

**Environmental Assessment  
Determinations and Compliance Findings for HUD-assisted Projects  
24 CFR Part 58**

**Project Information**

**Project Name:** Page Street Housing Project

**Responsible Entity:** City of San José

**Grant Recipient:** Charities Housing

**Preparer:** David J. Powers and Associates, Inc. for the City of San José

**Certifying Officer Name and Title:** Rosalynn Hughey, Director of Planning, Building & Code Enforcement

**Consultant:** David J. Powers and Associates, Inc.

**Direct Comments to:** Reema Mahamood  
Planning Division  
Department of Planning, Building and Code Enforcement  
City of San José  
200 East Santa Clara Street T-3  
San Jose, CA 95113-1905  
reema.mahamood@sanjoseca.gov



**U.S. Department of Housing and Urban Development**

451 Seventh Street, SW  
Washington, DC 20410  
www.hud.gov

[espanol.hud.gov](http://espanol.hud.gov)

## **Project Location:**

The project site is located at 329, 341, and 353 Page Street in the City of San José. The Santa Clara County Assessor's Parcel Numbers for the site are 277-20-044, 277-20-045, and 277-20-046. Figures 1, 2, 3, and 4 show the location of the project site and surrounding land uses.

## **Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:**

Charities Housing proposes the 100-percent affordable Page Street Housing Project in San José, California. Charities Housing expects to subsidize rents for permanent supportive housing units once the Page Street Housing Project is operational using Department of Housing and Urban Development (HUD) project-based vouchers. The Santa Clara County Housing Authority would provide Section 8 housing assistance to the Page Street Housing Project in the form of Project-Based Vouchers (PBVs) for 27 units. Housing assistance payments to be made to the Page Street Housing Project on behalf of the residents of the 27 PBV units would be used for operating costs. Housing assistance would be provided for an initial contract term of 20 years with a possible automatic renewal for an additional 20 years, subject to annual appropriations and SCCHA's determination that the owner is in compliance with the Housing Assistance Payment (HAP) contract and other applicable HUD requirements, for a total of forty (40) years. The estimated annual PBV contract rent amount is \$695,628, subject to rent reasonableness study prior to the execution of the HAP contract.

Charities Housing proposes to develop the Page Street Housing Project on an approximately 0.7-gross-acre site at 329, 341, and 353 Page Street in San José. The Santa Clara County Assessor's Parcel Numbers for the site are 277-20-044, 277-20-045, and 277-20-046. The project would include demolition of the existing five residential buildings and ancillary structures and construction of a five-story apartment development. The proposed development would include a common lobby, offices, community room, lounge, kitchen, laundry and parking on the ground floor, studio units on floors two through four and a three-bedroom manager's unit and studio units on the fifth floor. There would be 82 dwelling units in total, 81 affordable units and one manager's unit. The maximum height of the building would be approximately 60 feet at the top of the roof, and 69.5 feet at the top of the penthouse.

The proposed building would include 2,170 square feet of common roof deck areas on the third floor and top of the roof, a private deck attached to the three-bedroom manager's unit on the fifth floor, and private balconies attached to 51 studio units spread across the second through fifth floors. The proposed development would include a common 8,844 square foot paseo and park area on the southern section of the site which would have a paved pedestrian walkway, a patio with outdoor seating, landscaping, and children's play areas. The paseo and park area would be available to the public during daytime hours and secured via a sliding gate during the nighttime hours. The landscape

plan would include shrubs, groundcover, and approximately 31 new trees that would be situated along the perimeter and in the paseo and park area. Vehicles would access parking via a new 26-foot wide driveway on Page Street at the northeast corner of the site. The proposed development would include green building measures such as installation of Energy Star appliances, provision of solar hot water, and water efficient fixtures. All residents would receive annual transit passes to provide complementary bus and light rail service throughout Santa Clara County.

Stormwater runoff from the site would be collected via new six-inch storm drains which would be directed to bio retention areas on the project site. Stormwater from the site would be treated, then directed to a proposed 15-inch storm drain on Page Street, which would connect to the City's existing 15-inch storm drain on West San Carlos Street.

The project would require construction of a new six-inch sanitary sewer line, which would connect to an existing six-inch sewer line on Page Street. A fire service (approximately six-inch diameter water line), a fire hydrant, a drinking water, and irrigation water lines would connect to the existing six-inch water line on Page Street.

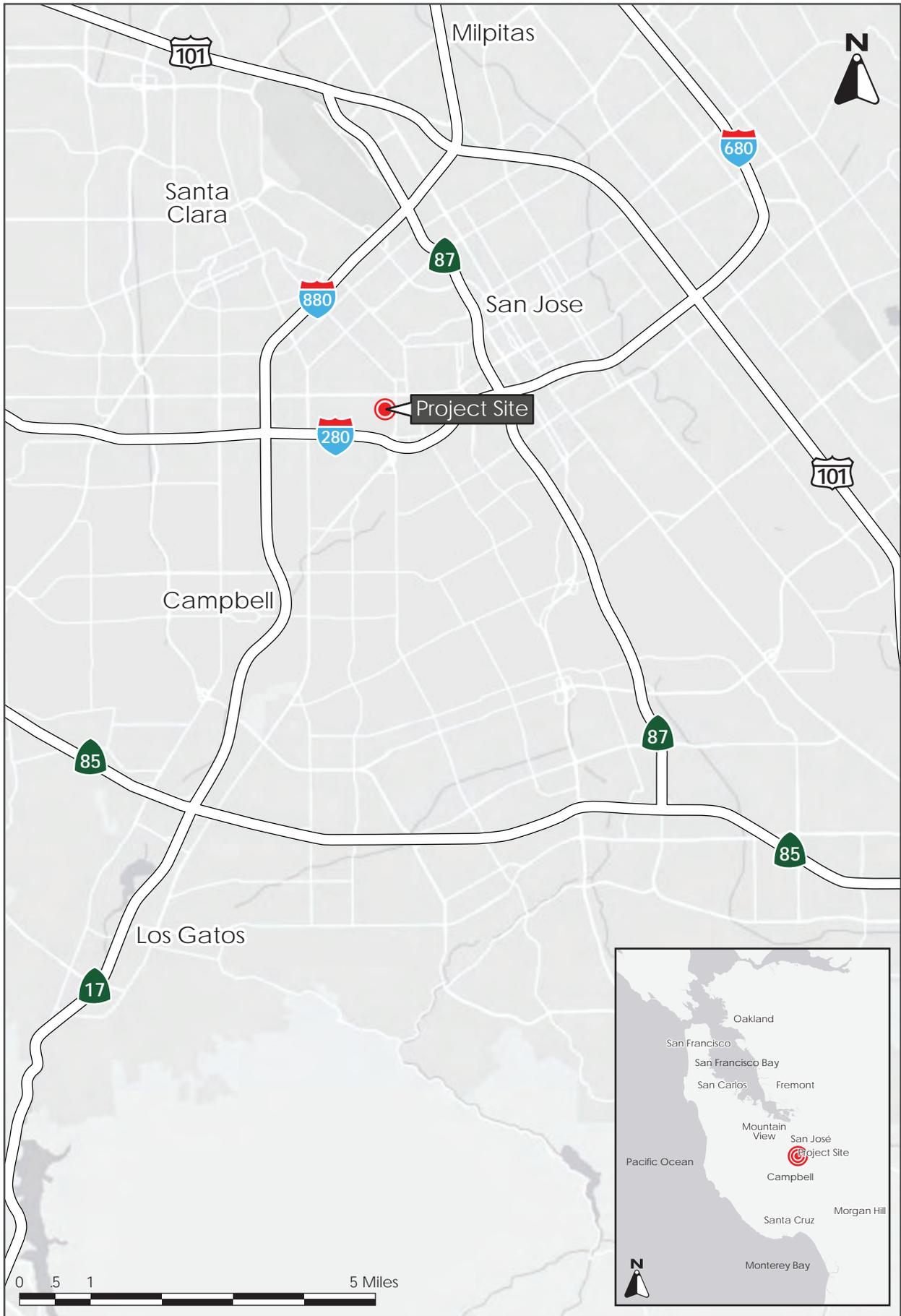
PG&E would provide electricity and gas, and Green Team of San José would collect solid waste. The duration of demolition of the existing building and construction of the proposed development would take approximately 20 months. The project would require excavation and off-haul of approximately 3,750 cubic yards of soil (3,500 cubic yards to be removed for garage pits and 250 cubic yards to be removed for remediation). No soil would be imported to the site. Equipment would be staged on-site and at the drive aisles immediately to the north and south of the site. The types of equipment that would be used for construction include bulldozers, loaders, compactors, backhoes, and other small earthmoving equipment.

Project construction is expected to begin early 2020 and be completed by late 2020.

**Funding Sources:**

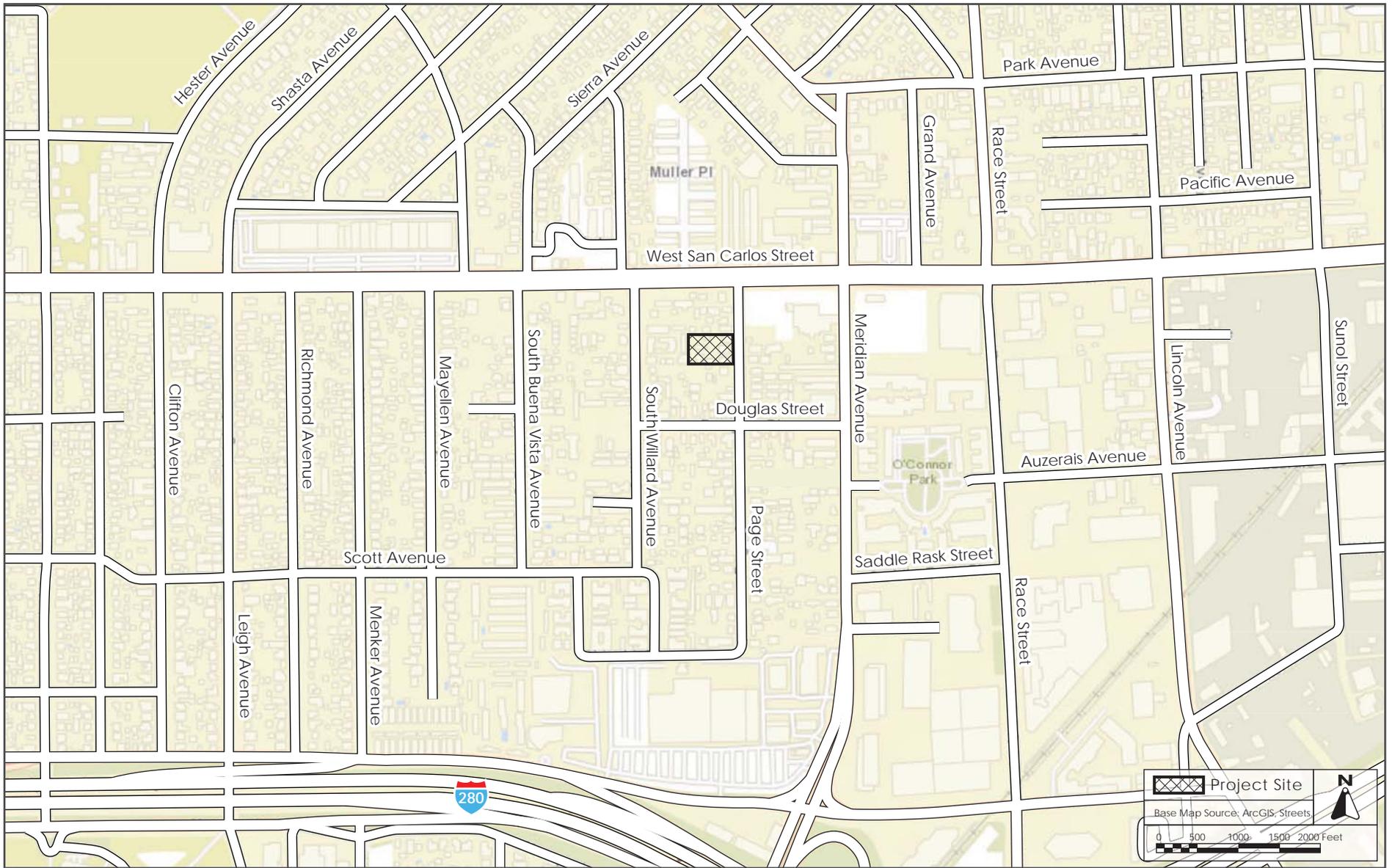
- Project-Based Vouchers through the Santa Clara County Housing Authority: \$695,628 annually

