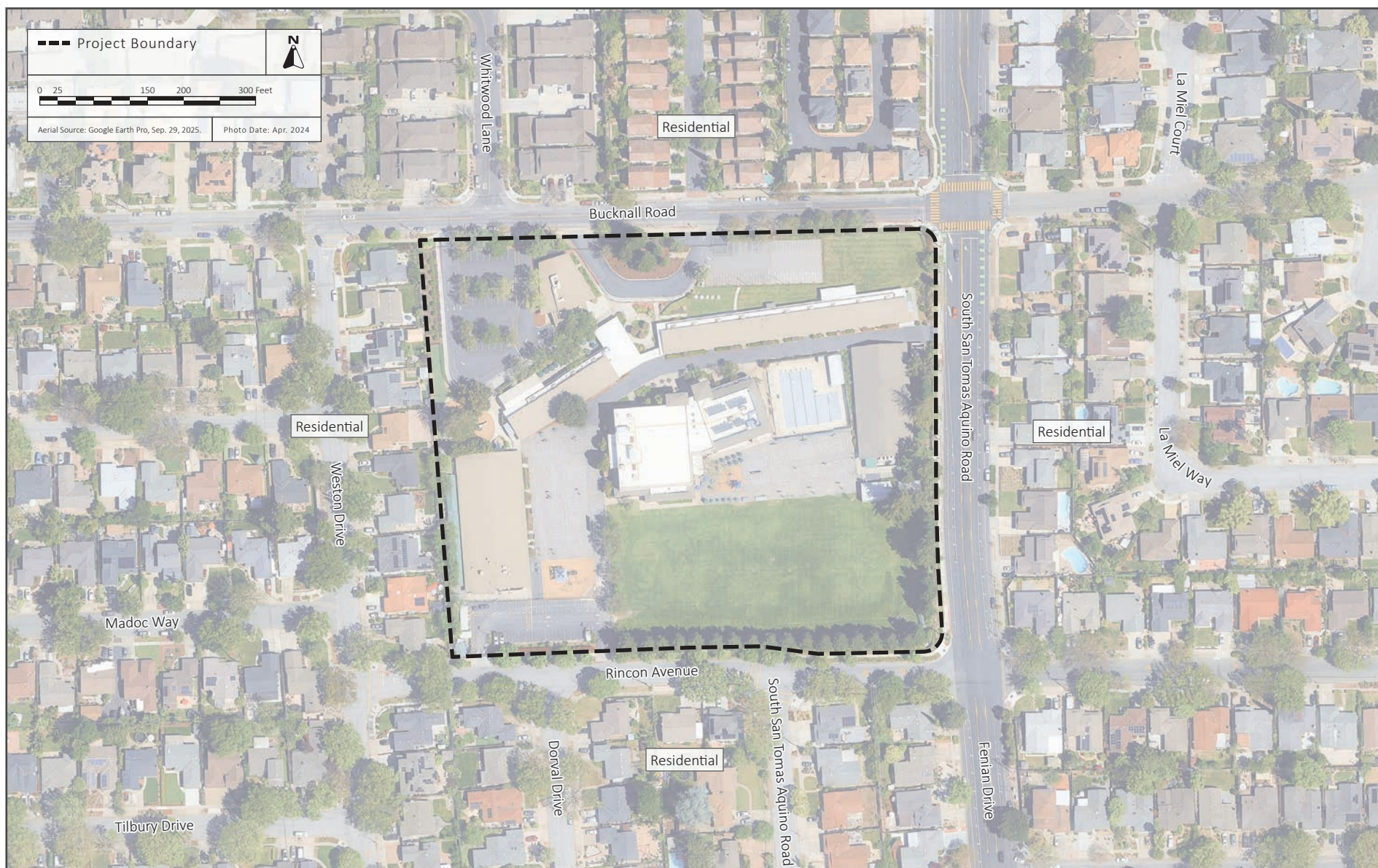
REGIONAL MAP

FIGURE 2-1



VICINITY MAP

FIGURE 2-2



AERIAL PHOTOGRAPH AND SURROUNDING LAND USES

FIGURE 2-3

Section 3.0 Project Description

3.1 Existing Site

The existing project site [Assessor's Parcel Number (APN) 403-59-012] is an approximately 8.9 acre (391,961 square foot) primary school site located at 4300 Bucknall Road, in the City of San José. The project site has a General Plan Designation of Public/Quasi-Public (PQP) and is zoned Public/Quasi-Public (PQP). The site has approximately 103 parking spots provided between the three on-site parking lots which each have two access points for a total of six access points around the project site.

3.2 Proposed Project

As proposed, the project would demolish the existing library building on the north side of campus and a portable classroom building on the south side of campus, and construct a two-story multi-purpose building and reconfigure the parking lots on an existing private primary school campus. The project would also construct an addition to the existing Building 500. All other buildings would remain as built on campus. The modifications to the campus are intended to support an increase in enrollment from 580 to 650 students.

The multi-purpose building would be located at the south end of campus and include a multi-purpose room, library, and six classrooms on the first floor and seven classrooms on the second floor. The building would have a total of 13 classrooms. One level of below-grade parking with 33 parking spaces would be located under the building. The multi-purpose building would be approximately 34,156 square feet with a maximum height of 30 feet to the roof and 44 feet to the top of the mechanical screen. The proposed project would utilize all electrical appliances and heating systems and not use any natural gas.

The Building 500 addition would house four new classrooms and would match the existing structure with like exterior finishes. The addition would be approximately 4,300 square feet with a maximum height of 25 feet to the roof.

3.2.1 Parking and Circulation

The campus currently has 103 parking spaces spread over three parking lots. As noted above, the new multi-purpose building would include one level of below-grade parking. This parking area would provide 33 parking spaces and would connect to the existing parking lot on the southwest corner of the project site. The improvements on the south side parking lot would replace the two existing driveways with three realigned driveways (one 24-foot-wide driveway and two 26-foot-wide driveways). The parking lot would also have a new site access driveway cut within the parking lot for fire access. The number of parking spaces in the existing south side parking lot would be reduced by 24 spaces for a total of seven parking spaces in the reconfigured parking lot. The site plan of the campus can be seen in Figure 3-1 below.

On the north side of the campus, the library would be demolished and the parking lot near this area would be reorganized for drop-off and pick-up operations.

A total of 126 parking spaces would be provided in the proposed reconfigured parking lots across the entire campus and new building.

3.2.2 Open Space

The grounds of the school around the existing gymnasium and new multi-purpose building would be redesigned with new landscaping and play areas. This would include a relocated basketball area, running track, playground, seating area, and various landscaping features.

3.2.3 Construction

Excavation for the multi-purpose building would be between 12 and 15 feet below the ground surface. Construction will occur over approximately 25 months for the entire project including the new multi-purpose building, the Building 500 addition and reconfigured areas.



Source: Studio Bondy Architecture, January 6, 2025.

SITE PLAN

FIGURE 3-1

Section 4.0 Environmental Setting, Checklist, and Impact Discussion

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

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

The discussion for each environmental subject includes the following subsections:

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

4.1 Aesthetics

4.1.1 Environmental Setting

4.1.1.1 *Regulatory Framework*

State

Streets and Highway Code Sections 260 through 263

The California Scenic Highway Program (Streets and Highway Code, Sections 260 through 263) is managed by the California Department of Transportation (Caltrans). The program is intended to protect and enhance the natural scenic beauty of California highways and adjacent corridors through special conservation treatment. There are no state-designated scenic highways in San José. Interstate 280 (I-280) from the San Mateo County line to State Route (SR) 17, which includes segments in San José, is an eligible, but not officially designated, State Scenic Highway.¹

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

Local

Envision San José 2040 General Plan

The Envision San José 2040 General contains the following policies which are specific to aesthetic resources and applicable to the proposed project:

Policy	Description
CD-1.1	Requires the highest standards of architectural and site design, and apply strong design controls for all development projects, both public and private, for the enhancement and development of community character and for the proper transition between areas with different types of land uses.
CD-1.8	Create an attractive street presence with pedestrian-scaled building and landscaping elements that provide an engaging, safe, and diverse walking environment. Encourage compact, urban design, including use of smaller building footprints, to promote pedestrian activity throughout the City.
CD-1.12	Use building design to reflect both the unique character of a specific site and the context of surrounding development and to support pedestrian movement throughout the building site by providing convenient means of entry from public streets and transit facilities where applicable, and by designing ground level building frontages to create an attractive pedestrian environment along building frontages. Unless it is appropriate to the site and context, franchise-style architecture is strongly discouraged.

¹ California Department of Transportation. "Scenic Highways." Accessed August 5, 2025.

<https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>.

CD-1.13	Use design review to encourage creative, high-quality, innovative, and distinctive architecture that helps to create unique, vibrant places that are both desirable urban places to live, work, and play and that lead to competitive advantages over other regions.
CD-1.17	Minimize the footprint and visibility of parking areas. Where parking areas are necessary, provide aesthetically pleasing and visually interesting parking garages with clearly identified pedestrian entrances and walkways. Encourage designs that encapsulate parking facilities behind active building space or screened parking vehicles from the public realm. Ensure that garage lighting does not impact adjacent uses, and to the extent feasible, avoid impacts of headlights on adjacent land uses.
CD-1.18	Encourage the placement of loading docks and other utility uses within parking structures to minimize their visibility and reduce their potential to detract from pedestrian activity.
CD-1.23	Further the Community Forest Goals and Policies in this Plan by requiring new development to plant and maintain trees at appropriate locations on private property and along public street frontages. Use trees to help soften the appearance of the built environment, help provide transitions between land uses, and shade pedestrian and bicycle areas.
CD-1.24	Within new development projects, include preservation of ordinance-sized and other significant trees, particularly natives. Avoid any adverse effect on the health and longevity of such trees through design measures, construction, and best management practices. When tree preservation is not feasible, include replacements or alternative mitigation measures in the project to maintain and enhance our Community Forest.

4.1.1.2 *Existing Conditions*

The project site is at an existing school located in a suburban area of the City of San José. The project site features six major school building structures. The buildings on campus are between one and three stories and are predominately white stucco buildings. The project site is a large school campus that takes up a majority of the block. The project site is surrounded by mature trees that obstruct views of the school buildings from exterior viewers. Surrounding land uses in the project area include a variety of single family and multifamily housing units. These are mostly one to two stories in height and have a variety of architectural styles. The project area is not designated a scenic corridor and is not located within a state scenic highway area.² Views of public vistas including Coyote Valley, the Diablo Range, the Silver Creek Hills, the Santa Teresa Ridge and the Santa Cruz Mountains; are not visible from the project site. Photos of the site and surrounding area are included below.

² City of San José. Envision 2040 General Plan. Scenic Corridors Diagram. June 2016.

Photos of the Project Site



Photos of the Surrounding Uses



4.1.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
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? ³ 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?	☐	☐	☒	☐

a) Would the project have a substantial adverse effect on a scenic vista?

The proposed project would demolish the existing one-story library structure on the project site and construct a new two-story multi-purpose building on the south side of the site within the existing boundaries of the school campus. Additionally, there would be improvements to the parking areas and an extension of one classroom structure on the campus. These improvements would not increase the height of buildings on-site beyond the existing maximum height of the largest structure. Additionally, any potentially scenic views from the site are already limited by existing development, buildings and landscaping. Therefore, the improvements proposed for the project site would not result in impacts on established scenic vistas in the City of San José. **(Less than Significant Impact)**

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

The proposed project is located approximately 3.4 miles northeast of the nearest scenic highway. Therefore, the proposed project would not result in changes to scenic resources within a scenic highway. **(Less than Significant Impact)**

³ Public views are those that are experienced from publicly accessible vantage points.

-
- c) In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?
-

The proposed project is located in an urbanized area and would construct school buildings on land zoned for public facilities. The school structures would support school activities and would undergo review by the City's Planning Department for consistency with the zoning regulations governing scenic quality. Therefore, the proposed project would not conflict with applicable zoning or other regulations governing scenic quality. **(Less than Significant Impact)**

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

The proposed project would not construct any structures with full glass sides or substantially reflective materials and glare during the daytime would not result from the construction of the proposed project. The building materials would be similar to existing structures on the project site including white and grey stucco walls, green metal components and aluminum frame windows. The proposed project would include internal building lights, security lights, and pedestrian lights adjacent to the buildings and pedestrian paths. Consistent with applicable General Plan policies, all new lighting on campus would be shielded and directed downward to ensure that all lighting for the school buildings would prevent excess light and glare. Therefore, the proposed project would have a less than significant impact resulting from glare or lighting. **(Less than Significant Impact)**

4.2 Agriculture and Forestry Resources

4.2.1 Environmental Setting

4.2.1.1 *Regulatory Framework*

State

Farmland Mapping and Monitoring Program

The California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) assesses the location, quality, and quantity of agricultural land and conversion of these lands over time. Agricultural land is rated according to soil quality and irrigation status. The best quality land is identified as Prime Farmland. In CEQA analyses, the FMMP classifications and published county maps are used, in part, to identify whether agricultural resources that could be affected are present on-site or in the project area.⁴

California Land Conservation Act

The California Land Conservation Act (Williamson Act) enables local governments to enter into contracts with private landowners to restrict parcels of land to agricultural or related open space uses. In return, landowners receive lower property tax assessments. In CEQA analyses, identification of properties that are under a Williamson Act contract is used to also identify sites that may contain agricultural resources or are zoned for agricultural uses.⁵

Fire and Resource Assessment Program

The California Department of Forestry and Fire Protection (CAL FIRE) identifies forest land, timberland, and lands zoned for timberland production that can (or do) support forestry resources.⁶ Programs such as CAL FIRE's Fire and Resource Assessment Program are used to identify whether forest land, timberland, or timberland production areas could be affected are located on or adjacent to a project site.⁷

4.2.1.1 *Existing Conditions*

The project site is located within a fully urbanized portion of San José, and the site is currently developed with a school campus. According to the Important Farmland Finder data, the project site

⁴ California Department of Conservation. "Farmland Mapping and Monitoring Program." Accessed August 5, 2025. <http://www.conservation.ca.gov/dlrp/fmmp/Pages/Index.aspx>.

⁵ California Department of Conservation. "Williamson Act." Accessed August 5, 2025. <http://www.conservation.ca.gov/dlrp/lca>.

⁶ Forest Land is land that can support 10 percent native tree cover and allows for management of forest resources (California Public Resources Code Section 12220(g)); Timberland is land not owned by the federal government or designated as experimental forest land that is available for, and capable of, growing trees to produce lumber and other products, including Christmas trees (California Public Resources Code Section 4526); and Timberland Production is land used for growing and harvesting timber and compatible uses (Government Code Section 51104(g)).

⁷ California Department of Forestry and Fire Protection. "Fire and Resource Assessment Program." Accessed August 5, 2025. <http://frap.fire.ca.gov/>.

is designated Urban and Built-Up Land and the project site is not zoned for forest or timberland production.

4.2.2 Impact Discussion

	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 a 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?	☐	☐	☐	☒
a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				

As stated in the Existing Conditions section, the project site does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Therefore, the proposed project would not result in the conversion of these lands to non-agriculture uses. **(No Impact)**

-
- b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?
-

The project site is zoned for public/quasi-public development and does not allow for agricultural uses. Additionally, the project site is not under a Williamson Act contract. Therefore, the proposed project would have no impact as a result of conflict with agricultural zoning or a Williamson Act contract. **(No Impact)**

- c) Would the project conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production?
-

The project site is zoned for public/quasi-public development and does not allow for forest or timberland uses. Therefore, the proposed project would not conflict with any existing zoning of forest land, timberland, or timberland zoned Timberland Production. **(No Impact)**

- d) Would the project result in a loss of forest land or conversion of forest land to non-forest use?
-

As stated in the Existing Conditions section, the project site does not contain forest land. Therefore, the proposed project would not result in the loss or conversion of forest land to non-forest uses. **(No Impact)**

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

The proposed project would convert an existing urban use to further urban development. This would not result in changes to the existing environment and would not result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use. Therefore, the proposed project would have no impact from conversion of farmland or forest land uses. **(No Impact)**

4.3 Air Quality

The information in this section is based in part on the Construction Emissions and Health Risk Assessment completed by Illingworth & Rodkin, Inc. on September 15, 2025. This is included as Appendix A of this report for reference.

4.3.1 Environmental Setting

4.3.1.1 *Background Information*

Criteria Pollutants

Criteria air pollutants are pollutants that have established federal or State standards for outdoor concentrations to protect public health. Pursuant with the federal and State Clean Air Acts, the United States Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) have established and enforce the National Ambient Air Quality Standards (NAAQS) and California Ambient Air Quality Standards (CAAQS), respectively. The NAAQS and CAAQS address the following criteria air pollutants: ozone (O₃), nitrogen dioxide (NO₂), carbon monoxide (CO), particulate matter with a diameter of 10 microns or less (PM₁₀), particulate matter with a diameter of 2.5 microns or less (PM_{2.5}), sulfur dioxide (SO₂), and lead. The CAAQS also includes visibility reducing particles, sulfates, hydrogen sulfide, and vinyl chloride.

Toxic Air Contaminants

Toxic air contaminants (TACs) include airborne chemicals that are known to have short- and long-term adverse health effects. TACs are found in ambient air, especially in urban areas, and are caused by industry, agriculture, diesel fuel combustion, and commercial operations (e.g., dry cleaners). TACs are typically found in low concentrations, even near their source (e.g., diesel particulate matter [DPM] near a freeway). Unlike criteria air pollutants, which have a regional impact, TACs are highly localized and regulated at the individual emissions source level.

DPM is the predominant TAC in urban air and is estimated to represent about three-quarters of the cancer risk from TACs. DPM is comprised of diesel exhaust which is a complex mixture of gases, vapors, and fine particles. Medium- and heavy-duty diesel trucks represent the bulk of DPM emissions from California highways. The majority of DPM is small enough to be inhaled into the lungs. Most inhaled particles are subsequently exhaled, but some deposit on the lung surface or are deposited in the deepest regions of the lungs (i.e., areas most susceptible to injury).⁸ Chemicals in diesel exhaust, such as benzene and formaldehyde, are also TACs identified by the CARB.

An overview of the sources of criteria pollutants and TACs, as well as their associated health effects, is provided in Table 4-1.

⁸ California Air Resources Board. "Overview: Diesel Exhaust and Health." Accessed August 5, 2025. <https://ww2.arb.ca.gov/resources/overview-diesel-exhaust-and-health>.

Table 4-1: Sources and Health Effects of Criteria Air Pollutants and Toxic Air Contaminants

Pollutants	Description and Sources	Primary Effects
Ozone (O ₃)	O ₃ is a secondary criteria air pollutant that is the result of a photochemical (sunlight) reaction between reactive organic gases (ROG) and nitrogen oxides (NO _x). Pollutants emitted by motor vehicles, power plants, industrial boilers, refineries, and chemical plants are the common sources for this reaction. High O ₃ levels are caused by the cumulative emissions of ROG and NO _x . These precursor or primary pollutants react under certain meteorological conditions to form high O ₃ levels. Common sources of ROG and NO _x are vehicles, industrial plants, and consumer products.	Aggravation of respiratory and cardiovascular diseases Irritation of eyes Cardiopulmonary function impairment
Nitrogen Dioxide (NO ₂)	NO ₂ is a reactive gas that combines with nitric oxide (NO) to form NO _x . NO ₂ is the byproduct of fuel combustion, with common sources of NO ₂ being emissions from cars, trucks, buses, power plants, and off-road equipment. Other sources of NO ₂ include high temperature stationary combustion and atmospheric reactions.	Aggravation of respiratory illness Reduced visibility
Carbon Monoxide (CO)	CO is a colorless, odorless, and toxic gas that is the product of incomplete combustion of carbon-containing substances (e.g., when something is burned). Common outdoor sources of CO include mobile vehicles (passenger cars and trucks) and machinery that burn fossil fuels.	Interferes with oxygen delivery to the body's organs due to binding with the hemoglobin in the blood Fatigue, headaches, confusion, and dizziness
Fine Particulate Matter (PM _{2.5}) and Coarse Particulate Matter (PM ₁₀)	PM is any material that is emitted as liquid or solid particles or a gaseous material, such as dust, soot, aerosols, and fumes. PM ₁₀ and PM _{2.5} are both small enough particulates to be inhaled into the human lungs, and PM _{2.5} is small enough to deposit into the lungs, which poses an increased health risk compared to PM ₁₀ . Typical sources of PM include stationary combustion of solid fuels, construction activities, vehicles, industrial processes, and atmospheric chemical reactions.	Reduced lung function, especially in children Aggravation of respiratory and cardiorespiratory diseases Increased cough and chest discomfort Reduced visibility
Sulfur Dioxide (SO ₂)	SO ₂ is a pungent and colorless gaseous pollutant. SO ₂ is part of the sulfur oxides (SO _x) group and is the pollutant of greatest concern in the SO _x group. SO _x can react with other compounds in the atmosphere to form small particles, which contribute to pollution. SO ₂ is primarily formed from fossil fuel combustion at power plants and other industrial facilities. Sources of SO ₂ include motor vehicles, locomotives, ships, and off-road diesel equipment that are operated with fuels that contain high levels of sulfur. Industrial processes, such as natural gas and petroleum extraction, oil refining, and metal processing.	Aggravation of respiratory illness Respiratory irritation such as wheezing, shortness of breath and chest tightness Increased incidence of pulmonary symptoms and disease, decreased pulmonary function
Lead	Lead is a naturally occurring element that can be found in all parts of the environment including the air, soil, and water. As an air pollutant, lead is present in small particles. The most common historic source of lead exposure was the past use of leaded gasoline in motor vehicles. The exhaust resulting from	Adversely affect the nervous system, kidney function, immune system, reproductive and

Pollutants	Description and Sources	Primary Effects
	use of leaded gasoline would release lead emissions into the air. Now, major sources of lead in the air are from ore and metals processing plants and piston-engine aircraft operating on leaded aviation fuel. Other sources are waste incinerators, utilities, and lead-acid battery manufacturers. The highest air concentrations of lead are usually found near lead smelters.	developmental systems and the cardiovascular system
Toxic Air Contaminants (TACs)	TACs include certain air pollutants known to increase the risk of cancer and/or other serious health effects. Sources of TACs include, but are not limited to, cars and trucks, especially diesel-fueled; industrial sources, such as chrome platers; dry cleaners and service stations; and building materials/products.	Cancer Chronic eye, lung, or skin irritation Neurological and reproductive disorders

Sensitive Receptors

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

4.3.1.2 Regulatory Framework

Federal and State

Clean Air Act

At the federal level, the EPA is responsible for overseeing implementation of the Clean Air Act and its subsequent amendments. The federal Clean Air Act requires the EPA to set national ambient air quality standards for the six common criteria pollutants, discussed previously; PM, O₃, CO, SO₂, NO₂, and lead.⁹

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

Diesel Risk Reduction Plan

To address the issue of diesel emissions in the state, CARB developed the Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles. In addition to

⁹ NO_x is the group of nitrogen compounds (NO₂ and nitric oxide [NO]) that typically represents NO₂ emissions because NO₂ emissions contribute the majority of NO_x exhaust emissions emitted from fuel combustion.

requiring more stringent emission standards for new on-road and off-road mobile sources and stationary diesel-fueled engines to reduce particulate matter emissions by 90 percent, this plan involves the application of emission control strategies to existing diesel vehicles and equipment to reduce DPM and other pollutants. Implementation of this plan, in conjunction with stringent federal and CARB-adopted emission limits for diesel fueled vehicles and equipment, including off-road equipment, will significantly reduce emissions of DPM and NO_x.

Regional

2017 Clean Air Plan

The Bay Area Air District (formerly Bay Area Air Quality Management District or BAAQMD, herein referred to as the Air District) is the agency primarily responsible for assuring that the federal and state ambient air quality standards are maintained in the San Francisco Bay Area, which includes the project area. Regional air quality management districts, such as BAAQMD, must prepare air quality plans specifying how federal and state air quality standards will be met. The Bay Area Air District's most recently adopted plan is the Bay Area 2017 Clean Air Plan. The 2017 Clean Air Plan focuses on the following two related Air District goals and how to achieve them:

- Protect air quality and health at the regional and local scale by attaining all state and national air quality standards and eliminating disparities among Bay Area communities in cancer health risk from TAC; and
- Protect the climate by reducing Bay Area greenhouse gas (GHG) emissions 40 percent below 1990 levels by 2040 and 80 percent below 1990 levels by 2050.¹⁰

CEQA Air Quality Guidelines

The Air District CEQA Air Quality Guidelines are intended to serve as a guide for those who prepare or evaluate air quality impact analyses for projects and plans in the San Francisco Bay Area. Jurisdictions in the San Francisco Bay Area Air Basin utilize the thresholds and methodology for assessing air quality impacts developed by Air District within their CEQA Air Quality Guidelines. The guidelines include information on legal requirements, Air District rules, methods of analyzing impacts, and recommended mitigation measures. The latest CEQA Air Quality Guidelines are the 2022 CEQA Air Quality Guidelines adopted on April 20, 2023, by the Air District's Board of Directors.

Community Air Risk Evaluation Program

Under the Community Air Risk Evaluation (CARE) program, the Air District has identified areas with high TAC emissions, and sensitive populations that could be adversely affected by them. The Air District uses this information to establish policies and programs to reduce TAC emissions and exposures. Impacted communities identified to date are located in Concord, Richmond/San Pablo, San José, eastern San Francisco, western Alameda County, Vallejo, San Rafael, and Pittsburg/Antioch. The main objectives of the program are to:

¹⁰ Bay Area Air Quality Management District. *Final 2017 Clean Air Plan*. April 19, 2017. Page 12.

- Evaluate health risks associated with exposure to TACs from stationary and mobile sources;
- Assess potential exposures to sensitive receptors and identify impacted communities;
- Prioritize TAC reduction measures for significant sources in impacted communities; and
- Develop/implement mitigation measures to improve air quality in impacted communities.

Envision San José 2040 General Plan

The Envision San José 2040 General contains the following policies which are specific to Air Quality and applicable to the proposed project:

Policy	Description
Policy MS-10.1	Assess projected air emissions from new development in conformance with the BAAQMD CEQA Guidelines and relative to state and federal standards. Identify and implement feasible air emission reduction measures.
Policy MS-10.2	Consider the cumulative air quality impacts from proposed developments for proposed land use designation changes and new development, consistent with the region's Clean Air Plan and State law.
Policy MS-10.3	Promote the expansion and improvement of public transportation services and facilities, where appropriate, to both encourage energy conservation and reduce air pollution.
Policy MS-11.2	For projects that emit toxic air contaminants, require project proponents to prepare health risk assessments in accordance with BAAQMD-recommended procedures as part of environmental review and employ effective mitigation to reduce possible health risks to a less than significant level. Alternatively, require new projects (such as, but not limited to, industrial, manufacturing, and processing facilities) that are sources of TACs to be located an adequate distance from residential areas and other sensitive receptors.
Policy MS-11.4	Encourage the installation of air filtration, to be installed at existing schools, residences, and other sensitive receptor uses adversely affected by pollution sources.
Policy MS-11.5	Encourage the use of pollution absorbing trees and vegetation in buffer areas between substantial sources of TACs and sensitive land uses.
Policy MS-11.7	Consult with the Air District to identify stationary and mobile TAC sources and determine the need for and requirements of a health risk assessment for proposed developments.
Policy MS-11.8	For new projects that generate truck traffic, require signage which reminds drivers that the State truck idling law limits truck idling to five minutes.
Policy MS-13.1	Include dust, particulate matter, and construction equipment exhaust control measures as conditions of approval for subdivision maps, site development and planned development permits, grading permits, and demolition permits. At a minimum, conditions shall conform to construction mitigation measures recommended in the current Air District CEQA Guidelines for the relevant project size and type.
Policy MS-13.2	Construction and/or demolition projects that have the potential to disturb asbestos (from soil or building material) shall comply with all the requirements of the California Air Resources Board's air toxics control measures (ATCMs) for Construction, Grading, Quarrying, and Surface Mining Operations.

Policy MS-13.4	Adopt and periodically update dust, particulate, and exhaust control standard measures for demolition and grading activities to include on project plans as conditions of approval based upon construction mitigation measures in the Air District CEQA Guidelines.
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4.3.1.3 Existing Conditions

The San Francisco Bay Area (Bay Area) Air Basin is designated a nonattainment area for the federal O₃ and PM_{2.5} standards and state O₃, PM₁₀, and PM_{2.5} standards.^{11,12} The Bay Area is designated as an attainment area for both the NAAQS and CAAQS for CO, SO₂, and NO₂. As the regional air district, the Air District is responsible for attaining the NAAQS and CAAQS for these pollutants. As part of an effort to attain and maintain ambient air quality standards for O₃, PM₁₀, and PM_{2.5}, Air District has established thresholds of significance for these air pollutants and their precursors that apply to both construction period and operational period impacts. Controlling the emissions of these precursor pollutants is the focus of Air District attempts to reduce O₃ levels. The highest O₃ levels in the Bay Area occur in the eastern and southern inland valleys where temperatures are higher, there is less wind circulation, and sources of the precursor pollutants (i.e., ROG and NO_x) are prominent. In the Bay Area, most particulate matter is generated from the following activities: combustion, factories, construction, grading, demolition, agriculture, and motor vehicles. Elevated concentrations of PM₁₀ and PM_{2.5} are the result of both region-wide emissions and localized emissions.

4.3.2 Impact Discussion

	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?	☐	☐	☐	☒

As discussed in CEQA Guidelines Section 15064(b), the determination of whether a project may have a significant effect on the environment calls for judgment on the part of the lead agency and

¹¹ Bay Area Air Quality Management District. "Air Quality Standards and Attainment Status." Last Updated January 5, 2017. Accessed August 13, 2025.

¹² The area has attained both state and federal ambient air quality standards for CO. The project does not include substantial new emissions of SO₂ or lead. These criteria pollutants are not discussed further.

must be based to the extent possible on scientific and factual data. The City of San José has considered the air quality thresholds updated by the Air District in April 2023 and regards these thresholds to be based on the best information available for the San Francisco Bay Area Air Basin and conservative in terms of the assessment of health effects associated with TACs and PM_{2.5}. The Air District CEQA Air Quality thresholds for criteria air pollutants and fugitive dust used in this analysis are identified in Table 4-2. Table 4-3 below lists the Air District health risk and hazards thresholds for single-source and cumulative-sources.

