PUBLIC STORAGE PROJECT

DRAFT INITIAL STUDY – MITIGATED NEGATIVE DECLARATION

File No. H18-048

Prepared by:
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November 2019

LSA

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Planning, Building and Code Enforcement
ROSALYNN HUGHEY, DIRECTOR

MITIGATED NEGATIVE DECLARATION

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

PROJECT NAME: West Capitol Expressway Public Storage Project

PROJECT FILE NUMBER: H18-048

PROJECT DESCRIPTION: The project site is currently developed with sixteen self-storage buildings and associated leasing offices, totaling 133,701 square feet. The project includes a Site Development Permit to allow for the demolition of approximately 65,500 square feet of the existing structures on site to facilitate the construction of approximately 359,232 square feet of new self-storage space over the course of two phases located on a 6.4-gross acre site. The project site is primarily surrounded by residential to the north and west, with commercial and industrial uses to the south and east.

PPROJECT LOCATION: North side of West Capitol Expressway, approximately 200 feet westerly of Snell Avenue

ASSESSOR'S PARCEL NOS.: 462-19-013 and 462-19-014 **COUNCIL DISTRICT:** 10

APPLICANT CONTACT INFORMATION: Andres Friedman, Public Storage, 701 Western Avenue, Glendale CA 91201, (818)244-8080

FINDING: This Proposed Mitigated Negative Declaration (MND) is included to give notice to interested agencies and the public that the City of San José (City) intends to adopt an MND for this project. This does not mean that the City's decision regarding the project is final. This Proposed MND is subject to modification based on comments received by interested agencies and the public.

An initial study has been prepared by City. On the basis of this study it is determined, pending public review, that the proposed action with the incorporation of the identified mitigation measures will not have a significant effect on the environment.

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

A. **AESTHETICS**— The project would not have a significant impact on this resource, therefore no mitigation is required.

B. **AGRICULTURAL AND FORESTRY RESOURCES**— The project would not have a significant impact on this resource, therefore no mitigation is required.

C. AIR QUALITY

Impact AQ-1: Construction of the proposed Project may expose sensitive receptors to substantial concentrations of toxic air contaminants.

MM AQ-1: Prior to the issuance of any demolition, grading, and/or building permits (whichever occurs earliest), the Project Applicant shall prepare and submit a construction operations plan that includes specifications of the equipment to be used during construction to the Director of the City of San José Department of Planning, Building, and Code Enforcement, or Director's designee. The plan shall be accompanied by a letter signed by an air quality specialist, verifying that the equipment included in the plan meets the standards set forth below.

- All off-road diesel-powered construction equipment of 50 horsepower or more used for the Project construction meet the California Air Resources Board's (CARB's) Off-Road Diesel Regulation Tier 2 emissions standards with Level 3 or higher diesel particulate control devices, or equivalent.

- Per Section 2449(d)(4) of the CARB regulation, all off-road diesel fleet equipment must be reported to CARB using the Diesel Off-road Online Reporting System (DOORS) and all equipment must be labeled with the Equipment Identification Number (EIN). These requirements shall be included in applicable bid documents and successful contractor(s) must demonstrate the ability to supply such equipment. A copy of DOORS reporting forms and EIN labels shall be available upon request at the time of mobilization of each applicable unit of equipment.

- If Tier 2 equipment with Level 3 or higher diesel particulate filters is not readily available, the use of equipment that includes alternatively-fueled equipment (i.e., non-diesel) would meet this requirement. 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.

The construction operations plan shall be submitted to the Director of the City of San José Department of Planning, Building, and Code Enforcement or Director's designee for review and approval.

D. BIOLOGICAL RESOURCES

Impacts BIO-1 and BIO-2: Demolition, grading, construction activities, and tree removal during the nesting season could impact migratory birds.

MM BIO-1: To avoid disturbance of nesting and special-status birds, the Project Applicant shall schedule activities related to the Project, including, but not limited to, vegetation removal, ground disturbance, construction, and demolition to occur outside of the bird nesting season. The nesting season for most birds, including most raptors in the San Francisco Bay area, extends from February 1 through August 31 (inclusive).

MM BIO-2: If demolition and construction activities cannot be scheduled to occur between September 1 and January 31 (inclusive), pre-construction surveys for nesting birds shall be completed by a qualified biologist or ornithologist to ensure that no nests shall be disturbed during project implementation. The nesting bird pre-construction survey shall be conducted within the Project boundary, including a 300-foot buffer (500-foot for raptors). The survey shall be conducted by a biologist familiar with the identification of avian species known to occur in the area. The pre-construction 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 1 through April 30, inclusive) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May 1 through August 31, inclusive).

If active nests are found, the qualified biologist or ornithologist, in consultation with the California Department of Fish and Wildlife (CDFW), 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 will not be disturbed during project construction (which depends upon the species, the proposed work activity, and existing disturbances associated with land uses outside the site). The buffer zone shall be demarcated by the qualified biologist or ornithologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and shall be instructed to avoid entering the buffer zone during the nesting season. No ground- disturbing activities shall occur within this buffer until the qualified biologist or ornithologist has confirmed that breeding/nesting is completed and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist.

The Project Applicant shall submit a report to the City's Director of Planning or Director's designee indicating the results of the survey and any designated buffer zones, and is to be completed to the satisfaction of the Director of Planning, Building and Code Enforcement prior to the issuance of any demolition or grading permits.

E. CULTURAL RESOURCES— The project would not have a significant impact on this resource, therefore no mitigation is required.

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

G. GEOLOGY AND SOILS

Impact GEO-1: The Project site is in a designated Liquefaction Hazard Zone and in an area where conditions have historically indicated a potential for permanent liquefaction-induced displacements. As such, the Project may be subject to impacts related to seismically induced liquefaction.

MM GEO-1: Prior to the issuance of any building permits, the Project Applicant shall submit a request for geohazard clearance, with a copy of the geotechnical report prepared for the site (Appendix B of the Initial Study/Mitigated Negative Declaration), to the City Engineering Geologist. The Project shall conform to the recommendations of the project-specific geotechnical

report, including soil improvements and foundation and design considerations for the proposed foundations, unless otherwise determined by the City Engineering Geologist.

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

I. HAZARDS AND HAZARDOUS MATERIALS

Impact HAZ-1: Construction of the proposed Project has the potential to disturb unknown soil contaminants that may potentially occur on the site. Such contaminants are associated with past agricultural uses on the site, and could result in the release of hazardous materials/substances into the environment.

MM HAZ-1: to the issuance of any demolition or grading permits, a hazardous materials consultant shall collect shallow soil samples will be taken in the near surface soil in the proposed Project area. The samples shall be tested for organochlorine pesticides and pesticide-based metals arsenic and lead to determine if contaminants from previous agricultural operations occur at concentrations above established construction worker safety and commercial/ industrial standard environmental screening levels. The result of soil sampling and testing shall be provided to the Director of Planning, Building, and Code Enforcement, or Director's designee, and Municipal Environmental Compliance Officer for review.

If pesticide-contaminated soils are found in concentrations above regulatory environmental screening levels for construction worker safety and/or commercial/industrial standards, the Project Applicant shall obtain regulatory oversight from the Santa Clara County Department of Environmental Health (or Department of Toxic Substances Control). A Site Management Plan (SMP), Removal Action Plan (RAP), or equivalent document shall be prepared by a qualified hazardous materials consultant. The Plan must establish remedial measures and/or soil management practices to ensure construction worker safety and the health of future workers and visitors. The Plan and evidence of regulatory oversight shall be provided to the Director of Planning, Building, and Code Enforcement, or the Director's designee, and the Environmental Compliance Officer in the City of San José's Environmental Services Department.

J. HYDROLOGY AND WATER QUALITY— The project would not have a significant impact on this resource, therefore no mitigation is required.

K. LAND USE AND PLANNING— The project would not have a significant impact on this resource, therefore no mitigation is required.

L. MINERAL RESOURCES— The project would not have a significant impact on this resource, therefore no mitigation is required.

M. NOISE AND VIBRATION

Impact NOI-1: Sensitive receptors in the Project area would be intermittently exposed to high noise levels during project construction.

MM NOI-1: Prior to the issuance of any grading or demolition permits, the Project Applicant shall submit and implement a construction noise logistics plan that specifies hours of construction, noise and vibration minimization measures, posting and notification of construction schedules, equipment to be used, and designation of a noise disturbance coordinator. The noise disturbance coordinator shall respond to neighborhood complaints and shall be in place prior to the start of construction and implemented during construction to reduce noise impacts on neighboring residents and other uses.

- As a part of the noise logistic plan and Project, construction activities for the proposed Project shall include, but is not limited to, the following best management practices:
    - Construction activities shall be limited to the hours between 7:00 AM and 7:00 PM, Monday through Friday, unless permission is granted with a development permit or other planning approval. No construction activities are permitted on the weekends at sites within 500 feet of a residence (San José Municipal Code Section 20.100.450).
    - Construct temporary noise barriers, where feasible, to screen mobile and stationary construction equipment. The temporary noise barrier fences would provide 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.
    - Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
    - Unnecessary idling of internal combustion engines should be strictly prohibited.
    - Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors. Construct temporary noise barriers to screen stationary noise-generating equipment when located near adjoining sensitive land uses.
    - Utilize "quiet" air compressors and other stationary noise sources where technology exists.
    - Construction staging areas shall be established at locations that would create the greatest distance between the construction-related noise source and noise-sensitive receptors nearest the project site during all project construction.
    - A temporary noise control blanket barrier could be erected, if necessary, along building facades facing construction sites. This mitigation would only be necessary if conflicts occurred which were irresolvable by proper scheduling. Noise control blanket barriers can be rented and quickly erected.

- Locate material stockpiles, as well as maintenance/equipment staging and parking areas, as far as feasible from residential receptors.

- Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.

- The Project Applicant shall prepare a detailed construction schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance.

- Designate a "disturbance coordinator" who would 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 require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.

The Project Applicant shall submit the construction noise logistics plan to the Director of Planning, Building, and Code Enforcement, or Director's designee, prior to the issuance of any grading or building permits.

N. POPULATION AND HOUSING— The project would not have a significant impact on this resource, therefore no mitigation is required.

O. PUBLIC SERVICES— The project would not have a significant impact on this resource, therefore no mitigation is required.

P. RECREATION— The project would not have a significant impact on this resource, therefore no mitigation is required.

Q. TRANSPORTATION— The project would not have a significant impact on this resource, therefore no mitigation is required.

R. TRIBAL CULTURAL RESOURCES— The project would not have a significant impact on this resource, therefore no mitigation is required.

S. UTILITIES/SERVICE SYSTEMS— The project would not have a significant impact on this resource, therefore no mitigation is required.

T. WILDFIRE— The project would not have a significant impact on this resource, therefore no mitigation is required.

U. MANDATORY FINDINGS OF SIGNIFICANCE— The project would not have a significant impact on this resource, therefore no mitigation is required.

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Planning, Building and Code Enforcement
ROSALYNN HUGHEY, DIRECTOR

PUBLIC REVIEW PERIOD

Before 5:00 p.m. on **Thursday, December 12th, 2019** any person may:

1. Review the Draft Mitigated Negative Declaration (MND) as an informational document only; or

2. Submit written comments regarding the information and analysis in the proposed MND. Before the MND is adopted, Planning staff will prepare written responses to any comments, and revise the Draft MND, if necessary, to reflect any concerns raised during the public review period. All written comments will be included as part of the Final MND.

Rosalynn Hughey, Director
Planning, Building and Code Enforcement

11/14/19
Date

Deputy

Kara Hawkins
Environmental Project Manager

Circulation period: **November 20, 2019 to December 12, 2019**

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INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

WEST CAPITOL EXPRESSWAY PUBLIC STORAGE PROJECT

FILE NUMBER: H18-048

Submitted to:

City of San José
Department of Planning, Building, and Code Enforcement
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Prepared by:

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Project No. PUB1705.02

November 2019

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LIST OF ABBREVIATIONS AND ACRONYMS

µg/m^3	micrograms per cubic meter
AB	Assembly Bill
ABAG	Association of Bay Area Governments
ADA	Americans with Disabilities Act (of 1990)
ADT	average daily traffic
ADWIF	Average Dry Weather Influent flow
AF	acre-feet
AFY	acre-feet per year
AP	Alquist-Priolo Earthquake Fault Zoning Act
APN	Assessor's Parcel Number
ASR	Antenna Structure Registration
ASTM	American Society for Testing and Materials
ATI	Approved Trip Inventory
BAAQMD	Bay Area Air Quality Management District
bgs	below ground surface
BMPs	Best Management Practices
Btu	British thermal unit
CAAQS	California Ambient Air Quality Standards
CAL FIRE	California Department of Forestry and Fire Protection
CalEEMod	California Emission Estimator Model
CalEMA	California Emergency Management Agency
CalEPA	California Environmental Protection Agency
CALGREEN Code	California Green Building Standards Code
California Register	California Register of Historical Resources
Cal-OSHA	California Occupational Safety and Health Administration
CalRecycle	California Department of Resources, Recycling, and Recovery
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CARE	Community Air Risk Evaluation

CBC	California Building Code
CBSC	California Building Standards Commission
CCAA	California Clean Air Act
CCR	California Code of Regulations
CD	Community Design
CDFW	California Department of Fish and Wildlife
CDMG	California Department of Mines and Geology
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act
CFC	California Fire Code
CFR	Code of Federal Regulations
CGS	California Geological Survey
CIC	Combined Industrial/Commercial
CIP	Capital Improvement Program
City	City of San José
CLUP	Comprehensive Land Use Plan
CMP	Congestion Management Plan
CMU	concrete masonry unit
CNEL	Community Noise Equivalent Level
CO	carbon monoxide
County	County of Santa Clara
CPUC	California Public Utilities Commission
CRHR	California Register of Historic Resources
CSTMP	Construction Staging and Traffic Management Plan
CWA	Clean Water Act
cy	cubic yards
dB	decibel(s)
dBA	A-weighted decibel(s)
DNL	day-night average level
DOC	Department of Conservation

DOORS	Diesel Off-road Online Reporting System
DPW	Department of Public Works
DWR	(California) Department of Water Resources
E.O.	Executive Order
EC	Environmental Considerations/Hazards
ECOS	Environmental Conservation Online System
EIFS	Exterior Insulation Finishing System
EIN	Equipment Identification Number
EOC	Emergency Operations Center
EOP	Emergency Operations Plan
EPA	Environmental Protection Agency
ER	Environmental Resources
ES	Education and Services
ESA	Environmental Site Assessment
ESUSD	East Side Union High School District
FAA	Federal Aviation Administration
FCAA	Federal Clean Air Act
FCC	Federal Communications Commission
FEMA	Federal Emergency Management Agency
FHWA	Federal Highway Administration
FIP	Federal Implementation Plan
FIRM	Flood Insurance Rate Map
FIS	Flood Insurance Studies
FMSD	Franklin-McKinley Elementary School District
FRAP	Fire and Resource Assessment Program
ft	foot/feet
FTA	Federal Transit Administration
FY	Fiscal Year
GDF	Gasoline Dispensing Facility
GHG	greenhouse gases
Giles Engineering	Giles Engineering Associates, Inc.

GIS	geographic information system
GSAs	groundwater sustainability agencies
GWh	gigawatt-hours
HCM	Highway Capacity Manual
HCP	Habitat Conservation Plan
HMC	Hydromodification Controls
HMCD	Hazardous Materials Compliance Division
HMP	Hydromodification Management Plan
HMSO	Hazardous Materials Storage Ordinance
HRA	health risk assessment
HVAC	heating, ventilation, and air conditioning
I-280	Interstate 280
IESNA	Illuminating Engineering Society of North America
IN	Infrastructure
in/sec	inches per second
IS	Initial Study
IS/MND	Initial Study/Mitigated Negative Declaration
ITE	Institute of Transportation Engineers
kBtu	kilo- British thermal unit
kWh	kilowatt hour
L_{10}	noise level exceeded 10 percent of the time during a stated period
L_{50}	noise level exceeded 50 percent of the time during a stated period
L_{90}	noise level exceeded 90 percent of the time during a stated period
L_{eq}	equivalent continuous sound level
LI	Light Industrial
LID	Low Impact Development
L_{max}	highest sound level measured during the measurement time period
LOS	level(s) of service
LSA	LSA Associates, Inc.
LTA	Local Transportation Analysis
LU/TR	Land Use/Transportation

LUST	Leaking Underground Storage Tank
MBTA	Migratory Bird Treaty Act
MCE	maximum credible earthquake
MEI	maximally exposed individual level
mgd	million gallons per day
MLD	Most Likely Descendant
MMRP	Mitigation Monitoring and Reporting Program
MND	Mitigated Negative Declaration
MO	Model Ordinance
mpg	miles per gallon
mph	miles per hour
MRP	Municipal Regional (Stormwater NPDES) Permit
MRZs	Mineral Resource Zones
MS	Measurable Environmental Sustainability
MS4s	municipal separate storm sewer systems
MTC	Metropolitan Transportation Commission
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
National Register	National Register of Historic Places
NCCP	Natural Community Conservation Plan
NOI	Notice of Intent
NOX	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
O&M	Operations and Maintenance
OES	State Office of Emergency Services
OPR	California Office of Planning and Research
PCBs	polychlorinated biphenyls
PDO	Parkland Dedication Ordinance
PIO	Park Impact Ordinance
PM_{10}	particulate matter less than 10 microns in size

$PM_{2.5}$	particulate matter less than 2.5 microns in size
POTW	publicly owned treatment works
ppm	parts per million
PPV	peak particle velocity
PR	Parks, Open Space, and Recreation
PRC	(California) Public Resource Code
PRDs	Permit Registration Document
proposed Project	Public Storage Project
RAP	Removal Action Plan
RCP	reinforced concrete pipe
RCRA	Resource Conservation and Recovery Act
RECs	Recognized Environmental Concerns
RMS	root-mean-square
ROG	reactive organic gases
RPS	Renewables Portfolio Standard
RWF	Regional Wastewater Facility
RWQCB	(San Francisco Bay) Regional Water Quality Control Board
SB	Senate Bill
SCCDEH	Santa Clara County Department of Environmental Health
SCP	Stormwater Control Plan
SCS	Sustainable Communities Strategy
SCVHP	Santa Clara Valley Habitat Plan
SCVURPPP	Santa Clara Valley Urban Runoff Pollution Prevention Program
SCVWD	Santa Clara Valley Water District
sf	square foot/feet
SFHA	Special Flood Hazard Areas
SGMA	Sustainable Groundwater Management Act of 2014
SHMA	Seismic Hazards Mapping Act
SIP	State Implementation Plan
SJC	San José International Airport
SJFD	San José Fire Department

SJMC	San José Municipal Code
SJPD	San José Police Department
SJPL	San José Public Library
SJWC	San José Water Company
SMARA	Surface Mining and Reclamation Act
SMARTS	Storm Water Multiple Application and Report Tracking System
SMP	Site Management Plan
SO_2	sulfur dioxide
SR-82	State Route 82
SR-87	State Route 87
SSCA	Sanitary Sewer Condition Assessment Program
SSMP	Sewer System Management Plan
SSOs	sanitary sewer overflows
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TACs	toxic air contaminants
TCMs	treatment control measures
TMDL	Total Maximum Daily Load
tpd	tons per day
TR	Transportation
TSF	thousand square feet
USACE	United States Army Corps of Engineers
USC	United States Code
USEPA	United States Environmental Protection Agency
USFWS	United States Fish and Wildlife Service
UWMP	Urban Water Management Plan
v/c	volume-to-capacity
VdB	vibration velocity decibel(s)
VHFHSZ	Very High Fire Hazard Severity Zone
VMT	vehicle miles travelled
VTA	Santa Clara Valley Transportation Authority

WDID	Waste Discharge Identification Number
WDR	Waste Discharge Requirements
WPCP	Water Pollution Control Plant

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1.0 INTRODUCTION AND PURPOSE

1.1 PURPOSE OF THE INITIAL STUDY

The City of San José (City) as the Lead Agency, has prepared this Initial Study for the West Capitol Expressway Public Storage Project in compliance with the California Environmental Quality Act (CEQA), the *State CEQA Guidelines* (California Code of Regulations §15000 et. seq.) and the regulations and policies of the City of San José, California. This Initial Study evaluates the environmental impacts that might reasonably be anticipated to result from implementation of the proposed Project.

1.2 PUBLIC REVIEW PERIOD

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

Kara Hawkins, Planner-Environmental Review
City of San José
Department of Planning, Building, and Code Enforcement
200 E. Santa Clara Street
San José, CA 95113
Telephone: (408) 535-7852
Email: Kara.Hawkins@sanjoseca.gov

1.3 CONSIDERATION OF THE INITIAL STUDY AND PROJECT

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

1.4 NOTICE OF DETERMINATION

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

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2.0 PROJECT INFORMATION

2.1 PROJECT TITLE

West Capitol Expressway Public Storage Project; H18-048

2.2 LEAD AGENCY CONTACT

City of San José
Department of Planning, Building, and Code Enforcement
Kara Hawkins, Planner
Kara.Hawkins@sanjoseca.gov
(408) 535-7852

2.3 PROJECT APPLICANT

Public Storage
701 Western Avenue
Glendale CA 91201
Andres Friedman, Vice President
afriedman@publicstorage.com
(818) 244-8080

2.4 PROJECT LOCATION

North side of West Capitol Expressway, approximately 200 feet westerly of Snell Avenue

2.5 ASSESSOR'S PARCEL NUMBERS

462-19-013; 462-19-014

2.6 GENERAL PLAN AND ZONING DISTIRCT

General Plan Designation: *Combined Industrial/Commercial (CIC)*
Zoning: *Light Industrial*

2.7 HABITAT PLAN DESIGNATION

Land Cover Designation: Urban - Suburban
Development Zone: Urban Development Covered Equal or Greater than Two Acres
Fee Zone: Urban Areas (No Land Cover Fees)

2.8 PROJECT-RELATED APPROVALS, AGREEMENTS, AND PERMITS

Site Development Permit and applicable Public Works Clearances

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3.0 PROJECT DESCRIPTION

3.1 PROJECT SITE AND SITE DESCRIPTION

3.1.1 Regional Setting

The Project site is located at 231 West Capitol Expressway and 3911 Snell Avenue in the southern portion of the City of San José (City), which itself is located in northern Santa Clara County (County). The City encompasses approximately 180 square miles of land within the County, and is bounded by the Cities of Sunnyvale, Mountain View, Santa Clara, Fremont, and Milpitas to the north; unincorporated Santa Clara County to the east and south; and the Cities of Campbell, Cupertino, Los Gatos, and Saratoga to the west.

As shown on Figure 3.1, Regional Project Location, regional access to the Project site is provided by State Route 87 (SR-87) and State Route 82 (SR-82, Monterey Highway). SR-87 travels north-south and is approximately 1.0 mile west of the Project site. SR-82 generally travels east-west and is approximately 0.3 mile east of the Project site.

3.1.2 Project Vicinity and Surrounding Land Uses

The approximately 6.4-acre (278,807-square-foot [sf]) Project site consists of two parcels (Assessor's Parcel Numbers [APNs] 462-19-013 and 462-19-014) located at the intersection of West Capitol Expressway and Snell Avenue.

The site is bounded by West Capitol Expressway to the south, Snell Avenue to the east, and residential uses to the north and west (i.e., California Hawaiian Mobile Home Park and the Bella Villagio Condominiums, respectively). A gasoline service station is also located directly south of the site at the northwestern corner of West Capitol Expressway and Snell Avenue.

The Project site is primarily surrounded by residential and industrial uses, with commercial uses also present directly southeast and east of the Project site.

3.1.3 History of the Existing Project Site and Site Conditions

In its existing setting, the Project site is triangular in shape and is relatively flat. The Project site consists of two parcels that are separate and independently operated at each address (referred to throughout this IS/MND as the west property [231 West Capitol Expressway] and the east property [3911 Snell Avenue], respectively). Refer to Figure 3.2, Existing Project Site, for an aerial photograph of the existing Project site.

Development on the Project site dates back to 1981, when the current Public Storage facilities were built on both the east and west properties.

The Project site currently consists of 16 one-story self-storage buildings operated by Public Storage, as well as on-site parking areas. The existing 16 buildings total 133,701 sf and are characterized by building façades that are white and orange (consistent with Public Storage brand colors). In addition, the Project site includes two rental offices within two of the existing self-storage buildings

(Buildings A and GG) that consist of a total of 1,500 sf and 1,040 sf, respectively. The existing rental offices are open Monday through Friday from 9:30 a.m. to 6:00 p.m., and Saturday and Sunday from 9:30 a.m. to 5:00 p.m. Storage spaces are accessible from 6:00 a.m. to 9:00 p.m., 7 days per week. Ornamental landscaping along the perimeter of the site and an internal surface parking lot comprise the remainder of the site.

In addition to existing self-storage uses on the site, the property also contains two manager apartments.

Refer to Figure 3.3, Photographs of the Existing Project Site, for photographs of the Public Storage facilities currently developed on the property.

3.1.3.1 Fencing

The perimeter of the site is secured by a concrete masonry unit (CMU) wall along the western boundary; existing buildings, a metal rolling gate, and a wooden gate along the eastern boundary; chain-link fencing along the boundaries adjacent to the gas station; a wooden fence along the northern boundary; and block walls along the southern boundaries. Additionally, wrought-iron fencing and a gate secure the entrance area.

3.1.3.2 Access

As previously stated, the existing buildings were constructed in the early 1980s and were designed for drive-up access. Customers are able to access their individual storage units via two internal roadways within each property. Access between the two properties is currently obstructed by Building AA, which forms the western boundary of the east property.

Access to the Project site is provided via two driveways. The entrance to the west property is provided via West Capitol Expressway, and the entrance to the east property is provided via Snell Avenue. Vehicular entry to the Project site is provided by metal rolling gates on both West Capitol Expressway and Snell Avenue; access is restricted through the use of an individual customer access code at each entrance. In addition, an emergency access only tubular steel swing gate secures an additional northernmost access point off Snell Avenue.

Pedestrian access to the site is provided via sidewalks along West Capitol Expressway and Snell Avenue. Pedestrians may enter either through the rolling gate with their individual customer access code, or through each of the rental offices. Pedestrians can exit through a pedestrian gate in the metal fence at either location.

3.2 PROPOSED PROJECT

3.2.1 Development Proposal

As illustrated on Figure 3.6, Building Demolition/Retention Plan, and Figures 3.8.a and 3.8.b, Conceptual Site Plans, the Project includes the demolition of existing self-storage uses on the site and the construction of new self-storage uses in their place. The proposed Project would consolidate eight existing one-story self-storage buildings on the site into two four-story buildings (referred to herein as Buildings 1 and 2).

As shown in Table 3.A, the Project square footage of the two proposed buildings would total 359,232 sf in new construction (a net increase in 293,694 sf of building area on the site). Following completion of the proposed Project, the total square footage on the site would be 427,395 sf.

Table 3.A: Project Square Footage

Project Specifics	Building Area (sf)
Pre-Project Existing Square Footage	133,701
Phases I and II	
To be Demolished	65,537
To Remain	68,163
To be Constructed	359,232
Net Increase	293,694
Project Square Footage	**427,395**

sf = square foot/feet

Refer to Table 3.B, below, for a breakdown of existing and proposed buildings on the Project site.

Table 3.B: Existing and Proposed Buildings on the Project Site

Buildings	Building Area (sf)	Phase I Status	Phase II Status
Existing Buildings			
West Property			
A	6,449	To be Demolished	-
B	5,417	To Remain	To Remain
C	17,478	To Remain	To Remain
D	9,827	To be Demolished	-
E	8,212	To be Demolished	-
F	7,034	To be Demolished	-
G	4,521	To Remain	To Remain
H	3,618	To Remain	To Remain
I	3,809	To Remain	To Remain
J	2,910	To Remain	To Remain
East Property			
AA	27,885	To be Modified (see AA-1 and AA-2)	To Remain
BB	7,721	To Remain	To be Demolished
CC	5,909	To Remain	To be Demolished
DD	4,989	To Remain	To be Demolished
EE	2,796	To Remain	To be Demolished
GG	15,126	To Remain	To be Modified (see Modified GG)
Proposed New/Modified Buildings			
West Property			
1	179,616	To be Constructed	To Remain
2	179,616	-	To be Constructed
East Property			
AA-1	12,312	To be Modified	To Remain
AA-2	12,638	To be Modified	To Remain
Modified GG	5,460	-	To be Modified

sf = square footage

3.2.2 Implementation/Phasing

Construction of the proposed Project is anticipated to occur over the course of 24 months. Construction would occur in two 12-month phases. The first phase would occur on the west property, and the second phase would occur on the east property. Phase I construction is estimated to begin in April 2020 and to open in April 2021. Phase II construction is estimated to begin in October 2022 and will open in October 2023. Both Phases I and II are described in greater detail in the following sections.

Approximately 20–30 workers would be on the Project site on a typical day during project construction. Construction would take place between the hours of 7:00 a.m. and 5:00 p.m., Monday through Friday. Contractors would utilize carpooling to the maximum extent possible during the construction phase of the Project. Hauling/deliveries to and from the construction site would amount to approximately 2 to 6 trips per day, between the hours of 7:00 a.m. and 5:00 p.m.

3.2.2.1 Demolition and Site Preparation

On-site disturbance during the demolition phase would be less than 1 acre per day, and demolition activities would last approximately 3 weeks. Equipment used during the demolition phase would include one excavator, one loader, and four end dumps. Exported material would be transported to approved locations approximately 12 to 20 miles away from the Project site in haul trucks with a 14-cubic-yard (cy) capacity. The amount of materials to be reused/recycled would be determined based on site conditions and available materials during project initiation.

Site preparation and vegetation removal[1] will take place over an approximately 1-month period upon project initiation. Equipment utilized during this phase will include one skid steer, one grader, one loader, and one end dump. Grading activities for Phase I of the Project construction would last approximately 2 weeks and involve approximately 500 cy of import material, and 0 cy of export. Grading for Phase II would last approximately 2 weeks and involve approximately 575 cy of import material and 0 cy of export material. Imported soil would be sourced within a 15- to 20-mile radius of the Project site. Trenching activities would take place over an approximately 2-week period and utilize one backhoe.

3.2.2.2 Phase I

As previously stated, construction of Phase I improvements would occur over the course of 12 months. During Phase I, four of the existing buildings (Buildings A, D, E, and F) on the west property would be demolished and replaced with a new four-story storage facility (Building 1) totaling 179,616 sf. Building 1 would be approximately 50 feet (ft) in height and would include a 1,598 sf rental office on the first floor.

The rental office would allow customers to inquire about rental spaces, pay rent, or purchase packing supplies. Similar to existing operations, the rental office hours would be Monday through Friday from 8:00 a.m. to 8:00 p.m., and Saturday and Sunday from 8:00 a.m. to 7:00 p.m. Customers

[1] In total, 11 trees would be removed during Phase I. The number of trees to be removed as part of Phase II is unknown at this time, but would be determined during the final design stage for Phase II.

would access Building 1 and their storage spaces through a secured lobby using an individual customer access code. The storage spaces would be accessible from 6:00 a.m. to 9:00 p.m., 7 days per week.

During Phase I of construction, the Project would also demolish the northwestern most portion of Building AA to create two separate buildings (Buildings AA-1 and AA-2) and to provide access between the two properties. Buildings AA-1 and AA-2 would total 12,312 sf and 12,638 sf, respectively.

Buildings B, C, G, H, I, and J would remain in place and customer access would continue to be provided at the exterior of the buildings during construction of the Project.

Phase I of the proposed Project also includes the installation of a Treatment Control Measures and a trash enclosure adjacent to Building 1 on the west property. The trash enclosure would be locked and would only be available for use by Public Storage office staff, as customers would be required to remove their own debris from the facility.

In addition, Phase I of the Project would include the removal and replacement of the existing curb, gutter, and sidewalk along West Capitol Expressway with a 15 ft ADA-compliant attached sidewalk section. Sidewalk improvements included as part of Phase I would also include the installation of 5 ft by 4 ft tree wells located at the back of the curb.

Circulation improvements included as part of Phase I would consist of widening the westerly driveway along West Capitol Expressway to 32 ft and the easterly driveway to 30 ft. The proposed easterly driveway would be restricted to Emergency Access only.

3.2.2.3 Phase II

Construction of Phase II improvements would commence at least 6 months after the completion of Phase I improvements and would occur over the course of 12 months. During Phase II of the Project, four buildings (Buildings BB, CC, DD, and EE) would be demolished and replaced with a new four-story storage facility (Building 2) totaling 179,616 sf. Building 2 would be a maximum of 50 ft in height, consistent with the height and scale of Building 1.

In addition, similar to Building 1, customers would access Building 2 and their storage spaces through a secured lobby using individual customer access codes. The storage spaces would be accessible from 6:00 a.m. to 9:00 p.m., 7 days per week.

In addition, Phase II would include the partial demolition of Building GG, resulting in a final square footage of 5,460 sf. Following completion of Phase II, customer access to Building GG would continue to be provided at the building exterior.

Although project-level design and landscaping details of Phase II implementation are unknown at this time, the design, scale, and features would be similar to Building 1 and the improvements included as part of Phase I. For example, Phase II of the Project would be required to implement street improvements along the Snell Avenue street frontage consistent with all City requirements.

3.2.3 Employees and Shift Details

Following Project implementation, the total number of employees on the site would remain the same as currently present on the site (i.e., two employees). During construction of Phase I, the Snell Avenue rental office will remain open only until Building 1 is completed, at which time it will be closed. After Phase I is completed, one rental office will be available in the Building 1, where two employees will each work one overlapping shift per day depending on market conditions. The shift will take place during the rental office's regular business hours (Monday through Friday from 8:00 a.m. to 8:00 p.m., and Saturday and Sunday from 8:00 a.m. to 7:00 p.m.).

3.2.4 Parking

In compliance with the City of San José's Municipal Code (Section 20.90.100, Off-street vehicle parking space design standards), parking spaces will be supplied by the proposed Project (one parking stall per 5,000 sf of net floor area[2]). Specifically, 31 spaces will be provided as part of Phase I, and parking spaces will be provided as part of Phase II per the City's Municipal Code. The total number and configuration of parking spaces provided as part of Phase II will be determined during final Project design. As per Municipal Code Section 20.90.220, parking for the existing drive-up buildings would remain unchanged.

Section 20.90.100 of the City's Municipal Code also requires one bicycle-parking stall for every 10 employees. Consistent with the City's bicycle parking requirements, the Project will provide two bicycle-parking stalls to serve the two on-site employees per the California Green Building Standards Code (CALGreen Code).

3.2.5 Access

Ingress and egress to and from the Project site would be provided by a 32 ft wide driveway along West Capitol Expressway. The proposed Project would relocate the existing rolling security gate at the West Capitol Expressway entrance in order to provide public access to a small parking area adjacent to the proposed rental office on the west property. A 6 ft tall rolling gate and associated key bollards would be installed to provide access from the small parking area to the remainder of the property. The Project would also remove or secure (to prevent access) the existing metal rolling gate along the Project site's eastern boundary and southernmost driveway on Snell Avenue. The secondary northernmost driveway on Snell Avenue will be used for Fire Department emergency access only (no public access will be allowed). The proposed easterly driveway along West Capitol Expressway would also provide access for emergency use only. The existing chain-link swing fence would be removed and a 6 ft tall rolling gate would be installed to secure the interior of the property. A pedestrian gate would be incorporated within the gate between Building 1 and the security fence.

In addition, the Project would extend the existing 370 ft westbound left-turn lane at Vistapark Drive/ West Capitol Expressway by 80 ft (a revised left-turn lane of 450 ft). The extension of this turn lane is intended to provide improved circulation within the vicinity of the Project site and improved site

[2] According to Section 20.90.050.d of the City's Municipal Code, net floor area equals 85 percent of gross floor area.

access. All off-site improvements to the westbound left-turn lane at the intersection of West Capitol Expressway and Vistapark Drive would be reviewed and approved by the City as well as the County of Santa Clara's Public Works Department.

3.2.6 Building Design

As illustrated by Figures 3.9.a, 3.9.b, and 3.9.c, Building Elevations, the proposed buildings would be developed in a contemporary architectural design, and include various exterior materials including an Exterior Insulation Finishing System (EIFS), split face CMU block, show windows, spandrel glass, and storefront glass. Vertical and horizontal lines and color and material changes would serve to visually break up the building façades. The proposed buildings would be four stories in height with a maximum height of 50 ft.

3.2.7 Landscaping and Stormwater Treatment

As illustrated by Figure 3.9, Conceptual Landscape Plan, new landscaping proposed as part of the Phase I of the Project would consist of new ornamental trees, groundcover, and shrubbery along West Capitol Expressway and around the new building on the east property. In addition, Phase I of the proposed Project includes the installation of a bio-retention basin and flow-through planter along the northern edge of the proposed building on the west property. Phase II would incorporate similar landscaping and stormwater improvements on the site.

Existing landscaping along Snell Avenue would remain during Phase I and would be improved and/or replaced as part of Phase II of the Project.

3.2.8 Lighting

As illustrated by Figure 3.10, Conceptual Lighting Plan, outdoor lighting included as part of Phase I would be typical of self-storage uses and would consist of wall-mounted lighting at heights ranging from 7–20 ft and recessed lighting at 10 ft, as well as pole-mounted lights (9 and 20 ft in height) within the parking lots provided on the Project site. Improvements shown on Figure 3.10, Conceptual Lighting Plan, are conceptual in nature and do not represent final design of the Project. Lighting improvements will be determined during final Project design.

As illustrated by Figure 3.11, Conceptual Photometric Plan, all outdoor lighting would be directed downward and shielded to minimize off-site spill. Improvements shown on Figure 3.11, Conceptual Photometric Plan, are conceptual in nature and do not represent final design of the Project.

Lighting improvements proposed as part of Phase II are unknown at this time but are anticipated to be similar to lighting improvements proposed as part of Phase II. All lighting proposed as part of Phase II would be consistent with applicable lighting standards outlined in Section 20.75.350, Lighting, and Section 20.90.160, Lighting in or adjacent to residential districts, of the City's Municipal Code.

3.2.9 Infrastructure Improvements

Figure 3.12, Conceptual Utility Plan, illustrates infrastructure improvements that may be included as part of the proposed Project. In addition, the Project would install solar panels on the rooftops of

both buildings proposed under Phases I and II. The addition of solar panels and improvements shown on Figure 3.12, Conceptual Utility Plan, are conceptual in nature and do not represent final design of the Project. Size and placement of utility improvements will be determined during final Project design for both Phases I and II.

3.2.9.1 Sewer System Improvements

As part of the Project, a new sanitary sewer line would likely be installed and connect to an on-site existing 8-inch sanitary sewer line along the Project site's western boundary on the east property. It may terminate at a point between Building 1 and Building G at the center of the west property. No offsite sanitary sewer lines are proposed as part of the Project.

3.2.9.2 Domestic Water Improvements

The Project site receives domestic water service from San José Water. The Project would likely include the installation of a new water line near the entrance to the west property on West Capitol Expressway, which would connect to an existing 8-inch water main within West Capitol Expressway. In addition, the Project would likely include the installation of a backflow prevention device, meter, and meter box on the west property.

3.2.9.3 Fire System Improvements

As part of the Project, a new fire water line would likely be installed between Building 1 and Building G at the center of the west property and travel north through the east property, parallel to the site's western boundary. The fire water line would connect to existing 8-inch water mains within West Capitol Expressway and Snell Avenue adjacent to the Project site.