**Estimated Total Project Cost:** Approximately \$55 Million



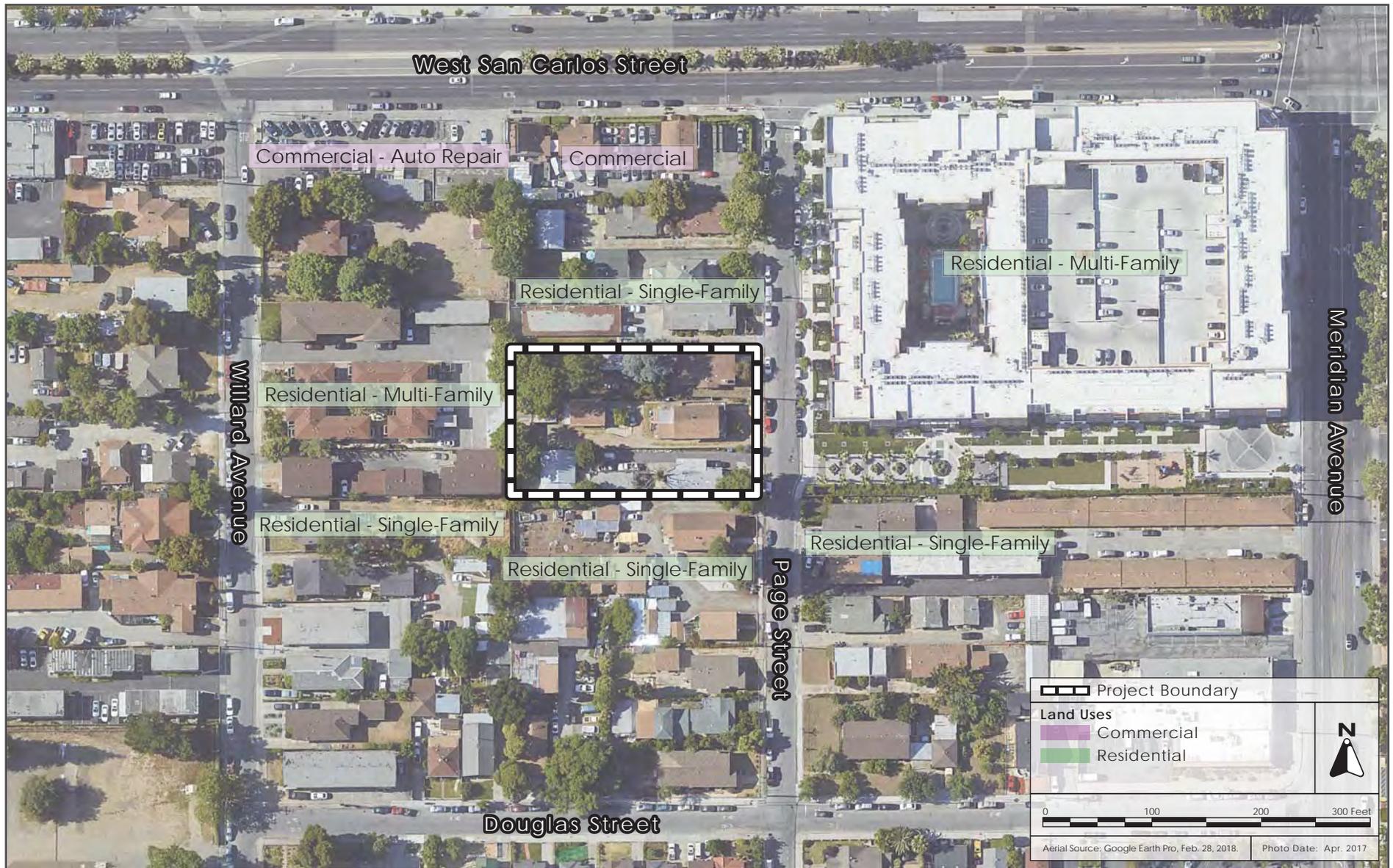
REGIONAL MAP

FIGURE 1



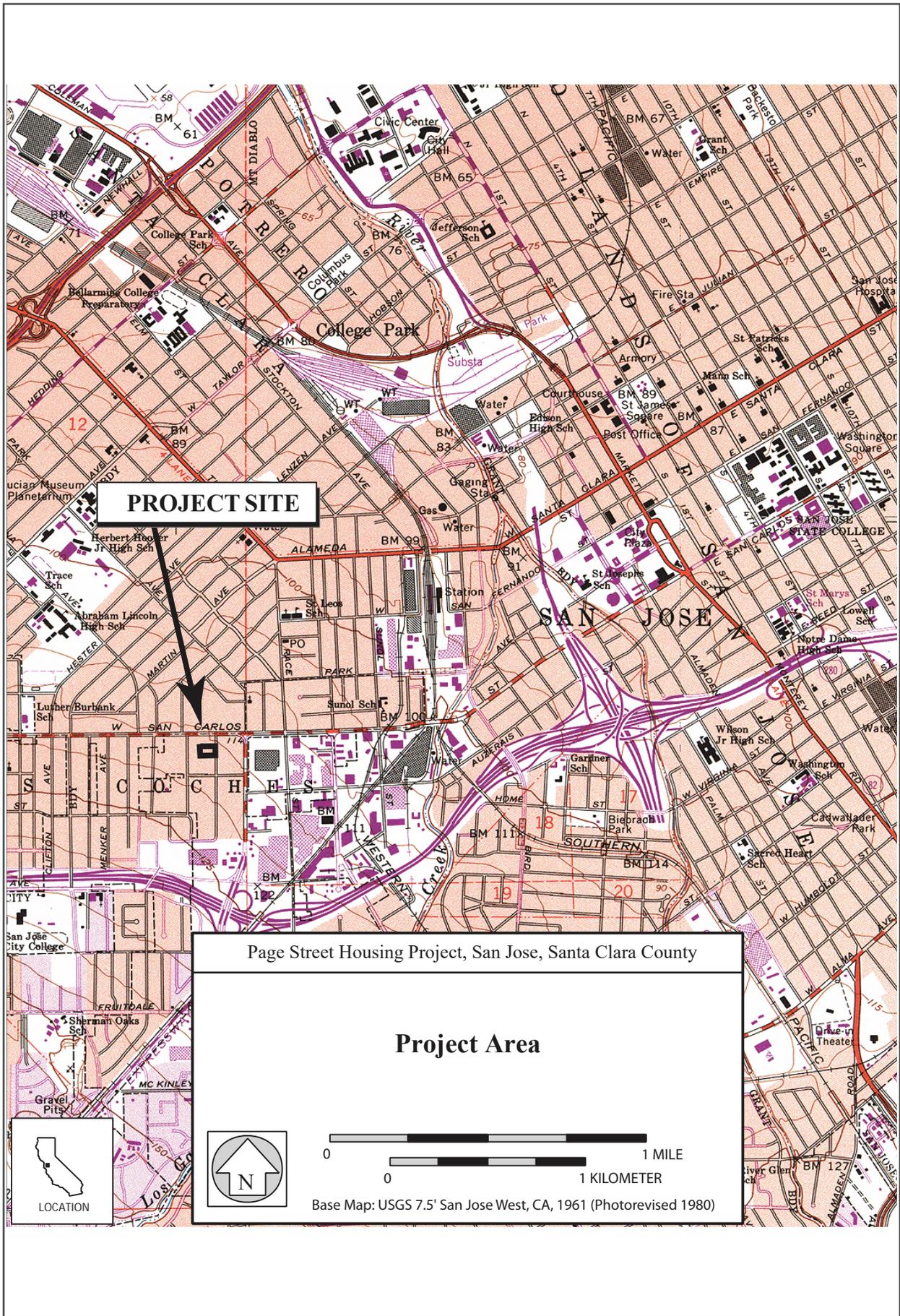
VICINITY MAP

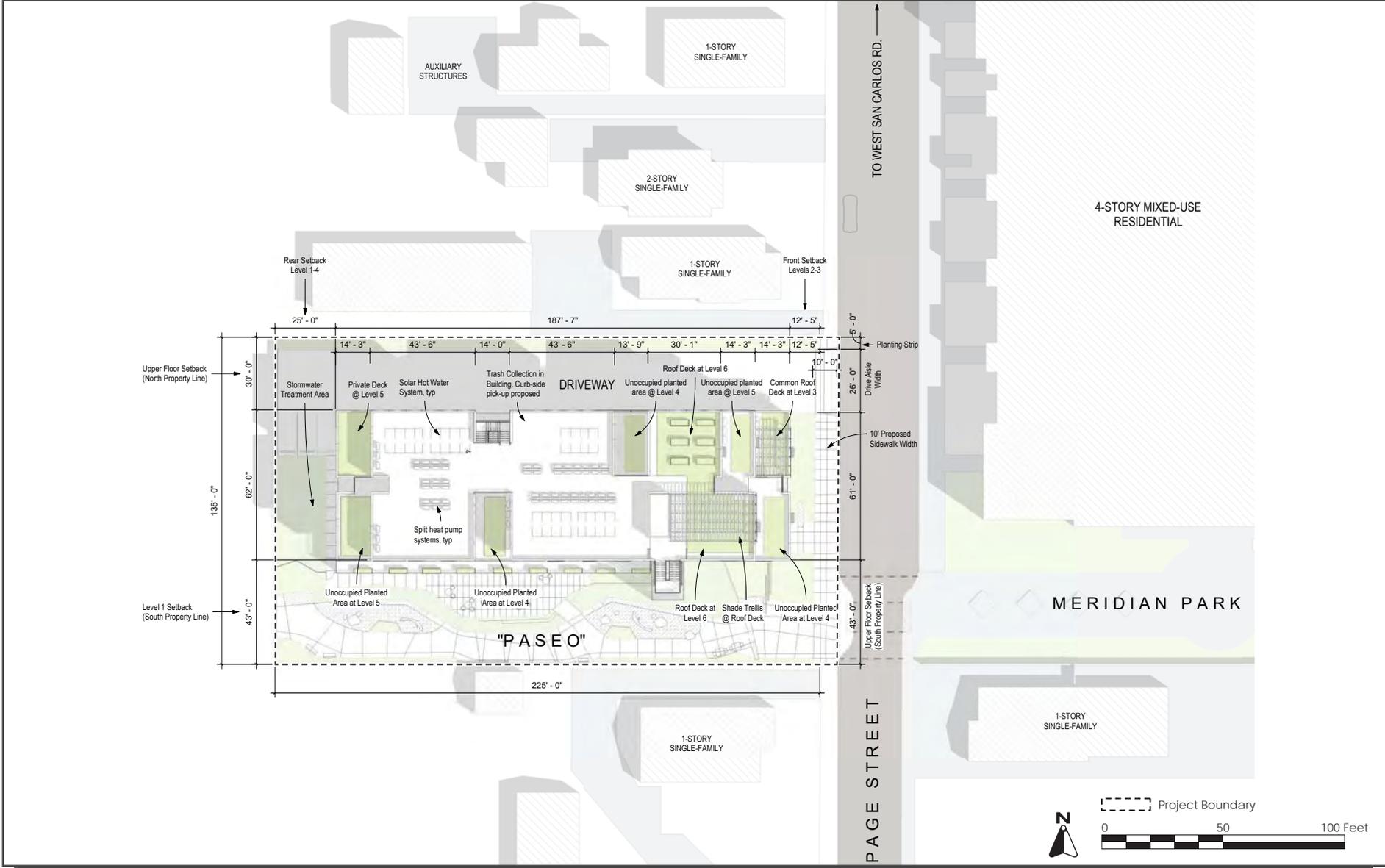
FIGURE 2



AERIAL PHOTOGRAPH AND SURROUNDING LAND USES

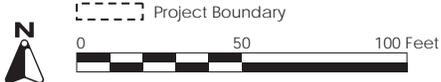
FIGURE 3





SITE PLAN

FIGURE 5



## **Statement of Purpose and Need for the Proposal** [40 CFR 1508.9(b)]:

Subsidized rental housing for lower income individuals is in high demand in the City of San José and throughout Santa Clara County. To help subsidize tenants' rents within the targeted income levels and to reach deeper levels of affordability within the City, federal rental assistance is needed. The County's Measure A bond assistance would be used during project operations and not during the development phase. The City of San José is completing U.S. Department of Housing and Urban Development (HUD) NEPA review for the affordable apartment project, because the project sponsor, Charities Housing, proposes to use funding from a Measure A bond to subsidize the tenants' rents.

The Santa Clara County Housing authority would provide rental assistance to Charities Housing for 81 studio units designated for occupancy by low-income individuals. The project is intended to serve individuals earning 30 to 50 percent of the County Area Median Income (AMI).

The 1988 Mayor's Task Force on Housing developed the initial policies that governed the City's affordable housing program. Since that time, the City has adopted a series of five-year plans to govern the allocation of affordable housing funding. Policies included in the Consolidated Plan, the Ten-Year Plan to End Chronic Homelessness, and the Housing Element are incorporated into the City's Affordable Housing Investment Plan (HIP). The most recent HIP was adopted by the City Council on June 4, 2018 for Fiscal Years 2017/18-2021/22.

These policies contribute to the creation of a comprehensive Citywide housing vision and ensure that affordable housing resources are distributed equitably and serve those most in need. Faced with competing priorities and limited resources, the City must develop policies that balance these concerns while continuing to provide the greatest good to the largest number of residents.

The proposed action would help meet the City of San José's goals for housing that are listed in the General Plan, including: (1) providing housing in a range of housing densities, especially higher densities, and product types, including rental and for-sale housing, to address the needs of an economically, demographically, and culturally diverse population; (2) increasing, preserving, and improving San José's affordable housing stock; (3) creating and maintaining safe and high quality housing that contributes to the creation of great neighborhoods and great places; and (4) providing housing that minimizes the consumption of natural resources and advances the City's fiscal, climate change, and environmental goals. The Page Street Housing Project would make a positive impact in addressing the need for affordable housing in San José while enhancing the overall look and feel of the neighborhood.

## **Existing Conditions and Trends** [24 CFR 58.40(a)]:

### **Regional Outlook**

The Bay Area continues to be one of the most expensive real estate markets in the country. Most Bay Area homes are unaffordable for families with average household incomes. As detailed in the San José 2014-2023 Housing Element (adopted by City Council on January 27, 2015), despite the prevalence of highly skilled, high-wage workers in Silicon Valley, data from the California

Employment Development Department (EDD) show a divergent trend in the region: while about one third of Santa Clara County's workforce command high salaries in the range of approximately \$86,000 to \$144,000 per year, nearly half of all jobs pay low-income wages between \$19,000 and \$52,000 annually. Further, projections from EDD anticipate that more than half of the new jobs created in the County over the next few years will pay \$15.00 per hour or less. These working-class wages are not enough to pay for housing costs without creating a housing burden, defined as housing costs that exceed 30 percent of income. Low levels of housing production, relative to demand, contribute to this region's high housing costs. Further, the market has not produced housing that is naturally affordable to low-income households, and public resources for affordable housing have been significantly diminished in recent years. As such, both the existing and future need for affordable housing in San José is considerable and far exceeds available supply.

The low housing availability also contributes to higher home prices. In many Bay Area communities, mostly large single-family homes are planned for and built. This offers consumers limited choice in housing types, especially relatively more affordable smaller homes, condominiums, townhomes, or apartments.

Multi-family housing can provide affordable options for individuals and families. Multi-family housing comes in a range of prices, but it can often include more affordable options than single-family homes. The proportion of multi-family housing built in the Bay Area has increased in the last few years. About one third of the region's total housing stock is in multi-family structures.