Table 4-2: Bay Area Air District Air Quality Significance Thresholds

Criteria Air Pollutant	Construction Thresholds*	Operation Thresholds	Operation Thresholds
	Average Daily Emissions (pounds/day)	Average Daily Emissions (pounds/day)	Annual Average Emissions (tons/year)
ROG and NO _x	54	54	10
PM ₁₀	82 (exhaust)	82	15
PM _{2.5}	54 (exhaust)	54	10
CO	Not Applicable	9.0 ppm (eight-hour) or 20.0 ppm (one-hour)	
Fugitive Dust	Dust Control Measures/Best Management Practices	Not Applicable	

Notes: ROG = reactive organic gases; NO_x = oxides of nitrogen; PM₁₀ = respirable particulate matter with an aerodynamic resistance diameter of 10 micrometers or less; PM_{2.5} = fine particulate matter with an aerodynamic resistance diameter of 2.5 micrometers or less; CO = carbon monoxide

* The Air District recommends for construction projects that require less than one year to complete, lead agencies should annualize impacts over the scope of actual days that peak impacts would occur rather than over the full year. Additionally, for phased projects that results in concurrent construction and operational emissions. Construction-related exhaust emissions should be combined with operational emissions for all phases where construction and operations overlap.

Source: Bay Area Air Quality Management District. *2022 California Environmental Quality Act Air Quality Guidelines*. April 2023. Pages 3-5 and 3-6.

Table 4-3: Bay Area Air District Health Risks and Hazards Thresholds

Health Risk	Single Source	Combined Cumulative Sources
Cancer Risk	10 per one million	100 per one million
Non-Cancer Hazard Index	1.0	10.0
Annual PM _{2.5} Concentration	0.3 µg/m ³	0.8 µg/m ³ (average)

Notes: µg/m³ = micrograms per cubic meter; PM_{2.5} = fine particulate matter with an aerodynamic resistance diameter of 2.5 micrometers or less

Thresholds are applicable to construction and operational activities.

Source: Bay Area Air Quality Management District. *2022 California Environmental Quality Act Air Quality Guidelines*. April 2023. Pages 3-5 and 3-6.

-
- a) Would the project conflict with or obstruct implementation of the applicable air quality plan?
-

Clean Air Plan 2017

As demonstrated below in Table 4-4 and the operational discussion, the proposed project would not result in construction or operational criteria pollutant emissions which would exceed the Air District CEQA Air Quality Guidelines Criteria Air Pollutant impact thresholds. The proposed project, therefore, would not conflict with the 2017 CAP because it would result in emissions lower than the Air District thresholds (shown in Table 4-2), is considered urban infill, and would be located near bike paths and transit with regional connections. Because the project would not exceed the Air District impact thresholds, it would not result in the generation of operational-related criteria air pollutants and/or precursors that exceed the thresholds shown in Table 4-2. Thus, the project is not required to incorporate project-specific control measures listed in the 2017 CAP. Further, implementation of the project would not inhibit the Air District or partner agencies from continuing progress toward attaining state and federal air quality standards and eliminating health-risk disparities from exposure to air pollution among Bay Area communities, as described within the 2017 CAP.

Construction Criteria Pollutants

The construction emissions for the proposed project were estimated based on the expected construction equipment and duration of construction. The emissions for each phase of construction were estimated separately because they would not overlap. The earliest start date for the Phase 1 multi-purpose building would be June 2026 and for the Phase 2 classroom addition would be January 2028. The full project would be built over a period of approximately 25 months, or 443 construction workdays. The emissions for the two phases are summarized in Table 4-4 below.

Table 4-4: Construction Criteria Pollutant Emissions

Annual Emissions (tons per day)	ROG	NO_x	PM₁₀ Exhaust	PM_{2.5} Exhaust
2026 (Phase 1)	0.05	0.48	0.02	0.02
2027 (Phase 1)	0.20	0.33	0.01	0.01
2028 (Phase 2)	0.03	0.09	<0.01	<0.01
Average Daily Emissions (pounds per day)				
2026 (153 construction workdays)	0.60	6.32	0.21	0.20
2027 (172 construction workdays)	2.34	3.84	0.08	0.07
2028 (118 construction workdays)	0.55	1.57	0.05	0.05
Air District Significance Threshold (pounds per day)	54	54	82	54
Significant?	No	No	No	No

Note: Average daily emissions calculated by dividing the construction emissions by the number of construction workdays.

Source: Illingworth & Rodkin, Inc. Harker School Bucknall Campus Construction Emissions & Health Risk Assessment. September 15, 2025

The construction emissions estimated for the proposed project would not exceed Air District thresholds for any year of construction. Therefore, the proposed project would have a less than significant construction criteria pollutant impact and would not conflict with applicable air quality plans.

Operational Emissions

The proposed project would construct a total of approximately 36,971 square feet of new school facilities for the elementary school. Based on the Air District screening criteria for elementary school facilities of 488,000 square feet, the proposed project would not result in criteria air pollutants exceeding adopted thresholds. Therefore, the proposed project would have a less than significant operational criteria pollutant impact and would not conflict with applicable air quality plans. **(Less than Significant Impact)**

-
- b) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?
-

The Bay Area is considered a non-attainment area for ground-level O₃, PM₁₀, and PM_{2.5} under both the federal Clean Air Act and state Clean Air Act. The proposed project would increase criteria pollutants in the Bay Area, contributing to existing violations of O₃ standards. Per the Air District CEQA Air Quality Guidelines, air pollution by its nature is largely a cumulative impact. No single project is sufficient in size by itself, to result in nonattainment of ambient air quality standards. If a project exceeds the identified significance thresholds, its emissions would be cumulatively considerable, resulting in significant adverse air quality impacts to the region's existing air quality conditions. As discussed above, the proposed project would not result in any air criteria pollutant emissions exceeding the Air District's significance thresholds. As a result, the proposed project would not result in a cumulatively considerable net increase of any criteria pollutant for which the region is in non-attainment. **(Less than Significant Impact)**

-
- c) Would the project expose sensitive receptors to substantial pollutant concentrations?
-

Dust Generation

Construction activities would temporarily generate fugitive dust in the form of PM₁₀ and PM_{2.5}. Sources of fugitive dust would include disturbed soils at the construction site and trucks carrying loads of soils (approximately 1,700 truck trips were estimated in the Construction Emissions & Health Risk Assessment). Consistent with General Plan Policy MS-13.1, the following Standard

Permit Conditions for controlling dust would be implemented during construction to reduce dust and other particulate matter.

Standard Permit Conditions

The project applicant shall implement the following measures during all phases of construction to control dust and exhaust at the project site, consistent with General Plan Policy MS-13.1:

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible.
- Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
- Post a publicly visible sign with the telephone number and 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 phone number shall also be visible to ensure compliance with applicable regulations.

During all construction phases, the applicant shall ensure that the project contractor will implement the above measures to control dust and exhaust. Implementation of the measures listed above would reduce the air quality dust and particulate impacts associated with grading and construction to a less than significant level.

Community Risk Impacts

Construction activity and associated heavy-duty truck traffic generates diesel exhaust, which is a known TAC and could pose a health risk to nearby sensitive receptors. A health risk assessment was prepared to address project construction impacts on the surrounding off-site sensitive receptors within 1,000 feet of the project site.

Community Risk from Project Construction

The primary community risk impact associated with construction emissions are cancer risk and exposure to PM_{2.5}. Diesel exhaust poses both a potential health and nuisance impact to nearby receptors. The maximum modeled annual DPM and PM_{2.5} concentrations were identified at nearby sensitive receptors (as shown in Figure 4-1) to find the maximum exposed individuals (MEIs).



LOCATION OF MAXIMALLY EXPOSED INDIVIDUALS

FIGURE 4-1

Table 4-5: Project Health Risk Impacts at the MEI

Source	Cancer Risk (per million)	Annual PM _{2.5} (µg/m ³)	Hazard Index
Project Impact – Offsite MEI			
Project Construction	13.65 (infant)	0.16	0.01
Air District Single-Source Threshold	10	0.3	1.0
Significant?	Yes	No	No
Most Impacted School/ Daycare Receptor – Alka Montessori Impacts			
Project Construction	0.43 (infant)	<0.01	<0.01
Air District Single-Source Threshold	10	0.3	1.0
Significant?	No	No	No
Note: The age used to calculate the cancer risk is in parentheses. Bold numerical text indicates an exceedance of a threshold.			
Source: Illingworth & Rodkin Inc, Harker School Bucknall Campus Construction Emissions & Health Risk Assessment. September 15, 2025.			

The proposed project would result in an exceedance of the cancer risk threshold of 10 cases per million, therefore, the proposed project would have a significant health risk impact.

Impact AIR-1 The construction activity associated with the proposed project would result in a cancer risk of 13.65 cases per million due to exposure to diesel exhaust from construction equipment, exceeding the Air District thresholds of 10 cases per million. **(Significant Impact)**

Mitigation Measures

MM AQ-1.1 The project applicant shall implement a feasible plan to reduce diesel particulate matter (DPM) emissions by 30 percent such that increased cancer risk and annual PM_{2.5} concentrations from construction would be reduced below TAC significance levels as follows:

All construction equipment larger than 25 horsepower used at the site for more than two continuous days or 20 hours total shall meet U.S. EPA Tier 4 final emission standards for PM (PM₁₀ and PM_{2.5}), if feasible. Documentation demonstrating compliance shall be submitted to the Director of Planning, Building, and Code Enforcement or the Director’s designee for review and approval prior to the issuance of any demolition, grading or building permits, whichever occurs first.

Alternatively, the applicant shall develop another construction operations plan demonstrating that the construction equipment used on-site would achieve a reduction in construction diesel particulate matter emissions by 30

percent or greater. Elements of the plan could include a combination of some of the following measures:

- Installation of electric power lines during early construction phases to avoid use of diesel generators and compressors,
- Use of electrically-powered equipment,
- Forklifts and aerial lifts used for exterior and interior building construction shall be electric or propane/natural gas powered,
- Change in construction build-out plans to lengthen phases, and
- Implementation of different building techniques that result in less diesel equipment usage.

The construction operations plan shall be prepared by an air quality expert and submitted to the Director of Planning, Building, and Code Enforcement or the Director's designee for review and approval prior to the issuance of any demolition, grading or building permits, whichever occurs first.

The implementation of MM AIR-1.1 would reduce the project's construction maximum cancer risk levels (assuming infant exposure) by 86 percent to 1.87 per million. Therefore, the project's construction risks would be reduced below the Air District single-source threshold and the project would have a less than significant impact with mitigation incorporated.

Criteria Pollutant Emissions

In a 2018 decision (*Sierra Club v. County of Fresno*), the state Supreme Court determined CEQA requires that when a project's criteria air pollutant emissions would exceed applicable thresholds and contribute a cumulatively considerable contribution to a significant cumulative regional criteria pollutant impact, the potential for the project's emissions to affect human health in the air basin must be disclosed. State and federal ambient air quality standards are health-based standards, and exceedances of those standards result in continued unhealthy levels of air pollutants. As stated in the 2017 BAAQMD CEQA Air Quality Guidelines, air pollution by its nature is largely a cumulative impact. No single project is sufficient in size, by itself, to result in nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. In developing thresholds of significance for air pollutants, Air District considered the emission levels for which a project's individual emissions would be cumulatively considerable. If a project has a less than significant impact for criteria pollutants, it is assumed to have no adverse health effect. **(Less than Significant Impact with Mitigation Incorporated)**

-
- d) Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?
-

The proposed project would generate localized emissions of diesel exhaust during construction equipment operation and truck activity. The odor emissions may be noticeable from time to time by adjacent receptors; however, the odors would be localized and temporary and would not permanently or substantially affect people off-site.

Schools are not considered an odor generating land use. The proposed project would not change the use of the structures on the school campus and would add more structures for educational uses within the school grounds. None of the new or existing buildings or uses would increase sources of odors or other emissions on the project site; therefore, the proposed project would not result in other emissions that could adversely affect nearby receptors. **(No Impact)**

4.3.3 Non-CEQA Effects

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

The City's General Plan Policy MS-11.1 requires new residential development projects and projects categorized as sensitive receptors to incorporate effective mitigation into project designs to avoid significant risks to health and safety.

Summary of Cumulative Health Risks at the Project Site

Health risk impacts from the project construction and existing TAC sources upon the project sensitive receptors (students) are reported in Table 4-6. The risks from the singular TAC sources are compared against the Air District single-source threshold. The risks from all the sources are then combined and compared against the Air District cumulative-source threshold. As shown, none of the existing single-sources of TAC emissions exceed the single-source threshold at the project site and also do not exceed the cumulative-source threshold when combined.

Table 4-6: Project Health Risk Impacts at the MEI

Source	Cancer Risk (per million)	Annual PM _{2.5} (µg/m ³)	Hazard Index
Project Construction - Controlled	0.71	0.17	<0.01
South San Tomas Aquino Road – ADT 12,249	0.64	0.08	<0.01
GeoRestoration Inc (Facility ID #23035, Remediation Services), Project Site at 660 feet.	-	-	-

Central Gas (Facility ID #112339-1, Gas Dispensing Facility), Project Site at +1,000 feet.	0.59	-	0.02
Campbell Shell (Facility ID #110793-1, Gas Dispensing Facility), Project Site at 1,000+ feet.	0.26	-	0.01
Air District Single-Source Threshold	10	0.3	1.0
Significant?	No	No	No
Cumulative Total	<2.35	<0.25	<0.06
Air District Cumulative-Source Threshold	100	0.8	10.0
Significant?	No	No	No
Source: Illingworth & Rodkin Inc, Harker School Bucknall Campus Construction Emissions & Health Risk Assessment. September 15, 2025.			

Therefore, the project is consistent with General Plan Policy MS-11.1.

4.4 Biological Resources

The information in this section is based in part on the Arborist Report completed by HortScience - Bartlett Consulting in January 2025. This report is provided as Appendix B of this report for reference.

4.4.1 Environmental Setting

4.4.1.1 *Regulatory Framework*

Federal and State

Endangered Species Act

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

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

Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) prohibits killing, capture, possession, or trade of migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. Hunting and poaching are also prohibited. This includes direct and indirect acts, except for harassment and habitat modification, which are not included unless they result in direct loss of birds, nests, or eggs. The CDFW also protects migratory and nesting birds under California Fish and Game Code Sections 3503, 3503.5, and 3800. The CDFW defines taking as causing abandonment and/or loss of reproductive efforts through disturbance.

Sensitive Habitat Regulations

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

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

Fish and Game Code Section 1602

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

Regional and Local

Santa Clara Valley Habitat Plan/Natural Community Conservation Plan

The Santa Clara Valley Habitat Plan/Natural Community Conservation Plan (Habitat Plan) covers approximately 520,000 acres, or approximately 62 percent of Santa Clara County. It was developed and adopted through a partnership between Santa Clara County, the Cities of San José, Morgan Hill, and Gilroy, Santa Clara Valley Water District (Valley Water), Santa Clara Valley Transportation Authority (VTA), USFWS, and CDFW. The Habitat Plan is intended to promote the recovery of endangered species and enhance ecological diversity and function, while accommodating planned growth in southern Santa Clara County. The Santa Clara Valley Habitat Agency is responsible for implementing the plan.

Envision San José 2040 General Plan

The Envision San José 2040 General contains the following policies which are specific to biological resources and applicable to the proposed project:

Policy	Description
CD-1.23	Further the Community Forest Goals and Policies in this Plan by requiring new development to plant and maintain trees at appropriate locations on private property and along public street frontages. Use to help soften the appearance of the built environment, help provide transitions between land uses, and shade pedestrian and bicycle areas.
CD-1.25	Within new development projects, including preservation of ordinance-sized and other significant trees, particularly natives. Any adverse effect on the health and longevity of such trees should be avoided through design measures, construction, and best management practices. When tree preservation is not feasible include replacement or alternative mitigation measures in the project to maintain and enhance our Community Forest.
ER-2.1	Avoid implementing activities that result in loss of active native birds' nests, including both direct loss and indirect loss through abandonment, of native birds. Avoidance of activities that could result in impacts to nests during the breeding season or maintenance of buffers between such activities and active nests would avoid such impacts.
ER-5.2	Require that development projects incorporate measures to avoid impacts to nesting migratory birds.

MS-21.4	Encourage the maintenance of mature trees, especially natives, on public and private property as an integral part of the community forest. Prior to allowing the removal of any mature tree, pursue all reasonable measures to preserve it.
MS-21.5	As part of the development review process, preserve protected trees (as defined by the Municipal Code), and other significant trees. Avoid any adverse effect on the health and longevity of protected or other significant trees through appropriate design measures and construction practices. Special priority should be given to the preservation of native oaks and native sycamores. When tree preservation is not feasible, include appropriate tree replacement, both in number and spread of canopy.
MS-21.6	As a condition of new development, require, where appropriate, the planting and maintenance of both street trees and trees on private property to achieve a level of tree coverage in compliance with and that implements City laws, policies, and guidelines.

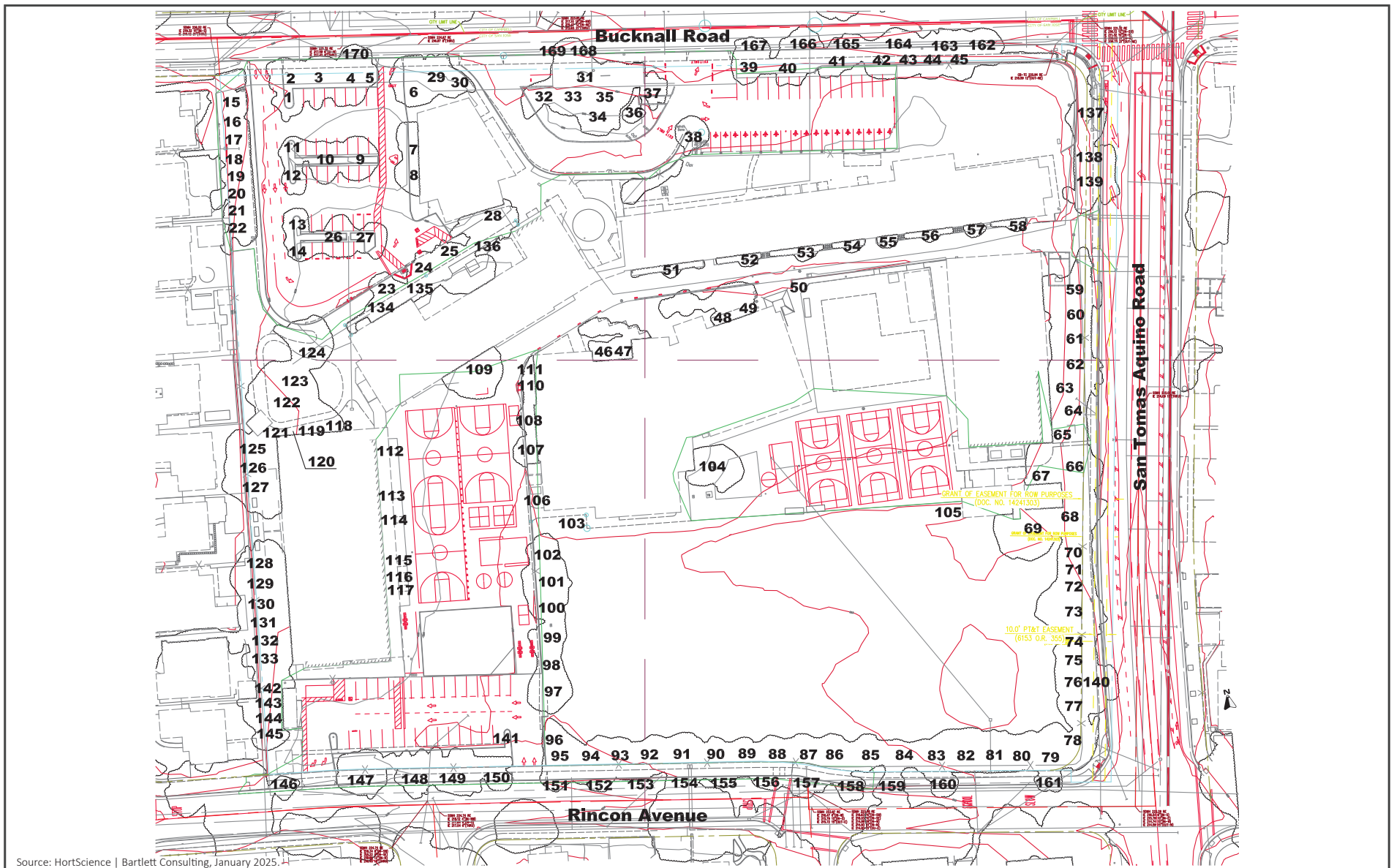
4.4.1.2 *Existing Conditions*

The project site is a developed urban site in the City of San José. According to the Habitat Plan, the project site is designated as Urban-Suburban land cover and does not contain any sensitive or native habitat.¹³ The nearest natural area and the nearest riparian corridor in the project area is the San Tomas Aquino Creek located approximately 0.4 miles south of the site.

On-site Biological Resources

The biological resources that are present on and around the site primarily consist of the 170 landscape trees surrounding the site, 99 of which are ordinance sized. A summary of the trees and their species is provided in a table in Appendix B. The locations of these trees are shown in Figure 4-2.

¹³ Santa Clara Valley Habitat Agency. Habitat Agency Geobrowser. Accessed August 5, 2025.
<https://scvha.maps.arcgis.com/apps/webappviewer/index.html?id=f2268679c2fa49489e3f7d6e8377837e>.



LOCATION OF ON-SITE AND STREET TREES

FIGURE 4-2

4.4.2 Impact Discussion

	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 (CDFW) or United States Fish and Wildlife Service (USFWS)?	☐	☒	☐	☐
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 CDFW or USFWS?	☐	☐	☐	☒
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, 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?	☐	☐	☒	☐

-
- a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS?
-

The environment surrounding the project site consists of the fully developed urban area which does not provide habitats suitable for species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the CDFW or USFWS. The proposed project would remove 44 trees on-site, including 21 or ordinance-sized trees, which may provide nesting and/or foraging habitat for migratory birds, including raptors.

There are currently 170 trees around the project site. Migratory birds, like nesting raptors, are protected under the Migratory Bird Treaty Act and CDFW Code Sections 3503, 3503.5, and 3800. The CDFW defines “taking” as causing abandonment and/or loss of reproductive efforts through disturbance. Construction activities on the project site could result in the loss of eggs or nests. Any loss of fertile eggs, nesting raptors, or any activities resulting in nest abandonment would constitute a significant impact.

Impact BIO-1 Construction activities associated with the proposed project could result in the loss of fertile eggs, nesting raptors or other migratory birds, or nest abandonment due to the removal of trees on site which may provide nesting and/or foraging habitat for migratory birds protected under the Migratory Bird Treaty Act and California Department of Fish and Wildlife Code Sections 3503, 3503.5, and 3800. **(Significant impact)**

Mitigation Measures:

In accordance with the MBTA, CDFW, and General Plan Policies ER-5.1 and ER-5.2, the following mitigation measure is included to reduce impacts to raptors and migratory birds during construction.

MM BIO-1.1 Tree removal and construction shall be scheduled to avoid the nesting season. The nesting season for most birds, including most raptors in the San Francisco Bay area, extends from February 1st through August 31st, inclusive.

If tree removals and construction cannot be scheduled outside of nesting season, a qualified ornithologist shall complete pre-construction surveys to identify active nests including raptor nests that may be disturbed during project implementation. This survey shall be completed no more than 7 days prior to the initiation of demolition/construction activities during the breeding season (February 1st through August 31st, inclusive), unless a shorter pre-construction survey is determined to be appropriate based on the presence of a species with a shorter nesting period. During this survey, the qualified ornithologist shall inspect all trees and other possible nesting habitats in and immediately adjacent to the construction areas for nests. If an active nest is found in an area that will be disturbed by construction, the qualified ornithologist shall designate a construction-free buffer zone (typically 250 feet) to be established around the nest, in consultation with California Department of Fish and Wildlife (CDFW). The buffer would ensure that raptor or migratory bird nests will not be disturbed during project construction.

Prior to any tree removal, or issuance of any grading, demolition or building permits, the project applicant shall submit a report indicating the results of

the survey and any designated buffer zones to the satisfaction of the Director of Planning, Building and Code Enforcement or Director's designee for review and approval.

With implementation of Mitigation Measure BIO-1.1, the project's impact on nesting birds and raptors would be less than significant. **(Less than Significant Impact with Mitigation Incorporated)**

-
- b) Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the CDFW or USFWS?
-

There are no riparian habitats or other sensitive natural communities in the immediate project area. The only sensitive natural community in the vicinity of the project site is the San Tomas Aquino Creek riparian area located approximately 0.4 miles south of the project site. The proposed project would demolish two structures on the project site and construct a multi-purpose building and classroom addition, as well as reconfigure parking lots. This would not adversely affect any riparian habitat or sensitive natural community on or near the project site. **(No Impact)**

-
- c) Would the project have a substantial adverse effect on state or federally protected wetlands through direct removal, filling, hydrological interruption, or other means?
-

The project site is fully developed and is mostly covered in impervious surfaces. The project site does not contain state or federally protected wetlands, and the construction of the proposed project would not result in a substantial adverse effect on state or federally protected wetlands through direct removal, filling, or hydrological interruption. **(No Impact)**

-
- d) Would the project 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?
-

The project site is in a fully urbanized area of San José where no natural habitat exists on-site that would support endangered, threatened, or special status wildlife species. The project site is not used as a wildlife corridor by any native resident or migratory fish or wildlife species. Therefore, implementation of the proposed project would not interfere with the movement of any fish or wildlife species. **(No Impact)**

-
- e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?
-

The project site is fully developed and does not feature biological resources with the exception of landscape trees. There are 170 trees on-site, of which 99 were identified as ordinance sized. The

proposed project would remove 44 trees from the project site and streetscape, 21 of which are ordinance sized and 17 of which are in poor condition, and would plant 109, 24-inch box trees on the project site. The proposed project would be required to comply with the following Standard Permit Condition for tree planting as required by the City of San José.

Standard Permit Condition

Tree Replacement. Trees removed for the project shall be replaced at ratios required by the City, as stated in Table 4-7 below, as amended:

Table 4-7: Tree Replacement Ratios

Circumference of Tree to be Removed	Replacement Ratio - Native	Replacement Ratio - Non-Native	Replacement Ratio - Orchard	Minimum Size of Each Replacement Tree**
38 inches or more	5:1*	4:1	3:1	15-gallon
19 up to 38 inches	3:1	2:1	none	15-gallon
Less than 19 inches	1:1	1:1	none	15-gallon

*x:x = tree replacement to tree loss ratio

Note: Trees greater than or equal to 38-inch circumference measured at 54 inches above natural grade shall not be removed unless a Tree Removal Permit, or equivalent, has been approved for the removal of such trees. For Multi-Family residential, Commercial and Industrial properties, a permit is required for removal of trees of any size.

A 38-inch tree equals 12.1 inches in diameter.

** A 24-inch box replacement tree = two 15-gallon replacement trees

Single Family and Two-dwelling properties may replace trees at a ratio of 1:1.

- Forty-four trees on-site would be removed. Seven trees would be replaced at a 5:1 ratio, 14 trees would be replaced at a 4:1 ratio, five trees would be replaced at a 2:1 ratio, and one tree would be replaced at a 1:1 ratio. Additionally, 17 trees in poor condition will be removed from the site. The total number and size of replacement trees required to be planted on-site is 102, 15-gallon trees or 51, 24-inch box trees.
- Prior to the issuance of building permit(s), the permittee shall pay Off-Site Tree Replacement Fee(s) to the City for off-site replacement trees in accordance with the City Council approved Fee Resolution in effect at the time of payment for any replacement trees that cannot be located on-site. The City will use the off-site tree replacement fee(s) to plant trees at alternative sites.
- If there is insufficient area on the project site to accommodate the required replacement trees, one or more of the following measures shall be implemented, to the satisfaction of the Director of Planning, Building and Code Enforcement or Director's designee. Changes to an approved landscape plan requires the issuance of a Permit Adjustment or Permit Amendment

- o The size of a 15-gallon replacement tree may be increased to 24-inch box and count as two replacement trees to be planted on the project site.

Therefore, through compliance with the Standard Permit Condition above, the proposed project would not conflict with any local policies or ordinances protecting biological resources and would have a less than significant impact on these resources. **(Less than Significant Impact)**

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

The project site is located within the Habitat Plan area and is designated as “Urban-Suburban” land. Private development in the plan area is subject to the Habitat Plan if it meets the following criteria:

- The activity is subject to either ministerial or discretionary approval by the County or one of the cities;
- The activity is described in Section 2.3.2 Urban Development or in Section 2.3.7 Rural Development;
- In Figure 2-5 of the Habitat Plan, the activity is located in an area identified as “Private Development is Covered,” or the activity is equal to or greater than two acres and;
 - o The project is located in an area identified as “Rural Development Equal to or Greater than Two Acres is Covered,” or “Urban Development Equal to or Greater than Two Acres is Covered” or,
 - o The activity is located in an area identified as “Rural Development is not Covered” but, based on land cover verification of the parcel (inside the Urban Service Area) or development area, the project is found to impact serpentine, wetland, stream, riparian, or pond land cover types; or the project is located in occupied or occupied nesting habitat for western burrowing owl.

The proposed project would require discretionary approval by the City and is consistent with the activity described in Section 2.3.2 of the Habitat Plan. Consistent with the Habitat Plan, the project applicant shall implement the following Standard Permit Condition.

Standard Permit Condition:

- The project may be subject to applicable Santa Clara Valley Habitat Plan (Habitat Plan) conditions and fees (including the nitrogen deposition fee) prior to issuance of any grading permits. The project applicant shall submit the Santa Clara Valley Habitat Plan Coverage Screening Form (<https://www.scv-habitatagency.org/DocumentCenter/View/151/Coverage-Screening-Form?bidId=>) to the Director of Planning, Building and Code Enforcement (PBCE) or the Director's designee for approval and payment of the nitrogen deposition fee prior to

the issuance of a grading permit. The Habitat Plan and supporting materials can be viewed at <https://scv-habitatagency.org/178/Santa-Clara-Valley-Habitat-Plan>.

With implementation of the identified Standard Permit Condition, the project would not conflict with the provisions of the Habitat Plan. **(Less than Significant Impact)**

4.5 Cultural Resources

The following discussion is based upon a Literature Search prepared by Archeological/Historical Consultants (A/HC) in August 2025. A copy of the Literature Search, which is a confidential report, is on file at the City of San José Department of Planning, Building and Code Enforcement and is available upon request with appropriate credentials. Additionally, the information in this section is based in part on a Historic Resources Evaluation completed by A/HC in August 2025. This report is included for reference as Appendix C of this document.

4.5.1 Environmental Setting

4.5.1.1 *Regulatory Framework*

Federal and State

National Historic Preservation Act

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

California Register of Historical Resources

The California Register of Historical Resources (CRHR) is administered by the State Office of Historic Preservation and encourages protection of resources of architectural, historical, archeological, and cultural significance. The CRHR identifies historic resources for state and local planning purposes and affords protections under CEQA. Under Public Resources Code Section 5024.1(c), a resource may be eligible for listing in the CRHR if it meets any of the NRHP criteria.¹⁴

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

¹⁴ California Office of Historic Preservation. “CEQA Guidelines Section 15064.5(a)(3) and California Office of Historic Preservation Technical Assistance Series #6.” Accessed July 17, 2025. <https://ohp.parks.ca.gov/pages/1054/files/ts06ca.pdf>

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.

