INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

Environmental Checklist and Evaluation for the County of Santa Clara

File Number:	PLN23-079	**Date:** May 7, 2026
Project Type:	Use Permit, Architecture and Site Approval, and Grading Approval for a Temple and Meditation Center, with Accessory Structures and Associated Improvements.	**APN(s):** 042-04-028, 042-04-029
Project Location / Address:	1008 Weller Rd, Milpitas	**GP Designation:** Hillsides
Owner's Name:	Digambar Jain Sangh of Northern California	**Zoning:** HS (68%), HS-sr (32%)
Applicant's Name:	Archana Jain	**Urban Service Area:** None

Project Description

The subject application is a Use Permit, Architecture and Site Approval, and Grading Approval to construct a temple and meditation center with accessory structures and associated improvements on a 63-acre parcel (Assessor's Parcel Numbers (APNs) 042-04-028, 042-04-029). The proposed project site is located in the Milpitas hills just off Calaveras Road close to Ed Levin County Park and Spring Valley Golf Course. The site slopes steeply upward from the front to the back of the property. The development area would be located within a relatively flat portion of the parcel, which would minimize the need for additional grading. The parcel is surrounded by other similarly sloped parcels that consist of low-density single-family homes to the south and west, and open space to the north and east, which are all within unincorporated Santa Clara County (County). The proposed project site is mostly vacant, with the exception of an existing coral to accommodate ongoing horse grazing.

The applicant proposes to construct a temple building, a meditation/community hall with kitchen, an assembly hall, a stage, classrooms, a restroom building, a pump house, and appurtenant site work, including fences, walkways, driveways, an 86-stall parking lot, water storage tanks, landscape planting, and road improvements. The project would also include grading and retaining walls to construct the proposed structures and related improvements. The stormwater control measures involve bioretention systems that would reduce the projected drainage flows so as to not exceed the existing peak flow levels. In addition, the project would include stormwater treatment measures designed to reduce and mitigate pollutants in stormwater run-off generated because of the project.

The total estimated grading quantities for all improvements would be 3,347 cubic yards of cut and 7,778 cubic yards of fill. The total square footage of all proposed structures would be 12,349 square feet. This total would include the main temple, meditation hall, restroom structure, pumphouse, and water treatment shed.

Domestic water is proposed to be provided by an approved individual water system well, and an on-site wastewater treatment system is also proposed. Retaining walls are proposed along the meditation garden, landscaped areas, and various structures on the property.

Two blue elderberry trees of 6 inches in diameter are proposed to be removed, and 120 trees, including 42 oak trees, are proposed to be planted.

Environmental Setting and Surrounding Land Uses

The proposed project site is located in the unincorporated Milpitas hills just off Calaveras Road, close to Ed Levin County Park and Spring Valley Golf Course. The site slopes steeply upward from the front to back of the property. The development area is located within a relatively flat portion of the parcel, which would minimize the need for additional grading. The parcel is surrounded by other similarly sloped parcels that consist of low-density single-family homes to the south and west, and open space to the north and east, which are all within the unincorporated areas of the County.

The proposed project area is located in an area with a General Plan designation of Hillsides and currently contains open grasslands and developed agriculture. The subject property also partially falls within a resource conservation district intended to protect the natural environment and limit development in areas with a high risk of natural disasters, such as wildfires and geological hazards. Surrounding land uses include open space, Ed Levin County Park, Spring Valley Golf Course, and low-density single-family homes.

Environmental Science Associates' (ESA) landcover mapping indicated that a number of landcovers were present on the subject site, including California annual grassland, northern coastal scrub/Diablan sage scrub, coast live oak forest and woodland, freshwater seep, grain, row crop, hay and pasture, disked/short-term fallowed, urban-suburban, riverine, and barren. A number of special status species (plants and animals) were identified by biotic assessment to occur in the vicinity and have some potential to occur on the project site. The majority of these species were found to be absent or unlikely to occur.

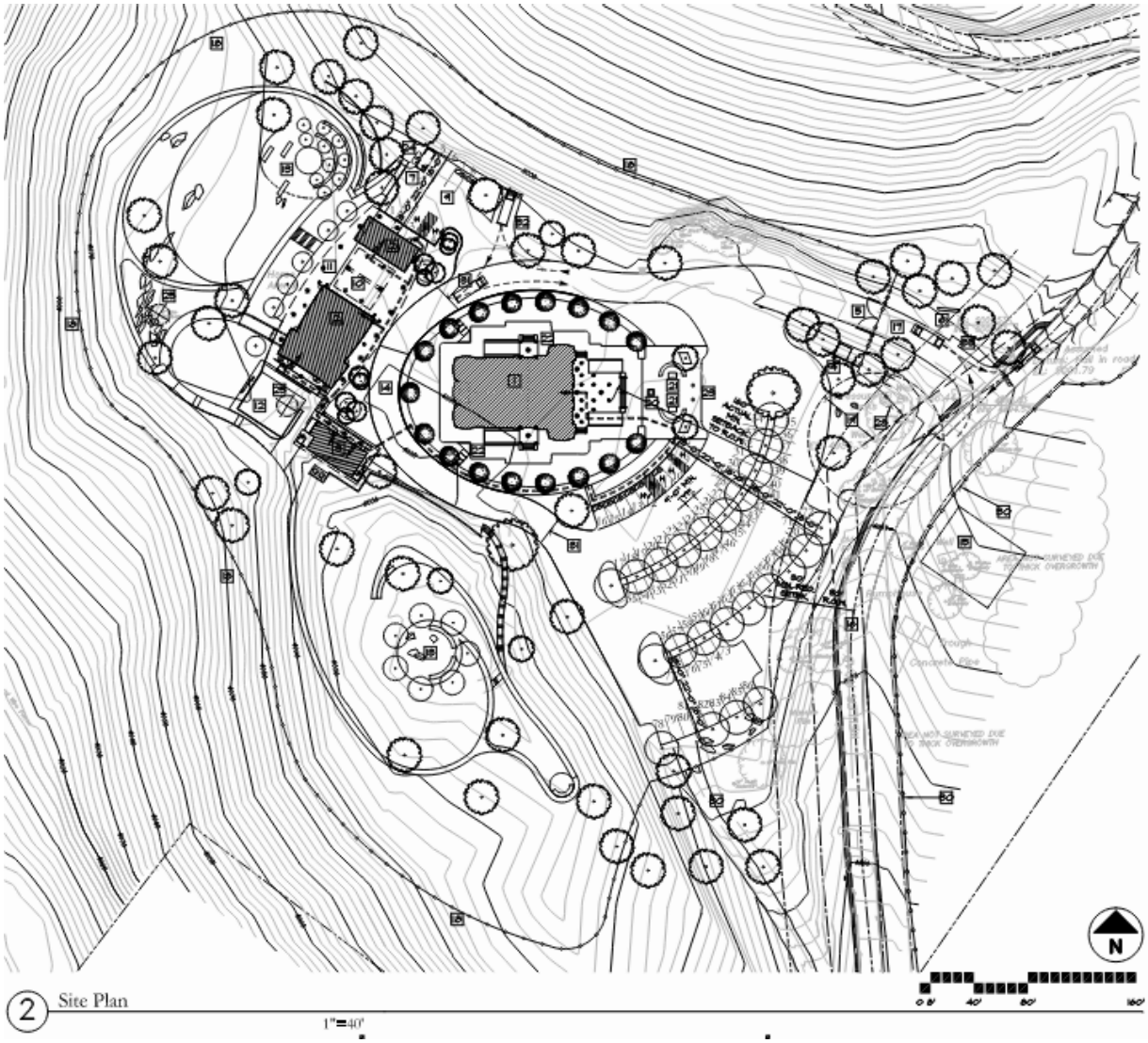
The property is located within the California Department of Forestry and Fire Protection identified State Responsibility Area (SRA), State Seismic Hazard Zone, County Landslide Hazard Zone, and U.S. Federal Emergency Management Agency (FEMA) flood zone D. The property is currently classified (under Cal Fire's 2024 maps) as lying predominantly within a Moderate Fire Hazard Severity Zone. The property is located within the Wildland Urban Interface (WUI), and is within the San Francisco Bay watershed.

Other agencies sent a copy of this document:

Santa Clara County Parks
California Department of Fish and Wildlife
California Department of Forestry and Fire Protection
California Native American Heritage Commission
State Water Resources Control Board

Figure 1 - Location Map

Figure 2 - Proposed Site Plan



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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The proposed project could potentially result in one or more environmental effects in the following areas:

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

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

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

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

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

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

Michael Shwe

May 7, 2026
Date

Michael Shwe, Associate Planner
Printed Name

Department of Planning and Development, County of Santa Clara

ENVIRONMENTAL CHECKLIST AND DISCUSSION OF IMPACTS

A. AESTHETICS					
	IMPACT				SOURCE
Except as provided in Public Resources Code section 21099, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒	2, 3, 4, 6,17f
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, along a designated scenic highway?	☐	☐	☐	☒	3, 6, 7, 17f
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☒	☐	☐	2, 3
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☒	☐	☐	3, 4

SETTING:

The subject property is 63 acres in size and is characterized as a steeply sloped, open grassland property in the Milpitas Hills just off Calaveras Road and close to Ed Levin County Park and Spring Valley Golf Course. The parcel is surrounded by low-density single-family homes to the south and west and open space to the north and east, which are all within the unincorporated areas of the County. The proposed development area of the residence is located in an area with a General Plan designation of Hillsides and currently contains open grasslands and developed agriculture. The proposed development would be approximately 800 feet northeast of Calaveras Road, and Weller Road would be utilized to access the property.

The subject property features frontage off Calaveras Road, which is a County-designated scenic road, as identified within the County General Plan and Zoning Ordinance. The proposed development would not be located within the 100-foot scenic buffer from Calaveras Road, and instead would be located up the hill away from Calaveras Road. The development area is not visible as seen from the valley floor from the south and southwest, as a hill lies within the line of sight of the property and a prospective viewer on the valley floor. As shown in visibility analysis photos, the site is marginally visible from nearby Ed Levin County Park, which is just over a mile northwest of the project site. The site is marginally visible from the valley floor directly west of the site, at the junction of Calaveras and Piedmont Roads.

Figure 3 – Proposed development as seen from Ed Levin County Park

The subject property has a General Plan designation of Hillsides and is zoned a mix of Hillsides (HS; 68%) and Hillsides with a Scenic Road Combining District (HS-sr; 32%). The property is accessed via Weller Road off of Calaveras Road, a County designated scenic road.

The proposed project includes a landscape plan identifying which trees would be removed for the project. Replacement trees are discussed as a required mitigation under the Biological Resources section of this report, so as to have the additional benefit of providing vegetative screening. All other trees shall be protected through a condition of approval requiring County approval to remove additional trees. Only 2 small trees are proposed for removal, and 120 trees are proposed to be planted to provide screening from the valley floor below and to enhance the aesthetic quality of the site. Mitigations shall also require full cut off lighting design to ensure there is no direct offsite spill of light or glare, which is included in both this section and the Biological Resources section.

DISCUSSION:

a & b) No Impact – The proposed project development site lies approximately 1,000 feet down Weller Road off of Calaveras Road. Although Calaveras Road is a scenic road, the proposed development is situated more than 800 feet up the hill from the edge of Calaveras Road, well outside of the 100-foot scenic corridor and out of view of any passing vehicles. Thereby, there would be no substantial adverse impact on a scenic vista or scenic corridor.

c & d) Less Than Significant with Mitigation Incorporated – This site slopes steeply from the front to the rear, is currently mostly open grasslands, and the undeveloped portions of the parcel would remain in that state. The project site would be at 900 feet in elevation and the proposed development would not be visible from the vast majority of the valley floor from the south and southwest, as a hill of 900 to 1,200 feet in height lies between the valley floor and the project site as viewed from that direction.

The development site is marginally visible from Ed Levin County Park to its west/northwest and other properties to the northwest, although mitigative measure **AES-MIT 1,** Vegetative Screening, in the form of trees and vegetative screening are proposed and detailed in the submitted landscape plan. Additionally, new landscaping is proposed surrounding the proposed structures, driveways, and access road. Preliminary landscape plans propose the planting of 120 trees on the property, including oaks, accent trees, fruit trees, bioswale trees and other California native trees, some of which are required replacement trees for trees to be removed. Any tree not required to be removed to construct the project shall be conditioned to remain. As the property is located within an area with existing residences on

parcels surrounding the property, the project would be consistent with the surrounding visual character and would not substantially degrade the visual setting of the area.

There is also the potential to create impacts to nighttime views due to lighting and glare. Therefore, the project would be required to implement **Mitigation Measure AES-MIT 2**, Lighting. Full cut-off lighting would ensure no direct offsite spill of light or glare will occur to obscure nighttime views in the area. Sheets E1.02 and E2.10 of the submitted plan set contain information regarding the site lighting plan and photometric calculations for the project.

MITIGATION:

AES-MIT 1: Vegetative Screening. A final landscape plan shall be submitted for approval prior to final grading permit issuance which incorporates the tree replacement requirements as detailed in the Biological Resources Sections. Landscaping is required to be planted surrounding the residence and associated driveway and access road for the site. No additional trees beyond those identified on the project plans are authorized to be removed without prior County approval and necessary mitigation measures. Prior to issuance of the certificate of occupancy, but after the roof framing is complete, the County Department of Planning and Development shall inspect the site. Should the residence be visible from Calaveras Road, which is a County designated scenic road, the applicant shall plant additional fast-growing evergreen trees (36-inch box) for visual screening to mitigate this impact.

AES-MIT 2: Lighting. A lighting plan shall be submitted for approval prior to building permit issuance. Any new outdoor lighting shall not adversely affect nighttime views. Lighting shall be of full cut-off shrouded design to ensure that no direct offsite spill of light or glare will occur.

B. AGRICULTURE / FOREST RESOURCES

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

	IMPACT				
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	**Source**
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 Natural Resources Agency, to non-agricultural use?	☐	☐	☐	☒	3, 23, 24, 26
b) Conflict with existing zoning for agricultural use?	☐	☐	☐	☒	9, 21a
c) Conflict with an existing Williamson Act Contract or the County's Williamson Act Ordinance (Section C13 of County Ordinance Code)?	☐	☐	☐	☒	1, 28
d) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)),	☐	☐	☐	☒	1, 17, 32

B. AGRICULTURE / FOREST RESOURCES					
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.					
	IMPACT				
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	**Source**
timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?					
e) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒	17, 32
f) 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?	☐	☐	☐	☒	3, 4, 17, 26

SETTING:

The subject property is located in an area with a General Plan designation of Hillsides and currently contains open grasslands and developed agriculture. Allowable uses for this General Plan designation include "institutional uses, which by their nature (1) require remote, rural settings; or (2) which support the recreational or productive use, study or appreciation of the natural environment," per policy R-LU 18 (g) of Book B of the County General Plan. The site is not subject to an existing Williamson Act Contract.

According to GIS maps using data from the U.S. Department of Agriculture, the project area consists of Gaviota loam with 15% to 30% slopes, with parent material of residuum weathered from shale and sandstone. This soil type is non-prime agricultural soil that is also not designated as unique farmland or farmland of state-wide importance. According to the GIS maps using data from the U.S. Department of Forestry and the California Department of Forestry and Fire Protection, the project area has a mix of California annual grassland, developed agriculture, and pond.