### **Local Perspective**

According to the Regional Housing Plan for the San Francisco Bay Area: 2014 to 2022 (see Table 1) prepared by the Association of Bay Area Governments (ABAG), the City of San José should add 35,080 new units by 2022 (of which 9,233 would be affordable to very low income, 5,428 would be affordable to low income, and 6,188 would be affordable to moderate income individuals) in order to meet the needs for affordable housing.

### **Physical Setting/ Existing Conditions**

The 0.7-acre project site is currently developed with a one-story house divided into two residential units (duplex), an unoccupied two-story single-family house and cottage, and a one-story multi-family residence with three residential units and a cottage to the rear of the building, ancillary structures, and landscaping. A total of five residential units are occupied by tenants at the site including the two duplex units, two units in the multi-family residence, and the cottage unit to the rear of the multi-family residence. The site is bound by existing single-family and multi-family residences to the north, west, and south, and Page Street and a three-to-five story residential/mixed used development to the east.

The Envision San José 2040 General Plan land use designation for the project site is *Urban Village* and the site is zoned *R-M – Multiple Residence District*.

**TABLE 1**  
**Santa Clara County Housing Needs Allocation, 2014-2022**

<b>Jurisdiction</b>	<b>Very Low &lt;50 Percent</b>	<b>Low &lt; 80 Percent</b>	<b>Moderate &lt;120 Percent</b>	<b>Above Moderate</b>	<b>Total</b>
Campbell	253	138	151	391	933
Cupertino	356	207	231	270	1,064
Gilroy	236	160	217	475	1,088
Los Altos	169	99	112	97	477
Los Altos Hills	46	28	32	15	121
Los Gatos	201	112	132	174	619
Milpitas	1,004	570	565	1,151	3,290
Monte Sereno	23	13	13	12	61
Morgan Hill	273	154	185	316	928
Mountain View	814	492	527	1,093	2,926
Palo Alto	691	432	278	587	1,988
San José	9,233	5,428	6,188	14,231	35,080
Santa Clara	1,050	695	755	1,593	4,093
Saratoga	147	95	104	93	439
Sunnyvale	1,640	906	932	1,974	5,452
Unincorporated	22	13	214	28	277
<b>Santa Clara Total</b>	<b>16,158</b>	<b>9,542</b>	<b>10,636</b>	<b>22,500</b>	<b>58,836</b>

Source: Association of Bay Area Governments. *Regional Housing Need Plan: San Francisco Bay Area*.  
 Adopted July 18, 2013.

**Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities**

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	Are formal compliance steps or mitigation required?	Compliance determinations
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6</b>		
<b>Airport Hazards</b>  24 CFR Part 51 Subpart D	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project site is located approximately 1.9 miles south of the Norman Y. Mineta San José International Airport. The project site is not located within any airport influence area, airport clear zones, or safety zones (refer to Figures 6 through 8).  [Source: (1), (2)]
<b>Coastal Barrier Resources</b>  Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project site is an infill parcel within an urbanized area of San José. The site is not located in or near a coast zone or coastal barrier resource area.  [Source: (3)]
<b>Flood Insurance</b>  Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The project is located within Zone D (Map No. 06085C0233H, May 18, 2009), an area in which flood hazards are undetermined, but possible (refer to Figure 9). The project site is not located in a FEMA-designated Special Flood Hazard Area. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP).  [Source: (4)]

**STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5**

<p><b>Clean Air</b></p> <p>Clean Air Act, as amended, particularly section 176(c) &amp; (d); 40 CFR Parts 6, 51, 93</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The Bay Area meets state and federal ambient standards for criteria pollutants and ozone precursors with the exception of ground-level ozone, PM<sub>10</sub>, and PM<sub>2.5</sub>. The region is considered a non-attainment area for ground-level ozone and PM<sub>2.5</sub> under the Federal Clean Air Act and the California Clean Air Act and for PM<sub>10</sub> under the California Clean Air Act.</p> <p><b>Regional Air Quality</b></p> <p>As part of an effort to attain and maintain ambient air quality standards for ozone, PM<sub>2.5</sub>, and PM<sub>10</sub>, the Bay Area Air Quality Management District (BAAQMD) has established thresholds of significance for criteria air pollutants and their precursors. These thresholds are for ozone precursor pollutants (ROG and NO<sub>x</sub>), PM<sub>10</sub>, and PM<sub>2.5</sub> and apply to both construction period and operational period emissions impacts which are summarized in Table 1 of the Page Street Housing Air Quality and Greenhouse Gas Assessment (refer to Appendix A).</p> <p>Projects that generate more than 54 pounds per day (or 10 tons per year) of ROG (reactive organic gases), NO<sub>x</sub>, or PM<sub>2.5</sub>; or 82 pounds per day (or 15 tons per year) of PM<sub>10</sub> would be considered to have a significant effect on regional air quality.</p> <p><i>Construction Criteria Pollutant Emissions</i></p> <p>Construction activities, particularly during site preparation and grading, would temporarily generate fugitive dust in the form of PM<sub>10</sub> and PM<sub>2.5</sub>. The California Emissions Estimator Model (CalEEMod) was used to predict emissions from project construction and operation at full buildout. The project land use types and size, and anticipated construction schedule were input to CalEEMod.</p>
-------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

		<p>Construction period emissions were modeled based on construction schedule information provided by the applicant and CalEEMod data. Refer to Appendix A for details about the modeling, data inputs, and assumptions. Table 1 summarizes the average daily construction emissions of ROG, NO<sub>x</sub>, PM<sub>10</sub> exhaust, and PM<sub>2.5</sub> exhaust during construction of the project.</p> <p>With the implementation of <b>Standard Permit Conditions</b> to reduce fugitive dust and exhaust emissions during construction, the project's ROG, NO<sub>x</sub>, PM<sub>10</sub> exhaust and PM<sub>2.5</sub> construction emissions would be below BAAQMD significance thresholds (refer to Table 2 of Appendix A). The project's criteria air pollutant construction emissions would not result in a substantial contribution to regional air pollution.</p> <p><i>Operational Criteria Pollutant Emissions</i></p> <p>Operational air emissions from the project would be generated primarily from vehicles driven by residents of the proposed development. CalEEMod was used to estimate emissions from operation of the proposed project.</p> <p>The project's estimated operational emissions and shows that emissions of ROG, NO<sub>x</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> would be below BAAQMD significance thresholds (refer to Table 3 of Appendix A).</p> <p>The highest measured level of carbon monoxide over any eight-hour period during the last three years in the Bay Area is less than 3.0 parts per million (ppm), compared to the ambient air quality standard of 9.0 ppm.</p> <p>The project would, therefore, not result in a substantial increase in criteria air pollutants from operational emissions or have a significant effect on regional air quality.</p>
--	--	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

		<p>The project would not cause a violation of a federal ambient air quality standard or substantially contribute criteria air pollutant emissions. The project would, therefore, be in compliance with the federal Clean Air Act.</p> <p>In addition, the project would be consistent with BAAQMD's most recent adopted plan is the Bay Area 2017 Clean Air Plan (CAP). Implementation of control measures in the CAP would improve air quality and protect health. The project is consistent with applicable control measures and with the San José General Plan by developing a high-density, transit-oriented infill development, installing energy efficient features, and planting to result in a net increase of trees.</p> <p>[Source: Appendix A]</p>
<p><b>Coastal Zone Management</b></p> <p>Coastal Zone Management Act, sections 307(c) &amp; (d)</p>	<p>Yes    No</p> <p><input type="checkbox"/>   <input checked="" type="checkbox"/></p>	<p>The project site is not located in a coastal zone, as defined by the California Coastal Act (Public Resources Code, Division 20, Section 3000 et seq.) The nearest coastal zone is located approximately 20 miles to the west in San Mateo County. Therefore, the project is in compliance with the Coastal Zone Management Act.</p> <p>[Source: (3)]</p>
<p><b>Contamination and Toxic Substances</b></p> <p>24 CFR Part 50.3(i) &amp; 58.5(i)(2)</p>	<p>Yes    No</p> <p><input checked="" type="checkbox"/>   <input type="checkbox"/></p>	<p>Phase I Environmental Site Assessments (Phase I ESAs) were completed in accordance with ASTM E-1527 standards for the project site in January 2017. A Phase I ESA was completed for each of the three parcels at the site: 329 Page Street (277-20-044), 341 Page Street (277-20-045), and 353 Page Street (277-20-046). A Phase II ESA was completed for all three parcels in May 2018.</p> <p>The project site and surrounding areas were used for agricultural purposes for several decades, from the 1900s to at least the 1920s on-site and 1930s and 1940s in the surrounding areas. During the course of agricultural use at the site, pesticides, such as DDT, were likely applied to crops in the normal course of farming operations. Given the past agricultural uses at the site, the Phase I ESAs determined that on-site</p>

		<p>soils could contain residual pesticide and insecticide chemicals. The potential for agricultural chemical contamination was identified as a recognized environmental condition.</p> <p>Based on the recommendations included in the Phase I ESAs, soil samples were collected at the site in February 2018 and April 2018 and were analyzed for organochlorine pesticides, arsenic, and lead. Based on the results of laboratory analyses from sampling as a part of the Phase II ESA, a large portion of the site is impacted with a combination of lead, arsenic, and pesticides. Construction of the proposed development could result in the exposure of future residents and adjacent residences to hazardous levels of contaminated soil. The project applicant will implement <b>MM HAZ-1.1</b> through <b>MM HAZ-1.5</b> to remove contaminated soils from the site and reduce the exposure of adjacent residents and future residents of the site to non-hazardous levels. <b>MM HAZ-2.1</b> and <b>MM HAZ-2.1</b> would be implemented to ensure that hazardous conditions on-site and the transport of contaminated soils would not result in a significant hazard to construction workers, the public, or the environment.</p> <p>The residences and ancillary structures on the site were constructed between 1912 and 1932. Given the age of the existing buildings on-site, the existing structures could contain asbestos and lead-based paint. The project will implement <b>Standard Permit Conditions</b> to reduce impacts due to the exposure of construction workers to asbestos-containing materials (ACMs) and lead-based paint and to limit the release of asbestos and lead into the environment. For these reasons, the ACMs and lead-based paint at the site would not result in a hazard to construction workers or the environment.</p> <p>[Source: Appendix B]</p>
--	--	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<p><b>Endangered Species</b></p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes    No</p> <p><input checked="" type="checkbox"/>    <input type="checkbox"/></p>	<p>The US Fish and Wildlife Service (USFWS) was contacted for a list of threatened and endangered species that may occur within the boundary of the proposed project and/or be affected by the proposed project (see Appendix C). The species of concern are:</p> <ul style="list-style-type: none"> <li>• California clapper rail (endangered)</li> <li>• California least tern (endangered)</li> <li>• California red-legged frog (threatened)</li> <li>• California tiger salamander (threatened)</li> <li>• Delta smelt (threatened)</li> <li>• Bay checkerspot butterfly (threatened)</li> <li>• San Bruno elfin butterfly (endangered)</li> <li>• Robust spineflower (endangered)</li> </ul> <p>The project site has been developed with residences since 1912 and is surrounded by existing residential development. Urban habitats including street trees, landscaping, lawns, and vacant lots, provide habitat for wildlife that is adapted to the modified environment.</p> <p>The project site is not located within any mapped critical habitat for any species. No rare, threatened, endangered, or special status species of flora or fauna are known to inhabit the site, and no sensitive species are anticipated in this area of the City of San José.</p> <p>The project site is located within the study area of the Santa Clara Valley Habitat Plan/Natural Community Conservation Plan (Habitat Plan). According to the Santa Clara Valley Habitat Agency Geobrowser, the project site is designated as <i>Urban-Suburban</i> and is not located in any Land Cover Fee Zones or Plant or Wildlife Survey Area. All development covered by the Habitat Plan is required to pay a nitrogen deposition fee to reduce impacts to serpentine plants in the Habitat Plan. The project applicant will pay the nitrogen deposition fee in accordance with the City's <b>Standard Permit Condition</b>.</p>
-----------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

		<p>If construction of the proposed project occurs during the bird nesting season (February 1-August 31), construction activities have the potential to impact nesting birds that are protected under the Migratory Bird Treaty Act. Mitigation measures (<b>MM BIO-1.1</b> through <b>MM BIO-1.4</b>), which include nesting bird surveys and buffer zones, are included in the project to avoid the potential for construction-related impacts. With implementation of <b>MM BIO-1.1</b> through <b>MM BIO-1.4</b>, the project would comply with the Endangered Species Act.</p> <p>[Source: Appendix C, (1)]</p>
<p><b>Explosive and Flammable Hazards</b></p> <p>24 CFR Part 51 Subpart C</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>An Explosives and Fire Hazards Review was completed on November 12, 2018 for the proposed project.</p> <p>The review included a visual survey of the project area and consultation with the Santa Clara County Environmental Health Department (SCCEHD). The review and survey was completed in accordance with 24 CFR Part 51 C. There are no explosive or flammable operations on the project site. The survey identified three facilities within 2,000 feet of the site reporting storage of hazardous substances that warranted calculation of an Acceptable Separation Distance (ASD). The ASD was calculated for the following facilities: 1) American Tire Depot located at 1353 West San Carlos Street, approximately 840 feet northeast of the site, 2) EDGES Electrical Group located at 1135 Auzerais Avenue, approximately 1,290 feet east of the site, and 3) O.C. McDonald Company located at 1150 West San Carlos Street, approximately 1,750 east of the site.</p> <p>The ASD calculated for the storage of motor/waste oil and liquefied petroleum gas at these facilities was between 126 and 168 feet. The distance from project site to each of these facilities is greater than the ASDs. Therefore, all identified above-ground storage containers satisfy the required ASD for the quantities of the chemicals present. There are no facilities storing quantities of explosive and/or</p>