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 Section 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 Section 5097.98. These codes protect such remains from disturbance, vandalism, and inadvertent destruction, establish procedures to be implemented if Native American skeletal remains are discovered during construction of a project, and establish the Native American Heritage Commission (NAHC) as the authority to resolve disputes regarding disposition of such remains.

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

Local

Historic Preservation Ordinance

The City of San José Historic Preservation Ordinance (Chapter 13.48 of the Municipal Code) is designed to identify, protect, and encourage the preservation of significant resources and foster civic pride in the City's cultural resources. The Historic Preservation Ordinance requires the City to establish a Historic Landmarks Commission, maintain a Historic Resources Inventory (HRI), preserve historic properties using a Landmark Designation process, require Historic Preservation Permits for alterations of properties designated as a Landmark or within a City historic district, and provide financial incentives through a Mills Act Historical Property Contract.

City Council's Development Policy on the Preservation of Historic Landmarks

The City Council's Development Policy on the Preservation of Historic Landmarks (as amended on May 23, 2006) calls for preservation of candidate or designated landmark structures, sites, or districts wherever possible.

The landmark designation process itself requires that findings be made that; proposed landmarks have special historical, architectural, cultural, aesthetic, or engineering interest or value of a historical nature, and that designation as a landmark conforms to the goals and policies of the Envision San José 2040 General Plan. The following factors can be considered to make those findings among other relevant factors:

- 1. Its character, interest or value as a part of the local, regional, State or national history, heritage or culture;
- 2. Its location as a site of a significant historic event;
- 3. Its identification with a person or persons who significantly contributed to the local, regional, State or national culture and history;
- 4. Its exemplification of the cultural, economic, social or historic heritage of the city of San José;
- 5. Its portrayal of the environment of a group of people in an era of history characterized by a distinctive architectural style;
- 6. Its embodiment of distinguishing characteristics of an architectural type or specimen;
- 7. Its identification as the work of an architect or master builder whose individual work has influenced the development of the city of San José;
- 8. Its embodiment of elements of architectural or engineering design, detail, materials or craftsmanship which represents a significant architectural innovation or which is unique.
- The City also has various historic design guidelines for restoration and rehabilitation and establish a general framework for the evaluation of applications involving historic resources. The City offers a number of historic preservation incentives, including use of the State Historic Building Code, Mills Act/Historical Property Contract, and various land use and zoning incentives.

Envision San José 2040 General Plan

The 2040 General Plan includes the following policies applicable specifically to development projects in San José:

Policy	Description
ER-10.1	For proposed development sites that have been identified as archaeologically or paleontologically sensitive, require investigation during the planning process in order to determine whether potentially significant archeological or paleontological information may be affected by the project and then require, if needed, that appropriate mitigation measures be incorporated into the project design.
ER-10.2	Recognizing that Native American human remains may be encountered at unexpected locations, impose a requirement on all development permits and tentative subdivision maps that upon their discovery during construction, development activity will cease until professional archaeological examination confirms whether the burial is human. If the remains are determined to be Native American, applicable state laws shall be enforced.

ER-10.3	Ensure that City, State, and Federal historic preservation laws, regulations, and codes are enforced, including laws related to archaeological and paleontological resources, to ensure the adequate protection of historic and pre-historic resources.
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4.5.1.2 *Existing Conditions*

Archeological Context of the Project Area

Native Americans occupied Santa Clara Valley and the greater Bay Area for more than 5,000 years. The exact time period of the Ohlone (originally referred to as Costanoan) migration into the Bay Area is debated by scholars. Dates of the migration range between 3,000 B.C. and 500 A.D. Regardless of the actual time frame of their initial occupation of the Bay Area and, in particular, Santa Clara Valley, it is known that the Ohlone at the time of contact with Europeans had a well-established population of approximately 7,000 to 11,000 people with a territory that ranged from the San Francisco Peninsula and the East Bay south through the Santa Clara Valley and down to Monterey and San Juan Bautista. Artifacts associated with the Ohlone occupation of San José have been found primarily along the City's major waterways. Sites may be found on the surface or may be buried under alluvial soil, especially young alluvium from the last 2,000-3,000 years. The project site is located on Holocene alluvial soils approximately 0.4 miles north of San Tomas Aquino Creek. Therefore, the project site is moderately sensitive for buried archaeological deposits.

Historic Subsurface Resources

Mission Period

Spanish explorers began coming to Santa Clara Valley in 1769. From 1769 to 1776 several expeditions were made to the area during which time the explorers encountered the Native American tribes who had occupied the area since prehistoric times. Expeditions in the Bay Area and throughout California lead to the establishment of the California Missions and, in 1777, the Pueblo de San José de Guadalupe was established.

The pueblo was originally located approximately four miles northwest of the project site, near the old San José City Hall. This location was prone to flooding and the pueblo was relocated in the late 1780's or early 1790's south to what is now downtown San José. The current intersection of Santa Clara Street and Market Street in downtown San José was the center of the second pueblo. The second pueblo site is located approximately six miles northeast of the project site.

Post-Mission Period to Mid-Twentieth Century

Before 1920, there was not a municipal waste disposal system and most families disposed of their unwanted and broken items on their properties, which created deposits of artifacts. These may be found across areas in shallow sheets or as covered holes like privies or trash pits. These deposits of historic-period artifacts are usually found in areas to the side and behind residences. Properties built after 1930 typically disposed of their waste in municipal sewers or through curbside garbage pickup programs and do not have these types of archaeological deposits.

Based on research conducted as a part of the Literature Search, the project site was used for agricultural and low-density residential purposes during the late 19th century and the first half of the 20th century. Landowners appeared to have used the project area for their residences, and a 1939 aerial photograph shows the project area occupied by two residences. The Moreland School District purchased the entire 10-acre parcel in the early 1950s to develop as an elementary school for the population in the Saratoga and Campbell area. School uses continued throughout the 1950's and multiple buildings were added between 1955 and 1965. The presence of residences between the 1880's and 1950's may indicate the presence of historic resource deposits on the project site below the ground surface. Therefore, the site has sensitivity for historic-period archaeological deposits in the areas surrounding the demolished residences.

On-Site Structures

The project site is currently developed with six buildings, which were built between 1955 and 2001. In addition, the site features a portable classroom building, a swimming pool, recreational facilities, and three parking lots.

Description of Buildings On-site

Building 100

Built in 1955, building 100 is the oldest building on the campus. This building is a one-story, one-classroom deep structure with a flat shed roof. The building is located on the northern side of the campus near the main parking area. The building contains the teachers' lounge, two storage rooms, offices, the testing room, 10 classrooms, bathrooms, the sprinkler room, and the uniform exchange.

Building 200

Building 200 was constructed in 1958, with an architectural style similar to the design of Building 100. The one story, L-shaped structure is located east of the entry courtyard and contains the main office and reception area, the nurse's office, the fire panel room, five classrooms, and bathrooms. The building has stucco walls.

Building 300

Building 300 is a nine-classroom building located on the west side of the school campus. The structure was constructed in 1965 and is a one-story steel post and beam building. It has a gabled roof with tar and gravel covering it. The structure was modified in 2000 when a cafeteria and kitchen was added.

Library

The library building was constructed in approximately 1965 around the same time as Building 300. The library is located in the north side of the campus to the west of the main entrance. Similar to other structures on-site, the library is one story and has a concrete and steel beam construction. The roof is also consistent with the other structures and is gabled and has tar and gravel covering.

Buildings 400 and 500

Buildings 400 and 500 were constructed in 2000 after Harker Schools acquired the campus. Building 400 is the largest structure on campus, featuring cafeteria, gymnasium, office, gymnasium, 10 classrooms, storage, and a loading dock. The two-story structure is made of concrete and cinderblock and has a flat synthetic roof. The building notably has two towers flanking the main entrance.

Building 500 is on the eastern side of the campus and contains 13 classrooms, bathrooms, storage rooms, and a mechanical room. The one-story building is made of concrete and has a gabled shingle roof.

Other structures

In addition to the permanent structures above, the campus features several smaller temporary structures. A portable, temporary classroom structure and storage shed added in 2010 are located near the southwest corner of the project site.

Historical Significance of On-Site Structures

The structures on-site were analyzed for historic significance under the CRHR and San José Landmark Designations. Based on the analysis in the Historic Resources Evaluation, the campus and buildings within the campus are not a historic district and do not possess historical, architectural, cultural, aesthetic, or engineering interest or value of an historical nature” to be designated as a San José City Landmark. Below is a full discussion of the historical evaluation.

California Register of Historic Resources

A historic resource listed in or determined eligible for the National Register is by definition also eligible for the CRHR. A historic resource listed in a local historic resources inventory is presumed to be historically or culturally significant unless the preponderance of the evidence demonstrates that it is not historically or culturally significant (CEQA Guidelines Section 15064.5(a)(2)).

In order for a resource to be eligible for the California Register, it must satisfy all of the following three criteria (A, B, & C):

A. A property must be significant at the local, State, or national level, under one or more of the following four “Criteria of Significance” (these are essentially the same as National Register criteria with more emphasis on California history):

1. the resource is associated with events or patterns of events that have made a significant contribution to the broad patterns of local or regional history and cultural heritage of California or the United States.
2. the resource is associated with the lives of persons important to the nation or to California’s past.

3. the resource embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master, or possesses high artistic values.
4. the resource has the potential to yield information important to the prehistory or history of the State or the nation (criterion 4 applies primarily to archaeological sites and not historic buildings).

B. the resource retains historic integrity; and,

C. it is 50 years old or older (except for rare cases of structures of exceptional significance).

The California Register regulations define “integrity” as “the authenticity of a property’s physical identity, evidenced by the survival of characteristics that existed during the property’s period of significance,” that is, it must retain enough of its historic character or appearance to be recognizable as an historical resource. Following the National Register integrity criteria, California Register regulations specify that integrity is a quality that applies to historic resources in seven ways: location, design, setting, materials, workmanship, feeling and association.

Structural Integrity

The project area contains four buildings over 45 years of age (Buildings 100–300 and the library). None of the buildings have been moved, and modifications have been minor (with the exception of interior modifications). All of the buildings have good integrity of location, design, materials, and workmanship. When Building 100 was constructed in 1955, it was primarily surrounded by fields; however, by 1965, the entire area was built out with single-family homes. and the shopping center has been set on a busy road with single-family homes to the north, east, and west since it was originally constructed. Buildings 100 and 200 (1958) therefore have poor integrity of setting, feeling, and association, while Building 300 and the library (both c. 1965) retain integrity of setting, feeling, and association due to their later construction.

The campus as a whole lacks integrity because of the modifications made when the Harker School bought the property, including the construction of new buildings, recreational facilities, and extensive landscaping.

Significant Evaluation

Criterion 1. The original Bucknall School (1955–c.1965) is associated with post-WWII population growth seen around the country and expansion of school districts in the 1950s and 1960s. The Moreland School District was one of many districts in the region and state holding double classes and constructing schools as quickly as possible; the Bucknall School was one of hundreds of schools built around the Bay Area region. The project site does not possess special qualities that make it significant in this pattern of history, nor did research reveal any important events associated with the property. For these reasons, the buildings do not appear to be eligible under CRHR Criterion 1, either individually or as a district.

Criterion 2. Works on the history of San José and Campbell and research in local newspapers and other sources did not identify any significant principals, teachers, or students associated with the Bucknall School. It seems unlikely that school staff or students would have historical importance under Criterion 2 of the CRHR, and accordingly the subject property does not appear to be eligible for the CRHR under this criterion.

Criterion 3. The Bucknall School was constructed in stages, which was common strategy in the 1950s and 1960s as school districts struggled to accommodate ever increasing numbers of students. The four buildings of the Bucknall School were completed between 1955–1965, but there is no indication that they were part of an overall campus design. The placement of buildings, parking lots, and other features was most likely functional. Landscaping was overseen by the PTA and seems to have been completed relying on various donations. There was no coherence or intention in the campus design.

Furthermore, the campus was changed in 2000 by the Harker School, with the addition of new buildings, landscaping, and recreational facilities. For these reasons, the campus as a whole does not appear to be eligible under CRHR Criterion 3.

The first building constructed on the campus, Building 100, is typical of mid-century school architecture. Its shed roof with clerestory windows, covered walkways supported by metal poles, and continuous fenestration were features on common to schools of this period. It was designed by architects Birge M. Clark and Walter S. Stromquist of Palo Alto. Clark is recognized as a preeminent Palo Alto architect; many of his works are considered significant, including at least three listed on the NRHP. Although his later work, including that with Stromquist, ventured into Modernist styles, he was primarily known for his Spanish Colonial and Mission Revival buildings in Palo Alto. The Bucknall School has not achieved any recognition as an important example of Clark and Stromquist's works and was a typical school design of its time. For these reasons, Building 100 does not appear to be eligible under CRHR Criterion 3.

The architects of Buildings 200 and 300 and the library are unknown. Building 200 is closely modeled on Building 100, with only minor variations to accommodate the office section. Building 300 and the library clearly are designed to be somewhat congruent with Buildings 100 and 200, with similar deep eaves covering walkways and continuous fenestration, but the materials (such as aluminum windows and plywood panels) were updated and more economical. Again, none of these three buildings are distinctive, as they are typical of school buildings around the state from this time period. Neither do they possess high artistic values. Therefore, they do not appear to be eligible under CRHR Criterion 3.

Criterion 4. This criterion is usually used to evaluate archaeological sites. In some cases, a built environment resource may contain useful information about construction techniques or the use of materials by builders. However, all the buildings and structures at the Bucknall Campus were constructed using materials and techniques that were typical of their period. Therefore, the property does not appear to be eligible under CRHR Criterion 4.

Landmark Evaluation

The City of San José maintains a list of City Landmarks designated by the City's Historic Landmarks Commission. Properties may be nominated for designation as a City Landmark by the City Council, the Historic Landmarks Commission, or the property owner. In order to qualify for nomination, the property should possess "historical, architectural, cultural, aesthetic, or engineering interest or value of an historical nature." In evaluating a proposed Landmark, the Historic Landmarks Commission may consider the following factors (Municipal Code §13.48.020[c]):

1. Its character, interest or value as part of the local, regional, state or national history, heritage or culture;
2. Its location as a site of a significant historic event;
3. Its identification with a person or persons who significantly contributed to the local, regional, state or national culture and history;
4. Its exemplification of the cultural, economic, social or historic heritage of the city of San José;
5. Its portrayal of the environment of a group of people in an era of history characterized by a distinctive architectural style;
6. Its embodiment of distinguishing characteristics of an architectural type or specimen;
7. Its identification as the work of an architect or master builder whose individual work has influenced the development of the city of San José;
8. Its embodiment of elements of architectural or engineering design, detail, materials or craftsmanship which represents a significant architectural innovation, or which is unique.

As noted in the CRHR evaluations above, the buildings at the Bucknall Campus are not significant examples of themes of their period such post-WWII population growth and educational expansion in the 1950s and 1960s in the San José area, and therefore, they do not appear to have value as part of local, state, or regional history (1). Historical research did not discover any significant historic events at the project area (2), nor that any principals, teachers, or students associated with the Bucknall School were important contributors to local, state, or national culture or history (3). The project area does not exemplify aspects of the heritage of San José, nor does it portray the environment of a group of people through a distinctive architectural style (4 or 5). The buildings are typical and unexceptional and do not embody an architectural type or specimen (6). The architects of Building 100, Birge M. Clark and Walter Stromquist, were successful architects – in particular Clark, who did much of his work in Palo Alto and shaped the architectural character of that city. However, Building 100 is not one of their recognized works in San José as is, for example the H. M. Gousha building. The architects of the remainder of the buildings are unknown, as are all of the builders (7), and the buildings do not have distinctive, significant, or important architectural qualities (8).

4.5.2 Impact Discussion

	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 CEQA Guidelines Section 15064.5?	☐	☐	☒	☐
b) Cause a substantial adverse change in the significance of an archaeological resource as pursuant to CEQA Guidelines Section 15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☐	☒	☐

- a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5?

None of the buildings on the project site have independent historic significance, nor do they contribute to the significance of a historic district. Demolition of the library and construction of the proposed project would not result in impacts on a historic structure. Therefore, the proposed project would not result in an adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5, and would have a less than significant impact. **(Less than Significant Impact)**

- b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?

The project site was found to have moderate sensitivity for Native American artifacts, and sensitivity for historic-era cultural resources in areas where historic era structures were constructed. The project would require ground disturbance for the multi-purpose building and courtyard improvements; however, this disturbance would not overlap the location of the previous historic structures. The need for ground disturbance, however, could incidentally uncover previously unknown resources. The proposed project would be required to comply with the following Condition of Approval and Standard Permit Condition.

Condition of Approval

- Prior to issuance of any grading permits, building permits or demolition permits, the project applicant shall be required to conduct a Cultural Awareness Training for construction personnel. The training shall be facilitated by a qualified project archaeologist in collaboration with a Native American representative registered with the Native American

Heritage Commission for the City of San José and that is traditionally and culturally affiliated with the geographic area. Documentation verifying that Cultural Awareness Training has been conducted shall be submitted to the Director of Planning, Building and Code Enforcement or the Director's designee.

Standard Permit Condition

- **Subsurface Cultural Resources.** If prehistoric or historic resources are encountered during excavation and/or grading of the site, all activity within a 50-foot radius of the find shall be stopped, the Director of Planning, Building and Code Enforcement (PBCE) or the Director's designee and the City's Historic Preservation Officer shall be notified, and a qualified archaeologist in consultation with a Native American Tribal representative registered with the Native American Heritage Commission for the City of San José and that is traditionally and culturally affiliated with the geographic area as described in Public Resources Code Section 21080.3 shall examine the find. The archaeologist in consultation with the Tribal representative shall 1) evaluate the find(s) to determine if they meet the definition of a historical or archaeological resource; and (2) make appropriate recommendations regarding the disposition of such finds prior to issuance of building permits. Recommendations could include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery shall be submitted to the Director of PBCE or the Director's designee, the City's Historic Preservation Officer and the Northwest Information Center (if applicable). Project personnel shall not collect or move any cultural materials.

The Literature Search for the project also identified that construction work within areas of historic-period sensitivity, including the area between Building 100 and the Gymnasium or pool area, would have a higher potential to encounter historic-era archaeological resources. Therefore, even with the incorporated Standard Permit Conditions for subsurface resources the project could have an impact on historic-era resources.

Impact CUL-1 The ground disturbance associated with the proposed project for the track portion between Building 100 and the Gymnasium/Pool Area would impact areas where historic-era resources may be present. **(Significant Impact)**

Mitigation Measures

MM CUL-1.1 During ground-disturbing activity including excavation and grading within the areas of historic-period sensitivity, ground disturbing activities shall be monitored by a qualified archaeologist. If archaeological deposits are discovered, an archaeological investigation plan shall be prepared by the qualified archaeologist to determine whether the deposits are eligible for registry in the California Register of Historic Resources (CRHR). These resources will be evaluated consistent with the Subsurface Cultural Resources Standard Permit Condition established by the City of San José for the proposed project.

Therefore, through the compliance with the Standard Permit Condition and Mitigation Measures above, the proposed project would have a less than significant impact. **(Less than Significant Impact with Mitigation Incorporated)**

-
- c) Would the project disturb any human remains, including those interred outside of dedicated cemeteries?
-

As stated above, the project site is considered moderately sensitive for Native American resources on-site. Although the project site has been previously disturbed, excavation of the project site for the parking structure beneath the new multi-purpose building would extend to a depth of 12 to 15 feet below the ground surface. Additionally, due to the proximity to other resources and the distance from San Tomas Creek it is possible that human remains could be encountered on the project site. In the event that human remains are encountered, the proposed project would be required to comply with the following Standard Permit Condition.

Standard Permit Condition

- **Human Remains.** If any human remains are found during any field investigations, grading, or other construction activities, all provisions of California Health and Safety Code Sections 7054 and 7050.5 and Public Resources Code Sections 5097.9 through 5097.99, as amended per Assembly Bill 2641, shall be followed. If human remains are discovered during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The project applicant shall immediately notify the Director of Planning, Building and Code Enforcement (PBCE) or the Director's designee and the qualified archaeologist, who shall then notify the Santa Clara County Coroner. The Coroner will make a determination as to whether the remains are Native American. If the remains are believed to be Native American, the Coroner will contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC will then designate a Most Likely Descendant (MLD). The MLD will inspect the remains and make a recommendation on the treatment of the remains and associated artifacts. If one of the following conditions occurs, the landowner or his authorized representative shall work with the Coroner to reinter the Native American human remains and associated grave goods with appropriate dignity in a location not subject to further subsurface disturbance:
 - o The NAHC is unable to identify a MLD or the MLD failed to make a recommendation within 48 hours after being given access to the site.
 - o The MLD identified fails to make a recommendation; or
 - o The landowner or his authorized representative rejects the recommendation of the MLD, and mediation by the NAHC fails to provide measures acceptable to the landowner.

Therefore, the proposed project would properly identify and treat any human remains incidentally found on site and the project would have a less than significant impact on these resources. **(Less than Significant Impact)**

4.6 Energy

4.6.1 Environmental Setting

4.6.1.1 *Regulatory Framework*

Federal and State

Energy Star and Fuel Efficiency

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

Renewables Portfolio Standard Program

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

Executive Order B-55-18 and Assembly Bill 1279

Executive Order B-55-18 was issued in September 2018. It ordered a new statewide goal of achieving carbon neutrality no later than 2045 and to maintain net negative emissions thereafter.

Assembly Bill 1279, also known as the California Climate Crisis Act, was approved on September 16, 2022, and codifies the statewide goal set by Executive Order B-55-18 of achieving net zero GHG emissions no later than the year 2045 and maintaining net negative emissions thereafter. In addition, this bill has a statewide goal of reducing anthropogenic GHG emissions by 85 percent below the 1990 levels by the year 2045. The bill requires CARB to work with relevant state agencies to ensure that updates to the scoping plan, identify and recommend measures to achieve these policy goals, and implement strategies that enable CO₂ removal solutions and carbon capture, utilization, and storage technologies in California. The bill requires CARB to submit an annual report.

California Building Standards Code

The Energy Efficiency Standards for Residential and Nonresidential Buildings, as specified in Title 24, Part 6 of the California Code of Regulations (Title 24), was established in 1978 in response to a

legislative mandate to reduce California’s energy consumption. Title 24 is updated approximately every three years.¹⁵ Compliance with Title 24 is mandatory at the time new building permits are issued by city and county governments.¹⁶

California Green Building Standards Code

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

Advanced Clean Cars Program

CARB adopted the Advanced Clean Cars II program in 2022 in coordination with the EPA and National Highway Traffic Safety Administration. The program combines the control of smog-causing pollutants and GHG emissions into a single coordinated set of requirements for vehicle model years 2026 through 2035. The program promotes development of environmentally superior passenger cars and other vehicles, as well as saving the consumer money through fuel savings.¹⁷

Regional and Local

Climate Smart San José

Climate Smart San José is a plan to reduce air pollution, save water, and create a stronger and healthier community. The City approved goals and milestones in February 2018 to ensure the City can substantially reduce GHG emissions through reaching the following goals and milestones:

- All new residential buildings will be Zero Net Carbon Emissions (ZNE) by 2020 and all new commercial buildings will be ZNE by 2030 (Note that ZNE buildings would be all electric with a carbon-free electricity source).
- San José Clean Energy (SJCE) will provide 100-percent carbon-free base power by 2021.
- One gigawatt of solar power will be installed in San Jose by 2040.
- 61 percent of passenger vehicles will be powered by electricity by 2030.

¹⁵ California Building Standards Commission. “California Building Standards Code.” Accessed August 13, 2025.

<https://www.dgs.ca.gov/BSC/Codes#@ViewBag.JumpTo>.

¹⁶ California Energy Commission (CEC). “2022 Building Energy Efficiency Standards.” Accessed August 13 2025.

<https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2022-building-energy-efficiency>.

¹⁷ California Air Resources Board. “Advanced Clean Cars II.” Accessed August 13, 2025. <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-cars-program/advanced-clean-cars-ii>.

Private Sector Green Building Policy (City of San José Council Policy 6-32)

This policy establishes baseline green building standards for private sector new construction and provides a framework for the implementation of these standards. The goal of the policy is to enhance the public health, safety and welfare of San José residents, workers, and visitors by fostering practices in the design, construction, and maintenance of buildings that will minimize the use and waste of energy, water and other resources in the City of San José.

The green building standards required by this policy are intended to advance greenhouse gas reduction and other sustainability strategies outlined in the City's Green Vision. Green building reduces per capita energy use, provides energy from renewable sources, diverts waste from landfills, uses less water and encourages the use of recycled wastewater. Green building also encourages buildings to be located close to public transportation and services and provide amenities that encourage walking and bicycling and therefore offer further potential to achieve a healthy, environmentally sustainable city.

Envision San José 2040 General Plan

The Envision San José 2040 General contains the following policies which are specific to energy resources and applicable to the proposed project:

Policy	Description
MS-1.1	Demonstrate leadership in the development and implementation of green building policies and practices. Ensure that all projects are consistent with or exceed the City's Green Building Ordinance and City Council Policies as well as State and/or regional policies which require that projects incorporate various green building principles into design and construction.
MS-2.3	Utilize solar orientation, (i.e., building placement), landscaping, design, and construction techniques for new construction to minimize energy consumption.
MS-3.1	Require water-efficient landscaping, which conforms to the State's Model Water Efficient Landscape Ordinance, for all new commercial, institutional, industrial, and developer installed residential development unless for recreation or other area functions.
MS-5.5	Maximize recycling and composting from all residents, businesses, and institutions in the City.
MS-6.5	Reduce the amount of waste disposed in landfills through waste prevention, reuse, and recycling of materials at venues, facilities, and special events.
MS-6.8	Maximize reuse, recycling, and composting citywide.
MS-14.2	Enhance existing neighborhoods by adding a mix of uses that facilitate biking, walking, or transit ridership through improved access to shopping, employment, community services, and gathering places.
MS-14.3	Consistent with the California Public Utilities Commission's California Long Term Energy Efficiency Strategy Plan, as revised and when technological advances make it feasible, require all new residential and commercial construction to be designed for zero net energy use.

MS-14.4	Implement the City's Green Building Policies (see Green Building Section) so that new construction and rehabilitation of existing buildings fully implements industry best practices, including the use of optimized energy systems, selection of materials and resources, water efficiency, sustainable site selection, and passive solar building design and planting of trees and other landscape materials to reduce energy consumption.
MS-17.2	Ensure that development within San José is planned and built in a manner consistent with fiscally and environmentally sustainable use of current and future water supplies by encouraging sustainable development practices, including low-impact development, water-efficient development and green building techniques. Support the location of new development within the vicinity of the recycled water system and promote expansion of the South Bay Water Recycling (SBWR) system to areas planned for new development. Residential development outside of the Urban Service Area can be approved only at minimal levels and only allowed to use non-recycled water at urban intensities. For residential development outside of the Urban Service Area, restrict water usage to well water, rainwater collection, or other similar sustainable practice. Non-residential development may use the same sources and potentially make use of recycled water, provided that its use will not result in conflicts with other 2040 General Plan policies, including geologic or habitat impacts. To maximize the efficient and environmentally beneficial use of water, outside of the Urban Service Area, limit water consumption for new development so that it does not diminish the water supply available for projected development in areas planned for urban uses within San José or other surrounding communities.
MS-18.5	Reduce citywide per capita water consumption by 25% by 2040 from a baseline established using the 2010 Urban Water Management Plans of water retailers in San José.
MS-18.6	Achieve by 2040, 50 million gallons per day of water conservation savings in San José, by reducing water use and increasing water use efficiency.
MS-19.1	Require new development to contribute to the cost-effective expansion of the recycled water system in proportion to the extent that it receives benefit from the development of a fiscally and environmentally sustainable local water supply.
MS-19-4	Require the use of recycled water wherever feasible and cost-effective to serve existing and new development.
IN-5.3	Use solid waste reduction techniques, including source reduction, reuse, recycling, source separation, composting, energy recovery and transformation of solid wastes to extend the life span of existing landfills and to reduce the need for future landfill facilities and to achieve the City's Zero Waste goals.
PR-6.4	Consistent with the Green Vision, complete San José's trail network and where feasible develop interconnected trails with bike lanes to facilitate bicycle commuting and recreational uses.
LU-5.4	Require new commercial development to facilitate pedestrian and bicycle access through techniques such as minimizing building separation from public sidewalks; providing safe, accessible, convenient, and pleasant pedestrian connections, and including secure and convenient bike storage.
TR-1.4	Through the entitlement process for new development fund needed transportation improvements for all modes, giving first consideration to improvement of bicycling, walking, and transit facilities. Encourage investments that reduce vehicle travel demand.
TR-2.8	Require new development where feasible to provide on-site facilities such as bicycle storage and showers, provide connections to existing and planned facilities, dedicate land to expand existing facilities or provide new facilities such as sidewalks and/or bicycle lanes/paths, or share in the cost of improvements.

TR-3.3	As part of the development review process, require that new development along existing and planned transit facilities consist of land use and development types and intensities that contribute toward ridership. In addition, require that new development is designed to accommodate and to provide direct access to transit facilities.
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4.6.1.2 *Existing Conditions*

Total energy usage in California was approximately 6,817 trillion British thermal units (Btu) in the year 2023, the most recent year for which this data was available.¹⁸ Out of the 50 states, California is ranked second in total energy consumption and 49th in energy consumption per capita. The breakdown by sector was approximately 17.1 percent (1,166.6 trillion Btu) for residential uses, 17 percent (1,157.7 trillion Btu) for commercial uses, 21.4 percent (1,456.7 trillion Btu) for industrial uses, and 44 percent (3,035.7 trillion Btu) for transportation.¹⁹ This energy is primarily supplied in the form of natural gas, petroleum, nuclear electric power, and hydroelectric power.

Electricity

Electricity in Santa Clara County in 2022 was consumed primarily by the non-residential sector (75 percent), followed by the residential sector consuming 25 percent. In 2022, a total of approximately 17,101 gigawatt hours (GWh) of electricity was consumed in Santa Clara County.²⁰

SJCE is the electricity provider for residents and businesses in the City of San José. SJCE sources the electricity and Pacific Gas and Electric Company (PG&E) delivers it to customers over their existing utility lines. SJCE customers are automatically enrolled in the GreenSource program, which provides approximately 93 percent GHG emission-free electricity. Customers can choose to enroll in SJCE's TotalGreen program at any time to receive 100 percent GHG emission-free electricity from entirely renewable sources. The project site currently uses approximately 85,825 kWh per year of electricity.²¹

Natural Gas

PG&E provides natural gas services within the City of San José. In 2023, California's natural gas supply came from a combination of in-state production and imported supplies from other western states and Canada.²² In 2023 residential and commercial customers in California used 36 percent of the state's natural gas, the industrial sector used 31 percent, the transportation sector used one

¹⁸ United States Energy Information Administration. "California State Energy Profile." Accessed July 14, 2025. <https://www.eia.gov/state/print.php?sid=CA>.