Two blue elderberry trees would be removed as part of this project and 120 new trees would be planted in replacement. The trees proposed for replanting include 42 oak trees, as well as a variety of other trees.

DISCUSSION:

a, - f) No Impact – The subject property does not contain Prime Farmland, Unique Farmland, or Farmland of Statewide Importance according to the 2020 Farmland Mapping and Monitoring Program (FMMP) maps developed by the California Department of Conservation. The County's existing zoning allows for a religious institution with an approved use permit within a Hillsides zoning district. The property is not encumbered by a Williamson Act contract, and therefore the proposed development would not conflict with County Williamson Act Guidelines or the County's Williamson Act Ordinance.

The proposed project would not conflict with existing zoning for, or cause rezoning of forest lands or timberland, would not result in the loss of conversion of forest lands, and would not involve other changes in the environment which would result in the loss of farmland or forest lands to other uses.

MITIGATION: none

C. AIR QUALITY

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

	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐	5, 29, 30
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?	☐	☒	☐	☐	5, 29, 30
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐	5, 29, 30
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐	5, 29, 30

SETTING:

Surrounding land uses immediately adjacent to the building site consist of a handful of single-family homes and open space. Ed Levin County Park and Spring Valley Golf Course are located to the northwest/west of the property. The proposed project is located within the San Francisco Bay Area Air Quality Management District (BAAQMD), which regulates air pollutants, including those generated by the construction and operation of development projects. These criteria pollutants include reactive organic gases, carbon monoxide, nitrogen dioxide, and particulate matter (PM). BAAQMD also regulates toxic air contaminants (fine particulate matter), and long-term exposure to those contaminants is linked to respiratory conditions and an increased risk of cancer. Major sources of toxic air contaminants in the Bay Area include major automobile and truck transportation corridors (e.g., freeways and expressways) and stationary sources (e.g., factories, refineries, and power plants).

DISCUSSION:

a, c & d) Less Than Significant Impact – The proposed project would not be expected to have any impacts to air quality, except during the construction period, which may generate some temporary impacts. The proposed institutional use would not expose sensitive receptors (such as children, elderly, or people with illness) to substantial pollutant concentrations or involve criteria pollutants emissions.

Potential air quality impacts were assessed by modeling the estimated average daily emissions generated by Project construction using the California Emissions Estimator Model (CalEEMod), version 2022.1.1 and comparing them to the BAAQMD's project-level thresholds of significance. CalEEMod was developed in collaboration with California air districts and is recommended by BAAQMD for use in air quality analyses. The project's operational emissions were also modeled using CalEEMod and Project-specific trip generation data.

Construction and operational criteria air pollutant emissions were modeled and compared to the BAAQMD thresholds of significance. All
construction criteria pollutant emissions would be below their respective thresholds. Therefore, the Project would not result in a significant air quality impact associated with criteria pollutants. The construction HRA for nearby sensitive receptors and workers were modeled and compared to the BAAQMD thresholds of significance. Estimated maximum health risks would be below their respective thresholds; therefore, the Project would not result in a significant air quality health risk with respect to construction activities. Based on BAAQMD thresholds, construction and operation of the project would result in less than significant impacts with respect to GHG emissions.

Project-related construction activities would result in short-term emissions of diesel particulate matter exhaust associated with diesel-fueled engines (diesel PM) from on-site construction equipment and on-road trucks delivering/hauling equipment and materials to/from the project area. The project would not include stationary sources of toxic air contaminants (TAC) emissions or land uses associated with the heavy use of diesel vehicles during operation.

As such, the proposed development would not conflict with or obstruct implementation of an applicable air quality plan, result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard, or result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

b) Less Than Significant with Mitigation Incorporated – The proposed project would not be expected to have any impacts to air quality, except during the construction period, which may generate some temporary impacts. Dust would be created during the construction of the proposed structures and site improvements. However, dust emissions would be controlled through standard Best Management Practices (BMPs) dust control measures that would be a condition of the project. With regard to fugitive dust emissions created during the construction phase, the BAAQMD Guidelines focus on implementation of recommended dust control measures rather than a quantitative comparison of estimated emissions to a significance threshold. For all projects, the BAAQMD recommends the implementation of its Basic Best Management Practices for Construction-Related Fugitive Dust Emissions. Therefore, it would be necessary for the project to implement **Mitigation Measures AQ-1**, Dust Control, to reduce emissions of fugitive dust. The project's construction-related emissions would result in a less than significant impact with mitigation.

MITIGATION:

- **AQ-MIT 1: Dust Control.**
    - All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered 2 times per day.
    - All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

- All visible mud or dirt trackout onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- 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.
- All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
- All trucks and equipment, including their tires, shall be washed off prior to leaving the site.
- Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6- to 12-inch layer of compacted layer of wood chips, mulch, or gravel.
- Publicly visible signs shall be posted with the telephone number and name of the person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's General Air Pollution Complaints number shall also be visible to ensure compliance with applicable regulations.

D. BIOLOGICAL RESOURCES					
	IMPACT				**SOURCE**
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
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 Game or U.S. Fish and Wildlife Service?	☐	☒	☐	☐	1, 7, 17b, 17o
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	☐	☐	☒	3, 7, 8a, 17b, 17e, 22d, 22e, 32
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?	☐	☐	☐	☒	3, 7, 17n, 33, 34
d) Have a substantial adverse effect on oak woodland habitat as defined by Oak Woodlands Conservation Law (conversion/loss of oak woodlands) – Public Resource Code 21083.4?	☐	☐	☐	☒	1, 3, 31, 32, 33
e) 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?	☐	☒	☐	☐	1, 7, 17b, 17o, 32
f) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☒	☐	☐	32, 33
g) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	☐	☐	☐	☒	3, 4, 17l

SETTING:

The proposed project would be located in unincorporated Santa Clara County, approximately 2 miles east of the City of Milpitas, and includes parcels 042-04-028 and 042-04-029. Surrounding parcels include a horse boarding property to the south, open space to the north and east of the property, and a rural residence to the north. Calaveras Reservoir is approximately 1.5 miles to the northeast and South San Francisco Bay is approximately 10 miles to the west.

The property on which the project would be located is approximately 68.48 acres; however, the project would be approximately 6 acres. The project would include a Jain temple and community center, leach field, water tank, and pipelines connecting the leach field and water tank to the temple and community center. It would also include the widening of Weller Road to conform with County requirements.

The property previously operated as a horse ranch with stables, and horse grazing has historically occurred on many parts of the property surrounding the proposed project area. Horse stables and a hay storage building were removed in March and April of 2019; however, horses continue to board and graze on the property, and horse grazing is expected to continue on the remaining 62 acres of property once the proposed project would be completed.

Land Cover

The Habitat Agency mapped 6 land cover types within the study area: California annual grassland; coast live oak forest and woodland; pond; agricultural developed; grain, row-crop, hay and pasture, disked/short-term fallowed; and urban-suburban. Due to the geographical extent of the permit area, land cover mapping was primarily accomplished at a coarse-scale, using aerial photography flown in 2001 and 2003, and using existing sources of broad-scale information, such as U.S. Geological Survey data on topography and hydrology, geologic maps for the County, National Wetlands Inventory Maps from the U.S. Fish and Wildlife Service (USFWS), and stream data from Santa Clara Valley Water District. Additionally, field visits were conducted in accessible portions of the study area to develop and verify land cover mapping. Minimum land cover mapping units, which are the smallest areas mapped for each land cover type, ranged from 0.25 acres for wetland and riparian land cover types to 10 acres for most other land cover types. The Habitat Plan states that "access to the extreme northeast…was not possible due to extensive private holdings and lack of approvals for access." The study area is located at the northeast end of the permit area and the portion of Weller Road that provides views of the study area is private. Portions of the study area could be viewed from Calaveras Road; however, those areas are California annual grassland, which would not have warranted field verification. As such, land cover types mapped in the study area are assumed to have not been field verified.

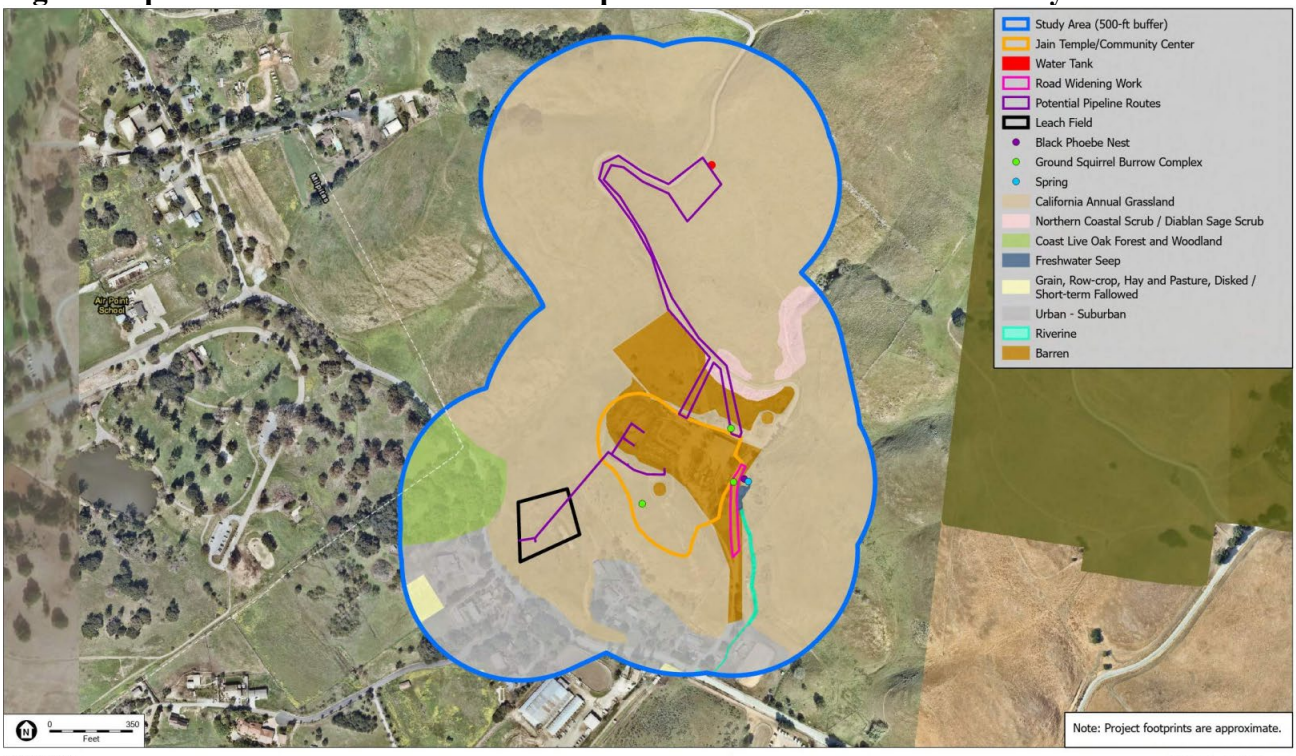
ESA's field survey in April 2021 served to field verify the Habitat Agency's land cover mapping. During the field survey, ESA did not observe 2 of the land cover types mapped by the Habitat Agency: agricultural/developed and pond. The area mapped by the Habitat Agency as agricultural/developed is currently barren. All buildings and most infrastructure related to the horse ranch have been removed. The remaining infrastructure includes a portable office building, a horse paddock, and a Conex box. None of the study area was observed to be in use for agricultural purposes.

The roughly 0.5-acre feature mapped by the Habitat Agency as "pond" is a former riding arena that is currently being used as a horse paddock. Based on historical imagery on Google Earth, this area

appears to have been a riding arena/horse paddock since at least 2000. Due to the coarse-scale mapping and inability to field verify this area during the Habitat Plan land cover mapping, ESA assumes the identification of the riding arena as a pond in the Habitat Plan land cover map was simply a mapping error. This mapping error is also assumed to be the reason why an area centered on the riding arena is mapped in the Habitat Plan as a survey area for tricolored blackbird (Agelaius tricolor). Tricolored blackbirds nest in wetlands, particularly in California's coastal areas, but they also commonly nest in agricultural crops such as triticale fields, and in upland shrubs such as Himalayan blackberry (Rubus armeniacus). Tricolored blackbirds often forage in grain piles at dairies, as well as alfalfa, wetlands, alkali scrub, coast live oak and other land cover types that are rich in insects. ESA's field surveys confirmed that the area mapped in the Habitat Plan as a survey area for tricolored blackbird does not provide suitable nesting or foraging habitat for tricolored blackbird.

In addition, ESA identified 3 land cover types within the study area that were not mapped in the Habitat Plan: freshwater seep, riverine, and northern coastal scrub/Diablan sage scrub. Land cover types documented by ESA within the study area are shown in Figure 3-1, Land Cover Types Within the Study Area and described below. Where applicable, these descriptions are based on those included in Chapter 3, Physical and Biological Resources, of the Habitat Plan, which are based on Holland's Preliminary Descriptions of the Terrestrial Natural Communities of California. Freshwater seep, which is described by Holland, is not a wetland land cover type addressed in the Habitat Plan; however, it best describes the wetland feature ESA observed during the field survey.

Figure 4 Special-status Plant and Wildlife Species Within 3 Miles of the Study Area



Special-Status Species

Several species documented in the vicinity of study area are protected pursuant to federal and/or State endangered species laws, or have been designated as Species of Special Concern by the California Department of Fish and Wildlife (CDFW). In addition, Section 15380(b) of the CEQA Guidelines

provides a definition of rare, endangered, or threatened species that are not included in any listing. Species recognized under these terms are collectively referred to as "special-status species."

A list of special-status plant species with potential to occur within or in the vicinity of the study area was compiled from a search of the CDFW California Natural Diversity Database and the California Native Plant Society's Rare Plant Inventory including the following 7.5-minute USGS topographic quadrangles: Calaveras Reservoir, Niles, La Costa Valley, Mendenhall Springs, Milpitas, Mount Day, San José West, San José East, and Lick Observatory. From the full list of species, each was individually assessed based on habitat requirements and distribution relative to land cover and grazing that occurs in and around the study area (refer to Figure 4, Special-status Plant and Wildlife Species Within 3 Miles of the Study Area).

Two observations of a special-status plant species, Santa Clara red ribbons (Clarkia concinna ssp. automixa) and alkali milk vetch (Astragalus tener var. tener) are recorded within 3 miles of the project area. The study area includes suitable habitat for Santa Clara red ribbons; however, the nearby occurrence of alkali milk-vetch is within a mitigation bank where this species was planted in alkali wetland habitat, which is not present in the study area. The lack of recorded special-status plant observations in the vicinity of the study area is more likely a reflection of the predominance of inaccessible private property in the region than a lack of potential for special-status plants. No special-status plant species were determined to have a high potential to occur in or near the study area; however, a number of special-status plant species have a moderate potential to occur in or near the study area within the grassland, coastal scrub, or freshwater seep land cover. None of these species is listed under the federal or state Endangered Species Acts; however, all plants with a California Native Plant Society designated California Rare Plant Rank (CRPR) of 1B meet the definitions of the California Endangered Species Act of the California Fish and Game Code, and are eligible for state listing.