		<p>flammable materials that did not meet the ASDs in conformance with HUD 24 CFR Part 51 C.</p> <p>[Source: Appendix D]</p>
<p><b>Farmlands Protection</b></p> <p>Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p>Yes    No</p> <p><input type="checkbox"/>   <input checked="" type="checkbox"/></p>	<p>The project is located in an urban area and would not impact any protected farmlands. The project is not actively farmed, subject to a Williamson Act Contract, or designated as Prime Farmland. The project site is designated as “urban and built-up land” on the 2016 Santa Clara County Important Farmland Map; therefore, the project complies with the Farmland Protection Policy Act.</p> <p>[Source: (5)]</p>
<p><b>Floodplain Management</b></p> <p>Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<p>Yes    No</p> <p><input type="checkbox"/>   <input checked="" type="checkbox"/></p>	<p>The project site is not located within a 100-year flood zone. Based on the FEMA flood insurance maps for the City of San José, the project site is designated Zone D, which is defined as areas of undetermined but possible flooding. Zone D areas are not subject to flood management provisions.</p> <p>[Source: (4)]</p>
<p><b>Historic Preservation</b></p> <p>National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<p>Yes    No</p> <p><input type="checkbox"/>   <input checked="" type="checkbox"/></p>	<p>In compliance with the Section 106 requirements of the National Historic Preservation Act, a cultural resources literature search of the site and project area and Native American consultation was completed in April 2018, and a historic resources survey report of the site and surrounding properties was completed in January 2019 for the project.</p> <p><i>Archaeological Resources and Native American Consultation</i></p> <p>The project area of potential effect (APE) for archaeological resources is limited to the project site (i.e., construction of the proposed project could only impact archaeological resources at the site). Based on the cultural resources records search, no pre-historic archaeological sites have been recorded within a quarter mile of the project site. Based on a review of the historical use of the site, there is a low potential for historic archaeological deposits within the current project APE. In the unlikely event archaeological resources (including human remains)</p>

	<p>are encountered during excavation and construction, <b>Standard Permit Conditions</b> will be implemented to avoid impacts to these resources.</p> <p>Based on consultation with the NAHC and tribal individuals/organizations, there are no known tribal cultural resources within the project APE. None of the Native Americans tribes contacted expressed concerns about the proposed project.</p> <p><i>Historic Evaluation</i></p> <p>The historic evaluation includes a historic assessment of on-site buildings and buildings (over 45 years of age) within the project APE for architectural resources. The APE for these resources is the geographic area in which the project may cause changes in the character of or use of historic properties. The APE includes the structures on-site and eight properties located off-site. Buildings less than 50 years of age do not meet the National Register criteria unless they are of exceptional importance. None of these properties have been previously surveyed or evaluated for historical significance.</p> <p><u>On-site Buildings/Structures</u></p> <p>The project site consists of three parcels (APNs 277-20-044, -045, and -046) located at 329, 341 and 353 Page Street. The 329 Page Street house is a one-story Craftsman house, constructed in 1915, with two residential units. To the rear of the house is a vernacular garage structure with ancillary space to the rear. Based on the historic evaluation, the property does is not eligible for the National Register of Historic Places (National Register) since it is not a distinctive representation of Craftsman residential architecture that was spread throughout the region in the first quarter of the 20<sup>th</sup> century.</p> <p>The 341 Page Street house is a wood-framed two-story National-styled house built in the early 19<sup>th</sup> century and was moved onto this site around 1912.</p>
--	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<p>The property has a cottage/secondary dwelling unit. The designs of the residences on-site are simple in form, and the primary house has been modified and is no longer representative of its 19<sup>th</sup> century origins. The property does not appear to be eligible for the National Register.</p> <p>The 353 Page Street property contains one-story vernacular house (divided into three residential units) of simple construction. The house was constructed in 1924. It has a reduced level of historic integrity due to changes made when the building was split into two units. All of the windows and doors have been replaced. To the rear of the house is a second ancillary dwelling that appears to have been moved onto the site. The construction date for the secondary unit could not be determined, and its detailing is vernacular. A large garage structure is located at the rear property line. Based on the historical evaluation, the 353 Page Street property does not appear to be eligible for the National Register.</p> <p><i>Historic Evaluation of Surrounding Properties</i></p> <p>The eight off-site properties evaluated were located on Page Street, Willard Avenue, and West San Carlos Street. Of the eight residential buildings and ancillary structures evaluated, only five are 50 years of age or older: a two-story multi-family residential building located at 330 Willard Avenue and four one-story single-family and multi-family residences located at 358 Willard Avenue and 325, 352, and 357 Page Street. Three multi-family residential buildings located at 340-350 and 354 Willard Avenue, and 1432 West San Carlos Street were less than 50 years of age and were not considered to be of exceptional importance.</p> <p>None of the above properties are considered eligible for the National Register based upon the four criteria considered for eligibility. None of the properties are associated with historic patterns or events within the neighborhood that would enable</p>
--	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

		<p>this area to qualify as a historic district. All of the buildings are owned or rented by persons not known to be historically significant. The buildings lack architectural distinction from their era. For the above reasons, the eight properties are not considered to be eligible for the National Register. Therefore, the project would have no effect on buildings/properties potentially eligible for or listed on the National Register.</p> <p>Based on the results of the results of the cultural literature search, Native American consultation, and historic resources survey report, the project is in compliance with Section 106 requirements of the National Historic Preservation Act.</p> <p>A request for review and determination of concurrence with a finding of no adverse effect was submitted to the State Historic Preservation Officer (SHPO) by the City of San José on January 25, 2019 (see Appendix E).</p> <p>[Source: Appendix E, (6)]</p>
<p><b>Noise Abatement and Control</b></p> <p>Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<p>Yes    No  <input checked="" type="checkbox"/>    <input type="checkbox"/></p>	<p>HUD environmental noise regulations are set forth in 24 CFR Part 51B (Code of Federal Regulations). The following noise standards for new housing construction would be applicable to this project:</p> <p>Interior:</p> <ul style="list-style-type: none"> <li>• <u>Acceptable</u> – 45 DNL or less</li> </ul> <p>Exterior:</p> <ul style="list-style-type: none"> <li>• <u>Acceptable</u> – 65 DNL or less.</li> <li>• <u>Normally unacceptable</u> –exceeding 65 DNL but not exceeding 75 DNL.</li> <li>• <u>Unacceptable</u>– Exceeding 75 DNL.</li> </ul> <p>The primary source of noise in the area is traffic along nearby roads. A Noise Assessment was completed for the project by <i>Illingworth &amp; Rodkin, Inc.</i> in November 2018.</p>

*Exterior Noise Environment*

Based on a noise monitoring survey completed March 28 to April 2, 2018, the day-night average noise level in the project area is approximately 62 dBA DNL. Consistent with HUD guidelines, the noise exposure 10 years in the future was considered in addition to the existing noise exposure. The future noise environment at the project site would continue to result from transportation-related noise sources including traffic along Page Street, West San Carlos Street, and Willard Avenue. With the inclusion of the proposed project and other approved projects in the vicinity, the total noise level is conservatively estimated to increase by 1 dBA in the project area. Future noise levels at the private balconies on the eastern façade of the proposed building would reach up to 63 dBA DNL. Private balconies along the north, west, and south building facades would experience noise levels below 60 dBA DNL. When accounting for acoustical shielding, the proposed roof decks on Levels 2, 3, and 6 would be exposed to noise levels at or below 60 dBA DBL. The proposed ground level common court outdoor use area would be exposed to noise levels up to 63 dBA DNL within 60 feet of the roadway (Page Street) centerline. At distances of 60 feet or greater from the center of Page Street, noise levels due to traffic are expected to be below 60 dBA DNL. The future exterior noise levels at these locations would be below 65 dBA DNL which would meet the HUD compatibility criteria.

*Interior Noise Environment*

As discussed above, future exterior noise levels in the project area would be 63 dBA DNL or less. Where exterior noise levels are 65 dBA DNL or less, standard construction methods will provide sufficient attenuation to achieve an interior level of 45 dBA DNL. The proposed development would have split heat pump systems to allow for windows and doors to be kept closed at the occupant's

		<p>discretion to control noise intrusion indoors. Standard construction with windows closed provides approximately 20 to 25 dBA of noise reduction in interior spaces. Interior noise levels with the windows and doors closed would range from 38 to 43 dBA DNL. With these insulation features, the project would be in compliance with HUD Noise Abatement and Control regulations 24 CFR 51 B. Additional noise controls would not be required.</p> <p>[Source: Appendix F ]</p>
<p><b>Sole Source Aquifers</b></p> <p>Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p>Yes    No</p> <p><input type="checkbox"/>   <input checked="" type="checkbox"/></p>	<p>The project is not in an area designated by the EPA as being supported by a sole source aquifer.</p> <p>[Source: (7)]</p>
<p><b>Wetlands Protection</b></p> <p>Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes    No</p> <p><input type="checkbox"/>   <input checked="" type="checkbox"/></p>	<p>The project site is an in-fill parcel located in an urban area, is surrounded by existing development, and is not within the vicinity of a wetland (refer to Figure 10). The nearest riparian habitat is at Los Gatos Creek, approximately 0.7 miles east of the project site.</p> <p>The site does not contain any wetlands or riparian habitat, and therefore, no wetlands would be impacted and the project complies with Executive Order 11990.</p> <p>[Source: (8)]</p>
<p><b>Wild and Scenic Rivers</b></p> <p>Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p>Yes    No</p> <p><input type="checkbox"/>   <input checked="" type="checkbox"/></p>	<p>The project site is not located within a mile of a designated wild and scenic river system. There are no wild and scenic rivers in Santa Clara County.</p> <p>[Source: (9)]</p>

**ENVIRONMENTAL JUSTICE**

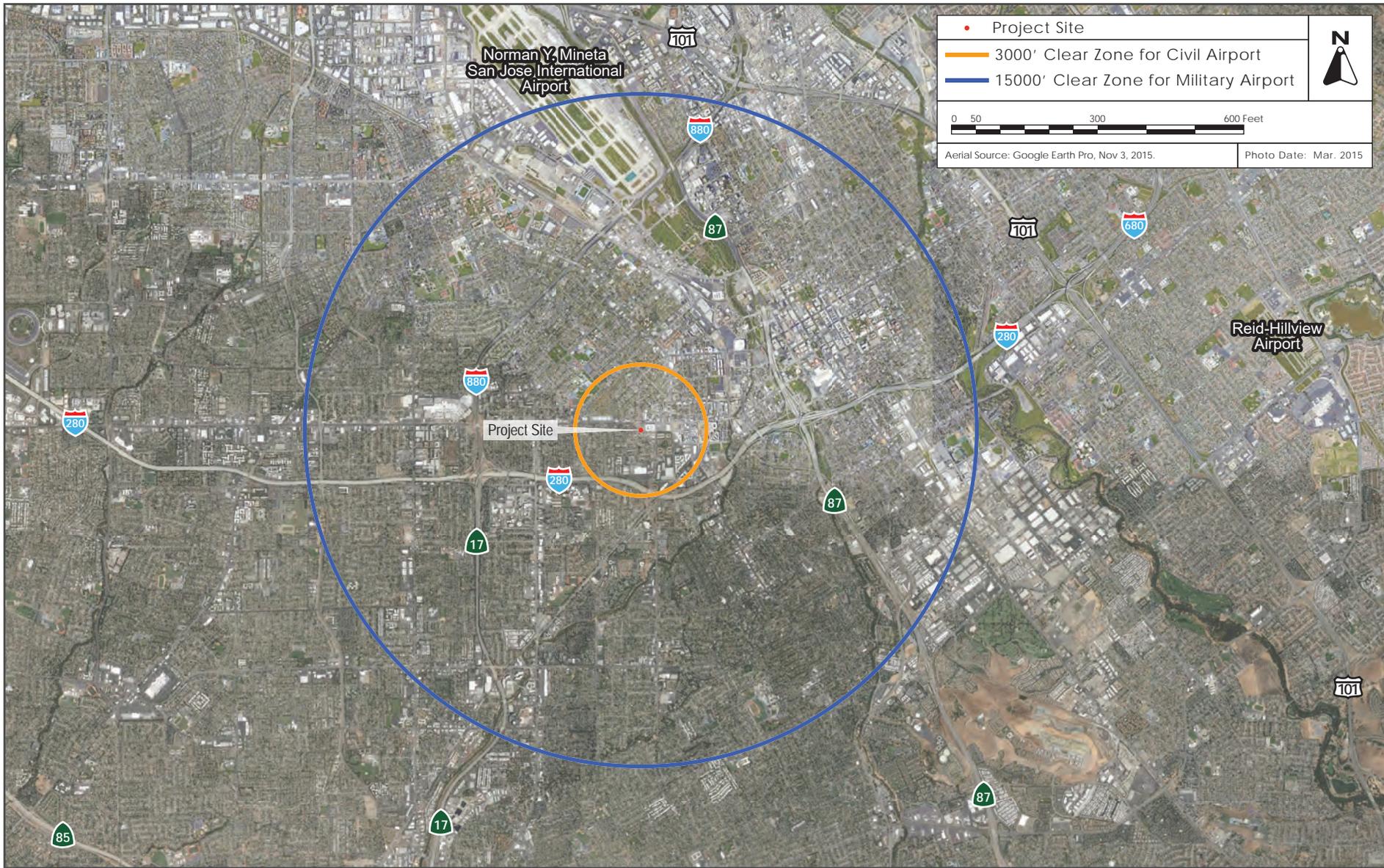
**Environmental Justice**

Executive Order 12898

Yes    No

The project includes affordable housing and would not have any disproportionately high health or other negative effects on minority or low-income populations. The site is currently vacant, and the project would not displace any minority-owned businesses or residents. The project would facilitate the General Plan goals of the City of San José and provide much-needed rental assistance to benefit low-income populations. Therefore, the project complies with Executive Order 12898.