¹⁹ Ibid.

²⁰ California Energy Commission. Energy Consumption Data Management System. "Electricity Consumption by County." Accessed July 14, 2025. <http://ecdms.energy.ca.gov/electbycounty.aspx>.

²¹ CalEEMod. Appendix C: Emission Factors and Data Tables.

Elementary School Energy Use: 1,197 kWh/yr/KSF x 71,700 square feet = 85,825 kWh/yr

²² California Gas and Electric Utilities. 2023 *California Gas Report*. Accessed July 14, 2025. https://www.socalgas.com/sites/default/files/Joint_Biennial_California_Gas_Report_2023_Supplement.pdf.

percent and the energy sector used 32 percent.²³ In 2022, Santa Clara County used less than one percent of the state’s total consumption of natural gas.²⁴

Fuel for Motor Vehicles

In 2024, California produced 109 million barrels of crude oil and in 2023, 13.5 billion gallons of gasoline were sold in California.^{25, 26} The average fuel economy for light-duty vehicles (autos, pickups, vans, and sport utility vehicles) in the United States has steadily increased from about 13.1 miles per gallon (mpg) in the mid-1970s to 26.0 mpg in 2022.²⁷ Federal fuel economy standards have changed substantially since the Energy Independence and Security Act was passed in 2007. That standard, which originally mandated a national fuel economy standard of 35 miles per gallon by the year 2020, was updated in April 2022 to require all cars and light duty trucks achieve an overall industry average fuel economy of 49 mpg by model year 2026.^{28,29}

4.6.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Result in a 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?	☐	☐	☒	☐

²³ United States Energy Information Administration. “Natural Gas Consumption by End Use. 2022.” Accessed July 14, 2025. <https://www.eia.gov/state/?sid=CA#tabs-2>.

²⁴ California Energy Commission. “Natural Gas Consumption by County.” Accessed July 14, 2025. <http://ecdms.energy.ca.gov/gasbycounty.aspx>.

²⁵ U.S. Energy Information Administration. “Petroleum & Other Liquids, California Field Production of Crude Oil.” September 18, 2025. <https://www.eia.gov/dnav/pet/hist/LeafHandler.ashx?n=pets&mcrcfpc1&f=a>

²⁶ California Department of Tax and Fee Administration. “Gasoline Tax Data.” Accessed October 3, 2025. <https://cdtfa.ca.gov/dataportal/dataset.htm?url=FuelGasJetStats>.

²⁷ United States Environmental Protection Agency. “The 2023 EPA Automotive Trends Report: Greenhouse Gas Emissions, Fuel Economy, and Technology since 1975.” December 2023. <https://www.epa.gov/system/files/documents/2023-12/420r23033.pdf>.

²⁸ United States Department of Energy. *Energy Independence & Security Act of 2007*. Accessed July 14, 2025. <http://www.afdc.energy.gov/laws/eisa>.

²⁹ United States Department of Transportation. USDOT Announces New Vehicle Fuel Economy Standards for Model Year 2024-2026.” Accessed July 14, 2025. <https://www.nhtsa.gov/press-releases/usdot-announces-new-vehicle-fuel-economy-standards-model-year-2024-2026>

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

Construction Energy Impacts

The proposed project would be constructed using modern construction processes which require efficiency to avoid excess costs. The construction equipment would not idle for long periods of time and would be turned off when not in use. Additionally, construction vehicles would only be used for the amount of time they are necessary. The construction would last for 25 months, which would be a temporary period of increased energy consumption. This would not be a permanent draw on energy resources and would include efficient processes to the greatest extent possible. Therefore, the proposed project would not have a wasteful inefficient, or unnecessary consumption of energy resources during construction.

Operational Energy Impacts

The proposed project would construct a new school building and expand an existing school building on the existing Harker School Bucknall site. The project would also remove an existing library on the site to allow for modification of the drop-off and pick-up area. The new structures would be constructed in accordance with CalGreen requirements and would meet energy consumption standards established by the City of San José and Title 24 of the California Building Code. The new multi-purpose building would replace the old library with a modern building that includes more efficient lighting and air conditioning/heating equipment. Therefore, the proposed project would utilize energy in an efficient manner and would not result in wasteful consumption of energy resources. **(Less than Significant Impact)**

-
- b) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?
-

The project would be served by SJCE and would be built in accordance with CALGreen requirements, Title 24 of the California Code of Regulations, City of San José Council Policy 6-32, and the City's Green Building Ordinance. Implementation of the proposed project would not conflict with or obstruct implementation of a state or local plan for renewable energy or energy efficiency. **(Less than Significant Impact)**

4.7 Geology and Soils

The information in this section is based in part on the Geotechnical Investigation completed by Lagan CA, Inc. in March 2025. This report is provided as Appendix D of this document for reference.

4.7.1 Environmental Setting

4.7.1.1 *Regulatory Framework*

State

Alquist-Priolo Earthquake Fault Zoning Act

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

Seismic Hazards Mapping Act

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

California Building Standards Code (CBC)

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

California Division of Occupational Safety and Health Regulations

Excavation, shoring, and trenching activities during construction are subject to occupational safety standards for stabilization by the California Department of Industrial Relations, Division of

Occupational Safety and Health (Cal/OSHA) under Title 8 of the California Code of Regulations and Excavation Rules. These regulations minimize the potential for instability and collapse that could injure construction workers on the site.

Public Resources Code Section 5097.5

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

Local

Envision San José 2040 General Plan

The Envision San José 2040 General contains the following policies which are specific to geology and soil resources and applicable to the proposed project:

Policy	Description
ES-4.9	Permit development only in those areas where potential danger to the health, safety, and welfare of persons in that area can be mitigated to an acceptable level.
ES-4.10	Update, as necessary, the San José Building Code, Fire Prevention Code and Municipal Code to address geologic, fire, flooding and other hazards, and to respond to changes in applicable State Codes.
EC-3.1	Design all new or remodeled habitable structures in accordance with the most recent California Building Code (CBC) and California Fire Code as amended locally and adopted by the City of San José, including provisions regarding lateral forces.
EC-3.2	Within seismic hazard zones identified under the Alquist-Priolo Fault Zoning Act, California Seismic Hazards Mapping Act and/or by the City of San José, complete geotechnical and geological investigations and approve development proposals only when the severity of seismic hazards have been evaluated and appropriate mitigation measures are provided as reviewed and approved by the City of San José Geologist. State guidelines for evaluating and mitigating seismic hazards and the City-adopted CBC will be followed.
EC-3.3	The City of San José Building Official shall require conformance with state law regarding seismically vulnerable unreinforced masonry structures within the City.
EC-3.4	The City of San José will maintain up-to-date seismic hazard maps with assistance from the California Geological Survey (or other state agencies) under the Alquist-Priolo Earthquake Fault Zoning Act and the California Seismic Hazards Mapping Act.
EC-4.1	Design and build all new or remodeled habitable structures in accordance with the most recent CBC and municipal code requirements as amended and adopted by the City of San José, including provisions for expansive soil, and grading and storm water controls.

EC-4.2	Approve development in areas subject to soils and geologic hazards, including un-engineered fill and weak soils and landslide-prone areas, only when the severity of hazards have been evaluated and if shown to be required, appropriate mitigation measures are provided. New development proposed within areas of geologic hazards shall not be endangered by, nor contribute to, the hazardous conditions on the site or on adjoining properties. The City of San José Geologist will review and approve geotechnical and geological investigation reports for projects within these areas as part of the project approval process.
EC-4.4	Require all new development to conform to the City of San José's Geologic Hazard Ordinance.
EC-4.5	Ensure that any development activity that requires grading does not impact adjacent properties, local creeks and storm drainage systems by designing and building the site to drain properly and minimize erosion. An Erosion Control Plan is required for all private development projects that have soil disturbance of one acre or more, are adjacent to a creek/river, and/or are located in hillside areas. Erosion Control Plans are also required for any grading occurring between October 15 and April 15.
EC-4.7	Consistent with the San José Geologic Hazard Ordinance, prepare geotechnical and geological investigation reports for projects in areas of known concern to address the implications of irrigated landscaping to slope stability and to determine if hazards can be adequately mitigated.

4.7.1.2 *Existing Conditions*

The project site is located in eastern Santa Clara Valley, which is bounded by the Diablo Range to the east and the Santa Cruz Mountains to the west. The Santa Clara Valley is underlain by sedimentary and metamorphic rocks of the Franciscan Complex. Overlying these rocks are alluvial sediments deposited by streams draining the adjacent mountains during recent geologic times (Holocene age). The site is designated with the Holocene alluvial fan levee deposits bedrock type. The alluvial deposits consist of unconsolidated to semi-consolidated sand, silt, clay, and gravel.^{30,31}

Liquefaction and Soil Expansion

Liquefaction occurs when water-saturated soils lose structural integrity due to seismic activity. Soils that are most susceptible to liquefaction are loose to moderately dense, saturated granular soils with poor drainage. The Geotechnical Investigation states that the site is not located within a Liquefaction Hazard Zone based on maps prepared by Santa Clara County.

The project site is underlain by approximately nine to 10 feet of medium stiff to stiff clay and very loose to medium dense sand and gravel with varying amounts of silt and clay. Beyond this, there is dense to very dense sand and gravel layers with varying amounts of silt and clay, mixed in with hard silt and clay layers. Additionally, the geotechnical report identified that the near surface soils on the project site had low expansive properties. Therefore, the site has a low shrink swell potential.

³⁰ R.J. McLaughlin, J.C. Clark, E.E. Brabb, E.J. Helley, and C.J. Colon. USGS. Geologic Maps and Structure Sections of the Southwestern Santa Clara Valley and Southern Santa Cruz Mountains, Santa Clara and Santa Cruz Counties, California. 2001.

³¹ E.J. Helley, R.W. Graymer, G.A. Phelps, P.K. Showalter, and C.M. Wentworth. Quaternary Geology of Santa Clara Valley, Santa Clara, Alameda, and San Mateo Counties, California: A digital database. May 1994.

Seismic Hazards

The San Francisco Bay Area is recognized as one of the most seismically active regions in the United States. Significant earthquakes occurring in the Bay Area are generally associated with the San Andreas Fault system, which spans the Coast Ranges from the Pacific Ocean to the San Joaquin Valley. The nearest active fault to the project site is the Monte Vista – Shannon fault zone, located approximately 1.5 miles to the southwest of the site. Other potentially active faults within ten miles include the San Andreas, Butano, Sargent, Pilarcitos, and Calaveras faults. There are no active faults in the project area.³²

Lateral Spreading

Lateral spreading is a type of ground failure related to liquefaction. It consists of the horizontal displacement of flat-lying alluvial material toward an open area, such as a steep bank of a stream channel. Areas of San José most prone to lateral spreading include lands adjacent to Guadalupe River and Coyote Creek. San Tomas Creek is located approximately 0.4 miles south of the project site. At this distance, the potential for lateral spreading on-site is negligent.

Landslides

Landslides occur when the stability of a slope changes from a stable to an unstable condition. The site is not located within the Santa Clara County Landslide Hazard Zone. The project area is relatively flat; therefore, the probability of landslides occurring at the site during a seismic event is low.³³

4.7.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	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:				
- Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (refer to Division of Mines and Geology Special Publication 42)?	☐	☐	☒	☐

³² Lagan CA, Inc. Geotechnical Investigation The Harker School Bucknall Campus 4300 Bucknall Road. March 21, 2025.

³³ County of Santa Clara. Geologic Hazards Zones, Map 20, 2012. Accessed September 5, 2025.

<https://sccplanning.maps.arcgis.com/apps/webappviewer/index.html?id=5ef8100336234fbdafc5769494cfe373>.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
- Strong seismic ground shaking?	☐	☐	☒	☐
- Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
- 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 will 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 the current California Building Code, creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
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?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	☐	☐	☒	☐

-
- a) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault; strong seismic ground shaking; seismic-related ground failure, including liquefaction; or landslides?
-

Based on the location of the project site, and soil types, the proposed project would not be constructed in an area with a known fault and would not experience seismic-related ground failure. Additionally, based on the landforms and soils underlying the site, the project site would not experience substantial liquefaction as a result of strong seismic shaking and is on flat ground and would not be affected by landslides. Further, the proposed project would be required to comply with the following Standard Permit Condition.

Standard Permit Condition

- **Seismic Hazards.** A Geotechnical Report shall be submitted, reviewed, and approved by the City Geologist. The Geotechnical Report shall determine the site-specific soil conditions and

identify the appropriate design and construction techniques to minimize risks to people and structures, including but not limited to: foundation, earthwork, utility trenching, retaining and drainage recommendations. The investigation should be consistent with State of California guidelines for the preparation of seismic hazard evaluation reports (CGS Special Publication 117A, 2008, and the Southern California Earthquake Center report, SCEC, 1999). A recommended minimum depth of 50 feet should be explored and evaluated in the investigation. The City Geologist will review the Geotechnical Report and issue a Geologic Clearance.

- o All excavation and grading work shall be scheduled in dry weather months or construction sites shall be weatherized.
- o Stockpiles and excavated soils shall be covered with secured tarps or plastic sheeting.
- o Ditches shall be installed to divert runoff around excavations and graded areas if necessary.
- o The project shall be constructed in accordance with the standard engineering practices in the California Building Code, as adopted by the City of San José. A grading permit from the San José Department of Public Works shall be obtained prior to the issuance of a Public Works clearance. These standard practices would ensure that the future building on the site is designed to properly account for soils-related hazards on the site.
- o If dewatering is needed, the design-level geotechnical investigations to be prepared for individual future development projects shall evaluate the underlying sediments and determine the potential for settlements to occur. If it is determined that unacceptable settlements may occur, then alternative groundwater control systems shall be required.

With the inclusion of this Standard Permit Condition the proposed project would be required to comply with State of California regulations for earthquake safety. Therefore, the proposed project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a known earthquake fault; and the proposed project would have a less than significant impact. **(Less than Significant Impact)**

b) Would the project result in substantial soil erosion or the loss of topsoil?

As stated above, the proposed project would be required to comply with City of San José Standard Permit Conditions for soil management during construction. This would prevent exposed soils and sediments on-site from undergoing significant erosion as a result of construction activity. Additionally, all soils exposed during construction of the proposed project would be required to be controlled and replanted with stabilizing landscaping as soon as possible. Therefore, the proposed project would not result in substantial erosion or loss of topsoil and would have a less than significant impact. **(Less than Significant Impact)**

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

The project site is located in an area of low liquefaction risk and is not located in a landslide hazards zone. Additionally, the project site is not located near river channels or other topographic features which would result in lateral spreading or collapse. Therefore, the proposed project would not result in geologic hazards from unstable soils or geologic units. **(Less than Significant Impact)**

- d) Would the project be located on expansive soil, as defined in the current California Building Code, creating substantial direct or indirect risks to life or property?
-

The project site is underlain by soil with low potential for expansion. As stated above, the proposed project would be constructed in accordance with the standard engineering practices in the CBC, as adopted by the City of San José, and would be designed to account for soil-related hazards on the site. Therefore, through compliance with the City's Standard Permit Conditions, the proposed project would have a less than significant impact from risks associated with expansive soils. **(Less than Significant Impact)**

- e) Would the project 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?
-

The proposed project would be connected to existing local utilities for wastewater located within City streets around the project site. Therefore, the proposed project would not result in the use of septic tanks or alternative wastewater disposal system. **(No Impact)**

- f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geological feature?
-

In the City of San José, Holocene alluvial fan deposits are known to have some potential to contain paleontological resources at depths greater than 10 feet below the ground surface. The proposed project would require excavation to depths of approximately 12 to 15 feet below the ground surface which could encounter paleontological resources. In the event that paleontological resources are discovered on-site during construction, the proposed project would be required to comply with the following Standard Permit Condition.

Standard Permit Condition

- **Paleontological Resources.** If vertebrate fossils are discovered during construction, all work on the site shall stop immediately, Director of Planning, Building and Code Enforcement (PBCE) or the Director's designee shall be notified, and a qualified professional

paleontologist shall assess the nature and importance of the find and recommend appropriate treatment. Treatment may include, but is not limited to, preparation and recovery of fossil materials so that they can be housed in an appropriate museum or university collection and may also include preparation of a report for publication describing the finds. The project applicant shall be responsible for implementing the recommendations of the qualified paleontologist. A report of all findings shall be submitted to the Director of PBCE or the Director's designee.

Therefore, the proposed project would protect any paleontological resources discovered on-site during construction and would have a less than significant impact. **(Less than Significant Impact)**

4.7.3 Non-CEQA Effects

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

General Plan Policy EC-4.2 states that development is allowed in areas subject to soil and geologic hazards, including unengineered fill and weak soils and landslide-prone areas, only when the severity of hazards have been evaluated and if shown to be required, appropriate mitigation measures are provided. New development proposed within areas of geologic hazards shall not be endangered by, nor contribute to, the hazardous conditions on-site or on adjoining properties. Pursuant to the Envision 2040 General Plan Final Environmental Impact Report (FEIR), prior to issuance of site-specific grading or building permits, a design-level geotechnical investigation shall be prepared and submitted to the City of San José Public Works department for review and confirmation that the proposed development fully complies with the CBC and all City policies and ordinances.

Additionally, Policy EC-4.4 requires all new development to conform to the City of San José's Geologic Hazard Ordinance. To ensure that proposed development sites are suitable, Action EC-4.11 requires the preparation of geotechnical and geological investigation reports for projects within areas subject to soils and geologic hazards and requires review and implementation of mitigation measures as part of the project approval process.

The project site contains soils with low expansion potential. Consistent with Action EC-4.11, the project applicant would be required to submit a design-specific geotechnical report. The proposed project would be built in accordance with a design-specific geotechnical report and applicable regulations including the most recent CBC, which contains the regulations that govern the construction of structures in California. Adherence to the CBC would reduce seismic related impacts and ensure that the new development proposed within areas of geologic hazards would not be endangered by hazardous site conditions.

Because the proposed project would comply with the design-specific geotechnical report, the CBC, and regulations identified in the Envision 2040 General Plan FEIR, the project would comply with General Plan Policies EC-4.2 and EC-4.4.

4.8 Greenhouse Gas Emissions

Information in this section is based, in part, on the Greenhouse Gas Reduction Strategy (GHGRS) Checklist prepared for the project. The checklist is included as Appendix E.

4.8.1 Environmental Setting

4.8.1.1 *Regulatory Framework*

4.8.1.2 *Background Information*

Greenhouse gases (GHG) are gases that trap heat in the atmosphere and regulate the earth's temperature. This phenomenon, known as the greenhouse effect, is responsible for maintaining a habitable climate. In GHG emission inventories, the weight of each gas is multiplied by its global warming potential (GWP) and is measured in units of CO₂ equivalents (CO₂e). The most common GHGs are carbon dioxide (CO₂) and water vapor but there are also several others, most importantly methane (CH₄), nitrous oxide (N₂O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF₆). These are released into the earth's atmosphere through a variety of natural processes and human activities (anthropogenic). Natural and anthropogenic sources of GHGs are generally as follows:

- CO₂ exchange between the atmosphere, ocean, and land surface
- CO₂, CH₄, and N₂O are emitted from wildfires and volcanic eruptions
- CO₂ and N₂O are byproducts of fossil fuel combustion
- N₂O is associated with agricultural operations such as fertilization of crops
- CH₄ is commonly created by off-gassing from agricultural practices (e.g., keeping livestock) and landfill operations
- Chlorofluorocarbons (CFCs) were widely used as refrigerants, propellants, and cleaning solvents, but their production has been stopped by international treaty
- HFCs are now used as a substitute for CFCs in refrigeration and cooling
- PFCs and SF₆ emissions are commonly created by industries such as aluminum production and semiconductor manufacturing

An expanding body of scientific research supports the theory that global climate change is currently causing changes in weather patterns, average sea level, ocean acidification, chemical reaction rates, and precipitation rates, and that it will increasingly do so in the future. Per the 2022 Scoping Plan from CARB, atmospheric concentrations of CO₂ have increased by 50 percent since the Industrial Revolution and continue to increase at a rate of two parts per million each year, which will result in increased global temperatures.³⁴ The climate within California are adversely affected by the global warming trend. Increased precipitation and sea level rise will increase coastal flooding, saltwater

³⁴ CARB. 2022 Scoping Plan for Achieving Carbon Neutrality. December 2022. Page 3.

intrusion, and degradation of wetlands. Mass migration and loss of plant and animal species could also occur. Potential effects of global climate change that could adversely affect human health include more extreme heat waves and heat-related stress; an increase in climate-sensitive diseases; more frequent and intense natural disasters such as flooding, hurricanes and drought; and increased levels of air pollution.

4.8.1.3 *Regulatory Framework*

State

Assembly Bill 32 and State Bill 32

Under the California Global Warming Solutions Act, known as AB 32, CARB established a statewide GHG emissions cap for 2020, adopted mandatory reporting rules for significant sources of GHGs, and adopted a comprehensive plan, known as the Climate Change Scoping Plan, identifying how emission reductions would be achieved from significant GHG sources. The first Scoping Plan was approved by CARB in 2008 and must be updated at least every five years. Since 2008, there have been two updates to the Scoping Plan.

In 2016, SB 32 was signed into law, amending the California Global Warming Solution Act. SB 32, and accompanying Executive Order B-30-15, require CARB to ensure that statewide GHG emissions are reduced to 40 percent below the 1990 level by 2030. CARB updated its Climate Change Scoping Plan in December of 2017 to accelerate 2030 statewide target in terms of million metric tons of CO₂e (MMTCO₂e). Based on the emissions reductions directed by SB 32, the annual 2030 statewide target emissions level for California is 260 MMTCO₂e.

2022 Scoping Plan

On December 15, 2022, CARB approved the 2022 Scoping Plan. The 2022 Scoping Plan provides a sector-by-sector guide on how to reduce man-made (i.e., anthropogenic) GHG emissions by 85 percent below 1990 levels and achieve carbon neutrality by 2045 over a 25-year horizon.³⁵ The primary focus of the 2022 Scoping Plan is to reduce the usage of fossil fuels by electricizing the transportation sector, procuring electricity from renewable resources, phasing out natural gas in land use developments, and building transit-oriented communities that encourage multi-modal transportation. If implemented successfully, the 2022 Scoping Plan would not only reduce GHG emissions but also reduce smog-forming air pollution (NO_x) by 71 percent and reduce fossil fuel demand by 94 percent. The 2022 Scoping Plan also details natural carbon capture and storage process along with mechanical carbon capture programs to address the remaining 15 of anthropogenic GHG emissions that will remain post-2045. To meet these goals, CARB also includes a revised goal of reducing state GHG emissions 48 percent below 1990 levels by 2030.

³⁵ CARB. *2022 Scoping Plan for Achieving Carbon Neutrality*. December 2022. Page 5.

Senate Bill 375 and Plan Bay Area 2050

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

Consistent with the requirements of SB 375, the Metropolitan Transportation Commission (MTC) partnered with the Association of Bay Area Governments (ABAG), BAAQMD, and the Bay Conservation and Development Commission to prepare the region's Sustainable Communities Strategy (SCS) as part of the Regional Transportation Plan process. The SCS is referred to as Plan Bay Area 2050.

Plan Bay Area 2050 is a long-range plan for the nine-county San Francisco Bay Area that provides strategies that increase the availability of affordable housing, support a more equitable and efficient economy, improve the transportation network, and enhance the region's environmental resilience. Plan Bay Area 2050 promotes the development of a variety of housing types and densities within identified priority development areas (PDAs). PDAs are areas generally near existing job centers or frequent transit that are locally identified for housing and job growth.³⁶

Plan Bay Area 2050 includes a goal to increase the number of households that live within 0.5 mile of frequent transit by 2050. Plan Bay Area 2050 promotes strategies that support active and shared modes, combined with a transit-supportive land use patterns, which together are forecasted to lower the share of Bay Area residents that drive to work alone from 50 percent in 2015 to 33 percent in 2050, resulting in a decrease in GHG emissions. Plan Bay Area 2050 also provides a path to emissions reductions via goals to expand TDM initiatives that support and augment employers' commute programs.

SB 100

SB 100, known as The 100 Percent Clean Energy Act of 2018, was adopted on September 10, 2018. The overall goal is to have all retail electricity sold in California be procured from 100 percent renewable and zero-carbon resources by the year 2045. SB 100 also modified the renewables portfolio standard to 50 percent by 2025 and 60 percent by 2030.

Executive Order B-55-18 and Assembly Bill 1279

Executive Order B-55-18 was issued in September 2018. It ordered a new statewide goal of achieving carbon neutrality no later than 2045 and to maintain net negative emissions thereafter.

³⁶ Association of Bay Area Governments and Metropolitan Transportation Commission. Plan Bay Area 2050. October 21, 2021. Page 20.

Assembly Bill 1279, also known as the California Climate Crisis Act, was approved on September 16, 2022, and codifies the statewide goal set by Executive Order B-55-18 of achieving net zero GHG emissions no later than the year 2045 and maintaining net negative emissions thereafter. In addition, this bill has a statewide goal of reducing anthropogenic GHG emissions by 85 percent below the 1990 levels by the year 2045. The bill requires CARB to work with relevant state agencies to ensure that updates to the scoping plan identify and recommend measures to achieve these policy goals and implement strategies that enable CO₂ removal solutions and carbon capture, utilization, and storage technologies in California. The bill requires CARB to submit an annual report.

Advanced Clean Cars II Regulation

To continue reducing air pollutants and GHG emissions in the transportation sector, CARB adopted the Advanced Clean Cars II Regulations (Resolution 22-12) on August 25, 2022. The new regulation requires that by 2035 all new passenger cars, trucks, and SUVs sold in California will be zero-emission vehicles. This regulation bans the sale of new gasoline or diesel passenger cars, trucks, and SUVs in California from automakers. Beginning in 2026, 35 percent of new vehicle sales must be zero-emission vehicles and plug-in hybrid electric vehicles (EV) and that percentage will increase per year. By 2030, 70 percent of new vehicle sales will be zero-emissions vehicles and by the 2035 model year 100 percent of new vehicle sales will be zero-emissions. CARB will limit the use of plug-in hybrid EVs in the percentage requirements to keep the manufacturing of zero-emissions as the primary goal. Existing gasoline cars can continue to be driven and sold as used cars beyond 2035. CARB is required to track and report on the zero-emissions vehicle market development annually.

California Building Standards Code – Title 24 Part 11 and Part 6

The CALGreen Code is part of the California Building Standards Code under Title 24, Part 11.³⁷ The CALGreen Code encourages sustainable construction standards that incorporate planning/design, energy efficiency, water efficiency resource efficiency, and environmental quality. These green building standard codes are mandatory statewide and are applicable to residential and non-residential developments. The most recent CALGreen Code (2022 CALGreen Code) was effective as of January 1, 2023.

The California Building Energy Efficiency Standards (California Energy Code) is under Title 24, Part 6 and is overseen by the CEC. This code includes design requirements to conserve energy in new residential and non-residential developments. This Energy Code is enforced and verified by cities during the planning and building permit process. The 2022 Energy Code replaced the 2019 Energy Code as of January 1, 2023. There are 2022 standards for single-family residences, multi-family

³⁷ Refer to <https://www.dgs.ca.gov/BSC/CALGreen>.

residences, and non-residential uses.^{38,39,40} Major changes include electric-ready single-family and multi-family residence and solar photovoltaic systems and energy storage systems for residential and commercial developments.

Requirements for EV charging infrastructure are set forth in Title 24 of the California Code of Regulations and are regularly updated on a three-year cycle. The CALGreen standards consist of a set of mandatory standards required for new development, as well as two more voluntary standards known as Tier 1 and Tier 2. The 2022 CALGreen standards require deployment of additional EV chargers in various building types, including multi-family residential, hotel, and non-residential land uses. They include requirements for both EV capable parking spaces and the installation of EV supply equipment for multi-family residential and nonresidential buildings. The 2022 CALGreen standards also include requirements for both EV readiness and the actual installation of EV chargers.

CALGreen also requires new construction and demolition projects to have a diversion of at least 65 percent of the construction waste generated.

Regional and Local

2017 Clean Air Plan

To protect the climate, the 2017 Clean Air Plan prepared by the Air District includes control measures designed to reduce emissions of methane and other super-GHGs that are potent climate pollutants in the near-term, and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.

Air District CEQA Thresholds for Evaluating Climate Impacts from Land Use Projects and Plans

In April 2022, the Air District Board of Directors adopted the Justification Report: CEQA Thresholds for Evaluating the Significance of Climate Impacts from Land Use Projects and Plans. The report includes Air District's thresholds of significance for use in determining whether a proposed project or plan will have a significant impact on climate change and provides substantial evidence to support these thresholds. The April 2022 GHG thresholds replace the GHG thresholds set forth in the May 2017 BAAQMD CEQA Air Quality Guidelines and represent what is required of new land use development projects and plans to achieve California's long-term climate goal of carbon neutrality by 2045.

³⁸ California Energy Commission. "2022 Building Energy Efficiency Standards What's New for Single-Family Residential." Revised July 15, 2022. Accessed July 14, 2025. https://www.energy.ca.gov/sites/default/files/2022-08/2022_Single-family_Whats_New_Summary_ADA.pdf.

³⁹ California Energy Commission. "2022 Building Energy Efficiency Standards What's New for Multifamily." Revised August 4, 2022. Accessed July 14, 2025. https://www.energy.ca.gov/sites/default/files/2022-08/2022_Multifamily_Whats_new_Summary_ADA.pdf.

⁴⁰ California Energy Commission. "2022 Building Energy Efficiency Standards What's New for Nonresidential." Revised August 4, 2022. Accessed July 14, 2025. https://www.energy.ca.gov/sites/default/files/2022-08/2022_Nonresidential_Whats_New_Summary_ADA.pdf.

San José 2030 Greenhouse Gas Reduction Strategy

The 2030 Greenhouse Gas Reduction Strategy (GHGRS) is the latest update to the City's GHGRS and is designed to meet statewide GHG reduction targets for 2030 set by SB 32. As a qualified Climate Action Plan, the 2030 GHGRS allows for tiering and streamlining of GHG analyses under CEQA. The GHGRS identifies General Plan policies and strategies to be implemented by development projects in the areas of green building/energy use, multi-modal transportation, water conservation, and solid waste reduction. Projects that comply with the policies and strategies outlined in the 2030 GHGRS, would have less than significant GHG impacts under CEQA.