A list of special-status wildlife species with potential to occur within or in the vicinity of the study area was compiled from a query of the project area in the USFWS Information for Planning and Consultation (IPaC) database and a search of the CDFW California Natural Diversity Database including the following 7.5-minute USGS topographic quadrangles: Calaveras Reservoir, Niles, La Costa Valley, Mendenhall Springs, Milpitas, Mount Day, San José West, San José East, and Lick Observatory. From the full list of species, each was individually assessed based on habitat requirements and distribution relative to land cover and grazing that occurs in and around the study area.

Although many native birds are not considered to be special-status species, their nests are protected by the MBTA and the California Fish and Game Code. Within the study area, many resident and migratory birds such as house finch, mourning dove, northern mockingbird, Cooper's hawk, Anna's hummingbird, western meadowlark, and rufous-crowned sparrow could nest in existing trees, shrubs, grasslands and structures within the study area, while killdeer could nest on the barren ground. Cliff swallow (Petrochelidon pyrrhonota), barn swallow, and black phoebe could build mud nests on the outside of existing buildings. A black phoebe was observed by ESA nesting under the eave on the west side of the spring house on the day of the field survey.

The majority of the property where the project would be built is currently surrounded by barbed-wire fencing, as are many of the other private properties in the area due to the prevalence of grazing animals. The project would be constructed inside of the existing fencing, and most of the project would be built on a portion of the site that was formerly occupied by ranching buildings. In addition, the

relatively small footprint of the project within the property would not inhibit the use of the property as a terrestrial wildlife corridor. Because of the permeability of barbed wire fences, wildlife is assumed to continue to move through the study area from the expansive grassland and oak woodland habitats surrounding all sides of the property. Oak woodland, coastal scrub, riverine and wetland habitat adjacent to the project area, provide vegetative cover for wildlife and facilitate wildlife movement through the area. Such conditions are not expected to change following implementation of the project.

Santa Clara Valley Habitat Plan

The property is within Area 2 of the coverage area for the Santa Clara Valley Habitat Plan (SCVHP). Projects that result in more than 2 acres of permanently disturbed area are covered projects under the Habitat Plan. The proposed project would be a covered project because it would result in approximately 4.6 acres of permanently disturbed area. The Habitat Plan covers 9 special-status wildlife species and 9 special-status plant species, of which 3 covered wildlife species have at least a moderate potential to occur in the study area: California tiger salamander, California red-legged frog, and northwestern pond turtle. No covered plant species have a moderate or high potential to occur in the study area. The Habitat Plan also includes 20 conditions, to which most development, both private and public, is subject. Several conditions are applicable to specific activities, including urban development, in-stream projects, in-stream operations and maintenance, rural projects, rural operations and maintenance, and implementation of the Plan's Reserve System. This project would be subject to Conditions 1, 3, 7, 11, 12 and 19 of the Habitat Plan.

DISCUSSION:

b, c, d & g) No Impact – The project would not have a substantial adverse effect on oak woodland habitat as defined by Oak Woodlands Conservation Law (conversion/loss of oak woodlands) – Public Resource Code 21083.4, because no oaks are proposed to be removed, and only a small sliver of oak woodland is located on the subject property, at over 500 feet away from the primary development area, and would not be disturbed or affected as a result of the proposed project.

The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan, as the proposed project plans conform with all applicable conservation plan provisions. The project would also not have a substantial adverse effect on state or federally protected wetlands, nor on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.

a, e, & f) Less Than Significant with Mitigation Incorporated – Special-status plant species with at least a moderate potential to occur in the study area could occur within Freshwater Seep, California Annual Grassland, Northern Coastal Scrub/Diablan Sage Scrub, and Coast Live Oak Forest and Woodland. No construction is planned within, or in the immediate vicinity of the Freshwater Seep. However, construction-related ground disturbance such as clearing and grubbing, excavation, site access, or construction staging could remove or otherwise damage special-status plant species, if present, within California Annual Grassland, Northern Coastal Scrub/Diablan Sage Scrub, and Coast Live Oak Forest and Woodland. There is currently no survey information to indicate whether any special-status plants are present in, or absent from, the study area. **Mitigation Measure BIO-1**, Avoid and Minimize Impacts on Special-Status Plant Species would avoid and minimize potential

construction-related impacts on special-status plant species, reducing potential impacts to less than significant with mitigation.

Bird species protected by the Migratory Bird Treaty Act (MBTA) could be present nesting in all land cover types in the study area, including Barren and Urban-Suburban. Killdeer (Charadrius vociferus) frequently nest on the ground in barren or gravelly areas out in the open, and many bird species, such as northern mockingbird (Mimus polyglottos), house finch (Haemorhous mexicanus), and mourning dove (Zenaida macroura) are habituated to human activity and nest in ornamental landscape plants and on structures. Grassland bird species such as western meadowlark (Sturnella neglecta) are known to nest on the ground in California Annual Grassland and California thrasher (Toxostoma redivivum) and California quail (Callipepla californica) nest in chaparral habitat such as the Northern Coastal Scrub/Diablan Sage Scrub in the study area. Coast Live Oak Forest and Woodland provide nesting habitat for Acorn woodpecker (Melanerpes formicivorus) and oak titmouse (Baeolophus inornatus). Black phoebe (Sayornis nigricans) and song sparrow (Melospiza melodia) are often associated with Freshwater Seeps and Riverine habitat, respectively. Direct impacts to nesting birds could result from the removal of trees and vegetation and/or demolition of buildings while an active bird nest is present. In addition, earth moving, operation of heavy equipment, and increased human presence could result in noise, vibration, and visual disturbance. These conditions could indirectly result in nest failure (disturbance, avoidance, or abandonment that leads to unsuccessful reproduction), or could cause flight behavior that would expose an adult or its young to predators. These activities could cause birds that have established a nest before the start of construction to change their behavior or even abandon an active nest, putting their eggs and nestlings at risk for mortality.

According to the Arborist Report prepared on October 18, 2021, the project would remove 2 small (6-inch diameter) elderberries (Sambuca mexicana) in "poor" to "fair" condition, which may or may not provide bird nesting habitat. Another 19 trees that would be left in place are from within a few feet to 100 feet of construction activities, which could indirectly disturb tree-nesting birds, if present. Construction of the water storage tank, pipeline, south outdoor meditation garden, septic system, and septic maintenance path in California annual grassland could result in direct or indirect disturbance to ground-nesting grassland birds. A portion of the water tank pipeline would be constructed in Northern Coastal Scrub/Diablan Sage Scrub, which could directly or indirectly have an impact on birds that nest in scrub vegetation. Similarly, construction of the portion of the septic maintenance path in the Coast Live Oak Forest and Woodland would not require removal of trees and there would be no direct impacts to nesting birds; however, construction activity with the Coast Live Oak Forest and Woodland could result in indirect disturbance to birds nesting in woodland trees and cause nest failure.

Generally, nest failure would be a violation of California Fish and Game Code sections 3503–3513. Impacts to birds protected under the MBTA during the non-breeding season generally are not considered significant, primarily because of the birds' mobility and ability to access other comparable foraging habitat in the region. The Habitat Agency does not provide specific guidance on avoidance and minimization measures for nesting birds; however, implementation of **Mitigation Measure BIO-2**, Avoid and Minimize Impacts on Nesting Birds, would avoid and reduce potential construction-related impacts on nesting birds to less than significant with mitigation.

Within the study area, California red-legged frog and northwestern pond turtle could be present in the Freshwater Seep and associated Riverine habitat in the study area. California tiger salamander is not expected in the study area because the species does not utilize Riverine habitat and typically breeds in seasonal ponds pools significantly larger than the Freshwater Seep in the study area. California red-legged frog could also utilize California Annual Grassland and Northern Coastal Scrub/Diablan Sage

Scrub for dispersal within 1 mile of suitable aquatic habitat. California red-legged frog can also be present in small mammal burrows, which they use for aestivation. Small mammal burrows were observed by ESA in April 2021 on the opposite side of Weller Rd. from the Riverine habitat.

Construction is not anticipated in or around the Freshwater Seep and Riverine habitat in the study area; however, indirect impacts could occur during road widening construction due to erosion/sedimentation or other deleterious materials, such as from an accidental equipment leak or spill, entering these sensitive habitats. In addition, ground disturbance such as clearing and grubbing, grading, and excavation, affecting burrows within one mile of suitable aquatic habitat, could result in injury or mortality to California red-legged frog.

The Habitat Agency does not provide specific guidance on avoidance and minimization measures for California red-legged frog and northwestern pond turtle ; however, implementation of **Mitigation Measure BIO-3**, Avoid and Minimize Impacts to California Red-legged Frog and Northwestern Pond Turtle, would avoid and reduce potential construction-related impacts on the California red-legged frog and northwestern pond turtle to less than significant with mitigation.

MITIGATION:

- **BIO-MIT 1: Avoid and Minimize Impacts on Special-Status Plant Species.** To ensure protection of special-status plant species, the following measures shall be implemented:

    - Prior to the start of construction in areas mapped as California Annual Grassland or Northern Coastal Scrub/Diablan Sage Scrub, including clearing and grubbing, and grading, a qualified biologist shall conduct a properly timed special-status plant survey for Santa Clara thornmint (Acanthomintha lanceolata), bent-flowered fiddleneck (Amsinckia lunaris), California androsace (Androsace elongata ssp. acuta), big-scale balsamroot (Balsamorhiza macrolepis), Oakland star tulip (Calochortus umbellatus), Congdon's tarplant (Centromadia parryi ssp. congdonii), Hospital Canyon larkspur (Delphinium californicum ssp. interius), Jepson's woolly sunflower (Eriophyllum jepsonii), Diablo helianthella (Helianthella castanea), bristly leptosiphon (Leptosiphon acicularis), woolly-headed Lessingia (Lessingia hololeuca), arcuate bush mallow (Malacothamnus arcuatus), Hall's bush mallow (Malacothamnus hallii), and rock sanicle (Sanicula saxatilis) within the species' suitable habitat within the project construction disturbance area. The survey shall follow the CDFW Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities (CDFW, 2018). If special-status plant species occur within the project disturbance area, then the biologist shall establish an adequate buffer area for each plant population to exclude activities that directly remove or alter the habitat of, or result in indirect adverse impacts on, the special-status plant species. A qualified biologist shall oversee installation of a temporary, plastic mesh-type construction fence (Tensor Polygrid or equivalent) at least 4 feet (1.2 meters) tall around any established buffer areas to prevent encroachment by construction vehicles and personnel. The qualified biologist shall determine the exact location of the fencing. The fencing shall be strung tightly on posts set at maximum intervals of 10 feet (3 meters) and shall be checked and maintained weekly until all construction is complete. The buffer zone established by the fencing shall be marked by a sign stating:

"This is habitat of [list rare plant(s)] and must not be disturbed. This species is protected by [the Endangered Species Act of 1973, as amended/CESA/California Native Plant Protection Act]."

- As required by the CDFW Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities, the qualified botanist shall determine the potential presence and distribution of sensitive natural communities.

- If direct impacts cannot be avoided, the County shall prepare a plan for minimizing the impacts by 1 or more of the following methods: 1) salvage and replant plants at the same location following construction; 2) salvage and relocate the plants to a suitable off-site location with long-term assurance of site protection; 3) collect seeds or other propagules for reintroduction at the site or elsewhere; or 4) payment of compensatory mitigation, e.g., to a mitigation bank.

- The success criterion for any seeded, planted, and/or relocated plants shall be full replacement at a 1:1 ratio after 5 years. Monitoring surveys of the seeded, planted, or transplanted individuals shall be conducted for a minimum of 5 years, to ensure that the success criterion can be achieved at year 5. If it appears the success criterion would not be met after 5 years, contingency measures may be applied. Such measures shall include, but are not be limited to, additional seeding and planting, altering or implementing weed management activities, or, introducing or altering other management activities.

- Any special-status plant species observed during surveys shall be reported to the USFWS and CDFW and submitted to the California Natural Diversity Database.

- **BIO-MIT 2: Avoid and Minimize Impacts on Nesting Birds.** Adequate measures shall be taken to avoid inadvertent take of raptor nests and other nesting birds protected under the Migratory Bird Treaty Act when in active use. This shall be accomplished by taking the following steps:

  - During the nesting season (February 15 to August 31), a pre-construction survey for nesting raptors and other nesting birds shall be conducted by a qualified biologist within 7 days prior to the onset of vegetation removal, construction staging, or construction, to identify any active nests on the project site and in the vicinity of proposed construction. Surveys for active bird nests shall be performed in the project construction area and vehicle and equipment staging areas plus a 150-foot buffer for passerines (songbirds) and a 500-foot buffer for raptors (birds of prey), within suitable bird nesting habitat.

  - If no active nests are identified during the survey period, or if development is initiated during the non-breeding season (September 1 to February 14), construction may proceed with no restrictions.

  - If bird nests are found, an adequate no-disturbance buffer shall be established by the qualified biologist around the nest location and construction activities restricted

within the buffer until the qualified biologist has confirmed that any young birds have fledged and are able to leave the construction area. Required setback distances for the no-disturbance zone shall be established by the qualified biologist and may vary depending on species, line-of-sight between the nest and the construction activity, and the birds' sensitivity to disturbance. As necessary, the no-disturbance zone shall be fenced with temporary orange construction fencing if construction is to be initiated on the remainder of the development site.

- Any birds that begin nesting within the project area and survey buffers amid construction activities shall be assumed to be habituated to construction-related or similar noise and disturbance levels and no work exclusion zones shall be established around active nests in these cases; however, should birds nesting nearby begin to show disturbance associated with construction activities, no-disturbance buffers shall be established as determined by the qualified wildlife biologist.

- Any work that must occur within established no-disturbance buffers around active nests shall be monitored by a qualified biologist. If adverse effects in response to project work within the buffer are observed and could compromise the nest's success, work within the no-disturbance buffer shall halt until the nest occupants have fledged.

- A report of findings shall be prepared by the qualified biologist and submitted to the County for review and approval prior to initiation of construction within the no-disturbance zone during the nesting season. The report shall either confirm absence of any active nests or shall confirm that any young within a designated no-disturbance zone and construction can proceed

- **BIO-MIT 3: Avoid and Minimize Impacts to California Red-legged Frog and Northwestern Pond Turtle .** Protective measures for California red-legged frog include pre-construction surveys, demarcating and avoiding ground squirrel burrows, the isolation of active work areas with wildlife exclusion fencing, hand clearing of vegetation within work areas, and preconstruction biological surveys and monitoring by a qualified biologist in areas where clearing is required. Protective measures shall additionally serve to protect California tiger salamander and northwestern pond turtle. Specific measures that are required to protect California red-legged frog are as follows:

  - Conduct Pre-construction Survey for California red-legged frog and WPT: A qualified biologist shall conduct a pre-construction survey for California red-legged frog and northwestern pond turtle within 48 hours of the start of ground disturbing activities within 50 feet of Freshwater Seep or Riverine habitat. (This task can be done concurrently with burrow demarcation, below.)