3.2.9.4 Storm Drain Improvements

As part of the Project, a storm drain would likely be installed between Building 1 and Building G at the center of the west property. All on-site runoff from the Project site would flow to the proposed bioretention basin and flow-through planter adjacent to Building 1 on the west property. The bioretention basin and the flow-through planter would direct storm water to the existing on-site storm system. Figure 3.13, Stormwater Control Plan, shows stormwater management features proposed as part of the Project. Improvements shown on Figure 3.13, Stormwater Control Plan, are conceptual in nature and do not represent final design of the Project. Storm drain improvements will be determined during final Project design.

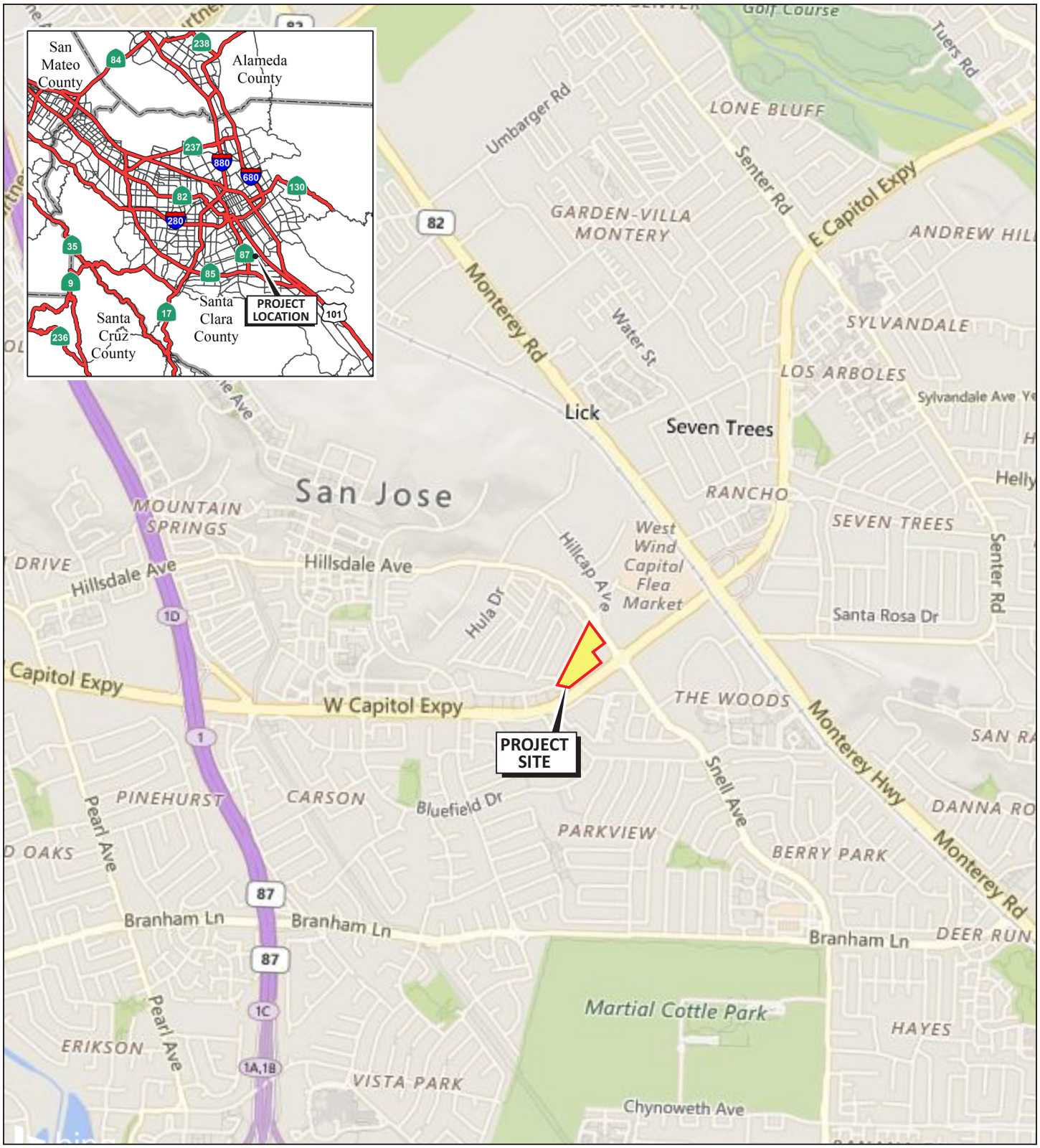

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FIGURE 3.1

N

0 1000 2000
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SOURCE: Bing Maps

Public Storage San Jose
Regional Project Location

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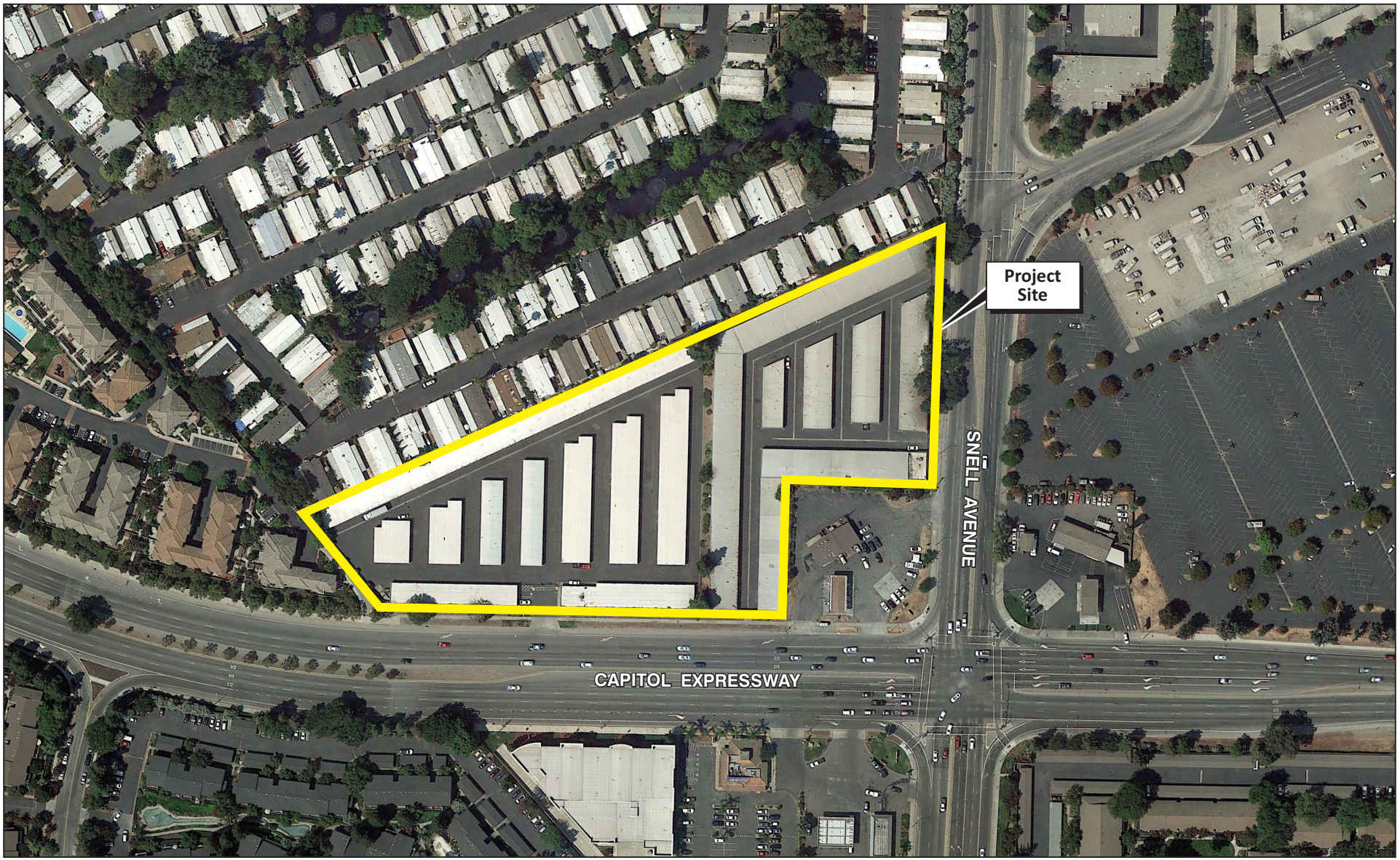

LEGEND

- Project Boundary

FIGURE 3.2

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0 100 200
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SOURCE: Google Earth, 9/2017

Public Storage San Jose
Existing Project Site

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Photo 1: View northwest from Snell Avenue.

Photo 2: View northeast from Capitol Expressway.

Photo 3: View north of main entrance on Capitol Expressway.

Photo 4: View of single-story self-storage facilities.

LSA

FIGURE 3.3

Public Storage San Jose
Photographs of the Existing Project Site

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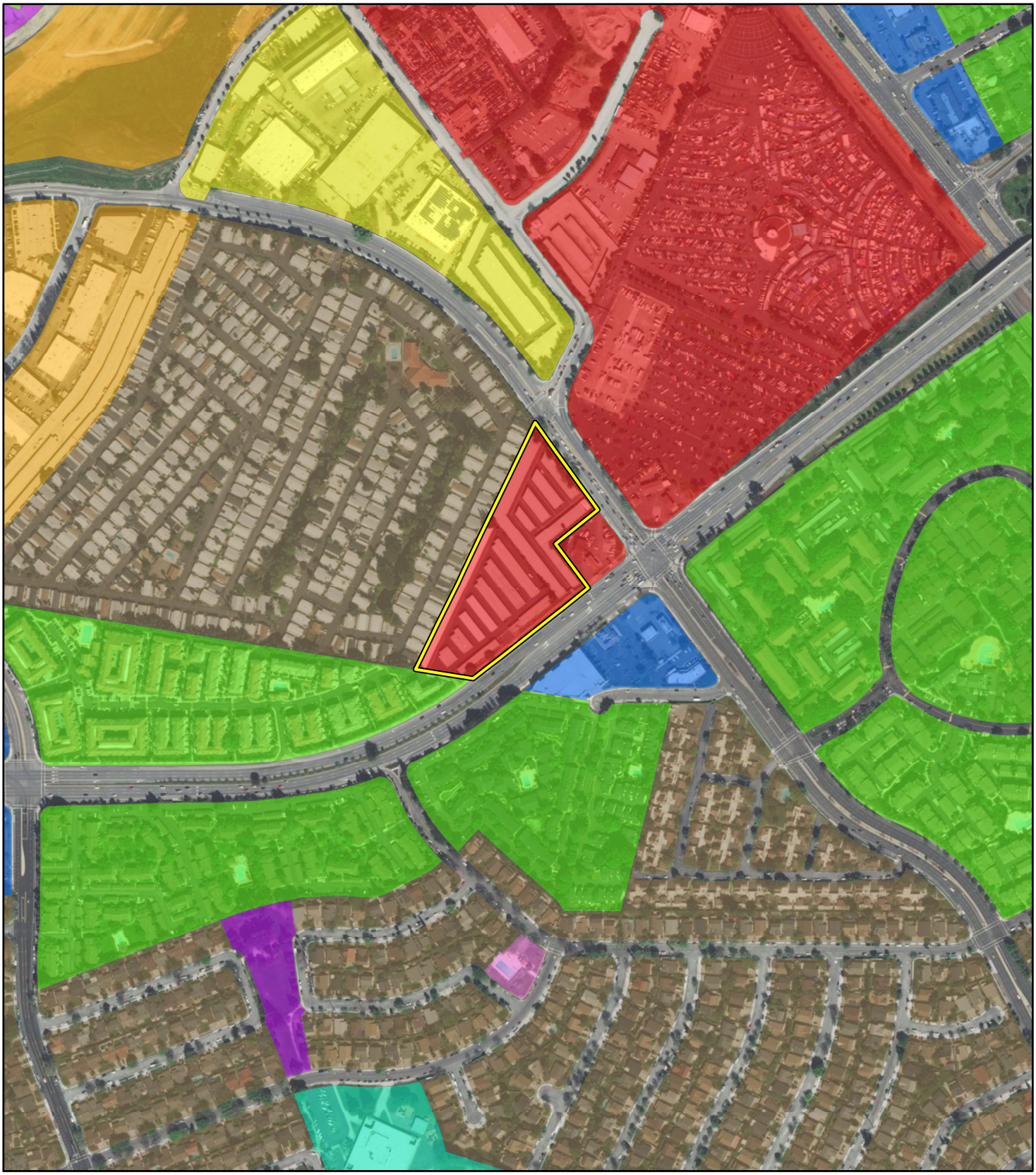

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FIGURE 3.4

LEGEND

- Project Location
- Combined Industrial/Commercial (CIC)
- Neighborhood/Community Commercial (NCC)
- Private Recreation and Open Space (PROS)
- Open Space, Parklands and Habitat (OSPH)
- Mixed Use Neighborhood (MUN)
- Residential Neighborhood (RN)
- Industrial Park (IP)
- Light Industrial (LI)
- Public (P)

N

0 250 500
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Public Storage San Jose

General Plan Land Use Map

SOURCE: Esri (2017); City of San Jose (2018)

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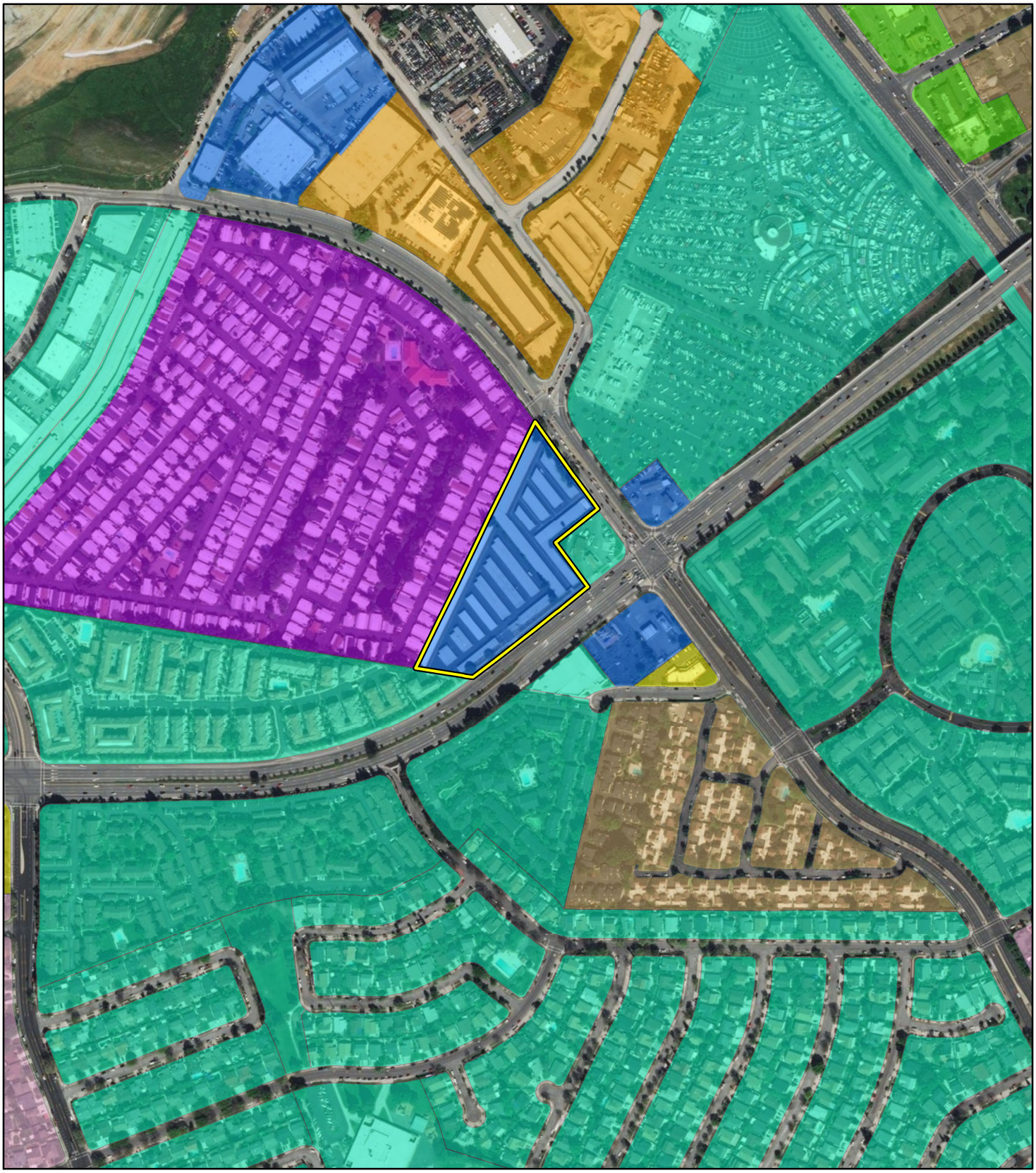

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FIGURE 3.5

LEGEND

Project Location

Zoning

Commercial - General

Commercial - Neighborhood

Commercial - Pedestrian

Industrial Park

Light Industrial

Mobilehome Park

Multiple Family Residential

Planned Development

Single Family Residential

N

0 250 500

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Public Storage San Jose

Zoning Map

SOURCE: Esri (2017); City of San Jose (2018)

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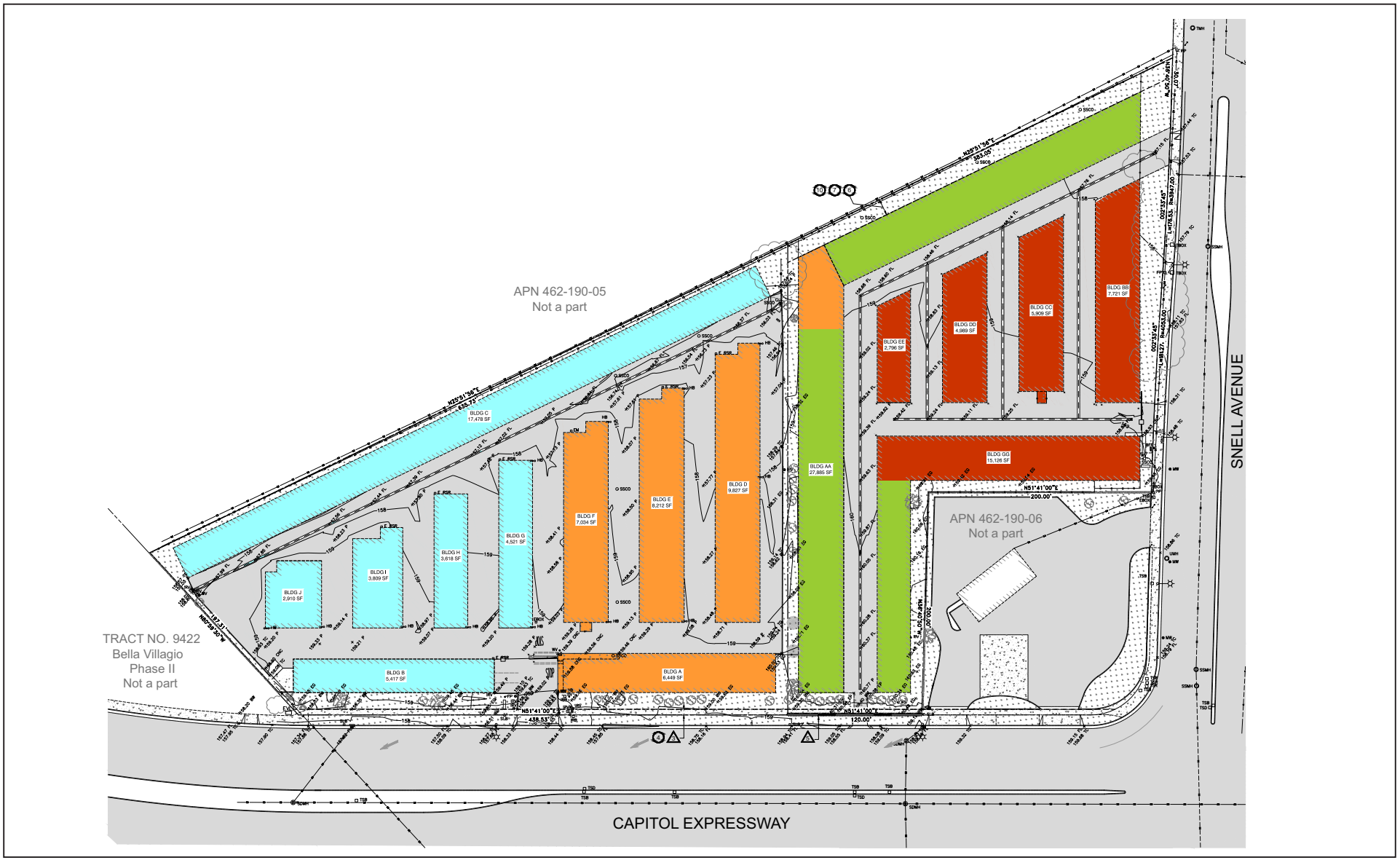

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LEGEND

- Buildings for Phase I Retention
- Buildings for Phase I Demolition
- Buildings for Phase II Retention
- Buildings for Phase II Demolition

0 60 120
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SOURCE: Lars Anderson & Associates, Inc.

FIGURE 3.6

Public Storage San Jose

Building Demolition/Retention Plan

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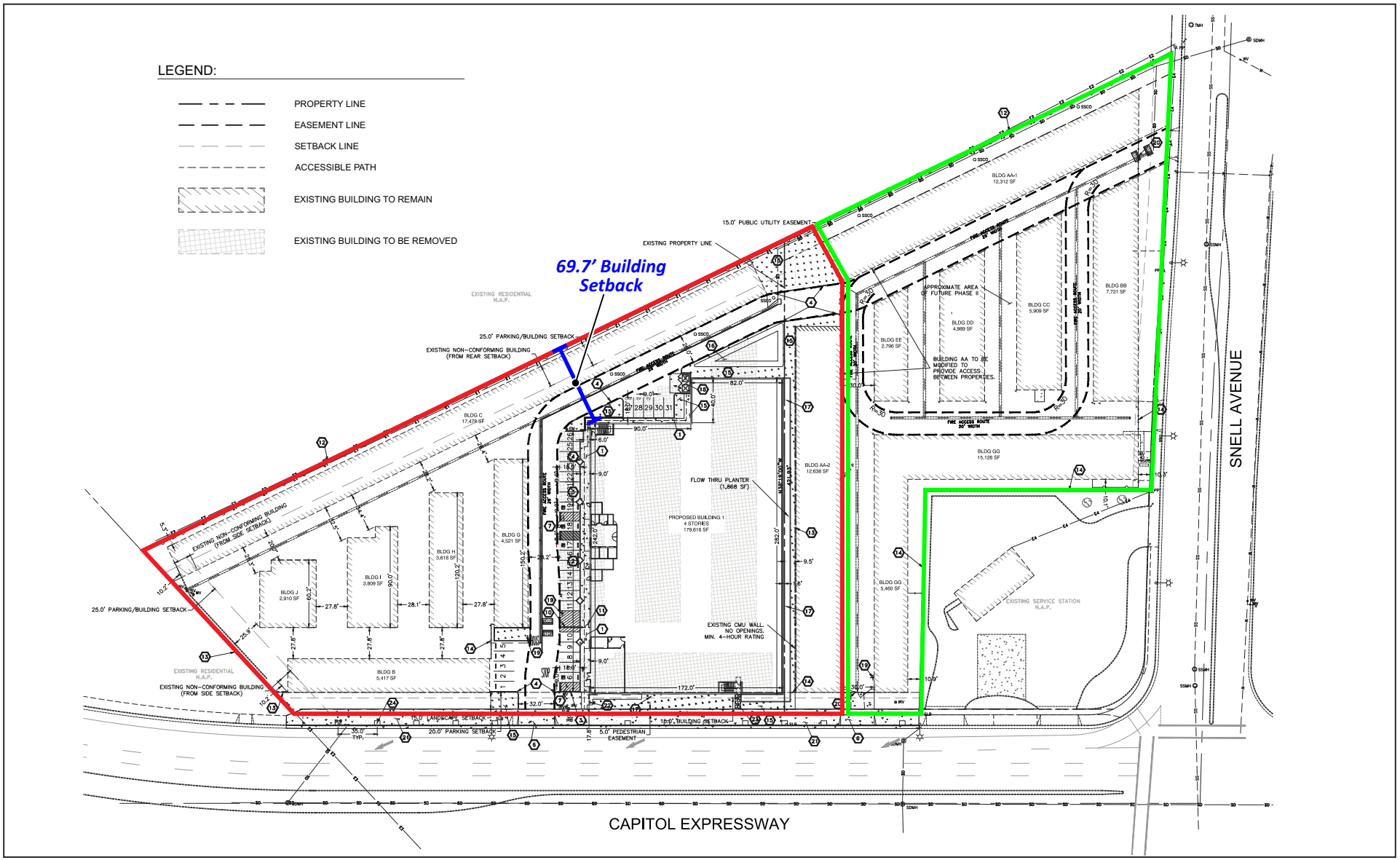

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FIGURE 3.7a

LEGEND

Phase 1

Area to be Improved as Part of Phase 2

N

0 60 120

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SOURCE: KSP Studio

Public Storage San Jose

Conceptual Site Plan - Phase 1

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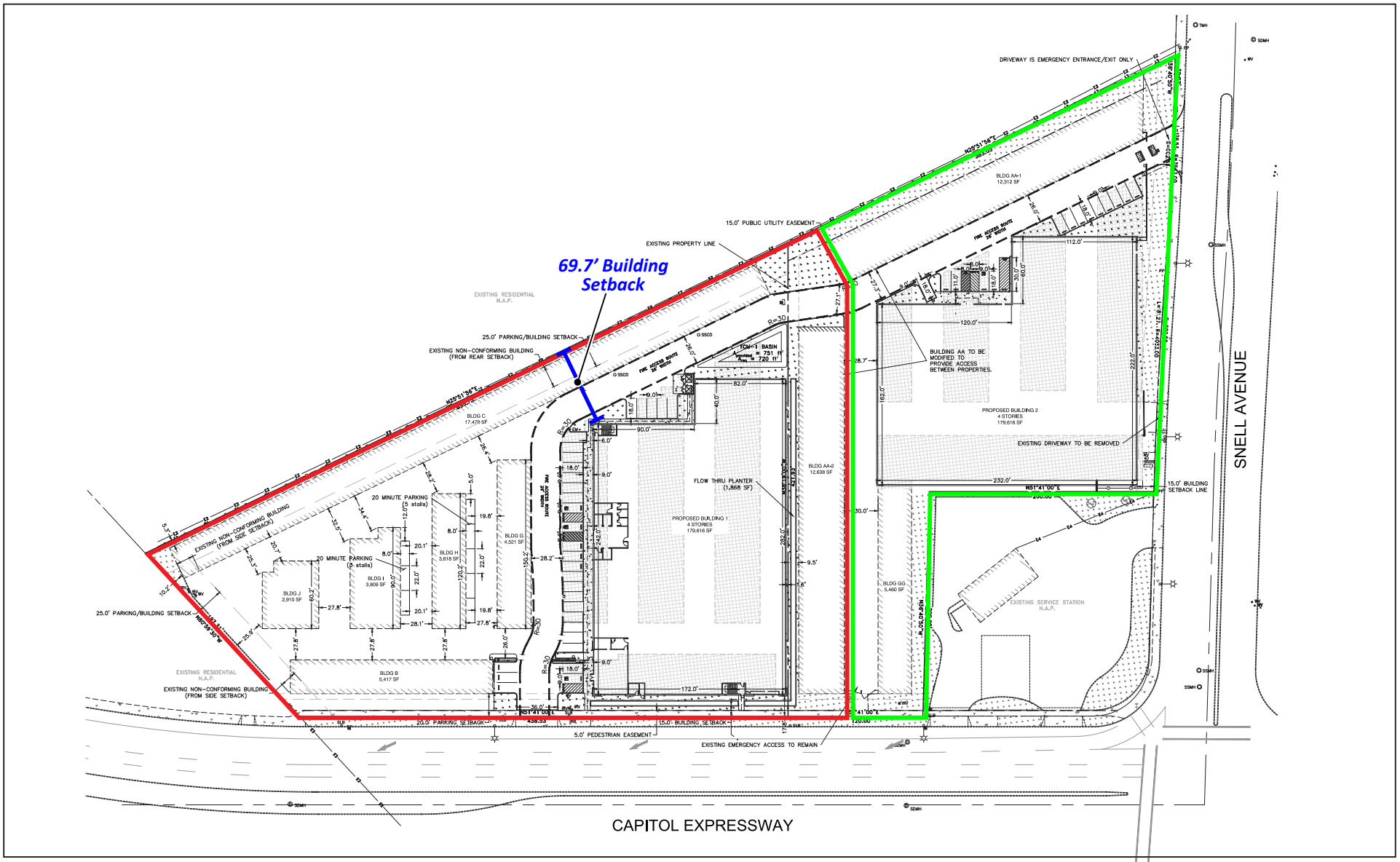

FIGURE 3.7b

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LEGEND

Phase 1

Phase 2

0 60 120

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SOURCE: KSP Studio

Public Storage San Jose

Conceptual Site Plan - Phase 2

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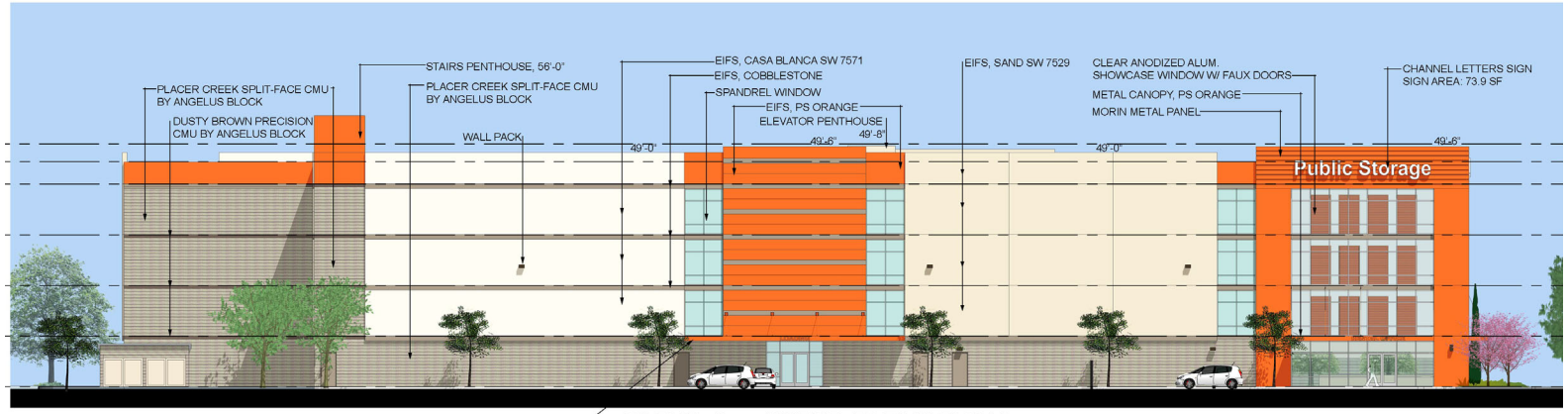
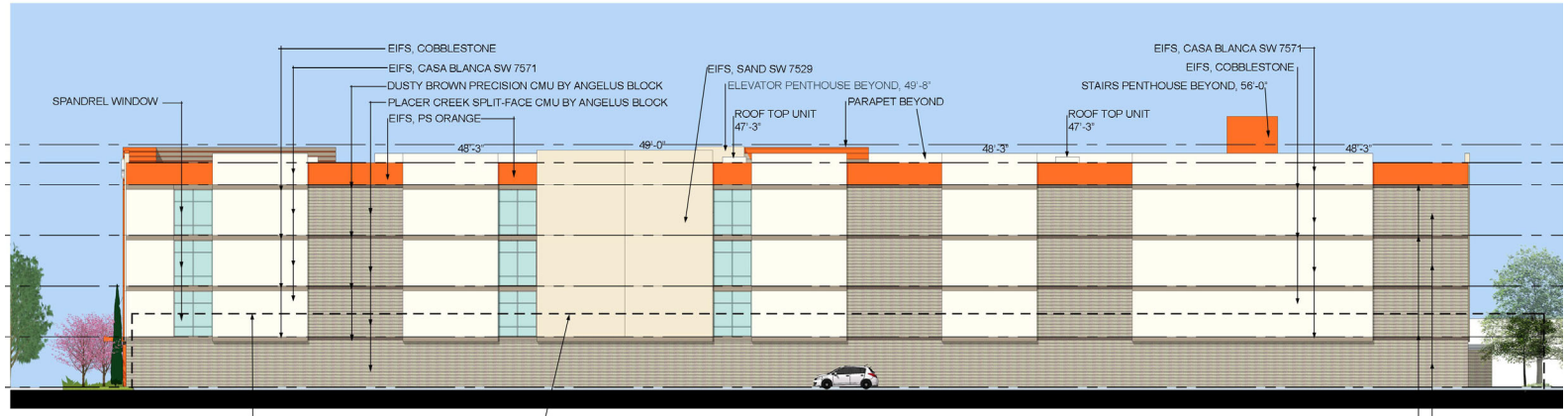


BLDG 1 - WEST ELEVATION



BLDG 1 - EAST ELEVATION

LSA

FIGURE 3.8a

Public Storage San Jose
Building Elevations

SOURCE: KSP Studio

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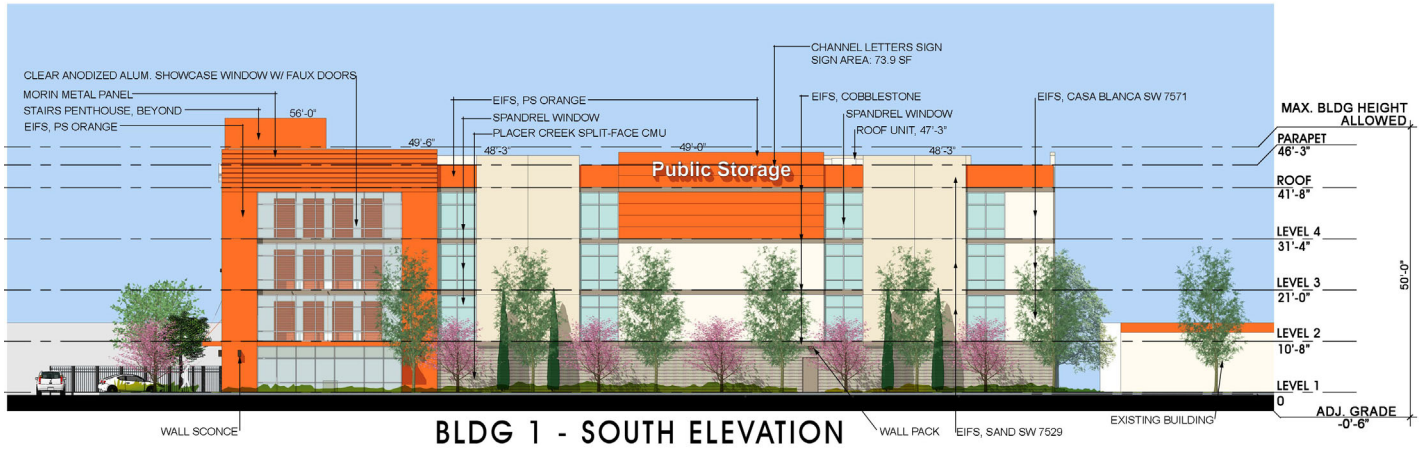
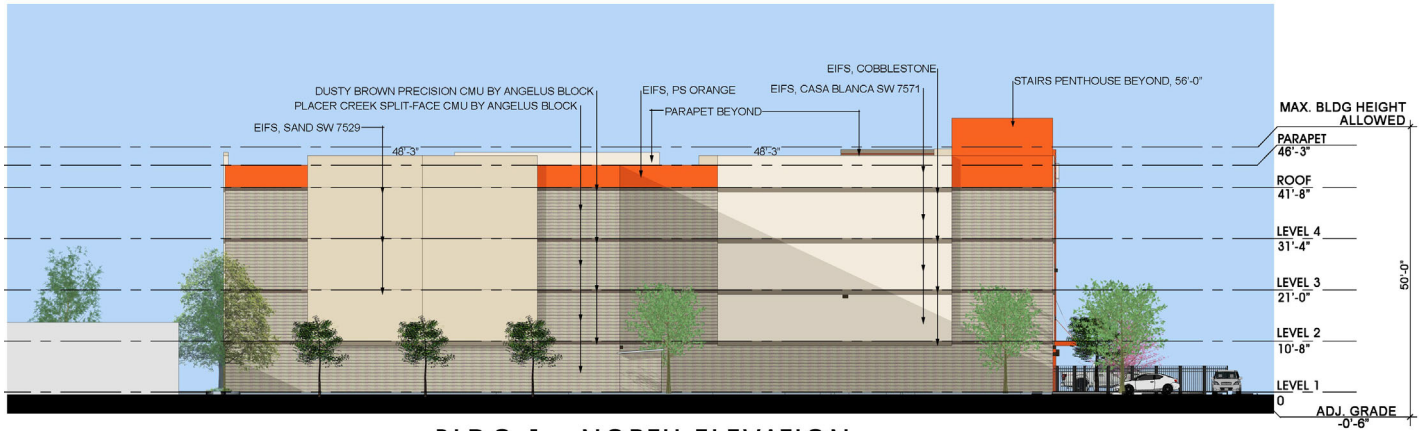


BLDG 1 - SOUTH ELEVATION



BLDG 1 - NORTH ELEVATION

LSA

FIGURE 3.8b

Public Storage San Jose
Building Elevations

SOURCE: KSP Studio

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CORNER VIEW LOOKING EAST
ALONG CAPITOL EXPRESSWAY

CORNER VIEW LOOKING WEST
ALONG CAPITOL EXPRESSWAY

LSA

FIGURE 3.8c

Public Storage San Jose
Building Elevations

SOURCE: KSP Studio

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GENERAL NOTES:

1. All Trees within 5' of hardscape to have a 12" deep linear root barrier.
2. All non-turf landscape areas to receive a 3" layer of shredded organic mulch. Groundcover areas to receive 2" layer. Include 3 inches of composted, non-floatable mulch in areas between plantings and side slopes.
3. All backflows and above ground equipment to be placed at least 5' from hardscape on flat area. All equipment to be screened from view with plant material.
4. Soil compaction to be no greater than 85% on landscape areas.
5. All finish grades to be 1½" below finish surface paving.
6. Agronomical soil testing report to be included in landscape plans.
7. Landscape irrigation equipment to be drip low-flow type that satisfies the Water Efficient Landscape Ordinance.
8. Refer to civil eng. plans for water quality control measures to be implemented on this project
9. Surface run-off in landscape areas to flow at 2% minimum away from structures to approved drainage system
10. All on-site utilities to be screened to be screened from view.

EXISTING TREE LEGEND

SYMBOL	DESCRIPTION	QUANTITY
X*	EXISTING TREE TO BE REMOVED	11
	EXISTING TREE TO REMAIN PROTECT IN PLACE	26
* INDICATES TREE NUMBER REFER TO SHEET S14 TREE MAP		37

ALL TREES TO REMAIN SHALL BE PROTECTED IN PLACE BY ISA STANDARD TREE PROTECTION GUIDELINES

"Street trees shown in the public right-of-way are for information only. The Planning Permit does not authorize the installation or removal of trees in the public right of way. Actual street tree location will be determined by Public Works at the implementation stage on the Public Improvement plan. The installation or removal of the street trees requires a permit from the Department of Transportation. The City Arborist will specify the species."