Climate Smart San José

Climate Smart San José is a plan to reduce air pollution, save water, and create a stronger and healthier community. The City approved goals and milestones in February 2018 to ensure the City can substantially reduce GHG emissions through reaching the following goals and milestones:

- All new residential buildings will be Zero Net Carbon Emissions (ZNE) by 2020, and all new commercial buildings will be ZNE by 2030 (Note that ZNE buildings would be all electric with a carbon-free electricity source).
- San José Clean Energy (SJCE) will provide 100-percent carbon-free base power by 2021.
- One gigawatt of solar power will be installed in San José by 2040.
- 61 percent of passenger vehicles will be powered by electricity by 2030.

Envision San José 2040 General Plan

The Envision San José 2040 General contains the following policies which are specific to greenhouse gases and applicable to the proposed project:

Policy	Description
MS-1.1	Demonstrate leadership in the development and implementation of green building policies and practices. Ensure that all projects are consistent with or exceed the City's Green Building Ordinance and City Council Policies as well as State and/or regional policies which require that projects incorporate various green building principles into their design and construction.
MS-1.4	Foster awareness of San José's business and residential communities of the economic and environmental benefits of green building practices. Encourage design and construction of environmentally responsible commercial and residential buildings that are also operated and maintained to reduce waste, conserve water, and meet other environmental objectives.
MS-2.3	Utilize solar orientation (i.e., building placement), landscaping, design, and construction techniques for new construction to minimize energy consumption.
MS-2.6	Promote roofing design and surface treatments that reduce the heat island effect of new and existing development and support reduced energy use, reduced air pollution, and a healthy urban forest. Connect businesses and residents with cool roof rebate programs through City outreach efforts.

MS-2.11	Require new development to incorporate green building policies, including those required by the Green Building Ordinance. Specifically, target reduced energy use through construction techniques (e.g., design of building envelopes and systems to maximize energy performance), through architectural design (e.g., design to maximize cross ventilation and interior daylight) and through site design techniques (e.g., orienting buildings on sites to maximize effectiveness of passive solar design.).
MS-5.5	Maximize recycling and composting from all residents, businesses, and institutions in the City.
MS-14.4	Implement the City's Green Building Policies so that new construction and rehabilitation of existing buildings fully implements industry best practices, including the use of optimized energy systems, selection of materials and resources, water efficiency, sustainable site selection, passive solar building design, and planting of trees and other landscape materials to reduce energy consumption.
MS-21.1	Manage the Community Forest to achieve San José's environmental goals for water and energy conservation, wildlife habitat preservation, stormwater retention, heat reduction in urban areas, energy conservation, and the removal of carbon dioxide from the atmosphere.
TR-1.16	Develop a strategy to construct a network of public and private alternative fuel vehicle charging/fueling stations city wide. Revise parking standards to require the installation of electric charging infrastructure at new large employment sites and large, multiple family residential developments.

4.8.1.4 Existing Conditions

Unlike emissions of criteria and toxic air pollutants, which have regional and local impacts, emissions of GHGs have a broader, global impact. Global warming is a process whereby GHGs accumulating in the upper atmosphere contribute to an increase in the temperature of the earth and changes in weather patterns. GHG emissions for the existing site are primarily generated by vehicle trips to the site.

4.8.2 Impact Discussion

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

The Air District threshold of significance for land use development projects is to either A) incorporate project design elements and achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current version of the California

Climate Change Scoping Plan or B) be consistent with a local GHG reduction strategy that meets the criteria of CEQA Guidelines Section 15183.5 (b).

Project-Level Impact

Pursuant with Air District, for land use projects to result in a less than significant GHG emissions impact, the land use project would need to comply with threshold A or B below.

- A. Projects must include, at a minimum, the following project design elements:
 - 1. Buildings
 - a. The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development).
 - b. The project will not result in any wasteful, inefficient, or unnecessary energy usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.
 - 2. Transportation
 - a. Achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target, reflecting the recommendations provided in the Governor's Office of Planning and Research's Technical Advisory on Evaluating Transportation Impacts in CEQA:
 - i. Residential projects: 15 percent below the existing VMT per capita
 - ii. Office projects: 15 percent below the existing VMT per employee
 - iii. Retail projects: no net increase in existing VMT
 - a. Achieve compliance with off-street EV requirements in the most recently adopted version of CALGreen Tier 2.
- B. Be consistent with a local GHG reduction strategy that meets the criteria under State CEQA Guidelines Section 15183.5(b).

-
- a) Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?
-

Construction Impacts

GHG emissions associated with construction would be created by on-site operation of construction equipment, truck trips, and worker trips to/from the project site. Neither the City nor the Air District have an adopted threshold of significance for construction-related GHG emissions. Additionally, these GHG emissions would be temporary and would not change the GHG emissions conditions in the Air Basin long term. Therefore, due to the temporary nature of these emissions, the proposed project would result in a less than significant impact resulting from construction GHG emissions. **(Less than Significant Impact)**

Operational Impacts

The proposed project would increase vehicle trips to the site which could increase GHG emissions resulting from the school. The proposed project would be required to comply with the San José GHGRS which provides requirements for projects to have less than significant operational GHG emissions. The proposed project would include measures to comply with this policy, as discussed below, would result in a less than significant operational GHG impact. **(Less than Significant Impact)**

-
- b) Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs?
-

2030 Greenhouse Gas Reduction Strategy

Projects that are consistent with the City's adopted GHGRS would have a less than significant impact related to GHG emissions through 2030. The proposed project is within the development expected in the Envision 2040 General Plan; therefore, the project would be consistent with the land use assumptions in the 2030 GHGRS.

The GHGRS includes seven strategies for emissions reductions. These include enrollment in SJCE, renewable energy development, retrofits of existing buildings to remove natural gas demands, achieving a zero-waste goal, modernization of Caltrain, and water conservation. The proposed project would include photovoltaic cells on the rooftop of the new multi-purpose building which would provide clean energy for the project site. The proposed project would also incorporate all applicable mandatory measures of the GHGRS (refer to Appendix E), including using 100 percent carbon-free electricity, exceeding the City's construction & demolition waste diversion requirement, implementing a Transportation Demand Management program, and installing high-efficiency appliances/water fixtures and water-sensitive landscaping.

For these reasons, the project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs. **(Less than Significant Impact)**

4.9 Hazards and Hazardous Materials

The information in this section is based, in part, on a Phase I Environmental Site Assessment (Phase I ESA) completed by AEI on March 5, 2025. This is included as Appendix F of this report for reference.

4.9.1 Environmental Setting

4.9.1.1 *Regulatory Framework*

Overview

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

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

Federal and State

Federal Aviation Regulations Part 77

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

Comprehensive Environmental Response, Compensation, and Liability Act

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

environment. Over five years, \$1.6 billion was collected and the tax went to a trust fund for cleaning up abandoned or uncontrolled hazardous waste sites. CERCLA accomplished the following objectives:

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

The law authorizes two kinds of response actions:

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

CERCLA also enabled the revision of the National Contingency Plan (NCP). The NCP provided the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, or contaminants. The NCP also established the National Priorities List. CERCLA was amended by the Superfund Amendments and Reauthorization Act on October 17, 1986.⁴¹

Resource Conservation and Recovery Act

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

The Federal Hazardous and Solid Waste Amendments (HSWA) are the 1984 amendments to RCRA that focused on waste minimization, phasing out land disposal of hazardous waste, and corrective action for releases. Some of the other mandates of this law include increased enforcement authority for the EPA, more stringent hazardous waste management standards, and a comprehensive underground storage tank program.⁴²

⁴¹ United States Environmental Protection Agency. "Superfund: CERCLA Overview." Accessed March 7, 2025.

<https://www.epa.gov/superfund/superfund-cercla-overview>.

⁴² United States Environmental Protection Agency. "Summary of the Resource Conservation and Recovery Act." Accessed March 7, 2025. <https://www.epa.gov/laws-regulations/summary-resource-conservation-and-recovery-act>.

Government Code Section 65962.5

Section 65962.5 of the Government Code requires CalEPA to develop and update a list of hazardous waste and substances sites, known as the Cortese List. The Cortese List is used by state and local agencies and developers to comply with CEQA requirements. The Cortese List includes hazardous substance release sites identified by the Department of Toxic Substances Control (DTSC) and State Water Resources Control Board (SWRCB).⁴³

Toxic Substances Control Act

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

California Accidental Release Prevention Program

The California Accidental Release Prevention (CalARP) Program aims to prevent accidental releases of regulated hazardous materials that represent a potential hazard beyond the boundaries of a property. Facilities that are required to participate in the CalARP Program use or store specified quantities of toxic and flammable substances (hazardous materials) that can have off-site consequences if accidentally released. The Santa Clara County Department of Environmental Health reviews CalARP risk management plans as the CUPA.

Asbestos-Containing Materials

Friable asbestos is any asbestos-containing material (ACM) that, when dry, can easily be crumbled or pulverized to a powder by hand, allowing the asbestos particles to become airborne. Common examples of products that have been found to contain friable asbestos include acoustical ceilings, plaster, wallboard, and thermal insulation for water heaters and pipes. Common examples of non-friable ACMs are asphalt roofing shingles, vinyl floor tiles, and transite siding made with cement. The EPA began phasing out use of friable asbestos products in 1973 and issued a ban in 1978 on manufacture, import, processing, and distribution of some asbestos-containing products and new uses of asbestos products.⁴⁴ The EPA is currently considering a proposed ban on on-going use of asbestos.⁴⁵ National Emission Standards for Hazardous Air Pollutants (NESHAP) guidelines require that potentially friable ACMs be removed prior to building demolition or remodeling that may disturb the ACMs.

⁴³ California Environmental Protection Agency. "Cortese List Data Resources." Accessed March 7, 2025. <https://calepa.ca.gov/sitecleanup/corteselist/>.

⁴⁴ United States Environmental Protection Agency. "EPA Actions to Protect the Public from Exposure to Asbestos." Accessed March 7, 2025. <https://www.epa.gov/asbestos/epa-actions-protect-public-exposure-asbestos>

⁴⁵Ibid.

CCR Title 8, Section 1532.1

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

Regional and Local

Municipal Regional Permit Provision C.12.f

PCBs were produced in the United States between 1955 and 1978 and used in hundreds of industrial and commercial applications, including building and structure materials such as plasticizers, paints, sealants, caulk, and wood floor finishes. In 1979, the EPA banned the production and use of PCBs due to their potential harmful health effects and persistence in the environment. PCBs can still be released to the environment today during demolition of buildings that contain legacy caulks, sealants, or other PCB-containing materials.

With the adoption of the San Francisco Bay Region Municipal Regional Stormwater National Pollutant Discharge Elimination System (NPDES) Permit (MRP) by the San Francisco Bay Regional Water Quality Control Board on November 19, 2015, Provision C.12.f requires that permittees develop an assessment methodology for applicable structures planned for demolition to ensure PCBs do not enter municipal storm drain systems.⁴⁶ Municipalities throughout the Bay Area are currently modifying demolition permit processes and implementing PCB screening protocols to comply with Provision C.12.f. Buildings constructed between 1950 and 1980 that are proposed for demolition must be screened for the presence of PCBs prior to the issuance of a demolition permit. Single family homes and wood-frame structures are exempt from these requirements.

Envision San José 2040 General Plan

The Envision San José 2040 General contains the following policies which are specific to hazards and hazardous materials and applicable to the proposed project.

Policy	Description
EC-7.1	For development and redevelopment projects, require evaluation of the proposed site's historical and present use to determine if any potential environmental conditions exist that could adversely impact the community or environment.

⁴⁶ California Regional Water Quality Control Board. *San Francisco Bay Region Municipal Regional Stormwater NPDES Permit*. November 2015.

EC-7.2	Identify existing soil, soil vapor, groundwater and indoor air contamination and mitigation for identified human health and environmental hazards to future users and provide as part of the environmental review process for all development and redevelopment projects. Mitigation measures for soil, soil vapor and groundwater contamination shall be designed to avoid adverse human health or environmental risk, in conformance with regional, state and federal laws, regulations, guidelines and standards.
EC-7.3	Where a property is located in near proximity of known groundwater contamination with volatile organic compounds or within 1,000 feet of an active or inactive landfill, evaluate and mitigate the potential for indoor air intrusion of hazardous compounds to the satisfaction of the City's Environmental Compliance Officer and appropriate regional, state and federal agencies prior to approval of a development or redevelopment project.
EC-7.4	On redevelopment sites, determine the presence of hazardous building materials during the environmental review process or prior to project approval. Mitigation and remediation of hazardous building materials, such as lead-based paint and asbestos containing materials, shall be implemented in accordance with State and Federal laws and regulations.
EC-7.5	In development and redevelopment sites, require all sources of imported fill to have adequate documentation that it is clean and free of contamination and/or acceptable for the proposed land use considering appropriate environmental screening levels for contaminants. Disposal of groundwater from excavations on construction sites shall comply with local, regional, and State requirements.
EC-7.8	When an environmental review process identifies the presence of hazardous materials on a proposed development site, the City will ensure that feasible mitigation measures that will satisfactorily reduce impacts to human health and safety and to the environment are required of or incorporated into the projects. This applies to hazardous materials found in the soil, groundwater, soil vapor, or in existing structures.
EC-7.9	Ensure coordination with the County of Santa Clara Department of Environmental Health, Regional Water Quality Control Board, Department of Toxic Substances Control or other applicable regulatory agencies, as appropriate, on projects with contaminated soil and/or groundwater or where historical or active regulatory oversight exists.
EC-7.10	Require review and approval of grading, erosion control and dust control plans prior to issuance of a grading permit by the Director of Public Works on sites with known soil contamination. Construction operations shall be conducted to limit the creation of dispersion of dust and sediment runoff.
TR-14.2	Regulate development in the vicinity of airports in accordance with Federal Aviation Administration regulations to maintain the airspace required for the safe operation of these facilities and avoid potential hazards navigation.
TR-14.3	For development in the vicinity of airports, take into consideration the safety and noise policies identified in the Santa Clara County Airport Land Use Commission (ALUC) comprehensive land use plans for Mineta San José International and Reid-Hillview airports.
TR-14.4	Require aviation and "no build" easement dedications, setting forth maximum elevation limits as well as for acceptance of noise or other aircraft related effects, as needed, as a condition of approval of development in the vicinity of airports.
CD-5.8	Comply with applicable Federal Aviation Administration regulations identifying maximum heights for obstructions to promote air safety.

4.9.1.2 Existing Conditions

Historic Uses of the Project Site

Prior to 1889, the uses on the project site are unknown based on available information. After 1889, continuing until 1950, the area is occupied by unimproved land or agricultural land with two structures which appear to be residences. After 1950, the current school structures began to be developed until approximately 1997 when Harker Schools took over management of the school site.

Historic Uses of Surrounding Areas

Historically, the areas surrounding the project site have been used for a variety of land uses. The uses are summarized in the table below.

Year	North	South	East	West
1939	Agricultural areas across a roadway	Agricultural areas across a roadway	Agricultural areas	Agricultural areas
1950	Agricultural areas across a roadway and a residential structure	Agricultural areas across a roadway	Agricultural areas across a roadway	Agricultural areas
1956	Agricultural areas across a roadway and multiple residential structure	Agricultural areas across a roadway and multiple residential structure	Roadway followed by agricultural land, residential-type buildings and out buildings	Vacant land with residential and/or agricultural-type buildings
1963	Roadway followed by vacant land, residential-type buildings and out buildings	Roadway followed by residential development	Roadway followed by agricultural land, residential-type buildings and out buildings	Residential development
1968	Roadway followed by vacant land and residential development	Roadway followed by residential development	Roadway followed by residential development	Residential development
1974	Roadway followed by vacant land, residential development and commercial/industrial-type buildings	Roadway followed by residential development	Roadway followed by residential development	Residential development
1982	Roadway followed by residential development and commercial-type buildings	Roadway followed by residential development	Roadway followed by residential development	Residential development

Source: AEI. Phase 1 Environmental Site Assessment. March 5, 2025

Existing Uses of Project Site

The site currently consists of seven structures constructed between 1950 and 2001. The site also contains multiple sheds and storage buildings, asphalt-paved parking/drive areas, sport areas, swimming pool, a concrete-paved pool deck and walkways, playgrounds, an athletic field, several covered patios, perimeter fencing and security gates, and multiple landscaped areas.

Existing Uses of Surrounding Areas

The existing uses surrounding the project site are roadways and residential areas including single and multi-family residences.

Existing and Historic Hazardous Conditions On-Site

Based on the use of the site as an agricultural area for many years, the presence of metals and other chemicals associated with pesticides and fertilizers could be present on-site. Based on the lack of documented spills and the developed state of the site, the Phase 1 ESA concluded that the affected soils would have likely been removed from the site and replaced with fill material which would not contain contaminants from the previous uses.

The existing site utilizes chemicals for arts and crafts, cleaning, chemistry classes, and other on-site educational activities. These materials are removed from the site according to proper disposal procedures and do not represent a hazardous condition. Additionally, the age of the buildings on the project site indicates that lead or asbestos containing materials may be present in the buildings. These would be hazardous if disturbed during demolition or construction activities.

No off-site hazardous conditions were found to impact the project site.

4.9.2 Impact Discussion

	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?	☐	☒	☐	☐

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
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, will 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 two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
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?	☐	☐	☐	☒
a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				

The proposed project would require the demolition of two structures on the project site and would disturb soils on-site during excavation. The Phase 1 ESA concluded that although agricultural activity was conducted on-site, the soil on-site does not contain hazardous materials. However, the potential remains that soils may still contain pesticides or heavy metals from fertilizers. Therefore, the proposed project may expose construction workers to impacts from exposure to these materials.

Impact HAZ-1

The ground disturbance associated with the proposed project has the potential to encounter agricultural soils with remnant contamination resulting from the use of pesticides and fertilizer on the project site.
(Significant Impact)

Mitigation Measures

MM HAZ-1.1

Prior to the issuance of any demolition, grading or building permits (whichever occurs first), the project proponent shall conduct the proposed

project shall conduct soil sampling for metals (including lead and arsenic) and organochlorine pesticides on the project site where ground disturbance is occurring to determine whether elevated concentrations of contaminants in the soil exceed environmental screening levels due to a historic agricultural use. A report containing the findings and any recommendations of the soil sampling shall be prepared by a qualified expert and submitted to the Director of Planning, Building and Code Enforcement or the Director's designee for review and approval. If the sampling on the site finds If the sampling contains organochlorine pesticides or metals above regulatory environmental screening levels for public health the project proponent shall coordinate with the San José Department of Planning, Building and Code Enforcement and Santa Clara County Department of Environmental Health (SCDEH) to remove and replace soils on the project site.

Therefore, after confirmation of the presence or absence of soil contamination on the project site, construction of the proposed project would not require routine transport, use, or disposal of hazardous materials and the proposed project would have a less than significant impact with mitigation incorporated.

During operation of the proposed project, the site would continue operation as a school site which would require some transport of chemicals used in arts and crafts, cleaning, and for chemistry school classes. The quantities and frequency of transport and disposal of these materials would be minimal and the existing safety policies for handling these materials would remain in place, consistent with the existing operations on-site. Therefore, the proposed project would create a less than significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials during operations. **(Less than Significant Impact with Mitigation Incorporated)**

-
- b) Would the project 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?
-

The proposed project would require the demolition of two structures on the project site and would disturb soils on-site during excavation. The structures on-site were determined to be constructed with asbestos and lead containing materials due to the age of the structures. Disturbance of these materials would result in hazards to construction workers and other occupants of the project site during construction. The proposed project would comply with the State requirements for handling lead and asbestos materials (CCR Title 8, Section 1532.1 and the National Emission Standards for Hazardous Air Pollutants) and City of San José General Plan Policy EC-7.4 to reduce impacts from these materials. Therefore, the proposed project would result in a less than significant impact resulting from reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. **(Less than Significant Impact)**

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

The proposed project is a school site and would not result in the emission of hazardous materials or require the handling of hazardous chemicals. Therefore, the proposed project would have a less than significant impact from interfacing with these materials within one-quarter mile of an existing or proposed school. **(Less than Significant Impact)**

- d) Would the project 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?
-

The project site is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and the proposed project would not result in a significant hazard to the public or environment. Therefore, the proposed project would have no impact due to a Government Code Section 65962.5. **(No Impact)**

- e) If 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?
-

The project site is located approximately 5.6 miles south of the nearest airport area for the San José Mineta International Airport. Therefore, the proposed project would not be located within two miles of a public airport and would not result in a safety hazard or excessive noise for people on the project site. **(No Impact)**

- f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
-

The proposed project would maintain the existing use of the project site as a school site. The project would not result in adjustments to the emergency or evacuation plans for the area because it would not relocate streets or construct any barriers that would interfere with these plans. Therefore, the proposed project would have no impact on the implementation of an adopted emergency response plan or emergency evacuation plan. **(No Impact)**

- g) Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?
-

The project site is located within an urbanized area of San José and is not located within a fire hazard area for the county. Therefore, the proposed project would not result in exposure of people or structures to risk of loss, injury, or death involving wildfires. **(No Impact)**

4.10 Hydrology and Water Quality

4.10.1 Environmental Setting

4.10.1.1 *Regulatory Framework*

Federal and State

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

Under Section 303(d) of the federal Clean Water Act, the SWRCB and RWQCBs are required to identify impaired surface water bodies that do not meet water quality standards and develop total maximum daily loads (TMDLs) for contaminants of concern. The list of the state's identified impaired surface water bodies, known as the "303(d) list" can be found on the on the SWRCB's website.⁴⁷

National Flood Insurance Program

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

Statewide Construction General Permit

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

⁴⁷ California State Water Resources Control Board. "2020-2022 California Integrated Report (Clean Water Act Section 303(d) List and 305(b) Report)." May 11, 2022. Accessed July 17, 2025.
https://www.waterboards.ca.gov/water_issues/programs/water_quality_assessment/2020_2022_integrated_report.html.

pollutants and to protect beneficial uses and receiving waters from the adverse effects of construction-related storm water discharges.

Regional and Local

San Francisco Bay Basin Plan

The San Francisco Bay RWQCB regulates water quality in accordance with the Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan). The Basin Plan lists the beneficial uses that the San Francisco Bay RWQCB has identified for local aquifers, streams, marshes, rivers, and the San Francisco Bay, as well as the water quality objectives and criteria that must be met to protect these uses. The San Francisco Bay RWQCB implements the Basin Plan by issuing and enforcing waste discharge requirements, including permits for nonpoint sources such as the urban runoff discharged by a City's stormwater drainage system. The Basin Plan also describes watershed management programs and water quality attainment strategies.

Municipal Regional Permit Provision C.3

The San Francisco Bay RWQCB re-issued the Municipal Regional Stormwater NPDES Permit (MRP) in May 2022 to regulate stormwater discharges from municipalities and local agencies (co-permittees) in Alameda, Contra Costa, San Mateo, and Santa Clara Counties, and the cities of Fairfield, Suisun City, and Vallejo.⁴⁸ Under Provision C.3 of the MRP, new and redevelopment projects that create or replace 5,000 square feet or more of impervious surface area are required to implement site design, source control, and Low Impact Development (LID)-based stormwater treatment controls to treat post-construction stormwater runoff. LID-based treatment controls are intended to maintain or restore the site's natural hydrologic functions, maximizing opportunities for infiltration and evapotranspiration, and using stormwater as a resource (e.g., rainwater harvesting for non-potable uses). The MRP also requires that stormwater treatment measures are properly installed, operated, and maintained.

In addition to water quality controls, the MRP requires new development and redevelopment projects that create or replace one acre or more of impervious surface to manage development-related increases in peak runoff flow, volume, and duration, where such hydromodification is likely to cause increased erosion, silt pollutant generation, or other impacts to local rivers, streams, and creeks. Projects may be deemed exempt from these requirements if: (1) the post-project impervious surface area is less than, or the same as, the pre-project impervious surface area; (2) the project is located in a catchment that drains to a hardened (e.g., continuously lined with concrete) engineered channel or channels or enclosed pipes, which extend continuously to the Bay, Delta, or flow-controlled reservoir, or, in a catchment that drains to channels that are tidally influenced; or

⁴⁸ California Regional Water Quality Control Board San Francisco Region. Municipal Regional Stormwater NPDES Permit, Order No. R2-2022-0018, NPDES Permit No. CAS612008. May 11, 2022.

(3) the project is located in a catchment or subwatershed that is highly developed (i.e., that is 70 percent or more impervious).⁴⁹

Municipal Regional Permit Provision C.12.f

Provision C.12.f of the MRP requires co-permittee agencies to implement a control program for PCBs that reduces PCB loads by a specified amount during the term of the permit, thereby making substantial progress toward achieving the urban runoff PCBs waste load allocation in the Basin Plan by March 2030.⁵⁰ Programs must include focused implementation of PCB control measures, such as source control, treatment control, and pollution prevention strategies. Municipalities throughout the Bay Area are updating their demolition permit processes to incorporate the management of PCBs in demolition building materials to ensure PCBs are not discharged to storm drains during demolition. Buildings constructed between 1950 and 1980 that are proposed for demolition must be screened for the presence of PCBs prior to the issuance of a demolition permit. Single-family residential and wood frame structures are exempt.

Water Resources Protection Ordinance and District Well Ordinance

Valley Water operates as the flood control agency for Santa Clara County. Valley Water also provides stream stewardship and is the wholesale water supplier throughout the county, which includes the groundwater recharge program. Well construction and deconstruction permits, including borings 45 feet or deeper, are required under Valley Water's Well Ordinance 90-1. Under Valley Water's Water Resources Protection Ordinance, projects within Valley Water property or easements are required to obtain encroachment permits.

2021 Groundwater Management Plan

The 2021 Groundwater Management Plan (GWMP) describes the Valley Water's comprehensive groundwater management framework, including existing and potential actions to achieve basin sustainability goals and ensure continued sustainable groundwater management. The GWMP covers the Santa Clara and Llagas subbasins, which are located entirely in Santa Clara County. Valley Water manages a diverse water supply portfolio, with sources including groundwater, local surface water, imported water, and recycled water. About half of the county's water supply comes from local sources and the other half comes from imported sources. Imported water includes the District's State Water Project and Central Valley contract supplies and supplies delivered by the San Francisco Public Utilities Commission (SFPUC) to cities in northern Santa Clara County. Local sources include natural groundwater recharge and surface water supplies. A small portion of the county's water supply is recycled water.

⁴⁹ The Hydromodification Applicability Maps developed the permittees under Order No. R2-2009-0074 were prepared using this standard, adjusted to 65 percent imperviousness to account for the presence of vegetation on the photographic references used to determine imperviousness. Thus, the maps for Order No. R2-2009-0074 are accepted as meeting the 70 percent requirement.

⁵⁰ California Regional Water Quality Control Board San Francisco Region. Municipal Regional Stormwater NPDES Permit, Order No. R2-2022-0018, NPDES Permit No. CAS612008. May 11, 2022.

Local groundwater resources make up the foundation of the county's water supply, but they need to be augmented by the District's comprehensive water supply management activities to reliably meet the county's needs. These include the managed recharge of imported and local surface water and in-lieu groundwater recharge through the provision of treated surface water and raw water, acquisition of supplemental water supplies, and water conservation and recycling.⁵¹

Post-Construction Urban Runoff Management (City Council Policy No. 6-29)

The City of San José's Policy No. 6-29 implements the stormwater treatment requirements of Provision C.3 of the MRP. City Council Policy No. 6-29 requires new development and redevelopment projects to implement post-construction Best Management Practices (BMPs) and Treatment Control Measures (TCMs). This policy also established specific design standards for post-construction TCMs for projects that create or replace 10,000 square feet or more of impervious surfaces.

Post-Construction Hydromodification Management (City Council Policy No. 8-14)

The City of San José's Policy No.8-14 implements the hydromodification management requirements of Provision C.3 of the MRP. Policy No. 8-14 requires new development and redevelopment projects that create or replace one acre or more of impervious surface area and are located within a subwatershed that is less than 65 percent impervious, to manage development-related increases in peak runoff flow, volume, and duration, where such hydromodification is likely to cause increased erosion, silt generation, or other impacts to local rivers, streams, and creeks. The policy requires these projects to be designed to control project-related hydromodification through a Hydromodification Management Plan (HMP). Projects that do not meet the minimum size threshold, drain into tidally influenced areas or directly into the Bay, or are infill projects in subwatersheds or catchment areas that are greater than or equal to 65 percent impervious would not be subject to the HMP requirement.

Construction Dewatering Waste Discharge Requirements

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

Envision San José 2040 General Plan

The Envision San José 2040 General contains the following policies which are specific to hydrology and water quality and applicable to the proposed project:

⁵¹ Valley Water. 2021 *Groundwater Management Plan, Santa Clara and Llagas Subbasins*. November 2021.

Policy	Description
EC-5.1	The City shall require evaluation of flood hazards prior to approval of development projects within a Federal Emergency Management Agency (FEMA) designated floodplain. Review new development and substantial improvements to existing structures to ensure it is designed to provide protection from flooding with a one percent annual chance of occurrence, commonly referred to as the “100-year” flood or whatever designated benchmark FEMA may adopt in the future. New development should also provide protection for less frequent flood events when required by the State.
EC-5.7	Allow new urban development only when mitigation measures are incorporated into the project design to ensure that new urban runoff does not increase flood risks elsewhere.
ER-8.1	Manage stormwater runoff in compliance with the City’s Post-Construction Urban Runoff (6-29) and Hydromodification Management (8-14) Policies.
ER-8.3	Ensure that private development in San José includes adequate measures to treat stormwater runoff.
ER-8.4	Assess the potential for surface water and groundwater contamination and require appropriate preventative measures when new development is proposed in areas where storm runoff will be directed into creeks upstream from groundwater recharge facilities.
ER-8.5	Ensure that all development projects in San José maximize opportunities to filter, infiltrate, store and reuse or evaporate stormwater runoff onsite.
MS-3.5	Minimize area dedicated to surface parking to reduce rainwater that comes into contact with pollutants.
IN-1.1	Provide and maintain adequate water, wastewater, and stormwater services to areas in and currently receiving these services from the City.
IN-3.4	Maintain and implement the City’s Sanitary Sewer Level of Service Policy and Sewer Capacity Impact Analysis (SCIA) Guidelines to: Prevent sanitary sewer overflows (SSOs) due to inadequate capacity so as to ensure that the City complies with all applicable requirements of the Federal Clean Water Act and State Water Board’s General Waste Discharge Requirements for Sanitary Sewer Systems and National Pollutant Discharge Elimination System permit. SSOs may pollute surface or ground waters, threaten public health, adversely affect aquatic life, and impair the recreational use and aesthetic enjoyment of surface waters. Maintain reasonable excess capacity in order to protect sewers from increased rate of hydrogen sulfide corrosion and minimize odor and potential maintenance problems.
IN-3.7	Design new projects to minimize potential damage due to storm waters and flooding to the site and other properties.
IN-3.9	Require developers to prepare drainage plans for proposed developments that define needed drainage improvements per City standards.