  - Avoid and Minimize Impacts California red-legged frog and northwestern pond turtle Individuals and their Aquatic Habitat: Temporary fencing shall be installed along the eastern edge of Weller Road from the property line to the south to 100 feet north of the spring to exclude California red-legged frog and northwestern pond turtle that could be in the freshwater seep/riverine habitat from the project work area. The fence shall be constructed of three-foot tall erosion-control fencing that is pulled tight to eliminate sagging, supported with wooden stakes or t-posts, and

buried to a depth of at least 3 inches deep. Gaps between successive fence panels shall not exceed 1/4"-wide and can be filled using aerosol gap filler (i.e., door and window foam). Exclusion fencing shall be installed under the direction of a qualified biologist. Any individual California red-legged frog or northwestern pond turtle detected during fence installation or project construction shall be provided a sizeable buffer to avoid impacts and individuals allowed to exit the site on their own volition. Fencing shall be regularly inspected during the construction period and repaired or replaced as needed. If non-wetland/riparian vegetation must be removed during fence installation, vegetation shall be removed by hand to avoid injuring California red-legged frog and northwestern pond turtle . Wetland/riparian vegetation shall be avoided.

- Avoid Impacts to Ground Squirrel Burrows: Project activities, including but not limited to staging areas, vehicle parking, ground disturbance and soils disposal piles, shall avoid ground disturbance or compaction to burrows 3 or more inches in diameter, which can provide aestivation habitat to California red-legged frog . Prior to ground disturbing work, a qualified biologist shall demarcate ground squirrel burrows within 150 feet of project activities that are also within one mile of suitable aquatic habitat for either species. Burrow complexes shall be demarcated with lathe stakes, drift fencing, or another marking technique that will prevent construction personnel, equipment and vehicles from impacting burrows. If burrows cannot be avoided, a qualified biologist shall hand excavate the burrows prior to ground disturbance to confirm absence of California red-legged frog or California tiger salamander , or shall relocate individuals, with the approval of USFWS and CDFW. Demarcation of burrows shall be done concurrently with pre-construction surveys, above.

E. CULTURAL RESOURCES					
	IMPACT				**SOURCE**
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5 of the CEQA Guidelines, or the County's Historic Preservation Ordinance (Division C17 of County Ordinance Code) – including relocation, alterations or demolition of historic resources?	☐	☒	☐	☐	3, 16, 19, 41, 42
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the CEQA Guidelines?	☐	☒	☐	☐	3, 19, 41, 42
c) Disturb any human remains including, those interred outside of formal cemeteries?	☐	☒	☐	☐	3, 19, 41, 42

SETTING:

A letter from the California Historical Resources Information System (CHRIS) dated January 21, 2025, noted no previously recorded sites within or adjacent to the proposed project site. However, the Office of Historic Preservation determined that the proposed project site has the possibility of containing unrecorded archaeological sites and recommended that the property be evaluated by a

qualified archaeologist. Dr. Robert Cartier of Archaeological Resource Management (ARM) conducted an archival search and a surface survey of the proposed project area. The report is titled "Cultural Resource Evaluation of the Proposed Project at 1008 Weller Road in the County of Santa Clara," dated January 31, 2025. No existing structures are proposed to be demolished as the lot is vacant.

In addition, a "general surface reconnaissance" was conducted by a qualified archaeologist on all visible open land surfaces in the project area. A "controlled intuitive reconnaissance" was performed in places where burrowing animals, exposed banks and inclines, and other activities had revealed subsurface stratigraphy and soil contents; no significant prehistoric or historic cultural material was noted during surface reconnaissance.

DISCUSSION:

a-c) **Less Than Significant with Mitigation Incorporated** – The County received a letter from Tamien Nation on January 23, 2025, requesting tribal consultation per Public Resources Code section 21080.3.1(b) regarding the potential for a Native American tribal cultural resource located on or near the project site. A consultation meeting involving County Planning staff and representatives of Tamien Nation took place on March 20, 2025. Tamien Nation stated that the project site is in close proximity to known tribal cultural resources, and Los Coches Creek, and therefore the project could result in an adverse impact to subsurface tribal cultural resources that may be present but not identified during surface reconnaissance. As a result, the project has the potential to result in a significant adverse impact to cultural resources, but implementation of the following mitigation measures will reduce this to a less than significant impact.

MITIGATION:

- **CUL-MIT 1: Tribal Cultural Monitors during Ground Disturbance.** Tribal Cultural Monitors and a qualified archaeologist shall be on site to monitor project-related ground-disturbing activities including grubbing, grading, trenching, and excavation. The contract for this work shall be provided to the County prior to issuance of a grading permit. The frequency of monitoring shall be determined by the archaeologist based on the rate of excavation and grading activities, the materials being excavated, the depth and location of excavation, and, if found, the abundance and type of archaeological resources encountered.

- **CUL-MIT 2: Accidental Discovery Protocols.** In the event that human remains are discovered during ground-disturbing activities and/or grading at the site, the Applicant shall stop all activity within a 50-foot radius of the find. The County Coroner shall be notified immediately and shall make a determination as to whether the remains are of Native American origin or whether an investigation into the cause of death is necessary (as required by Health and Safety Code section 7050.5, Public Resources Code section 5097.98, Title 14 California Code of Regulations section 15064.5(e), and County Ordinance Number B6-18). If the remains are determined to be Native American, the Coroner shall notify the California Native American Heritage Commission (NAHC) within 24 hours of this determination. Once the NAHC identifies the most likely descendants, the descendants shall make recommendations regarding proper burial (including the treatment of grave goods). No further disturbance of the site shall be

made except as authorized by the County Coordinator of Indian Affairs and the NAHC in accordance with the provisions of state law and the County Ordinance.

If buried historic or prehistoric cultural resources or suspected resources (such as chipped stone or groundstone, shell middens, historic debris such as trash dumps, building foundations, or old roadways) are inadvertently discovered during ground-disturbing activities, work shall stop within a 100-foot radius of the find, the County Department of Planning and Development shall be notified, and the qualified archaeologist shall evaluate the find to determine if it meets the definition of a historical, unique archaeological, and/or tribal cultural resource. If the find is determined to be a tribal cultural resource, consultation with recognized tribes shall be undertaken and their input shall be sought on the most appropriate treatment and disposition of the finds.

- **CUL-MIT 3: Tribal Cultural Awareness Training.** Prior to the start of ground-disturbing activities, the applicant shall retain a Tribal Cultural Monitor to implement cultural and archaeological awareness training for all construction personnel involved with earthmoving or grading activities. The training shall include information regarding the possibility of encountering buried cultural resources (including tribal cultural resources), the appearance and types of resources likely to be seen during construction, notification procedures, and proper protocol to be followed should resources be encountered. This training shall be provided to all workers involved in ground-disturbing activities throughout the duration of construction and shall be documented in training records that shall be submitted to the County prior to those workers undertaking any ground-disturbing activities at the site.

- **CUL-MIT 4: Discovery of Tribal Cultural Resources and Tribal Notification Protocol.** If buried prehistoric cultural resources or suspected resources (such as chipped stone or groundstone, or shell middens) are inadvertently discovered during ground-disturbing activities, work shall stop within a 100-foot radius of the find, the County Department of Planning and Development shall be notified, and the qualified archaeologist shall evaluate the find to determine if it meets the definition of a historical, unique archaeological, and/or tribal cultural resource, and all of the following shall be required:

    - If the find(s) does/do not meet the definition of a historical resource or unique archaeological resource, no further study or protection is necessary prior to resuming project implementation.

    - If the find(s) does/do meet the definition of a historical resource or unique archaeological resource, then it shall be avoided by project activities. If avoidance is not feasible, as determined by the County Department of Planning and Development, the qualified archaeologist shall make appropriate recommendations regarding the treatment and disposition of such find(s), and significant impacts to such resources shall be mitigated in accordance with the recommendations of the archaeologist, and evidence of such mitigation shall be submitted to the County Department of Planning and Development, prior to resuming any construction activities within the 100-foot radius of the find(s).

- If the find(s) is/are potentially a tribal cultural resource, then Tamien Nation tribal representatives shall be consulted. If, after consultation with Tamien Nation tribal representatives, it is determined that the find(s) is/are a tribal cultural resource, then the find(s) shall be avoided by project activities. If avoidance is not feasible, as determined by the County Department of Planning and Development, the qualified archaeologist, in consultation with tribal representatives, shall make appropriate recommendations regarding the treatment and disposition of such find(s) and significant impacts to such resources shall be mitigated in accordance with the recommendations of the archaeologist, and evidence of such mitigation submitted to the County, prior to resuming construction activities within the 100-foot radius.

- If the find(s) are human remains or grave goods, the requirements of Public Resources Code section 5097.98 and County Ordinance Code sections B6-18 through B6-20 shall be followed.

F. ENERGY					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?	☐	☐	☒	☐	3, 5
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐	5

SETTING:

The proposed project includes construction of a new temple, meditation hall, accessory structures, and associated improvements. The applicant has indicated that the site would not feature natural gas utilities, would utilize electricity and solar energy conversion systems, and would feature residential electric car charging stations. As such, the proposed project would avoid the use of natural gas and features renewable energy sources for ongoing operations.

DISCUSSION:

a-b) Less Than Significant Impact – The proposed project, which includes a new temple, meditation center, accessory structures, and associated improvements, would be a relatively low-impact development that would not be expected to utilize energy resources such as electricity and water in an inefficient manner during construction or future ongoing operations. Additionally, the proposed project and its associated energy resources would be required to comply with County energy reach codes and therefore would not conflict with local or State plans for energy efficiency. As such, the proposed project would not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary construction of energy resources during project consumption or operation and would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

MITIGATION: None required.

G. GEOLOGY AND SOILS					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to California Geological Survey Special Publication 42.	☐	☐	☐	☒	6, 17c, 42, 43, 44
ii) Strong seismic ground shaking?	☐	☒	☐	☐	6, 17c, 42, 43
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☐	☒	6, 17c, 17n, 42, 43
iv) Landslides	☐	☐	☐	☒	6, 17j, 42, 43
b) Result in substantial soil erosion or the loss of topsoil?	☐	☒	☐	☐	6, 10, 23, 24, 42
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☒	☐	☐	2, 3, 17c, 42, 43
d) Be located on expansive soil, as defined in the report, *Soils of Santa Clara County*, creating substantial direct or indirect risks to life or property?	☐	☐	☐	☒	14, 23, 24, 42, 43
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 waste water?	☐	☐	☐	☒	3, 6, 23, 24, 42, 43
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐	4, 6, 40, 41

SETTING:

The property is located in the western foothills of the Diablo Range overlooking the northeastern corner of Santa Clara Valley. Portions of the property fall within the boundaries of a County Landslide Hazard Zone and a State Seismic Hazard Zone for Earthquake-Induced Landslides. Active faults do not transect the property, and the closest active faults include the Hayward fault and Calaveras fault that lie about 1 mile to the southwest and northeast of the property. The property is underlain by bedrock of the Briones Formation of late Miocene age that consists of marine sandstone and occasional thin beds of siltstone. The sandstone is locally strongly cemented and fossiliferous. Relatively thin surficial soils mantle the bedrock across most the site, and a few shallow landslides are present on the slopes within the property limits.

A geotechnical and geological investigation report for the proposed development was prepared by Associated Terra Consultants, Inc. (ATC), dated March 4, 2021. ATC evaluated the potential impacts

of ground rupture by active faults, strong seismic ground motion, liquefaction, landslides, soil erosion, stability of onsite soils, and expansion potential of onsite soils. ATC also evaluated the suitability of onsite soils for onsite wastewater disposal, and produced a set of plans dated March 15, 2023, which were approved by the County Department of Environmental Health.

DISCUSSION:

a (i, iii, iv), d, e) **No Impact** – According to the ATC report, the risk of surface rupture along an active fault at the subject site is low, because no active faults are known to pass through the property. The potential for liquefaction to occur is very low. There are no mapped landslides on the adjacent slopes and the potential for landslides to have an impact on the project would be low.

The near surface soils have a low expansion potential based on the results of laboratory testing. An area suitable for an onsite wastewater treatment system (OWTS) has been designated on the parcel, as reviewed and approved by the County Department of Environmental Health.

a (ii), b, c) **Less Than Significant with Mitigation Incorporated** – The results of the geologic and geotechnical onsite study by ATC indicate that the potential impacts of strong seismic ground shaking, soil erosion, and unstable soils could be mitigated to a less than significant level by incorporating specific recommendations into the design of the project. According to the ATC report, the subject site may experience seismic shaking during the economic lifetime of the development, especially if the nearby Hayward, Calaveras, or San Andreas Faults produces a large magnitude earthquake. However, implementation of Mitigation Measure **GEO-MIT 1**, Seismic Building Design, could reduce potential impacts. To mitigate the impact from strong ground motion, ATC provided seismic design parameters determined in accordance with the California Building Code to be used in the structural design of the project and recommended a deepened foundation system consisting of drilled piers and grade beams.

The risk of soil erosion during and after construction could be reduced by controlling both surface and subsurface water during and after construction by providing well-designed and properly constructed surface and subsurface drainage systems together with good grading practices during excavations and earthwork construction, as described in **GEO-MIT 7**. ATC also determined that surficial soils consisting of undocumented artificial fill and native soils would be unsuitable for support of the proposed improvements, and recommend that these materials be removed and replaced with engineered fill, as detailed in **GEO-MIT 3**. The mitigation measures provided in the following section would be implemented during design and construction to reduce the potential impact of the identified hazards to a less than significant level. Other mitigation measures address construction monitoring, minimization of grading, cut and fill slopes, and retaining walls

f) **Less Than Significant –** The project site is underlain by the Briones Formation, which is not expected to contain unique paleontological or geological resources. As a result, the project would have a less than significant probability to directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

MITIGATION:

- **GEO-MIT 1: Seismic Building Design.** The design of the structures and foundations shall meet local building code requirements for seismic effects. Prior to issuance of building permits, submit a signed and stamped Plan Review Letter prepared by the

geotechnical consultant that confirms that the foundations plans conform to the recommendations provided in the approved geotechnical report.

- **GEO-MIT 2: Construction Monitoring.** All earthwork, grading, and foundation construction shall be observed and inspected by a representative of a qualified geotechnical firm. The structural engineer responsible for foundation design shall determine the final design of foundation and reinforcing requirements. The County Building Department shall approve all foundation plans prior to permit issuance, and shall approve all field changes prior to the County's foundation inspection. A representative of the geotechnical engineer shall be present during the foundation excavation and drilling of piers. The soil engineer shall inspect any foundation excavation and all foundation piers at the time they are drilled. Modifications to pier depths shall be made at that time as deemed necessary by field conditions. The geotechnical engineer shall prepare a final report upon completion of the grading operations and foundation construction. The geotechnical engineer shall submit a construction observation letter stating that the approved geotechnical recommendations for the grading and building construction were implemented.