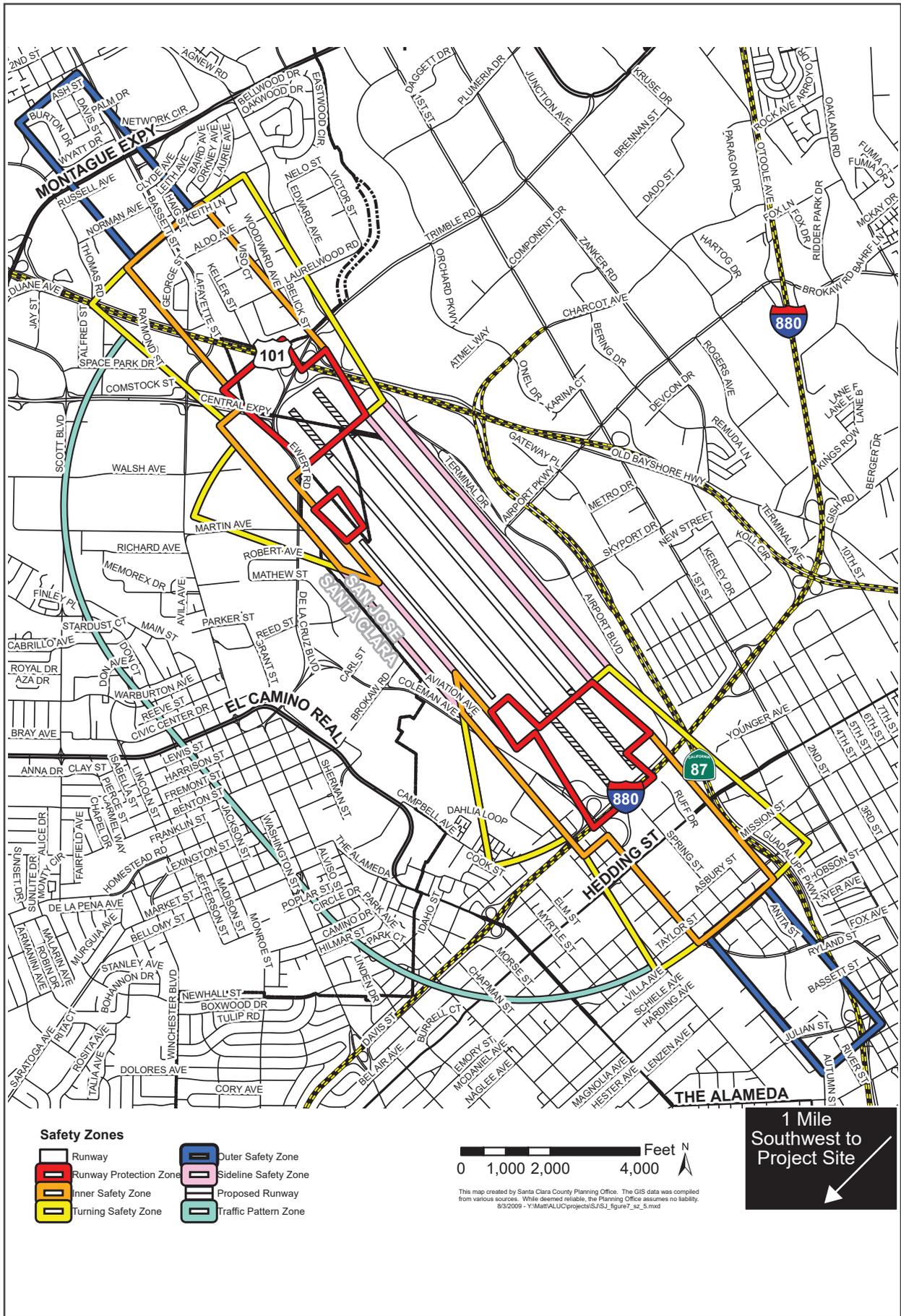
[Source: (10) ]



<ul style="list-style-type: none"> <li>• Project Site</li> <li>— 3000' Clear Zone for Civil Airport</li> <li>— 15000' Clear Zone for Military Airport</li> </ul>	
	
<p>Aerial Source: Google Earth Pro, Nov 3, 2015.      Photo Date: Mar. 2015</p>	

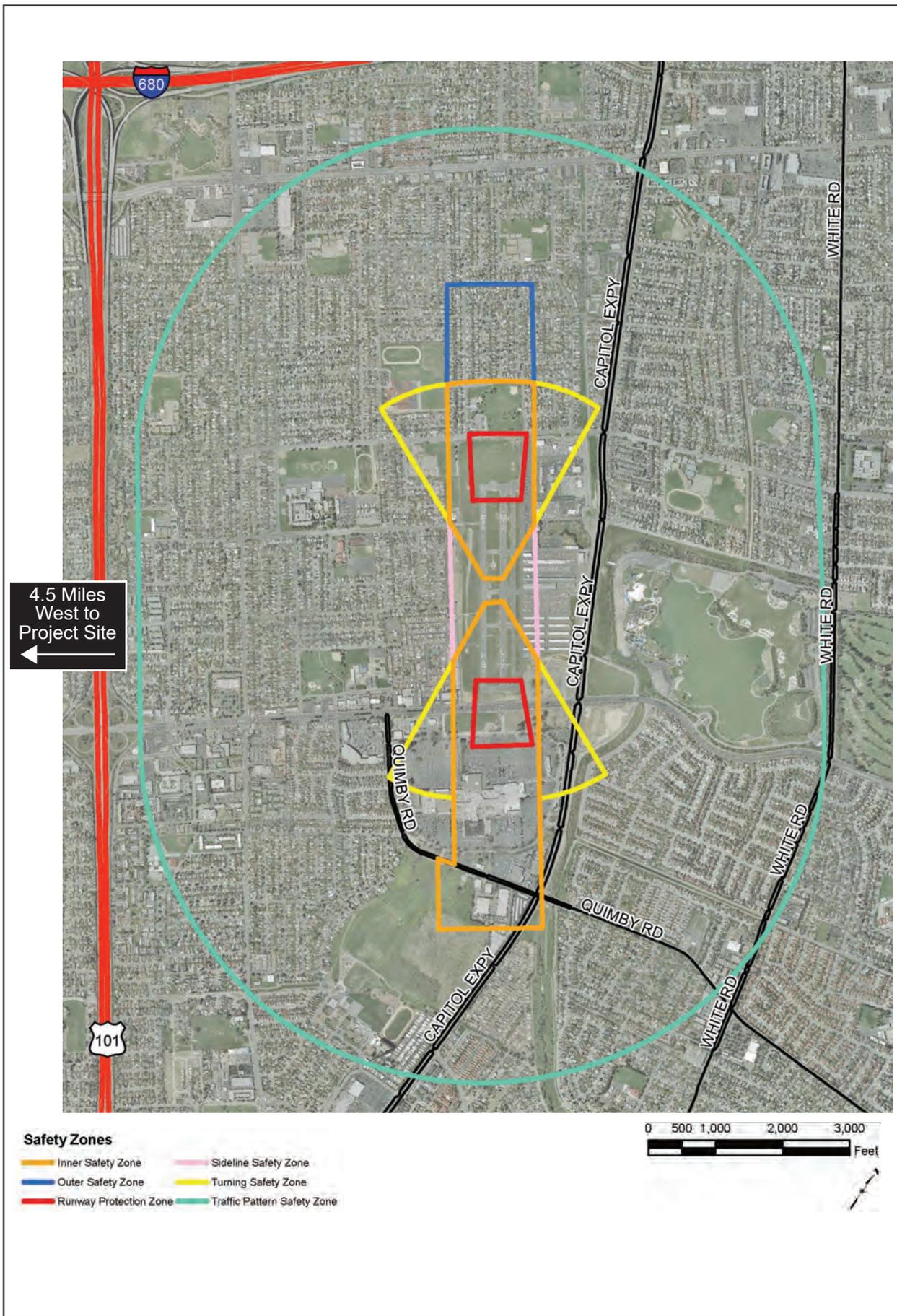
AIRPORT CLEAR ZONES

FIGURE 6



SAN JOSE INTERNATIONAL AIRPORT SAFETY ZONES

FIGURE 7



REID-HILLVIEW AIRPORT SAFETY ZONES

FIGURE 8





**Environmental Assessment Factors** [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

**Impact Codes:** Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>LAND DEVELOPMENT</b>		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	<p>The project is consistent with the General Plan designation, West San Carlos Urban Village Plan, and applicable general plan policies.</p> <p>The project site has a General Plan land use designation of <i>Urban Village</i> and is located in a <i>R-M – Multiple Residence</i> zoning district. In accordance with the R-M zoning, the project would require a Special Use Permit to allow the demolition of the existing five residential buildings and ancillary structures, and the construction of a five-story residential building with 81 affordable studio apartment units, one three-bedroom manager’s unit, and alternative parking uses (i.e., proposed parking lifts).</p> <p>The proposed project is consistent with the permitted land uses under the zoning designation and would be consistent with building height, landscaping, setbacks, and parking requirements.</p>

		<p>Surrounding land uses include residential and commercial uses which would not conflict with the proposed residential development.</p> <p>[Source: (11)]</p>
<p>Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff</p>	<p>3</p>	<p style="text-align: center;"><i>Soil Suitability/Slope/Erosion</i></p> <p>The project site is located on a relatively flat area of San Jose at elevations ranging from 115 to 118 feet above mean sea level. The site is underlain by the Santa Clara Valley alluvial basin. Based on a subsurface investigation of the site in January 2017, native soils consist of clay, silt and sand to depths of 50 feet below ground surface. Soils on-site have a low expansion potential to depths of eight feet below ground surface. Compliance with <b>Standard Permit Conditions</b>, California Building Code, and the site-specific Geotechnical Report completed in February 2017, would ensure expansive soils on-site would not exacerbate risks to life and property. The site is not located within a California Geological Survey liquefaction hazard zone. Based on a liquefaction analysis, soils that underlie the site would not liquefy due to seismic activity. Construction of the project would not result in a liquefaction hazard.</p> <p>Due to the flat topography of the project area, the site is not located in a landslide hazard zone. Residents in the area would, therefore, not be subject to landslide hazards. Ground disturbance could expose on-site soils and increase the potential for wind or water related erosion and sedimentation at the site until construction is complete. With the implementation of <b>Standard Permit Conditions</b> to reduce erosion during construction, the project would not increase construction-related erosion hazards. Prior to the issuance of a permit for grading activity during the rainy season (October 1<sup>st</sup> to April 30<sup>th</sup>), the applicant would be required to submit an Erosion Control Plan to the Director of Public Works for review and approval.</p> <p>[Source: Appendix G, (1)]</p>

		<p style="text-align: center;"><i>Drainage/Stormwater Runoff</i></p> <p>Construction of the proposed project would disturb approximately 0.7 acres of soil, replace approximately 15,880 square feet and add 9,335 square feet of impervious surfaces to the site. Because less than one acre of soil would be disturbed, the project would not be required to complete an NPDES General Permit for Construction Activities. The project, however, would comply with the City’s Grading Ordinance. The City of San José Grading Ordinance requires the use of erosion and sediment controls to protect water quality while a site is under construction. As discussed above, the project applicant would submit an Erosion Control Plan for any grading activities proposed to occur during the rainy season. The Erosion Control Plan will detail the best management practices (BMPs/<b>Standard Permit Conditions</b>) that would be implemented to prevent the discard of stormwater pollutants.</p> <p>Because the project would create 10,000 square feet or more of impervious surfaces, the City of San José requires that post-construction measures are undertaken that comply with the requirements of the NPDES Municipal Regional Stormwater permit as well as the City’s City of San José’s Post-Construction Urban Runoff Policy 6-29, and the project includes a post-construction stormwater control plan to manage and treat stormwater. Stormwater runoff from the proposed development would drain into treatment areas, including bioretention areas, prior to entering the storm drainage system. The proposed project would not alter the existing drainage pattern of the site or area, or increase the amount of runoff in a manner that could potentially exceed the capacity of existing stormwater system or result in erosion or siltation on- or off-site.</p> <p>[Source: (1)]</p>
<p>Hazards and Nuisances including Site Safety and Noise</p>	<p style="text-align: center;">3</p>	<p style="text-align: center;"><i>Hazardous Materials and Safety</i></p> <p>As discussed in the Contamination and Toxic Substances section above, the project site was formerly used for agricultural purposes. Soil samples were collected at the site in February 2018 and April 2018 and were analyzed for organochlorine pesticides, arsenic, and lead. Removal of contaminated soil will be completed in accordance with</p>

	<p><b>MM HAZ-1.1</b> through <b>MM HAZ-1.5</b> prior to the issuance of any grading permits. Implementation of these measures would ensure the proposed project would not result in significant hazards to adjacent residents and future residents of the site due to exposure to contaminated soil. The project applicant would prepare a Health and Safety Plan and Site Management Plan in accordance with <b>MM HAZ-2.1</b> and <b>MM HAZ.2.2</b> which would include measures to ensure that hazardous conditions on-site and the transport of contaminated soils would not result in a significant hazard to construction workers or the public.</p> <p>Lead-based paint and asbestos-containing materials are likely present on-site. <b>Standard Permit Conditions</b> will be implemented prior to and during demolition of on-site structures to ensure construction workers are not exposed to hazardous levels of asbestos and lead.</p> <p>The project would comply with the Federal Aviation Administration (FAA) Federal Aviation Regulation (FAR) Part 77 noticing requirements and, therefore, would not result in aircraft hazards to residents at the site.</p> <p>The project would not include the storage of explosive or flammable materials/chemicals at the site. The site is at an acceptable separation distance from off-site facilities that contain explosive or flammable chemicals. Therefore, flammable/explosive chemicals would not be a hazard to future residents at the site.</p> <p>[Source: (1), Appendix B]</p> <p style="text-align: center;"><i>Seismicity</i></p> <p>The project site is located in the San Francisco Bay Area, which is considered one of the most seismically active regions in the United States. The project site is not located within an Alquist-Priolo Earthquake Fault Zone or a Santa Clara County Earthquake Zone for fault rupture. Earthquake faults in the region, specifically the San Andreas and Hayward faults (within 11 miles of the project site), are capable of generating earthquakes larger than 7.0 in magnitude. The site is flat and is not located within a Landslide Hazard Zone. The project site and surrounding areas would, therefore, have a low potential for liquefaction and lateral spreading during seismic events.</p>
--	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<p>To avoid hazards (due to seismic shaking) to future residents at the site and adjacent properties, the project will be built using standard engineering and seismic safety design techniques in accordance with the City’s <b>Standard Permit Condition</b>. The project would comply with the site preparation and building foundation recommendations (consistent with the California Building Code) included in the project’s site-specific Geotechnical Report completed in February 2017. The project would be constructed in compliance with the City’s Standard Permit Condition and California Building Code which would reduce potential damage to the proposed development and avoid hazards to residents due to seismic ground shaking.</p> <p>[Source: Appendix G, (1)]</p> <p style="text-align: center;"><i>Noise</i></p> <p>The primary permanent, ongoing noise anticipated at the project site would result from transportation-related noise sources including traffic along Page Street, West San Carlos Street, and Willard Avenue.</p> <p>The project proposes a driveway with surface parking adjacent to a single-family home directly north of the site. Parking activities have the potential to be audible at nearby sensitive receptors. Noise associated with the parking activity would include vehicular circulation, loud engines, car alarms, door slams, and human voices. Parking areas located within 37 feet of any nearby residential uses and within 20 feet of any nearby commercial uses have the potential to exceed levels outlined in the City’s Municipal Code. There are no commercial properties within 20 feet of the project site. In accordance with <b>MM-NOI-1.1</b>, the project applicant will construct a minimum six-foot wooden fence between the future driveway and existing residences to the north to ensure noise levels from the project’s parking activities are below the City’s 55 dBA L<sub>eq</sub> threshold at residential property lines.</p> <p>An enclosed parking lift system is also proposed. The parking area would be completely shielded from nearby noise sensitive receptors and would not result in audible noise levels at off-site receptor locations. Building shielding along with planned parapet walls would make the rooftop mechanical noise indistinguishable from background ambient noise. Therefore,</p>
--	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