4.10.1.2 *Existing Conditions*

The project site is located within the San Tomas Aquino Creek watershed which runs north and deposits water into the San Francisco Bay. The watershed drains specifically into San Tomas Aquino Creek, approximately 0.4 miles south of the project site, and stormwater is carried to the creek through the City’s stormwater drainage system. According to the 303(d) impairment list, San Tomas Aquino Creek is impaired for ammonia and total toxic chemicals. Additionally, San Tomas Aquino

Creek is impaired in its use for aquatic life.⁵² Under existing conditions the project site is comprised of 306,338 square feet of impervious surfaces.

Groundwater on the project site is 30 to 50 feet below the ground surface.⁵³ There are no wells located on-site. The project site is not located within a dam failure inundation zone.⁵⁴ The project site is located within the Zone D flood hazard zone. Flood Hazard Zone D is where there are possible but undetermined flood hazards or unstudied areas.⁵⁵

The project site is located within a drainage area of Catchments Draining to Hardened Channel and/or Tidal Areas which is defined as an area where hydromodification of a channel would not occur if impervious surfaces increased.⁵⁶

4.10.2 Impact Discussion

	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 ground water 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:	☐	☐	☒	☐
- result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐

⁵² EPA. My Waterway Database. Accessed September 5, 2025.

<https://mywaterway.epa.gov/community/878%20Boynton%20Ave,%20San%20Jose,%20CA,%2095117,%20USA/overview>.

⁵³ Valley Water. Historical Groundwater Elevation Data. Accessed September 5, 2025.

https://gis.valleywater.org/Wells.html?_gl=1*%k2v8b*_ga*MjU0NzI2ODk4LjE3Mjc4MjA5NzE.*_ga_ZJR8CB7LNP*MTcyNzgyMDk3MS4xLjAuMTcyNzgyMDk3Ny41NC4wLjA.

⁵⁴ California Department of Water Resources. California Dam Breach Inundation Maps. Accessed September 5, 2025.

https://fmds.water.ca.gov/webgis/?appid=dam_prototype_v2.

⁵⁵ FEMA. National Flood Hazard Layer FIRMette. FEMA Flood Map Service Center. Accessed September 5, 2025.

<https://msc.fema.gov/portal/search?AddressQuery=2222%20Senter%20Road%20San%20Jos%C3%A9%20CA%20>.

⁵⁶ SCVURPPP. Classification of Subwatersheds and Catchment Areas for Determining Applicability of HMP Requirements. July 2011. https://scvurppp.org/wp-content/uploads/2019/08/San_Jose_HMP_Map.pdf. Accessed October 3, 2025.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
- substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☒	☐
- create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
- impede or redirect flood flows?	☐	☐	☒	☐
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?	☐	☐	☒	☐
a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?				

Construction Impacts

Implementation of the proposed project would involve excavation and grading activities on-site. Ground-disturbing activities could temporarily increase the amount of debris on-site and grading activities could increase erosion and sedimentation that could be carried by runoff into the San Francisco Bay. The total project site is approximately 9.14-acres in size, and the project would disturb approximately 3.22 acres which is more than one acre of soil. Therefore, the project would be required to obtain an NPDES General Permit for Construction Activities.

All development projects in the City are required to comply with the City of San José Grading Ordinance⁵⁷ whether or not the project is required to obtain an NPDES General Construction Permit. Prior to the issuance of a permit for grading activity occurring during the rainy season (October 1st to April 30th), the applicant shall submit an Erosion Control Plan to the Director of Public Works for review and approval. The Erosion Control Plan shall detail BMPs that would be implemented to prevent the discharge of stormwater pollutants.

Pursuant to City requirements, the following Standard Permit Conditions have been included in the project to reduce potential construction-related water quality impacts.

⁵⁷ The San José Grading Ordinance requires the use of erosion and sediment controls to protect water quality when a site is under construction.

Standard Permit Condition

- Burlap bags filled with drain rock shall be installed around storm drains to route sediment and other debris away from the drains.
- Earthmoving or other dust-producing activities shall be suspended during periods of high winds.
- All exposed or disturbed soil surfaces shall be watered at least twice daily to control dust as necessary. Stockpiles of soil or other materials that can be blown by the wind shall be watered or covered.
- All trucks hauling soil, sand, and other loose materials shall be covered and all trucks shall maintain at least two feet of freeboard.
- All paved access roads, parking areas, staging areas and residential streets adjacent to the construction sites shall be swept daily (with water sweepers).
- Vegetation in disturbed areas shall be replanted as quickly as possible.
- All excavation and grading work shall be scheduled in dry weather months or construction sites shall be weatherized.
- Ditches shall be installed to divert runoff around excavations and graded areas if necessary.
- All unpaved entrances to the site shall be filled with rock to remove mud from tires prior to entering City streets. A tire wash system shall be installed if requested by the City.
- The permittee shall comply with the City of San José Grading Ordinance, including implementing erosion and dust control during site preparation and with the City of San José Zoning Ordinance requirements for keeping adjacent streets free of dirt and mud during construction.

With implementation of the identified Standard Permit Conditions, construction of the proposed project would have a less than significant impact on water quality. **(Less than Significant Impact)**

Operational Impacts

The proposed project would result in replacement of more than 50 percent of the existing impervious surfaces on the project site, and the impervious surface area would increase by approximately 21,855 square feet. Therefore, the proposed project would be subject to City of San José Site Design, Source Control, and Treatment System requirements. The project includes new pervious areas, directs stormwater towards landscaped parts of the site, and features Low Impact Design (LID) features including landscaped areas, flow through planters with underdrains, and lined bioretention with underdrains. These would be sized to treat all on-site drainage areas according to C.3 LID treatment standards. Therefore, the proposed project would manage stormwater on-site in compliance with City of San José policies and would result in a less than significant operational water quality impact. **(Less than Significant Impact)**

-
- b) Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?
-

The proposed project would not include excavation beyond 15 feet in depth and would not encounter groundwater, which exists at depths greater than 30 feet. Additionally, the project would not directly extract groundwater for use on-site. Therefore, the proposed project would not require extraction or pumping of groundwater and would not impede sustainable groundwater management. Therefore, the proposed project would have a less than significant impact on groundwater resources. **(Less than Significant Impact)**

- c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impede or redirect flood flows?
-

The proposed project would increase the overall amount of impervious surface area on the project site, which would result in modification of some drainage on-site. As stated in the existing conditions section, the project site is within an area where impervious surfaces account for 65 percent or more of the drainage area, therefore, increases in impervious surfaces would not result in hydromodification of channels near the project site. Additionally, the proposed project would include LID features on the project site to capture, filter and dispense water into proper storm drainage facilities surrounding the project site. The LID measures also slow water release into the storm drainage system which would reduce the surge of water during a storm event. Therefore, the proposed project would result in a less than significant impact resulting from alteration of existing drainage patterns of the site. **(Less than Significant Impact)**

- d) Would the project risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones?
-

As stated above, the project site is not located within a tsunami hazard zone and is not located near a body of water which would have a seiche occur during seismic activity. Additionally, the project site is not within the dam failure hazard area for any major dams in the project area. The project site is located within Flood Hazard Zone D, which is not an area that has specified flood hazard or regulatory requirements. Therefore, the proposed project would not result in risks of release of pollutants due to project inundation during flooding events. **(Less than Significant Impact)**

-
- e) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?
-

The project site is not located within a groundwater recharge area and would not result in impediment of groundwater on the project site because the depth of excavation is proposed to be up to 15 feet and depth of groundwater under the site is approximately 30 feet below the ground. The project's landscaped areas would allow for infiltration on the project site and the project would not rely on extraction of groundwater resources beneath the site. Therefore, the proposed project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. **(Less than Significant Impact)**

4.11 Land Use and Planning

4.11.1 Environmental Setting

4.11.1.1 *Regulatory Framework*

Envision San José 2040 General Plan

The following policies in the City's General Plan have been adopted for the purpose of reducing or avoiding impacts related to land use and are applicable to the project.

Policy	Description
CD-1.12	Use building design to reflect both the unique character of a specific site and the context of surrounding development and to support pedestrian movement throughout the building site by providing convenient means of entry from public streets and transit facilities where applicable, and by designing ground level building frontages to create an attractive pedestrian environment along building frontages. Unless it is appropriate to the site and context, franchise-style architecture is strongly discouraged.
CD-4.9	For development subject to design review, the design of new or remodeled structures will be consistent or complementary with the surrounding neighborhood fabric (including but not limited to prevalent building scale, building materials, and orientation of structures to the street).
CD-5.8	Comply with applicable Federal Aviation Administration regulations identifying maximum heights for obstructions to promote air safety.
CD-5.9	To promote safety and to minimize noise and vibration impacts in residential and working environments, design development that is proposed adjacent to railroad lines to provide the maximum separation feasible between the rail line and dwelling units, yards, or common open space areas, offices and other job locations, facilities for the storage of toxic or explosive materials and the like. To the extent possible, devote areas of development closest to an adjacent railroad line to use as parking lots, public streets, peripheral landscaping, the storage of non-hazardous materials and so forth. In industrial facilities, where the primary function is the production, processing or storage of hazardous materials, for new development follow the setback guidelines and other protective measures called for in the City's Industrial Design Guidelines when such facilities are to be located adjacent to or near a main railroad line.
TR-14.2	Regulate development in the vicinity of airports in accordance with Federal Aviation Administration regulations to maintain the airspace required for the safe operation of these facilities and avoid potential hazards to navigation.
TR-14.3	For development in the Airport Influence Area overlays, ensure that land uses and development are consistent with the height, safety and noise policies identified in the Santa Clara County Airport Land Use Commission (ALUC) comprehensive land use plans for Mineta San José International and Reid-Hillview airports, or find, by a two-thirds vote of the governing body, that the proposed action is consistent with the purposes of Article 3.5 of Chapter 4 of the State Aeronautics Act, Public Utilities Code Section 21670 et seq.
TR-14.4	Require avigation and "no build" easement dedications, setting forth maximum elevation limits as well as for acceptable of noise or other aircraft related effects, as needed, as a condition of approval of development in the vicinity of airports.

IP-1.5	Maintain a Zoning Ordinance and Subdivision Ordinance that aligns with and supports the Land Use/Transportation Diagram and the 2040 General Plan goals and policies. Develop new Zoning Districts which enumerate uses and establish development standards including heights to achieve vital mixed-use complete communities and facilitate their implementation.
IP-1.6	Ensure that proposals to rezone and prezone properties conform to the Land Use/Transportation Diagram and advance 2040 General Plan Vision, goals and policies and benefit community welfare.
IP-1.7	Use standard Zoning Districts to promote consistent development patterns when implementing new land use entitlements. Limit use of the Planned Development Zoning process to unique types of development or land uses which cannot be implemented through standard Zoning Districts, or to sites with unusual physical characteristics which require special consideration due to those constraints.
IP-1.8	Consider and address potential land use compatibility issues, the form of surrounding development, and the availability and timing of infrastructure to support the proposed land use when reviewing rezoning or pre zoning proposals.

4.11.1.2 Existing Conditions

The project site is designated PQP under the General Plan and Zoning designations.

The PQP category is used to designate public land uses, including schools, colleges, corporation yards, homeless shelters, permanent supportive housing, libraries, fire stations, water treatment facilities, convention centers and auditoriums, museums, governmental offices and airports. Joint development projects which include public and private participation - such as a jointly administered public/private research institute or an integrated convention center/hotel/restaurant complex - are allowed. This category is also used to designate lands used by some private entities, including private schools, daycare centers, hospitals, public utilities, and the facilities of any organization involved in the provision of public services such as gas, water, electricity, and telecommunications facilities that are consistent in character with established public land uses. Private community gathering facilities, including those used for religious assembly or other comparable assembly activity, are also appropriate on lands with this designation. The appropriate intensity of development can vary considerably depending on potential impacts on surrounding uses and the particular Public/Quasi-Public use developed on the site.

The uses across the project site include multiple school structures and playground areas supporting the Harker Private School system. The surrounding uses are low to moderate density housing areas.

4.11.2 Impact Discussion

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

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
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?	☐	☐	☒	☐

a) Would the project physically divide an established community?

The proposed project would replace and improve structures on the existing school site and would not restrict access to surrounding land uses. The proposed project would also not result in new roadways or physical barriers which may restrict movement within the surrounding community. Therefore, the proposed project would have a less than significant impact. **(Less than Significant Impact)**

b) Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

The proposed project would replace and improve structures on a school site. The proposed use is consistent with the PQP designation. The proposed project would also comply with all other environmental regulations and policies adopted by the City for purposes of reducing or avoiding the environmental effects associated with development. Therefore, the proposed project would not result in a conflict with a land use plan, policy, or regulation related to an environmental effect. **(Less than Significant Impact)**

4.12 Mineral Resources

4.12.1 Environmental Setting

4.12.1.1 *Regulatory Framework*

State

Surface Mining and Reclamation Act

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

Pursuant to the mandate of the SMARA, the SMGB has designated the Communications Hill Area (Sector EE), bounded generally by the Southern Pacific Railroad, Curtner Avenue, SR 87, and Hillsdale Avenue as containing mineral deposits that are of regional significance as a source of construction aggregate materials. Neither the State Geologist nor the SMGB have classified any other areas in San José as containing mineral deposits of statewide significance or requiring further evaluation.

4.12.1.2 *Existing Conditions*

In the City of San José, the only mineral resources identified in the city are located at Communications Hill. The project site is located approximately six miles northwest of the Communications Hill area. Therefore, mineral resources are not expected to be found on the project site.⁵⁸

4.12.2 Impact Discussion

	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 will be of value to the region and the residents of the state?	☐	☐	☐	☒

⁵⁸ City of San José. Envision 2040 General Plan. Adopted November 1, 2011, as amended on January 31, 2024.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
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?	☐	☐	☐	☒

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

As stated above, the proposed project would not be constructed in an area of known mineral resources that would be of value to the region and residents of the state. Therefore, the proposed project would have no impact on these resources. **(No Impact)**

-
- b) Would the project 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?
-

As stated above, the proposed project would not be constructed in an area of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. Therefore, the proposed project would have no impact on these resources. **(No Impact)**

4.13 Noise

The information in this section is based, in part, on the Noise and Vibration Assessment completed by Illingworth & Rodkin, Inc. in September 2025. This is included as Appendix G of this report for reference.

4.13.1 Environmental Setting

4.13.1.1 *Regulatory Framework*

Noise

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

Since excessive noise levels can adversely affect human activities and human health, federal, state, and local governmental agencies have set forth criteria or planning goals to minimize or avoid these effects. Noise guidelines are generally expressed using one of several noise averaging methods, including L_{eq} , DNL, or CNEL.⁵⁹ These descriptors are used to measure a location's overall noise exposure, given that there are times when noise levels are higher (e.g., when a jet is taking off from an airport or when a leaf blower is operating) and times when noise levels are lower (e.g., during lulls in traffic flows on freeways or in the middle of the night). L_{max} is the maximum A-weighted noise level during a measurement period.

Vibration

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

⁵⁹ L_{eq} is a measurement of average energy level intensity of noise over a given period of time. Day-Night Level (DNL) is a 24-hour average of noise levels, with a 10 dB penalty applied to noise occurring between 10:00 PM and 7:00 AM. Community Noise Equivalent Level (CNEL) includes an additional five dB applied to noise occurring between 7:00 PM and 10:00 PM. Where traffic noise predominates, the CNEL and DNL are typically within two dBA of the peak-hour L_{eq} .

Envision San José 2040 General Plan

The Envision San José 2040 General contains the following policies which are specific to noise and applicable to the proposed project:

Policy	Description
Policy EC-1.1	Interior Noise Levels - The City's standard for interior noise levels in residences, hotels, motels, residential care facilities, and hospitals is 45 dBA DNL. Include appropriate site and building design, building construction and noise attenuation techniques in new development to meet this standard. For sites with exterior noise levels of 60 dBA DNL or more, an acoustical analysis following protocols in the City-adopted California Building Code is required to demonstrate that development projects can meet this standard. The acoustical analysis shall base required noise attenuation techniques on expected Envision General Plan traffic volumes to ensure land use compatibility and General Plan consistency over the life of this plan. Exterior Noise Levels - The City's acceptable exterior noise level objective is 60 dBA DNL or less for residential and most institutional land uses (Table EC-1). The acceptable exterior noise level objective is established for the City, except in the environs of the Norman Y. Mineta San José International Airport, the Downtown Core Area, and along major roadways. For the remaining areas of the City, the following standards apply: - For new multi-family residential projects and for the residential component of mixed-use development, use a standard of 60 dBA DNL in usable outdoor activity areas, excluding balconies and residential stoops and porches facing existing roadways. There will be common use areas available to all residents that meet the 60 dBA exterior standard. Use noise attenuation techniques such as shielding by buildings and structures for outdoor common use areas. - For single-family residential uses, use a standard of 60 dBA DNL for exterior noise in private usable outdoor activity areas, such as back yards.
Policy EC-1.2	Minimize the noise impacts of new development on land uses sensitive to increased noise levels (Categories 1, 2, 3 and 6) by limiting noise generation and by requiring use of noise attenuation measures such as acoustical enclosures and sound barriers, where feasible. The City considers significant noise impacts to occur if a project would: - Cause the DNL at noise sensitive receptors to increase by five dBA DNL or more where the noise levels would remain "Normally Acceptable"; or - Cause the DNL at noise sensitive receptors to increase by three dBA DNL or more where noise levels would equal or exceed the "Normally Acceptable" level.
Policy EC-1.3	New nonresidential land uses will mitigate noise generation to 55 dBA DNL at the property line when located adjacent to existing or planned noise sensitive residential and public/quasi-public land uses.
Policy EC-1.6	Regulate the effects of operational noise from existing and new industrial and commercial development on adjacent uses through noise standards in the City's Municipal Code.
Policy EC-1.7	Require construction operations within San José to use best available noise suppression devices and techniques and limit construction hours near residential uses per the City's Municipal Code. The City considers significant construction noise impacts to occur if a project located within 500 feet of residential uses or 200 feet of commercial or office uses would:

	Involve substantial noise generating activities (such as building demolition, grading, excavation, pile driving, use of impact equipment, or building framing) continuing for more than 12 months. For such large or complex projects, a construction noise logistics plan that specifies hours of construction, noise and vibration minimization measures, posting or notification of construction schedules, and designation of a noise disturbance coordinator who would respond to neighborhood complaints will be required to be in place prior to the start of construction and implemented during construction to reduce noise impacts on neighboring residents and other uses.
Policy EC-1.9	Noise studies are required for land use proposals where known or suspected loud intermittent noise sources occur which may impact adjacent existing or planned land uses. For new residential development affected by noise from heavy rail, light rail, BART or other single-event noise sources, mitigation will be implemented so that recurring maximum instantaneous noise levels do not exceed 50 dBA Lmax in bedrooms and 55 dBA Lmax in other rooms.
Policy EC-1.11	Continue to require safe and compatible land uses within the Norman Y. Mineta International Airport noise zone (defined by the 65 CNEL contour as set forth in State law) and encourage aircraft operating procedures that minimize noise.
Policy EC-2.3	Require new development to minimize continuous vibration impacts to adjacent uses during demolition and construction. For sensitive historic structures, including ruins and ancient monuments or buildings that are documented to be structurally weakened, a continuous vibration limit of 0.08 in/sec PPV (peak particle velocity) will be used to minimize the potential for cosmetic damage to a building. A continuous vibration limit of 0.20 in/sec PPV will be used to minimize the potential for cosmetic damage at buildings of normal conventional construction. Avoid use of impact pile drivers within 125 feet of any buildings, and within 300 feet of a historical building, or building in poor condition. On a project-specific basis, this distance of 300 feet may be reduced where warranted by a technical study by a qualified professional that verifies that there will be virtually no risk of cosmetic damage to sensitive buildings from the new development during demolition and construction.

4.13.1.1 *Regulatory Framework*

State and Local

California Building Standards Code

The CBC establishes uniform minimum noise insulation performance standards to protect persons within new buildings housing people, including hotels, motels, dormitories, apartments, and dwellings other than single-family residences. Title 24 mandates that interior noise levels attributable to exterior sources do not exceed 45 L_{dn} /CNEL in any habitable room. Exterior windows must have a minimum Sound Transmission Class (STC) of 40 or Outdoor-Indoor Transmission Class (OITC) of 30 when the property falls within the 65 dBA DNL noise contour for a freeway or expressway, railroad, or industrial source.

California Green Building Standards Code

For commercial uses, CALGreen (Section 5.507.4.1 and 5.507.4.2) requires that wall and roof-ceiling assemblies exposed to the adjacent roadways have a composite sound transmission class (STC) rating of at least 50 or a composite outdoor/indoor transmission class (OITC) rating of no less than

40, with exterior windows of a minimum STC of 40 or OITC of 30 when the commercial property falls within the 65 dBA L_{dn} or greater noise contour for a freeway or expressway, railroad, or industrial or stationary noise source. The state requires interior noise levels to be maintained at 50 dBA $L_{eq(1-hr)}$ or less during hours of operation at a proposed commercial use.

4.13.1.2 Existing Conditions

Existing Ambient Noise Levels

The project site is located at 4300 Bucknall Road in the City of San José. The surrounding uses include Bucknall Road to the north, San Tomas Aquino Road to the east, Rincon Avenue to the south, and single-family residences to the west. Additional single-family residences and duplexes are located to the north, east, and south, opposite the associated roadways.

Existing ambient noise at the project site results primarily from vehicular traffic along Bucknall Road and San Tomas Aquino Road. Short term (ST) and long term (LT) noise measurements were conducted at two representative locations of the project site to provide the standard noise environment for the project site. Table 4-8 shows the existing ambient noise levels in the project vicinity. Figure 4-3 shows the location of noise measurements in relation to the project site.

Table 4-8: Existing Ambient Noise Levels

Noise Measurement Location	Day and Time	dBA L_{eq}	Daytime dBA L_{eq}	Nighttime L_{eq}
<i>Short Term Noise Measurements</i>				
ST-1: ~30 feet north of the Bucknall Road centerline	5/21/2025, 9:20-9:30	60	--	--
ST-2: ~40 feet west of the Weston Drive centerline	5/21/2025, 9:40-9:50	52		
<i>Long Term Noise Measurements</i>				
LT-1: Corner of Rincon Avenue and Dorval Drive	5/22/2025	59	50 to 67	41 to 54
LT-2: A utility pole in the front yard of 2190 San Tomas Aquinos Road	5/22/2025	66	63 to 69	46 to 61
Source: Illingworth & Rodkin, Inc. Harker School Bucknall Campus Project Noise and Vibration Assessment. September 10, 2025.				



LOCATION OF NOISE MEASUREMENTS ON PROJECT SITE

FIGURE 4-3

4.13.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in:				
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 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?	☐	☐	☐	☒

-
- a) Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?
-

Construction Noise

The proposed project would be constructed in two phases. Phase one would include the demolition of a portable classroom building on the south side of campus and the demolition of the existing library in the northwestern corner of the site, as well as the construction of the multi-purpose building. This phase is expected to start in early June 2026 and be completed by the end of August 2027. Phase two would include the construction of the classroom addition just south of Building 500 along the eastern boundary of the project site. This phase is expected to start in early January 2028 and be completed by mid-June 2028. While total project construction is expected to take about 24 months, there would be an approximate four-month break between the two phases for a total duration of 28 months. During both phases, construction is expected to occur on weekdays between 8:00 a.m. and 4:00 p.m. Based on the expected construction equipment planned for the project, the noise intensity at sensitive receptors near the site was estimated. The results of that modeling are summarized below in Table 4-9 and Table 4-10.

Table 4-9 Average Hourly Construction Noise Levels in dBA for Phase 1

Phase of Construction	West Residential (190ft)	North Residential (120ft)	East Residential (505ft)	South Residential (145ft)
Demolition	70	74	62	73
Grading/Excavation	72	76	64	75
Trenching/ Foundation	70	74	61	72
Building – Exterior	65	69	57	68
Building – Interior/ Architectural Coating	65	69	57	68
Paving	73	77	65	75

Source: Illingworth & Rodkin, Inc. Harker School Bucknall Campus Project Noise and Vibration Assessment.
September 10, 2025.

Table 4-10 Average Hourly Construction Noise Levels in dBA for Phase 2

Phase of Construction	West Residential (625ft)	North Residential (415ft)	East Residential (145ft)	South Residential (260ft)
Demolition	65	68	77	72
Site Preparation	62	65	74	69
Grading/Excavation	64	67	77	71
Trenching/ Foundation	60	63	72	67
Building – Exterior	62	65	74	69
Building – Interior	52	55	65	59
Paving	62	66	75	70

Source: Illingworth & Rodkin, Inc. Harker School Bucknall Campus Project Noise and Vibration Assessment.
September 10, 2025.

The noise levels included in the tables above indicate that construction would not result in substantial noise exceeding 80 dBA averaged at any of the surrounding residential uses. However, construction activities would occur within 500 feet of residential uses and the total duration of construction would be 24 months with a four-month gap (28 months to complete both phases of the project construction). Based on Policy 1.7 of the General Plan, construction noise from the project would result in a significant impact. The City of San José requires all projects to implement the following Standard Permit Condition for construction noise if the project occurs within 500 feet of residential uses.

Standard Permit Condition

- Limit construction to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday for any on-site or off-site work within 500 feet of any residential unit. Construction outside of these hours may be approved through a development permit based on a site-specific “construction noise mitigation plan” and a finding by the Director of Planning, Building and

Code Enforcement that the construction noise mitigation plan is adequate to prevent noise disturbance of affected residential uses.

- Construct solid plywood fences around ground level construction sites adjacent to operational businesses, residences, or other noise-sensitive land uses.
- Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
- Prohibit unnecessary idling of internal combustion engines.
- Locate stationary noise-generating equipment such as air compressors or portable power generators as far as possible from sensitive receptors. Construct temporary noise barriers to screen stationary noise-generating equipment when located near adjoining sensitive land uses.
- Utilize “quiet” air compressors and other stationary noise sources where technology exists.
- Control noise from construction workers’ radios to a point where they are not audible at existing residences bordering the project site.
- Notify all adjacent businesses, residences, and other noise-sensitive land uses of the construction schedule, in writing, and provide a written schedule of “noisy” construction activities to the adjacent land uses and nearby residences.
- If complaints are received or excessive noise levels cannot be reduced using the measures above, erect a temporary noise control blanket barrier along surrounding building facades that face the construction sites.
- Designate a “disturbance coordinator” who shall be responsible for responding to any complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., bad muffler, etc.) and shall require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.

The compliant construction noise and inclusion of Standard Permit Condition above would make the temporary noise impacts of the project consistent with City of San José noise policies, therefore, the proposed project would have a less than significant impact from construction noise.

Operational Noise

According to Policy EC-1.2 of the City’s General Plan, a significant permanent noise increase would occur if the project were to increase noise levels at noise-sensitive receptors by three dBA DNL or more, where ambient noise levels exceed the “normally acceptable” noise level standard. Where ambient noise levels are at or below the “normally acceptable” noise level standard, noise level increases of five dBA DNL or more would be considered significant. The City’s General Plan defines the “normally acceptable” outdoor noise level standard for the nearby residential land uses to be 60 dBA DNL.

The sources of operational noise from the project are summarized below.

Project Traffic

Operational noise associated with project traffic was estimated based on traffic data provided from the Transportation Analysis. The new project trips were added to the existing roadway trips to estimate traffic conditions under the proposed project. Based on this modeling, the project's contribution to roadway noise would not be measurable or detectable (a zero dBA DNL noise level increase).

Mechanical Equipment

Typical heating, ventilation, and air conditioning (HVAC) condensing units for a building similar in size to the multi-purpose building normally generate noise levels of 56 to 66 dBA at a distance of three feet. When operating at full speed, noise levels from exhaust fans would be up to 76 dBA at a distance of five feet and up to 65 dBA at five feet when operating at 35 percent speed. Constant operation over a 24-hour period would result in a daily average noise level ranging from 75 to 86 dBA at five feet, depending on the fan speed.

A solid, 14-foot tall, mechanical screen with metal panel siding would surround the mechanical enclosure. Due to the elevation of the rooftop equipment, combined with the mechanical enclosure, there would be an approximate noise reduction of 12 dBA at each of the surrounding residences. With these noise reductions, noise levels generated by mechanical equipment at the multi-purpose building and classroom addition would not exceed the City's 55 dBA DNL threshold at receiving residences. For all existing noise-sensitive receptors, the increase in noise level associated with mechanical equipment at the classroom addition would not be measurable or detectable at the surrounding receptors.

Outdoor Activities

The proposed project would relocate an existing playground approximately 150 feet north within the campus, where the existing basketball courts are located. Additionally, a new running track would run through the new playground location which would be further from sensitive receptors than under existing conditions. The new multi-purpose building would provide additional shielding from the playground. Therefore, noise levels due to playground activities would be reduced by the proposed project.

The basketball courts west of Building 500 would not be affected by the proposed project, however, the extension to Building 500 would provide additional noise shielding from these courts toward the east. Therefore, noise levels due to basketball court activities would be reduced for sensitive receptors under project conditions.

The new multi-purpose building includes an outdoor seating area at the northwest corner of the building. Use of this seating area would generate noise from talking and gathering. Due to the location of the seating area, the proposed multi-purpose building, and the existing Building 300 would adequately shield all surrounding noise-sensitive receptors from the outdoor seating area.

Therefore, the minimal noise produced at the outdoor seating area would not be audible at the receiving properties or contribute to ambient noise levels.

Based on the measurements made for the Noise and Vibration Assessment, existing ambient levels at the residences along San Tomas Aquino Road exceed 60 dBA DNL, and noise levels further from San Tomas Aquino Road are below 60 dBA DNL. The operational noise levels produced by the proposed project combined (i.e., traffic, mechanical equipment, outdoor activities) would not result in an increase of three dBA DNL or more at all existing noise-sensitive receptors in the project vicinity. Therefore, the proposed project would not result in a substantial increase in ambient noise levels in the project vicinity. **(Less than Significant Impact)**

b) Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

Construction of the project may generate perceptible vibration when heavy equipment or impact tools, such as jackhammer and hoe rams, are used. Construction activities would include demolition, site preparation work, foundation work, and new building framing and finishing. Pile driving equipment, which can cause excessive vibration, is not required or proposed for the project.

Vibratory impacts of construction can be greater on sensitive structures such as historic buildings. The City's Historic Resource Inventory shows the nearest historical structures are located at 5051 Moorpark Avenue and 870 Forest Ridge Drive, which are about two miles from the project site. At this distance, construction vibration levels would not be perceptible. Therefore, consistent with City policy, all buildings in the project vicinity would be subject to the 0.2 in/sec PPV threshold. The vibratory impacts resulting from construction equipment utilized at the project site is summarized below in Table 4-11.