- **GEO-MIT 3: Grading Operations.** No excavations shall be done during a period of sustained precipitation. The placement of fill and control of any grading operations at the site shall be performed in accordance with approved geotechnical recommendations. All existing utility lines and subsurface structures, if any, shall be removed prior to any grading at the site. The depressions left by the removal of any subsurface structures shall be cleaned of all debris, backfilled, and compacted with materials approved by the geotechnical engineer. All new utilities shall be undergrounded. All backfill shall be clean, native soil that is engineered and placed under the supervision of the geotechnical engineer. All organic surface materials and debris, including grass, shall be stripped prior to any other grading operations, and transported away from areas that are to receive structures or structural fills. Grading recommendations provided by ATC shall be incorporated into the plans. Construction observation and testing by the geotechnical engineer shall be required during grading.

- **GEO-MIT 4: Minimization of Grading.** The applicant shall submit all grading and drainage permit applications, including plans and geotechnical reports, to the County Department of Planning and Development to ensure that the adequate keying, benching, and subdrains are implemented. Large fills shall be avoided and retaining walls constructed, as necessary. Cut slopes shall be kept to a minimum and no steeper than 2:1 with a vertical height not exceeding 8 feet. If steeper slopes are required, then retaining walls shall be required.

- **GEO-MIT 5: Cut and Fill Slopes.** Where any fill is to be placed on the natural slopes, a keyway with a minimum width of 8 feet shall be excavated at the toe of the fill slope, and the bottom of the key shall slope a minimum of 2% into the hill. Additional requirements for keyway construction, backfill placement, and subdrain installation shall be performed in accordance with recommendations provided by the geotechnical engineer. The Department of Planning and Development shall inspect all excavations prior to the placement of fill. A pre-construction field meeting must be held with the contractor to review the field grading protocol. Cut and fill slopes shall be limited to a ratio of 2 horizontal to 1 vertical (i.e., 2:1). The maximum vertical section shall not

exceed 5 feet. Surface water control measures shall be constructed at the top of slopes to prevent uncontrolled runoff. Overflow of water from the developed areas shall be re-directed away from the proposed improvements via drainage pipes, catch basins, and other engineered systems. All storm water runoff shall be directed to appropriate out-fall points (i.e., down slope). Appropriate measures shall be implemented to minimize surface soil erosion. The surface of the slopes shall be compacted to provide a surface free of loose material. To minimize the potential for erosion, slope surfaces shall be covered with erosion resistant plants. The plants shall be maintained until the roots have become firm.

- **GEO-MIT 6: Retaining Walls.** Any facilities that retain a soil mass, such as retaining walls, shall be designed using the design parameters provided in the ATC report. The structural engineer shall discuss any surcharge loads with the geotechnical engineer prior to designing the retaining walls. The retaining wall should be provided with subdrainage. Suitable outfall locations for drainage shall be chosen to minimize future erosion. The County shall review and approve all retaining wall designs to evaluate the suitability of the drainage system. If retaining walls are proposed as part of an exterior wall of the structure, adequate water-proofing materials and sheeting shall be applied to the walls so that the interior of the walls remain free of moisture.

- **GEO-MIT 7: Drainage.** Proper and adequate drainage (surface and subsurface) systems shall be incorporated into the planned development. Runoff collected from roof drains and area drains as well as discharge from subdrains (when needed) shall be released to appropriate locations away from the proposed building site and to appropriate drainage facilities located at the property. The final exterior grade adjacent to the proposed buildings shall be such that the surface drainage will flow away from the structures. A 2% final soil grade slope shall be incorporated into the site grading. The slope shall be sufficient to remove all storm water from the foundations. Rainwater discharge at downspouts shall be directed onto pavement sections, splash blocks, or other acceptable facilities which will prevent water from collecting in the soil adjacent to the foundations. Utility lines that cross under or through perimeter footings shall be completely sealed to prevent moisture intrusion into the areas under the slab and/or footings. The utility trench backfill shall be of impervious material and this material should be placed at least 4 feet on either side of the exterior footings. All drainage systems shall comply with the requirements of the San Fracisco Bay Regional Water Quality Control Board.

H. GREENHOUSE GAS EMISSIONS					
	IMPACT				**SOURCE**
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐	5, 29, 30
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐	5, 29, 30

SETTING:

The proposed project would include the construction of a new temple, meditation center, accessory structures, and associated improvements. Given the overall scope of global climate change, it is not expected that a single development project would have an individually discernible effect on global climate change. It is more appropriate to conclude that the greenhouse gas (GHG) emissions generated by a proposed project would combine with emissions across the state, nation, and globe to cumulatively contribute to global climate change. The primary GHG emissions associated with a development project, such as the proposed project, would be carbon dioxide, which is directly generated by fuel combustion (vehicle trips, use of natural gas for buildings) and indirectly generated by use of electricity.

DISCUSSION:

a & b) **Less Than Significant Impact** – Due to the relatively small scale of the proposed project within a global context (i.e., a temple and meditation center with accessory structures and associated improvements), and the proposed project's compliance with existing County and State requirements listed below that would minimize greenhouse gas emissions, it is anticipated that the proposed project would not impact GHG emissions or emissions reduction plans.

The proposed project would have minimal GHG emission impacts. The project would release GHG emissions through the operation of construction equipment, worker/builder supply vehicles, and temple constituent vehicles, which typically use fossil-based fuels to operate. Project excavation, grading, and construction would be temporary, occurring only over the construction period, and would not result in a permanent increase in operational GHG emissions. The proposed project, including the temple and meditation center, would consume electricity; however, the amount would be minimal within a larger context, and therefore would not make a cumulatively considerable contribution to the effect of GHG emissions on the environment.

The project is required to comply with the California Green Building Standards Code (CALGreen), which applies green building standards to the construction of new structures statewide. These measures include higher energy efficiency standards and minimizing water and natural resource usage. Implementation of these measures would reduce potential GHG emissions from the proposed project.

The combustion of diesel fuel to provide power for the operation of various construction equipment, gasoline for worker commutes, and diesel fuel for on-road construction trucks (including vendor and haul trucks), generates GHG emissions. CO2, CH4, and N2O emissions from off-road construction equipment and on-road construction vehicle trips, were estimated using CalEEMod. N2O and CH4 emissions were multiplied by their respective GWP values.

GHG emissions during operations would primarily occur from on-road vehicle trips associated with employees and visitors. Additional direct GHG emissions would occur from other on-site area sources such as landscape maintenance, refrigerant leakage, and stationary sources including the 2 backup diesel emergency generators. Indirect GHG emissions result from the generation of electricity used to power the proposed project, treatment and transportation of water and wastewater, and disposal of generated solid waste.

The BAAQMD has not adopted quantitative GHG emissions thresholds for construction or operation. Instead, it recommends 4 qualitative significance thresholds for the evaluation of GHG emissions from land use projects. These thresholds were developed by BAAQMD for the purpose of evaluating a project based on its effect on California's efforts to meet the State's long-term climate goals. BAAQMD found that the following design elements would be required of new land use development projects, in order to achieve California's carbon neutrality target by 2045.

For the purposes of this analysis, the GHG emissions impacts will be compared to the BAAQMD's qualitative significance thresholds for the purpose of evaluating the proposed project based on its effect on California's efforts to meet the State's long term climate goals.

1. The project would not include natural gas appliances or natural gas plumbing.
   The project would not include natural gas appliances or natural gas plumbing. It is designed to be an all-electric building. Therefore, the Project would be consistent with BAAQMD's first GHG criterion.

2. The project would 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.
   The project is designed as an all-electric development and would meet current (2022) Title 24 requirements as required by state regulations through the plan review process. Consistent with these requirements, the project's building envelope and its heating, cooling, and water heating systems will have durable, high-performance and energy conserving features. The project is expected to generate about 85 percent of its electrical power needs through roof-mounted photoelectric panels. This would reduce reliance on grid electricity and transmission losses from transmission of electricity over long distances. Additionally, the water needs of the project will be met through the use of wells, rainwater harvesting, and grey water use, and will take care of its own sewage with a septic system and leach field.13 This would result in reduced electricity use associated with pumping of water and wastewater. The project will not result in any wasteful, inefficient, or unnecessary energy use as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.

3. 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:
   a. Residential projects: 15 percent below the existing VMT per capita
   b. Office projects: 15 percent below the existing VMT per employee
   c. Retail projects: no net increase in existing VMT

   The traffic impact study (TIS) prepared for the project was reviewed by the County Department of Planning and Development, which concurred with the findings of less than significant impacts. The TIS refers to the technical advisory report from the Office of Planning and Research (OPR) regarding the screening threshold for small projects, "Many local agencies have developed screening thresholds to indicate when detailed analysis is needed. Absent substantial evidence indicating that a project would generate a potentially significant level of VMT, or inconsistency with a Sustainable Communities Strategy (SCS) or general plan, projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact." The proposed project is estimated to

generate a VMT of 70 daily weekday trips and 100 weekend trips, satisfying the criteria of a small project in the OPR advisory.

4. Achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.
   Thirteen stalls would be equipped with electric vehicle charging stations (EVCS) and 27 spaces would be electric vehicle (EV) charging capable, for future EV charging infrastructure. The proposed project would comply with CalGreen Tier 2 Voluntary electric vehicle charging infrastructure requirements.

As a result, the proposed project would not generate construction or operational GHG emissions that would result in a significant impact or conflict with any applicable plan, policy, or regulation, and therefore would result in a less than significant impact.

MITIGATION: None required.

I. HAZARDS & HAZARDOUS MATERIALS					
	IMPACT				**SOURCE**
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	**Source**
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☐	☒	1, 3, 4, 5
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?	☐	☐	☐	☒	2, 3, 5
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 1/4 mile of an existing or proposed school?	☐	☐	☐	☒	47
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒	48
e) For a project located within an airport land use plan referral area or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or in the vicinity of a private airstrip, would the project result in a safety hazard, or excessive noise for people residing or working in the project area?	☐	☐	☐	☒	3, 22a
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒	5, 49
g) Expose people or structures either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☐	☒	4, 17g

SETTING:

The proposed project would not be located at or adjacent to any hazardous sites. The project site is not listed on the County Hazardous Waste and Substance Sites List, and it would not be located in the

County Airport Land Use plan area. The project site would is in the WUI, SRA, and the Moderate Fire Hazard Severity Zone (MFSZ), except for a very small portion of the property to the north, which is in the Very High Fire Hazard Severity Zone (VHFHSZ). No structures, infrastructure, or access is proposed in the VHFHSZ.

DISCUSSION:

a - g) **No Impact** – The proposed project would be residential, would not involve the use or transportation of any hazardous materials, and would not be located on a site designated as hazardous under Government Code section 65962.5, as verified on EnviroStor, accessed on January 9, 2025. In addition, the project would not cause 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 since the project would not involve the use or transport of hazardous materials.

The proposed project would be located within a low density setting in the Milpitas hills and would not change the local roadway circulation pattern or access, or otherwise physically interfere with local emergency response plans. Access to the project site would be from an existing public road and through a shared driveway. The development plans have been reviewed and conditionally approved by the County Fire Marshal's Office.

The property is not within a ¼ mile of an existing or proposed school, and thus the proposed project would not have an impact on emitting hazardous emissions, substances, or waste within ¼ mile of an existing or proposed school. Because the property is located outside of the County Airport Land Use plan area, the project would not create a safety hazard or excessive noise for people residing or working in the project area due to its proximity to an airport. In addition, the property is not listed on the California Department of Toxic Substances Hazardous Waste and Substance Sites List. Thus, the proposed project would not create a significant hazard to the public or the environment due to its listing as a hazardous materials site.

The proposed project would not expose people or structures either directly or indirectly to a significant risk of loss, injury or death involving wildland fires (see Wildfire section).

MITIGATION: None required.

J. HYDROLOGY AND WATER QUALITY					
	IMPACT				**SOURCE**
Would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☐	☐	☒	☐	34, 35, 36, 37, 38, 39
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐	3, 4

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:	☐	☐	☒	☐	3, 17n
i)	Result in substantial erosion or siltation on- or off-site	☐	☐	☒	☐	3, 17p
ii)	Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☒	☐	1, 3, 5, 36, 21a
iii)	Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐	1, 3, 5
iv)	Impede or redirect flood flows?	☐	☐	☒	☐	3, 17p, 18b, 18d
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐	3, 18b, 18d
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐	2, 3, 4, 17p

SETTING:

The proposed project site is not located within a FEMA Flood Hazard Zone. The proposed project site consists of new impervious surface of over 73,447 square feet, as shown on the Preliminary Grading Plans prepared by R.I. Engineering submitted on February 21, 2024, primarily due to the footprint of the proposed temple, meditation center, walkway and driveway improvements, and pad for the water tanks. The subject property lies just under half a mile uphill of Los Coches Creek, and is within the San Francisco Bay Watershed, which is regulated by the San Francisco Bay Regional Water Quality Control Board.

The domestic and emergency water for fire suppression would be provided by a new onsite well located northeast of the development area and via 2 new water tanks – an 80,000-gallon water tank for combined fire and irrigation purposes, and an 8,000-gallon water tank for domestic water, which are proposed as part of the project.

DISCUSSION:

a - e) **Less Than Significant Impact** – The proposed project would not be in a flood hazard zone and would not include the use of pollutants or hazardous materials. Therefore, it is unlikely that pollutants from construction would be released due to flooding. Additionally, the project would not impede or redirect flood flows.

The project would not have any impact on hazardous materials, nor would it conflict or obstruct implementation of a water quality control plan or sustainable groundwater management plan. The project would be subject to the flood control measures which are incorporated as conditions of approval and designed in conformance with the County Stormwater Management Guidance Manual and the Santa Clara Valley Urban Runoff Pollution Prevention Program, as well as standards set by the San Francisco Regional Water Quality Control Board.

K. LAND USE					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Physically divide an established community?	☐	☐	☐	☒	2, 4
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?	☐	☐	☐	☒	8a, 9, 18a

SETTING:

The subject property is 63 acres in size and is characterized as an irregular-shaped lot within the Milpitas hillsides, east/southeast of the entrance to Ed Levin County Park, and to the north of Calaveras Road. Immediately adjacent to the parcel are steep and open grassland and low-density hillside lands, some of which contain single-family residences and others which are designated for recreational uses.

The subject property is located in an area with a General Plan designation of Hillsides. The County's General Plan for Hillsides is to preserve mountainous lands and foothills unsuitable and/or unplanned for urban development in a largely natural state for natural resources or open space uses in order to support and enhance rural character, protect and promote the wise management of natural resources, avoid risks associated with natural hazards, and protect the quality of reservoir watersheds critical to the region's water supply. Allowable uses include agriculture and grazing; mineral extraction; parks and low-density recreational uses and facilities; land in its natural state; wildlife refuges; very low-density residential development; and commercial, industrial, or institutional uses, which require remote, rural settings and support the study or appreciation of the natural environment.

DISCUSSION:

a & b) **No Impact** – The proposed development would be over 500 feet from the nearest residence and the majority of the area is steep hillside land with low-density residential development or recreational uses. This project, due to its scale and location on Weller Road, would not physically divide an established community. Allowable uses for this General Plan designation of Hillsides include "institutional uses which require remote, rural settings and support the study or appreciation of the natural environment."