		<p>the project would not generate significant mechanical equipment noise.</p> <p>The project may result in temporary increase in noise and groundborne vibration from construction equipment. The project includes mitigation measures <b>MM NOI-2.1</b> and best management practices listed in <b>MM NOI-3.1</b> to reduce construction noise and vibration impacts on surrounding sensitive noise receptors. Therefore, the project complies with the HUD noise abatement and control regulations of 24 CFR 51B.</p> <p>[Source: Appendix F, (1)]</p>
Energy Consumption	2	<p>The new development would not represent a wasteful use of energy. The project would be required to comply with applicable building energy efficiency standards pursuant to Title 24, Part 6 of the California Code of Regulations. At the building permit stage, the project would comply with the California Green Building Standards Code that establishes mandatory green building standards for all buildings in California. The code covers five categories: planning and design, energy efficiency, water efficiency and conservation, material conservation and resource efficiency, and indoor environmental quality. The proposed building would include Energy Star appliances, drought-tolerant plants, a solar hot water system, and water efficient fixtures.</p> <p>[Source: (11), (12)]</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>SOCIOECONOMIC</b>		
Employment and Income Patterns	1	<p>According to the 2016 Census, the median household income in the project site's census tract is \$46,046. Approximately 9.4 percent of households earned less than \$10,000, 7.5 percent between \$10,000 and \$14,999, 16 percent between \$15,000 and \$24,999, 9.6 percent between \$25,000 and \$34,999, 9.9 percent between \$35,000 and \$49,999, 18.4 percent between \$50,000 and \$74,999, 15.8 percent between \$75,000 and \$99,000, 7.3 percent between \$100,000 and \$149,000, 4.1 percent between \$150,000 and \$199,999, and 2.1 percent at \$200,000 or more. The project would increase the availability of low-income housing for the residents of San José and Santa Clara County, where such housing is in high demand. No significant change to the demographic character of the neighborhood is expected because of the project, as it is intended to serve the existing population.</p> <p>[Source: (13)]</p>
Demographic Character Changes, Displacement	1	<p>The project would provide affordable housing designed to accommodate the unmet needs of the low-income population of San José and Santa Clara County. The project does not represent a significant change to the demographics of the area or on area social services as it is intended to serve the existing population.</p> <p>[Source: (14)]</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>COMMUNITY FACILITIES AND SERVICES</b>		
Educational and Cultural Facilities	2	<p>The proposed affordable housing development is not anticipated to have impacts on education or cultural facilities since the project is designed for low-income residents of the County of Santa Clara.</p> <p>In accordance with California Government Code Section 65996, the developer shall pay a school impact fee to the San José Unified School District to offset potential increased demands on school facilities.</p> <p>The project would not displace existing cultural facilities nor would it affect cultural facilities by its operation.</p> <p>[Source: (1), (11)]</p>
Commercial Facilities	2	<p>The proposed affordable housing development is not anticipated to have impacts to commercial facilities. The project is located in an urban area within proximity to shopping and commercial opportunities.</p> <p>[Source: (11)]</p>
Health Care and Social Services	1	<p>The proposed 81 affordable housing units (and one manager’s unit) would provide housing opportunities for low-income residences in San José and Santa Clara County. The project is located within five miles of five major hospitals: Santa Clara Valley Medical Center and Valley Health Center (approximately 1.2 miles southwest of the site), O’Connor Hospital (approximately 1.3 miles northwest of the site), Good Samaritan Hospital (approximately 5.0 miles south of the site), and Regional Medical Center, approximately 4.5 miles northeast of the site. There are numerous smaller clinics, medical facilities, and convalescent hospitals located nearby.</p> <p>Within the project site’s census tract, there are 5,496 total households, of which 1,187 (21 percent) are living in poverty. The project would provide affordable housing designed to accommodate the unmet needs of the census tract population. The project does not represent a significant change to the demographics of the area or on area social services, as it is intended to serve the existing population.</p> <p>[Source: (15)]</p>

Solid Waste Disposal / Recycling	2	<p>The proposed 81-unit of affordable housing units and one manager’s unit are not anticipated to have impacts to solid waste disposal/recycling facilities. The project would result in an incremental increase in solid waste disposal; however, the project is subject to City of San José development fees to accommodate the incremental demand on services.</p> <p>[Source: (1)]</p>
Waste Water / Sanitary Sewers	2	<p>The proposed 81 affordable housing units and one manager’s unit are not anticipated to have impacts to wastewater/sanitary sewer services. The project would have an incremental increase in wastewater and sanitary sewer services. The proposed project is estimated to generate 29,324 gallons of wastewater per day, a net increase of 24,424 gallons of wastewater per day. The project is subject to City of San José development fees to accommodate the incremental demand on wastewater and sanitary sewer services. There is available wastewater treatment capacity to serve the proposed project.</p> <p>[Source: (1)]</p>
Water Supply	2	<p>The proposed 81 affordable housing units and one manager’s unit are not anticipated to result in impacts to the water supply. The project would result in an incremental increase in water consumption. The proposed development is estimated to use 32,867 gallons of water per day for potable water and irrigation requirements, a net increase of approximately 30,867 gallons per day. The project site is served by the San José Water Company.</p> <p>The Envision San José 2040 General Plan FEIR concluded that sufficient water supplies are available to serve planned growth in the City. Therefore, there would be adequate water supply to serve the project.</p> <p>[Source: (1)]</p>
Public Safety - Police, Fire and Emergency Medical	2	<p>The proposed project would not result in significant impacts to police, fire, or medical services. The project would redevelop the project site with 81 studios and one three-bedroom manager’s unit, and would incrementally increase the demand for fire and police protection services compared to existing conditions (five occupied residential units). The project would not, by itself, preclude the San José Fire Department and San José Police Department from meeting their service goals and would not require the construction of new or expanded fire or police facilities. The proposed development would be constructed in</p>

		<p>accordance with current building codes and would be required to be maintained in accordance with applicable City policies, such as General Plan Policy ES-3.9, to promote public and property safety. The project would not require a significant change in emergency police, fire, and medical services already provided in the area.</p> <p>[Source: (1)]</p>
Parks, Open Space and Recreation	2	<p>The proposed 81 affordable housing units and one manager’s unit would not result in substantial impacts to parks, open space, or recreation. The project site is located approximately 0.2 miles northwest of O’Connor Park. The project would be in an area adequately served by parks and recreational facilities and would result in an incremental increase in demand. The project is subject to City of San José development fees to accommodate the incremental demand. The project would be required to pay fees consistent with the Parkland Dedication Ordinance. These fees would be used to improve existing parkland and recreational facilities.</p> <p>[Source: (1)]</p>
Transportation and Accessibility	2	<p>Based on the Traffic Impact Analysis (TIA) completed for the project by <i>Fehr and Peers</i> in March 2018, the project is estimated to generate 403 daily trips, including 28 AM and 33 PM peak hour trips. The net new trips from the project were determined by subtracting the number of trips generated by the existing occupied residential units. These trip generation estimates are conservative estimates. Since the proposed development would consist of studio apartments, it is likely that the number of people and vehicle ownership per unit (and therefore vehicle trip generation) would be less than what was assumed in the trip generation estimates. Additionally, there are a number of destinations within walking and biking distance and nearby transit services reducing the need for future tenants to use a vehicle.</p> <p>Project trips were assigned to the West San Carlos Street/ Meridian Avenue intersection and a level of service (LOS) analysis was completed for this intersection. The intersection would operate within applicable standards of the City of San José (LOS D) during the AM and PM peak hours under both existing plus project and background plus project conditions. Therefore, the project would not result in significant delays or inadequate circulation, or require construction of improvements to other</p>

		<p>segments of the citywide transportation system. No hazards or design features would hinder vehicles access to the project site. The project would, therefore, not substantially increase hazards due to a project design features or result in inadequate emergency access.</p> <p>[Source: Appendix H]</p>
--	--	----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>NATURAL FEATURES</b>		
Unique Natural Features, Water Resources	2	<p>The proposed 81 affordable housing units and one manager’s unit would be located on an infill lot, which is currently occupied by existing residences and surrounded by residential and commercial development. The project would not impact unique natural features or water resources. There are no surface waters on or adjacent to the project site. Los Gatos Creek is approximately 0.7 miles to the east, separated by existing residential and commercial development, and would be unaffected by the project.</p> <p>The project would be served by the San José Water Company. The project would have an incremental increase in water consumption, estimated to be approximately 32,867 gallons per day. The Envision San José 2040 General Plan Final Environmental Impact Report concluded that sufficient water supplies are available to serve planned growth in the City. Therefore, there would be adequate water supply to serve the project.</p> <p>[Source: (1)]</p>
Vegetation, Wildlife	3	<p>The project site is located on an infill lot, currently developed with existing residences, located in an urban area. Surrounding uses include residential and commercial development. The project would not impact natural habitat containing endangered species or any designated or proposed critical habitat. The project would remove 17 City ordinance-sized trees and six non-ordinance sized trees that would be replaced in accordance with the City of San José replacement ratios.</p> <p>In compliance with the Migratory Bird Treaty Act and the California Fish and Game Code, the proposed project would</p>

		<p>implement mitigation measures (<b>MM BIO-1.1</b> through <b>MM BIO-1.4</b>), including avoiding the nesting season, completing pre-construction nesting bird surveys, designating buffer zones around identified nests, and reporting findings. These measures would reduce or avoid construction-related impacts to nesting raptors and their nests, if construction cannot be scheduled between September and January (inclusive) to avoid the nesting season.</p> <p>[Source: Appendix I, (1), (16)]</p>
Other Factors	1	<p>New construction of the apartment building will provide safe living conditions for low income senior residents by meeting fire, life safety, and Americans with Disabilities Act (ADA) codes.</p> <p>[Source: (11), (17)]</p>

**Technical Studies Performed** (Date and completed by):

**Appendix A:** Illingworth & Rodkin, Inc. *Page Street Housing Air Quality and GHG Assessment, San José, California.* August 15, 2018.

**Appendix B:** SLR. *Phase I Environmental Site Assessment Report, 329 Page Street, San José, California.* January 2017.

*Phase I Environmental Site Assessment Report, 341 Page Street, San José, California.* January 2017.

*Phase I Environmental Site Assessment Report, 353 Page Street, San José, California.* January 2017.

*Phase I Environmental Site Assessment Report, Page Street Properties.* May 2018.

**Appendix C:** U.S. Department of the Interior, Fish and Wildlife Service. *Page Street Housing Project: List of Threatened and Endangered Species.* December 13, 2018.

**Appendix D:** Running Moose Environmental Consulting. *HUD Explosive and Fire Hazards Review, Page Street Housing Project, 329, 341, and 353, San José, California.* November 12, 2018.

**Appendix E:** Archives & Architecture. *Page Street Housing Project: 329-353 Page Street, San José, Santa Clara County, California. Historic Resources Survey Report.* January 4, 2019.

City of San José. *Section 106 Review for the Page Street Housing Project: Request for Concurrence from the State Historic Preservation Officer.* January 4, 2019.

**Appendix F:** Illingworth & Rodkin, Inc. *Page Street Housing Project NEPA Noise Assessment, San José, California.* November 30, 2018.

**Appendix G:** AMSO Consulting Engineers. *Geotechnical Investigation Report for Proposed Page Street Residential Building: 329, 341, and 353 Page Street, San José, California.* February 2017.

**Appendix H:** Fehr and Peers. *Page Street Housing Traffic Impact Analysis.* March 2018.

**Appendix I:** Bartlett Tree Expert Company (formerly HortScience). *Tree Report: 329, 341, 353 Page Street.* July 27, 2017.

