

**PUBLIC NOTICE
INTENT TO ADOPT A NEGATIVE DECLARATION
CITY OF SAN JOSÉ, CALIFORNIA**

Environmental Innovation Center (1608 Las Plumas Avenue) File No. PP09-138.

A Public Project to operate an Environmental Innovation Center (EIC) including a permanent household hazardous waste (HHW) collection facility, a clean technology demonstration and prototype manufacturing center (including manufacturing of prototype renewable energy vehicles), workforce training opportunities targeting the green economy, construction and demolition material reuse operations, and showcases for green and energy efficient design and solar energy production on approximately 4.2 acres, located on southeastern corner of Las Plumas Avenue and Nipper Avenue. The facility would be operated in an existing warehouse and would include the construction of a separate 7,000 square foot building for the permanent HHW facility. The EIC would also demonstrate best practices for onsite stormwater management, waste reduction and sustainable landscaping. The project is located in Council District: 3

California State Law requires the City of San José to conduct environmental review for all pending projects. Environmental review examines the nature and extent of any potentially significant adverse effects on the environment that could occur if a project is approved and implemented. Based on an initial study, the Director of Planning, Building & Code Enforcement has concluded that the project described above will not have a significant effect on the environment. The project site does not contain a listed toxic site.

The purpose of this notice is to inform the public of the Director's intent to adopt a Negative Declaration for the proposed project on November 30, 2009, and to provide an opportunity for public comments on the draft Negative Declaration. The public review period for this draft Negative Declaration begins on **October 28, 2009**, and ends on **November 30, 2009**. Adoption of a Negative Declaration does not constitute approval of the proposed project. The decision to approve or deny the project described above will be made separately as required by City Ordinance.

The draft Negative Declaration, initial study, and reference documents are available for review under the above file number from 9:00 a.m. to 5:00 p.m. Monday through Friday at the City of San Jose Department of Planning, Building & Code Enforcement, City Hall, 200 East Santa Clara Street, San José CA 95113-1905. The documents are also available at the Dr. Martin Luther King, Jr. Main Library, 150 E. San Fernando St, San José, CA 95112, the Berryessa Library, located at 3355 Noble Avenue, San Jose, CA 95132 and online at <http://www.sanjoseca.gov/planning/eir/MND.asp>

For additional information, please call Susan Walsh at (408) 535-7910.

Joseph Horwedel, Director
Planning, Building and Code Enforcement

Circulated on: October 28, 2009

Susan Walsh
Deputy



**DRAFT
NEGATIVE DECLARATION**

The Director of Planning, Building and Code Enforcement has reviewed the proposed project described below to determine whether it could have a significant effect on the environment as a result of project completion. "Significant effect on the environment" means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

NAME OF PROJECT: San Jose Environmental Innovation Center

PROJECT FILE NUMBER: PP09-138

PROJECT DESCRIPTION: A Public Project to operate an Environmental Innovation Center (EIC) including a permanent household hazardous waste (HHW) collection facility, a clean technology demonstration and prototype manufacturing center (including manufacturing of prototype renewable energy vehicles), workforce training opportunities targeting the green economy, construction and demolition material reuse operations, and showcases for green and energy efficient design and solar energy production on approximately 4.2 acres, located on southeastern corner of Las Plumas Avenue and Nipper Avenue. The facility would be operated in an existing warehouse and would include the construction of a separate 7,000 square foot building for the permanent HHW facility. The EIC would also demonstrate best practices for onsite stormwater management, waste reduction and sustainable landscaping. The project is located in Council District: 3

PROJECT LOCATION & ASSESSORS PARCEL NO.: 1608 Las Plumas, APN 254-03-022

COUNCIL DISTRICT: 4

APPLICANT CONTACT INFORMATION: City of San Jose, Environmental Services Department,
Contact person: Walter Lin (408) 975-2513

FINDING

The Director of Planning, Building & Code Enforcement finds the project described above will not have a significant effect on the environment in that the attached initial study identifies one or more potentially significant effects on the environment for which the project applicant, before public release of this draft Negative Declaration, has made or agrees to make project revisions and or meet standard measures that clearly mitigate the effects to a less than significant level.

MITIGATION MEASURES INCLUDED IN THE PROJECT TO REDUCE POTENTIALLY SIGNIFICANT EFFECTS TO A LESS THAN SIGNIFICANT LEVEL

- I. **AESTHETICS** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- II. **AGRICULTURE RESOURCES** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- III. **AIR QUALITY** – With Standard Measures the project will not have a significant impact on this resource, therefore no mitigation is required.
- IV. **BIOLOGICAL RESOURCES** – With standard measures the project will not have a significant impact on this resource, therefore no mitigation is required.
- V. **CULTURAL RESOURCES** – With standard measures the project will not have a significant impact on this resource, therefore no mitigation is required.
- VI. **GEOLOGY AND SOILS** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- VII. **HAZARDS AND HAZARDOUS MATERIALS** – With standard measures the project will not have a significant impact on this resource, therefore no mitigation is required.
- VIII. **HYDROLOGY AND WATER QUALITY** – With standard measures the project will not have a significant impact on this resource, therefore no mitigation is required.
- IX. **LAND USE AND PLANNING** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- X. **MINERAL RESOURCES** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XI. **NOISE** – With standard measures the project will not have a significant impact on this resource, therefore no mitigation is required.
- XII. **POPULATION AND HOUSING** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XIII. **PUBLIC SERVICES** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XIV. **RECREATION** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XV. **TRANSPORTATION / TRAFFIC** – The project will not have a significant impact on this resource, therefore no mitigation is required.
- XVI. **UTILITIES AND SERVICE SYSTEMS** – The project will not have a significant impact on this resource, therefore no mitigation is required.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE – The project will not substantially reduce the habitat of a fish or wildlife species, be cumulatively considerable, or have a substantial adverse effect on human beings, therefore no mitigation is required.


PUBLIC REVIEW PERIOD

Before 5:00 p.m. on **November 30, 2009 (Ending Date)**, any person may:

1. Review the Draft Negative Declaration (ND) as an informational document only; or
2. Submit written comments regarding the information, analysis, and mitigation measures in the Draft ND. Before the ND is adopted, Planning staff will prepare written responses to any comments, and revise the Draft ND, if necessary, to reflect any concerns raised during the public review period. All written comments will be included as part of the Final ND.

Joseph Horwedel, Director
Planning, Building and Code Enforcement

Circulated on: October 28, 2009



Deputy

Adopted on: _____

Deputy

Revised 10..20.08 sbw