The proposed project would not disrupt any existing resource conservation or recreational uses or operations. The proposed project is for an institutional use within a remote, rural setting, which would support the study or appreciation of the natural environment, and would be an allowed use under the General Plan in this area. The proposed project would also reduce the amount of grading necessary because it would sit on an already flat area and as close to the existing road as possible while avoiding the creeks and the steepest portions of the lot. The project would comply with the County Zoning Ordinance provisions. As such, the project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

MITIGATION: None required.

L. MINERAL RESOURCES					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	☒	1, 2, 3, 6, 8a, 44, 45
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?	☐	☐	☐	☒	1, 2, 3, 6, 8a

SETTING:

The project would consist of a temple, meditation center, accessory structures, and associated improvements, and would not include utilizing the subject property for mining. No known valuable mineral resources that are delineated on a local general plan, specific plan, or other land use plan, are located on the subject property.

DISCUSSION:

a & b) **No Impact** – Due to the project's proposed use of the property as a temple and meditation center with accessory structures and associated improvements, and the lack of known valuable mineral resources within the proposed development, the project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state, or 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.

MITIGATION: None required.

M. NOISE					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
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?	☐	☒	☐	☐	8a, 13, 22a, 49
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐	13, 49
c) For a project located within the vicinity of a private airstrip or an airport land use plan referral area or, where such a plan has not been adopted, within two miles of a public airport, public use airport, or private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒	1, 5, 22a

SETTING:

Local ambient noise is generated from nearby residences, recreational activities, and intermittent traffic noise from Calaveras Road. The project is not located in the vicinity of a private airstrip, in an airport land use plan referral area, or within 2 miles of a public airport.

The County General Plan Noise Element measures noise levels in Day-Night Average Sound Level, a 24-hour time weighted average, as recommended by the U.S. Environmental Protection Agency (EPA) for community noise planning. Noise Compatibility Standards for exterior noise specify 3 classifications of compatibility between ambient noise levels at the site and various land uses: satisfactory, cautionary, and critical. According to the Noise Element Noise Compatibility Standards for Land Use in Santa Clara County, the satisfactory exterior noise compatibility standard for residential land uses is 55 dB (Day-Night Average Sound Level value in dBs).

The County Ordinance restricts exterior noise limits, for a cumulative period not to exceed more than 30 minutes in any hour, for one- and two- family residential land uses at 45 dBA between 10:00 p.m. to 7:00 a.m., and 55 dBA between 7:00 a.m. to 10:00 p.m. In addition, specifically prohibited acts include amplified sound, such as musical instruments, radios, and loudspeakers, between 10:00 p.m. to 7:00 a.m., or construction activity during weekdays and Saturdays from 7:00 p.m. to 7:00 a.m., or at any time on Sundays or holidays.

DISCUSSION:

Based on groundborne vibration levels for standard types of construction equipment provided by the FTA, other than pile driving equipment, the use of a vibratory roller would be expected to generate the highest vibration levels. Vibratory rollers typically generate vibration levels of 0.210 in/sec PPV at a distance of 25 feet (FTA 2018). Even if such equipment operated as close as 25 feet from existing adjacent residences to the south of the project site, vibration levels would be less than the 0.5 in/sec PPV threshold. Project construction would be restricted to the hours of the day consistent with the County Ordinance Code and would reduce nuisance impacts from both construction noise and

vibration by prohibiting such activity during sensitive time periods. Therefore, the impact with regard to ground-borne vibration during construction would be less than significant.

a) **Less Than Significant Impact With Mitigation Incorporated** – Construction of the proposed temple, meditation center, accessory structures, and associated improvements would temporarily elevate noise levels in the immediate project area from the use of construction equipment. Construction noise could have an impact on the nearest sensitive receptors (residential uses). Noise impacts on the residential uses near the project site would be minimal and temporary, as they are located over 500 feet away from the subject property, and as only a handful of residences lie within 1,000 feet of the development area for the subject property.

The County General Plan Noise Element measures noise levels in Day-Night Average Sound Level , a 24-hour time weighted average, as recommended by the EPA for community noise planning. Noise Compatibility Standards for exterior noise specify 3 classifications of compatibility between ambient noise levels at the site and various land uses: satisfactory, cautionary, and critical. According to the Noise Element Noise Compatibility Standards for Land Use in Santa Clara County, the satisfactory exterior noise compatibility standard for residential land uses is 55 dB (Ldn value in dBs).

The County Ordinance regarding noise restricts exterior noise levels, for a cumulative period not to exceed more than 30 minutes in any hour, for one- and two- family residential land uses (see Table 4) to 45 dBA between 10:00 p.m. to 7:00 a.m., and 55 dBA between 7:00 a.m. to 10:00 p.m (most restrictive dBA threshold). In addition, specifically prohibited acts include amplified sound, such as musical instruments, radios, and loudspeakers, between 10:00 p.m. to 7:00 a.m., as well as construction activity during weekdays and Saturdays from 7:00 p.m. to 7:00 a.m., or at any time on Sundays or holidays.

TABLE 4
OUTDOOR NOISE LIMITS

Receiving Land Use Category	Time Period	Noise Level (dBA)
One- and Two-Family Residential	10 p.m.—7 a.m. 7 a.m.—10 p.m.	45 55
Multiple-Family Dwelling	10 p.m.—7 a.m.	50
Residential Public Space	7 a.m.—10 p.m.	55
Commercial	10 p.m.—7 a.m. 7 a.m.—10 p.m.	60 65
Light Industrial	Any Time	70
Heavy Industrial	Any Time	75

SOURCE: County of Santa Clara 2003.

Additionally, the project would be required to conform to the County Ordinance at all times during construction. Construction noise (including noise generated by truck traffic to and from the project site) is regulated by time-of-work restrictions and decibel maximum specified in the County Ordinance for noise. The project construction would include site clearing, grading, and excavation that may include a level of 80 dBA from the loudest equipment to receptors that are 80 feet away per a recent noise study conducted for construction at Stanford University[1]. The nearest single-family residence to

1 *AECOM, October 2021, 231 Grant Education Workforce Housing Draft EIR, page 3-169, table 3.12-6, https://ffd.sccgov.org/capital-projects-planning-and-design/231-grant-educator-workforce-housing.*

the proposed project site is located approximately 500 feet away, more than 6 times the distance noted in the referenced study.

Existing sensitive receptors in the area consist of residences on the north side of Calaveras Road located 510 feet away from the center of the project site. Consistent with the general assessment methodology of the FTA, the 2 noisiest pieces of construction equipment (tractor and grader) listed in Table 6 were assumed to operate simultaneously. Using the Roadway Construction Noise Model of the Federal Highway Administration, the resultant noise level at the nearest receptor would be 63 dBA. County Ordinance restricts exterior noise limits, for a cumulative period not to exceed more than 30 minutes in any hour, for one- and two- family residential land uses at 45 dBA between 10:00 p.m. to 7:00 a.m., and 55 dBA between 7:00 a.m. to 10:00 p.m. In addition, specifically prohibited acts include construction activity during weekdays and Saturdays from 7:00 p.m. to 7:00 a.m., or at any time on Sundays or holidays. As a result, construction noise levels at these sensitive receptors would be below the applicable County mobile equipment standard for residential uses presented in Table 5. This impact would be less than significant.

TABLE 5
MOBILE CONSTRUCTION EQUIPMENT NOISE LIMITS

	Single- and Two-Family Dwelling Residential Area	Multifamily Dwelling Residential Area	Commercial Area
Daily, except Sundays and legal holidays, 7:00 a.m.—7:00 p.m.	75 dBA	80 dBA	85 dBA
Daily, 7:00 p.m. to 7:00 a.m., and all day Sundays and legal holidays	50 dBA.	55 dBA	60 dBA

SOURCE: County of Santa Clara 2003.

TABLE 6
STATIONARY CONSTRUCTION EQUIPMENT NOISE LIMITS

	Single- and Two-Family Dwelling Residential Area	Multifamily Dwelling Residential Area	Commercial Area
Daily, except Sundays and legal holidays, 7:00 a.m.—7:00 p.m.	60 dBA	65 dBA	70 dBA
Daily, 7:00 p.m. to 7:00 a.m., and all day Sundays and legal holidays	50 dBA.	55 dBA	60 dBA

SOURCE: County of Santa Clara 2003.

Notwithstanding this finding, with respect to construction noise, the following noise control mitigation measure, **NO1-MIT 1**, Noise Operations, shall be implemented to ensure compliance with the restrictions on noise in the County Ordinance.

MITIGATION:

- **NOI-MIT 1: Noise Operations**
  - Construction shall be limited to the hours of 7AM to 7 PM Monday through Friday and 9 AM to 6 PM on Saturdays. This includes all on-site construction activities

associated with the project, including grading, excavation, pavement, foundation, and installing new structures and improvements.

- Contractors shall use "new technology" power equipment with state-of-the-art noise shielding and muffling devices. All internal combustion engine driven equipment shall be equipped with intake and exhaust mufflers which are in good working condition and appropriate for the equipment.

- Stationary noise generating equipment shall be located as far as possible from sensitive receptors, such as single-family residences.

- Unnecessary idling of internal combustion engines shall be prohibited.

b) **Less Than Significant Impact –** Operation of the proposed project would not include any activities that would generate significant levels of vibration. Therefore, it is not anticipated that project operation would expose the nearest sensitive receptors or structures to vibration levels that would result in annoyance. For this reason, the following analysis of the proposed project's vibration impacts evaluate only the effects of on-site construction activities.

c) **No Impact** – The property is not located within the vicinity of a private airstrip, in an airport land use plan referral area, or within 2 miles of a public airport, so there would not be an impact.

N. POPULATION AND HOUSING					
	IMPACT				**SOURCE**
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
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)?	☐	☐	☐	☒	1, 3, 4
b) Displace substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒	1, 2, 3, 4

SETTING:

The proposed project would include the development of a temple, meditation center, accessory structures, and associated improvements on a parcel that is 63 acres in size and is characterized as open grasslands within the Milpitas hills, located close to Ed Levin County Park and Spring Valley Golf Course. The area surrounding the project site consists of low-density parcels, which include single-family residences, recreational uses, and open space, and are all within unincorporated areas of the County.

DISCUSSION:

a & b) **No Impact** – Under the County's General Plan and Housing Element, the population within the Hillsides district has already been planned and accounted. The County's Zoning Ordinance allows the construction of a temple and meditation center with an approved use permit in the Hillsides zone. Calaveras Road is a County-maintained road that is already built. The construction of the temple, meditation center, and accessory structures would require the improvement and extension of Weller Road, a private road, which already serves a small number of other properties that share the easement, so the development of the proposed project would not directly or indirectly contribute to additional development.

The proposed project would include an on-site well and would require an on-site wastewater treatment system (OWTS), which consists of a leach field and a septic tank. There are no other adjacent or nearby parcels that would be able to access the on-site well (unless by consent by the owner) and therefore would not contribute to an increase in population growth. The parcel is surrounded by single-family residences, recreational uses, and open space. As such, the project would not displace substantial numbers of existing housing or people, nor would the project necessitate the construction of replacement housing elsewhere.

MITIGATION: None required.

O. PUBLIC SERVICES					
	IMPACT				**SOURCE**
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:					
i) Fire Protection?	☐	☐	☐	☒	1, 3, 5
ii) Police Protection?	☐	☐	☐	☒	1, 3, 5
iii) School facilities?	☐	☐	☐	☒	1, 3, 5
iv) Parks?	☐	☐	☐	☒	1, 3, 5, 17h
v) Other public facilities?	☐	☐	☐	☒	1, 3, 5

SETTING:

The project would be in the SRA with the California Department of Forestry and Fire Protection (Cal Fire) as first responders for fire protection. The property is located predominantly within a moderate fire hazard severity zone. Emergency calls would go to the County Sheriff's Office communications. The property would have an on-site well for domestic water and water tanks for domestic water, fire sprinklers, and fire hydrant. The proposed project would include the creation of a fire truck turnaround that meets County and State requirements.

DISCUSSION:

A (i-v)) **No Impact** – The proposed project would include a temple, meditation center, accessory structures, and associated improvements. The proposed project would create a minimal increase in the permanent overall neighborhood population, and generally would not increase the need for additional fire or police protection to the area. Event days would create a temporary increase in population, but generally would not increase the need for fire or police service to the area. The proposed project would not have an impact on other public services, such as those provided by schools or parks, because there are no permanent residents on site who would need such public services available.

MITIGATION: None required.

P. RECREATION					
	IMPACT				**SOURCE**
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	☐	☒	1, 2, 4, 5, 17h
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☐	☐	☐	☒	1, 3, 4, 5

SETTING:

The project proposes a temple and meditation center with accessory structures and associated improvements, which is a low-density use for the vast majority of the year, and does not include the use of the project area for recreational purposes.

DISCUSSION:

a & b) **No Impact** – The proposed project is for a new temple and meditation center with accessory structures and associated improvements and would not result in an impact to existing parks or recreational facilities due to the temporary minimal increase in population to the neighborhood. As such, the project would not cause a substantial physical deterioration of existing recreational facilities.

Additionally, the proposed project would not include any recreational uses or structures, nor does the addition of a new temple, meditation center, accessory structures, and associated improvements require an expansion to existing recreational facilities. As such, the project would not have an impact on recreation.

MITIGATION: None required.

Q. TRANSPORTATION					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☐	☒	1, 4, 5, 6, 7, 50
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?[2]	☐	☐	☒	☐	6, 50, 51, 53
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☐	☒	3, 5, 6, 7, 53
d) Result in inadequate emergency access?	☐	☐	☒	☐	1, 3, 5, 48, 50, 51, 53

SETTING:

The project's location would be on a rural 69-acre parcel in the foothills above Milpitas that was used previously as a horse ranch. The temple and meditation buildings would be located on the level portion of the parcel in an area where the ranch barns had been located previously. There would be one gated driveway for the temple campus off of Weller Road, serving the site with gate-controlled entry. The template used for designing the driveway and the internal roads within the campus would be reserved for the entry of larger of fire, garbage, and delivery truck vehicles anticipated to enter the site.

There is current and continued future use of the remainder of the parcel for horse pasturage. There would be occasional use of existing gates on Weller Road and Calaveras Road for the delivery and retrieval of horses, but no ranch operations otherwise.

Weller Road is a public road up that would run through and past the project campus site, varying in width from 16 to 19 feet. Its width varies from 16 feet to 22 feet, with 16 feet being more typical, from where Weller Road crosses the southeast property line to where the campus driveway. Just past the campus site, the road is gated and locked and it is use-by-permission only. The stretch of Weller Road past the subject property serves several other homes and ranches as well as the communication towers on Mission Peak. Several neighbors, including residences and ranch operators, also use the lower portion of Weller Road between the project site and Calaveras Road. Calaveras Road is an east-west roadway 24 to 25 feet in width at the intersection with Weller Road. Construction for this project is expected to last between 14 to 16 months, and there would be plentiful space for construction parking on-site.