TREE REPLACEMENT TABLE

TREES TO BE REMOVED	REQUIRED REPLACEMENT TOTAL* 15 GAL	QUALIFIED TREES PROVIDED PER PLAN**	
11	32	13 - 24" BOX	23
		10 - 15 GAL	

*BASED ON ESTABLISHED CITY OF SAN JOSE REPLACEMENT RATIOS SEE FIG. 1 MITIGATION TABLE & FIG. 2 TREE REPLACEMENT RATIOS.

**EXCLUDES STREET TREES

FIG. 2 - TREE REPLACEMENT RATIOS

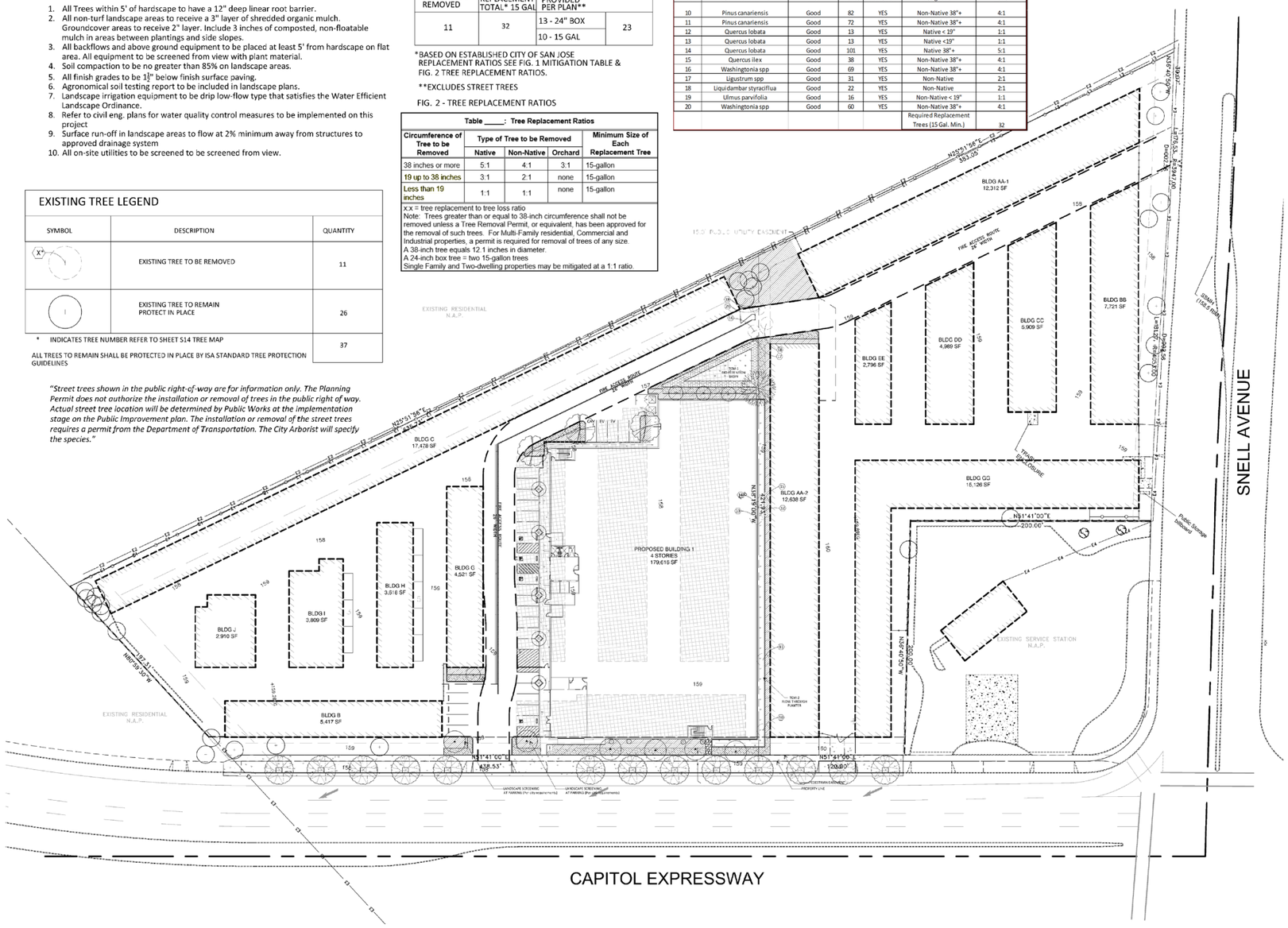
Table _____: Tree Replacement Ratios

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

x:x = tree replacement to tree loss ratio
Note: Trees greater than or equal to 38-inch circumference shall not be removed unless a Tree Removal Permit, or equivalent, has been approved for the removal of such trees. For Multi-Family residential, Commercial and Industrial properties, a permit is required for removal of trees of any size.
A 38-inch tree equals 12.1 inches in diameter.
A 24-inch box tree = two 15-gallon trees
Single Family and Two-dwelling properties may be mitigated at a 1:1 ratio.

FIG. 1 - TREE MITIGATION TABLE

TREE #	BOTANICAL NAME	CONDITION OF TREE	CIRC. IN INCHES	TREE TO BE REMOVED	Designation	Replacement Ratio
10	Pinus canariensis	Good	82	YES	Non-Native 38"+	4:1
11	Pinus canariensis	Good	72	YES	Non-Native 38"+	4:1
12	Quercus lobata	Good	13	YES	Native < 19"	1:1
13	Quercus lobata	Good	13	YES	Native <19"	1:1
14	Quercus lobata	Good	101	YES	Native 38"+	5:1
15	Quercus ilex	Good	38	YES	Non-Native 38"+	4:1
16	Washingtonia spp	Good	69	YES	Non-Native 38"+	4:1
17	Ligustrum spp	Good	31	YES	Non-Native	2:1
18	Liquidambar styraciflua	Good	22	YES	Non-Native	2:1
19	Ulmus parvifolia	Good	16	YES	Non-Native < 19"	1:1
20	Washingtonia spp	Good	60	YES	Non-Native 38"+	4:1
					Required Replacement Trees (15 Gal. Min.)	32



PLANTING LEGENDS

TREES

SYMBOL	BOTANICAL/COMMON NAME	SIZE	QTY	WUCOLS	REMARKS
	Cercis canadensis Eastern Redbud	15 Gal	6	L	Multi-Trunk
	Cupressus sempervirens Italian Cypress	15 Gal	4	L	Standard
	Street Tree * TBD by City Arborist	15 Gal	13	L	Standard
	Platanus racemosa California Sycamore	24" Box	1	L	Multi-Trunk
	Rhus lancea African Sumac	24" Box	3	L	Standard
	Tristania conferta Brisbane Box	24" Box	9	L	Standard

SHRUBS - 6,465 s.f. APPROX. +/- 829 PLANTS @ 36" O.C.

SYMBOL	BOTANICAL/COMMON NAME	SIZE	SPACING	WUCOLS	REMARKS
	Callistemon 'Little John' Dwarf Bottle Brush	5 Gal	30" O.C.	L	
	Hesperaloe parviflora Red Yucca	5 Gal		L	
	Heteromales arbutifolia Toyon	5 Gal		L	
	Ligustrum texanum Texas Privet	5 Gal		M	
	Raphiolepis i. 'Clara' White Raphiolepis	5 Gal		M	
	Rhus integrifolia Lemonade Berry	5 Gal		L	
	Westringia fruiticosa 'Blue Gem' Blue Gem Coast Rosemary	5 Gal		L	

GROUNDCOVER/GRASSES - 3,045 S.F. APPROX. +/- 390 PLANTS @ 36" O.C.

SYMBOL	BOTANICAL/COMMON NAME	SIZE	SPACING	WUCOLS	REMARKS
	Festuca mairei Atlas Grass	1 Gal	24" O.C.	L	
	Muhlenbergia rigens Deer Grass	1 Gal	36" O.C.	L	
	Rosa 'Flower Carpet' -Red Red Flower Carpet Rose	5 Gal	30" O.C.	M	
	Rosmarinus o. 'Huntington Carpet' Prostrate Rosemary	1 Gal	36" O.C.	L	

BIO-RETENTION BASIN/ FLOW THROUGH PLANTER - 3,685 S.F. APPROX. +/- 1,790 PLANTS @ 18" O.C.

SYMBOL	BOTANICAL/COMMON NAME	SIZE	SPACING/QTY	WUCOLS	REMARKS
BASIN					
	Calamagrostis acutiflora 'Karl Foerster' Feather Reed Grass	1 Gal	18" O.C.	L	
	Carex divulsa Berkeley Sedge	1 Gal	18" O.C.	L	
	Juncus patens California Grey Rush	1 Gal	18" O.C.	L	
BANKS					
	Baccharis pilularis 'Twin Peaks' Dwarf Coyote Brush	1 Gal	5' O.C.	L	
	Muhlenbergia capillaris Pink Muhly	1 Gal	2' O.C.	L	
	Muhlenbergia rigens Deer Grass	1 Gal	2' O.C.	L	

THIS PRELIMINARY PLANT PALETTE IS INTENDED TO REPRESENT A TYPICAL SAMPLE OF THE PROPOSED PLANTS BUT DOES NOT INDICATE THE EXACT SPECIES WHICH WILL BE DEVELOPED ON THE DETAILED PLANS.

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FIGURE 3.9

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SOURCE: KSP Studio

Public Storage San Jose
Conceptual Landscape Plan

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LUMINAIRE SCHEDULE							
TYPE	MTG.	LAMP #	LAMP CODE WATTAGE/LUMENS COLOR	LUMINAIRE DESCRIPTION	MANUFACTURER & CATALOG NUMBER	INPUT WATTS, VOLTS	SEE SYMBOLS
LNC-3	WALL	1	28W LED 4000K	EXTERIOR WALL MTD TYPE 3 AREA LED MTD @ 9' AFF	HUBBELL #LNC3LU-4K-3	28W 120V / 277V	
ASL-4	POLE	1	155W LED 4000K	PARKING LOT POLE WITH TYPE 4 LED HEAD MTD @ 20' AFF	HUBBELL #ASL-SSL-4K-270-4-B15	155W 120V / 277V	
ASL-3	POLE	1	155W LED 4000K	PARKING LOT POLE WITH TYPE 3 LED HEAD MTD @ 20' AFF	HUBBELL #ASL-SSL-4K-270-3-B15	155W 120V / 277V	
DRD2	REC. CEIL	1	12.8W LED 4000K	RECESSED LED DOWN LIGHT MTD @ 10' AFF	CME #CRD2M4000AD-DRD2TRIMWH	12.8W 120V / 277V	
LNC-2	WALL	1	20W LED 4000K	EXTERIOR WALL MTD TYPE 2 AREA LED MTD @ 8' AFF	HUBBELL #LNC3LU-4K-2	20W 120V / 277V	
LNC3-3	WALL	1	67.4W LED 4000K	EXTERIOR WALL MTD TYPE 3 AREA LED MTD @ 25' AFF	HUBBELL #LNC3-SL-4K-105-3	67.4W 120V / 277V	
GUA-5	WALL	1	36.5W LED 4000K	EXTERIOR WALL MTD LED SCONCE MTD @ 7' AFF	TEI #CRDWA-94-L26-5-WAL-T8-30K	36.5W 120V / 277V	

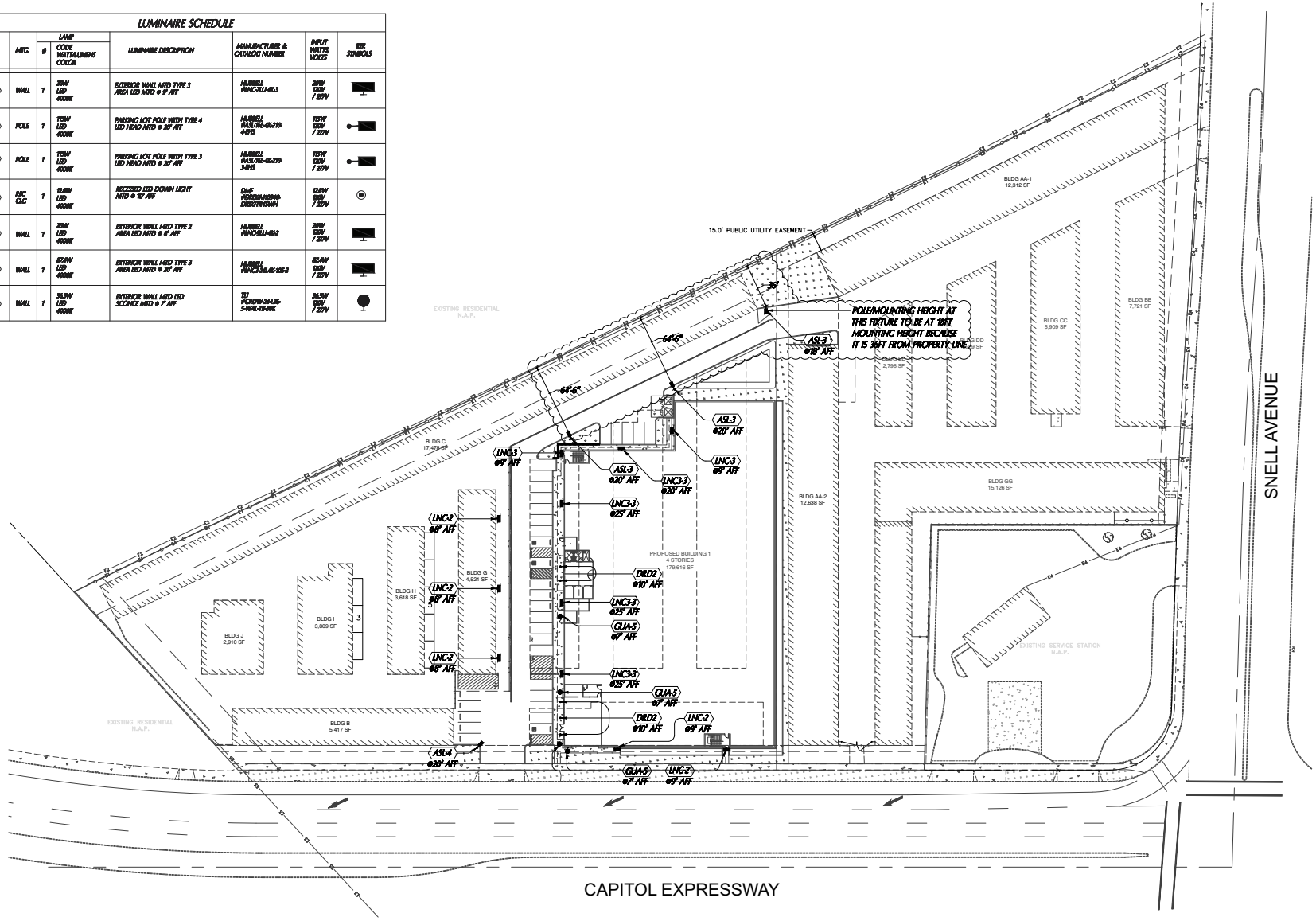

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FIGURE 3.10

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SOURCE: KSP Studio

Public Storage San Jose

Conceptual Lighting Plan

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Luminaire Schedule					
Symbol	Qty	Label	Arrangement	LLF	Description
LNC-3	2	LNC-7LU-4K-3 (1)	SINGLE	0.900	LNC-7LU-4K-3
ASL-4	1	ASL-16L-4K-210-4-EHS	SINGLE	0.900	ASL-16L-4K-210-4-EHS
ASL-3	3	ASL-16L-4K-210-3-EHS	SINGLE	0.900	ASL-16L-4K-210-3-EHS
DRD2	5	DRD2M10940-DRD2TR4SWH	SINGLE	0.900	DRD2M10940-DRD2TR4SWH
LNC-2	5	LNC-9LU-4K-2	SINGLE	0.900	LNC-9LU-4K-2
LNC3-3	4	LNC3-24L4K-105-3	SINGLE	0.900	LNC3-24L4K-105-3
GUA-5	4	Guardian LED 24 L36_5 30K	SINGLE	0.950	GRDW-24-L36_5-WAL-TB-30K

Calculation Summary							
Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
Ground_Planar	Illuminance	Fc	2.21	5.9	0.6	3.68	9.83
Firelane	Illuminance	Fc	2.38	5.9	0.7	3.40	8.43

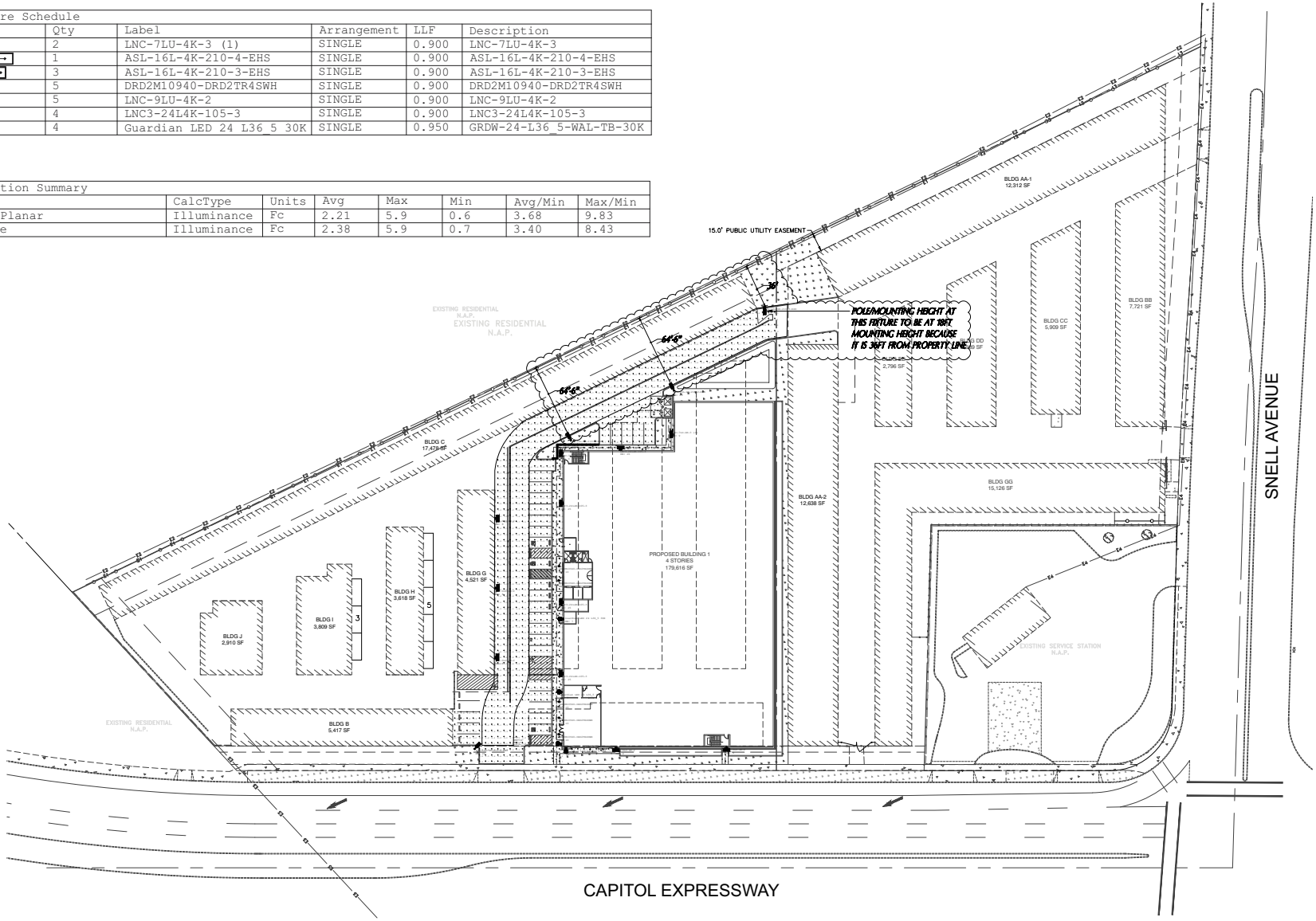

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FIGURE 3.11

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SOURCE: KSP Studio

Public Storage San Jose

Conceptual Photometric Plan

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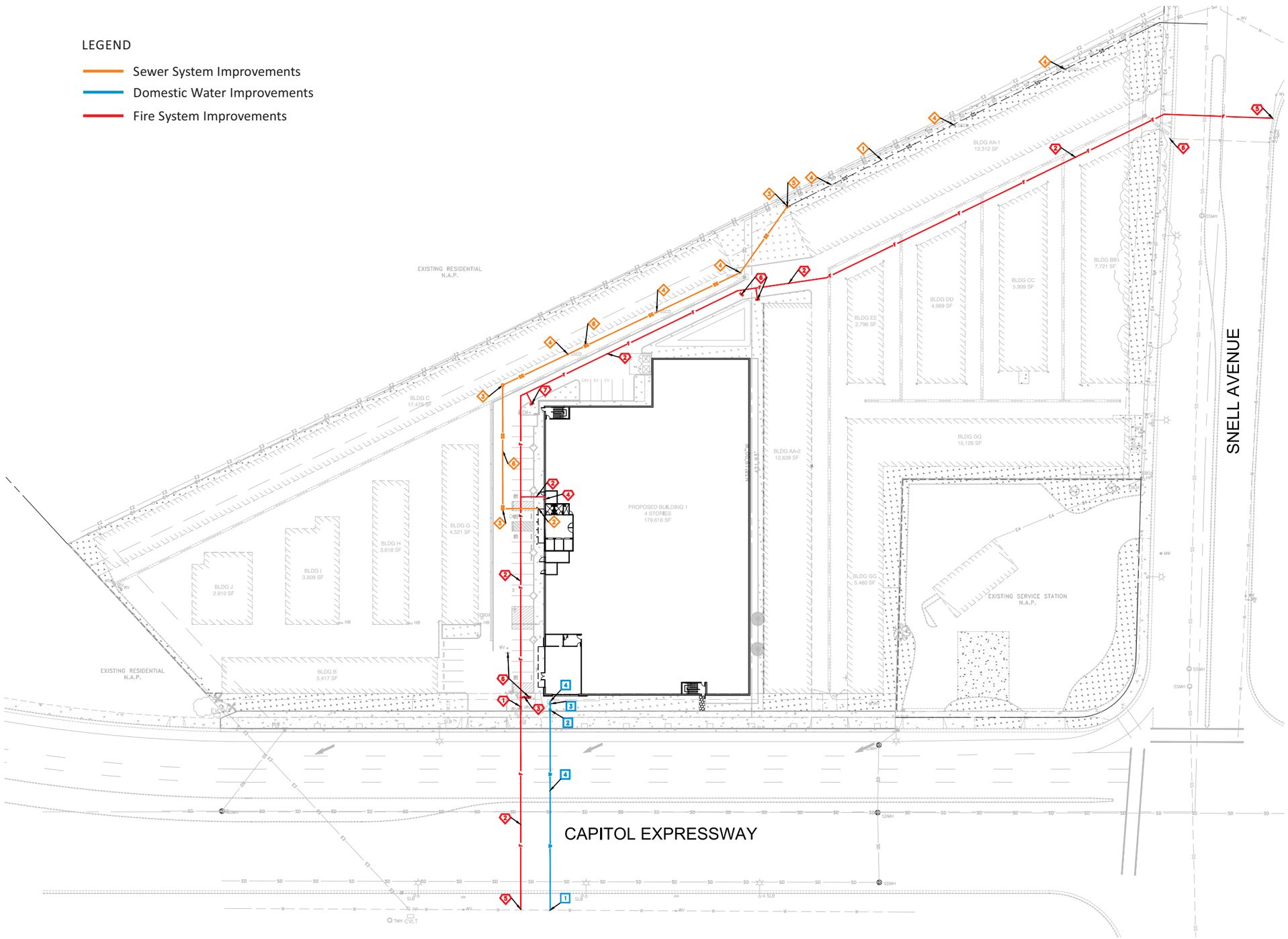
LEGEND

- Sewer System Improvements
- Domestic Water Improvements
- Fire System Improvements



SOURCE: KSP Studio

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SEWER CONSTRUCTION SYMBOLS

1. EXISTING SEWER MAIN TO REMAIN
2. PROPOSED SERVICE LATERAL TO BE STUBBED 5' FROM BUILDING
3. PROPOSED SEWER CLEANOUT
4. EXISTING SEWER CLEANOUT TO REMAIN
5. TIE TO EXISTING SEWER SERVICE
6. PROPOSED SEWER MAIN

WATER CONSTRUCTION SYMBOLS

1. TIE TO EXISTING PUBLIC WATER MAIN
2. PROPOSED DOMESTIC WATER SERVICE AND METER PER CITY STANDARDS
3. PROPOSED BACKFLOW PREVENTION DEVICE
4. PROPOSED WATER LINE TO BE STUBBED 5' FROM BUILDING

FIRE SYSTEM CONSTRUCTION SYMBOLS

1. PROPOSED BACKFLOW PREVENTION DEVICE
2. PROPOSED FIRE SERVICE LINE
3. PROPOSED PIV
4. PROPOSED WALL MOUNTED FDC
5. TIE TO EXISTING WATER MAIN
6. EXISTING FIRE HYDRANT TO BE RELOCATED
7. PROPOSED FIRE HYDRANT

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LSA

FIGURE 3.12

Public Storage San Jose
Conceptual Utility Plan

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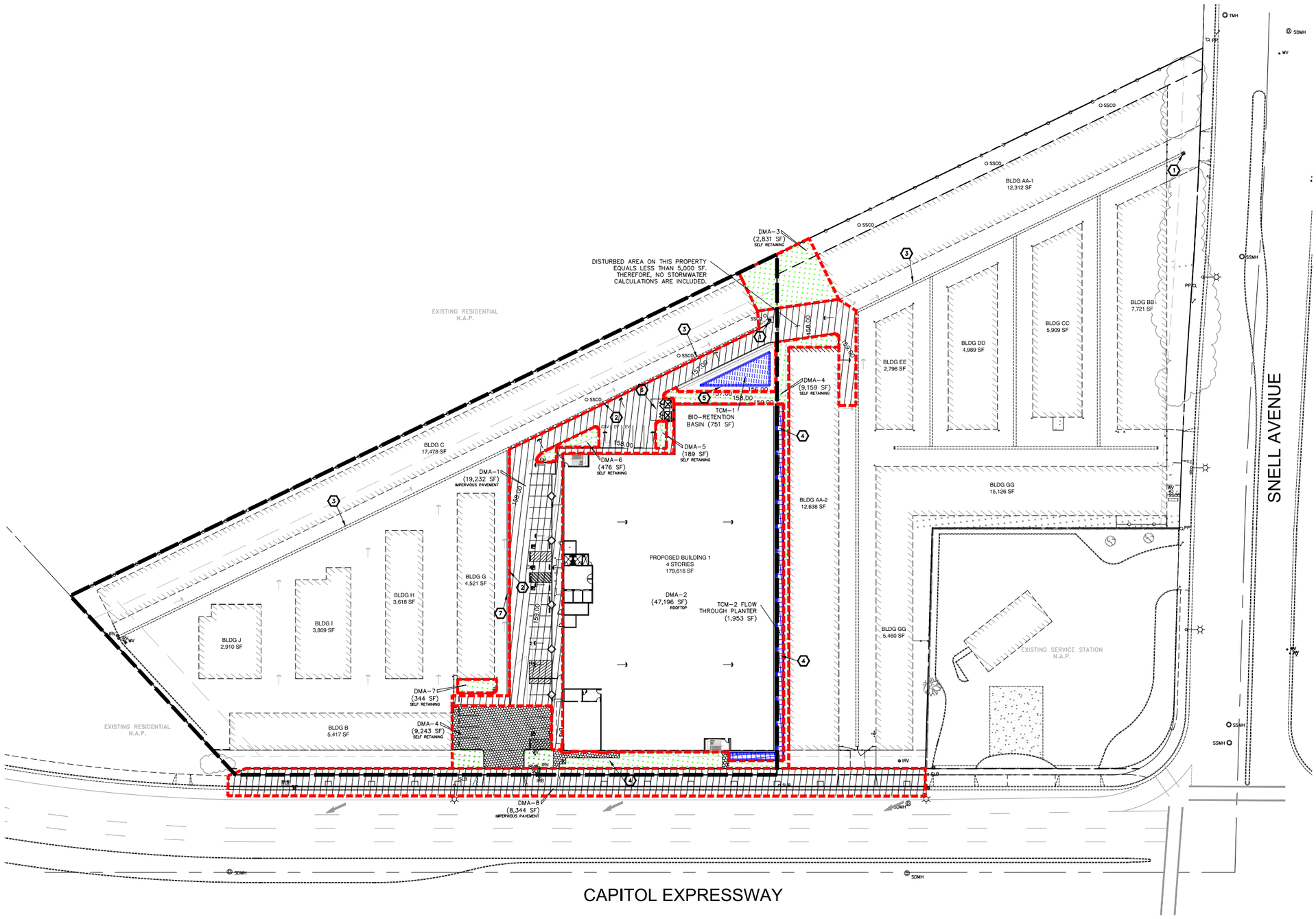

SOURCE: KSP Studio

LEGEND :

- DMA AREA – PAVEMENT (IMPERMEABLE)
- DMA AREA – LANDSCAPE/DIRT (PERMEABLE)
- LID BMP AREA (FLOW–THROUGH PLANTER)
- LID BMP AREA (BIO–RETENTION BASIN)
- PROPOSED PERVIOUS PAVERS
- DMA AREA
- LID BMP
- LIMITS OF HYDROMODIFICATION AREA
- OVERLAND RELEASE PATH

STORMWATER CONSTRUCTION NOTES:

1. EXISTING STORM DRAIN INLET TO REMAIN
2. PROPOSED TRENCH DRAIN
3. EXISTING 2' VALLEY GUTTER TO REMAIN
4. PROPOSED FLOW THRU PLANTER PER DETAIL ON SHEET 5
5. PROPOSED BIO-RETENTION BASIN PER DETAIL ON SHEET 5
6. PROPOSED COVERED TRASH ENCLOSURE
7. PROPOSED 2' VALLEY GUTTER

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FEET

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FIGURE 3.13

Public Storage San Jose
Stormwater Control Plan

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4.0 ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

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

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

The discussion for each environmental subject includes the following subsections:

- Environmental Setting – This subsection (1) provides a brief overview of relevant plans, policies, and regulations that compose the regulatory framework for the project, and (2) describes the existing, physical environmental conditions at the project site and in the surrounding area, as relevant.

- Checklist and Discussion of Impacts – This subsection includes a checklist for determining potential impacts and discusses the project's environmental impact as it relates to the checklist questions. For significant impacts, feasible mitigation measures are identified. "Mitigation measures" are measures that will minimize, avoid, or eliminate a significant impact (*State CEQA Guidelines* Section 15370).

- Conclusion – This subsection provides a summary of the project's impacts on the resource.

Important Note

The California Supreme Court in a December 2015 opinion in *California Building Industry Association v. Bay Area Air Quality Management District,* 62 Cal. 4th 369 (BIA v. BAAQMD) confirmed that CEQA, with several specific exceptions, is concerned with the impacts of a project on the environment, not the effects that the existing environment may have on a project. Therefore, the evaluation of the significance of project impacts under CEQA in the following sections focuses on impacts of the Project on the environment, including whether a project may exacerbate existing environmental hazards.

The City of San José has policies that address existing conditions affecting a proposed project, which are also discussed in this Initial Study. This is consistent with one of the primary objectives of CEQA, which is to provide objective information to decision-makers and the public. The *State CEQA Guidelines* and the courts are clear that a CEQA document can include information of interest even if such information is not an environmental impact as defined by CEQA.

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5.0 EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a Lead Agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the Project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the Project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the Lead Agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The Lead Agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level (mitigation measures from earlier analyses may be cross-referenced, as discussed below).

5. Earlier analyses may be used where, pursuant to the tiering, Program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration (Section 15063 (c)(3)(D)). In this case, a brief discussion should identity the following:

    a. Earlier Analysis Used. Identify and state where they are available for review.

    b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.

    c. Mitigation Measures. For effects that are "Less Than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the Project.

6. Lead Agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously

prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and Lead Agencies are free to use different formats; however, Lead Agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9. The explanation of each issue should identify:

    a. The significance criteria or threshold, if any, used to evaluate each question; and
    b. The mitigation measure identified, if any, to reduce the impact to less than significant.

5.1 AESTHETICS

5.1.1 Environmental Setting

5.1.1.1 Regulatory Framework

Federal and State Regulations

State Scenic Highways Program

The California Department of Transportation's (Caltrans) Landscape Architecture Program administers the Scenic Highway Program contained in the Streets and Highways Code, Sections 260–263. The purpose of the program is to protect and enhance the natural scenic beauty of California highways and adjacent corridors through special classifications. State Highways are classified as either Officially Listed or Eligible. A highway may be designated scenic based on the visibility of the natural landscape to travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view.

According to Caltrans' California Scenic Highway Mapping System, there are no Officially Listed scenic highways in the City.[1]

Local Regulations

Outdoor Lighting Policy

The City of San José's (City) Outdoor Lighting Policy (City Council Policy No. 4-3) promotes energy efficient outdoor lighting on private development. The purpose of the policy is to provide adequate light for nighttime activities while allowing the continued enjoyment of the night sky and continuing operation of the Lick Observatory (located at 7281 Mt. Hamilton Road, Mount Hamilton, CA 95140) by reducing light pollution and sky glow.

City of San José Industrial Design Guidelines

The City's *Industrial Design Guidelines* (August 1992) are intended to assist those involved in the design, construction, review, and approval of industrial development in the City. The guidelines promote design quality and function among industrial projects and provide cohesive information to project developers regarding the City's envisioned site design and architecture. Specifically, Section 10, Warehouse and Self-Serve Storage, includes the following industrial design guidelines that are applicable to the proposed Project:

A. Setbacks: Setbacks should conform to the specific zoning requirements for the site and be compatible with adjacent properties and the general area.

B. Site Organization: Internal landscaping is necessary for major parking lots only. Internal landscaping adjacent to buildings is only necessary along street frontages.

[1] California Department of Transportation. California Scenic Highway Mapping System: Santa Clara County. Website: http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm (accessed January 9, 2019).

All vehicle circulation and maneuvering should occur on-site and not use public streets.

C. **Building Design:** Rectangular shaped buildings are encouraged, with the shorter building side oriented parallel to the street to reduce the view of a long, narrow building.

For self-serve storage uses, buildings should wrap around the front and the sides of the site to create an internal courtyard. Loading/vehicle access doors should face the courtyard and not streets, expressways, or freeways.

Self-serve storage buildings visible from street should be architecturally treated to break up the box-like appearance. Landscaping adjacent to buildings should enhance these visible, but unused, spaces.

D. **Signs:** Attached and detached signs should conform to the requirements of the zoning for the property and be compatible with neighboring properties and the general area.

Envision San José 2040 General Plan

The City's General Plan includes the following goals and policies related to aesthetics that are applicable to the proposed Project:

Policy CD-1.1 Require the highest standards of architectural and site design, and apply strong design controls for all development projects, both public and private, for the enhancement and development of community character and for the proper transition between areas with different types of land uses.

Policy CD-1.8 Create an attractive street presence with pedestrian-scaled building and landscaping elements that provide an engaging, safe, and diverse walking environment. Encourage compact, urban design, including use of smaller building footprints, to promote pedestrian activity throughout the City.

Policy CD-1.17 Minimize the footprint and visibility of parking areas. Where parking areas are necessary, provide aesthetically pleasing and visually interesting parking garages with clearly identified pedestrian entrances and walkways. Encourage designs that encapsulate parking facilities behind active building space or screen parked vehicles from view from the public realm. Ensure that garage lighting does not impact adjacent uses, and to the extent feasible, avoid impacts of headlights on adjacent land uses.

Policy CD-1.23 Further the Community Forest Goals and Policies in this Plan by requiring new development to plant and maintain trees at appropriate locations on private property and along public street frontages. Use trees to help soften the appearance of the built environment, help provide transitions between land uses, and shade pedestrian and bicycle areas.

Policy CD-4.9 For development subject to design review, ensure the design of new or remodeled structures is consistent or complementary with the surrounding neighborhood fabric (including but not limited to prevalent building scale, building materials, and orientation of structures to the street).

5.1.1.2 Existing Conditions

The Project site is occupied by 16 one-story self-storage buildings and associated paved parking areas. The 16 existing buildings total 133,701 sf and are characterized by building façades that are white and orange, consistent with Public Storage brand colors (refer to Figure 3.3, Photographs of the Existing Project Site). Landscaping is provided along the southern and eastern boundaries of the Project site in the form of ornamental vegetation, grass, and several mature trees. The perimeter of the site is secured by a wooden fence along the western boundary; existing buildings, a metal rolling gate, and a wooden gate along the eastern boundary; chain-link fencing along the boundaries adjacent to the gas station; and block walls along the southern boundaries. Additionally, wrought-iron fencing and a gate secure the entrance areas.

Existing light sources in the Project area include wall-mounted security lighting associated with the one-story self-storage uses currently present on the site, and lighting associated with surrounding industrial, commercial, and residential uses. Other sources of light on and adjacent to the Project site include exterior lighting from adjacent properties, streetlights, and vehicle headlights.

Surrounding Area. The Project site is primarily surrounded by residential and industrial uses, with commercial uses also present directly southeast and east of the Project site. The surrounding views comprise a developed suburban environment that is built out.

The buildings surrounding the Project site range from one to three stories in height. Specifically, the commercial uses to the southwest of the Project site are one story, the mobile homes to the north of the Project site are one story, other residential uses to the east, west, and south of the Project site vary in height from two to three stories, and the self-storage facility to the south of the Project site is approximately three stories. The surrounding buildings within the vicinity of the Project site do not represent a particular architectural style or color scheme; buildings surrounding the Project site are primarily residential and industrial.

Scenic Vistas and Resources. According to the City of San José General Plan, scenic resources in the City include views of hills and mountains, baylands, and the urban skyline within the Santa Clara Valley.[1] Distant views of mountains are visible from the Project site and from West Capitol Expressway near the site.

Scenic Corridors. The General Plan designates Scenic Corridors, which are defined as public thoroughfares that provide visual access to these scenic resources in order to preserve views throughout the City. There are three types of Scenic Corridors established in the City's General Plan: (1) Gateways, that are designated locations at which visitors enter the City or a unique neighborhood within the City; (2) Urban Corridors, which include all State and Interstate Highways

[1] City of San José. 2011. Final Program Environmental Impact Report: Envision San José 2040. November 2011.

within the City; and (3) Rural Scenic Corridors, which are routes that primarily travel through surrounding hillsides east and south of the City's center and are generally located outside of the Urban Growth Boundary. There are no Scenic Corridors in the immediate vicinity of the Project site. The nearest Scenic Corridor is designated as a Gateway, located 1.8 miles south of the Project site along Blossom Hill Road.

5.1.2 Checklist and Discussion of Impacts

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

5.1.3 Impact Analysis

a. Would the project have a substantial effect on a scenic vista?

No Impact. California State Government Code Section 65560(b)(3) stipulates that city and county General Plans address "…Open space for outdoor recreation, including but not limited to, areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lakes shores, beaches, and rivers, and streams; and areas that serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors…"

A scenic vista is the view of an area that is visually or aesthetically pleasing from a certain vantage point. It is usually viewed from some distance away. Aesthetic components of a scenic vista include (1) scenic quality, (2) sensitivity level, and (3) view access.[1]

A scenic vista can be impacted in two ways: a development project can have visual impacts by either directly diminishing the scenic quality of the vista or by blocking the "vista" of the scenic resource. Important factors in determining whether a proposed Project would block scenic vistas include the Project's proposed height, mass, and location.