**List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:**

1. City of San José. *Initial Study: Page Street Housing Project [File Numbers: SP17-0347 and AT18-012]*. October 2018.
2. Santa Clara County Airport Land Use Commission. *Norman Y. Mineta San José International Airport Comprehensive Land Use Plan*. Amended November 16, 2016. Accessed February 13, 2018. Available at: <https://www.sccgov.org/sites/dpd/Commissions/ALUC/Pages/ALUC.aspx>.
3. California Coastal Commission. *Coastal Zone Boundary Map*. Accessed January 2, 2019. Available at: <https://www.coastal.ca.gov/maps/czb/>.
4. Federal Emergency Management Agency. *Flood Insurance Rate Map, Community Panel No. 06085C0233H*. Effective Date: May 18, 2009.
5. California Department of Conservation, Division of Land Resource Protection. *Santa Clara County Important Farmland 2016 Map*. September 2018. Available at: <ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2016/sc116.pdf>.
6. Holman & Associates. *Results of a Section 106 Archaeological Literature Search and Initial Native American Consultation for Page Street Housing Project, 329-353 Page Street, San José, Santa Clara County, California*. April 24, 2018.
7. U.S. Environmental Protection Agency. *Sole Source Aquifers for Drinking Water*. Accessed January 2, 2019. <https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=9ebb047ba3ec41ada1877155fe31356b>.
8. U.S. Fish and Wildlife Service. *National Wetlands Inventory*. Accessed December 12, 2018. Available at: <https://www.fws.gov/wetlands/Data/Mapper.html>.
9. U.S. Forest Service. *National Wild and Scenic River System - California*. Accessed January 2, 2019. Available at: <https://www.rivers.gov/california.php>.
10. U.S. Environmental Protection Agency. *Environmental Justice Screening and Mapping Tool*. Accessed January 2, 2019. Available at: <https://www.epa.gov/ejscreen>.
11. City of San José. *Envision San José 2040 General Plan*. November 2011.
12. City of San José. *Envision San José 2040 General Plan Final Environmental Impact Report*. November 2011.

13. U.S. Census Bureau. Income in the Past 12 Months (In 2016 Inflation-Adjusted Dollars), Census Tract 5020.02, Santa Clara County, California. Accessed December 17, 2018, Available at: <https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>.
14. Professional judgment and expertise of the environmental specialists preparing this assessment, based upon a review of the site and surrounding conditions, as well as a review of the project plans.
15. U.S. Census Bureau. Poverty Status in the Past 12 Months, Census Tract 5020.02, Santa Clara County, California. Accessed December 14, 2018. Available at: <https://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml>.
16. City of San José. *Resolution No. 72274: A Resolution of the Council of the City of San José Designating Certain Trees as Heritage Trees, Placing Said Trees on the Heritage Tree List, and Deleting Certain Trees Therefrom, and Repealing Resolution No. 69745*. August 08, 2011.
17. City of San José. *San José Municipal Code*. Updated November 7, 2018.

#### **Field Inspection (Date and Completed By)**

March 6, 2018

David J. Powers & Associates, Inc.

Amber Sharpe, Project Manager

#### **List of Permits Obtained**

The project proposes the following Development Approval as listed below:

- SP17-037: Special Use Permit

#### **Public Outreach [24 CFR 50.23 & 58.43]:**

The proposed project will be the subject of community meetings and notified public hearings before the Planning Director. The environmental decision may be appealed to the City Council of the City of San José.

#### **Cumulative Impact Analysis [24 CFR 58.32]:**

The potential environmental impacts from the proposed project are primarily short-term impacts associated with the construction of the affordable apartment building. It is possible that other proposed construction schedules in the project area may overlap with the project, but the overlap is likely to be minimal, and the proposed project includes mitigation measures to limit disturbance to adjacent land uses and would not result in cumulatively considerable impacts.

## **Alternatives** [24 CFR 58.40(e); 40 CFR 1508.9]

This alternatives analysis is included to fulfill the requirements for an Environmental Assessment under NEPA. Under NEPA, an Environmental Assessment shall include brief discussions of alternatives. No development alternatives to the proposed project have been identified or considered, because the proposed action would not result in any significant unavoidable impacts. For the proposed project, the No Action Alternative was included.

### **No Action Alternative** [24 CFR 58.40(e)]:

The no action alternative would not construct affordable housing project (with 81 affordable studio units and one three-bedroom manager's unit) in the City of San José. The property is zoned *R-M – Multiple Residence District (R-M)* and is currently developed with five residential buildings, with eight residential units total, and five occupied units. The no action alternative consists of leaving the site in its current condition. Under this alternative, both the potentially beneficial and adverse effects of the proposed action would be avoided. Adverse effects which would be avoided could include exposure of persons to construction noise and operational vehicular noise from the parking area, exposure of nearby sensitive receptors to construction emissions, potential disturbance of nesting raptors through tree removal, and exposure of construction workers and adjacent residents to hazardous materials. It should be noted, however, that the magnitude of these adverse effects associated with the proposed action would be less than significant with mitigation measures and standard permit conditions included in the project. Thus, the No Action Alternative would not avoid any significant environmental impacts, because none are expected if the proposed affordable housing project is constructed.

If the proposed project is not constructed, it is likely that a residential project would be developed under the existing *Urban Village* land use and *R-M* zoning designation. Development of residential uses on the project site would have similar environmental effects, but would not meet the project's goal of providing affordable housing for low income persons in the City of San José

The No Action Alternative would not meet the goals and objectives of the proposed action which are to provide affordable rental housing on the project site in a manner that is consistent with the goals and plans of the City of San José and is compatible with the surrounding land uses.

### **Summary of Findings and Conclusions:**

- The proposed action would be compatible with existing and planned future land uses in the vicinity of the project site.
- The proposed action would provide affordable housing in the City of San José where affordable housing options are in high demand.

- The proposed action would comply with all statutory regulations pertaining to environmental issues.
- The proposed action could result in adverse long-term environmental effects with regard to air quality. Mitigation measures have been incorporated into the project that would minimize or avoid these long-term impacts.
- The proposed action could result in short-term (i.e., construction-related) environmental effects with regard to air quality, biological resources, hazardous materials, and noise. Mitigation measures have been incorporated into the project that would minimize or avoid these short-term impacts.

**Mitigation Measures and Conditions [40 CFR 1505.2(c)]**

Pursuant to 40 CFR 1505.2(c), the following summary includes all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. The staff responsible for implementing and monitoring mitigation measures are identified in the mitigation plan. These mitigation measures must be incorporated into project contracts, development agreements, and other relevant documents.

Law, Authority, or Factor	Mitigation Measure
<p><b>Clean Air Measures</b></p>	<p><b>MM AIR-1.1:</b> Exhaust emissions reduction: Prior to issuance of any grading or demolition permits, the project applicant shall develop a plan demonstrating that the off-road equipment used on-site to construct the project would reduce diesel particulate matter (DPM) emissions. One feasible plan to achieve this reduction would include the following measures:</p> <ul style="list-style-type: none"> <li>• All mobile diesel-powered off-road equipment larger than 25 horsepower and operating on the site for more than two days continuously shall meet, at a minimum, USEPA particulate matter emissions standards for Tier 4 engines or equivalent.</li> <li>• Other measures could be used to minimize construction period DPM emissions to reduce the predicted cancer risk below the thresholds. The use of equipment that includes Tier 2 engines and CARB-certified Level 3 Diesel Particulate Filters (DPF), or alternatively-fueled equipment (i.e., non-diesel) would meet this requirement.</li> <li>• Other measures may include the use of added exhaust devices, or a combination of measures, provided that these measures are approved by the City and demonstrated to reduce community risk impacts to a less than significant level.</li> </ul> <p>The project applicant shall include these DPM reduction measures in the construction contract documents. A copy of the relevant pages shall be submitted to the Supervising Environmental Planner of the City of San José Department of Planning, Building and Code Enforcement for review and approval prior to issuance of any grading or demolition permits.</p> <p><b><u>Standard Permit Condition:</u></b> The following measures shall be implemented during all phases of construction to control dust and exhaust at the project site:</p> <ul style="list-style-type: none"> <li>• All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.</li> </ul>

	<ul style="list-style-type: none"> <li>• All haul trucks transporting soil, sand, or other loose material off-site shall be covered.</li> <li>• All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.</li> <li>• All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).</li> <li>• 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.</li> <li>• Replant vegetation in disturbed areas as soon as possible after completion of construction.</li> <li>• Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of the California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.</li> <li>• All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.</li> <li>• Post a publicly visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District’s phone number shall also be visible to ensure compliance with applicable regulations.</li> </ul>
<p><b>Historic Preservation</b></p>	<p><b><u>Standard Permit Condition:</u></b> Implementation of the following conditions would reduce impacts of the project on subsurface cultural resources:</p> <ul style="list-style-type: none"> <li>• In the event that prehistoric or historic resources are encountered during excavation and/or grading of the site, the project applicant shall ensure that all activity within a 50-foot radius of the find is stopped, the Supervising Environmental Planner and Historic Preservation Officer of the Department of Planning, Building and Code Enforcement is notified, and a qualified archaeologist examines the find. The archaeologist will 1) evaluate the find(s) to determine if they meet the definition of a historical or archaeological resource pursuant to established guidelines; and (2) make appropriate recommendations regarding the disposition of such finds prior to issuance of building permits. If the finds do not meet the definition of a historical or archaeological resources, no further study or protection is necessary prior to project implementation. If the find(s) does meet the definition</li> </ul>

of a historical or archaeological resource, then project activities shall avoid the find. Project personnel shall collect or move any cultural material. Fill soils that may be used for construction purposes should not contain archaeological materials.

- If construction activities cannot avoid the historical or archaeological resource, adverse effects to such resources should be mitigated in accordance with the recommendations of the archaeologist. Recommendations could include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery would be submitted to Supervising Environmental Planner and Historic Preservation Officer of the Department of Planning, Building and Code Enforcement and the Northwest Information Center at Sonoma State University prior to issuance of occupancy permits.
- If any human remains are found during any field investigations, grading, or other construction activities, all provisions of California Health and Safety Code Sections 7054 and 7050.5 and Public Resources Code Sections 5097.9 through 5097.99, as amended per Assembly Bill 2641, shall be followed. In the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The project applicant shall immediately notify the Supervising Environmental Planner of the City of San José Department of Planning, Building and Code Enforcement and the qualified archaeologist, who will then notify the Santa Clara County Coroner. The Coroner will make a determination as to whether the remains are Native American.
- If the remains are believed to be Native American, the Coroner will contact the NAHC within 24 hours. The NAHC will then designate a Most Likely Descendant (MLD). The MLD will inspect the remains and make a recommendation on the treatment of the remains and associated artifacts.
- If one of the following conditions occurs, the landowner or his authorized representative shall work with the Coroner to reinter the Native American human remains and associated grave goods with appropriate dignity in a location not subject to further subsurface disturbance:

	<ul style="list-style-type: none"> <li>○ The NAHC is unable to identify a MLD or the MLD failed to make a recommendation within 24 hours after being notified by the NAHC.</li> <li>○ The MLD identified fails to make a recommendation; or</li> <li>○ The landowner or his authorized representative rejects the recommendation of the MLD, and the mediation by the NAHC fails to provide measures acceptable to the landowner.</li> </ul> <p><b><u>Standard Permit Condition:</u></b> The following measure shall be applied to development of the project site to reduce and/or avoid impacts to paleontological resources:</p> <ul style="list-style-type: none"> <li>● If vertebrate fossils are discovered during construction, all work on the site shall stop immediately until a qualified professional paleontologist can assess the nature and importance of the find and recommend appropriate treatment. Treatment may include preparation and recovery of fossil materials so that they can be housed in an appropriate museum or university collection, and may also include preparation of a report for publication describing the finds. The project proponent shall be responsible for implementing the recommendations of the paleontological monitor.</li> </ul>
<p><b>Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff</b></p>	<p>No formal mitigation measures are required for soil suitability, slope, erosion, drainage, or stormwater runoff impacts. However, the proposed action shall implement the following permit conditions:</p> <p><b><u>Standard Permit Condition:</u></b> To avoid or minimize potential damage from seismic shaking, the project shall be built using standard engineering and seismic safety design techniques. A Geotechnical Report shall be submitted, reviewed, and approved by the City Geologist. The Geotechnical Report shall determine the site-specific soil conditions and identify the appropriate design and construction techniques to minimize risks to peoples and structures, including but not limited to: foundation, earthwork, utility trenching, retaining and drainage recommendations. The investigation shall be consistent with State of California guidelines for the preparation of seismic hazard evaluation reports (CGS Special Publication 117A, 2008, and the Southern California Earthquake Center report, SCEC, 1999). A recommended minimum depth of 50 feet should be explored and evaluated in the investigation. In accordance with Chapter 17.10 of the San José Municipal Code, the Director of Public Works must approve a seismic hazard evaluation report prior to issuance of a grading or building permit for areas within the defined State Seismic Hazard Zone for Liquefaction.</p>

	<p><b><u>Standard Permit Conditions:</u></b></p> <ul style="list-style-type: none"> <li>• All excavation and grading work shall be scheduled in dry weather months or construction sites shall be weatherized.</li> <li>• Stockpiles and excavated soils shall be covered with secured tarps or plastic sheeting.</li> <li>• Ditches shall be installed, if necessary, to divert runoff around excavations and graded areas.</li> </ul> <p><b><u>Standard Permit Conditions:</u></b> Best management practices to prevent stormwater pollution and minimize potential sedimentation shall be applied to project construction, including but not limited to the following:</p> <ul style="list-style-type: none"> <li>• Burlap bags filled with drain rock shall be installed around storm drains to route sediment and other debris away from the drains.</li> <li>• Earthmoving or other dust-producing activities shall be suspended during periods of high winds.</li> <li>• All exposed or disturbed soil surfaces shall be watered at least twice daily to control dust as necessary.</li> <li>• Stockpiles of soil or other materials that can be blown by the wind shall be watered or covered.</li> <li>• All trucks hauling soil, sand, and other loose materials shall be required to cover all trucks or maintain at least two feet of freeboard.</li> <li>• All paved access roads, parking areas, staging areas and residential streets adjacent to the construction sites shall be swept daily (with water sweepers).</li> <li>• Vegetation is disturbed areas shall be replanted as quickly as possible.</li> <li>• All unpaved entrances to the site shall be filled with rock to knock mud from truck tires prior to entering City streets. A tire wash system may also be employed at the request of the City.</li> <li>• The project applicant shall comply with the City of San José Grading Ordinance, including implementing erosion and dust control during site preparation and with the City of San José Zoning Ordinance requirements for keeping adjacent streets free of dirt and mud during construction.</li> </ul>
<p><b>Contamination and Toxic Substances Measures</b></p>	<p><b>MM HAZ-1.1:</b> Prior to issuance of any grading permits, the project applicant shall enter into the Santa Clara County Department of Environmental Health’s (SCCDEH’s) Voluntary Cleanup Program to obtain regulatory oversight to remediate the contaminated soil discovered. A Removal Action Workplan (RAW), or equivalent, shall be prepared for review and approval by SCCDEH that describes the process for the removal of all impacted soil to below established cleanup levels. The RAW shall include a Health and Safety Plan</p>

(HSP) for construction worker safety and include measures to control dust and other potential exposure to neighboring properties during remediation. A copy of the SCCDEH-approved RAW shall be provided to the Supervising Environmental Planner of the City of San José Department of Planning, Building and Code Enforcement and the Municipal Compliance Officer of the City of San José Environmental Services Department prior to issuance of any grading permits.