DISCUSSION:

2 The provisions of this section shall apply prospectively as described in section 15007.

a, & c) **No Impact –** The proposed project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

The proposed project would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment), as no such design features or incompatible uses are proposed as a part of this project.

b & d) **Less Than Significant Impact** – The project site would have a single access point off Weller Rd located near the eastern project site boundary. Based on the data provided by the project sponsor, the patrons would access the project via Calaveras Rd from Calaveras Blvd and I-680. The trip distribution analysis is based on that single access point located off Weller Rd, and from west on Calaveras Road. No trips are anticipated from north on Weller Road or from east on Calaveras Road.

Based on the project trip generation and project sponsor information, about 30 daily vehicles would be turning left into the project driveway from northbound Weller Rd for weekday services. Also, about 50 daily vehicles would be expected to make the same turn left turn on the weekend and about 80 are expected during special events. The same number of vehicles would exit the project site at the end services making right turns to southbound Weller Road. Similar turns are also expected at the intersection of Calaveras and Weller Roads. About 30 vehicles would be anticipated to make left turns on weekdays from eastbound Calaveras to northbound Weller, 50 vehicles on the weekends, and 80 vehicles during special events. At the end of services, 30 vehicles would be expected to make right turns from southbound Weller to westbound Calaveras on weekdays, 50 vehicles on the weekends, and 80 vehicles during special events.

The project would be estimated to generate 70 weekday daily trips (rounded from 60 trips) and the project VMT would be estimated to be 1166. As per the Technical Advisory from the Governor's Office of Planning and Research (OPR), projects that generate or attract fewer than 110 trips per day generally may be assumed to cause a less-than-significant transportation impact. With an anticipated result of 60 daily weekday trips and 100 weekend trips, the proposed project would meet the criteria of small projects in the OPR advisory. The results of the traffic analysis show that the project trips would not significantly impact the study intersections or the adjacent roadways based on existing conditions and existing plus project conditions. Thus, it would have a less-than-significant impact on transportation impacts per CEQA Guidelines Section 15064.3, subdivision (b).

Additionally, the proposed project was reviewed and conditionally approved by the County Fire Marshal's Office and Cal Fire to ensure adequate fire safety access. Therefore, the project would not generate substantial new traffic, impair existing transportation facilities, or result in inadequate emergency access. Because the number of trips would be generally modest in number aside from event days, and road use in the vicinity would be relatively light, the proposed project would not have impacts on traffic and circulation. On-site parking for the proposed project (i.e., temple and meditation center with accessory structures and associated improvements) would be in conformance with the County parking requirements.

MITIGATION: None required.

R. TRIBAL CULTURAL RESOURCES					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) 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:					
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☐	☒	☐	☐	41, 42
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☒	☐	☐	41, 42, 52

SETTING:

Under an update to CEQA through state legislation known as AB 52, lead agencies must consult with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of a proposed project, if requested by the tribe. Archival research conducted by Dr. Robert Cartier of Archaeological Recourse Management revealed that no previously recorded archaeological resources were located within the proposed project area. However, the Northwest Information Center of the California Historic Resources Information System (CHRIS) noted that the property has the potential to contain previously unrecorded archaeological resources and recommended additional study of the project area. Based on this recommendation from NWIC, an archaeological survey was conducted and no significant cultural materials, prehistoric or historic, were noted during surface reconnaissance. However, based on the project site's proximity to other resources and information provided by Tamien Nation, there is a possibility that the project site contains subsurface tribal cultural resources.

DISCUSSION:

a (i-ii)) **Less Than Significant With Mitigation Incorporated** – The County received a letter from Tamien Nation on January 23, 2025, requesting tribal consultation per Public Resources Code section 21080.3.1(b) regarding the potential for a Native American tribal cultural resource located on or near the project site. A consultation meeting involving County Department of Planning and Development staff and representatives of Tamien Nation took place on March 20, 2025. At the meeting, Tamien Nation expressed their belief that the project site based on its proximity to other known resources, and due the specific characteristics of the project site.

A "general surface reconnaissance" was conducted by a qualified archaeologist on all visible open land surfaces in the project area. A "controlled intuitive reconnaissance" was performed in places where burrowing animals, exposed banks and inclines, and other activities had revealed subsurface stratigraphy and soil contents. No significant cultural material, prehistoric or historic was noted during surface reconnaissance, however based on the information provided by Tamien Nation that the project site is in close proximity to known tribal cultural resources, and due to the subject property's proximity to Los Coches Creek, there is the possibility that the project could result in an adverse impact to subsurface tribal cultural resources. However, implementation of the following mitigation measures will reduce this potential impact to Less than Significant**.**

MITIGATION:

- **TCR-MIT 1: Tribal Cultural Monitors during Ground Disturbance.** Tribal Cultural Monitors and a qualified archaeologist shall be on site to monitor project-related ground-disturbing activities including grubbing, grading, trenching, and excavation. The contract for this work shall be provided to the County prior to issuance of a grading permit. The frequency of monitoring shall be determined by the archaeologist based on the rate of excavation and grading activities, the materials being excavated, the depth and location of excavation, and, if found, the abundance and type of archaeological resources encountered.

- **TCR-MIT 2: Accidental Discovery Protocols.** In the event that human remains are discovered during ground-disturbing activities and/or grading at the site, the Applicant shall stop all activity within a 50-foot radius of the find. The County Coroner shall be notified immediately and shall make a determination as to whether the remains are of Native American origin or whether an investigation into the cause of death is necessary (as required by Health and Safety Code section 7050.5, Public Resources Code section 5097.98, Title 14 California Code of Regulations section 15064.5(e), and County Ordinance Number B6-18). If the remains are determined to be Native American, the Coroner shall notify the NAHC within 24 hours of this determination. Once the NAHC identifies the most likely descendants, the descendants shall make recommendations regarding proper burial (including the treatment of grave goods). No further disturbance of the site shall be made except as authorized by the County Coordinator of Indian Affairs and NAHC in accordance with the provisions of state law and the County Ordinance.

  If buried historic or prehistoric cultural resources or suspected resources (such as chipped stone or groundstone, shell middens, historic debris such as trash dumps, building foundations, or old roadways) are inadvertently discovered during ground-disturbing activities, work shall stop within a 100-foot radius of the find, and the County Department of Planning and Development shall be notified, and the qualified archaeologist shall evaluate the find to determine if it meets the definition of a historical, unique archaeological, and/or tribal cultural resource. If the find is determined to be a tribal cultural resource, consultation with recognized tribes shall be undertaken and their input shall be sought on the most appropriate treatment and disposition of the finds.

- **TCR-MIT 3: Tribal Cultural Awareness Training.** Prior to the start of ground-disturbing activities, the applicant shall retain a Tribal Cultural Monitor to implement cultural and archaeological awareness training for all construction personnel involved with earthmoving or grading activities. The training shall include information regarding the possibility of encountering buried cultural resources (including tribal cultural resources), the appearance and types of resources likely to be seen during construction, notification procedures, and proper protocol to be followed should resources be encountered. This training shall be provided to all workers involved in ground-disturbing activities throughout the duration of construction and shall be documented in training records that shall be submitted to the County prior to those workers undertaking any ground-disturbing activities at the site.

- **TCR-MIT 4: Discovery of Tribal Cultural Resources and Tribal Notification Protocol.** If buried prehistoric cultural resources or suspected resources (such as chipped stone or groundstone, or shell middens,) are inadvertently discovered during ground-disturbing activities, work shall stop within a 100-foot radius of the find, and the County Department of Planning and Development shall be notified, and the qualified archaeologist shall evaluate the find to determine if it meets the definition of a historical, unique archaeological, and/or tribal cultural resource, and all of the following shall be required:

    - If the find(s) does/do not meet the definition of a historical resource or unique archaeological resource, no further study or protection is necessary prior to resuming project implementation.

    - If the find(s) does/do meet the definition of a historical resource or unique archaeological resource, then it shall be avoided by project activities. If avoidance is not feasible, as determined by the County Department of Planning and Development, the qualified archaeologist, shall make appropriate recommendations regarding the treatment and disposition of such find(s), and significant impacts to such resources shall be mitigated in accordance with the recommendations of the archaeologist, and evidence of such mitigation shall be submitted to the County Department of Planning and Development, prior to resuming any construction activities within the 100-foot radius of the find(s).

    - If the find(s) is/are potentially a tribal cultural resource, then Tamien Nation tribal representatives shall be consulted. If, after consultation with Tamien Nation tribal representatives, it is determined that the find(s) is/are a tribal cultural resource, then the find(s) shall be avoided by project activities. If avoidance is not feasible, as determined by the County Department of Planning and Development, the qualified archaeologist, in consultation with tribal representatives, shall make appropriate recommendations regarding the treatment and disposition of such find(s) and significant impacts to such resources shall be mitigated in accordance with the recommendations of the archaeologist, and evidence of such mitigation submitted to the County, prior to resuming construction activities within the 100-foot radius.

    - If the find(s) is/are human remains or grave goods, the requirements of Public Resources Code section 5097.98 and County Ordinance Code sections B6-18 through B6-20 shall be followed.

S. UTILITIES AND SERVICE SYSTEMS					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐	3, 6 ,7
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐	1, 3, 6, 24b
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐	1, 3, 6, 7, 39
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?	☐	☐	☒	☐	1, 3, 5, 6
e) Be in non-compliance with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐	3, 5, 6

SETTING:

The area surrounding the proposed project site has electrical utility services provided by Pacific Gas and Electric Co. (PG&E). However, potable water and wastewater treatment to the project site would be provided via on-site private wells and septic systems on individual parcels. The proposed project would include a proposed on-site well, one 80,000-gallon fire and irrigation water tank, one 8,000-gallon domestic water tank, a proposed leach field, and a septic tank.

DISCUSSION:

a - e) **Less Than Significant Impact** – The surrounding area of the proposed project site is within the PG&E service area. Thus, the project would be served by PG&E electrical utility service via an underground extension of electrical service lines to the project site, which would not have any significant environmental effects.

Water supply for the project would be supplied by a proposed on-site well, and wastewater would be treated by a new on-site wastewater treatment system (OWTS) consisting of a new subterranean piping that connect to a leach field and septic tank. Fire and irrigation water would be stored in an 80,000-gallon water tank on site, and domestic water would be stored in an 8,000-gallon water tank on site. The proposal for the new well, water tanks, and OWTS was reviewed, approved, and conditioned by the County Department of Environmental Health to confirm that the septic system is adequate and sufficient to serve the residential use of the project. The proposed onsite well and septic system would

be sufficient to serve the project, and as proposed, there would be a less than significant impact to water supplies or any wastewater treatment provider.

As a standard condition of approval for all projects within the County, property owners are to provide proof of garbage service at the time of final occupancy sign-off. Garbage service in the unincorporated areas of the County is mandatory. As such, there would be a less than significant impact to the attainment of waste reduction goals, nor would there be concerns related to non-compliance with solid waste regulations.

MITIGATION: None required.

T. WILDFIRE					
	IMPACT				**SOURCE**
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐	1, 2, 4, 5, 17h, 48, 53, 54
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?	☐	☐	☒	☐	1, 2, 3, 6, 8a, 53, 54
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?	☐	☐	☒	☐	1, 2, 4, 5, 17h, 53, 54
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?	☐	☐	☒	☐	1, 3, 4, 5, 53, 54

SETTING:

The parcel proposed for development is located within the Milpitas hills that is within the Hillsides zoning district. The proposed development area has an elevation of roughly 900 feet. The property is located within a WUI fire protection area. The area of the proposed development is located within the flattest portion of the property, in a previously developed area. The property is within the SRA and designated by the California Department of Forestry and Fire Protection (Cal Fire) Fire and Resource Assessment Program (FRAP) as a Moderate Fire Hazard Severity Zone. The site is accessed by traveling east on Calaveras Road, 2.25 miles from the Milpitas city limit (intersection of Calaveras and Piedmont roads) to its intersection with Weller Road, then north 0.18 miles with the project entrance on the left side.

In general, the project site would be located on the western edge of a large wildland block with a very low population density. Thus, the volume of traffic that would be arriving at Calaveras Road under an emergency evacuation action would, reasonably, have a comparatively low baseline of traffic action. Weller Road is a “one way in-one way out” road and offers no “through access” evacuation opportunities. All evacuation traffic would need to move through the intersection with Calaveras Road.

Calaveras Road has full “through access” opportunities, regardless of direction taken, at the intersection with Weller Road.

DISCUSSION:

a - d) **Less Than Significant Impact** – The project site would be located on Weller Road, 0.17 miles from its intersection with Calaveras Road. Weller Road has no through traffic capability, so all evacuation traffic would be confined to the limited number of nearby residences and commercial facilities and would have to move down Weller Road to Calaveras Road. The estimated use levels (number of individual vehicle trips) anticipated for the project facility would not add either atypical types of traffic or significantly add to the number of automobile trips that was observed to already exist on Calaveras Road. The installation of a firetruck turnaround may marginally enhance emergency response if emergency responders are aware of its existence and there is no active wildfire preventing access to it. Based upon the project plans and associated documentation, the project would not prevent people at other existing developments from evacuating or being serviced by emergency responders, and implementing the proposed project would not substantially impair an adopted emergency response plan or emergency evacuation plan.

The absence of significantly exacerbating influences, such as wind and extreme slopes, leaves the focus on the vegetation-related fuel models that are present as being the key to wildfire hazard, risk, and controllability. The downslope buffer of the Annual Grass type, with continuation of the current levels of horse grazing, fodder production and olling or mowing, would generate wildfire behavior characterized by low-to-moderate fire front advance rates, short residence durations, low heating quotients, and short flame lengths—all characteristics that lead to lower hazard and risk ratings and a fire that is easier to control. Should wildfire ignite (most likely not due to project construction or ongoing activities) in the EM- or MHdWd-related fuel types located below Calaveras Road, smoke would be generated. However, the determined lack of up-slope winds (see TSS report), either prevailing or diurnal, would not bring smoke related pollutants to the project site. Based upon the project plans and associated documentation, the effects of implementing the proposed project within the current setting conditions would not exacerbate wildfire risks, and thereby would not expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

No new access roads are proposed for this project. Access would continue to be provided by Weller Road with 2 access point for entering the facility. No new fuel breaks are proposed for this project. The protections currently afforded by the presence of the annual grasslands, and the seasonal fuel reduction management actions they are being subject to, would be continued. Included as part of the project description (PD) is the installation of a water storage and distribution system that would provide, through separate systems, water for emergency situations and portable water. The system would be placed on a knoll that is approximately 0.37 miles up Weller Road, would permanently replace approximately 0.46 acres of Annual Grassland, and would be constructed and operated in accordance with the SWPPP that is to be prepared. The movement of water from the storage site to the project site would be via an underground piping system. Electrical power would be provided under contract to PG&E and would take off from a pole on the north side of Weller Road. A line from this pole would feed to a service vault beyond which, i.e., the proposed facility would be placed in an underground system. This infrastructure would avoid potential loss of grid function from damage to the poles and overhead lines and fire ignitions resulting from transformer failure and ground of the live overhead lines. In consideration of the above project elements and procedures, and based upon the project plans and associated documentation, implementing the project as proposed would not 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 on-going impacts to the environment.