[1] Bureau of Land Management (BLM). 2012. *Visual Resources Management Guide*.

As stated previously, mountains are visible from various vantage points throughout the City, including from areas on and within the vicinity of the Project site. Within the vicinity of the Project site, views of Mount Hamilton are visible from West Capitol Expressway and the Project Site.

The General Plan designates Scenic Corridors, which are defined as public thoroughfares that provide visual access to these scenic resources in order to preserve views throughout the City. As noted previously, the nearest Scenic Corridor is designated as a Gateway, located 1.8 miles south of the Project site along Blossom Hill Road. Refer to Response 4.1.3(b) for additional discussion of scenic corridors.

The proposed Project would be located in a fully urbanized area of the City. The proposed Project includes the demolition of eight existing one-story self-storage buildings and construction of two four-story self-storage buildings. In addition, several existing buildings would be modified or remain in place as part of the Project. The proposed buildings would have a maximum height of 50 feet (ft), which would be substantially taller than the existing one-story self-storage buildings on the site. While the proposed Project would be taller than adjacent structures and may partially obstruct views of surrounding mountains (including Mount Hamilton) from the Project site and surrounding area, the overall views of the mountain and foothills would not be substantially affected by development of the site due to the prominence of the mountain. Therefore, the proposed Project does not have the potential to damage scenic vistas, and no mitigation would be required.

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

No Impact. The nearest State-designated scenic highway to the Project site is Interstate 280 (I-280), which is approximately 6.0 miles northwest of the Project site.[1] Therefore, the proposed Project does not have the potential to damage resources within a State-designated scenic highway.

As discussed in Response 4.1.3(a), the General Plan identifies Scenic Corridors that provide views of scenic resources within and surrounding the City. There are no Scenic Corridors in the immediate vicinity of the Project site. The nearest Scenic Corridor is located 1.8 miles south of the Project site along Blossom Hill Road. No existing scenic rock outcroppings are located within the Project limits. Due to their recent age (39 years; all buildings were constructed in 1980), none of the existing structures on the Project site are eligible for listing as historic resources. Therefore, the proposed Project would not result in a significant impact to scenic resources. No mitigation would be required.

c. In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publically accessible vantage points). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

[1] California Department of Transportation (Caltrans). California Scenic Highway Mapping System. Website: http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/ (accessed July 31, 2018).

Less Than Significant Impact. The Project site is currently developed and is located within a fully urbanized area that is characterized by a variety of residential and industrial uses.

The proposed Project involves the construction of two, four-story (50 ft maximum) self-storage buildings that would total 359,232 sf (net increase in 293,694 sf of building area on the site). The proposed buildings would be screened from residential uses to the west by existing buildings along the site's western boundary and a CMU block wall on the adjacent property. The proposed Project also includes the installation of rolling gates, which would not visually screen the interior of the property. However, industrial uses to the east and south would not be sensitive to this project component due to the presence of similar facilities and uses surrounding the site. In addition, the self-storage units contained in the proposed buildings would be internally accessible, and the architectural finishes on the building facades would be four-sided in order to improve the visual quality of the buildings. Further, existing landscaping along Snell Avenue would remain in place and continue to partially screen the property from adjacent land uses. New ornamental trees and shrubbery along West Capitol Expressway would be installed and ornamental vegetation and trees would also be scattered around the new buildings to further enhance the character of the property and to partially screen views of the on-site parking lot and buildings. Landscaping along Snell Avenue would likely be enhanced during Phase II of the Project and would be visually consistent with the landscape design included as part of Phase I.

The proposed Project would consolidate eight existing one-story self-storage buildings into two taller, four-story self-storage buildings. Due to the increased height, the proposed buildings would be visible from public vantage points on adjacent roadways, including West Capitol Expressway and Snell Avenue, as well as the adjacent residential development to the west of the Project site and other surrounding land uses. As previously stated, the buildings surrounding the Project site range from one to three stories. Although the proposed Project would be larger in size and mass than the majority of the surrounding community, it would be visually consistent with the existing built-out urban environment in the area. The proposed buildings would also be centrally located on the site and would be setback from West Capitol Expressway, Snell Avenue, and neighboring residences. As such, the proposed height of the buildings and massing associated with the proposed Project would not degrade the existing visual quality and character of the surrounding area.

Landscaped setbacks along the eastern and southern boundaries of the Project site consist of grassy lawn, several mature trees, and ornamental vegetation. Existing trees along West Capitol Expressway and Snell Avenue would partially shield the existing and proposed on-site structures from passing vehicles and pedestrians along the adjacent roadways. As part of the Project, landscaping is proposed throughout the on-site parking lots adjacent to the proposed buildings at the interior of the property and along West Capitol Expressway. Therefore, the proposed landscaping would be enhanced within the Project site and along public streets adjacent to the Project site.

Zoning. The proposed Project would be consistent with the City's *Industrial Design Guidelines* (1992) Setbacks would conform to requirements as specified in the Light Industrial (LI) zone, including a minimum 15 ft setback for the new buildings and a minimum 20 ft setback for new parking and circulation. As stated above, landscaping would be provided throughout the on-site parking lots adjacent to the proposed buildings at the interior of the property; existing landscaping is currently

provided along street frontages on West Capitol Expressway and Snell Avenue. Additionally, all vehicle circulation and maneuvering would occur on-site and would not use public streets. The proposed building design features a rectangular shape with the narrow side facing West Capitol Expressway, which helps to minimize the building's mass from the street perspective. Existing buildings wrap around the front and sides of the Project site, and while there is no internal courtyard, the landscaping throughout the parking lots helps to visually break up the building's mass. Further, the proposed buildings would incorporate Contemporary and Modern architectural design styles and would result in a cohesive design throughout the Project site. Moreover, signage would comply with requirements specified in the City's Sign Ordinance (Title 23 of the Municipal Code).

General Plan. According to the City's General Plan, the Project site currently has a General Plan Designation of Combined Industrial/Commercial (CIC). The proposed Project would be consistent with permitted uses in this designation, which allows for the development of a mixture of compatible commercial, office, and industrial uses. The proposed Project would also be consistent with the following goals and policies regulating visual character and urban design in the City:

Policy CD-1.1 Require the highest standards of architectural and site design, and apply strong design controls for all development projects, both public and private, for the enhancement and development of community character and for the proper transition between areas with different types of land uses.

Policy CD-1.8 Create an attractive street presence with pedestrian-scaled building and landscaping elements that provide an engaging, safe, and diverse walking environment. Encourage compact, urban design, including use of smaller building footprints, to promote pedestrian activity throughout the City.

Policy CD-1.17 Minimize the footprint and visibility of parking areas. Where parking areas are necessary, provide aesthetically pleasing and visually interesting parking garages with clearly identified pedestrian entrances and walkways. Encourage designs that encapsulate parking facilities behind active building space or screen parked vehicles from view from the public realm. Ensure that garage lighting does not impact adjacent uses, and to the extent feasible, avoid impacts of headlights on adjacent land uses.

Policy CD-1.23 Further the Community Forest Goals and Policies in this Plan by requiring new development to plant and maintain trees at appropriate locations on private property and along public street frontages. Use trees to help soften the appearance of the built environment, help provide transitions between land uses, and shade pedestrian and bicycle areas.

Policy CD-4.9 For development subject to design review, ensure the design of new or remodeled structures is consistent or complementary with the surrounding neighborhood fabric (including but not limited to prevalent building scale, building materials, and orientation of structures to the street).

The design of the proposed Project would be compatible with the aforementioned zoning regulations and General Plan goals and policies, and would be consistent with the existing style of the surrounding neighborhoods. As part of the Project, landscaping would improve the Project site conditions and enhance views of the site from adjacent properties. The addition of landscaping improvements (including new trees) and the proposed building orientation set back from the street frontages would serve to create an attractive street presence with pedestrian-scaled buildings, and would minimize the visibility of on-site parking areas. The proposed contemporary and modern design of the Project would also be compatible with the industrial, urban style of the neighborhood. Overall, improvements associated with the proposed Project are anticipated to improve the existing visual character of the Project site and would serve to provide increased visual cohesion between the Project site and the surrounding area.

Summary. In summary, the proposed Project would involve the consolidation of eight self-storage buildings into two four-story buildings that would enhance the architectural design of the existing self-storage uses on the Project site. As a result of implementation of the proposed Project, the current visual character of the Project site would be improved. Industrial uses already exist in the vicinity of the Project site. Consequently, the proposed Project would not fundamentally alter the surrounding land use character. The existing buildings in the vicinity of the Project site do not represent a particular architectural style; many of the buildings surrounding the Project site are industrial. The proposed contemporary and modern architecture would be compatible with the industrial, urban style of the neighborhood. In addition, implementation of the Project would modernize and improve the visual quality of the Project site and surrounding area. Although the proposed buildings would be larger in size and mass than the majority of structures in the Project vicinity, the Project would be visually consistent with the existing built-out urban environment in the area. Furthermore, the proposed landscaping would enhance the existing landscaping on the Project site and the surrounding area. Existing landscaping surrounding the Project site would partially screen the Project site from surrounding land uses. Therefore, because the proposed Project is modifying an existing development in an already built-out neighborhood and will be compatible with surrounding development (including residential uses), the proposed Project does not have the potential to conflict with applicable zoning and General Plan regulations governing scenic quality, and no mitigation would be required.

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

Less Than Significant Impact. The impact of nighttime lighting depends upon the type of use affected, the proximity to the affected use, the intensity of specific lighting, and the background or ambient level of the combined nighttime lighting. Nighttime ambient light levels may vary considerably depending on the age, condition, and abundance of point-of-light sources present in a particular view. The use of exterior lighting for security and aesthetic illumination of architectural features may contribute to ambient nighttime lighting conditions.

The spillover of light onto adjacent properties has the potential to interfere with certain activities, including vision, sleep, privacy, and general enjoyment of the natural nighttime condition. Light-sensitive uses include residential, some commercial and institutional uses, and, in some situations, natural areas. Changes in nighttime lighting may become significant if a proposed project

substantially increases ambient lighting conditions beyond its property lines, or if the Project lighting routinely spills over into adjacent light-sensitive land use areas.

Reflective light (glare) is caused by sunlight or artificial light reflecting from finished surfaces (e.g., window glass) or other reflective materials. Glass and other materials can have many different reflectivity characteristics. Buildings constructed of highly reflective materials from which the sun reflects at a low angle commonly cause adverse glare. Reflective light is common in urban areas. Glare generally does not result in the illumination of off-site locations but results in a visible source of light viewable from a distance.

Nighttime illumination impacts are evaluated in terms of the Project's net change in ambient lighting conditions and proximity to light-sensitive land uses (e.g., sensitive receptors). Sensitive receptors subject to potential light and glare impacts in the vicinity of the site include residential uses located directly north of the site.

Construction. Although construction activities would occur primarily during daylight hours, construction activities could extend into the evening hours, as permitted by the City's Municipal Code.[1] Lighting required during the construction period could generate light spillover in the vicinity of the Project site. Any construction-related illumination would be shielded (shielded lighting contains a hood over the light source to direct it and prevent light trespass) to the extent feasible and would consist of the minimum lighting required for safety and security purposes only and would occur only for the duration required for the temporary construction process. By shielding lighting and using the minimum lighting necessary for safety and security purposes, light resulting from construction activities would not spillover onto adjacent properties and would not substantially impact sensitive uses, substantially alter the character of off-site areas surrounding the construction area, or interfere with the performance of an off-site activity. Therefore, construction of the proposed Project would not create a new source of substantial light that would adversely affect day or nighttime views in the area, and light impacts associated with construction would be less than significant. No mitigation would be required.

Operation. The proposed Project would be located within a developed area of the City, which currently emits lighting that is typical for an urban area (i.e., residential and industrial uses).

The proposed Project would include lighting that would be typical of industrial uses consisting of wall-mounted lighting at 7–20 ft, and recessed lighting at 10 ft, and pole-mounted lights ranging from 9–20 ft throughout the on-site parking lot. Consistent with the City's Outdoor Lighting on Private Development Policy 4-3,[2] all outdoor lighting would be directed downward and shielded to minimize off-site spill, and the location of all exterior lighting would comply with lighting standards for industrial zoning districts established in Section 20.50.250 of the City's Municipal Code.

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1 City of San José Municipal Code, Section 20.200.450, Hours of construction within 500 ft of a residential unit, allows for construction between the hours of 7:00 a.m. and 7:00 p.m. on a site located within 500 ft of a residential unit.

2 City of San José. Outdoor Lighting on Private Developments. Adopted in March 1983, revised in June 2000. Resolution No. 56286. Website: http://www.sanjoseca.gov/DocumentCenter/Home/View/3865 (accessed July 17, 2019).

Daytime glare can result from natural sunlight reflecting from a shiny surface that would interfere with the performance of an off-site activity, such as the operation of a motor vehicle. Reflective surfaces can be associated with window glass and polished surfaces. The finished facades of the proposed Project's buildings would primarily consist of concrete block and stucco with low reflectivity. The Project would also install low-reflective glass in the proposed Project's windows. Therefore, impacts related to daytime glare would not occur.

Nighttime glare sources from the proposed Project could include parking lot lighting and vehicle headlights. The nighttime glare produced by the exterior lighting and vehicular headlights would be similar to the existing nighttime glare produced by the surrounding industrial and commercial uses and would not be considered substantial or capable of affecting nighttime views. Nighttime glare would also be shielded by the presence of mature trees and landscaping along the site boundaries and within the interior portions of the Project site. Adjacent residential uses would continue to be separated from the Project site by the existing one-story buildings, which will remain in place upon Project implementation.

5.1.4 Conclusion

Less Than Significant Impact. Conformance with existing General Plan policies, City design guidelines, and City Council policies would ensure that the proposed Project would not result in significant adverse visual or aesthetic impacts. No mitigation would be required.

5.2 AGRICULTURAL RESOURCES

5.2.1 Environmental Setting

5.2.1.1 Regulatory Framework

Federal and State Regulations

California Department of Conservation Farmland Mapping and Monitoring Program

The California Department of Conservation (DOC) manages the Farmland Mapping and Monitoring Program to assess the location, quality, and quantity of agricultural lands and conversion of these lands over time. In each county, the land is analyzed for soil and irrigation quality, and the highest quality land is designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Based on the results of these analyses, the DOC issues maps every two years with the use of a computer mapping system, aerial imagery, public review, and field reconnaissance.

Williamson Act

The Williamson Act, also known as the California Land Conservation Act of 1965, enables local governments and private landowners to enter into contracts that restrict specific parcels of land to agricultural or related open space use. As a result, landowners receive reduced property tax assessments because they are based upon farming and open space uses rather than market value.

Local Regulations

Envision San José 2040 General Plan

The Envision San José 2040 General Plan includes policies applicable to all development projects in San José, including policies specific to agricultural resources. However, due to the nature of the existing site as a developed light industrial use, existing policies aimed at preserving agricultural uses in the City are not applicable to the proposed Project.

5.2.1.2 Existing Conditions

The Project site, which is located in an urbanized portion of the City, is currently developed with self-storage uses and is not currently used for agricultural uses. The Project site is classified as Light Industrial on the City's Zoning Map and designated as Combined Industrial/Commercial (CIC) on the City's General Plan Land Use Map, neither of which allow for agricultural uses. No forest land or timberland, as defined in Public Resources Code (PRC) Section 12220(g), is located on or near the Project site. Land uses surrounding the Project site include residential and industrial uses, with commercial uses also present directly southeast and east of the site.

5.2.2 Checklist and Discussion of Impacts

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California DOC as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California

Department of Forestry and Fire Protection regarding the State's inventory of forest land, including the Forest and Range Assessment Project and the carbon measurement methodology provided in the Forest Protocols adopted by the California Air Resources Board (CARB).

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	☒
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code [PRC] Section 12220(g)), timberland (as defined by PRC Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	☐	☐	☐	☒
d. Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	☐	☐	☐	☒

5.2.3 Impact Analysis

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

No Impact. The Project site is not used for agricultural production and is not designated Prime Farmland, Unique Farmland, or Farmland of Statewide Importance on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency.[1] The surrounding area is characterized by industrial, commercial, and residential uses. Furthermore, the Project site is categorized as Urban and Built-Up Land by the Farmland Mapping and Monitoring Program, which is defined as land that is occupied by structures with a building density of at least one unit to 1.5 acres, or approximately six structures to a 10-acre parcel. Examples of Urban and Built-Up Land include residential, industrial, commercial, institutional facilities, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, and water control structures.[2] Therefore, the proposed Project would not convert Prime Farmland, Unique Farmland, Farmland of Statewide Importance, or any other type of farmland to non-agricultural uses. No impacts to Prime Farmland, Unique Farmland, or Farmland of Statewide Importance would occur, and no mitigation would be required.

[1] California Department of Conservation (DOC). California Farmland Conservancy. California Important Farmland Finder. Website: https://maps.conservation.ca.gov/dlrp/ciff/ (accessed July 9, 2018).

[2] Ibid.

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

No Impact. The Project site is classified as Light Industrial on the City's Zoning Map, which does not allow for agricultural uses. The Project site is not currently used for agricultural purposes, not zoned for agricultural uses, and is not protected by, or eligible for, a Williamson Act contract. Therefore, the proposed Project would not conflict with existing zoning or Williamson Act contracts. No impacts would occur, and no mitigation would be required.

c. Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code [PRC] Section 12220(g)), timberland (as defined by PRC Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?

No Impact. The Project site is zoned Light Industrial. The Project site is currently developed with self-storage uses. Neither the Project site nor the surrounding area is zoned as forest land, timberland, or timberland production. No impacts would occur, and no mitigation would be required.

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

No Impact. The Project site is located in an area of the City that is characterized by an urban setting. No forest or timberland exists on the Project site or in the surrounding area. Therefore, the proposed Project would not result in the loss of forest land or the conversion of forest land to non-forest use. No impacts would occur, and no mitigation would be required.

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

No Impact. The Project site is currently developed with self-storage uses, which are permitted under the Light Industrial zoning classification on the site. The proposed Project would not result in the conversion of farmland on or off the Project site to non-agricultural uses because there are no agricultural uses on or in the immediate vicinity of the Project site. Likewise, the proposed Project would not result in impacts related to changes in the existing environment that could result in the conversion of agricultural land to non-agricultural uses. No impacts would occur, and no mitigation would be required.

5.2.4 Conclusion

No Impact. The proposed Project would have no impact on agricultural land, agricultural activities, or forestry resources. No mitigation would be required.

5.3 AIR QUALITY

This section is based in part on the *Air Quality and Greenhouse Gas Analysis – San José Public Storage Project* (Air Quality and Greenhouse Gas Analysis) completed by LSA (August 2019) and the California Emissions Estimator Model (CalEEMod) results for proposed and existing site uses. The Air Quality and Greenhouse Gas Analysis and the CalEEMod results are provided in Appendix A of this IS/MND.

5.3.1 Environmental Setting

5.3.1.1 Regulatory Framework

Federal and State Regulations

United States Environmental Protection Agency and the Federal Clean Air Act

The United States Environmental Protection Agency (USEPA) implements national air quality programs at the federal level. USEPA air quality mandates are drawn primarily from the Federal Clean Air Act (FCAA), which was enacted in 1963. The FCAA was amended in 1970, 1977, and 1990.

California Air Resources Board and the California Clean Air Act

The California Air Resources Board (CARB) is the agency responsible for the coordination and oversight of State and local air pollution control programs in California and for implementing the California Clean Air Act (CCAA), adopted in 1988. The CCAA requires that all air districts in the State achieve and maintain the California Ambient Air Quality Standards (CAAQS) by the earliest practical date. The CCAA specifies that districts should focus on reducing the emissions from transportation and air-wide emission sources, and provides districts with the authority to regulate indirect sources.

Other CARB duties include monitoring air quality, establishing CAAQS, determining and updating area designations and maps, and setting emissions standards for mobile sources, consumer products, small utility engines, and off-road vehicles. CARB's Diesel Risk Reduction Plan[1] is intended to substantially reduce diesel particulate matter emissions and associated health risks through introduction of ultra-low-sulfur diesel fuel – a step already implemented – and cleaner-burning diesel engines.

Because of the robust evidence relating proximity to roadways and a range of non-cancer and cancer health effects, CARB also created guidance for avoiding air quality conflicts in land use planning in its *Air Quality and Land Use Handbook: A Community Health Perspective* (2005).[2] In its guidance, CARB advises that new sensitive uses (e.g., residences, schools, day care centers, playgrounds, and hospitals) not be located within 500 feet of a freeway or urban roads carrying

[1] California Air Resources Board (CARB). 2000. *Risk Reduction Plan to Reduce Particulate Matter Emissions from Diesel-Fueled Engines and Vehicles.* Prepared by the Stationary Source Division and Mobile Source Control Division. October. Website: www.arb.ca.gov/diesel/documents/rrpFinal.pdf (accessed January 2019).

[2] California Environmental Protection Agency and California Air Resources Board. 2005. *Air Quality and Land Use Handbook: A Community Health Perspective*. April. Website: www.arb.ca.gov/ch/handbook.pdf (accessed January 2019).

100,000 vehicles per day, or within 1,000 feet of a distribution center (warehouse) that accommodates more than 100 trucks or more than 90 refrigerator trucks per day. The Air Quality and Land Use Handbook specifically states that these recommendations are advisory and acknowledges that land use agencies must balance other considerations, including housing and transportation needs, economic development priorities, and other quality of life issues.

Bay Area Air Quality Management District Regulations

The Bay Area Air Quality Management District (BAAQMD) seeks to attain and maintain air quality conditions in the San Francisco Bay Area Air Basin through a comprehensive program of planning, regulation, enforcement, technical innovation, and education. The clean air strategy includes the preparation of plans for the attainment of ambient air quality standards, adoption and enforcement of rules and regulations, and issuance of permits for stationary sources. The BAAQMD also inspects stationary sources and responds to citizen complaints, monitors ambient air quality and meteorological conditions, and implements programs and regulations required by law.

For commercial and industrial sources, the BAAQMD regulates TACs using a risk-based approach. This approach uses a health risk assessment (HRA) to determine what sources and pollutants to control as well as the degree of control. An HRA is an analysis in which human health exposure to toxic substances is estimated and considered together with information regarding the toxic potency of the substances, in order to provide a quantitative estimate of health risks.[1] As part of ongoing efforts to identify and assess potential health risks to the public, the BAAQMD has collected and compiled air toxics emissions data from industrial and commercial sources of air pollution throughout the Bay Area. The BAAQMD has identified seven impacted communities; portions of Santa Clara County have been identified as an affected community. The Project site is also within an area of the County that has been identified as an affected community.

BAAQMD CEQA Air Quality Guidelines.

The BAAQMD CEQA Air Quality Guidelines provide recommended procedures for evaluating potential air impacts during the environmental review process, consistent with CEQA requirements, and include recommended thresholds of significance, mitigation measures, and background air quality information. They also include recommended assessment methodologies for air toxics, odors, and greenhouse gas (GHG) emissions.

In June 2010, BAAQMD adopted updated draft *CEQA Air Quality Guidelines* and finalized them in May 2011. In May 2017, the BAAQMD published an updated version of the *CEQA Air Quality Guidelines*. The 2017 *CEQA Air Quality Guidelines* include thresholds to evaluate project impacts in order to protectively evaluate the potential effects of the Project on air quality. These protective thresholds are appropriate in the context of the size, scale, and location of the proposed Project.

[1] In general, a health risk assessment is required if the BAAQMD concludes that projected emissions of a specific air toxic compound from a proposed new or modified source suggests a potential public health risk. Such an assessment generally evaluates chronic, long-term effects, including the increased risk of cancer as a result of exposure to one or more TACs.

Clean Air Plan

Regional air quality management districts, such as the BAAQMD must prepare air quality plans specifying how State air quality standards would be met. BAAQMD's most recently adopted plan is the Bay Area 2017 Clean Air Plan (2017 CAP). The 2017 CAP defines an integrated, multi-pollutant control strategy to reduce emissions of particulate matter, TACs, ozone (O_3) precursors, and greenhouse gases (GHGs). The proposed control strategy is designed to complement State, regional, and local efforts to improve air quality and protect the climate. The control strategy encompasses 85 individual control measures that describe specific actions to reduce emissions of air and climate pollutants from the full range of emission sources and is based on the following four key priorities:

- Reduce emissions of criteria air pollutants and TACs from all key sources;
- Reduce emissions of "super-GHGs" such as methane, black carbon, and fluorinated gases;
- Decrease demand for fossil fuels (gasoline, diesel, and natural gas); and
- Decarbonize our energy system.

Envision San José 2040 General Plan

The Measurable Environmental Sustainability (MS) section of City's General Plan includes the following goals and policies related to air quality that are applicable to the proposed Project:

Policy MS-10.1 Assess projected air emissions from new development in conformance with the Bay Area Air Quality Management District (BAAQMD) CEQA Guidelines and relative to State and federal standards. Identify and implement feasible air emission reduction measures.

Policy MS-10.2 Consider the cumulative air quality impacts from proposed developments for proposed land use designation changes and new development, consistent with the region's Clean Air Plan and State law.

Policy MS-10.4 Encourage effective regulation of mobile and stationary sources of air pollution, both inside and outside of San José. In particular, support federal and State regulations to improve automobile emission controls.

Policy MS-10.7 Encourage regional and statewide air pollutant emission reduction through energy conservation to improve air quality.

Policy MS-11.5 Encourage the use of pollution absorbing trees and vegetation in buffer areas between substantial sources of TACs and sensitive land uses.

Policy MS-13.1 Include dust, particulate matter, and construction equipment exhaust control measures as conditions of approval for subdivision maps, site development and planned development permits, grading permits, and demolition permits. At minimum, conditions shall conform to construction mitigation measures recommended in the current BAAQMD CEQA Guidelines for the relevant project size and type.

City of San José Grading Ordinance. Chapter 17.04.280 of the Municipal Code requires that all earth-moving activities control fugitive dust through steps such as regular watering of the ground surface, cleaning of nearby streets, and planting any areas left vacant for extensive periods of time.

5.3.1.2 Existing Conditions

Regional and Local Criteria Pollutants. Major criteria pollutants, listed in "criteria" documents by the USEPA and CARB include ozone, carbon monoxide, nitrogen dioxide, sulfur dioxide, and suspended particulate matter (PM). These pollutants can have health effects such as respiratory impairment and heart/lung disease symptoms. The Project is located in the northern portion of Santa Clara County, which is in the San Francisco Bay Area Air Basin. Based on the California standards, the Bay Area meets all ambient air quality standards with the exception of ground-level ozone, respirable particulate matter (PM_{10}), and fine particulate matter ($PM_{2.5}$); which are described further below.

High ozone levels are caused by the cumulative emissions of reactive organic gases (ROG) and nitrogen oxides (NO_x). These precursor pollutants react under certain meteorological conditions to form high ozone levels. Controlling the emissions of these precursor pollutants is the focus of the Bay Area's attempts to reduce ozone levels. The highest ozone levels in the Bay Area occur in the eastern and southern inland valleys that are downwind of air pollutant sources. High ozone levels aggravate respiratory and cardiovascular diseases, reduce lung function, and increase coughing and chest discomfort.

Particulate matter is a pollutant that exceeds State air quality standards in the Bay Area. Particulate matter is assessed and measured in terms of respirable particulate matter or particles that have a diameter of 10 micrometers or less (PM_{10}) and fine particulate matter where particles have a diameter of 2.5 micrometers or less ($PM_{2.5}$). Elevated concentrations of PM_{10} and $PM_{2.5}$ are the result of both region-wide (or cumulative) emissions and localized emissions. High particulate matter levels aggravate respiratory and cardiovascular diseases, reduce lung function, increase mortality (e.g., lung cancer), and result in reduced lung function growth in children.

Regional and Local Air Quality. The City of San José is located in the southern part of the San Francisco Bay Area Air Basin, a large shallow air basin ringed by hills that taper into a number of sheltered valleys around the perimeter. Two primary atmospheric outlets exist. One is through the strait known as the Golden Gate, a direct outlet to the Pacific Ocean. The second extends to the northeast, along the west delta region of the Sacramento and San Joaquin Rivers.

The City of San José is within the jurisdiction of the BAAQMD, which regulates air quality in the San Francisco Bay Area. Air quality conditions in the San Francisco Bay Area have improved significantly since the BAAQMD was created in 1955. Ambient concentrations of air pollutants and the number of days during which the region exceeds air quality standards have fallen dramatically. The San Francisco Bay Area attainment status is shown in Table 5.3.A, below. Neither State nor national ambient air quality standards of these chemicals have been violated in recent decades: nitrogen dioxide, sulfur dioxide, sulfates, lead, hydrogen sulfide, and vinyl chloride. Those exceedances of air quality standards that do occur primarily happen during meteorological conditions conducive to high pollution levels, such as cold, windless nights or hot, sunny summer afternoons.

Table 5.3.A: San Francisco Bay Area Basin Attainment Status

	Averaging Time	California Standards [a]		National Standards [b]	
		Concentration	Attainment Status	Concentration [c]	Attainment Status
Ozone (O_3)	8-Hour	0.070 ppm (137 µg/m^3)	Nonattainment [l]	0.070 ppm	Nonattainment [d]
	1-Hour	0.09 ppm (180 µg/m^3)	Nonattainment	Not Applicable	[e]
Carbon Monoxide (CO)	8-Hour	9.0 ppm (10 mg/m^3)	Attainment	9 ppm (10 mg/m^3)	Attainment [f]
	1-Hour	20 ppm (23 mg/m^3)	Attainment	35 ppm (40 mg/m^3)	Attainment
Nitrogen Dioxide (NO_2)	1-Hour	0.18 ppm (339 µg/m^3)	Attainment	0.100 ppm [k]	[k]
	Annual Arithmetic Mean	0.030 ppm (57 µg/m^3)	Not Applicable	0.053 ppm (100 µg/m^3)	Attainment
Sulfur Dioxide (SO_2) l	24-Hour	0.04 ppm (105 µg/m^3)	Attainment	0.14 ppm (365 µg/m^3)	Unclassified/ Attainment l
	1-Hour	0.25 ppm (655 µg/m^3)	Attainment	0.075 ppm (196 µg/m^3)	Unclassified/ Attainment [l]
	Annual Arithmetic Mean	Not Applicable	Not Applicable	0.030 ppm (80 µg/m^3)	Unclassified/ Attainment [l]
Particulate Matter (PM_{10})	Annual Arithmetic Mean	20 µg/m^3	Nonattainment [g]	Not Applicable	Not Applicable
	24-Hour	50 µg/m^3	Nonattainment	150 µg/m^3	Unclassified
Fine Particulate Matter ($PM_{2.5}$)	Annual Arithmetic Mean	12 µg/m^3	Nonattainment [g]	15 µg/m^3 [o]	Unclassified/ Attainment
	24-Hour	Not Applicable	Not Applicable	35 µg/m^3 [j]	Nonattainment
Sulfates	24-Hour	25 µg/m^3	Attainment	Not Applicable	Not Applicable
Lead (Pb) [m]	30-Day Average	1.5 µg/m^3	Not Applicable	Not Applicable	Attainment
	Calendar Quarter	Not Applicable	Not Applicable	1.5 µg/m^3	Attainment
	Rolling 3-Month Average n	Not Applicable	Not Applicable	0.15 µg/m^3	[n]
Hydrogen Sulfide	1-Hour	0.010 ppm (26 µg/m^3)	Unclassified	Not Applicable	Not Applicable
Vinyl Chloride (chloroethene)	24-Hour	0.010 ppm (26 µg/m^3)	No Information Available	Not Applicable	Not Applicable
Visibility Reducing Particles	8-Hour (10:00 to 18:00 PST)	[h]	Unclassified	Not Applicable	Not Applicable

Source: Bay Area Air Quality Management District (BAAQMD), Bay Area Attainment Status (2017).

Table notes are provided on the following page.

[a] California standards for ozone, carbon monoxide (except Lake Tahoe), sulfur dioxide (1-hour and 24-hour), nitrogen dioxide, suspended particulate matter - PM_{10}, and visibility reducing particles are values that are not to be exceeded. The standards for sulfates, Lake Tahoe carbon monoxide, lead, hydrogen sulfide, and vinyl chloride are not to be equaled or exceeded. If the standard is for a 1-hour, 8-hour or 24-hour average (i.e., all standards except for lead and the PM_{10} annual standard), then some measurements may be excluded. In particular, measurements are excluded that CARB determines would occur less than once per year on the average. The Lake Tahoe CO standard is 6.0 ppm, a level one-half the national standard and two-thirds the State standard.

[b] National standards shown are the "primary standards" designed to protect public health. National standards other than for ozone, particulates and those based on annual averages are not to be exceeded more than once a year. The 1-hour ozone standard is attained if, during the most recent 3-year period, the average number of days per year with maximum hourly concentrations above the standard is equal to or less than 1. The 8-hour ozone standard is attained when the 3-year average of the 4th-highest daily concentrations is 0.070 ppm (70 ppb) or less. The 24-hour PM_{10} standard is attained when the 3-year average of the 99th percentile of monitored concentrations is less than 150 $\mu g/m^3$. The 24-hour $PM_{2.5}$ standard is attained when the 3-year average of 98th percentiles is less than 35 $\mu g/m^3$.

Except for the national particulate standards, annual standards are met if the annual average falls below the standard at every site. The national annual particulate standard for PM_{10} is met if the 3-year average falls below the standard at every site. The annual $PM_{2.5}$ standard is met if the 3-year average of annual averages spatially averaged across officially designed clusters of sites falls below the standard.

[c] National air quality standards are set by the USEPA at levels determined to be protective of public health with an adequate margin of safety.

[d] On October 1, 2015, the national 8-hour ozone primary and secondary standards were lowered from 0.075 to 0.070 ppm. An area will meet the standard if the 4th-highest maximum daily 8-hour ozone concentration per year, averaged over 3 years, is equal to or less than 0.070 ppm. The USEPA will make recommendations on attainment designations by October 1, 2016, and issue final designations October 1, 2017. Nonattainment areas will have until 2020 to late 2037 to meet the health standard, with attainment dates varying based on the ozone level in the area.

[e] The national 1-hour ozone standard was revoked by USEPA on June 15, 2005.

[f] In April 1998, the Bay Area was redesignated to attainment for the national 8-hour carbon monoxide standard.

[g] In June 2002, CARB established new annual standards for $PM_{2.5}$ and PM_{10}.

[h] Statewide VRP Standard (except Lake Tahoe Air Basin): Particles in sufficient amount to produce an extinction coefficient of 0.23 per kilometer when the relative humidity is less than 70 percent. This standard is intended to limit the frequency and severity of visibility impairment due to regional haze and is equivalent to a 10-mile nominal visual range.

[i] The State 8-hour ozone standard was approved by CARB on April 28, 2005, and became effective on May 17, 2006.

[j] On January 9, 2013, USEPA issued a final rule to determine that the Bay Area attains the 24-hour PM2.5 national standard. This USEPA rule suspends key SIP requirements as long as monitoring data continue to show that the Bay Area attains the standard. Despite this USEPA action, the Bay Area will continue to be designated as “non-attainment” for the national 24-hour $PM_{2.5}$ standard until such time as the Air District submits a “redesignation request” and a “maintenance plan” to the USEPA, and the USEPA approves the proposed redesignation.

[k] To attain this standard, the 3-year average of the 98th percentile of the daily maximum 1-hour average at each monitor within an area must not exceed 0.100 ppm (effective January 22, 2010). The USEPA was expected to make a designation for the Bay Area by the end of 2017, but has yet to issue a designation.

[l] On June 2, 2010, the USEPA established a new 1-hour SO2 standard, effective August 23, 2010, which is based on the 3-year average of the annual 99th percentile of 1-hour daily maximum concentrations. The USEPA has initially designated the entire State as Unclassified/ Attainment for the new 1-hour SO_2 NAAQS.

[m] CARB has identified lead and vinyl chloride as ‘toxic air contaminants’ with no threshold level of exposure below which there are no adverse health effects determined.

[n] National lead standard, rolling 3-month average: final rule signed October 15, 2008. Final designations became effective on December 31, 2011.

[o] In December 2012, USEPA strengthened the annual $PM_{2.5}$ National Ambient Air Quality Standards (NAAQS) from 15.0 to 12.0 micrograms per cubic meter ($\mu g/m^3$). In December 2014, USEPA issued final area designations for the 2012 primary annual $PM_{2.5}$ NAAQS. Areas designated “unclassifiable/attainment” must continue to take steps to prevent their air quality from deteriorating to unhealthy levels. The effective date of this standard is April 15, 2015.

$\mu g/m^3$ = micrograms per cubic meter
CARB = California Air Resources Board
ppm = parts per million
mg/m^3 = milligrams per cubic meter
SIP = State Implementation Plan
USEPA = United States Environmental Protection Agency

Ozone levels, measured by peak concentrations and the number of days over the State 1-hour standard, have declined substantially as a result of aggressive programs by the BAAQMD and other regional, State, and federal agencies. The reduction of peak concentrations represents progress in improving public health; however, the Bay Area still exceeds the State standard for 1-hour ozone as well as the State and federal 8-hour standards. Levels of particulate matter less than 10 microns in size (PM_{10}) have exceeded State standards two of the last three years, and the area is considered a nonattainment area for this pollutant relative to the State standards. The San Francisco Bay Area is an unclassified area for the federal PM_{10} standard.

No exceedances of the State or federal CO standards have been recorded at any of the region's monitoring stations since 1991. The San Francisco Bay Area is currently considered a maintenance area for State and federal CO standards.

As shown in Table 5.3.A, the San Francisco Bay Area meets all State and federal attainment standards with the exception of ozone, PM_{10} and $PM_{2.5}$.

Local Climate and Air Quality. The City of San José is located within Santa Clara County. In Santa Clara County, during the summer, mostly clear skies result in warm daytime temperatures and cool nights. Winter temperatures are mild, except for very cool but generally frost-less mornings. Further inland where the moderating effect of the bay is not as strong, temperature extremes are greater. Wind patterns are influenced by local terrain, with a northwesterly sea breeze typically developing during the daytime. Winds are usually stronger in the spring and summer. Rainfall amounts are modest, ranging from 13 inches in the lowlands to 20 inches in the hills.

Most of Santa Clara County is well south of the cooler waters of the San Francisco Bay and far from the cooler marine air, which usually reaches across San Mateo County in summer. Ozone frequently forms on hot summer days when the prevailing seasonal northerly winds carry ozone precursors southward across the County, causing health standards to be exceeded. Santa Clara County experiences many exceedances of the particulate matter less than 2.5 microns in size ($PM_{2.5}$) standard each winter. This is due to its high population density, wood smoke, industrial and freeway traffic, and poor wintertime air circulation caused by extensive hills to the east and west that block wind flow into the region.[1]

Sensitive Receptors. Occupants of facilities such as schools, daycare centers, parks and playgrounds, hospitals, and nursing and convalescent homes are considered to be more sensitive than the general public to air pollutants because these population groups have increased susceptibility to respiratory disease. Exposure from diesel exhaust associated with construction activity contributes to both cancer and chronic non-cancer health risks. Persons engaged in strenuous work or exercise also have increased sensitivity to poor air quality. Residential areas are considered more sensitive to air quality conditions, compared to commercial and industrial areas, because people generally spend longer periods of time at their residences, with greater associated exposure to ambient air quality conditions. Recreational uses are also considered sensitive compared to commercial and industrial uses due to greater exposure to ambient air quality conditions associated with exercise.