Table 4-11 Vibration Source Levels for Construction Equipment

Equipment	PPV at 25 ft. (in/sec)	Minimum Distance to Meet 0.2 in/sec PPV (feet)
Clam shovel drop	0.202	26
Hydromill (slurry wall) in soil	0.008	2
Hydromill (slurry wall) in rock	0.017	3
Vibratory Roller	0.210	27
Hoe Ram	0.089	13
Large bulldozer	0.089	13
Caisson drilling	0.089	13
Loaded trucks	0.076	11
Jackhammer	0.035	6
Small bulldozer	0.003	<1

Residences to the north, to the south, and to the east are 55 feet or more from the construction sites, which are greater distances than the screening distances shown in Table 4.13-4. Vibration levels at these residences would be below 0.09 in/sec PPV and would not exceed the City's 0.2 in/sec PPV threshold.

The two nearest residences, located at 2198 Weston Drive and 2190 Weston Drive, are adjacent to the Harker School property and would be within 50 feet of the nearest construction site. The construction activity associated with reconfiguration of the southern parking lot would be about 35 feet from these two residences. At 35 feet, vibration levels would be below 0.15 in/sec PPV, which would not exceed the City's 0.2 in/sec PPV threshold. Therefore, construction of the proposed project would result in a less than significant vibration impact.

Neither cosmetic, minor, or major damage would occur at buildings located 30 feet or more from the project site. Therefore, the proposed project would have a less than significant impact resulting from groundborne vibration. **(Less than Significant Impact)**

-
- 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?
-

The project site is located approximately nine miles southwest of the Reid-Hillview Airport and approximately 5.6 miles southwest of the San José Mineta International Airport. Based on the Reid-Hillview Airport Comprehensive Land Use Plan (CLUP) and San José Mineta International Airport CLUP, the project site is not located within the Airport Influence Area of either airport, and is not located within the defined noise contour of the airports. Therefore, the proposed project would not result in a safety hazard or excessive noise for people working or living in the project area. **(No Impact)**

4.13.3 Non-CEQA Effects

Per California Building Industry Association v. Bay Area Air Quality Management District, 62 Cal. 4th 369 (BIA v. BAAQMD), effects of the environment on the project are not considered CEQA impacts. The following discussion is included for informational purposes only because the City of San José has policies that address existing noise conditions affecting a proposed project, including Policy EC-1.1, which establishes interior and exterior noise levels for developments in the City.

Future Exterior Noise Environment

The proposed multi-purpose building would have outdoor seating areas located at the rear of the building, at the northwest corner of the building, and along the eastern side of the structure. Additionally, the courtyard playground area, located northwest of the proposed multi-purposed building, would be reorganized.

The outdoor seating areas and the courtyard playground would have some exposure to noise from traffic on Rincon Avenue, which is approximately 160 to 275 feet from the outdoor areas. At these distances, future outdoor noise levels would be under 55 dBA DNL, assuming some of the noise is blocked by the intervening school buildings. Therefore, the proposed project would be compatible with the future noise environment at the project site.

Future Interior Noise Environment

The proposed multi-purpose building would be located along Rincon Avenue, approximately 80 to 210 feet from the center of the road. At these distances, exterior-facing rooms would be exposed to future exterior noise levels ranging from below 40 to 61 dBA Leq, with an average noise level up to 55 dBA DNL.

The proposed classroom addition would be located along San Tomas Aquino Road, approximately 70 to 135 feet from the center of the road. The exterior-facing rooms would be exposed to future exterior noise levels from the road ranging from 41 to 66 dBA Leq, with an average noise level up to 65 dBA DNL.

Based on standard construction practices of educational buildings with closed windows in good condition, the expected noise reduction from outside to inside is approximately 30 dBA. Based on this reduction, the noise levels would meet the general performance criteria for High Performance Schools and approach the threshold for an enhanced rating. Interior noise levels would be below the 50 dBA Leq threshold set forth in the CALGreen Code. Interior noise levels would also be below the general thresholds for speech interference (45 dBA for continuous noise and 55 dBA for fluctuating noise). Standard sound insulation is, therefore, adequate to meet the thresholds established by the General Plan and other agencies.

4.14 Population and Housing

4.14.1 Environmental Setting

4.14.1.1 *Regulatory Framework*

State

Housing-Element Law

State requirements mandating that housing be included as an element of each jurisdiction's general plan is known as housing-element law. The Regional Housing Need Allocation (RHNA) is the state-mandated process to identify the total number of housing units (by affordability level) that each jurisdiction must accommodate in its housing element. California housing-element law requires cities to: 1) zone adequate lands to accommodate its RHNA; 2) produce an inventory of sites that can accommodate its share of the RHNA; 3) identify governmental and non-governmental constraints to residential development; 4) develop strategies and a work plan to mitigate or eliminate those constraints; and 5) adopt a housing element and update it on a regular basis.⁶⁰ The City of San José Housing Element and related land use policies were last updated in 2024.

Regional and Local

Plan Bay Area 2050

Plan Bay Area 2050 is a long-range plan for the nine-county San Francisco Bay Area that provides strategies that increase the availability of affordable housing, support a more equitable and efficient economy, improve the transportation network, and enhance the region's environmental resilience. Plan Bay Area 2050 promotes the development of a variety of housing types and densities within identified Priority Development Areas (PDAs). PDAs are areas generally near existing job centers or frequent transit that are locally identified for housing and job growth.⁶¹

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

⁶⁰ California Department of Housing and Community Development. "Regional Housing Needs Allocation and Housing Elements" Accessed August 7, 2025. <http://hcd.ca.gov/community-development/housing-element/index.shtml>.

⁶¹ Association of Bay Area Governments and Metropolitan Transportation Commission. *Plan Bay Area 2050*. October 21, 2021. Page 20.

Envision San José 2040 General Plan

The Envision San José 2040 General contains the following policies which are specific to public services and applicable to the proposed project:

Policy	Description
ES-3.1	Provide rapid and timely Level of Service response time to all emergencies: • For police protection, achieve a response time of six minutes or less for 60 percent of all priority 1 calls, and of eleven minutes or less for 60 percent of all Priority 2 calls. • For fire protection, achieve a total response time (reflex) of eight minutes and a total travel time of four minutes for 80 percent of emergency incidents. • Enhance service delivery through the adoption and effective use of innovative, emerging techniques, technologies and operating models. • Measure service delivery to identify the degree to which services are meeting the needs of San José's community. • Ensure that development of police and fire service facilities and delivery of services keeps pace with development and growth in the city.
ES-3.8	Use the Land Use/Transportation Diagram to promote a mix of land uses that increase visibility, activity and access throughout the day and to separate land uses that foster unsafe conditions.
ES-3.9	Implement urban design techniques that promote public and property safety in new development through safe, durable construction and publicly-visible and accessible spaces.
ES-3.10	Incorporate universal design measures in new construction, and retrofit existing development to include design measures and equipment that support public safety for people with diverse abilities and needs. Work in partnership with appropriate agencies to incorporate technology in public and private development to increase public and personal safety.
ES-3.11	Ensure that adequate water supplies are available for fire-suppression throughout the City. Require development to construct and include all fire suppression infrastructure and equipment needed for their projects.
ES-3.14	Encourage property maintenance and pursue appropriate code enforcement to reduce blight, crime, fire hazards or other unsafe conditions associated with under-maintained and under-utilized properties.

4.14.1.2 *Existing Conditions*

Based on census information for 2023, the City of San José has a population of approximately 969,655 residents.⁶² The project site contains a school which does not contribute residents to the City of San José.

⁶² United States Census Bureau. QuickFacts: San Jose city, California Accessed September 5, 2025. <https://www.census.gov/quickfacts/fact/table/sanjosecitycalifornia/PST045222>.

4.14.2 Impact Discussion

	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?	☐	☐	☐	☒

-
- a) Would the project 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)?
-

The project site is currently developed with a school. The proposed project would replace and improve buildings and development within the school site, which would not contribute to the population of the City of San José. Therefore, the proposed project would not induce unplanned population growth in the City of San José. **(No Impact)**

-
- b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?
-

The proposed project would not reduce housing and would not result in the displacement of housing from the site. Therefore, the proposed project would have no impact from housing displacement. **(No Impact)**

4.15 Public Services

4.15.1 Environmental Setting

4.15.1.1 *Regulatory Framework*

State

Government Code Section 66477

The Quimby Act (included within Government Code Section 66477) allows 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.

Government Code Section 65995 through 65998

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

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

Regional and Local

Countywide Trails Master Plan

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

4.15.1.1 Existing Conditions

The project site is located approximately 1.3 miles southeast of the nearest San Jose fire station, Station 14 which is located at 1201 San Tomas Aquino Road.

The project site is located approximately six miles southwest of the nearest San Jose Police facility, located at 201 West Mission Street.

The project site is a school site located at 4300 Bucknall Road operated by Harker Schools.

4.15.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the 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:				
a) Fire Protection?	☐	☐	☒	☐
b) Police Protection?	☐	☐	☒	☐
c) Schools?	☐	☐	☒	☐
d) Parks?	☐	☐	☒	☐
e) Other Public Facilities?	☐	☐	☒	☐

-
- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection services?
-

The City of San José currently provides fire protection services to the project site. The proposed project would not result in new residences on the project site and would not require additional fire protection services during the operation of the new school buildings. Additionally, the proposed project includes design elements consistent with the requirements for fire safety and emergency access that would be reviewed by the SJFD prior to approval of building plans. Further, the increase of 70 additional students on the project site would not increase the demand for fire safety services to require new fire protection facilities to be constructed. Therefore, the proposed project would

not result in adverse physical impacts from the provision of new or physically altered facilities associated with fire protection. **(Less than Significant Impact)**

- b) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police protection services?
-

The City of San José currently provides police protection services to the project site. The proposed project would not result in new residences on the project site and would not require additional police protection services during the operation of the school site. The increase in students would represent an increase of approximately 15 percent above existing levels. This would not require new police protection facilities to be constructed, and all plans would be reviewed by the SJPd to confirm that safety measures are included in the project design. Therefore, the proposed project would not result in adverse physical impacts from the provision of new or physically altered facilities associated with police protection. **(Less than Significant Impact)**

- c) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives for schools?
-

The proposed project would not create new housing on the project site and would provide additional student capacity for the Harker School System. Therefore, the proposed project would improve the ability for the Harker Schools to serve students and would not cause significant impacts due to the need for new or expanded public school facilities. **(Less than Significant Impact)**

- d) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives for parks?
-

The proposed project would not increase the population of the City of San José and would not impact the need for parks facilities in the City. Therefore, the proposed project would not affect service ratios or performance objectives for parks and would have no impact from the construction of new or expanded parks facilities. **(Less than Significant Impact)**

-
- e) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for other public facilities?
-

The proposed project would not increase the population of the City of San José, therefore, the proposed project would not increase demand for libraries, civic centers, or other public facilities. As a result, the proposed project would have no impact from the construction of new public facilities to meet service ratios. **(Less than Significant Impact)**

4.16 Recreation

4.16.1 Environmental Setting

4.16.1.1 *Regulatory Framework*

State

Government Code Section 66477

The Quimby Act (included within Government Code Section 66477) allows 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

Parkland Dedication Ordinance and the Park Impact Ordinance

The City of San José has adopted the Parkland Dedication Ordinance (PDO, Municipal Code Chapter 19.38) and Park Impact Ordinance (PIO, Municipal Code Chapter 14.25) requiring new residential development to either dedicate sufficient land to serve new residents or pay fees to offset the increased costs of providing new park facilities for new development. For projects over 50 units, it is the City's decision as to whether the project will dedicate land for a new public park site or accept a fee in-lieu of land dedication. The acreage of parkland required is based on the minimum acreage dedication formula outlined in the PDO.

Activate San José Strategic Plan (2020-2040)

ActivateSJ is a people-focused, service-driven plan adopted by the City of San José in 2020. The plan focuses on guiding principles of stewardship, nature, equality and access, identity, and public life. The five guiding principles speak directly to what San José residents value and expect from a parks and recreation department in the 13th largest city in the nation.⁶³ They are strategic priorities that will carry San José into the future, help us identify opportunities and guide decisions, which may include the development of regional capital-centric Greenprints.

The plan is a 20-year strategic plan for the City of San José's Department of Parks, Recreation and Neighborhood Services which will ensure that neighborhood parks continue to be destinations for residents, that regional parks showcase the best of San José, that community centers continue to serve as points of connection, and that the Parks and Recreation Department continues to enhance the quality of life in our diverse neighborhoods.

⁶³ United States Census Bureau. City and Town Population Totals: 2020-2023. Accessed October 25, 2025. <https://www.census.gov/data/tables/time-series/demo/popest/2020s-total-cities-and-towns.html#v2023>.

Envision San José 2040 General Plan

The Envision San José 2040 General contains the following policies which are specific to recreation resources and applicable to the proposed project:

Policy	Description
PR-1.1	Provide 3.5 acres per 1,000 population of neighborhood/community serving parkland through a combination of 1.5 acres of public park and 2.0 acres of recreational school grounds open to the public per 1,000 San José residents.
PR-1.2	Provide 7.5 acres per 1,000 population of citywide/regional park and open space lands through a combination of facilities provided by the City of San José and other public land agencies
PR-1.3	Provide 500 square feet per 1,000 population of community center space.
PR-2.6	Locate all new residential developments over 200 units in size within 1/3 of a mile walking distance of an existing or new park, trail, open space or recreational school grounds open to the public after normal school hours or include one or more of these elements in its project design.
PR-3.2	Provide access to an existing or future neighborhood park, a community park, recreational school grounds, a regional park, open space lands, and/or a major City trail within a 1/3-mile radius of all San José residents by either acquiring lands within 1/3 mile or providing safe connections to existing recreation facilities outside of the 1/3-mile radius. This is consistent with the United Nation's Urban Environmental Accords, as adopted by the City for recreation open space.

4.16.1.1 *Existing Conditions*

The City's Department of Parks, Recreation, and Neighborhood Services is responsible for the development, operation, and maintenance of all City park facilities. The City operates and maintains a total of 3,621 acres of regional and neighborhood/community-serving parkland, including 10 regional parks, 205 neighborhood parks, 299 park playgrounds, 46 community centers, and almost 65 miles of trail.⁶⁴

The nearest park to the project site is San Tomas Park, located approximately 0.15 miles south of the project site.

⁶⁴ City of San José. Annual Report on City Services 2023-24.

<https://www.sanjoseca.gov/home/showpublisheddocument/116933/63870119397460000>. Accessed November 11, 2025.

4.16.2 Impact Discussion

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

-
- a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?
-

The proposed project would construct a multi-purpose building and improve school facilities at the Harker Bucknall School Campus. This would not increase the demand for park or recreation facilities within the City and could reduce demand for parks facilities if public use is authorized. Therefore, the proposed project would have no impact from the deterioration of parks and recreation facilities. **(Less than Significant Impact)**

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

The proposed project would not construct a recreational facility. Additionally, the proposed project would be constructed on a site which is currently developed so impacts on the physical environment would be limited. Therefore, the proposed project would have a less than significant environmental impact from construction of recreational facilities. **(Less than Significant Impact)**

4.17 Transportation

The information in this section is based, in part, on the Local Transportation Assessment completed by Hexagon Transportation Consultants, Inc. in September 2025. This report is included as Appendix H for reference.

4.17.1 Environmental Setting

4.17.1.1 *Regulatory Framework*

State

Senate Bill 743

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

SB 743 did not authorize OPR to set specific VMT impact thresholds, but it did direct OPR to develop guidelines for jurisdictions to utilize. CEQA Guidelines Section 15064.3(b)(1) describes factors that might indicate whether a development project's VMT may be significant. Notably, projects located within 0.50 mile of transit should be considered to have a less than significant transportation impact based on OPR guidance.

Regional and Local

Regional Transportation Plan

MTC is the transportation planning, coordinating, and financing agency for the nine-county San Francisco Bay Area, including Santa Clara County. MTC is charged with regularly updating the Regional Transportation Plan, a comprehensive blueprint for the development of mass transit, highway, airport, seaport, railroad, bicycle, and pedestrian facilities in the region. MTC and ABAG adopted Plan Bay Area 2050 in October 2021, which includes a Regional Transportation Plan to guide regional transportation investment for revenues from federal, state, regional and local sources through 2050.

Congestion Management Program

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

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

Transportation Analysis Policy (City Council Policy 5-1)

As established in City Council Policy 5-1, Transportation Analysis Policy, the City of San José uses VMT as the metric to assess transportation impacts from new development. According to the policy, an employment (e.g., office or research and development) or residential project's transportation impact would be less than significant if the project VMT is 15 percent or more below the existing average regional VMT per employee or the existing average citywide VMT per capita, respectively. For industrial projects (e.g., warehouse, manufacturing, distribution), the impact would be less than significant if the project VMT is equal to or less than the existing average regional VMT per employee. The threshold for a retail project is whether it generates net new regional VMT, as new retail typically redistributes existing trips and miles traveled as opposed to inducing new travel. Screening criteria have been established to determine which projects require a detailed VMT analysis. If a project meets the relevant screening criteria, it is considered to have a less than significant VMT impact.

If a project's VMT does not meet the established thresholds, mitigation measures would be required, where feasible. The policy also requires preparation of a Local Transportation Analysis to analyze non-CEQA transportation issues, including local transportation operations, intersection level of service, site access and circulation, and neighborhood transportation issues such as pedestrian and bicycle access and recommend transportation improvements. The VMT policy does not negate Area Development policies and Transportation Development policies approved prior to adoption of Policy 5-1; however, it does negate the City's Protected Intersection policy as defined in Policy 5-3.

4.17.1.2 *Existing Conditions*

Existing Transportation Network

Regionally, the project site is accessible by two primary freeways:

- I-280 – This is an eight-lane freeway running from San Francisco to San José. This route includes high occupancy vehicle (HOV) lanes and is accessible from the site via Saratoga Avenue.
- SR-85 – This is a six-lane freeway running from Mountain view to south San José. It connects to US-101 on both ends. This route includes HOV lanes and is accessible from the site via Saratoga Avenue.

The primary roadways in the project area include Campbell Avenue, San Tomas Aquino Road, Bucknall Road, Rincon Avenue, and Weston Drive.

- Campbell Avenue – This roadway runs east to west from Saratoga Avenue to Meridian Avenue. The roadway has four travel lanes, sidewalks, and bike lanes. It is accessible from the project site by San Tomas Aquino Road and Bucknall Road
- San Tomas Aquino Road – This roadway runs north to south between Saratoga Avenue and Rincon Avenue. Sidewalks and bike lanes are provided on both sides of the street near the site. On-street parking is allowed on both sides of the roadway south of Bucknall Road. Access to the project site from San Tomas Aquino Road is provided by Bucknall Road and Rincon Avenue.
- Bucknall Road – This two-lane roadway runs east to west between Saratoga Avenue and Virginia Avenue. Sidewalks and on-street parking are included on both sides of the street. No designated bike lanes are provided. Bucknall Road provides direct access to the project site.
- Rincon Avenue – This two-lane roadway runs east to west between Weston Drive and Virginia Avenue. Sidewalks and on-street parking are included on both sides of the street. No designated bike lanes are provided. Rincon Avenue provides direct access to the project site.
- Weston Drive – This two-lane roadway runs north to south between Bucknall Road and McCoy Avenue. Sidewalks and on-street parking are included on both sides of the street. No designated bike lanes are provided. Weston Drive provides access to the project site via Bucknall Road and Rincon Avenue.

Pedestrian and Bicycle Facilities

Pedestrian Facilities

Pedestrian facilities around the project site include sidewalks along all of the surrounding streets, including the project frontages along San Tomas Aquino Road, Bucknall Road, and Rincon Avenue.

Marked crosswalks and pedestrian signals are provided on all crossings of these signalized intersections within the project area:

- San Tomas Aquino Road & Bucknall Road
- San Tomas Aquino Road & Campbell Avenue

Additionally, high-visibility yellow ladder style crosswalk striping is provided at the following intersections:

- San Tomas Aquino Road and Bucknall Road (all legs)
- Weston Drive and Bucknall Road (south and west legs)
- Weston Drive and Rincon Avenue (north and east legs)
- S. San Tomas Aquino Road and Rincon Avenue (south and west legs)
- San Tomas Aquino Road/Fenian Drive and Rincon Avenue (east and west legs)

Bicycle Facilities

Bicycle facilities in the project area include Class II bike lanes. Class II bikeways are striped bike lanes on roadways that are marked by signage and pavement markings. Within the project area, striped bike lanes are provided on:

- San Tomas Aquino Road between Rincon Avenue and La Pradera Drive (bike lane is buffered between Rincon Avenue and English Road Circle)
- Harriett Avenue between San Tomas Aquino Road and Westmont Avenue
- Campbell Avenue between Saratoga Avenue and Winchester Boulevard
- Hamilton Avenue between Campbell Avenue and SR17
- Quito Road between Lawrence Expressway and Allendale Avenue

Transportation Facilities

Existing transit services in the study area are provided by the Santa Clara Valley Transportation Authority (VTA). VTA bus routes in the vicinity of the project site include Routes 26, 56, 57, and 101.

- VTA Route 26 runs between West Valley College and Eastridge Transit Center along Campbell Avenue in the project vicinity. During the weekday commute peak period, Route 26 has headways of approximately 15 minutes.
- VTA Route 56 runs between Lockheed Martin and Monterey Road/Old Tully Road along Campbell Avenue in the project vicinity. During the weekday commute peak period, Route 56 has headways of approximately 30 to 40 minutes.
- VTA Route 57 runs between Old Ironsides Station and West Valley College with 30-minute headways.
- VTA Express Route 101 runs between Camden Avenue/Highway 85 and Stanford Avenue with two routes in the AM peak period and two routes in the PM peak period.

The nearest bus stops are served by Route 26 and are located along Campbell Avenue near San Tomas Aquino Road, less than one-quarter mile from the Harker campus.

Existing School Pick-Up and Drop-Off

The school operation under current conditions includes morning and afternoon queueing and commute period pick-up. These operations are summarized below.

Morning Operations

Morning operations at the northern parking area begin at 8:10am and end around approximately 8:20 am. A maximum queue of eight cars is usually observed on Bucknall Road extending to Weston Drive.

Morning operations at the southern parking area begin at 8:10am and end around approximately 8:20 am. A maximum queue of eight cars is usually observed on Rincon Avenue extending to San Tomas Aquino Road.

Afterschool Pick-Up

Pick-up at the northern parking lot starts around 3:10 pm, with a maximum of four cars in a queue on Bucknall Road. This queue usually ends around 3:40 pm. Pick-up at the southern parking lot starts around 3:10pm, with a maximum of six to eight cars in a queue on Rincon Avenue. This queue usually ends around 3:45 pm.

Commute Pick-Up

Pick-up at the northern parking lot starts around 5:00 pm, with a maximum of six cars in a queue on Bucknall Road. This queue usually is at its maximum around 5:15 pm. At the southern lot the queuing is similar but only extends to four cars.

4.17.2 Impact Discussion

	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, roadways, bicycle lanes, and pedestrian facilities?	☐	☐	☒	☐
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐
a) Would the project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadways, bicycle lanes, and pedestrian facilities?				

The proposed project would not substantially change site access to the project site and would maintain the existing pedestrian facilities and bicycle lanes surrounding the site. Consistent with the City of San José Better Bike Plan 2025, the project would be required to make a fair share contribution to improving bicycle lanes along San Tomas Aquino Road.

Based on the transportation analysis conducted for the proposed project, the new students and staff added to the campus would generate approximately 38 additional AM peak hour trips and 17 PM peak hour trips. These trips would not result in deficiencies at affected intersections around the project site which would continue operating at an acceptable level of service.

Existing transit services would continue to provide access to the project site, and because Harker provides its own shuttle program for the school site, the project would not impact VTA transit services in the project area. Additionally, any additional ridership for VTA buses would be accommodated by the current capacity of the transit system. **(Less than Significant Impact)**

-
- b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?
-

Compliance with CEQA Guidelines Section 15064.3, subdivision (b) is met in the City of San José through the City of San Jose's Transportation Analysis Policy (Policy 5-1).

Student VMT Impacts

Student VMT is based on a comparison of the VMT of the students currently going to their current local schools and the total daily VMT generated with the same students going to the proposed project. Based on the analysis conducted in the LTA the additional 70 students attending the campus would generate a total daily VMT of 2,363. These students would generate a total daily VMT of 2,257 if they continued going to local schools. This would result in an increase of 106 daily VMT which is equivalent to 4.5 percent of the total daily VMT generated by the 70 students, which would be a significant VMT impact. Harker Schools is currently implementing transportation policies including trip reduction measures to reduce the VMT and these programs would be in place under the proposed project conditions. These programs include a carpool and a bussing program. Based on the school-reported utilization rates of these programs, carpooling would reduce VMT by 37.5 percent, and the bussing would reduce VMT by an additional 2.2 percent. These two trip reduction measures would represent a total 39.7 percent decrease in VMT. This trip reduction would offset the project's VMT increase of 4.5 percent. Therefore, the increase in VMT from student enrollment would be less than significant. **(Less than Significant Impact)**

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

The proposed project would retain the school use of the project site, with minimal adjustment to the site access. The school driveway sight distances would be maintained, and the number of access points would be unchanged on the project site. Additionally, the proposed project would improve the pick-up and drop-off operations for the school which would improve safety on streets around the project site. Therefore, the proposed project would not introduce new traffic hazards associated with project operations and would not result in incompatible uses on the site. **(Less than Significant Impact)**

d) Would the project result in inadequate emergency access?

The proposed project would not modify the existing roadways around the project site and would not add additional barriers to emergency access. Additionally, the proposed project would preserve existing emergency access to the site and would comply with City of San José requirements for emergency response. Therefore, proposed project would not result in inadequate emergency access. **(Less than Significant Impact)**

4.17.3 Non-CEQA Effects

While the evaluation of project CEQA impacts on the transportation system is based on VMT, in accordance with City of San José Transportation Policy (Policy 5-1), the following discussion is included for informational purposes because City Council Policy 5-1 requires preparation of a LTA to analyze non-CEQA transportation issues, including local transportation operations and intersection level of service.

4.17.3.1 *Project Trip Generation*

The trip rates calculated using the Harker driveway counts were used to estimate trip generation for the proposed student increase in enrollment. It is estimated that the increase in student enrollment would generate 38 additional trips (20 inbound and 18 outbound) during the AM peak hour and 17 additional trips (eight inbound and nine outbound) during the PM peak hour.

4.17.3.2 *Intersection Operations Analysis Results*

The results of the level of service analysis prepared in the LTA show that the two signalized study intersections, Bucknall Road and Campbell Avenue at San Tomas Aquino Road, are currently operating at an acceptable level of service (LOS D or better) during both the AM and PM peak hours of traffic and would continue to operate acceptably under background and background plus project conditions.

4.17.3.3 *Proposed Vehicle Parking*

The proposed project includes a ground level visitor parking lot with a total of 51 vehicle parking spaces on the north end of the campus, a 35-space ground level faculty parking lot on the north end of the campus, a seven-space ground level visitor parking lot on the south end of the campus, and a one-level underground parking garage for faculty with a total of 33 parking spaces. Of the 126 total on-site vehicle parking spaces, there are 20 EV charging spaces in the ground level faculty lot, and 27 EV-capable spaces and four EV charging spaces in the underground faculty parking garage. This would be a total increase of parking by approximately 23 spaces over the 103 existing parking spaces.

4.17.3.4 *Proposed Bicycle Parking*

Based on an estimated 220 full-time Harker employees and 55 classrooms, 352 bicycle parking spaces are required under the City's bicycle parking requirements.⁶⁵ The current site plan shows the project would provide 12 short-term bicycle parking spaces (six bike racks) on the north side of the school campus and two long-term bicycle parking spaces (bike lockers) in the underground parking garage. Based on this allocation, the project would not meet the City's bicycle parking requirements for a typical K-8 elementary school. However, the Harker lower campus is a private school, not a neighborhood school. Further, the campus serves only Kindergarten through 5th grade students (typically five- to 10-year-olds), and very few enrolled children bike to school.

⁶⁵ City of San José. Municipal Code Chapter 20.90 - PARKING, LOADING, AND TRANSPORTATION DEMAND MANAGEMENT. Accessed December 2, 2025.
https://library.municode.com/ca/san_jose/codes/code_of_ordinances?nodeId=TIT20ZO_CH20.90PALOTRDEMA.

4.18 Tribal Cultural Resources

4.18.1 Environmental Setting

4.18.1.1 *Regulatory Framework*

State

Assembly Bill 52

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

Under AB 52, TCRs are defined as follows:

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

4.18.1.2 *Existing Conditions*

Native Americans occupied Santa Clara Valley and the greater Bay Area for more than 5,000 years. The exact time period of the Ohlone (originally referred to as Costanoan) migration into the Bay Area is debated by scholars. Dates of the migration range between 3000 B.C. and 500 A.D. Regardless of the actual time frame of their initial occupation of the Bay Area and, in particular, Santa Clara Valley, it is known that the Ohlone had a well-established population of approximately 7,000 to 11,000 people with a territory that ranged from the San Francisco Peninsula and the East Bay, south through the Santa Clara Valley and down to Monterey and San Juan Bautista.

The Ohlone people were hunter/gatherers focused on hunting, fishing, and collecting seasonal plant and animal resources, including tidal and marine resources from San Francisco Bay. The customary way of living, or lifeway, of the Costanoan/Ohlone people disappeared by about 1810 due to disruption by introduced diseases, a declining birth rate, and the impact of the California mission system established by the Spanish in the area beginning in 1777.

Artifacts pertaining to the Ohlone occupation of San José have been found primarily along the City's major waterways. The project site is located approximately 7.9 miles west of Coyote Creek, and approximately 5.24 miles west of the Guadalupe River.

4.18.2 Impact Discussion

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

AB 52 requires lead agencies to conduct formal consultations with California Native American tribes during the CEQA process to identify tribal cultural resources that may be subject to significant impacts by a project. Where a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document must discuss the impact and whether feasible alternatives or mitigation measures could avoid or substantially lessen the impact. This consultation requirement applies only if the tribes have sent written requests for notification of projects to the lead agency.

The City of San José sent AB 52 notices to the tribes that have requested notification under AB 52 on October 20, 2025, including the Tamien Nation, Muwekma, Ohlone, and Indian Canyon Band.