The facility's proposed location is within an area that has been previously graded flat with a 20- to 25-foot berm running around the southeastern edge of the project site. The configuration of the terrain would confine all of the project's construction and on-going operational effect to the project's proposed extent. Furthermore, the project would be operating under the conditions contained in an approved SWPPP and would not result in significant changes in the current drainage system or deliver surface drainage into surrounding areas. The project would be set completely within the Gaviota loam 15 to 30 percent slope map unit. The unit description shows no tendency for instability, is moderately deep, and is well drained. Examination of the satellite imagery for surface conditions related to soil or geologic instabilities, such as mass downslope movements or rotational landslides, showed no indication of any such movements. The Annual Grassland type has been subjected to livestock grazing and fodder production for roughly a century and a half and, again, examination of the satellite imagery shows no indication of soil instabilities or drainage problems. In consideration of the above project elements and procedures, and based upon the project plans and associated documentation, implementing the project as proposed would not expose people (site users or surrounding rural residents) 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 was reviewed and conditionally approved in accordance with the County Fire Marshal's Office and Cal Fire. The new development would also be required to meet all onsite requirements of the State Minimum Fire Safe Regulations, meet all WUI requirements within the California Building Code Chapter 7A, and create and maintain defensible space as outlined in the California Public Resources Code 4291. Emergency vehicles would travel along Calaveras Road, a County maintained road which sufficiently meets the County Fire Marshal and State Minimum Fire Safe Regulations requirements, to Weller Road, an existing, privately maintained road which is in near compliance with the requirements. The project would include adequate fire safety access, including sufficient breaks from steep slopes, a fire truck turn out and turnaround, wharf hydrant, water tanks, and NFPA 13 fire sprinklers throughout the proposed structures.

MITIGATION: None required.

U. MANDATORY FINDING OF SIGNIFICANCE					
	IMPACT				**SOURCE**
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) 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?	☐	☒	☐	☐	1 to 54
b) Have impacts that are individually limited, but cumulatively considerable ("Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects,	☐	☐	☐	☒	1 to 54

	the effects of other current projects, and the effects of probable future projects)?					
c)	Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐	1 to 54

DISCUSSION:

a) **Less Than Significant with Mitigation Incorporated.** As discussed in the Aesthetics section, visual impacts of the project could include views of the temple and meditation center degrading the natural scenic quality of the forest and the lighting disrupting nighttime views. Both impacts would be mitigated, as described in that section. As discussed in the Air Quality section, appropriate measures wouldl be taken to ensure that dust impact to the surrounding area during the construction phase would be reduced to a less-than-significant level. As discussed in the Biological Resources section, impacts of the proposed project on special-status species or habitat would either be less than significant or would be reduced to a less-than-significant level through incorporation of mitigation measures. The proposed project would not have the potential to substantially reduce the habitat of any fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number of, 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.

MITIGATION:

- **AES-MIT 1: Vegetative Screening**.
- **AES-MIT 2: Lighting.**
- **AQ-MIT 1: Dust Control.**
- **BIO-MIT 1: Avoid and Minimize Impacts on Special-Status Plant Species.**
- **BIO-MIT 2: Avoid and Minimize Impacts on Nesting Birds**.
- **BIO-MIT 3: Avoid and Minimize Impacts to California Red-legged Frog and Northwestern Pond Turtle.**

b) **No Impact.** There are no individually limited, cumulatively considerable impacts that would result from this project.

MITIGATION: none

c) **Less Than Significant with Mitigation Incorporated.** The proposed project would be located in a geologic hazard zone. Locating a new development on this property would create some potential for harm for the occupants. Noise from construction could potentially cause an impact to neighbors, but proposed mitigation measures would reduce those impact to a less-than-significant level. Drainage mitigation measures would also reduce any potential impacts to a less-than-significant level. Per AB 52, the County reached out to a number of California Native American tribes that are traditionally and culturally affiliated with the geographic area of the project site. Tamien Nation requested consultation for the project, and worked with the County to craft mitigation measures regarding tribal cultural monitors during ground disturbance, tribal cultural awareness training, accidental discovery protocol, and tribal notification protocol. The incorporation of mitigation measures would reduce any potential project impact to a less-than-significant level in the event of accidental discovery during ground disturbing activities.

MITIGATION:

- **CUL-MIT 1: Tribal Cultural Monitors during Ground Disturbance**
- **CUL-MIT 2: Accidental Discovery Protocols**
- **CUL-MIT 3: Tribal Cultural Awareness Training**
- **CUL-MIT 4**: **Discovery of Tribal Cultural Resources and Tribal Notification Protocol**
- **GEO-MIT 1: Seismic Building Design**.
- **GEO-MIT 2: Construction Monitoring.**
- **GEO-MIT 3: Grading Operations.**
- **GEO-MIT 4: Minimization of Grading.**
- **GEO-MIT 5: Cut and Fill of Slopes.**
- **GEO-MIT 6: Retaining Walls.**
- **GEO-MIT 7: Drainage.**
- **NOI-MIT 1: Noise Operations**
- **TCR-MIT 1: Tribal Cultural Monitors during Ground Disturbance**
- **TCR-MIT 2: Accidental Discovery Protocols**
- **TCR-MIT 3: Tribal Cultural Awareness Training**
- **TCR-MIT 4: Discovery of Tribal Cultural Resources and Tribal Notification**

Initial Study Source List*

1. **Environmental Information Form**
   https://stgenpln.blob.core.windows.net/document/EnvInfoForm.pdf

2. **Field Inspection**

3. **Project Plans**

4. **Working knowledge of site and conditions**

5. **Experience with other Projects of This Size and Nature**

6. **County Expert Sources:**
   Geologist
   https://plandev.santaclaracounty.gov/services/development-services/land-development-engineering/hazards/geology-and-natural-hazards
   Fire Marshal
   https://plandev.santaclaracounty.gov/services/development-services/fire-marshals-office
   Roads & Airports
   https://roads.santaclaracounty.gov/home
   Environmental Health
   https://deh.santaclaracounty.gov/home
   Land Development Engineering
   https://plandev.santaclaracounty.gov/services/development-services/land-development-engineering
   Parks & Recreation
   https://www.sccgov.org/sites/parks/Pages/Welcome-to-Santa-Clara-County-Parks.aspx
   Zoning Administration,
   Comprehensive Planning,
   Architectural & Site Approval Committee Secretary

7. **Agency Sources:**
   Santa Clara Valley Water District
   https://www.valleywater.org/
   Santa Clara Valley Transportation Authority
   http://www.vta.org/
   Midpeninsula Regional Open Space District
   https://openspace.org/
   U.S. Fish & Wildlife Service
   https://www.fws.gov/
   CA Dept. of Fish & Game
   https://www.wildlife.ca.gov/
   Caltrans
   https://dot.ca.gov/
   U.S. Army Corps of Engineers
   https://www.usace.army.mil/
   Regional Water Quality Control Board
   https://www.waterboards.ca.gov/
   Public Works Depts. of individual cities

8. **Planning Depts. of individual cities:**
   Santa Clara County (SCC) General Plan
   https://plandev.santaclaracounty.gov/codes-and-policies/general-plan
   The South County Joint Area Plan
   https://stgenpln.blob.core.windows.net/document/GP_Book_B.pdf

9. **SCC Zoning Regulations (Ordinance)**
   https://stgenpln.blob.core.windows.net/document/ZonOrd.pdf#0-TOC

10. **County Grading Ordinance**
    https://library.municode.com/ca/santa_clara_county/codes/code_of_ordinances?nodeId=TITCCODELAUS_DIVC12SULADE_CHIIIGRDR#TOPTITLE

11. **SCC Guidelines for Architecture and Site Approval**
    https://stgenpln.blob.core.windows.net/document/ASA_Guidelines.pdf

12. **SCC Development Guidelines for Design Review**
    https://stgenpln.blob.core.windows.net/document/DR_Guidelines.pdf

13. **County Standards and Policies Manual (Vol. I - Land Development)**
    https://plandev.santaclaracounty.gov/codes-and-policies/land-development-engineering/land-development-standards-and-policies

14. **Table 18-1-B of the Uniform Building Code (expansive soil regulations) [1994 version]**
    http://digitalassets.lib.berkeley.edu/ubc/UBC_1994_v2.pdf

15. **SCC Land Use Database**

16. **Santa Clara County Heritage Resource (including Trees) Inventory [computer database]**

17. **GIS Database**
    a. SCC General Plan Land Use, and Zoning
    b. USFWS Critical Habitat & Riparian Habitat
    c. Geologic Hazards
    d. Archaeological Resources
    e. Water Resources
    f. Viewshed and Scenic Roads
    g. Fire Hazard
    h. Parks, Public Open Space, and Trails
    i. Heritage Resources - Trees
    j. Topography, Contours, Average Slope
    k. Soils
    l. HCP Data (habitat models, land use coverage, etc)
    m. Air photos
    n. USGS Topographic
    o. Dept. of Fish & Game, Natural Diversity Data
    p. FEMA Flood Zones
    q. Williamson Act
    r. Farmland monitoring program
    s. Traffic Analysis Zones
    t. Base Map Overlays & Textual Reports (GIS)

18. **Paper Maps**
    a. SCC Zoning
    b. Barclay's Santa Clara County Locaide Street Atlas
    c. Color Air Photos (MPSI)

Initial Study Source List*

d. Santa Clara Valley Water District - Maps of Flood Control Facilities & Limits of 1% Flooding
e. Soils Overlay Air Photos
f. "Future Width Line" map set

19. 2026 CEQA Statute Guidelines [Current Edition] https://www.califaep.org/statute_and_guidelines.php

Area Specific: San Martin, Stanford, and Other Areas

San Martin

20a. **San Martin Integrated Design Guidelines** https://stgenpln.blob.core.windows.net/document/SanMartin_DesignGuidelines.pdf

20b. **San Martin Water Quality Study**

20c. **Memorandum of Understanding (MOU) between Santa Clara County & Santa Clara Valley Water District**

Stanford

21a. **Stanford University General Use Permit (GUP), Community Plan (CP), Mitigation and Monitoring Reporting Program (MMRP), and Environmental Impact Report (EIR)** https://plandev.santaclaracounty.gov/programs-and-studies/archive-stanford-university

21b. **Stanford Protocol and Land Use Policy Agreement** https://plandev.santaclaracounty.gov/programs-and-studies/stanford-university/1985-land-use-policy

Other Areas

22a. **San Martin Airport Comprehensive Land Use Plan [Amended November 18, 2020]** https://stgenpln.blob.core.windows.net/document/ALUC_E16_CLUP.pdf

22b. **Los Gatos Hillsides Specific Area Plan** https://stgenpln.blob.core.windows.net/document/ZonOrd.pdf#0-TOC

22c. **County Lexington Basin Ordinance Relating to Sewage Disposal**

22d. User Manual Guidelines & Standards for Land Uses Near Streams: A Manual of Tools, Standards and Procedures to Protect Streams and Streamside Resources in Santa Clara County by Valley Water Resources Protection Collaborative, August 2005 – Revised July 2006. https://www.valleywater.org/contractors/doing-businesses-with-the-district/permits-for-working-on-district-land-or-easement/guidelines-and-standards-for-land-use-near-streams

22e. Guidelines and Standards for Land Use Near Streams: Streamside Review Area – Summary prepared by Santa Clara County Planning Office, September 2007.

22f. **Monterey Highway Use Permit Area** https://stgenpln.blob.core.windows.net/document/ZonOrd.pdf#0-TOC

Soils

23. USDA, SCS, "Soils of Santa Clara County

24. USDA, SCS, "Soil Survey of Eastern Santa Clara County"

Agricultural Resources/Open Space

25. **Right to Farm Ordinance**

26. State Dept. of Conservation, "CA Agricultural Land Evaluation and Site Assessment Model" https://www.conservation.ca.gov/dlrp/Documents/TOC%20and%20Intro.pdf

27. Open Space Preservation, Report of the Preservation 2020 Task Force, April 1987 [Chapter IV]

28. **Williamson Act Ordinance and Guidelines (current version)** https://plandev.santaclaracounty.gov/programs-and-studies/williamson-act-and-open-space-easement

Air Quality

29. BAAQMD Clean Air Plan http://www.baaqmd.gov/~/media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a_-proposed-final-cap-vol-1-pdf.pdf?la=en

30. BAAQMD CEQA Air Quality Guidelines (2022)- https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines

31. BAAQMD Annual Summary of Contaminant Excesses & BAAQMD, "Air Quality & Urban Development - Guidelines for Assessing Impacts of Projects & Plans" [current version]

Biological Resources/
Water Quality & Hydrological Resources/
Utilities & Service Systems"

32. Site-Specific Biological Report

33. Santa Clara County Tree Preservation Ordinance

Initial Study Source List*

https://library.municode.com/ca/santa_clara_county/codes/code_of_ordinances?nodeId=TITCCODELAUS_DIVC16TRPRRE

Section C16, Santa Clara County Guide to Evaluating Oak Woodlands Impacts
https://library.municode.com/ca/santa_clara_county/codes/code_of_ordinances?nodeId=TITCCODELAUS_DIVC16TRPRRE

Santa Clara County Guidelines for Tree Protection and Preservation for Land Use Applications
https://stgenpln.blob.core.windows.net/document/Brochure_TreePreservation.pdf

34. Clean Water Act, Section 404
https://www.epa.gov/cwa-404/overview-clean-water-act-section-404

35. Santa Clara Valley Water District – GIS Data:
https://www.valleywater.org/learning-center/watersheds-of-santa-clara-valley

36. CA Regional Water Quality Control Board, Water Quality Control Plan, San Francisco Bay Region [1995]

37. Santa Clara Valley Water District, Private Well Water Testing Program [12-98]

38. SCC Nonpoint Source Pollution Control Program, Urban Runoff Management Plan [1997]

39. County Environmental Health / Septic Tank Sewage Disposal System - Bulletin "A"

40. County Environmental Health Department Tests and Reports

Archaeological Resources

41. Northwest Information Center, Sonoma State University

42. Site Specific Archaeological Reconnaissance Report

Geological Resources

43. Site Specific Geologic Report

44. California Geological Survey, Special Publication #42

45. State Division of Mines and Geology, Special Report #146

Hazards & Hazardous Materials

46. Section 21151.4 of California Public Resources Code

47. California Department of Toxic Substances, Hazardous Waste and Substances Sites List

48. County Office of Emergency Services Emergency Response Plan [1994 version]

Noise

49. County Ordinance on Noise
https://library.municode.com/ca/santa_clara_county/codes/code_of_ordinances?nodeId=TITBRE_DIVB11ENHE_CHVIIICONOVI

Transportation/Traffic

50. Official County Road Book

51. Site-specific Traffic Impact Analysis Report

Tribal Cultural Resources

52. Office of Planning and Research. 2017. Technical Advisory: AB 52 and Tribal Cultural Resources in CEQA

Wildfire

53. Office of Planning and Research. 2020. Fire Hazard Planning Technical Advisory

54. Office of the Attorney General. 2022. Best Practices for Analyzing and Mitigating Wildfire Impacts of Development Projects Under the California Environmental Quality Act

***Items listed in bold are the most important sources and should be referred to during the first review of the project, when they are available. The planner should refer to the other sources for a particular environmental factor if the former indicates a potential environmental impact.**