[1] BAAQMD. 2019. *Climate and Air Quality in Santa Clara County*. February.

The closest sensitive receptors to the Project site include the mobile home park located adjacent to the northern boundary of the site and a condominium complex located adjacent to the western boundary of the site.

Toxic Air Contaminants. In addition to the criteria pollutants discussed above, TACs are another group of pollutants of concern. Some examples of TACs include: benzene, butadiene, formaldehyde, and hydrogen sulfide. Potential human health effects of TACs include birth defects, neurological damage, cancer, and death.

TACs do not have ambient air quality standards, but are regulated by the USEPA and CARB. In 1998, CARB identified particulate matter from diesel-fueled engines as a toxic air contaminant. CARB has completed a risk management process that identified potential cancer risks for a range of activities and land uses that are characterized by use of diesel fueled engines.[1] High volume freeways, stationary diesel engines, and facilities attracting heavy and constant diesel vehicle traffic (distribution centers, truck stops, etc.) were identified as posing the highest risk to adjacent receptors. Other facilities associated with increased risk include warehouse distribution centers, large retail or industrial facilities, high volume transit centers, and schools with a high volume of bus traffic. Health risks from TACs are a function of both concentration and duration of exposure.

The BAAQMD regulates TACs using a risk-based approach. This approach uses a health risk assessment to determine what sources and pollutants to control as well as the degree of control. A health risk assessment is an analysis in which human health exposure to toxic substances is estimated, and considered together with information regarding the toxic potency of the substances, in order to provide a quantitative estimate of health risks.[2] As part of ongoing efforts to identify and assess potential health risks to the public, the BAAQMD has collected and compiled air toxics emissions data from industrial and commercial sources of air pollution throughout the Bay Area. Monitoring data and emissions inventories of TACs help the BAAQMD determine health risk to Bay Area residents.

Odors. Odors are also an important element of local air quality conditions. Specific activities can raise concerns related to odors on the part of nearby neighbors. Major sources of odors include restaurants and manufacturing plants. Other odor producers include the industrial facilities within the region. While sources that generate objectionable odors must comply with air quality regulations, the public's sensitivity to locally produced odors often exceeds regulatory thresholds.

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1 California Air Resources Board (CARB). 2000. *Fact Sheet – California's Plan to Reduce Diesel Particulate Matter Emissions*. October. Website: www.arb.ca.gov/diesel/factsheets/rrpfactsheet.pdf (accessed February 2019).

2 In general, a health risk assessment is required if the BAAQMD concludes that projected emissions of a specific air toxic compound from a proposed new or modified source suggests a potential public health risk. Such an assessment generally evaluates chronic, long-term effects, including the increased risk of cancer as a result of exposure to one or more TACs.

5.3.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☒	☐
b. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☐	☐	☒	☐
c. Expose sensitive receptors to substantial pollutant concentrations?	☐	☒	☐	☐
d. Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☒	☐

5.3.3 Impact Analysis

a. Conflict with or obstruct implementation of the applicable air quality plan?

Less Than Significant Impact. The Project site is located within the City of San José, which is part of the San Francisco Bay Area Air Basin (Basin). The Air Basin includes cities and communities within Sonoma, Marin, San Francisco, San Mateo, Santa Clara, Napa, Solano, Contra Costa, and Alameda counties. Air quality within the Basin is under the jurisdiction of the BAAQMD.

The BAAQMD adopted the BAAQMD 2017 Clean Air Plan (Clean Air Plan) on April 19, 2017. The primary purpose of the Clean Air Plan is to improve Bay Area air quality and protect public health. The Clean Air Plan defines control strategies to reduce emissions and ambient concentrations of air pollutants; and safeguards public health by reducing exposure to air pollutants that pose the greatest heath risk, with an emphasis on protecting the communities most heavily affected by air pollution.

Consistency with the Clean Air Plan can be determined if a project: (1) supports the goals of the Clean Air Plan; (2) includes applicable control measures from the Clean Air Plan; and (3) would not disrupt or hinder implementation of any control measures from the Clean Air Plan.

Clean Air Plan Goals. The primary goals of the Bay Area Clean Air Plan are to: attain air quality standards, reduce population exposure and protect public health in the Bay Area, and reduce GHG emissions and protect climate.

The BAAQMD has established significance thresholds for project construction and operational impacts at a level at which the cumulative impact of exceeding these thresholds would have an adverse impact on the region's attainment of air quality standards.

Clean Air Plan Control Measures. The control strategies of the Clean Air Plan include measures in the following categories: Stationary Source Measures, Transportation Measures, Energy Measures, Building Measures, Agriculture Measures, Natural and Working Lands Measures, Waste

Management Measures, Water Measures, and Super-GHG Pollutants Measures. The following discussion includes an analysis evaluating the Project's consistency with applicable control strategies of the Clean Air Plan. Measures with respect to Stationary Sources, Energy Building, Agriculture, Natural and Working Lands, Water Measures, and Super-GHG Pollutants are not applicable to the Project and therefore, are not discussed in detail below.

Transportation Control Measures. The BAAQMD identifies Transportation Control Measures as part of the Clean Air Plan to decrease emissions of criteria pollutants, TACs, and GHGs. The Project site is located in close proximity to a mix of existing uses and would be readily accessible to pedestrians, bicyclists, and transit users. The proposed Project would provide bicycling parking spaces and would reduce vehicle miles travelled (VMT) as compared to existing conditions, which would promote the BAAQMD's initiatives to reduce vehicle trips and VMT and would increase the use of alternate means of transportation (refer to Section 5.17, Transportation, for further discussion). Therefore, the Project would not hinder the BAAQMD's initiatives to reduce vehicle trips and VMT.

Building Control Measures. The BAAQMD has authority to regulate emissions from certain sources in buildings such as boilers and water heaters, but has limited authority to regulate buildings themselves. Therefore, the strategies in the control measures for this sector focus on working with local governments that do have authority over local building codes, to facilitate adoption of best GHG control practices and policies. The proposed Project would be required to comply with the latest California Green Building Standards Code. Therefore, the proposed Project would not conflict with these measures.

Waste Management Control Measures. The waste management measures focus on reducing or capturing methane emissions from landfills and composting facilities, diverting organic materials away from landfills, and increasing waste diversion rates through efforts to reduce, reuse, and recycle. The Project would comply with local requirements for waste management (e.g., recycling and composting services). Therefore, the Project would be consistent with the Waste Management Control Measures of the Clean Air Plan.

Clean Air Plan Implementation. As discussed above, implementation of the proposed Project would generally implement the applicable measures outlined in the Clean Air Plan, including the Transportation Control Measures. Therefore, the Project would not disrupt or hinder implementation of a control measure from the Clean Air Plan.

The Clean Air Plan builds on many other plans, policies, and programs, including plans developed and implemented by other agencies, such as local general plans. Since the Clean Air Plan is based on local general plans, projects that are deemed consistent with the applicable general plan are usually found to be consistent with the air quality plans. The Project site is currently designated as Combined Industrial/Commercial (CIC) on the City's General Plan Land Use Map. The CIC designation is intended to be flexible to allow for a varied mix of compatible uses, including commercial, office, and industrial uses, as well as hospitals and private community gathering facilities. In addition, the Project site is zoned Light Industrial (LI), which allows for a wide variety of non-hazardous industrial uses. Typical uses in the LI zone include warehousing, wholesaling, light manufacturing, and complementary service establishments that serve employees of businesses located in industrial areas. The LI zone conforms to the City's General Plan designation of CIC and allows for self-storage

uses. Therefore, the proposed Project would be consistent with the City's General Plan and assumptions included in the Clean Air Plan.

Summary. The BAAQMD has established significance thresholds for Project construction and operational impacts at a level at which the cumulative impact of exceeding these thresholds would have an adverse impact on the region's attainment of air quality standards. As discussed below, with implementation of Standard Permit Conditions, the proposed Project would result in less than significant construction- and operation-phase emissions. Therefore, the Project would not conflict with the Clean Air Plan goals.

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

Less Than Significant Impact. The *State CEQA Guidelines* indicate that a significant air quality impact would occur if a project would violate any air quality standard or contribute substantially to an existing or projected air quality violation. Specific criteria for determining whether the potential air quality impacts of a project are significant have been established by the BAAQMD as shown in Table 5.3.B and are discussed below.

Table 5.3.B: BAAQMD Air Quality Thresholds of Significance

Pollutant	Construction-Related	Operational-Related	
Criteria Air Pollutants and Precursors (Regional)			
Pollutant	**Average Daily Emissions (lbs/day)**	**Average Daily Emissions (lbs/day)**	**Maximum Annual Emissions (tpy)**
ROG	54.0	54.0	10.0
NO_x	54.0	54.0	10.0
PM_{10}	82.0 (exhaust only)	82.0	15.0
$PM_{2.5}$	54.0 (exhaust only)	54.0	10.0
PM_{10} (fugitive dust)	Best Management Practices	None	
$PM_{2.5}$ (fugitive dust)	Best Management Practices	None	
Local CO	None	9.0 ppm (8-hour average), 20.0 ppm (1-hour average)	
Risks and Hazards – New Source (All Areas)			
Risks and Hazards – New Source (All Areas) (Individual Project)	Same as Operational Thresholds	Compliance with Qualified Community Risk Reduction Plan OR Increased cancer risk of >10.0 in a million Increased non-cancer risk of > 1.0 Hazard Index (Chronic or Acute) Ambient $PM_{2.5}$ increase: > 0.3 µg/m^3 annual average Zone of Influence: 1,000-foot radius from fence line of source or receptor	

Source: Bay Area Air Quality Management District (BAAQMD) (2017).
CO = carbon monoxide
lbs/day = pounds per day
NO_X = nitrogen oxides
PM_{10} = particulate matter less than 10 microns in size
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
ppm = parts per million
ROG = reactive organic gases
tpy = tons per year
µg/m^3 = micrograms per cubic meter

As shown in Table 5.3.B, potential air quality impacts of a project are considered significant, if they, based on the following:

- Violate the Bay Area Air Quality Management District's air quality standards or contribute substantially to an existing or projected air quality violation by:
    - Generating average daily criteria air pollutant emissions of ROG, NO_X or $PM_{2.5}$ exhaust emissions in excess of 54 pounds per day or PM_{10} exhaust emissions of 82 pounds per day during project construction;
    - For project operations, generating average daily criteria air pollutant emissions of ROG, NO_X, or $PM_{2.5}$ in excess of 54 pounds per day, or maximum annual emissions of 10 tons per year. For emissions of PM_{10}, generating average daily emissions of 82 pounds per day or 15 tons per year; or
    - Contributing to CO concentrations exceeding the State ambient air quality standards of 9 ppm averaged over 8 hours and 20 ppm for 1-hour for project operations.
- Expose sensitive receptors or the general public to toxic air contaminants in excess of the following thresholds:
    - An excess cancer risk level of more than 10 in one million, or non-cancer risk greater than 1.0 hazard index from a single source;
    - An incremental increase of greater than 0.3 $\mu g/m^3$ annual average $PM_{2.5}$ from a single source;
    - An excess cancer risk level of more than 100 in one million, or non-cancer risk greater than 100 in one million from all sources; or
    - An incremental increase of greater than 0.8 $\mu g/m^3$ annual average $PM_{2.5}$ from all sources.

In addition, the BAAQMD has established a screening methodology that provides a conservative indication of whether the implementation of a project would result in significant CO emissions. According to the BAAQMD CEQA Air Quality Guidelines (2017), a project would result in a less than significant impact to localized CO concentrations if the following screening criteria are met:

- The project is consistent with an applicable congestion management program established by the county congestion management agency for designated roads or highways, and the regional transportation plan and local congestion management agency plans;
- Project traffic would not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour; and

- The project would not increase traffic volumes at affected intersections to more than 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited (e.g., tunnel, parking garage, bridge underpass, natural or urban street canyon, or below-grade roadway).

Construction Emissions. During construction, short-term air quality impacts could occur due to the release of particulate emissions generated by demolition, grading, paving, building, and other activities. Major sources of emission during demolition, grading, building construction and site work, paving, and architectural coatings include the following: (1) exhaust emissions from construction vehicles, (2) equipment and fugitive dust generated by vehicles and equipment traveling over exposed surfaces, and (3) sand disturbances from compacting and cement paving.

Construction of the proposed Project would include the following tasks: demolition, grading, building construction and site work, paving, and architectural coatings. The Project phasing would generally start with building demolition, site preparation, and grading, and would continue with construction of the Project. It is anticipated that construction would occur over the course of 24 months, with construction occurring in two non-consecutive 12-month phases. Construction emissions were estimated for the Project using CalEEMod,[1] consistent with BAAQMD recommendations. Project-specific information provided by the Project Developer was used where available, including building details, construction schedule, materials, and earthwork requirements. Default construction equipment assumptions from CalEEMod were also used in the analysis.

Construction-related effects on air quality would be greatest during the site preparation phase due to the disturbance of soils. Sources of fugitive dust would include disturbed soils at the construction site. Unless properly controlled, vehicles leaving the site would deposit dirt and mud on local streets, which could be an additional source of airborne dust after it dries. PM_{10} emissions would vary from day to day, depending on the nature and magnitude of construction activity and local weather conditions. PM_{10} emissions would depend on soil moisture, silt content of the soil, wind speed, and the amount of operating equipment. Fugitive dust emissions during Project construction would be substantially reduced by compliance with Standard Permit Conditions, which require compliance with BAAQMD standard measures for reducing fugitive dust emissions (PM_{10}). Compliance with Standard Permit Conditions (including compliance with BAAQMD measures) has been accounted for in the Project emissions estimates.

[1] CalEEMod provides a platform to calculate both construction emissions and operational emissions from a land use project. It can calculate both the daily maximum and annual average for criteria pollutants as well as annual greenhouse gas (GHG) emissions. The output from these calculations can be used in the preparation of quality and GHG analyses in CEQA documents. In order to produce these data, CalEEMod utilizes widely accepted methodologies for estimating emissions combined with default data that can be used when site-specific information is not available. Example sources of these methodologies and default data include the USEPA AP-42 emission factors, CARB vehicle emission models, and studies commissioned by State agencies. Some local air districts also provide customized values for their default data and existing regulation methodologies for use for projects located in their jurisdictions. A majority of CalEEMod's default data associated with locations and land use is derived from surveys of existing land uses.

In addition to dust-related PM_{10} emissions, heavy trucks and construction equipment powered by gasoline and diesel engines would generate CO, SO_2, NO_X, volatile organic compounds (VOCs) and some soot particulate ($PM_{2.5}$ and PM_{10}) in exhaust emissions. These emissions would be temporary in nature and limited to the immediate area surrounding the construction site.

Table 5.3.C presents the maximum average construction emissions based on the CalEEMod emissions estimates. As shown in Table 5.3.C, construction emissions associated with the Project would not exceed the BAAQMD's emissions thresholds. Additionally, the Project would be required to implement BAAQMD dust control measures as a condition of Project approval, as outlined below. Therefore, construction of the proposed Project would result in less than significant air quality impacts, and no mitigation would be required.

Table 5.3.C: Project Construction Emissions (in pounds per day)

Project Construction	ROG	NO_X	Exhaust PM_{10}	Fugitive Dust PM_{10}	Exhaust $PM_{2.5}$	Fugitive Dust $PM_{2.5}$
Phase I Average Daily Emissions	5.7	5.0	0.2	0.6	0.2	0.2
Phase II Average Daily Emissions	5.7	4.3	0.2	0.6	0.2	0.2
Maximum Average Daily Emissions	5.7	5.0	0.2	0.6	0.2	0.2
BAAQMD Thresholds	**54.0**	**54.0**	**54.0**	**BMP**	**82.0**	**BMP**
Exceed Threshold?	**No**	**No**	**No**	**No**	**No**	**No**

Source: Air Quality and Greenhouse Gas Analysis (LSA 2019; Appendix A).
BAAQMD = Bay Area Air Quality Management District
BMP = best management practices
NO_X = nitrogen oxides
PM_{10} = particulate matter less than 10 microns in size
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
ROG = reactive organic gases

Standard Permit Conditions:

- The following best management practices shall be implemented during all phases of construction to control dust and exhaust at the Project site:
    - Water active construction areas at least twice daily or as often as needed to control dust emissions.
    - Cover trucks hauling soil, sand, and other loose materials and/or ensure that all trucks hauling such materials maintain at least two feet of freeboard.
    - Remove visible mud or dirt track-out onto adjacent public roads using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
    - Enclose, cover, water twice daily, or apply non-toxic soil binders to exposed stockpiles (dirt, sand, etc.).
    - Pave new or improved roadways, driveways, and sidewalks as soon as possible.

- Lay building pads as soon as possible after grading unless seeding or soil binders are used.
- Replant vegetation in disturbed areas as quickly as possible.
- Install sandbags or other erosion control measures to prevent silt runoff to public roadways.
- Minimize idling times either by shutting off equipment 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). Provide clear signage for construction workers at all access points.
- Maintain and properly tune construction equipment in accordance with manufacturers' specifications. Check all equipment by a certified mechanic and record a determination of running in proper condition prior to operation.
- Post a publicly visible sign with the telephone number and person to contact at the City of San José regarding dust complaints.

Operational Emissions. Long-term air emission impacts are those impacts associated with any change in permanent use of the Project site by on-site stationary and off-site mobile sources that increase emissions. Stationary-source emissions include emissions associated with electricity consumption and natural gas usage. Mobile-source emissions are associated with vehicular trips associated with a project.

Long-term operational emissions associated with the proposed Project were estimated using CalEEMod and are shown in Table 5.3.D, below. For purposes of evaluating the proposed Project, the air quality district specified in CalEEMod was the BAAQMD, and climate zone 4 was selected with the urban land use setting. Based on this climate zone, CalEEMod assumed a wind speed of 2.2 meters per second and precipitation frequency of 64 days per year. The operational year was assumed to be 2021 for Phase I and 2023 for Phase II. The utility company for the region was selected as the Pacific Gas & Electric Company (PG&E) and the CO_2 intensity was determined to be 328.8 pounds per megawatt hour (lbs/MWhr) based on a 5-year average estimated by PG&E.

For Phase I, the CalEEMod analysis assumed 179,616 sf of general light industry uses, 5,700 sf of parking lot, and 21,400 sf of other asphalt surfaces. For Phase II, the CalEEMod analysis assumed 179,616 sf of general light industry uses, 6,500 sf of parking lot, and 24,100 sf of other asphalt surfaces. Trip generation rates for the Project were based on the Project's trip generation estimates, which determined that the proposed Project would generate approximately 443 net new average daily trips, with approximately 30 trips occurring in the AM peak hour and approximately 50 trips occurring in the PM peak hour. Energy rates in CalEEMod were adjusted based on energy usage for similar self-storage projects. Assumptions included the following: the Project would only run air conditioning when temperatures exceed 80 degrees, lighting would utilize motion detection sensors,

Table 5.3.D: Project Operational Emissions

	ROG	NO_X	PM_{10}	$PM_{2.5}$
Pounds Per Day				
Phase I Area Source Emissions	4.4	<0.1	<0.1	<0.1
Phase I Energy Source Emissions	0.0	0.0	0.0	0.0
Phase I Mobile Source Emissions	0.4	1.8	1.4	0.4
Total Phase I Emissions	**4.8**	**1.8**	**1.4**	**0.4**
Phase II Area Source Emissions	4.4	<0.1	<0.1	<0.1
Phase II Energy Source Emissions	0.0	0.0	0.0	0.0
Phase II Mobile Source Emissions	0.3	1.4	1.4	0.4
Total Phase II Emissions	**4.7**	**1.4**	**1.4**	**0.4**
Total Project Emissions	**9.5**	**3.2**	**1.8**	**0.8**
BAAQMD Thresholds	54.0	54.0	82.0	54.0
Exceed Threshold?	**No**	**No**	**No**	**No**
Tons Per Year				
Phase I Area Source Emissions	0.8	<0.1	<0.1	<0.1
Phase I Energy Source Emissions	0.0	0.0	0.0	0.0
Phase I Mobile Source Emissions	0.1	0.3	0.2	0.1
Total Phase I Emissions	**0.9**	**0.3**	**0.2**	**0.1**
Phase II Area Source Emissions	0.8	<0.1	<0.1	<0.1
Phase II Energy Source Emissions	0.0	0.0	0.0	0.0
Phase II Mobile Source Emissions	0.1	0.3	0.2	0.1
Total Phase II Emissions	**0.9**	**0.3**	**0.2**	**0.1**
Total Project Emissions	**1.8**	**0.6**	**0.4**	**0.2**
BAAQMD Thresholds	10.0	10.0	15.0	10.0
Exceed Threshold?	**No**	**No**	**No**	**No**

Source: Air Quality and Greenhouse Gas Analysis (LSA 2019; Appendix A).
BAAQMD = Bay Area Air Quality Management District
NO_X = nitrogen oxides
PM_{10} = particulate matter less than 10 microns in size
$PM_{2.5}$ = particulate matter less than 2.5 microns in size
ROG = reactive organic gases

and the Project would include solar panels. Water rates were also adjusted in CalEEMod as the Project would have minimal water usage associated with two on-site restrooms in each building (4 single-occupancy restrooms total) and would include drought-tolerant landscaping. In addition, solid waste rates were adjusted as the Project would not have dumpsters on site and would generate minimal solid waste. Where project-specific data were not available, default assumptions from CalEEMod were used to estimate Project emissions.

Operational air emissions from the Project would be generated primarily from vehicles driven by employees and customers. There would also be operational emissions associated with energy and water usage, and solid waste disposal.

As shown in Table 5.3.D, the project–related increase in criteria pollutants would not exceed the corresponding BAAQMD emissions thresholds. Therefore, the proposed Project would not have a cumulatively significant effect on regional air quality, and no mitigation would be required.

Localized CO Impact. As previously stated, the BAAQMD considers a project to have less than significant CO impacts if it is consistent with an applicable congestion management program, would not increase traffic volumes at affected intersections by more than 44,000 vehicles per hour, and would not increase traffic volumes at affected intersections to more than 24,000 vehicles per hour where vertical and/or horizontal mixing is substantially limited.

The proposed Project would not conflict with standards established by the Santa Clara Valley Transportation Authority for designated roads and highways, a regional transportation plan, or other agency plans. In addition, the Project site is not located in an area where vertical or horizontal mixing of air is substantially limited. As identified above, the proposed Project would generate approximately 443 net new average daily trips, with approximately 30 trips occurring in the AM peak hour and approximately 50 trips occurring in the PM peak hour. As such, the Project's contribution to peak hour traffic volumes at intersections in the vicinity of the Project site would be well below 44,000 vehicles per hour. Therefore, the proposed Project would not result in localized CO concentrations that exceed State or federal standards, and no mitigation would be required.

Summary. CEQA defines a cumulative impact as two or more individual effects, which when considered together, are considerable or which compound or increase other environmental impacts. Therefore, if annual emissions of construction- or operational-related criteria air pollutants exceed any applicable threshold established by the BAAQMD, the proposed Project would result in a cumulatively significant impact. As discussed above, no exceedance of BAAQMD emission thresholds would occur as a result of construction or operation of the proposed Project. The proposed Project's construction and operational emissions of criteria pollutants are estimated to be well below the emissions threshold established for the region. Further, implementation of the Standard Permit Conditions would further reduce impacts related to construction emissions. Therefore, the Project would not result in a cumulatively considerable contribution to regional air quality impacts, and no mitigation would be required.

c. Expose sensitive receptors to substantial pollutant concentrations?

Less Than Significant with Mitigation Incorporated. As shown in Table 5.3.B above, according to the BAAQMD, a project would result in a significant impact if it would: individually expose sensitive receptors to TACs resulting in an increased cancer risk greater than 10 in one million, increased non-cancer risk of greater than 1.0 on the hazard index (chronic or acute), or an annual average ambient $PM_{2.5}$ increase greater than 0.3 micrograms per cubic meter ($\mu g/m^3$). According to the BAAQMD CEQA Guidelines and consistent with Cal/EPA and CARB's 2005 *Air Quality and Land Use Handbook: A Community Health Perspective*, a significant cumulative impact would occur if the Project in combination with other projects located within a 1,000 ft radius of the Project site would expose sensitive receptors to TACs resulting in an increased cancer risk greater than 100 in one million, an increased non-cancer risk of greater than 10 on the hazard index (chronic), or an ambient $PM_{2.5}$ increase greater than 0.8 $\mu g/m^3$ on an annual average basis. Impacts from substantial pollutant concentrations are discussed below.

The Project site is located in an urban area in close proximity to existing residential uses that could be exposed to diesel emission exhaust during the construction period. Residential uses are located immediately adjacent to the western and southern borders of the Project site. To estimate the

potential cancer risk from Project construction equipment exhaust (including diesel particulate matter), a dispersion model was used to translate an emission rate from the source location to a concentration at the receptor location (i.e., a nearby residential land use). This assessment was conducted using CARB's exposure methodology, with the air dispersion modeling performed using the USEPA dispersion model AERMOD.

Table 5.3.E identifies the results of the analysis utilizing the CalEEMod default of Tier 0 construction equipment.

Table 5.3.E: Unmitigated Inhalation Health Risks from Project Construction to Off-Site Receptors

	Carcinogenic Inhalation Health Risk in One Million	Chronic Inhalation Hazard Index	Acute Inhalation Hazard Index	Annual $PM_{2.5}$ Concentration ($\mu g/m^3$)
Maximally Exposed Individual	34.18	0.06	0.00	0.53
BAAQMD Single Source Threshold	10.0	1.0	1.0	0.30

Source: Air Quality and Greenhouse Gas Analysis (LSA 2019; Appendix A).
$\mu g/m^3$ = micrograms per cubic meter
BAAQMD = Bay Area Air Quality Management District
$PM_{2.5}$ = particulate matter less than 2.5 microns in size

As shown in Table 5.3.E, the total risk associated with Project construction and the maximally exposed individual level (MEI) would be 34.18 in one million, which would exceed the BAAQMD cancer risk of 10 in one million. The total chronic hazard index would be 0.06, which would not exceed the threshold of 1.0. In addition, the total acute hazard index would be 0.00, which would also not exceed the threshold of 1.0. The results of the analysis indicate that the total $PM_{2.5}$ concentration would be 0.53 $\mu g/m^3$, which would exceed the BAAQMD significance threshold of 0.30 $\mu g/m^3$. As indicated above, the cancer risk of 34.18 in one million and $PM_{2.5}$ concentration of 0.53 $\mu g/m^3$ would exceed the BAAQMD's thresholds. Therefore, compliance with the CARB Tier 2 emissions standards or equivalent (as described in Mitigation Measure AQ-1) would be required to reduce substantial pollutant concentrations during Project construction.

Impact AQ-1: Construction of the proposed Project may expose sensitive receptors to substantial concentrations of toxic air contaminants.

Mitigation Measure AQ-1: The Project proposes to implement the following measure to reduce construction-related TACs at nearby sensitive receptors to a less than significant level**:**

> **MM AQ-1 Construction Equipment Emissions.** Prior to the issuance of any demolition, grading, and/or building permits (whichever occurs earliest), the Project Applicant shall prepare and submit a construction operations plan that includes specifications of the equipment to be used during construction to the Director or Director's designee of the City of San José Department of Planning, Building, and Code Enforcement. The plan shall be accompanied by a letter signed by a qualified

air quality specialist, verifying that the equipment included in the plan meets the standards set forth below.

- All off-road diesel-powered construction equipment of 50 horsepower or more used for the Project construction meet the California Air Resources Board's (CARB's) Off-Road Diesel Regulation Tier 2 emissions standards with Level 3 or higher diesel particulate control devices, or equivalent.

- Per Section 2449(d)(4) of the CARB regulation, all off-road diesel fleet equipment must be reported to CARB using the Diesel Off-road Online Reporting System (DOORS) and all equipment must be labeled with the Equipment Identification Number (EIN). These requirements shall be included in applicable bid documents and successful contractor(s) must demonstrate the ability to supply such equipment. A copy of DOORS reporting forms and EIN labels shall be available upon request at the time of mobilization of each applicable unit of equipment.

- If Tier 2 equipment with Level 3 or higher diesel particulate filters is not readily available, the use of equipment that includes alternatively-fueled equipment (i.e., non-diesel) would meet this requirement. 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.

The construction operations plan shall be submitted to the Director of the City of San José Department of Planning, Building, and Code Enforcement or Director's designee for review and approval.

Table 5.3.F identifies the results of the analysis with implementation of Mitigation Measure AQ-1.

Table 5.3.F: Mitigated Inhalation Health Risks from Project Construction to Off-Site Receptors

	Carcinogenic Inhalation Health Risk in One Million	Chronic Inhalation Hazard Index	Acute Inhalation Hazard Index	Annual $PM_{2.5}$ Concentration ($\mu g/m^3$)
Maximally Exposed Individual	7.86	0.013	0.00	0.12
BAAQMD Single Source Threshold	10.0	1.0	1.0	0.30

Source: Air Quality and Greenhouse Gas Analysis (LSA 2019; Appendix A).
$\mu g/m^3$ = micrograms per cubic meter
BAAQMD = Bay Area Air Quality Management District
$PM_{2.5}$ = particulate matter less than 2.5 microns in size

As shown in Table 5.3.F, the mitigated cancer risk at the MEI would be 7.86 in one million, which would not exceed the BAAQMD cancer risk of 10 in one million. In addition, the $PM_{2.5}$ concentration

would be 0.12, which would not exceed the BAAQMD significance threshold of 0.30 µg/m^3. Therefore, with implementation of Mitigation Measure AQ-1, construction of the proposed Project would not exceed BAAQMD thresholds and would not expose nearby sensitive receptors to substantial pollutant concentrations.

In addition, to evaluate the potential for operation of the Project to expose sensitive receptors in the Project area to TACs, the air quality analysis also included an evaluation of the Project's cumulative impact related to the exposure of sensitive receptors to TACs. The following cumulative analysis includes all sources of emissions in the vicinity of the Project site, including stationary source and mobile sources at the MEI. Based on the BAAQMD's Highway Screening Analysis Tool, the MEI is not located within 1,000 ft of any highways or roadways that would result in risk or hazard impacts. The stationary source analysis evaluated the risk levels from permitted sources in the Project vicinity, using the TAC emissions reported to the BAAQMD by the stationary sources identified in the Project vicinity. The BAAQMD indicates three sources of emissions that are within 1,000 ft of the MEI consisting of three gas stations. Following BAAQMD guidance, the gas station stationary sources were scaled for distance using the BAAQMD Gasoline Dispensing Facility (GDF) Distance Multiplier Tool. The cumulative cancer risk, hazard index, acute index, and $PM_{2.5}$ concentrations are shown in Table 5.3.G. Results of the cumulative analysis indicate that construction of the proposed Project would not expose the MEI to significant cumulative health risks.

Table 5.3.G: Cumulative Risk from All Sources

Source	Carcinogenic Inhalation Health Risk in One Million	Chronic Inhalation Hazard Index	Acute Inhalation Hazard Index	Annual $PM_{2.5}$ Concentration (µg/m^3)
Capitol Shell SS #136009, 3939 Snell Avenue, (gas station)	1.02	N/A	0.002	N/A
Capitol Beacon, 175 W Capitol Expressway (gas station)	0.49	N/A	0.001	N/A
Conoco Phillips #2611206, 3951 Snell Avenue (gas station)	0.38	N/A	0.001	N/A
Mitigated Project Construction	7.86	0.013	0.000	0.120
Total	**9.75**	**0.013**	**0.004**	**0.120**
Cumulative Threshold	**100.0**	**10.0**	**10.0**	**0.80**
Exceed? (yes/no)	**No**	**No**	**No**	**No**

Source: Bay Area Air Quality Management District (2012); LSA (July 2019).
µg/m^3 = micrograms per cubic meter
N/A = not applicable
$PM^{2.5}$ = particulate matter less than 2.5 microns in size

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

Less Than Significant Impact. Substantial odor-generating sources include land uses such as agricultural activities, feedlots, wastewater treatment facilities, landfills, or heavy manufacturing uses.

During Project construction, some odors may be present due to diesel exhaust. However, these odors would be temporary and limited to the construction period. The proposed Project would not include any activities or operations that would generate objectionable odors and once operational, the Project would not be a source of odors. Therefore, the proposed Project would result in less than significant impacts related to other emissions (such as those leading to odors) that would adversely affect a substantial number of people. No mitigation would be required.

5.3.4 Conclusion

Less Than Significant with Mitigation Incorporated. Implementation of Standard Permit Conditions and Mitigation Measure AQ-1 would ensure that air quality impacts associated with Project construction would be reduced to a less than significant level.

5.4 BIOLOGICAL RESOURCES

The discussion and analysis provided in this section is based on information contained in the United States Fish and Wildlife Service's (USFWS) *Threatened & Endangered Species Active Critical Habitat Report* Environmental Conservation Online System and the Tree Map prepared by LSA and Lars Anderson & Associates (August, 17, 2017).

5.4.1 Environmental Setting

5.4.1.1 Regulatory Framework

Federal and State Regulations

Special Status Species

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

In addition to species listed under state and federal Endangered Species Acts, Section 15380(b) and (c) of the *State CEQA Guidelines* provide that all potential rare or sensitive species, or habitats capable of supporting rare species, are considered for environmental review. These may include plant species of concern in the State listed by the California Native Plant Society and CDFW listed "Species of Special Concern."

Federal Status Species

Special status species are individual plant and animal species that are protected under federal and state Endangered Species Acts. These species are classified as rare, threatened, or endangered. The United States Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (CDFW) have adopted a system to conserve and protect plant and animal species that are limited in distribution as well as species that have a low or declining population. If a proposed project or activities associated with a proposed project result in the "take" of a threatened or endangered species, the necessary permits must be obtained from the USFWS and CDFW. The State of California defines take as any action or attempt to "hunt, pursue, catch, capture, or kill" a listed species. Additionally, the Federal Endangered Species Act includes the "harm" of a listed species in the definition of take.

Section 15380(b) of the *State CEQA Guidelines* also considers all potential rare or sensitive species and habitats that are capable of supporting such species in addition to those species listed under the federal and state Endangered Species Acts. These additional species considered under CEQA may

include California plant species of concern as listed by the California Native Plant Society as well as "Species of Special Concern" listed by CDFW.

Sensitive Habitats

Wetland and riparian habitats are considered to be sensitive habitats, and are protected under various Federal, State, and local regulations. These habitats are generally subject to regulation, protection, or consideration by the U.S. Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), CDFW, and/or the USFWS as per Sections 303, 304, and 404 of the Federal Clean Water Act and the State of California Porter-Cologne Water Quality Control Act. Wetland and riparian habitats are also subject to the National Pollutant Discharge Elimination System (NPDES) permit program under Section 402 of the Clean Water Act, which regulates discharge into waters of the United States.

Federal Migratory Bird Treaty Act

Under the federal Migratory Bird Treaty Act (MBTA), the killing, possessing, or trading of migratory birds is prohibited unless exempt by regulations prescribed by the Secretary of the Interior. The MBTA prohibits the possession of protected bird species and their nests, regardless of whether nests are active.[1]

Birds of prey, such as owls and hawks, are protected in California under provisions of the State Fish and Game Code. The code states that it is "unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Construction disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered "taking" by the CDFW.

California Department of Fish and Game Code 3503

California Department of Fish and Game Code 3503 stipulates that is unlawful to take, posses, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by this code or any regulation made pursuant thereto.

Santa Clara Valley Habitat Plan/Natural Communities Conservation Plan

The Project site is located within the boundaries of the Santa Clara Valley Habitat Conservation Plan/Natural Communities Conservation Plan (HCP/NCCP). The HCP/NCCP helps public and private agencies preserve natural resources and minimize impacts on threatened and endangered species when planning, permitting, and developing projects and activities within the boundaries of the plan. The HCP/NCCP covers approximately 520,000 acres and was adopted by Santa Clara County, the Cities of San José, Morgan Hill, and Gilroy, the Santa Clara Valley Water District, the Santa Clara Valley Transportation Authority, the U.S. Fish and Wildlife Service (USFWS), and the California Department of Fish and Wildlife (CDFW).

[1] An active nest is defined as having eggs or young.

The Project site is located within the boundaries of the Santa Clara Valley HCP/NCCP and is designated as "Urban-Suburban." "Urban-Suburban" land is comprised of areas where native vegetation has been cleared for residential, commercial, industrial, transportation, or recreational structures, and is defined as having one or more structures per 2.5 acres.

Envision San José 2040 General Plan

The Environmental Resources (ER), Measurable Environmental Sustainability (MS), and Community Design (CD) sections of the City's General Plan include the following goals and policies related to biological resources that are applicable to the proposed Project.

Goal ER-4 **Special-Status Plants and Animals:** Preserve, manage, and restore habitat suitable for special-status species, including threatened and endangered species.

Policy ER-4.4 Require that development projects incorporate mitigation measures to avoid and minimize impacts to individuals of special-status species.

Goal ER-5 **Migratory Birds:** Protect migratory birds from injury or mortality.

Policy ER-5.1 Avoid implementing activities that result in the loss of active native birds' nests, including both direct loss and indirect loss through abandonment, of native birds. Avoidance of activities that could result in impacts to nests during the breeding season or maintenance of buffers between such activities and active nests would avoid such impacts.

Policy ER-5.2 Require that development projects incorporate measures to avoid impacts to nesting migratory birds.

Goal MS-21 **Community Forest:** Preserve and protect existing trees and increase planting of new trees within San José to create and maintain a thriving Community Forest that contributes to the City's quality of life, its sense of community, and its economic and environmental well-being.

Policy MS-21.4 Encourage the maintenance of mature trees, especially natives, on public and private property as an integral part of the community forest. Prior to allowing the removal of any mature tree, pursue all reasonable measures to preserve it.

Policy MS-21.5 As part of the development review process, preserve protected trees (as defined by the Municipal Code), and other significant trees. Avoid any adverse effects on the health and longevity of protected or other significant trees through appropriate design measures and construction practices. Special priority should be given to the preservation of native oaks and native sycamores.

When tree preservation is not feasible, include appropriate tree replacement, both in number and spread of canopy.

Policy MS-21.6 As a condition of new development, require, where appropriate, the planting and maintenance of both street trees and trees on private property to achieve a level of tree coverage in compliance with and that implements City laws, policies, or guidelines.

Policy CD-1.23 Further the Community Forest Goals and Policies in this Plan by requiring new development to plant and maintain trees at appropriate locations on private property and along public street frontages. Use trees to help soften the appearance of the built environment, help provide transitions between land uses, and shade pedestrian and bicycle areas.

Policy CD-1.24 Within new development projects, include preservation of ordinance-sized and other significant trees, particularly natives. Any adverse effect on the health and longevity of such trees should be avoided through design measures, construction, and best maintenance practices. When tree preservation is not feasible, include replacements or alternative mitigation measures in the project to maintain and enhance our Community Forest.

City of San José Tree Ordinance

Ordinance-sized trees, heritage trees, and street trees make up the urban forest and are protected under the City of San José Tree Ordinance. The City of San José Tree Removal Controls (San José City Code, Sections 13.31.010 to 13.32.100) protect all trees having a trunk that measures 38 inches or more in circumference (12.1 inches in diameter) at the height of 54 inches above the natural grade. The ordinance protects both native and non-native species. A tree removal permit is required from the City for the removal of ordinance-size trees. In addition, any tree found by the City Council to have special significance due to history, girth, height, species, or unique quality can be designated as a Heritage Tree, regardless of tree size or species. It is illegal to prune or remove a heritage tree without first consulting the City Arborist and obtaining a permit.