**MM HAZ-1.2:** Removal work shall be performed by a California-licensed hazardous waste contractor under the supervision of a Professional Geologist or Engineer. Dust control measures and dust monitoring shall be implemented at the site during demolition, removal of current site structures, and excavation of impacted soil in accordance with the approved Removal Action Workplan and to the satisfaction of the Supervising Environmental Planner of the Department of Planning, Building and Code Enforcement and the Environmental Services Department Municipal Compliance Officer.

**MM HAZ-1.3:** After post-remediation sampling has confirmed that the soil has been removed to meet the approved soil cleanup levels, the project applicant shall prepare and submit a final report to SCCDEH and a “No Further Action” or “Closure” letter shall be obtained. This closure letter shall be submitted to the Supervising Environmental Planner of Planning, Building and Code Enforcement prior to issuance of any grading permits.

**MM HAZ-1.4:** Prior to issuance of any grading permits, the project applicant shall prepare a report detailing the excavation, removal, and disposal of contaminated soils. The report shall be submitted to California Department of Environmental Protection (Cal EPA) after completion of field activities, with a copy submitted to the Supervising Environmental Planner of the Department of Planning, Building and Code Enforcement.

**MM HAZ-1.5:** The project applicant shall submit all clearance documents received from the County and the Cal EPA to the Supervising Environmental Planner of the Department of Planning, Building and Code Enforcement prior to issuance of any grading permits.

**MM HAZ-2.1:** The project applicant shall prepare a Site Management Plan (SMP) prior to issuance of any grading permits to reduce or eliminate exposure risk to human health and the environment, specifically, potential risks associated with the presence of lead-contaminated soils. The SMP shall include, but is not limited to, the following elements to mitigate potential risks associated with environmental conditions:

- Procedures for transporting and disposing the waste material generated during removal activities, if such transport and disposal is necessary
- Procedures for stockpiling soil on-site, if such stockpiling is necessary
- Provisions for collecting additional soil samples in previously inaccessible areas to confirm the extent of soil contamination, following demolition activities
- Provisions for confirmation soil sampling as appropriate to obtain a “No Further Action” letter (or equivalent) from the state and/or local agency assuming oversight for the site
- Procedures to ensure that fill and cap materials are verified as clean truck routes
- Staging and loading procedures and record keeping requirements

The SMP shall be submitted to the Santa Clara County Department of Environmental Health (SCCDEH), or equivalent regulatory agency, for review and approval. Copies of the approved SMP shall be provided to the City’s Department of Planning, Building and Code Enforcement, and Environmental Services Department Municipal Compliance Officer prior to issuance of any grading permits.

**MM HAZ-2.2:** All contractors and subcontractors at the project site shall develop a health and safety plan (HSP) specific to their scope of work and based upon the known environmental conditions for the site. Each Health and Safety plan shall be implemented under the direction of a Site Safety and Health Officer. The Health and Safety Plan shall include, but not limited to, the following elements, as applicable:

- Provisions for personal protection and monitoring exposure to construction workers
- Procedures to be undertaken in the event that contamination is identified above action levels or previously unknown contamination is discovered
- Procedures for the safe storage, stockpiling, and disposal of contaminated soils
- Provisions for the on-site management and/or treatment of contaminated groundwater during extraction or dewatering activities
- Emergency procedures and responsible personnel.

The HSP shall be submitted to the Santa Clara County Department of Environmental Health (SCCDEH), or equivalent regulatory agency, for review and approval. Copies of the approved HSP shall be provided to the City’s Department of Planning, Building and Code Enforcement, and Environmental Services Department Municipal Compliance Officer prior to issuance of any grading permits.

<p><b>Noise Abatement and Control Measures</b></p>	<p><b>MM NOI-1.1:</b> Parking areas within the project area shall be below grade or completely shielded to reduce noise to comply with the City’s 55 A-weighted decibels (dBA) equivalent noise level (<math>L_{eq}</math>) residential and 60 dBA <math>L_{eq}</math> commercial noise limit at the shared property line. The applicant shall construct a minimum six-foot solid wood fence with no gaps or spaces in the wood paneling between the future driveway and existing residences to the north. This fence shall provide at least 5 dBA of noise reduction between properties.</p> <p>Prior to issuance of any grading permits, the project applicant shall submit plans showing construction design of the fence to the Supervising Environmental Planner of the Department of Planning, Building and Code Enforcement for review and approval.</p> <p><b>MM NOI-2.1:</b> The project applicant shall not include the use of heavy vibration-generating construction equipment, such as pile drivers, vibratory rollers, jackhammers, rock drillers, or clam shovel drops, within 30 feet of any adjacent sensitive land use and 30 feet from the residence at 319 Page Street. The method of ground disturbance for the project shall be shown on the grading and construction plans and a copy shall be submitted to the Supervising Environmental Planner of the Department of Planning, Building and Code Enforcement for review and approval.</p> <p><b>MM NOI-3.1:</b> <u>Construction Best Management Practices:</u> The project applicant shall develop a construction noise plan including, but not limited to, the following available controls:</p> <ul style="list-style-type: none"> <li>• In accordance with Policy EC-1.7 of the City’s General Plan, the project applicant shall use the best available noise suppression devices and techniques during construction activities.</li> <li>• The project applicant shall construct temporary noise barriers, where feasible, to screen stationary noise-generating equipment. Temporary eight-foot noise barrier fences would provide a 5 dBA noise reduction if the noise barrier interrupts the line-of-sight between the noise source and receiver and if the barrier is constructed in a manner that eliminates any cracks or gaps. Temporary noise barriers can be made from standard eight-foot sheets of plywood.</li> <li>• The project applicant shall equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.</li> <li>• The project applicant shall ensure that unnecessary idling of internal combustion engines shall be strictly prohibited.</li> <li>• The project applicant shall ensure that stationary noise-generating equipment, such as air compressors or portable power generators, are</li> </ul>
----------------------------------------------------	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

	<p>located as far as possible from sensitive receptors as feasible. If they must be located near receptors, adequate muffling (with enclosures where feasible and appropriate) shall be used to reduce noise levels at the adjacent sensitive receptors. Any enclosure openings or venting shall face away from sensitive receptors.</p> <ul style="list-style-type: none"> <li>• The project applicant shall ensure that “quiet” air compressors and other stationary noise sources are used where technology exists.</li> <li>• The project applicant shall ensure that construction staging areas shall be established at locations that would create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction.</li> <li>• The project applicant shall ensure that a temporary noise control blanket barrier is erected, if necessary, along building façades facing construction sites if conflicts occur which cannot be remedied by appropriate scheduling. Noise control blanket barriers can be rented and quickly erected.</li> <li>• The project applicant shall ensure that material stockpiles, as well as maintenance/equipment staging and parking areas, are located as far as feasible from residential receptors.</li> <li>• The project applicant shall ensure that noise from construction workers’ radios are controlled to a point where they are not audible at existing residences bordering the project site.</li> <li>• Prior to issuance of any grading permits, the project applicant shall prepare a detailed schedule for expected major noise-generating construction activities. The schedule shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance.</li> <li>• The project applicant shall post the schedule for expected major noise-generating activities and any subsequent changes to the schedule, and mail notices of the schedule to residents and others sensitive receptors (places of worship, senior homes, hospitals, etc.) within 30 feet of the project site.</li> <li>• The project applicant shall designate a “disturbance coordinator” who shall be responsible for responding to any complaints about construction noise. The disturbance coordinator shall determine the cause of the noise complaint (e.g., bad muffler, etc.) and shall require that reasonable measures be implemented to correct the problem. Conspicuously pose a telephone number for the disturbance coordinator at the construction site and include it in the notice sent to neighbors regarding the construction schedule.</li> </ul>
<p><b>Vegetation, Wildlife Measures</b></p>	<p><b>MM BIO-1.1: <u>Avoidance</u>:</b> The project applicant shall schedule demolition and construction activities to avoid the nesting season. The nesting season for</p>

most birds, including most raptors in the San Francisco Bay area, extends from February 1st through August 31st (inclusive), as amended.

**MM BIO-1.2: Nesting Bird Surveys:** If demolition and construction cannot be scheduled to occur between September 1st and January 31st (inclusive), pre-construction surveys for nesting birds shall be completed by a qualified biologist to ensure that no nests shall be disturbed during project construction. This survey shall be completed no more than 14 days prior to the initiation of construction activities during the early part of the breeding season (February 1st through April 30<sup>th</sup>, inclusive) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May 1st through August 31<sup>st</sup>, inclusive). During this survey, the biologist shall inspect all trees and other possible nesting habitats on the project site and immediately adjacent to the construction areas for nests.

**MM BIO-1.3: Buffer Zones:** If an active nest is found sufficiently close to work areas to be disturbed by construction activities, the biologist, in consultation with the California Department of Fish and Wildlife, shall determine the extent of a construction free buffer zone to be established around the nest, typically 250 feet, to ensure that raptor or migratory bird nests shall not be disturbed during project construction. The no-disturbance buffer shall remain in place until the biologist determines the nest is no longer active or the nesting season ends. If construction ceases for two days or more and then resumes again during the nesting season, an additional survey shall be necessary to avoid impacts on active bird nests that may be present.

**MM BIO-1.4: Reporting:** The project applicant shall submit a report indicating the results of the survey and any designated buffer zones to the satisfaction of the City's Supervising Environmental Planner of Planning, Building and Code Enforcement prior to issuance of any grading or building permits.

**Standard Permit Condition:** The trees removed by the proposed project would be replaced according to the City's required replacement ratios, as provided in Table 4.4-2 below or alternative measures listed below.

<b>Tree Replacement Ratios</b>				
<b>Circumference of Tree to be Removed<sup>1</sup></b>	<b>Type of Tree to be Removed<sup>2</sup></b>			<b>Minimum Size of Each Replacement Tree</b>
	<b>Native</b>	<b>Non-Native</b>	<b>Orchard</b>	
38 inches or more <sup>3</sup>	5:1	4:1	3:1	15-gallon
19 to 38 inches	3:1	2:1	None	15-gallon
Less than 19 inches	1:1	1:1	None	15-gallon

<sup>1</sup> As measured 4.5 feet above ground level

<sup>2</sup> X:X = tree replacement to tree loss ratio

<sup>3</sup> Ordinance-sized tree

Notes: Trees greater than or equal to 38 inches in circumference shall not be removed unless a Tree Removal Permit, or equivalent, has been approved for the removal of such trees. For multi-family residential, commercial, and industrial properties, a Tree Removal Permit is required for removal of trees of any size.

A 38-inch tree equals 12.1 inches in diameter.

A 19-inch tree equals 6.1 inches in diameter.

One 24-inch box tree= two 15-gallon trees

In accordance with City policy, tree replacement would be implemented as shown in the above table. The total number of trees required to be planted on-site would be 80. The species to be planted would be determined in consultation with the City Arborist and the Department of Planning, Building and Code Enforcement.

If the project cannot replace removed trees according to Table 1, one or more of the following measures will be implemented, to the satisfaction of the City's Supervising Environmental Planner, at the development permit stage:

- The size of a 15-gallon replacement tree can be increased to 24-inch box and count as two replacement trees.
- Replacement tree plantings may be accommodated at an alternative site(s). An alternative site may include local parks or schools, or an adjacent property where such plantings may be utilized for screening purposes. However, any alternatively proposed site would be pursuant to agreement with the Director of the Department of Planning, Building and Code Enforcement.
- A donation may be made to Our City Forest or similar organization for in-lieu tree planting in the community. Such donation will be equal to the cost of the required replacement trees, including associated installation costs, for off-site tree planting in the local community. A

	<p>receipt for any such donation will be provided to the City of San José Planning Project Manager prior to issuance of a grading permit.</p> <p><b>Standard Permit Condition:</b> The project shall implement the following condition to reduce the impacts related to nitrogen deposition:</p> <ul style="list-style-type: none"> <li>• The project is subject to applicable Santa Clara Valley Habitat Plan (SCVHP) conditions and fees (including the nitrogen deposition fee) prior to issuance of any grading permits. The project applicant shall submit a SCVHP Coverage Screening Form to the Supervising Environmental Planner of the Department of Planning, Building, and Code Enforcement for review and will complete subsequent forms, reports, and/or studies as needed.</li> </ul>
<p><b>Educational and Cultural Facilities</b></p>	<p>No formal mitigation measures are required for educational and cultural facilities impacts. However, the proposed action shall implement the following permit condition:</p> <p><b>Standard Permit Condition:</b> In accordance with California Government Code Section 65996, the developer shall pay a school impact fee to the School District, to offset the increased demands on school facilities caused by the proposed project.</p>
<p><b>Parks, Open Space, and Recreation</b></p>	<p><b>Standard Permit Condition:</b> The project shall conform to the City’s Park Impact Ordinance and Parkland Dedication Ordinance.</p> <ul style="list-style-type: none"> <li>• The PDO/PIO fees generated by the residential development would be used to provide neighborhood-serving facilities within a 0.75-mile radius of the project site and/or community-serving facilities within a three-mile radius (General Plan Policies PR-2.4 and PR-2.5). Therefore, the proposed project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts to parks.</li> </ul>

**Page Street Housing Project  
City of San José**

**Determination:**

- Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]  
The project will not result in a significant impact on the quality of the human environment.
  
- Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]  
The project may significantly affect the quality of the human environment.

Preparer Signature:  Date: July 23, 2019

Name/Title/Organization: Amber Sharpe, Project Manager  
David J. Powers & Associates, Inc.

Certifying Officer Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name/Title: \_\_\_\_\_

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).