Representatives of the Tamien Nation requested consultation on the project and the City met with the Tamien Nation on October 23, 2025. No specific recommendations were requested as a result of the consultation meeting outside of the included City Standard Permit Conditions, Condition of Approval, and Mitigation Measure MM CUL-1.1. Additionally, the Muwekma tribe requested consultation on October 25, 2025, and the City and the Muwekma tribe met virtually on November 26, 2025. On December 1, 2025, representatives of the Muwekma tribes confirmed that no recommendations were requested outside of the inclusion of Condition of Approval, Standard Permit Conditions, and Mitigation Measure MM CUL-1.1 as presented at the consultation meeting. No other tribes requested consultation under AB 52. **(Less than Significant Impact with Mitigation Incorporated)**

-
- b) Would the project cause a substantial adverse change in the significance of a tribal cultural resource that is determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1?
-

As stated in Section 4.5 Cultural Resources, the site has a moderate probability of containing cultural resources due to the proximity to waterways. As a result, the proposed project could have impacts on unknown cultural resources on the project site. To reduce impacts to cultural resources on-site, including tribal cultural resources, the proposed project would incorporate the Standard Permit Conditions detailed in Section 4.5 for Human Remains and Subsurface Cultural Resources. With incorporation of these conditions, the site would be screened for any tribal cultural resources and if discovered, a treatment plan would be implemented to reduce impacts to a less than significant level. Therefore, the proposed project would have a less than significant impact resulting from substantial adverse change in the significance of a tribal cultural resource pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. **(Less than Significant Impact)**

4.19 Utilities and Service Systems

4.19.1 Environmental Setting

4.19.1.1 *Regulatory Framework*

State

State Water Code

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

Assembly Bill 939

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

Assembly Bill 341

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

Assembly Bill 1826

AB 1826 sets forth the requirements of the statewide mandatory commercial organics recycling program for businesses and multi-family dwellings with five or more units that generate two or more cubic yards of commercial solid waste per week. AB 1826 sets a statewide goal for 50 percent reduction in organic waste disposal by the year 2020.”

Senate Bill 610

SB 610 amended state law, effective January 1, 2002, to improve the link between information on water supply availability and certain land use decisions made by cities and counties. SB 610 requires preparation of a Water Supply Assessment (WSA) containing detailed information regarding water availability to be provided to the decision-makers prior to approval of specified large development

projects that also require a General Plan Amendment. This WSA must be included in the administrative record that serves as the evidentiary basis for an approval action by the city or county on such projects. Under SB 610, WSAs must be furnished to local governments for inclusion in any environmental documentation for certain projects subject to CEQA. Pursuant to the California Water Code (Section 10912[a]), projects that require a WSA include any of the following:

- A proposed residential development of more than 500 dwelling units;
- A proposed shopping center or business establishment employing more than 1,000 persons or having more than 500,000 square feet of floor space;
- A proposed commercial office building employing more than 1,000 persons or having more than 250,000 square feet of floor space;
- A proposed hotel or motel, or both, having more than 500 rooms;
- A proposed industrial, manufacturing, or processing plant, or industrial park planned to house more than 1,000 persons, occupying more than 40 acres of land, or having more than 650,000 square feet of floor area;
- A mixed-use project that includes one or more of the projects identified in this list; or
- A project that would demand an amount of water equivalent to, or greater than, the amount of water required by a 500-dwelling unit project.

Senate Bill 1383

SB 1383 establishes targets to achieve a 50 percent reduction in the level of the statewide disposal of organic waste from the 2014 level by 2020 and a 75 percent reduction by 2025. The bill grants CalRecycle the regulatory authority required to achieve the organic waste disposal reduction targets and establishes an additional target that at least 20 percent of currently disposed edible food is recovered for human consumption by 2025. CalRecycle released an analysis titled “Analysis of the Progress Toward the SB 1383 Organic Waste Reduction Goals” in August 2020 (revised November 2020), which recommended maintaining the disposal reduction targets set forth in SB 1383.⁶⁶

California Green Building Standards Code Compliance for Construction, Waste Reduction, Disposal and Recycling

CALGreen establishes mandatory green building standards for all buildings in California. The code is updated every three years.⁶⁷ CALGreen covers five categories: planning and design, energy efficiency, water efficiency and conservation, material conservation and resources efficiency, and indoor environmental quality. These standards include the following mandatory set of measures, as well as more rigorous voluntary guidelines, for new construction projects to achieve specific green building performance levels:

⁶⁶ CalRecycle. “Analysis of the Progress Toward the SB 1383 Organic Waste Reduction Goals (DRRR-2020-1693).” Accessed July 16, 2025. <https://www2.calrecycle.ca.gov/Publications/Details/1693>.

⁶⁷ California Building Standards Commission. “California Building Standards Code.” Accessed July 16, 2025. <https://www.dgs.ca.gov/BSC/Codes#@ViewBag.JumpTo>.

- Reducing indoor water use by 20 percent;
- Reducing wastewater by 20 percent;
- Recycling and/or salvaging 65 percent of nonhazardous construction and demolition debris; and
- Providing readily accessible areas for recycling by occupants.

Local

Envision San José 2040 General Plan

The Envision San José 2040 General contains the following policies which are specific to utilities and service systems and applicable to the proposed project:

Policy	Description
IN-3.3	Meet the water supply, sanitary sewer and storm drainage level of service objectives through an orderly process of ensuring that, before development occurs, there is adequate capacity. Coordinate with water and sewer providers to prioritize service needs for approved affordable housing projects.
IN-3.5	Require development which will have the potential to reduce downstream LOS to lower than “D”, or development which would be served by downstream lines already operating at a LOS lower than “D”, to provide mitigation measures to improve the LOS to “D” or better, either acting independently or jointly with other developments in the same area or in coordination with the City’s Sanitary Sewer Capital Improvement Program.
IN-3.7	Design new projects to minimize potential damage due to stormwaters and flooding to the site and other properties.
IN-3.9	Require developers to prepare drainage plans that define needed drainage improvements for proposed developments per City standards.
MS-3.1	Require water-efficient landscaping, which conforms to the State’s Model Water Efficient Landscape Ordinance, for all new commercial, institutional, industrial, and developer-installed residential development unless for recreation needs or other area functions.
MS-3.2	Promote use of green building technology or techniques that can help to reduce the depletion of the City’s potable water supply as building codes permit.
MS-3.3	Promote the use of drought tolerant plants and landscaping materials for nonresidential and residential uses.
IN-3.10	Incorporate appropriate stormwater treatment measures in development projects to achieve stormwater quality and quantity standards and objectives in compliance with the City’s National Pollutant Discharge Elimination System (NPDES) permit.
EC-5.16	Implement the Post-Construction Urban Runoff Management requirements of the City’s Municipal NPDES Permit to reduce urban runoff from project sites.

In addition to the above-listed San José General Plan policies, new development in San José is also required to comply with programs that mandate the use of water-conserving features and

appliances and the Santa Clara County Integrated Watershed Management (IWM) Program, which minimizes solid waste.

San José Zero Waste Strategic Plan/Climate Smart San José

Climate Smart San José provides a comprehensive approach to achieving sustainability through new technology and innovation. The Zero Waste Strategic Plan outlines policies to help the City of San José foster a healthier community and achieve its Climate Smart San José goals, including 75 percent diversion of waste from the landfill by 2013 and zero waste by 2022. The Climate Smart San José also includes ambitious goals for economic growth, environmental sustainability, and enhanced quality of life for San José residents and businesses.

San José Sewer System Management Plan

The purpose of the Sewer System Management Plan (SSMP) is to provide guidance to the City in the operation, maintenance, and rehabilitation of the sewer assets of the City of San José. The SSMP includes construction standards and specifications for the installation and repair of the collection system and its associated infrastructure.

Private Sector Green Building Policy

The City of San José's Green Building Policy for new private sector construction encourages building owners, architects, developers, and contractors to incorporate meaningful sustainable building goals early in the design process. This policy establishes baseline green building standards for private sector construction and provides a framework for the implementation of these standards. It is also intended to enhance the public health, safety, and welfare of San José residents, workers, and visitors by fostering practices in the design, construction, and maintenance of buildings that will minimize the use and waste of energy, water, and other resources.

San José Construction and Demolition Diversion Deposit Program

The Construction and Demolition Diversion Deposit Program (CDDD) requires projects to divert at least 50 percent of total projected project waste to be refunded the deposit. Permit holders pay this fully refundable deposit upon application for the construction permit with the City if the project is a demolition, alteration, renovation, or a certain type of tenant improvement. The minimum project valuation for a deposit is \$2,000 for an alteration-renovation residential project and \$5,000 for a non-residential project. There is no minimum valuation for a demolition project and no square footage limit for the deposit applicability. The deposit is fully refundable if construction and demolition materials were reused, donated, or recycled at a City-certified processing facility. Reuse and donation require acceptable documentation, such as photos, estimated weight quantities, and receipts from donations centers stating materials and quantities.

Though not a requirement, the permit holder may want to consider conducting an inventory of the existing building(s), determining the material types and quantities to recover, and salvaging materials during deconstruction.

California Green Building Standards Code Compliance for Construction, Waste Reduction, Disposal and Recycling

The City of San José requires 75 percent diversion of nonhazardous construction and demolition debris for projects that qualify under CALGreen, which is more stringent than the state requirement of 65 percent (San José Municipal Code Section 9.10.2480).

4.19.1.2 *Existing Conditions*

Water Supply

Water service is provided to the City of San José by three water retailers, San José Water (SJW), the City of San José Municipal Water System, and the Great Oaks Water Company. Water service to the project site is provided by SJW. The service area of SJW is 139 square miles, including most of the cities of San José and Cupertino, the entire cities of Campbell, Monte Sereno, Saratoga, the Town of Los Gatos, and parts of unincorporated Santa Clara County. Potable water provided to the service area is sourced from groundwater, imported treated water and local surface water. The site is currently developed with a school campus. The current site water use for the 580 student school is approximately 3,851 gallons of water per day.⁶⁸ A water line in San Tomas Aquino Road delivers water to the site.

Wastewater Services

Wastewater from the City of San José is treated at the San José-Santa Clara Regional Wastewater Facility (the Facility) which is administered and operated by the City Department of Environmental Services. The Facility treats an average of 110 million gallons of wastewater per day and serves 1.4 million residents.⁶⁹ The City generates approximately 69.8 million gallons per day (mgd) of dry weather sewage flow. The City's capacity allocation at the Facility is approximately 108.6 mgd, leaving the City with approximately 38.8 mgd of excess treatment capacity.

There is an existing sewer line in the roadways surrounding the project site, which serves the project site. The General Plan FEIR states that average residential wastewater flow rates are approximately 70 to 80 percent of domestic water use and 85 to 95 percent of business use (assuming no internal recycling or reuse programs). For the purposes of this analysis, wastewater flow rates are assumed to be 85 percent of the total on-site water use. The existing buildings would generate approximately 3,274 gallons per day of wastewater.

⁶⁸ CalEEMod. Appendix G Reference Table. G-30 and G31.

https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fcaleemod.com%2Fdocuments%2Fuser-guide%2F08_Appendix%2520G_v2022.1.1.3.xlsx&wdOrigin=BROWSELINK.

Elementary School/ student = 2424 gallons/student/ year x 580 students = 3,851 gallons/day

⁶⁹ City of San Jose. San José-Santa Clara Regional Wastewater Facility. Accessed October 3, 2025.

<https://www.sanjoseca.gov/your-government/departments-offices/environmental-services/water-utilities/regional-wastewater-facility>.

Storm Drainage

The City of San José owns and maintains the municipal stormwater drainage system which serves the project site. The lines that serve the project site drain into San Tomas Aquino Creek and carry stormwater from the storm drains into San Francisco Bay. The project site is approximately 0.4 miles north of San Tomas Aquino Creek. There is no overland release of stormwater directly into any water body from the project site.

Currently, the project site is approximately 65 percent (306,338 square feet) covered with impervious surfaces. There is an existing 21-inch storm drain main along the Bucknall Road and San Tomas Aquino Road frontage, which would serve the project site.

Solid Waste

Santa Clara County's Integrated Waste Management Plan (IWMP) was approved by the California IWMB in 1996 and was reviewed in 2004 and 2007. Based on the IWMP, the County has adequate landfill capacity. In October 2007, the San José City Council adopted a Zero Waste Resolution which set a goal of 75 percent waste diversion by 2013 and zero waste by 2022.

According to the IWMP, the County has adequate disposal capacity beyond 2030. All solid waste in San José is processed and all remaining residue is landfilled at Newby Island Sanitary Landfill (NISL). The City has an annual disposal allocation for 395,000 tons per year and as of January 2023, NISL had approximately 12.4 million cubic yards of capacity remaining.⁷⁰ In 2019, there were approximately 600,000 tons of material generated in San Jose that was disposed in various landfills throughout the State. NISL, however, only received approximately 290,000 of that tonnage. With the current disposal allocation, NISL is intended to reach capacity in 2041.

The site currently contains a 580-student school and generates approximately 52.9 tons of solid waste per year.⁷¹

⁷⁰ Personal Communications. May 12, 2023. Anthony Boccaleoni Division Manager.

⁷¹ Cal Recycle. Estimated Solid Waste Generation Rates. Accessed September 18, 2025
<https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates>.

0.5 lb/student/day x 580 students x 365 days / 2000 lbs/ton = 52.9 tons per year

4.19.2 Impact Discussion

	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 telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have insufficient 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 does not have 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) Be noncompliant with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐
a) Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?				

The proposed project would add buildings to an existing school to support 70 additional students. Based on average CalEEMod water use rates for elementary schools per student, the proposed project would require approximately 465 additional gallons of water per day and generate approximately 395 gallons of wastewater per day based on an 85 percent conversion rate.⁷² Based on the analysis in the General Plan FEIR, the Facility has approximately 8.8 million gallons of wastewater capacity per day after full build out of the General Plan land use assumptions.

⁷² CalEEMod. Appendix G Reference Table. G-30 and G31.

https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fcaleemod.com%2Fdocuments%2Fuser-guide%2F08_Appendix%2520G_v2022.1.1.3.xlsx&wdOrigin=BROWSELINK.

Elementary School/ student = 2424 gallons/student/ year x 70 students = 465 gallons/day

Additionally, the additional water demand is served by existing water allocations provided to the City of San José. Therefore, the proposed project would not result in demand for new or expanded facilities to serve the proposed project.

The proposed project would utilize approximately 310,590 kWhrs more electricity per year than the existing use.⁷³ This energy consumption is significantly less than one percent of the existing power generation and the proposed project would not generate a demand great enough to require new or expanded facilities for electricity. Therefore, the proposed project would have a less than significant impact on electrical generation.

The proposed project would not generate demand for natural gas resources because it would utilize all electrical appliances and heating systems. Therefore, the proposed project would not necessitate the creation or modification of new or expanded natural gas facilities.

The area of the project site is currently served by existing telecommunication services. The project would require connections to these services but would not require further expansion of telecommunication facilities because the increase in usage would be supported by current telecommunications companies' normal operations. **(Less than Significant Impact)**

-
- b) Would the project have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?
-

The Envision 2040 General Plan FEIR determined that the City of San José would generate water demand that could exceed water supply during dry and multiple dry years after 2025. The FEIR concluded that existing regulations and proposed policies would substantially reduce demand resulting from current and future development to a level where demand would not exceed supply during normal, dry, or multiple dry years. The proposed project would be required to comply with water conservation policies MS-3.1, MS-3.2, and MS-3.3 identified in the General Plan, which would serve to limit the increased water consumption at the site.

The City of San José consumed approximately 97,000,000 gallons of water per day in 2022, and the increase in water consumption by the proposed project, approximately 465 gallons per day, would be significantly less than 0.1 percent of the total water consumed in the City.⁷⁴ Therefore, the proposed project would not result in insufficient water supplies during normal, dry, or multiple dry years. **(Less than Significant Impact)**

⁷³ CalEEMod. Appendix G Data Tables. 2022.

70 students x 4437 kWh per student/year = 310,590 kWh per year

4,130 square feet x 8,545 kWh per 1000 square feet per year = 35,290 kWh per year

⁷⁴ City of San José. Water: Total Citywide Water Use. Accessed August 15, 2025. <https://www.sanjoseca.gov/your-government/departments-offices/environmental-services/climate-smart-san-jos/climate-smart-data-dashboard/water-total-citywide-water-use>

-
- c) Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?
-

As stated above, the proposed project is estimated to generate an additional approximately 395 gallons of wastewater per day. This increase represents less than 0.1 percent of San José's remaining allocation at the Facility, and would not result in projected capacity needs exceeding the wastewater commitments. Therefore, the proposed project would not represent a significant increase in wastewater above existing commitments and would not impact capacity for a wastewater treatment provider to provide wastewater treatment. **(Less than Significant Impact)**

- d) Would the project generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?
-

The proposed project would generate approximately 3.15 tons of solid waste per year.⁷⁵ The proposed project would include recycling for students and teachers which would provide a reduction in solid waste sent to landfills. The current capacity of the NISL landfill is 12.4 million cubic yards of waste with the City of San José contributing 290,000 tons of solid waste per year. The proposed project would result in an increase of approximately 0.002 percent of San José's contribution to solid waste per year. Further, the project would be required to comply with waste diversion policies and zero waste goals for the City. Therefore, the proposed project would result in a less than significant impact associated with attainment of solid waste reduction goals. **(Less than Significant Impact)**

- e) Would the project be noncompliant with federal, state, or local management and reduction statutes and regulations related to solid waste?
-

Consistent with CALGreen requirements, the proposed project would be required to provide on-site recycling facilities, develop a construction waste management plan, salvage at least 75 percent of nonhazardous construction/demolition debris (by weight), and implement other waste reduction measures. Additionally, the estimated increases in solid waste generation from future development would be minimized through implementation of the City's Zero Waste Strategic Plan by maximizing recycling and alternative disposal to divert solid waste from landfills. The Zero Waste Strategic Plan, in combination with existing regulations and programs, would ensure that the proposed project would not result in significant impacts on solid waste disposal capacity in excess of state or local standards or in excess of NISL capacity. **(Less than Significant Impact)**

⁷⁵ Cal Recycle. Estimated Solid Waste Generation Rates. Accessed September 18, 2025
<https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates>.
0.5 lb/student/day x 70 students x 180 days / 2000 lbs/ton = 3.15 tons per year

4.20 Wildfire

4.20.1 Environmental Setting

4.20.1.1 *Regulatory Framework*

State

Fire Hazard Severity Zones

CAL FIRE is required by law to map areas of significant fire hazards based on fuels, terrain, weather, and other relevant factors. Referred to as Fire Hazard Severity Zones (FHSZs), these maps influence how people construct buildings and protect property to reduce risk associated with wildland fires. FHSZs are divided into areas where the state has financial responsibility for wildland fire protection, known as state responsibility areas (SRAs), and areas where local governments have financial responsibility for wildland fire protection, known as local responsibility areas (LRAs). Homeowners living in an SRA are responsible for ensuring that their property is in compliance with California's building and fire codes. Only lands zoned for very high fire hazard are identified within LRAs.

California Fire Code Chapter 47

Chapter 47 of the California Fire Code sets requirements for wildland-urban interface fire areas that increase the ability of buildings to resist the intrusion of flame or burning embers being projected by a vegetation fire, in addition to systematically reducing conflagration losses through the use of performance and prescriptive requirements.

California Public Resources Code Section 4442 through 4431

The California Public Resources Code includes fire safety regulations that restrict the use of equipment that may produce a spark, flame, or fire; require the use of spark arrestors on construction equipment that uses an internal combustion engine; specify requirements for the safe use of gasoline-powered tools on forest-covered land, brush-covered land, or grass-covered land; and specify fire suppression equipment that must be provided onsite for various types of work in fire-prone areas. These regulations include the following:

- Earthmoving and portable equipment with internal combustion engines would be equipped with a spark arrestor to reduce the potential for igniting a wildland fire (Public Resources Code Section 4442);
- Appropriate fire suppression equipment would be maintained during the highest fire danger period, from April 1 to December 1 (Public Resources Code Section 4428);
- On days when a burning permit is required, flammable materials would be removed to a distance of 10 feet from any equipment that could produce a spark, fire, or flame, and the construction contractor would maintain appropriate fire suppression equipment (Public Resources Code Section 4427); and

- On days when a burning permit is required, portable tools powered by gasoline-fueled internal combustion engines would not be used within 25 feet of any flammable materials (Public Resources Code Section 4431).

California Code of Regulations Title 14

The California Board of Forestry and Fire Protection has adopted regulations, known as SRA Fire Safe Regulations, which apply basic wildland fire protection standards for building, construction, and development occurring in a SRA. The future design and construction of structures, subdivisions and developments in SRAs are required to provide for the basic emergency access and perimeter wildfire protection measures discussed in Title 14.

Fire Management Plans

CAL FIRE has developed an individual Unit Fire Management Plan for each of its 21 units and six contract counties. CAL FIRE has developed a strategic fire management plan for the Santa Clara County Unit, which covers the project area and addresses citizen and firefighter safety, watersheds and water, timber, wildlife and habitat (including rare and endangered species), unique areas (scenic, cultural, and historic), recreation, range, structures, and air quality. The plan includes stakeholder contributions and priorities and identifies strategic areas for pre-fire planning and fuel treatment as defined by the people who live and work with the local fire issues.

Local

San José Fire Department Wildland-Urban Interface Fire Conformance Policy

Buildings proposed to be built within the SJFD WUI shall comply with all WUI materials and construction methods per CBC Chapter 7A and CRC Section R337.⁷⁶ The applicant shall, prior to construction, provide sufficient detail to demonstrate that the building proposed to be built complies with this policy. Building Permit Plans are also to be approved by the SJFD.

4.20.1.2 *Existing Conditions*

The project site is not located within a defined fire hazard severity zone of state or local responsibility based on the Calfire Fire and Resource Assessment Program.⁷⁷

⁷⁶ San José Fire Department. *Wildland-Urban Interface (WUI) Fire Conformance Policy*. January 1, 2017.

<https://www.sanjoseca.gov/Home/ShowDocument?id=9345>.

⁷⁷ California Department of Forestry and Fire Protection. Fire Hazard Severity Zone Viewer. Accessed August 7, 2025.

<https://calfire-forestry.maps.arcgis.com/apps/webappviewer/index.html?id=988d431a42b242b29d89597ab693d008>.

4.20.2 Impact Discussion

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
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 or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
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?	☐	☐	☐	☒

The project site is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones; therefore, the project would not result in wildfire impacts. **(No Impact)**

4.21 Mandatory Findings of Significance

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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 that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☒	☐	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	☒	☐

-
- 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?
-

The proposed project would result in the removal of trees on-site during construction, however, the project would implement bird surveys to protect the species that may use the trees for nesting. Therefore, the proposed project would not result in an impact on rare or endangered species. Additionally, the proposed project could have impacts on undiscovered historical and prehistoric resources on-site during ground disturbance. The project would implement measures during construction to prevent destruction of these resources and allow for recording and protection if they are found on-site. Therefore, the proposed project would not eliminate important examples of the major periods of California history or prehistory. Based on these findings, the proposed project would have a less than significant impact on wildlife or cultural resources on the project site. **(Less than Significant Impact)**

b) Does the project have impacts that are individually limited, but cumulatively considerable?

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.”

The proposed project would result biological, cultural, hydrology and water quality, and noise impacts during construction. With implementation of the identified Standard Permit Conditions, and measures identified in the General Plan, BMPs, mitigation measures, and consistency with adopted City policies, construction impacts would be mitigated to a less than significant level. Because the nature of these identified impacts is temporary and would be mitigated, the proposed project would not have a cumulatively considerable impact on these resources.

Implementation of the proposed project would result in the removal of 44 trees, including 21 of ordinance-sized trees. Any tree removed would be replaced in accordance with the City’s Standard Tree Replacement Ratios (refer to Table 4.4-1). It is assumed that the project proponent would plant 109 replacement trees at the project site. The project would have no long-term effect on the urban forest or the availability of trees as nesting and/or foraging habitat. Therefore, the project would not have a cumulatively considerable long-term impact on biological resources.

The project is consistent with Air District GHG reduction measures included in the GHGRS and would not, by itself, result in significant emissions of GHGs. Additionally, the proposed project would not exceed the single source criteria emissions levels established by Air District and by extension would not result in cumulative impacts from criteria pollutants. Therefore, the project would not result in a cumulatively considerable impact.

The cumulative impacts from construction of the proposed project on the health of nearby sensitive receptors was assessed with mitigation included in Section 4.3. The cumulative health risks are summarized in Table 4.21-1 below.

Table 4.21-1: Cumulative Health Risk Impacts at the MEI

Source	Cancer Risk (per million)	Annual PM _{2.5} (µg/m ³)	Hazard Index
Total/Maximum Project Impact - Controlled	1.87 (infant)	0.12	<0.01
Cumulative Roadways – Air District GIS Screening Data	6.59	0.17	0.02
GeoRestoration Inc (Facility ID #23035, Remediation Services), MEI at 830 feet.	-	-	-

Central Gas (Facility ID #112339-1, Gas Dispensing Facility), MEI at +1,000 feet.	0.97	-	0.03
Campbell Shell (Facility ID #110793-1, Gas Dispensing Facility), MEI at +1,000 feet.	0.26	-	0.01
ARCO Facility #05370 (Facility ID 112157-1, Gas Dispensing Facility), MEI at +1,000 feet.	0.37	-	0.01
Cumulative Total	10.06	0.29	<0.08
Air District Cumulative Source Threshold	100	0.8	10.0
Significant?	No	No	No
Source: Illingworth & Rodkin Inc, Harker School Boynton Campus Athletic Facility Air Quality & Greenhouse Gas Assessment. June 2025.			

As seen in the table above, the combined emissions of construction and existing emissions in the project area would not exceed the cumulative Air District thresholds for health risks. Therefore, the proposed project would not have a cumulatively considerable contribution to a health risk impact from construction emissions.

As discussed in the respective sections, the proposed project would have no impact or a less than significant impact on aesthetics, agriculture and forestry resources, energy, geology and soils, hazards and hazardous materials, land use, mineral resources, population and housing, public services, recreation, transportation, utility and service facilities, and wildfires. The project would not have a cumulatively considerable impact on these resource areas. **(Less than Significant Impact with Mitigation Incorporated)**

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

Consistent with Section 15065(a)(4) of the CEQA Guidelines, a lead agency shall find that a project may have a significant effect on the environment where there is substantial evidence that the project has the potential to cause substantial adverse effects on human beings, either directly or indirectly. Under this standard, a change to the physical environment that might otherwise be minor must be treated as significant if people were significantly affected. This factor relates to adverse changes to the environment of human beings generally, and not to effects on particular individuals. While changes to the environment that could indirectly affect human beings would be represented by all of the designated CEQA issue areas, those that could directly affect human beings include air quality, hazardous materials, and noise. Implementation of applicable regulations and policies, Standard Permit Conditions, and mitigation measures would reduce the impacts to these resources areas to a less than significant level. No other direct or indirect adverse effects on human beings have been identified. **(Less than Significant Impact)**

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Section 6.0 Lead Agency and Consultants

6.1 Lead Agency

City of San José

Planning, Building & Code Enforcement

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Cort Hitchens, Planner IV

6.2 Consultants

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Section 7.0 Acronyms and Abbreviations

AB	Assembly Bill
ABAG	Association of Bay Area Governments
ACM	asbestos-containing material
ALUC	Airport Land Use Commission
APN	Assessor's Parcel Number
ATCM	air toxic control measure
Air District	Bay Area Air Quality Management District
Bay Area	San Francisco Bay Area
bgs	below ground surface
Btu	British thermal unit
CAAQS	California Ambient Air Quality Standard
CAL FIRE	California Department of Forestry and Fire Protection
Cal/OSHA	California Department of Industrial Relations, Division of Occupational Safety and Health
CalARP	California Accidental Release Prevention
CalEPA	California Environmental Protection Agency
CALGreen	California Green Building Standards
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CBC	California Building Standards Code
CDFW	California Department of Fish and Wildlife
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFC	chlorofluorocarbon
CFR	Code of Federal Regulations
CGS	California Geological Survey
CH ₄	methane
CLUP	Comprehensive Land Use Plan
CNEL	Community Noise Equivalent Level
CO	carbon monoxide
CO ₂	carbon dioxide

CO ₂ e	carbon dioxide equivalents
CRHR	California Register of Historical Resources
CUPA	Certified Unified Program Agency
dBA	A-weighted decibel
DNL	Day/Night Average Sound Level
DPM	diesel particulate matter
DTSC	Department of Toxic Substances Control
EIR	Environmental Impact Report
EO	Executive Order
EPA	Environmental Protection Agency
ESA	Environmental Site Assessment
FAA	Federal Aviation Administration
FAR	Federal Aviation Regulations
FHSZ	Fire Hazard Severity Zone
FMMP	Farmland Mapping and Monitoring Program
GHG	greenhouse gas
GHGRS	Greenhouse Gas Reduction Strategy
GWh	gigawatt hour
GWP	Global Warming Potential
Habitat Plan	Santa Clara Valley Habitat Plan
HSWA	Hazardous and Solid Waste Amendments
ibid	Same source as previous footnote
L _{eq}	Energy-Equivalent Sound/Noise Descriptor
L _{max}	Maximum A-weighted noise level during a measurement period
LBP	lead-based paint
LOS	Level of Service
LRA	Local Responsibility Area
MBTA	Migratory Bird Treaty Act
MMTCO ₂ e	million metric tons of carbon dioxide equivalent
MND	Mitigated Negative Declaration
mpg	miles per gallon
MSL	mean sea level

MTC	Metropolitan Transportation Commission
N ₂ O	nitrous oxide
NAAQS	National Ambient Air Quality Standard
NAHC	Native American Heritage Commission
NCP	National Contingency Plan
NESHAP	National Emission Standards for Hazardous Air Pollutants
NO ₂	nitrogen dioxide
NOA	naturally occurring asbestos
NOD	Notice of Determination
NO _x	nitrogen oxides
NRHP	National Register of Historic Places
O ₃	ozone
PCB	polychlorinated biphenyls
PFC	perfluorocarbon
PDA	Priority Development Areas
PG&E	Pacific Gas and Electric Company
PM	particulate matter
PM ₁₀	particulate matter with a diameter of 10 microns or less
PM _{2.5}	particulate matter with a diameter of 2.5 microns or less
PPV	Peak Particle Velocity
R&D	Research and Development
RAP	Removal Action Plan
RCRA	Resource Conservation and Recovery Act
ROG	reactive organic gases
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SB	State Bill
SCS	Sustainable Communities Strategy
SF ₆	sulfur hexafluoride
SHMA	Seismic Hazards Mapping Act
SMARA	Surface Mining and Reclamation Act
SMGB	State Mining and Geology Board

SMP	Site Management Plan
SO _x	sulfur oxides
SR	State Route
SRA	State Responsibility Area
SWRCB	State Water Resources Control Board
TACs	Toxic Air Contaminants
Title 24	Title 24, Part 6 of the California Code of Regulations
TSCA	Toxic Substances Control Act
USACE	United States Army Corps of Engineers
USFWS	United States Fish and Wildlife Service
VMT	vehicle miles traveled
Williamson Act	California Land Conservation Act
WUI	wildland-urban interface
ZNE	zero net carbon emission