City of San José Riparian Corridor Policy Study

The City of San José's Riparian Corridor defines a riparian corridor as any stream channel, including the area up to the bank full-flow line, as well as all riparian (streamside vegetation) in contiguous adjacent uplands. The policy states that riparian setbacks should be measured 100 ft from the outside edges of riparian habitat or the top of bank, whichever is greater.

5.4.1.2 Existing Conditions

The Project site is located in a built-out urban area and does not contain habitat that would support sensitive species. Landscaped setbacks along the northeastern and southeastern boundaries of the Project site along Snell Avenue and West Capitol Expressway consist of grassy lawn, several mature

trees, and ornamental vegetation. Similar landscaping is present between the west property (231 West Capitol Expressway) and the east property (3911 Snell Avenue) of the Project site.

Trees

As illustrated in Table 5.4.A and Figure 5.4.1, 37 trees, in total, representing 11 species were identified on the site. Of the 11 species, 10 were considered ornamental and one was identified as native to the San José area. A total of 20 ordinance-sized trees were identified on the site.

Table 5.4.A: Non-Ordinance-Size and Ordinance-Size Trees on the Project Site

Species Classification	Trees Within Project Area
Australian willow (*Geijera parviflora*)	
Non-Ordinance-size	1
Ordinance-size	1
Privet (*Ligustrum* sp.)	
Non-Ordinance-size	1
Liquidambar (*Liquidambar styraciflua*)	
Non-Ordinance-size	1
Olive (*Olea europaea*)	
Non-Ordinance-size	1
Canary Island pine (*Pinus canariensis*)	
Non-Ordinance-size	1
Ordinance-size	4
London plane (*Platanus x hispanica*)	
Non-Ordinance-size	1
Evergreen oak (*Quercus ilex*)	
Non-Ordinance-size	4
Valley oak (*Quercus lobata*)	
Non-Ordinance-size	4
Ordinance-size	5
Coast redwood (*Sequoia sempervirens*)	
Non-Ordinance-size	3
Ordinance-size	5
Chinese elm (*Ulmus parvifolia*)	
Non-Ordinance-size	1
Fan palm (*Washingtonia* sp.)	
Non-Ordinance-size	1
Ordinance-size	3
Grand Total	**37**

Special Species/Habitats

There are no known endangered, threatened, or otherwise protected species on the site. The site also does not contain any wetlands or other protected waterways under the Clean Water Act (CWA). The nearest waterways are Coyote Creek, located approximately 1.6 miles east of the Project site, and Guadalupe River, located approximately 1.7 miles west of the Project site.

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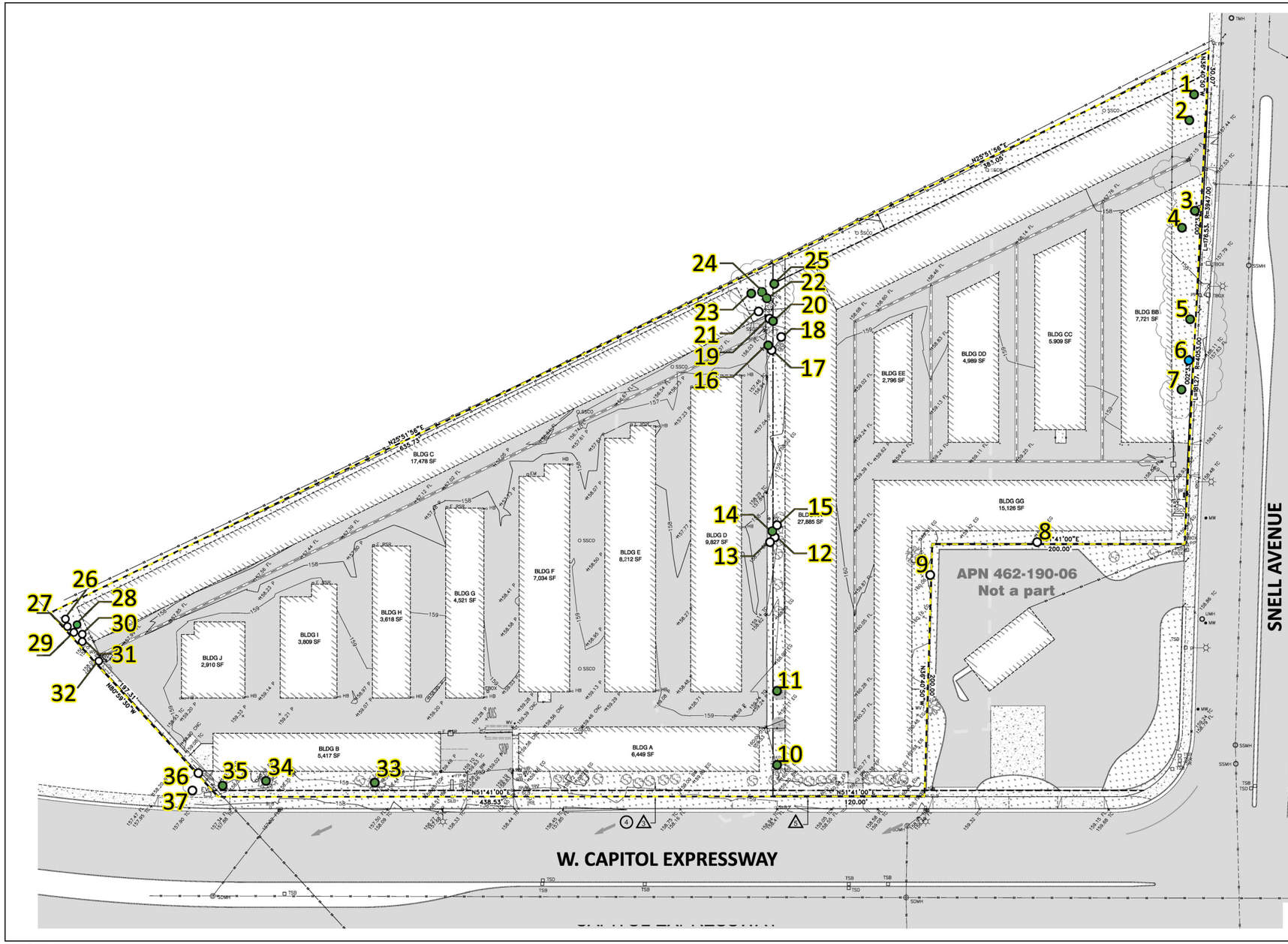

Table A. Table of Trees on the Public Storage San Jose Project Site

ID	Common Name	Species Name	Diameter	Height	Canopy Radius	Condition	Code Designation
1	Valley oak *	*Quercus lobata*	30	30	30	good	Ordinance size
2	Canary Island pine	*Pinus canariensis*	30	60	20	good	Ordinance size
3	Valley oak *	*Quercus lobata*	30	30	30	good	Ordinance size
4	Canary Island pine	*Pinus canariensis*	18	60	20	good	Ordinance size
5	Valley oak *	*Quercus lobata*	30	30	30	good	Ordinance size
6	Valley oak *	*Quercus lobata*	38	30	30	good	Ordinance size
7	Canary Island pine	*Pinus canariensis*	21	60	20	good	Ordinance size
8	Fan palm	*Washingtonia sp.*	16	8	6	good	Tree
9	Valley oak *	*Quercus lobata*	3	12	5	fair	Tree
10	Canary Island pine	*Pinus canariensis*	26	45	30	good	Ordinance size
11	Canary Island pine	*Pinus canariensis*	23	75	20	good	Ordinance size
12	Valley oak *	*Quercus lobata*	4	20	8	good	Tree
13	Valley oak *	*Quercus lobata*	4	15	8	good	Tree
14	Valley oak *	*Quercus lobata*	32	30	20	good	Ordinance size
15	Evergreen oak	*Quercus ilex*	12	20	8	good	Tree
16	Fan palm	*Washingtonia sp.*	22	25	7	good	Ordinance size
17	Privet	*Ligustrum sp.*	10	10	10	good	Tree
18	Liquidambar	*Liquidambar styraciflua*	7	15	8	good	Tree
19	Chinese elm	*Ulmus parvifolia*	5	8	10	good	Tree
20	Fan palm	*Washingtonia sp.*	19	15	8	good	Ordinance size
21	Valley oak *	*Quercus lobata*	4	15	15	goo	Tree
22	Redwood *	*Sequoia sempervirens*	34	90	35	good	Ordinance size
23	Redwood *	*Sequoia sempervirens*	20	90	25	good	Ordinance size
24	Redwood *	*Sequoia sempervirens*	34	90	35	good	Ordinance size
25	Redwood *	*Sequoia sempervirens*	24	90	35	good	Ordinance size
26	Redwood *	*Sequoia sempervirens*	15	75	20	good	Tree
27	Evergreen oak	*Quercus ilex*	8	30	10	good	Tree
28	Redwood *	*Sequoia sempervirens*	19	75	20	good	Ordinance size
29	Evergreen oak	*Quercus ilex*	5	35	15	good	Tree
30	Redwood *	*Sequoia sempervirens*	11	50	20	good	Tree
31	Redwood *	*Sequoia sempervirens*	13	75	20	good	Tree
32	Evergreen oak	*Quercus ilex*	5	15	10	good	Tree
33	Australian willow	*Geijera parviflora*	18	30	30	fair	Ordinance size
34	Australian willow	*Geijera parviflora*	25	35	35	good	Ordinance size
35	Fan palm	*Washingtonia sp.*	23	25	9	good	Ordinance size
36	Olive	*Olea europaea*	14	15	8	poor	Tree
37	London plane	*Platanus x hispanica*	7	30	20	good	Tree

* Denotes Tree species is a CA Native

LSA

FIGURE 5.4.1

LEGEND

- Project Site
- Tree (not protected)
- Ordinance Size Tree
- Heritage Tree

0 45 90
FEET

SOURCE: Topographic Survey for Public Storage in San Jose, California. PS #20103 & PS #00616. Prepared by Lars Andersen & Associates. Dated 8-17-17.

Public Storage San Jose
Existing Tree Map

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5.4.2 Checklist and Discussion of Impacts

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

5.4.3 Impact Analysis

a. Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or United States Fish and Wildlife Service (USFWS)?

No Impact. The Project site is located in a built-out urban area and does not contain habitat that would support sensitive species; there are no known candidate, sensitive, or special-status animal species on the site. Additionally, the United States Fish and Wildlife Service (USFWS) *Threatened & Endangered Species Active Critical Habitat Report* (Environmental Conservation Online System [ECOS]) does not identify any locations of critical habitat within approximately 2 miles of the Project site. The closest known critical habitat (Bay checkerspot butterfly [*Euphydryas editha bayensis*]) is located approximately 2 miles to the east of the Project site.[1] Therefore, no impacts to sensitive or special-status species would result from Project implementation, and no mitigation would be required.

[1] The closest known critical habitat is east of Coyote Creek and contains Bay checkerspot butterfly.

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

No Impact. The Project site is currently developed and is located in an urban area. As noted in Response 4.4.3(a), the USFWS *Threatened & Endangered Species Active Critical Habitat Report* (ECOS) does not identify any locations of critical habitat within approximately 2 miles of the Project site. The closest known critical habitat is approximately 2 miles away to the east of the Project site. Therefore, no impacts related to riparian habitat or other sensitive natural communities identified in local or regional plans would result from Project implementation, and no mitigation would be required.

c. Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

No Impact. The Project site is currently developed and is located in an urban area. Based on a review of site photographs and current and historical aerial images, the site has been previously graded and does not contain any natural hydrologic features or state and/or federally protected wetlands. Therefore, implementation of the proposed Project would not have a substantial adverse effect on state or federally protected wetlands (including but not limited to marsh, vernal pools, and coastal) through direct removal, filling hydrological interruption, or other means, and no mitigation would be required.

d. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Less Than Significant Impact with Mitigation Incorporated. The Project site is located in an urban area and is presently developed with commercial/industrial uses. No portion of the Project site or immediately surrounding areas contains an open body of water that serves as natural habitat in which fish could exist. Likewise, there is no established native resident or migratory wildlife corridor existing within or adjacent to the Project site. Species that are found on the site either fly onto the site or are able to navigate through long stretches of urban development. Therefore, the Project site does not contain any native resident or migratory fish, wildlife species, or wildlife corridors. No mitigation would be required for these resources.

Existing landscaping, including several trees, may provide suitable habitat for nesting birds protected by the MBTA and California Fish and Game Code Section 3503. Several of the trees currently present on the Project site would be removed during project construction. Therefore, the Project has the potential to impact active bird nests if vegetation and trees are removed during the nesting season. Nesting birds are protected under the federal MBTA (Title 33, United States Code [USC], Section 703 et seq., see also Title 50, Code of Federal Regulations [CFR], Part 10) and Section 3503 of the California Fish and Game Code. Implementation of the proposed Project would be subject to the provisions of the MBTA and California Fish and Game Code Section 3503, which prohibit the unlawful take, possession, or destruction of eggs and/or active nests. Project implementation must be accomplished in a manner that avoids impacts to active nests during the

breeding season. Therefore, if Project construction occurs between February 15 and August 31, a qualified biologist shall conduct a nesting bird survey no more than 3 days prior to ground- and/or vegetation-disturbing activities to confirm the absence of nesting birds. As documented in Mitigation Measure BIO-1, avoiding impacts can be accomplished through a variety of means, including restricting brush and tree removal to periods outside the avian nesting season (February 15–August 31) or through establishing buffers around any active nests. With implementation of Mitigation Measures BIO-1 and BIO-2, potentially significant impacts to nesting birds would be reduced to a less than significant level.

Impacts BIO-1 and BIO-2: Demolition, grading, and construction activities and tree removal during the nesting season could impact migratory birds.

Mitigation Measures BIO-1 and BIO-2:

MM BIO-1 **Avoidance and Inhibit Nesting.** To avoid disturbance of nesting and special-status birds, the Project Applicant shall schedule activities related to the Project, including, but not limited to, vegetation removal, ground disturbance, construction, and demolition to occur outside of the bird nesting season. The nesting season for most birds, including most raptors in the San Francisco Bay area, extends from February 1 through August 31 (inclusive).

MM BIO-2 **Preconstruction Surveys.** If demolition and construction activities cannot be scheduled to occur between September 1 and January 31 (inclusive), pre-construction surveys for nesting birds shall be completed by a qualified biologist or ornithologist to ensure that no nests shall be disturbed during project implementation. The nesting bird pre-construction survey shall be conducted within the Project boundary, including a 300-foot buffer (500-foot for raptors). The survey shall be conducted by a biologist familiar with the identification of avian species known to occur in the area. The pre-construction 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 1 through April 30, inclusive) and no more than 30 days prior to the initiation of these activities during the late part of the breeding season (May 1 through August 31, inclusive).

If active nests are found, the qualified biologist or ornithologist, in consultation with the California Department of Fish and Wildlife (CDFW), 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 will not be disturbed during project construction (which depends upon the species, the proposed work activity, and existing disturbances associated with land uses outside the site). The buffer zone shall be demarcated by the qualified biologist or ornithologist with bright orange construction fencing, flagging, construction lathe, or other means to mark the boundary. All construction personnel shall be notified as to the existence of the buffer zone and shall be instructed to avoid entering the buffer zone during the nesting season. No ground- disturbing activities shall occur within this buffer until the qualified biologist or ornithologist has confirmed that breeding/nesting is

completed and the young have fledged the nest. Encroachment into the buffer shall occur only at the discretion of the qualified biologist.

The Project Applicant shall submit a report to the City's Director of Planning or Director's designee indicating the results of the survey and any designated buffer zones, and is to be completed to the satisfaction of the Director of Planning, Building and Code Enforcement prior to the issuance of any demolition or grading permits.

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

Less Than Significant Impact. As previously noted, Chapter 13.32 of the City's Municipal Code regulates the care and removal of trees on public property. In addition, the City has adopted the *Guidelines for Inventorying, Evaluating, and Mitigating Impacts to Landscaping Trees in the City of San José* (May 2006), which outlines tree survey requirements and applicable mitigation for projects that could impact trees within the City.

As illustrated by Figure 3.9, a Conceptual Landscape Plan was prepared for the proposed Project in compliance with the City's Municipal Code and its *Guidelines for Inventorying, Evaluating, and Mitigating Impacts to Landscaping Trees in the City of San José*. As illustrated by the Conceptual Landscape Plan, Phase I of the Project would require the permanent removal of 11 trees but would allow for 26 existing trees to remain in place on the site. In accordance with the City's tree placement ratios, a total of 32 15-gallon trees would be required to offset impacts associated with the removal of 11 trees on the site. The Project proposes to install 23 new 15-gallon trees on the site and would pay in-lieu fees for the remaining 9 trees that are required to offset impacts related to the removal of 11 trees on the site (refer to the Standard Permit Conditions below).

The number of trees to be removed during Phase II would be determined as part of final Project design, but would occur in compliance with the City's Municipal Code and *Guidelines for Inventorying, Evaluating, and Mitigating Impacts to Landscaping Trees in the City of San José*. A tree report would be required to be prepared for the trees that would be impacted as part of Phase II, at which time the Project would have to conform to the City's Tree Replacement ratio and standards permit conditions, as discussed below.

With implementation of the following Standard Permit Conditions, potentially significant impacts related to tree removal would be less than significant. No mitigation would be required.

<u>Standard Permit Conditions:</u>

- Trees to be removed as part of the Project would be replaced according to tree replacement ratios required by the City, as provided in Table 5.4.B below, as amended.

Table 5.4.B: Tree Replacement Ratios

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

Source: City of San José
x:x = tree replacement to tree loss ratio
Note: Trees having a greater than or equal to 38-inch 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 permit is required for removal of trees of any size.
A 38-inch tree equals 12.1 inches in diameter.
A 24-inch box tree = two 15-gallon trees
Single-family and two-dwelling properties may be mitigated at a 1:1 ratio.

- In the event the Project site does not have sufficient area to accommodate the required tree mitigation, one or more of the following measures will be implemented, to the satisfaction of the Director of Planning, Building and Code Enforcement, at the development permit stage.
- The size of a 15-gallon replacement tree may be increased to a 24-inch box and may count as two replacement trees to be planted on the Project site, at the development permit stage.
- Pay Off-Site Tree Replacement Fee(s) to the City, prior to the issuance of Public Works grading permit(s), in accordance to the City Council-approved Fee Resolution. The City will use the off-site tree replacement fee(s) to plant trees at alternative sites.

f. Would the project conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved local, regional, or State habitat conservation plan?

Less Than Significant Impact. As previously stated, the Project is located within the boundaries of the Santa Clara Valley Habitat Plan (SCVHP). The SCVHP classifies the Project site as Area 4 (Private Development Area) consisting of urban development equal to or greater than 2 acres. According to Chapter 6, Section 2 of the SCVHP, activities occurring in Urban-Suburban land cover types are assumed to have negligible environmental impacts, as long as they would not affect a mapped or unmapped stream, riparian, serpentine, pond, wetland land cover type, or be located within a stream setback.[1] The Project site does not contain and is not adjacent to any streams, wetlands, or riparian habitat. Therefore, the Project would not conflict with the provisions of an adopted HCP, NCCP, or other approved local, regional, or State habitat conservation plans, and no mitigation would be required.

[1] Santa Clara Valley Habitat Agency. 2012. *Final Santa Clara Valley Habitat Plan*. Chapter 6. Conditions on Covered Activities and Application Process. August.

Standard Permit Conditions:

The Project is subject to applicable SCVHP conditions and fees (including the nitrogen deposition fee) prior to issuance of any grading permits. The Project Applicant would be required to submit the Santa Clara Valley Habitat Plan Coverage Screening Form to the Director of Planning, Building and Code Enforcement (PBCE) or the Director's designee for approval and payment of the nitrogen deposition fee prior to the issuance of a grading permit. The Habitat Plan and supporting materials can be viewed at www.scv-habitatplan.org.

5.4.4 Conclusion

Less Than Significant Impact. Conformance with Standard Permit Conditions, General Plan policies, SCVHP requirements, and State and federal laws discussed above, as well as implementation of Mitigation Measures BIO-1 and BIO-2, would ensure that biological impacts from the development of this urban property would be reduced to a less than significant level. No mitigation would be required.

5.5 CULTURAL RESOURCES

The discussion and analysis provided in this section is based on the National Register of Historic Places (National Register); the California Register of Historical Resources (California Register); and the *Geotechnical Engineering Exploration Analysis for the Proposed Public Storage Redevelopment Two New Three-Story Buildings NWC W. Capitol Expressway and Snell Avenue, San José, California* (Geotechnical Investigation) prepared by Giles Engineering Associates, Inc. (Giles Engineering) (December 20, 2017) (report provided in Appendix B of this IS/MND).

5.5.1 Environmental Setting

5.5.1.1 Regulatory Framework

Federal and State Regulations

National Register of Historic Places (NRHP)

The National Register of Historic Places (NRHP) lists the historic significance and the eligibility for qualifying for such significance for a building, structure, or other site. Significance eligibility is determined based on the quality and integrity of the resource and its association to American history, architecture, and culture. The resources must also possess one or more of the following characteristics:

1. It is associated with events that have made a significant contribution to the broad pattern of our history; or

2. It is associated with the lives of persons significant to our past; or

3. It embodies the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or

4. It yields, or may be likely to yield, information important in prehistory or history.

California Register of Historical Resources (CRHR)

The California Register of Historical Resources (CRHR) operates similarly to the National Register of Historic Places (NRHP) with almost the same structure for determining significance eligibility for potential historical resources. Generally, a resource is eligible for historical status under CRHR if it is greater than 50 years old as well as meets one or more of the following criteria:

1. It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.

2. It is associated with the lives of persons important to local, California, or national history.

3. It embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of a master or important creative individual, or possesses high artistic values.

Public Resources Code Section 5097.5. California PRC Section 5097.5(a) mandates that one cannot, "knowingly and willfully" excavate, remove, or destroy any "historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site," or "any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over the lands." PRC Section 5097.5(b) defines public lands as those that are owned by or under the jurisdiction of any state or public authority or agency.

Local Regulations

Envision San José 2040 General Plan.

The Environmental Resources (ER) and Land Use/Transportation (LU) sections of the City's General Plan include the following goals and policies related to cultural resources that are applicable to the proposed Project:

Goal ER-10 **Archaeology and Paleontology:** Preserve and conserve archaeologically significant structures, sites, districts and artifacts in order to promote a greater sense of historic awareness and community identity.

Policy ER-10.1 For proposed development sites that have been identified as archaeologically or paleontologically sensitive, require investigation during the planning process in order to determine whether potentially significant archeological or paleontological information may be affected by the project and then require, if needed, that appropriate mitigation measures be incorporated into the project design.

Policy ER-10.2 Recognizing that Native American human remains may be encountered at unexpected locations, impose a requirement on all development permits and tentative subdivision maps that upon their discovery during construction, development activity will cease until professional archaeological examination confirms whether the burial is human. If the remains are determined to be Native American, applicable State laws shall be enforced.

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

Municipal Code

The Historic Preservation Ordinance in Chapter 13.48 of the City's Municipal Code outlines the process and requirements of obtaining a Historic Preservation Permit and describes associated benefits of a potential property tax reduction through the Mills Act Historical Property Contract. As per the City's Municipal Code, a landmark has a significant historical, architectural, cultural,

aesthetic, or engineering interest or value pertaining to its historical nature. A landmark can include any combination of the following: an individual structure, an integrated group of structures on a single lot, or a site or portion of a site.

Historic Resources Inventory

The City manages a geographic information system (GIS) database that includes information on historic properties and resources that have been documented and assessed based on their significance. The Historic Resources Inventory exists within the database as a source for finding the location and significance category of these historic properties and resources. A resource is classified as a City Landmark if it has some historical, architectural, cultural, aesthetic, or engineering value.

5.5.1.2 Existing Conditions

Historic Resources. The existing Project site is characterized by self-storage buildings and associated surface parking lots. The existing self-storage uses were developed in 1981 and are 38 years old. The Project site has been previously disturbed and significantly altered as a result of past construction activities on the site, including development of the current on-site structures.

According to the City's Historic Resources Inventory (2008), the City contains nearly 4,000 properties that are considered to be historic (locally and/or at the State and federal levels).[1] The Project site is not classified as a historical resource nor are there any documented historic resources on the site as per both the California Register and the National Register. The Project site is not included in the City's History Resources Inventory or the City's Map of Designated Historic Sites and Districts/Areas.

Archaeological Resources. Archaeological resources are resources associated with human activity in the past and encompass both prehistoric and historic resources.

The existing Project site is currently developed and has been previously disturbed and significantly altered as a result of past construction activities on the site. As such, it is likely that any unknown archaeological resources on the Project site would have been disturbed at the time of previous activities on the Project site.

5.5.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	☐	☐	☐	☒
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☐	☒	☐
c. Disturb any human remains, including those interred outside of formal cemeteries?	☐	☐	☒	☐

[1] City of San José. 2016. Historic Resources Inventory. Website: http://www.sanjoseca.gov/index.aspx?NID=2172 (accessed August 8, 2018).

5.5.3 Impact Analysis

a. Would the project cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?

No Impact. CEQA defines a "historical resource" as a resource that meets one or more of the following criteria: (1) listed in, or determined eligible for listing in, the California Register of Historical Resources; (2) listed in a local register of historical resources as defined in PRC Section 5020.1(k); (3) identified as significant in a historical resource survey meeting the requirements of PRC Section 5024.1(g); or (4) determined to be a historical resource by a project's Lead Agency (PRC Section 21084.1 and *State CEQA Guidelines* Section 15064.5[a]).

The California Register defines a "historical resource" as a resource that meets one or more of the following criteria: (1) associated with events that have made a significant contribution to the broad patterns or local or regional history of the cultural heritage of California or the United States; (2) associated with the lives of persons important to local, California, or national history; (3) embodies the distinctive characteristics of a type, period, region, or method of construction or represents the work of a master or possesses high artistic values; or (4) has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

As previously discussed, the Project site is not included on the City's History Resources Inventory (due to its building age of approximately 40 years and its construction in the late 1970s with full operation in 1980),[1] nor is it mapped on the City's Map of Designated Historic Sites and Districts/Areas.[2] Further, according to the National Register[3] and the California Register,[4] there are no documented historic resources on or within the vicinity of the Project site. Therefore, the Project would not result in impacts to historic resources because there are no local, State, or federal historic resources on or adjacent to the Project site. No mitigation would be required.

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

Less Than Significant Impact.

Construction. The Project site is currently developed with self-storage uses and associated paved surface parking lots. The Project site has been previously disturbed and significantly altered as a result of past construction activities on the site.

Although there is little potential for the Project to impact prehistoric resources due to significant prior disturbance from past grading and development activities, Project construction would require

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1 City of San José. 2016. Historic Resources Inventory. Website: http://www.sanjoseca.gov/DocumentCenter/View/35475 (accessed August 8, 2018).

2 City of San José. 2013. Planning Division. Designated Historic Sites and Districts/Areas. March. Website: http://www.sanjose ca. gov/Document Center/View/1026 (accessed August 8, 2018).

3 United States Department of the Interior, National Park Service. National Register of Historic Places. Website: https:// https://www.nps.gov/maps/full.html?mapId=7ad17cc9-b808-4ff8-a2f9-a99909164466 (accessed August 8, 2018).

4 State of California, Office of Historic Preservation. 2018. Listed California Historical Resources. Website: http://ohp.parks.ca.gov/ListedResources/?view=county&criteria=37 (accessed August 8, 2018).

grading and excavation activities that may extend into native soils. Therefore, the following Standard Permit Condition is required in the unlikely event that unknown archaeological resources are discovered at any time during grading and construction activities. No mitigation would be required.

Standard Permit Conditions:

- Consistent with General Plan Policies ER-10.2 and ER-10.3, the following Standard Permit Conditions shall be implemented by the Project to reduce or avoid impacts to subsurface cultural resources to a less than significant level:

  — If prehistoric or historic resources are encountered during excavation and/or grading of the site, all activity within a 100-foot radius of the find shall be stopped, the Director of Planning, Building and Code Enforcement (PBCE), or the Director's designee, and the City's Historic Preservation Officer shall be notified, and a qualified archaeologist shall examine the find. The archaeologist shall (1) evaluate the find(s) to determine if they meet the definition of a historical or archaeological resource; and (2) make appropriate recommendations regarding the disposition of such finds prior to issuance of building permits. Recommendations could include collection, recordation, and analysis of any significant cultural materials. A report of findings documenting any data recovery shall be submitted to the Director of PBCE, or the Director's designee, and the City's Historic Preservation Officer and the Northwest Information Center (if applicable). Project personnel shall not collect or move any cultural materials.

Operation. At the completion of Project construction, the proposed Project would not result in further disturbance of native soils on the Project site. Therefore, operation of the proposed Project would not result in a substantial adverse change in the significance of an archaeological resource as defined in Section 15064.5 of the *State CEQA Guidelines*. No mitigation would be required.

c. Would the project disturb any human remains, including those interred outside of formal cemeteries?

Less Than Significant Impact. Due to the past disturbance and development of the entire site, no known human remains are present on the Project site, and there are no facts or evidence to support the idea that Native Americans or people of European descent are buried on the Project site. However, as described previously, buried and undiscovered archaeological remains, including human remains, may be present below the ground surface in portions of the Project site. Disturbing human remains could violate the State's Health and Safety Code, as well as destroy the resource. The following Standard Permit Condition applies in the unlikely event that human remains are encountered during project excavation or grading.

Standard Permit Conditions:

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 (PRC) Sections 5097.9 through 5097.99, as amended per Assembly Bill (AB) 2641, shall be followed. If human remains are discovered during construction, there shall be no further

excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Project Applicant shall immediately notify the Director of Planning, Building and Code Enforcement (PBCE), or the Director's designee, and the qualified archaeologist, who shall then notify the Santa Clara County Coroner. The Coroner will make a determination as to whether the remains are Native American. If the remains are believed to be Native American, the Coroner will contact the Native American Heritage Commission (NAHC) within 24 hours. The NAHC will then designate a Most Likely Descendant (MLD). The MLD will inspect the remains and make a recommendation on the treatment of the remains and associated artifacts. If one of the following conditions occurs, the landowner or his authorized representative shall work with the Coroner to re-inter the Native American human remains and associated grave goods with appropriate dignity in a location not subject to further subsurface disturbance:

- The NAHC is unable to identify an MLD or the MLD failed to make a recommendation within 48 hours after being given access to the site.
- The identified MLD fails to make a recommendation; or
- The landowner or his authorized representative rejects the recommendation of the MLD, and mediation by the NAHC fails to provide measures acceptable to the landowner.

5.5.4 Conclusion

Less Than Significant Impact. Implementation of the proposed Project would ensure that the Project would result in a less than significant impact to cultural resources through compliance with State and local regulations, as stated in the Standard Permit Conditions. No mitigation would be required.

5.6 ENERGY

The discussion and analysis provided in this section is based primarily on California Emissions Estimator Model (CalEEMod) data (provided in Appendix A of this IS/MND).

5.6.1 Environmental Setting

5.6.1.1 Regulatory Framework

Federal and State Regulations

The United States Environmental Protection Agency (EPA) establishes energy standards at the federal level. The United States EPA also establishes fuel efficiency standards for automobiles and other modes of transportation.

Renewables Portfolio Standard Program

Established in 2002 under Senate Bill 1078, California established its Renewables Portfolio Standard (RPS) Program, which was accelerated in 2006 under Senate Bill 107. The RPS required 20 percent of electricity sales to be served by renewable energy sources by 2010. In 2008, Executive Order S-14-08 was signed into law requiring retail sellers of electricity to serve 33 percent of their load with renewable energy by 2020. In October 2015, SB 350 was enacted to codify California's climate and clean energy goals. SB 350 requires retail sellers of electricity and publicly owned utilities to procure 50 percent of their electricity from renewable sources by 2030.[1]

California Building Code

The State of California provides a minimum standard for building design and construction standards through Title 24 of the California Code of Regulations (CCR), known as the California Building Code (CBC). The CBC is updated every three years, and the current 2016 CBC went into effect in January 2017. Compliance with Title 24 is mandatory at the time new building permits are issued by local governments. Generally, the CBC is adopted on a jurisdiction-by-jurisdiction basis, subject to further modification based on local conditions.

The California Building Standards Commission (CBSC) adopted Part 11 of the Title 24 Building Energy Efficiency Standards (also referred to as the California Green Building Standards Code, or CALGreen) in 2010 as part of the State's efforts to reduce GHG emissions and reducing energy consumption from residential and nonresidential buildings. CALGreen code covers the following five categories: (1) planning and design, (2) energy efficiency, (3) water efficiency and conservation, (4) material conservation and resource efficiency, and (5) indoor environmental quality.

[1] California Energy Commission. Renewable Portfolio Standard. Website: https://www.energy.ca.gov/portfolio/ (accessed February 12, 2019).

Local Regulations

Envision San José 2040 General Plan

The Environmental Leadership Measurable Standards (MS) and Community Design (CD) sections of the City's General Plan include the following goals and policies related to energy that are applicable to the proposed Project.

Goal MS-1 **Green Building Policy Leadership:** Demonstrate San José's commitment to local and global Environmental Leadership through progressive use of green building policies, practices, and technologies to achieve 100 million square feet of new or retrofitted green buildings by 2040.

Policy MS-1.6 Recognize the interconnected nature of green building systems, and, in the implementation of Green Building Policies, give priority to green building options that provide environmental benefit by reducing water and/or energy use and solid waste.

Goal MS-2 Maximize the use of green building practices in new and existing development to maximize energy efficiency and conservation and to maximize the use of renewable energy sources.

Policy MS-2.1 Develop and maintain policies, zoning regulations, and guidelines that require energy conservation and use of renewable energy sources.

Policy MS-2.2 Encourage maximized use of on-site generation of renewable energy for all new and existing buildings.

Policy MS-2.3 Utilize solar orientation (i.e., building placement), landscaping, design, and construction techniques for new construction to minimize energy consumption.

Policy MS-2.4 Promote energy efficient construction industry practices.

Policy MS-2.5 Encourage responsible forest management in wood material selections and encourage the use of rapidly renewable materials.

Policy MS-10.7 Encourage regional and statewide air pollutant emission reduction through energy conservation to improve air quality.

Policy CD-5.6 Design lighting locations and levels to enhance the public realm, promote safety and comfort, and create engaging public spaces. Seek to balance minimum energy use of outdoor lighting with goal of providing safe and pleasing well-lit spaces. Consider the City's outdoor lighting policies in development review processes.

Municipal Code

Section 24 of the San José Municipal Code adopts Title 24 of the CCR under the California Building Standards Code. The California Energy Commission sets standards for energy efficiency and green building standards as part of Title 24 in order to reduce California's energy consumption. Sections 24.10.100 and 24.12.100 of the San José Municipal Code adopt these technical provisions of the California Green Building Standard Code and the California Building Energy Efficiency Standards, respectively.

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

The City encourages new development to "build green" by incorporating green building practices that are targeted at energy efficiency, water conservation, and improved air and water quality. In accordance with the City's Private Sector Green Building Policy, new projects must achieve minimum green building performance levels using City Council adopted reference standards as specified below in Table 5.6.A.

Table 5.6.A: Private Sector Green Building Policy

Applicable Project	Minimum Green Building Rating
Commercial/Industrial Tier 1	< 25,000 square feet = LEED Applicable NC Checklist
Commercial/Industrial Tier 2	≥ 25,000 square feet = LEED Silver
Residential < 10 units Tier 1	GreenPoint or LEED Checklist
Residential ≥ 10 units Tier 2	GreenPoint Rated 50 points or LEED Certified
High Rise Residential (75 feet or higher)	LEED Certified

Source: City of San José. Private Sector Green Building Policy. Website: http://www.sanjoseca.gov/index.aspx?NID=3284 (accessed February 12, 2019).
LEED = Leadership in Energy and Environmental Design

5.6.1.2 Existing Conditions

Electricity. Electricity is provided in the State of California through a complex grid of power plants and transmission lines.

In 2017, California produced approximately 71 percent of the electricity it consumed and the rest was imported. California's non carbon dioxide (CO_2)-emitting electric generation (e.g., nuclear, large hydroelectric, solar, wind, and other renewable sources) accounted for more than 56 percent of total in-state generation for 2017, compared to 50 percent in 2017.[1] Electricity supplied from out-of-state, coal-fired power plants has continued to decrease since 2006, following the enactment of a law requiring California utilities to limit new long-term financial investments to power plants that do not meet California emissions standards. It is anticipated that all of California's imports of coal-fired generation will end in the near future.[2]

[1] California Energy Commission, Total System Electric Generation. Website: https://www.energy.ca.gov/almanac/electricity_data/total_system_power.html (accessed February 12, 2018).

[2] U.S. Energy Information Administration. "California State Profile and Energy Estimates Profile Analysis." Website: https://www.eia.gov/state/analysis.php?sid=CA#40 (accessed February 12, 2018).

California's total system electric generation in 2017 was 290,039 gigawatt-hours (GWh), which was down 0.5 percent from 2016's total generation of 2290,567 GWh. California's in-state electric generation was up by approximately 4 percent at 206,336 GWh compared to 198,227 GWh in 2016, and energy imports were down by 7 percent (or 6,638 GWh to 85,703 GWh. In 2017, total in-state solar generation increased 22 percent from 2016 levels. Both nuclear and wind generation decreased by 5 percent from 2016 levels.[1]

Growth in annual electricity consumption from traditional power plants declined reflecting increased energy efficiency (e.g., time-of-use pricing, electric vehicles, etc.) and higher self-generation from solar photovoltaic power systems. Per capita drops in electrical consumption are predicted through 2027 as a result of increased energy efficiency and increased self-generation (particularly from photovoltaic systems). However, due to population increases, it is estimated that the State's future demand for electricity will grow approximately 1 percent each year through 2027, and that 319,256 GWh of electricity would be utilized in the State in 2027.[2]

Pacific Gas and Electric Company (PG&E) provides the City of San José's with both natural gas and electricity. PG&E generates or buys electricity from hydroelectric, nuclear, renewable, natural gas, and coal facilities. In 2017, natural gas facilities provided 20 percent of PG&E's electricity delivered to retail customers; nuclear plants provided 27 percent; hydroelectric operations provided 18 percent; renewable energy facilities including solar, geothermal, and biomass provided 33 percent; and 2 percent was unspecified.[3]

Electricity usage varies substantially by the types of uses in a building, the types of construction materials used, and the efficiency of the electricity-consuming devices. In 2017, electricity in Santa Clara County was consumed primarily by the commercial sector (76 percent), followed by the residential sector consuming 24 percent. In 2016, a total of approximately 17,190 GWh of electricity was consumed in Santa Clara County.[4]

Natural Gas. In 2018, approximately 2 percent of California's natural gas supply came from in-state production, while 98 percent was imported from other western states and Canada.[5] California's natural gas is supplied by interstate pipelines, such as the Mojave Pipeline, Transwestern Pipeline, Questar Southern Trails Pipeline, Tuscarora Pipeline, and the Baja Norte/North Baja Pipeline. As a result of improved access to supply basins, as well as pipeline expansion and new projects, these pipelines currently have excess capacity. In 2018, approximately 35 percent of the natural gas

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1 California Energy Commission, Total System Electric Generation. Website: https://www.energy.ca.gov/almanac/electricity_data/total_system_power.html (accessed February 12, 2019).

2 California Energy Commission. California Energy Demand Updated Forecast, 2017-2027. Website: http://docketpublic.energy.ca.gov/PublicDocuments/16-IEPR05/TN214635_20161205T142341_California_Energy_Demand_Updated_Forecast.pdf (accessed February 13, 2019).

3 Pacific Gas & Electric Company. "Exploring Clean Energy Solutions." Website: https://www.pge.com/en_US/about-pge/environment/what-we-are-doing/clean-energy-solutions/clean-energysolutions.page?WT.mcid=Vanity_cleanenergy (accessed: February 13, 2019).

4 California Energy Commission. "Energy Consumption by County." Website: http://ecdms.energy.ca.gov/elecbycounty.aspx (accessed: February 13, 2019).

5 California Gas and Electric Utilities. 2018 California Gas Report. Website: https://www.pge.com/pipeline_resources/pdf/library/regulatory/downloads/cgr18.pdf (accessed February 13, 2019).

delivered for consumption in California was for electricity generation; 21 percent for industrial uses; 24 percent for residential uses; 10 percent for commercial uses; and less than 10 percent for vehicle fuel, enhanced oil recovery steaming, wholesale, and company use. As with electricity usage, natural gas usage depends on the types of uses, the types of construction materials used, and the efficiency of gas-consuming devices. In 2017, California consumed approximately 21,828,634,953 Btu of natural gas; a slight decrease from 2016 when 22,470,413,650 Btu were consumed.[1] In Santa Clara County, 444,979,800 British thermal unit (Btu) of natural gas were consumed in 2017, which is about 2 percent of the State's total.

Natural gas demand in California is anticipated to decrease approximately 0.5 percent per year through 2035. This decline is due to on-site residential, commercial, and industrial electricity generation; aggressive energy efficiency programs; and a decrease in demand for electrical power generation as a result of the implementation of State-mandated RPS targets (as the State moves to power generation resources that result in less GHG emissions than natural gas).[2]

Gasoline. California crude oil production levels have been declining over the last 30 years; however, the State still accounts for 5 percent of the United States' crude oil production and petroleum refining capacity.[3] In 2017, approximately 143 billion gallons of gasoline were consumed in the United States[4] (setting an annual gasoline consumption record) and 15.5 billion gallons were consumed in California.[5] The United States has seen lower gasoline prices and a high demand in the last few years, though forecasted growth in demand is expected to slow as retail prices begin to increase.[6]

The average fuel economy for light-duty vehicles (autos, pickups, vans, and SUVs) in the United States has steadily increased from about 14.9 miles per gallon (mpg) in 1980 to 22.0 mpg in 2015.[7] Federal fuel economy standards have changed substantially since the Energy Independence and Security Act was passed in 2007. The Act, which originally mandated a national fuel economy standard of 35 mpg by the year 2020, applies to cars and light trucks of Model Years 2011 through

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1 United States Energy Information Administration. Natural Gas Summary. Website: https://www.eia.gov/dnav/ng/ng_sum_lsum_dcu_SCA_a.htm (accessed February 13, 2019).

2 California Gas and Electric Utilities. 2018 California Gas Report. Website: https://www.pge.com/pipeline_resources/pdf/library/regulatory/downloads/cgr18.pdf (accessed February 13, 2019).

3 U.S. Energy Information Administration. "California State Profile and Energy Estimates Profile Analysis." Website: https://www.eia.gov/state/analysis.php?sid=CA#40 (accessed February 13, 2019).

4 U.S. Energy Information Administration. "Frequently Asked Questions." Website: https://www.eia.gov/tools/faqs/faq.cfm?id=23&t=10 (accessed February 13, 2019).

5 California State Board of Equalization. "Net Taxable Gasoline Gallons." Website: http://www.cdtfa.ca.gov/taxes-and-fees/MVF_10_Year_Report.pdf (accessed February 13, 2019).

6 U.S. Energy Information Administration. "Short-Term Energy Outlook, U.S. Liquid Fuels." Website: http://www.eia.gov/forecasts/steo/report/us_oil.cfm (accessed February 13, 2019).

7 U.S. Department of Transportation. "Table 4-23: Average Fuel Efficiency of U.S. Light Duty Vehicles." Website: https://www.bts.gov/archive/publications/national_transportation_statistics/table_04_23/ (accessed February 13, 2019).

2020.[1] In 2012, the federal government raised the fuel economy standard to 54.5 mpg for cars and light-duty trucks by Model Year 2025.[2]

Energy Use of Existing Development. The electricity demand on-site is generated by the existing self-storage uses (approximately 133,701 sf). The estimated annual energy use of the existing development, as shown in Table 5.6.B, is based on energy demand factors in the California Emissions Estimator Model (CalEEMod).

Table 5.6.B: Estimated Annual Energy Use of Existing Development

Development	Electricity Use (kWh)	Natural Gas Use (kBtu)
16 self-storage buildings (133,701 sf of industrial uses)	311,523	-

Source: Air Quality and Greenhouse Gas Analysis (LSA 2019; Appendix A).
kBtu = kilo-British thermal unit
kWh = kilowatt-hours

As illustrated by Table 5.6.B, existing uses on the site currently demand 311,523 kilowatt-hours (kWh) of electricity. Natural gas is not currently used on the Project site. Based on the average 2015 fuel economy of 22 mpg and the existing trip rates described in Section 5.17, Transportation, the existing development consumes 416 gallons of gasoline per year.[3]

5.6.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?	☐	☐	☒	☐
b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

5.6.3 Impact Analysis

a. Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation?

Less Than Significant Impact.

[1] U.S. Department of Energy. "Energy Independence & Security Act of 2007." Website: https://www.afdc.energy.gov/laws/eisa (accessed February 13, 2019).

[2] The White House. Office of the Press Secretary. "Obama Administration Finalizes Historic 54.5 MPG Fuel Efficiency Standards. Website: https://obamawhitehouse.archives.gov/the-press-office/2012/08/28/obama-administration-finalizes-historic-545-mpg-fuel-efficiency-standard (accessed February 13, 2019).

[3] 12.53 VMT per employee (25.06 VMT per day or 9,147 VMT per year). 9,147 VMT/22 mpg = 416 gallons of gas.

Construction. The anticipated construction schedule assumes that Phase I and Phase II would be built over 24 months. However, there would be an interim period between Phase I and Phase II that would extend for at least 6 months. Construction of both phases would require demolition, grading, and site preparation. In total, Phases I and II would require up to 1,075 cubic yards of soil import.

Energy would be consumed during construction and operation of the proposed Project. Construction would require energy for the manufacture and transportation of building materials, preparation of the site for demolition and grading activities, and building construction. Petroleum fuels (e.g., diesel and gasoline) would be the primary sources of energy for these activities. Operation of the Project would consume energy in the form of electricity associated with building heating and cooling, lighting, and water heating. In order to increase energy efficiency on the site during Project construction, the Project would restrict equipment idling times to 5 minutes or less and would require construction workers to shut off idle equipment (refer to the Standard Permit Conditions in Section 5.3, Air Quality). Energy usage on the Project site during construction would be temporary in nature and would be relatively small in comparison to the State's available energy sources. Therefore, construction energy impacts would be less than significant, and no mitigation would be required.

Operation. As proposed, the Project would redevelop the Project site with new self-storage uses that would be developed at a greater building intensity and would be concentrated within the central area of the site. In total, the Project would construct 427,395 sf of self-storage uses, which would represent a net increase of 293,694 sf.

Energy would be consumed during operation of the Project in the form of electricity associated with building heating and cooling, lighting, and water heating. As shown in Table 5.6.C, proposed uses on the site would use 550,050 kWh of electricity (net increase of 188,527 kWh). In addition, the Project would result in energy usage associated with gasoline to fuel project-related trips. No proposed uses on the Project site would use natural gas. As discussed further in Section 5.17, Transportation, the proposed Project would result in an increase of 443 net new daily trips and would have an annual VMT of 9,015.5. Using the USEPA fuel economy estimates for 2015, the proposed Project would result in the consumption of approximately 410 gallons of gasoline per year (a 6-gallon decrease over existing conditions).[1]

Table 5.6.C: Estimated Annual Energy Use of Existing and Proposed Project

Development	Electricity Use (kWh)	Natural Gas Use (kBtu)	Gasoline (gallons)
Existing Development	311,523	-	416
Proposed Project	500,050	-	410
Total (Net Increase/Decrease):	**188,527**	**-**	**(-6)**

Source: Air Quality and Greenhouse Gas Analysis (LSA 2019; Appendix A).
kBtu = kilo-British thermal unit
kWh = kilowatt-hours

[1] 12.35 VMT per employee (24.7 VMT per day or 9,015.5 VMT per year). 9,015.5 VMT/22 mpg = 410 gallons of gas.

Table 5.6.C compares the energy use of the proposed Project with the existing energy use on the Project site.

As shown in Table 5.6.C, the Project would use a net increase of 188,527 kWh of electricity on an annual basis. As stated previously, the Project would result in a net decrease of 6 gallons of gasoline use per year.

As previously stated, the annual electricity use in the State is anticipated to increase by approximately 1 percent per year through 2027. The Project's net electricity usage would total less than 0.01 percent[1] of electricity use in the State in 2017, which would not represent a substantial demand on electricity resources in the State.

Implementation of the proposed Project would decrease the project-related annual gasoline demand by 6 gallons. New automobiles purchased by visitors driving to and from the Project site would be subject to fuel economy and efficiency standards applied throughout the State. As such, the fuel efficiency of vehicles associated with the Project site would increase throughout the life of the Project. Therefore, implementation of the proposed Project would not result in a substantial increase in transportation-related energy uses.

In summary, construction and operation of the proposed Project would not result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources. Impacts would be less than significant, and no mitigation would be required.

b. Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Less Than Significant Impact. As previously stated, the Project would be required to comply with the CALGreen Code, which includes provisions related to insulation and design aimed at minimizing energy consumption. The proposed Project would also be required to comply with the City's Private Sector Green Building Policy.

As described further in Section 5.17, Transportation, VMT per employee would be reduced from 12.53 to 12.35 following Project implementation. The reduction of VMTs associated with the Project would result in a corresponding reduction in gasoline used for vehicles traveling to and from the site. Moreover, the reduction in VMT would be consistent with the State's goal of reducing vehicular GHG emissions as outlined in Senate Bill 743. Therefore, the proposed Project would be consistent with applicable plans related to renewable energy and energy efficiency, and no mitigation would be required.

5.6.4 Conclusion

Less Than Significant Impact. Implementation of the proposed Project would not result in a substantial increase in demand upon energy resources in relation to Project supplies, and no mitigation would be required.

[1] Calculation: 1.87 GWh (proposed project) / 206,336 GWh (generated in State in 2017) = < 0.01 percent.

5.7 GEOLOGY AND SOILS

The discussion and analysis provided in this section is based on the *Geotechnical Engineering Exploration Analysis for the Proposed Public Storage Redevelopment Two New Three-Story Buildings NWC W. Capitol Expressway and Snell Avenue, San José, California* (Geotechnical Investigation) prepared by Giles Engineering (December 20, 2017) (analysis provided in Appendix B of this IS/MND).

5.7.1 Environmental Setting

5.7.1.1 Regulatory Framework

Federal and State Regulations

Alquist-Priolo Earthquake Fault Zoning Act

Following the 1971 San Fernando earthquake, the State legislature passed the Alquist-Priolo Earthquake Fault Zoning (AP) Act, which regulates developments near known active faults due to hazards associated with surface ruptures. As per the AP Act, development areas in or near the Alquist-Priolo Earthquake Fault Zone require evaluation for potential surface ruptures in order to ensure public safety.

Seismic Hazards Mapping Act

The State legislature passed the Seismic Hazards Mapping Act (SHMA) to ensure public safety in regards to the effects of strong ground shaking, liquefaction, landslides, and other seismic hazards. Per the SHMA, the California Geological Survey (CGS) has established a statewide mapping program for cities and counties to aid in identifying areas subject to these seismic hazards, which include the central San Francisco Bay Area and Los Angeles Basin.

California Building Code

The State of California provides a minimum standard for building design and construction standards through Title 24 of the California Code of Regulations (CCR), known as the California Building Code (CBC). The CBC is updated every three years, and the current 2016 CBC went into effect in January 2017. Generally, the CBC is adopted on a jurisdiction-by-jurisdiction basis, subject to further modification based on local conditions. The CBC defines the requirements for seismic safety, excavation, and construction activities relating to foundations, retaining walls, and site demolition. It also regulates grading activities such as drainage and erosion control.

California Public Resources Code Section 5097.5

Section 5097.5 of the California Public Resources Code prohibits the excavation, removal, destruction, or tampering with any paleontological resources situated on public lands, except with the express permission of a public agency with jurisdiction over the lands.

Local Regulations

Envision San José 2040 General Plan

The Environmental Resources (ER) and Environmental Considerations/Hazards (EC) sections of the City of San José's (City) General Plan include the following goals and policies related to cultural resources that are applicable to the proposed Project:

Goal ER-10 **Archaeology and Paleontology:** Preserve and conserve archaeologically significant structures, sites, districts and artifacts in order to promote a greater sense of historic awareness and community identity.

Policy ER-10.1 For proposed development sites that have been identified as archaeologically or paleontologically sensitive, require investigation during the planning process in order to determine whether potentially significant archeological or paleontological information may be affected by the project and then require, if needed, that appropriate mitigation measures be incorporated into the project design.

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

Goal EC-3 **Seismic Hazards:** Minimize the risk of injury, loss of life, property damage, and community disruption from seismic shaking, fault rupture, ground failure (liquefaction and lateral spreading), earthquake-induced landslides, and other earthquake-induced ground deformation.

Policy EC-3.1 Design all new or remodeled habitable structures in accordance with the most recent California Building Code and California Fire Code as amended locally and adopted by the City of San José, including provisions regarding lateral forces.

Goal EC-4 **Geologic and Soil Hazards:** Minimize the risk of injury, loss of life, and property damage from soil and slope instability, including landslides, differential settlement, and accelerated erosion.

Policy EC-4.1 Design and build all new or remodeled habitable structures in accordance with the most recent California Building Code and Municipal Code requirements as amended and adopted by the City of San José, including provisions for expansive soil, and grading and storm water controls.

Policy EC-4.2 Approve development in areas subject to soils and geologic hazards, including unengineered fill and weak soils and landslide-

prone areas, only when the severity of hazards have been evaluated and if shown to be required, appropriate mitigation measures are provided. New development proposed within areas of geologic hazards shall not be endangered by, nor contribute to, the hazardous conditions on the site or on adjoining properties. The City of San José Geologist will review and approve geotechnical and geological investigation reports for projects within these areas as part of the project approval process.

Policy EC-4.4 Require all new development to conform to the City of San José's Geologic Hazard Ordinance.

Policy EC-4.5 Ensure that any development activity that requires grading does not impact adjacent properties, local creeks and storm drainage systems by designing and building the site to drain properly and minimize erosion. An Erosion Control Plan is required for all private development projects that have a soil disturbance of one acre or more, are adjacent to a creek/river, and/or are located in hillside areas. Erosion Control Plans are also required for any grading occurring between October 1 and April 30.

Policy EC-4.7 Consistent with the San José Geologic Hazard Ordinance, prepare geotechnical and geological investigation reports for projects in areas of known concern to address the implications of irrigated landscaping to slope stability and to determine if hazards can be adequately mitigated.

Action EC-4.11 Require the preparation of geotechnical and geological investigation reports for projects within areas subject to soils and geologic hazards, and require review and implementation of mitigation measures as part of the project approval process.

Action EC-4.12 Require review and approval of grading plans and erosion control plans (if applicable) prior to issuance of a grading permit by the Director of Public Works.

Policy ES-4.9 Permit development only in those areas where potential danger to health, safety, and welfare of the persons in that area can be mitigated to an acceptable level.

Municipal Code

Title 24 of the City's Municipal Code includes the 2013 California Building, Plumbing, Mechanical, Electrical, Existing Building, and Historical Building Codes. Both Chapter 17.40, Dangerous Buildings, and Chapter 17.10, Geologic Hazards Regulations, mandate the requirements for building safety and

reducing earthquake-related hazards. Chapter 17.10, Building Code: Part 6 Excavation and Grading, states the requirements for managing erosion, grading, and excavation.

As per the Municipal Code, a Certificate of Geologic Hazard Clearance must be issued by The Director of Public Works before issuing grading and building permits within defined geologic hazard zones, including State Seismic Hazard Zones for Liquefaction.

5.7.1.2 Existing Conditions

Regional Geology

The City is located within the Santa Clara Valley, a large structural basin containing alluvial deposits derived from the Diablo Range to the east and the Santa Cruz Mountains to the west. The valley sediments were deposited as a series of coalescing alluvial fans by streams that drain the adjacent mountains.

On-Site Geological Conditions

Topography and Soils. Topography on the existing project site is relatively flat. According to the Geotechnical Report prepared for the proposed Project, artificial fill and soils were encountered within test borings to depths of approximately 3.5 to 5.0 ft below existing grades. These soils generally consisted of moist, stiff sandy clay, silty clay, and firm silty sand with some gravel. Native soils were encountered underneath the fill and possible fill, and underneath the pavement generally consisted of moist-to-wet, soft-to-medium stiff silty clay and sandy clay to the maximum depth explored (51.5 ft). Very dense sand with gravel layer was encountered within test boring B-6 at depths of about 45–50 ft below existing grade.

Liquefaction. Liquefaction is a seismic phenomenon in which loose, saturated, granular soils behave similarly to a fluid when subject to high-intensity ground shaking. Liquefaction commonly occurs when three conditions are present simultaneously: (1) shallow groundwater; (2) relatively loose, cohesionless (granular) soil; and (3) earthquake-generated seismic waves. The presence of these conditions may cause a loss of shear strength and, in many cases, ground settlement. The factors known to influence liquefaction potential include soil type, relative density, grain size, confining pressure, depth to groundwater, and the intensity and duration of the seismic ground shaking.

According to the Geotechnical Investigation, the Project site is located in a designated Liquefaction Hazard Zone and in an area where conditions have historically indicated a potential for permanent liquefaction induced displacements.

Seismicity and Seismic-Related Hazards. As noted in the Geotechnical Investigation (Appendix B), the Project site is not located within a currently designated Alquist-Priolo Earthquake Fault Zone. In addition, the existing Project site does not contain any known active or potentially active faults or fault traces. The closest mapped active faults to the Project site are the Monte Vista-Shannon, Calaveras, and San Andreas Faults, which are located approximately 4 miles, 8 miles, and 11 miles from the site, respectively.

Lateral Spreading. Lateral spreading refers to ground displacement that occurs on gentle sloping ground as a result of liquefaction during an earthquake. According to the Geotechnical Investigation, the potential for lateral spreading on the Project site is considered to be low.

Landslides. The Project site is relatively flat, and there are no substantial hillsides or unstable slopes immediately adjacent to the site boundary. According to the Geotechnical Investigation, the Project site does not lie within a designated Landslide Hazard Zone.

Subsidence. Subsidence is the sinking of the land surface due to oil, gas, and water production, which results in the loss of pore pressure as the weight of the overburden compacts the underlying sediments. Subsidence began to occur in the City in the 1910s due to activities related to groundwater withdrawal. Subsidence has stopped or greatly slowed in the region because of improved groundwater management. Regional subsidence is not expected to be a problem in the City unless groundwater pumping increases above the rate of recharge.[1]

Expansive Soils. Expansive soils contain types of clay materials that occupy considerably more volume when they are wet or hydrated than when they are dry or dehydrated. Volume changes associated with changes in the moisture content of near-surface expansive soils can cause uplift or heave of the ground when they become wet or, less commonly, cause settlement when they dry out. According to the Geotechnical Investigation, existing surface soils on the Project site have a medium expansion potential (EI=62).

Paleontological Resources. Paleontological resources are fossils, or the remains or traces of prehistoric life preserved in the geological record. Paleontological resources include the casts or impressions of ancient animals and plants, their trace remains, microfossils, and unmineralized remains.

According to the Envision San José 2040 General Plan Final Environmental Impact Report (2011), the Project site is not located in an area that has a high sensitivity for paleontological resources. Moreover, due to the developed nature of the site and surrounding area, it is likely that any unknown paleontological resources would have been unearthed at the time of previous activities on the Project site.

[1] City of San José. Envision San José 2040 General Plan Final Environmental Impact Report. 2011.

5.7.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☐	☐	☒	☐
ii. Strong seismic ground shaking?	☐	☐	☒	☐
iii. Seismic-related ground failure, including liquefaction?	☐	☒	☐	☐
iv. Landslides?	☐	☐	☐	☒
b. Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	☒	☐
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	☒
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐

5.7.3 Impact Analysis

a. Would the project, directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Less Than Significant Impact. As previously stated, there are no known faults on the Project site nor in the Project site located within a currently designated Alquist-Priolo Earthquake Fault Zone. As the Project site is not located in an Alquist-Priolo Earthquake Fault Zone and there is no evidence of active faulting on or around the immediate Project site, the potential for ground rupture to affect the Project is considered to be less than significant, and no mitigation is necessary.

a. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

ii. Strong seismic ground shaking?

Less Than Significant Impact. As with all of Northern California, the Project site is subject to strong ground motion resulting from earthquakes on nearby faults. As discussed in Response 4.7.3(a)(i), the Monte Vista-Shannon, Calaveras, and San Andreas Faults are located approximately 4, 8, and 11 miles from the site. These faults are capable of producing strong ground motion. During an earthquake along these faults or others, seismically induced ground shaking would be expected to occur. The severity of the shaking would be influenced by the distance of the site to the seismic source, the soil conditions, and the depth to groundwater.

Ground shaking generated by fault movement is considered a potentially significant impact that may affect the proposed Project. The following Standard Permit Condition requires that the Project Applicant comply with the recommendations of the Geotechnical Investigation prepared for the Project, the most current California Building Code (CBC), and the City of San José Building Code, which stipulates appropriate seismic design provisions that shall be implemented with project design and construction. With the implementation of the Standard Permit Condition, potential project impacts related to seismic ground shaking would be reduced to a less than significant level. No mitigation would be required.

Standard Permit Conditions:

To avoid or minimize potential damage from seismic shaking, the Project shall be constructed using standard engineering and seismic safety design techniques. Building design and construction at the site shall be completed in conformance with the recommendations of an approved geotechnical investigation. The report shall be reviewed and approved by the City of San José Department of Public Works as part of the building permit review and issuance process. The buildings shall meet the requirements of applicable Building and Fire Codes as adopted or updated by the City. The Project shall be designed to withstand soil hazards identified on the site and the Project shall be designed to reduce the risk to life or property on site and off site to the extent feasible and in compliance with the Building Code.

a. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

iii. Seismic-related ground failure, including liquefaction?

Less Than Significant Impact with Mitigation Incorporated. The seismically induced liquefaction and settlement potential of the on-site subsurface soils was evaluated as part of the Geotechnical Investigation prepared for the proposed Project. The liquefaction and settlement potential of the site was evaluated with consideration to historic and current groundwater levels, soil types, gradation, relative density, intensity of ground shaking, and duration of shaking. According to the Geotechnical Investigation, the Project site is located in a designated Liquefaction Hazard Zone and in an area where conditions have historically indicated a potential for permanent liquefaction induced displacements. Although the Project site is located within a designated Liquefaction Hazard Zone, results of the liquefaction analysis in the Geotechnical Investigation indicated that the

likelihood for liquefaction-induced displacements is low. Mitigation Measure GEO-1 has been included to address the potential for liquefaction on site. Therefore, potential project impacts related to seismic-related ground failure, including liquefaction and settlement would be reduced to a less than significant level following implementation of Mitigation Measure GEO-1.

Impact GEO-1: The Project site is in a designated Liquefaction Hazard Zone and in an area where conditions have historically indicated a potential for permanent liquefaction-induced displacements. As such, the Project may be subject to impacts related to seismically induced liquefaction.

Mitigation Measure GEO-1:

MM GEO-1 **Geohazard Clearance-Liquefaction.** Prior to the issuance of any building permits, the Project Applicant shall submit a request for geohazard clearance, with the a copy of the geotechnical report prepared for the Site (Appendix B of the Initial Study/Mitigated Negative Declaration), to the City Engineering Geologist. The Project shall conform to the recommendations of the project-specific geotechnical report, including soil improvements and foundation and design considerations for the proposed foundations, unless otherwise determined by the City Engineering Geologist.

a. Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

iv. Landslides?

No Impact. As previously noted, the Project site does not lie within a designated Landslide Hazard Zone. As such, there is no potential for landslide hazards nor is the site in the path of any known or potential landslides. No impacts with respect to landslides would occur, and no mitigation would be required.

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

Less Than Significant Impact. During the construction activities of the proposed Project, bare soil would be exposed, and there would be an increased potential for soil erosion compared to existing conditions. Additionally, during a storm event, soil erosion could occur at an accelerated rate. The increased erosion potential could result in short-term water quality impacts as identified in Section 5.10, Hydrology and Water Quality. During construction, the Project Applicant would be required to adhere to the requirements of the Construction General Permit and implement Erosion Control and Sediment Control Best Management Practices (BMPs), which are intended to minimize erosion and retain sediment on site. The Project would also be required to prepare an Erosion Control Plan to further minimize erosion and the loss of topsoil. The proposed Project would permanently increase impervious surface area on the Project site by 0.11 acre compared to existing conditions and would potentially increase runoff peak flow during a storm event. In the proposed condition, erosion and siltation would be minimized in the landscaped pervious areas, where soil would be stabilized by vegetation and stormwater would continue to percolate. Therefore, operation of the proposed Project would not increase on-site erosion or loss of topsoil. For these reasons, with implementation of the following Standard Permit Conditions, impacts related to erosion and loss of topsoil would be less than significant, and no mitigation would be required.

Geology and Soils Standard Permit Conditions:

- All excavation and grading work shall be scheduled in dry weather months or construction sites shall be weatherized.
- Stockpiles and excavated soils shall be covered with secured tarps or plastic sheeting.
- Ditches shall be installed to divert runoff around excavations and graded areas if necessary.

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

Less Than Significant Impact. Landslides and other forms of mass wasting, including mud flows, debris flows, and soil slips, occur as soil moves downslope under the influence of gravity. Landslides are frequently triggered by intense rainfall or seismic shaking. As previously discussed in Response 4.7.3(a)(iv), landslides or other forms of natural slope instability do not represent a significant hazard to the Project because the site is located in a relatively flat area, and there is no evidence of landslides in the Project vicinity. Therefore, potential impacts related to landslides would be less than significant, and no mitigation would be required.

Although there are no indications of landslide activity on the Project site, grading activities during construction would produce temporary construction slopes in some areas. Unstable cut-and-fill slopes could create short-term hazards. Standard Permit Conditions and Mitigation Measure GEO-1 require the Project to conform to the recommendations of the Geotechnical Investigation (Appendix B), which contains specific recommendations for addressing potential slope instability. According to the Geotechnical Investigation, all excavations shall be performed in accordance with California Occupational Safety and Health Administration (CAL-OSHA) requirements to minimize impacts associated with temporary excavation slopes. The Geotechnical Investigation also recommends that all shallow slope excavations be adequately sloped for bank stability and all deeper slope excavations utilize sheeting or shoring to stabilize banks. With implementation of the geotechnical recommendations, potential impacts related to slope instability would be reduced below a level of significance.

Lateral spreading refers to ground displacement that occurs on gentle sloping ground as a result of liquefaction during an earthquake. According to the Geotechnical Investigation, the potential for lateral spreading on the Project site is considered to be low. However, as discussed in Response 4.7.3(a)(iii), the Project site is in an area that has potentially liquefiable soils, and would be subject to impacts related to liquefaction and settlement of the on-site soils as a result of seismic shaking. However, the Project would be required to comply with the recommendations of the Project Geotechnical Investigation, which stipulates appropriate seismic design provisions that shall be implemented with project design and construction. With implementation of the standard permit conditions and Mitigation Measure GEO-1, potential lateral spreading impacts would be reduced to a less than significant level.

As previously stated, there has been no significant land surface subsidence in the City since the City began its efforts to cease groundwater withdrawal in the late 1960s. Therefore, construction and

implementation of the proposed Project would not result in subsidence-related impacts, and no mitigation would be required.

d. Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Less Than Significant Impact. As previously stated, existing surface soils on the Project site have a medium expansion potential (EI=62). As such, the Project would be required to comply with recommendations in the Geotechnical Investigation aimed at reducing impacts related to expansive soils, including requiring that any import soil material consist of relatively non-expansive soils (i.e., soils with an expansion index of less than 51) and that existing soils on the site be backfilled with low expansive compacted fill. Therefore, compliance with the Standard Permit Conditions would reduce potential Project impacts related to expansive soils to a less than significant level. No mitigation would be required.

e. Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

No Impact. The proposed Project does not include construction of septic tanks or connections to septic systems or alternative wastewater disposal systems. Therefore, the proposed Project would not result in impacts related to the soil's capability to adequately support the use of septic tanks or alternative wastewater disposal systems, and no mitigation would be required.

f. Would the project, directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less Than Significant Impact.

Construction. There are no unique geologic features on the Project site. As detailed in the Geotechnical Investigation for the Project (Appendix B), the Project site is underlain by fine grained alluvial fan deposits from the Holocene era. Results of the Geotechnical Investigation also indicate that the Project site contains fill at depths up to 5 ft below ground surface (bgs). These fills generally consist of stiff sandy clay, silty clay, and firm silty sand with some gravel. Artificial Fill consists of sediments that have been removed from one location and transported to another location and, therefore, have no paleontological sensitivity.

Native soils on the site were determined to primarily consist of soft- to-medium stiff silty clay and sandy clay to the maximum depth of 50 ft that was explored as part of the Geotechnical Investigation. According to the City's Envision San José 2040 General Plan EIR, native soils under the Project site have a high sensitivity for paleontological resources at depth.[1] Due to the shallow depths of Artificial Fill on the site and the unknown origin of native soils on the site, it is possible that excavation and construction activities may unearth buried scientifically important resources. In the unlikely event that fossil remains are encountered on the site, the Standard Permit Conditions below requires that a paleontologist be contacted to assess the discovery for scientific significance and to

[1] Paleontological Sensitivity of City of San José Geologic Units, Figure 3.11-1, Envision San José 2040 General Plan EIR. 2011.

make recommendations regarding the necessity to develop paleontological mitigation (including paleontological monitoring, collection, stabilization, and identification of observed resources; curation of resources into a museum repository; and preparation of a monitoring report of findings). With implementation of the Standard Permit Conditions below, impacts to paleontological resources would be reduced to a less than significant level. No mitigation would be required.

Operation. At the completion of Project construction, the proposed Project would not result in further disturbance of native soils on the Project site. Therefore, operation of the proposed Project would not result in a substantial adverse change in the significance of a paleontological resource as defined in Section 15064.5 of the *State CEQA Guidelines*, and no mitigation would be required.

Standard Permit Conditions:

- Consistent with General Plan Policy ER-10.3, the following Standard Permit Conditions shall be implemented by the Project to reduce or avoid impacts to paleontological resources to a less than significant level:
    - If vertebrate fossils are discovered during construction, all work on the site shall stop immediately, the Director of Planning, or the Director's designee, of the Department of Planning, Building and Code Enforcement (PBCE) shall be notified, and a qualified professional paleontologist shall assess the nature and importance of the find and recommend appropriate treatment. Treatment may include, but is not limited to, preparation and recovery of fossil materials so that they can be housed in an appropriate museum or university collection and may also include preparation of a report for publication describing the finds. The Project Applicant shall be responsible for implementing the recommendations of the qualified paleontologist. A report of all findings shall be submitted to the Director of Planning, or the Director's designee, of the PBCE.

5.7.4 Conclusion

Less Than Significant Impact. Implementation of the proposed Project would result in less than significant impacts with respect to geology and soils with the implementation of Standard Permit Conditions and Mitigation Measure GEO-1.

5.8 GREENHOUSE GAS EMISSIONS

This section is based in part on the *Air Quality and Greenhouse Gas Analysis – San José Public Storage Project* (Air Quality and Greenhouse Gas Analysis), completed by LSA (August 2019), and the California Emissions Estimator Model (CalEEMod) results for proposed and existing site uses. Both the report and the CalEEMod results are provided in Appendix A of this IS/MND.

5.8.1 Environmental Setting

Federal and State Regulations

Clean Air Act

The United States Environmental Protection Agency (USEPA) is responsible for implementing the Federal Clean Air Act (FCAA), which was enacted in 1963. The FCAA was amended in 1970, 1977, and 1990. Under the FCAA, the EPA has the authority to regulate GHG emissions and prescribe actions to potentially reduce those emissions.

California Global Warming Solutions Act

The California Global Warming Solutions Act (also referred to as Assembly Bill [AB] 32) established a statewide GHG emissions cap for 2020, adopted reporting rules for significant sources of GHG, and adopted the Climate Change Scoping Plan, which itself identifies how GHG emissions reductions will be achieved.

In 2016, Senate Bill (SB) 32 was enacted, which amended the California Global Warming Solutions Act. SB 32 required the California Air Resources Board to ensure that GHG emissions are reduced to 40 percent below the 1990 level by 2030. CARB subsequently updated its Climate Change Scoping Plan in 2017 to express the 2030 statewide target in terms of million metric tons of carbon dioxide equivalent (MMT of CO_2e). Based on the emissions reductions directed by SB 32, the annual 2030 statewide target emissions level for California is 260 MMT of CO_2e.

Senate Bill 375-Redesigning Communities to Reduce Greenhouse Gases

Senate Bill 375, also known as the Sustainable Communities Strategy and Climate Protection Act, was enacted in September 2008. SB 375 builds on the foundation of AB 32 by requiring CARB to develop regional GHG emissions reduction targets for passenger vehicle and light-truck sectors for 2020 and 2035 as compared to 2005 levels. The per-capita GHG emissions reduction target for passenger vehicles in the San Francisco Bay area includes a seven percent reduction by 2020 and a 15 percent reduction by 2035.

Consistent with the requirements of SB 375, the Metropolitan Transportation Commission worked with the Association of Bay Area Governments, BAAQMD, and the Bay Conservation and Development Commission to prepare a regional Sustainable Communities Strategy, which is known as Plan Bay Area. This plan outlines a pathway to reduce per-capita GHG emissions through the promotion of compact mixed-use development near transit, particularly in established Priority Development Areas. The Project site is located within a Priority Development Area as identified in the Plan Bay Area.

Plan Bay Area 2040 was adopted in July 2017. Target areas in this plan include reducing GHG emissions, improving access to various modes of transportation, maintaining regional infrastructure, and enhancing resiliency to climate change.

Regional and Local Regulations

Bay Area Air Quality Management District

The BAAQMD is the regional, government agency that regulates sources of air pollution within the nine San Francisco Bay Area counties. Several key activities of the BAAQMD related to GHG emissions are described below.

Bay Area Clean Air Plan

The Clean Air Plan[1] guides the region's air quality planning efforts to attain the CAAQS. The BAAQMD 2017 Clean Air Plan (CAP), which was adopted on April 19, 2017, by the BAAQMD Board of Directors, is the current Clean Air Plan which contains district-wide control measures to reduce ozone precursor emissions (i.e., ROG and NO_X), particulate matter, and greenhouse gas (GHG) emissions. The Bay Area 2017 Clean Air Plan:

- Describes the BAAQMD's plan towards attaining all State and federal air quality standards and eliminating health risk disparities from exposure to air pollution among Bay Area communities;
- Defines a vision for transitioning the region to a post-carbon economy needed to achieve ambitious GHG reduction targets for 2030 and 2050;
- Provides a regional climate protection strategy that will put the Bay Area on a pathway to achieve GHG reduction targets;
- Includes a wide range of control measures designed to decrease emissions of air pollutants that are most harmful to Bay Area residents, such as particulate matter, ozone, and toxic air contaminants; to reduce emissions of methane and other "Super-GHGs" that are potent climate pollutants in the near term; and to decrease emissions of carbon dioxide by reducing fossil fuel combustion; and
- Consistent with the GHG reduction targets adopted by the State of California, the 2017 CAP lays the groundwork for BAAQMD's long-term effort to reduce Bay Area GHG emissions 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050.

[1] Bay Area Air Quality Management District (BAAQMD). 2017. *Final 2017 Clean Air Plan*. April 19. Website: www.baaqmd.gov/~/media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a-proposed- final-cap-vol-1-pdf.pdf?la=en (accessed January 2019).

BAAQMD CEQA Air Quality Guidelines

The BAAQMD CEQA Air Quality Guidelines (2017) were prepared to assist in the evaluation of air quality impacts of projects and plans proposed within the Bay Area. Among other things, the guidelines provide recommended assessment methodologies for air toxics, odors, and GHG emissions. Jurisdictions within the San Francisco Bay Area Air Basin utilize these thresholds, rules, plans, and methodologies when evaluating GHG emissions impacts.

The BAAQMD thresholds were developed specifically for the Bay Area in response to the effects of the AB 32 scoping plan measures aimed at reducing regional GHG emissions. The BAAQMD intends to achieve GHG emissions reductions from new development projects to close the gap between projected regional emissions with AB 32 scoping plan measures and AB 32 targets.

Plan Bay Area 2040. Plan Bay Area 2040 is a State-mandated, integrated long-range transportation and land use plan. As required by SB 375, all metropolitan regions in California must complete a Sustainable Communities Strategy (SCS) as part of a Regional Transportation Plan. In the Bay Area, the Metropolitan Transportation Commission (MTC) and the Association of Bay Area Governments (ABAG) are jointly responsible for developing and adopting an SCS that integrates transportation, land use, and housing to meet GHG reduction targets set by CARB.

Envision San José 2040 General Plan

The following General Plan policies are related to GHG emissions and are applicable to the proposed Project.

Policy MS-10.1 Assess projected air emissions from new development in conformance with the Bay Area Air Quality Management District (BAAQMD) CEQA Guidelines and relative to State and federal standards. Identify and implement feasible air emission reduction measures.

Policy MS-10.2 Consider the cumulative air quality impacts from proposed developments for proposed land use designation changes and new development, consistent with the region's Clean Air Plan and State law.

Policy MS-10.4 Encourage effective regulation of mobile and stationary sources of air pollution, both inside and outside of San José. In particular, support federal and State regulations to improve automobile emission controls.

Policy MS-10.7 Encourage regional and statewide air pollutant emission reduction through energy conservation to improve air quality.

In addition, the General Plan includes strategies, policies, and action items that are incorporated in the City's GHG Reduction Strategy to help reduce GHG emissions. Multiple policies and actions in the General Plan have GHG implications, including land use, housing, transportation, water usage, solid waste generation and recycling, and reuse of historic buildings. The GHG Reduction Strategy is intended to meet the mandates as outlined in the CEQA Guidelines and standards for "qualified plans" as set forth by BAAQMD.

On December 15, 2015, the San José City Council certified a Supplemental Program Environmental Impact Report to the Envision San José 2040 Final Program Environmental Impact Report and re-adopted the City's GHG Reduction Strategy in the General Plan. The GHG Reduction Strategy identifies GHG emissions reduction measures to be implemented by development projects in three categories: built environment and energy, land use and transportation, and recycling and waste reduction. Some measures are mandatory for all proposed development projects and others are voluntary. Voluntary measures could be incorporated as mitigation measures for proposed projects, at the City's discretion. Projects that conform to the General Plan Land Use/Transportation Diagram and supporting policies are considered consistent with the City's GHG Reduction Strategy through 2020. Beyond 2020, the emission reductions in the GHG Reduction Strategy are not large enough to meet the City's identified 3.04 metric tons (MT) of CO_2e per service population efficiency metric for 2035. The City of San José recognizes that additional strategies, policies, and programs, to supplement those currently identified, would ultimately be required to meet the mid-term 2030 reduction target of 40 percent below 1990 levels in the GHG Reduction Strategy and the target of 80 percent below 1990 emission levels by 2050.

City of San José Municipal Code. The City's Municipal Code includes the following regulations that would reduce GHG emissions from future development:

- ***Green Building Regulations for Private Development*** **(Chapter 17.84).** Refer to Section 5.3, Air Quality, of this IS/MND for further discussion.

- ***Water Efficient Landscape Standards for New and Rehabilitated Landscaping*** **(Chapter 15.10).** The City's Water Efficient Landscape Standards outline key provisions aimed at regulating water waste through the repair and replacement of plumbing and irrigation systems, the adoption of water shortage measures, and the implementation of water to ensure compliance with water regulations for landscaped areas.

- ***Construction and Demolition Diversion Deposit Program*** **(Chapter 9.10).** The City of San José Construction and Demolition Diversion Deposit Program requires applicants for new development projects to apply for a construction and demolition debris clearing document prior to the issuance of a building permit. As outlined in this program, applicants must demonstrate how construction waste will be diverted from landfill disposal through the use of more efficient construction measures, the re-use of materials, the recycling of materials, or the use of other permitted methods.

Climate Smart San José. Climate Smart San José is a plan to reduce air pollution, save water, and create a stronger and healthier community and builds upon the City's legacy of innovation and sustainability leadership. The plan makes San José one of the first major U.S. cities to chart a course in meeting the greenhouse gas emission reduction targets of the international Paris Agreement. Climate Smart San José focuses on three pillars and nine key strategies:

- Pillar 1: A Sustainable and Climate Smart City
    - 1.1: Transition to a renewable energy future
    - 1.2: Embrace our Californian climate

- Pillar 2: A Vibrant City of Connected and Focused Growth
    - 2.1: Densify our City to accommodate our future neighbors
    - 2.2: Make homes efficient and affordable for our families
    - 2.3: Create clean, personalized mobility choices
    - 2.4: Develop integrated, accessible public transport infrastructure
- Pillar 3: An Economically Inclusive City of Opportunity
    - 3.1: Create local jobs in our City to reduce vehicle miles traveled (VMT)
    - 3.2: Improve our commercial building stock
    - 3.3: Make commercial goods movement clean and efficient

Impact Thresholds

As described previously, BAAQMD adopted GHG emissions thresholds of significance to assist in the review of projects under CEQA. These thresholds were designed to establish the level at which BAAQMD has determined that GHG emissions would cause significant environmental impacts. The GHG emissions thresholds identified by BAAQMD are 1,100 metric tons (MT) of CO_2e per year or 4.6 MT of CO_2e per service population per year. A project that is in compliance with the City's Climate Action Plan (a qualified GHG Reduction Strategy) is considered to have a less than significant GHG impact regardless of its emissions.

The numeric thresholds set by the BAAQMD and included within the City's Climate Action Plan (i.e., Greenhouse Gas Reduction Strategy) were calculated to achieve the State's 2020 target for GHG emissions levels (and not the SB 32 specified target of 40 percent below the 1990 GHG emissions level). Phase I construction is estimated to begin in April 2020 and to open in April 2021. Phase II construction is estimated to begin in October 2022 and will open in October 2023. The Project, therefore, would not be fully constructed and occupied until after October 2023. Because the Project would begin operations in the post-2020 timeframe, the Project would not be covered under the City's Greenhouse Gas Reduction Strategy.

CARB has completed a Scoping Plan, which will be utilized by the BAAQMD to establish the 2030 GHG efficiency threshold. BAAQMD has yet to publish a quantified GHG efficiency threshold for 2030. The City of San José has developed updated GHG thresholds reflecting statewide goals beyond 2020. GHG emissions resulting from operation of the Project at maximum build out have been compared to a bright-line threshold consistent with State goals detailed in SB 32, Executive Order (EO) B-30-15, and EO S-3-05 to reduce GHG emissions by 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050, respectively. Though the BAAQMD has not published a quantified threshold for 2030 yet, this assessment uses a bright-line threshold of 660 MT of CO_2e/year, which is 40 percent below the 2020 bright-line threshold of 1,100 MT CO_2e. This analysis also evaluates a 2.76 MT of CO_2e per service population threshold. This was calculated for 2030 based on the GHG reduction goals of SB 32 and EO B-30-15.

5.8.1.2 Existing Conditions

The Project site is currently developed with 16 one-story Public Storage buildings. GHG emissions are generated from vehicles entering and leaving the site and from heating, cooling, and lighting of the existing buildings. The GHG emissions generated from existing uses is approximately 367.6 MT of CO_2e per year.

5.8.2 Checklist and Discussion of Impacts

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

5.8.2.1 Technical Background

Global climate change is the observed increase in the average temperature of the Earth's atmosphere and oceans in recent decades. The Earth's average near-surface atmospheric temperature rose 0.6 ±0.2° Celsius (°C) or 1.1 ±0.4° Fahrenheit (°F) in the 20th century. The increased amounts of carbon dioxide (CO_2) and other GHGs are the primary causes of the human-induced component of warming. GHGs are released by the burning of fossil fuels, land clearing, agriculture, and other activities that lead to an increase in the greenhouse effect.[1]

GHGs are present in the atmosphere naturally, are released by natural sources, or are formed from secondary reactions taking place in the atmosphere. The gases that are widely seen as the principal contributors to human-induced global climate change are: carbon dioxide (CO_2), methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6).

Over the last 200 years, humans have caused substantial quantities of GHGs to be released into the atmosphere. These extra emissions are increasing GHG concentrations in the atmosphere, and enhancing the natural greenhouse effect, which is believed to be causing global warming. While manmade GHGs include naturally-occurring GHGs such as CO_2, CH_4, and N_2O, some gases, like HFCs, PFCs, and SF_6, are completely new to the atmosphere.

[1] The temperature on Earth is regulated by a system commonly known as the "greenhouse effect." Just as the glass in a greenhouse lets heat from sunlight in and reduces the heat escaping, greenhouse gases like carbon dioxide, methane, and nitrous oxide in the atmosphere keep the Earth at a relatively even temperature. Without the greenhouse effect, the Earth would be a frozen globe; thus, although an excess of greenhouse gas results in global warming, the naturally occurring greenhouse effect is necessary to keep our planet at a comfortable temperature.

Certain gases, such as water vapor, are short-lived in the atmosphere. Others remain in the atmosphere for significant periods of time, contributing to climate change in the long term. Water vapor is excluded from the list of GHGs above because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation. For the purposes of this air quality analysis, the term "GHGs" will refer collectively to the six gases listed above only.

These gases vary considerably in terms of Global Warming Potential (GWP), which is a concept developed to compare the ability of each GHG to trap heat in the atmosphere relative to another gas. The GWP is based on several factors, including the relative effectiveness of a gas to absorb infrared radiation and length of time that the gas remains in the atmosphere ("atmospheric lifetime"). The GWP of each gas is measured relative to CO_2, the most abundant GHG. GHG emissions are typically measured in terms of pounds or tons of "CO_2 equivalents" (CO_2e).

5.8.3 Impact Analysis

a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less Than Significant Impact. Construction and operation of the proposed Project would generate GHG emissions, with the majority of energy consumption (and associated generation of GHG emissions) occurring during the Project's operations. Overall, the following activities associated with the proposed Project could directly or indirectly contribute to the generation of GHG emissions:

- **Construction Activities:** GHGs would be emitted through the operation of construction equipment and from worker and supply vendor vehicles, each of which typically uses fossil based fuels to operate. The combustion of fossil-based fuels creates GHGs such as CO_2, CH_4, and N_2O.

- **Gas, Electricity and Water Use:** Natural gas use during construction of the Project would result in the emission of two GHGs: CH_4 (the major component of natural gas) and CO_2 (from the combustion of natural gas). Electricity use during construction and operation of the Project could result in GHG production if the electricity is generated by combusting fossil fuel. Additionally, water use would result in an increased energy demand because California's water conveyance system is energy-intensive and uses a significant amount of natural gas and electricity to deliver water to jurisdictions throughout the state.

- **Solid Waste Disposal:** Solid waste (e.g., green waste, trash from receptacles, and construction waste) generated by the Project could contribute to GHG emissions in a variety of ways. Landfilling and other methods of disposal use energy for transporting and managing the waste, and they produce additional GHGs to varying degrees. Landfilling, the most common waste management practice, results in the release of CH_4 from the anaerobic decomposition of organic materials. CH_4 is 25 times more potent a GHG than CO_2. However, landfill methane (CH_4) can also be a source of energy. In addition, many materials in landfills do not decompose fully, and the carbon that remains is sequestered in the landfill and not released into the atmosphere.

- **Motor Vehicle Use:** Transportation associated with the Project would result in GHG emissions from the combustion of fossil fuels in daily automobile trips.

Construction GHG Emissions. GHG emissions associated with the Project would occur over the short term from construction activities, consisting primarily of emissions from equipment and vehicle exhaust. GHG emissions generated by the proposed Project would predominantly consist of CO_2. In comparison to criteria air pollutants such as O_3 and PM_{10}, CO_2 emissions persist in the atmosphere for a substantially longer period of time. While emissions of other GHGs, such as CH_4, are important with respect to Global Climate Change (GCC), emission levels of other GHGs are less dependent on the land use and circulation patterns associated with the proposed Project than are levels of CO_2.

Construction activities associated with the proposed Project would produce combustion emissions from various sources. During construction, GHGs would be emitted through the operation of construction equipment and from worker and builder supply vendor vehicles, each of which typically use fossil-based fuels to operate. The combustion of fossil-based fuels creates GHGs such as CO_2, CH_4, and N_2O. Furthermore, CH_4 is emitted during the fueling of heavy equipment. Exhaust emissions from on-site construction activities would vary daily as construction activity levels change.

The BAAQMD does not have an adopted threshold of significance for construction-related GHG emissions. However, lead agencies are encouraged to quantify and disclose GHG emissions that would occur during construction. Accordingly, construction emissions associated with the proposed Project were estimated using CalEEMod. As described further in the Air Quality and Greenhouse Gas Analysis (Appendix A), construction of Phase I would generate approximately 202.0 metric tons of CO_2e and construction of Phase II would generate approximately 198.3 MT of CO_2e. As such, construction of the proposed Project would generate a total of 400.3 MT of CO_2e. Because construction would be temporary (approximately 22 months) and would not result in a permanent increase in emissions, the Project would not interfere with the implementation of AB 32 or SB 32.

Operational Emissions. Long-term operation of the proposed Project would generate GHG emissions from area and mobile sources as well as indirect emissions from sources associated with energy consumption. Mobile-source GHG emissions would include Project-generated vehicle trips associated with trips to the proposed Project. Area-source emissions would be associated with activities such as landscaping and maintenance on the Project site, and other sources.

As discussed above, the City's General Plan includes strategies, policies, and action items that are incorporated in the City's GHG Reduction Strategy to help reduce GHG emissions. The GHG Reduction Strategy is intended to meet the mandates as outlined in the *State CEQA Guidelines* and standards for "qualified plans" as set forth by BAAQMD. The GHG Reduction Strategy identifies GHG emissions reduction measures to be implemented by development projects in three categories: built environment and energy, land use and transportation, and recycling and waste reduction. Some measures are mandatory for all proposed development projects and others are voluntary. Voluntary measures could be incorporated as mitigation measures for proposed projects, at the City's discretion.

In order to conform to the GHG Reduction Strategy, projects must be consistent with the Land Use/Transportation Diagram and incorporate features into the Project design that meet the

mandatory implementation policies. Below is a listing of the mandatory criteria utilized to evaluate project conformance by the City of San José:

Mandatory Criteria

1. Consistency with the Land Use/Transportation Diagram (General Plan Goals/Policies: IP-1, LU 10)

2. Implementation of Green Building Measures (General Plan Goals: MS-1, MS-2, MS-14)

    a. Solar Site Orientation
    b. Site Design
    c. Architectural Design
    d. Construction Techniques
    e. Consistency with the City Green Building Ordinance and Policies
    f. Consistency with GHG Reduction Strategy Policies: MS-1.1, MS0-1.2, MC-2.3, MS-2.11, and MS-14.4.

3. Pedestrian/Bicycle Site Design Measures

    a. Consistency with Zoning Ordinance
    b. Consistency with GHG Reduction Strategy Policies: CD-2.1, CD-3.2, CD-3.3, CD-3.4, CD-3.6, CD-3.8, CD-3.10, CD-5.1, LU-5.4, LU-5.5, LU-9.1, TR-2.8, TR-2.11, TR-2.18, TR-3.3, and TR-6.7.

4. Salvage building materials and architectural elements from historic structures to be demolished to allow re-use (General Plan Policy LU-16.4), if applicable;

5. Complete an evaluation of operational energy efficiency and design measures for energy-intensive industries (e.g., data centers) (General Plan Policy MS-2.8), if applicable;

6. Preparation and implementation of the Transportation Demand Management (TDM) Program at large employers (General Plan Policy TR-7.1), if applicable; and

7. Limits on drive-through and vehicle serving uses; all new uses that serve the occupants of vehicles (e.g., drive-through windows, car washes, service stations) must not disrupt pedestrian flow. (General Plan Policy LU-3.6), if applicable.

The proposed Project is consistent with mandatory criteria 1, 2, and 3. Specifically, the proposed Project would develop self-storage uses, consistent with the Project site's existing land use designation by the General Plan Land Use/Transportation Diagram. The Project would be constructed in compliance with the San José Green Building Ordinance (Policy 6-32) and the California Green Building Code (CALGreen). Bicycle parking would be provided consistent with San José requirements. Given the inclusion of green building measures and bicycle parking, the Project would be consistent with the Mandatory Criteria 1 through 3 described above. Criteria 4, 5, 6 and 7 are not applicable to the proposed Project because the site does not contain historic structures, the Project is not an energy-intensive use, and the Project does not propose vehicle-serving uses. In addition, the Project is not considered a large employer (maximum of two employees) and does not propose or warrant the implementation of a TDM.

The proposed Project would result in increased vehicle trips and an increase in energy use within the City of San José compared to existing conditions. Compliance with the City's mandatory criteria as described above would ensure that operational GHG emission reductions are consistent with the GHG Strategy.

However, as described previously, the Project would not be fully constructed and occupied until 2023. Because the Project would begin operations in the post-2020 timeframe, the Project would not be covered under the City's Greenhouse Gas Reduction Strategy. Though the BAAQMD has not published a quantified threshold for 2030 yet, this assessment evaluates the Project against a bright-line threshold of 660 MT of CO_2e per year and a service population threshold of 2.76 MT of CO_2e per year, which is 40 percent below 2020 bright-line threshold of 1,100 MT of CO_2e based on the GHG reduction goals of SB 32 and EO B-30-15. The Project must meet at least one of the criteria.

Long-term operation of the proposed Project would generate GHG emissions from mobile, area, stationary, waste, and water sources as well as indirect emissions from sources associated with energy consumption. Mobile source GHG emissions would include project-generated vehicle trips to and from the Project site. Area source emissions would be associated with activities such as landscaping and maintenance on the Project site. Energy source emissions would be generated at off-site utility providers as a result of increased electricity demand associated with the proposed Project. Waste source emissions generated by the proposed Project include energy generated by land filling and other methods of disposal related to transporting and managing project-generated waste. In addition, water source emissions associated with the proposed Project are generated by water supply and conveyance, water treatment, water distribution, and wastewater treatment.

Operational emissions were estimated using CalEEMod and the results are presented in Table 5.8.A.

As discussed above, a project would have less than significant GHG emissions if it would result in operational-related greenhouse gas emissions of less than 660 MT CO_2e/year or 2.76 MT CO_2e per service population. As shown in Table 5.8.A, the Project would generate a net increase of 258.1 MT of CO_2e/year of CO_2e, which would be below the bright-line threshold of 660 MT of CO_2e/year. The Project would not include residents and would include two employees. Therefore, the Project would result in an efficiency of 129.1 MT of CO_2e per service population, which exceeds the per service population threshold of 2.76 MT of CO_2e. However, since the Project would not exceed the bright-line threshold of 660 MT of CO_2e/year, operation of the proposed Project would not generate substantial GHG emissions; therefore, impacts related to operational GHG emissions would be less than significant.

Table 5.8.A: Project Operational GHG Emissions

	CO_2	CH_4	N_2O	CO_2e
Existing Area Source Emissions	<0.1	<0.1	0.0	<0.1
Existing Energy Source Emissions	90.6	<0.1	<0.1	91.0
Existing Mobile Source Emissions	275.5	<0.1	0.0	276.5
Existing Waste Source Emissions	<0.1	<0.1	0.0	0.1
Existing Water Source Emissions	<0.1	<0.1	0.0	<0.1
Total Existing Emissions	**366.2**	**<0.1**	**<0.1**	**367.6**
Project Area Source Emissions	<0.1	<0.1	0.0	<0.1
Project Energy Source Emissions	29.8	<0.1	<0.1	60.4
Project Mobile Source Emissions	594.6	<0.1	0.0	595.0
Project Waste Source Emissions	<0.1	<0.1	0.0	0.1
Project Water Source Emissions	0.1	<0.1	<0.1	0.2
Total Project Emissions	**624.5**	**<0.1**	**<0.1**	**625.7**
Total (Net Increase):	**258.3**	**0.0**	**0.0**	**258.1**
Post-2020 BAAQMD Thresholds				660.0
Exceed Threshold?				**No**

Source: Air Quality and Greenhouse Gas Analysis (LSA 2019; Appendix A).
BAAQMD = Bay Area Air Quality Management District
CH_4 = methane
CO_2 = carbon dioxide
CO_2e = carbon dioxide equivalents
GHG = greenhouse gases
N_2O = nitrogen dioxide

b. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less Than Significant Impact. Due to the cumulative nature of climate change, the assessment of project–generated GHG emissions and the effects of global climate change impacts can only be analyzed from a cumulative context. Therefore, the analysis focuses on the Project's incremental contribution of GHG emission to cumulative climate change impacts. The GHG threshold used in this analysis is based upon a Project's cumulative contribution to global climate change impacts within the context of State legislation to reduce GHG emissions. In turn, the GHG emission reduction targets within State legislations (i.e., AB 32 and SB 32) are based upon international efforts and commitments to reduce GHG emissions.

As previously described, the proposed Project would comply with the 2016 California Building Standards Code (California Code of Regulations [CCR], Title 24) and the San José Green Building Ordinance (Policy 6-32). The Project would also be consistent with the City's GHG Reduction Strategy and the goals of Plan Bay Area 2040 and Climate Smart San José as the proposed Project would maintain local jobs to reduce VMT. In addition, the Project would install a solar power system and would result in a minimal increase in electricity usage, water usage, and solid waste. As such, the Project would be consistent with State goals detailed in SB 32, EO B-30-15, and EO S-3-05 to reduce GHG emissions by 40 percent below 1990 levels by 2030 and 80 percent below 1990 levels by 2050, respectively. Therefore, the proposed Project would conserve energy, and would serve to further GHG reduction targets and goals and initiatives established in AB 32 and SB 32. Therefore,

no significant impacts related to the emissions of greenhouse gases would result from the proposed Project, and no mitigation is required.

5.8.4 Conclusion

Less Than Significant Impact. Compliance with applicable regulations and implementation of Mitigation Measure MM AQ-1 would ensure that the proposed Project would result in a less than significant GHG impact. No mitigation would be required.

5.9 HAZARDS AND HAZARDOUS MATERIALS

The discussion and analysis provided in this section is based on the *Report of Phase I Environmental Site Assessment Prepared for 3911 Snell Avenue, San José, California 95136* (CreSurveys; February 1, 2018) and the *Report of Phase I Environmental Site Assessment Prepared for 231 Capitol Expressway, San José, California 95136* (CreSurveys; February 1, 2018)). Both reports are collectively referred to as the Phase I Environmental Site Assessments (ESAs) throughout this IS/MND and are provided in Appendix C

5.9.1 Environmental Setting

5.9.1.1 Regulatory Framework

Federal and State Regulations

Federal Aviation Administration (FAA) NotificationNotification to the FAA is required for the construction of any tower or the alteration of an antenna structure that is registered with the Commission's Antenna Structure Registration (ASR) system. Generally, towers that meet certain height and location requirements (e.g., are more than 200 ft above ground level and/or are located within proximity of an airport) require notice with the FAA and ASR system and must register with the Federal Communications Commission (FCC). A final determination of "no hazard" is required from the FAA prior to any construction or alteration of facilities.

California Environmental Protection Agency (CalEPA

The California Environmental Protection Agency (CalEPA) was formed in 1991 to preserve and protect the environment and to ensure public health and safety in relation to environmental laws and regulations. The CalEPA manages the state's natural resources in a cohesive, cabinet-based system. Additionally, the CalEPA implements the Unified Program, which ensures consistency in regards to the administrative and enforcement actions in regards to hazardous waste and materials.

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA) of 1976 authorized the USEPA to control hazardous waste from "cradle-to-grave," which includes the generation, transportation, treatment, storage, and disposal of hazardous waste. Additionally, RCRA established regulations for managing non-hazardous solid wastes. In 1986, amendments to RCRA provided authority to the USEPA to manage environmental problems that could result from underground tanks storing petroleum and other hazardous substances.

Comprehensive Environmental Response, Compensation, and Liability Act

Commonly known as Superfund, the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) of 1980 established regulations concerning closed and abandoned hazardous waste sites. Additionally, it provided regulations regarding liability for closed and abandoned hazardous waste sites and established a trust fund for cleanup when no liability is found.

California Department of Toxic Substances and Control (DTSC)

The California Department of Toxic Substances and Control (DTSC) is a sub-department under the CalEPA and manages the federal hazardous waste program within the state. The department regulates the lifecycle of hazardous waste and sets goals for reducing hazardous waste production. The program follows federal and state law to ensure hazardous waste managers correctly handle, store, transport, dispose, reduce, and clean waste, and are equipped in the event of an emergency.

Government Code §65962.5 (Cortese List)

The California Environmental Protection Agency (CalEPA) is required by Section 65962.5 of the Government Code to develop and update a list of hazardous waste and substances sites, known as the Cortese List. The SWRCB and DTSC identify hazardous substance release sites included on the Cortese List, which is used by state and local agencies to ensure CEQA compliance.

California Building Code

The State of California provides a minimum standard for building design construction standards through Title 24 of the California Code of Regulations (CCR) through the California Building Code (CBC), which is located in Part 2 of Title 24. The CBC is updated every three years, and the current 2016 CBC went into effect in January 2017. It is generally adopted on a jurisdiction-by-jurisdiction basis, subject to further modification based on local conditions. City building officials monitor commercial and residential building plans to ensure compliance with fire safety standards within the California Building Code.

California Fire Code

The California Fire Code includes regulations for emergency planning, fire service features, fire protection systems, hazardous materials, fire flow requirements, and fire hydrant locations and distribution. Several fire safety requirements include: installation of sprinklers in all high-rise buildings; the establishment of fire resistance standards for fire doors, building materials, and particular types of construction; and the clearance of debris and vegetation within a prescribed distance from occupied structures in wildlife hazard areas. Chapter 17.12 of the City's Municipal Code adopts the California Fire Code by reference, which is updated every three years.

California Emergency Management Agency (CalEMA)

The California Emergency Management Agency (CalEMA) was consolidated as part of the Governor's Office on January 1, 2009, merging the former Governor's Office of Emergency Services with the existing Governor's Office of Homeland Security. CalEMA coordinates all State agency response to major disasters so to provide support and hazard mitigation efforts for local governments. The agency also ensures the State has the appropriate resources and plans in order to respond in the event of all natural and human-induced emergencies and disasters.

California Department of Forestry and Fire Protection (CAL FIRE)

The California Department of Forestry and Fire Protection (CAL FIRE) maps the predicted threat of fire within all of California. CAL FIRE categorizes this threat based on factors including fuel availability, topography, fire history, and climate. These threats are ranked on a threshold from no

fire threat, moderate, high, and very high fire threat. The 2012 Strategic Fire Plan for California was generated by CALFIRE to provide guidelines and objectives in order to account for associated fire impacts.

California Accidental Release Prevention Program

The California Accidental Release Prevention (CalARP) Program aims to prevent accidental releases of regulated hazardous materials that represent a potential hazard beyond property boundaries. Facilities that are required to participate in the CalARP Program use or store specified quantities of toxic and flammable substances (hazardous materials) that can have off-site consequences if accidentally released. A Risk Management Plan (RMP) is required for such facilities. The intents of the RMP are to provide basic information that may be used by first responders in order to prevent or mitigate damage to the public health and safety and to the environment from a release or threatened release of a hazardous material, and to satisfy federal and state Community Right-to-Know laws. The County of Santa Clara Department of Environmental Health reviews CalARP risk management plans as the Certified Unified Program Agency (CUPA).

San Francisco Bay Regional Water Quality Control Board

The Porter-Cologne Water Quality Control Act established the State Water Resources Control Board (SWRCB) and nine regional water boards including the San Francisco Bay Regional Water Quality Control Board (RWQCB). The San Francisco Bay RWQCB oversees the regulation of waterways within San José, and can order groundwater investigations and remediation actions in the event that either groundwater or state surface waters are susceptible to threat.

Norman Y. Mineta San José International Airport Comprehensive Land Use Plan

The Comprehensive Land Use Plan (CLUP) for the Norman Y. Mineta San José International Airport is intended to ensure that planned land uses would not interfere with the airport operations. The CLUP aims to protect the public from aircraft noise, to ensure that people and facilities are not concentrated in areas susceptible to aircraft accidents, and to ensure that no structures of activities adversely affect navigable airspace. No portions of the Project site are located within an airport land use compatibility zone as established by the Norman Y. Mineta San José International Airport CLUP.[1]

Bay Area Air Quality Management District (BAAQMD)

The Bay Area Air Quality Management District (BAAQMD) regulates and monitors air pollution resulting from utilities and items other than motor vehicles and consumer products. BAAQMD develops both attainment and non-attainment plans for criteria pollutants and control of stationary air pollutant sources, as well as conducts permitting for asbestos related construction activities.

County of Santa Clara County Department of Environmental Health (SCCDEH)

The County of Santa Clara Department of Environmental Health (SCCDEH) conducts monitoring activities and investigations in order to protect the current and future health and safety of the public

[1] Santa Clara County Airport Land Use Commission, 2008, San José International Airport Comprehensive Land Use Plan, Figure 8, Airport Influence Area. Website: https://www.sccgov.org/sites/dpd/DocsForms/Documents/ALUC_201008_SJC_Maps.pdf (accessed February 14, 2017).

and local environment. The Hazardous Materials Compliance Division (HMCD) and Hazardous Materials Storage Ordinance (HMSO) regulate the storage of hazardous materials. Through the HMSO, the HMCD administers the County's Toxic Gas Ordinance and Non-Point Source (Urban Runoff) Ordinance.

Hazardous Materials Release Response Plan and Inventory Law of 1985

Businesses that use, handle, or store hazardous materials are required under State law to prepare an inventory of hazardous materials on their premises in order to protect public health and safety. These plans must address the proper storage, handling, and disposal of hazardous materials, as well as dictate spill response and notification requirements in the event of a hazardous materials spill.

Local Regulations

Envision San José 2040 General Plan

The Environmental Considerations/Hazards (EC) and Parks, Open Space, and Recreation (PR) sections of the City's General Plan include the following goals and policies related to hazards and hazardous materials that are applicable to the proposed Project.

Goal EC-6 **Hazardous Materials:** Protect the community from the risks inherent in the transport, distribution, use, storage, and disposal of hazardous materials.

Policy EC-6.1 Require all users and producers of hazardous materials and wastes to clearly identify and inventory the hazardous materials that they store, use or transport in conformance with local, State and federal laws, regulations and guidelines.

Policy EC-6.2 Require proper storage and use of hazardous materials and wastes to prevent leakage, potential explosions, fires, or the escape of harmful gases, and to prevent individually innocuous materials from combining to form hazardous substances, especially at the time of disposal by businesses and residences. Require proper disposal of hazardous materials and wastes at licensed facilities.

Policy EC-6.6 Address through environmental review for all proposals for new residential, park and recreation, school, day care, hospital, church or other uses that would place a sensitive population in close proximity to sites on which hazardous materials are or are likely to be located, the likelihood of an accidental release, the risks posed to human health and for sensitive populations, and mitigation measures, if needed, to protect human health.

Policy EC-6.7 Do not approve land uses and development that use hazardous materials that could impact existing residences, schools, day care facilities, community or recreation centers, senior residences, or

other sensitive receptors if accidentally released without the incorporation of adequate mitigation or separation buffers between uses.

Goal EC-7 **Environmental Contamination:** Protect the community and environment from exposure to hazardous soil, soil vapor, groundwater, and indoor air contamination and hazardous building materials in existing and proposed structures and developments and on public properties, such as parks and trails.

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

Policy EC-7.2 Identify existing soil, soil vapor, groundwater and indoor air contamination and mitigation for identified human health and environmental hazards to future users and provide as part of the environmental review process for all development and redevelopment projects. Mitigation measures for soil, soil vapor and groundwater contamination shall be designed to avoid adverse human health or environmental risk, in conformance with regional, State and federal laws, regulations, guidelines and standards.

Policy EC-7.4 On redevelopment sites, determine the presence of hazardous building materials during the environmental review process or prior to project approval. Mitigation and remediation of hazardous building materials, such as lead-paint and asbestos-containing materials, shall be implemented in accordance with state and federal laws and regulations.

Policy EC-7.5 In development and redevelopment sites, require all sources of imported fill to have adequate documentation that it is clean and free of contamination and/or acceptable for the proposed land use considering appropriate environmental screening levels for contaminants. Disposal of groundwater from excavations on construction sites shall comply with local, regional, and State requirements.

Policy EC-7.8 Where an environmental review process identifies the presence of hazardous materials on a proposed development site, the City will ensure that feasible mitigation measures that will satisfactorily reduce impacts to human health and safety and to the environment are required of or incorporated into the projects. This applies to hazardous materials found in the soil, groundwater, soil vapor, or in existing structures.

Policy EC-7.9 Ensure coordination with the County of Santa Clara Department of Environmental Health, Regional Water Quality Control Board, Department of Toxic Substances Control, or other applicable regulatory agencies, as appropriate, on projects with contaminated soil and/or groundwater or where historical or active regulatory oversight exists.

Policy EC-7.10 Require review and approval of grading, erosion control and dust control plans prior to issuance of a grading permit by the Director of Public Works on sites with known soil contamination. Construction operations shall be conducted to limit the creation and dispersion of dust and sediment runoff.

Policy EC-7.11 Require sampling for residual agricultural chemicals, based on the history of land use, on sites to be used for any new development or redevelopment to account for worker and community safety during construction. Mitigation to meet appropriate end use such as residential or commercial/industrial shall be provided.

San José Emergency Operations Plan

Under State law, California requires that local governments create and administer an Emergency Operations Plan (EOP) under the guidelines provided by the Federal Emergency Management Agency (FEMA). The State Office of Emergency Services (OES) adopts these emergency management guidelines for business activities in the Emergency Operations Center (EOC). The *City of San José Emergency Operations Plan* was adopted in 2004 and was updated most recently on May 15, 2016.

5.9.1.2 Existing Conditions

On- or Off-Site Contamination. Hazardous materials are chemicals that could potentially cause harm during an accidental release or mishap, and are defined as being toxic, corrosive, flammable, reactive, and irritant, or strong sensitizer.[1] Hazardous substances include all chemicals regulated under the United States Department of Transportation "hazardous materials" regulations and the United States Environmental Protection Agency (USEPA) "hazardous waste" regulations. Hazardous wastes require special handling and disposal because of their potential to damage public health and the environment. The probable frequency and severity of consequences from the routine transport, use, or disposal of hazardous materials is affected by the type of substance, the quantity used or managed, and the nature of the activities and operations.

In order to document environmental hazards on the site, including potential Recognized Environmental Concerns (RECs), a Phase I ESA was prepared for each of the two parcels that comprise the Project site. The Phase I ESAs included (1) a review of regulatory agency records, (2) a site reconnaissance survey, and (3) interviews with key personnel. An REC is defined by the American Society for Testing and Materials (ASTM) as, "the presence or likely presence of any

[1] A "sensitizer" is a chemical that can cause a substantial proportion of people or animals to develop an allergic reaction in normal tissue after repeated exposure to a chemical (U.S. Department of Labor 2017).

hazardous substances or petroleum products in, on, or at a property: (1) due to release to the environment; (2) under conditions indicative of a release to the environment; or (3) under conditions that pose a material threat of a future release to the environment."

Review of Historical Sources. Based on a review of historical resources, the Phase I ESA determined that the site was used as agricultural land dating back to 1939, was undeveloped land dating back to the 1960s, and was subsequently developed with self-storage uses in 1981. These uses do not constitute a REC on the site.

Review of Regulatory Database Report and Agency Records. The Phase I ESAs also included a review of applicable regulatory databases to determine the presence of hazardous sites within the vicinity of the Project site. Results of this review identified that a drug lab was previously discovered at the east property (3911 Snell Avenue) in 1999, but that there were no violations, releases, or further actions reported for the property. Therefore, the Phase I ESAs determined that no recognized environmental conditions, de minimis conditions, or historical or controlled RECs were present on the Project site.

In addition to evaluating the Project site for potential listings in applicable regulatory databases, the Phase I ESAs also examined the potential listing of adjoining and surrounding properties for listing in regulatory databases. The results of the database review identified three de minimis conditions within the vicinity of the Project site, all of which are gas stations that had incidents of Leaking Underground Storage Tanks (LUSTs).[1] Remedial action was taken and there are no current violations at each site, thereby resulting in a *de minimis* determination by the California Environmental Protection Agency (CalEPA). Therefore, the Phase I ESAs determined that these facilities do not represent an REC to the Project site.

Site Reconnaissance. As part of the Phase I ESAs, a visual inspection of the site was conducted in order to identify evidence of hazardous substances or environmental concerns on the site. No evidence of existing aboveground or underground storage tanks, hazardous substances, asbestos, radon, lead, polychlorinated biphenyls (PCBs) or PCB-containing equipment, clarifiers, sumps, trenches, industrial discharge sources, stressed vegetation, or other environmental conditions and/or impairments were observed o the site during the site reconnaissance. Moreover, the Phase I ESAs did not identify any potential RECs on adjoining properties during the site reconnaissance survey.

Other Hazards.

Airports. The nearest airport to the Project site is the Norman Y. Mineta San José International Airport, which is located approximately 6.41 miles north of the Project site. No portions of the

[1] The first property is the gas station located directly southeast of the property at 3939 Snell Avenue, the second property is located directly northeast of the property across Snell Avenue at 175 West Capitol Expressway, and the third property is located directly south of the property across West Capitol Expressway at 3951 Snell Avenue.

Project site are located within an airport land use compatibility zone as established by the Norman Y. Mineta San José International Airport CLUP.[1]

Wildland Fires. Wildland fires occur in geographic areas that contain the types and conditions of vegetation, topography, weather, and structure density susceptible to risks associated with uncontrolled fires that can be started by lightning, improperly managed camp fires, cigarettes, sparks from automobiles, and other ignition sources. According to the California Department of Forestry and Fire Protection (CAL FIRE), the Project site is not located in a Fire Hazard Severity Zone.[2]

5.9.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b. Create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☒	☐	☐
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☒	☐
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☐	☐	☐	☒
f. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	☐	☐	☐	☒

1 Santa Clara County Airport Land Use Commission, 2008, San José International Airport Comprehensive Land Use Plan, Figure 8, Airport Influence Area. Website: https://www.sccgov.org/sites/dpd/DocsForms/Documents/ALUC_201008_SJC_Maps.pdf (accessed February 14, 2017).

2 State of California. Department of Forestry and Fire Protection. Fire and Resource Assessment Program (FRAP). 2008. Wildfire Hazard and Building Codes. October 8, 2008. Website: http://www.fire.ca.gov/fire_prevention/fhsz_maps/FHSZ/santa_clara/San_Jose.pdf (accessed August 8, 2018).

5.9.3 Impact Analysis

a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less Than Significant Impact.

Construction. Construction activities associated with the proposed Project would use a limited amount of hazardous and flammable substances (e.g., fuels and oils) typical during heavy equipment operation for site grading and construction. The amount of hazardous chemicals present during construction is limited and would be in compliance with existing government regulations. The potential for the release of hazardous materials during project construction is low, and even if a release would occur, it would not result in a significant hazard to the public, surrounding land uses, or environment, due to the small quantities of these materials associated with construction vehicles. Therefore, potential impacts from the routine transport, use, or disposal of hazardous materials during construction of the proposed Project would be less than significant, and no mitigation would be required.

Operation. The proposed Project would consolidate eight existing one-story self-storage buildings on the site into two four-story self-storage buildings. Self-storage uses do not typically use, store, dispose, or transport large volumes of hazardous materials.[1]

Long-term operational activities may involve the transport, use, and storage of larger quantities of potentially hazardous materials in the form of cleaning solvents, fertilizers, and pesticides. For example, landscaping and maintenance activities could involve the use of fertilizers and light equipment (e.g., edgers) that may require fuel. These types of activities do not involve the use of a large or substantial amount of hazardous materials. In addition, such materials would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with applicable standards and regulations. Any associated risk would be adequately reduced to a less than significant level through compliance with these standards and regulations. Further, the Hazardous Materials Release Response Plan and Inventory Law of 1985 requires that businesses that use, handle, or store hazardous materials to prepare an inventory of hazardous substances on the premises. As stated previously, the plan would be required to include an inventory of hazardous materials, addressing the proper storage, handling, and disposal of hazardous materials; and dictating spill response and notification requirements. The Project would be subject to compliance with this regulation, as well as additional applicable State and local regulations intended to manage the transport, storage, manufacture, and disposal of hazardous materials. Therefore, potential impacts from the routine transport, use, or disposal of hazardous materials resulting from operation of the proposed Project would be less than significant, and no mitigation would be required.

[1] Further, customers are prohibited from storing potentially hazardous materials and substances on the site in compliance with customer agreements established by Public Storage.

b. Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Less Than Significant with Mitigation Incorporated. As previously stated, two Phase I ESAs were prepared to document potential RECs at the Project site. Based on a review of regulatory agency records, (2), a site reconnaissance survey, and (3) interviews with key personnel, the Phase I ESAs determined that there were no RECs on the Project site.

Construction. Construction of the proposed Project would include the removal of asphalt and concrete pavement, the removal of some landscaped areas and installation of new landscaping, the demolition of existing self-storage uses on the site, and the construction of new-self storage uses in their place. In the event that unknown hazardous materials are discovered on site during project construction, including but not limited to pesticide contaminated soils, the Construction Contractor would be required to comply with a Site Management Plan (SMP), Removal Action Plan (RAP), or equivalent document developed and approved prior to the commencement of grading activities. With implementation of Mitigation Measure HAZ-1, potential risks associated with hazards to the public or to the environment through reasonable foreseeable upset and accident conditions regarding the release of hazardous materials from prior agricultural uses into the environment would be less than significant.

Impact HAZ-1: Construction of the proposed Project has the potential to disturb unknown soil contaminants that may potentially occur on the site. Such contaminants are associated with past agricultural uses on the site, and could result in the release of hazardous materials/substances into the environment.

Mitigation Measure HAZ-1:

MM HAZ-1 **Soil Sampling and Site Management/Removal Action Plan**. Prior to the issuance of any demolition or grading permits, a hazardous materials consultant shall collect shallow soil samples in the near surface soil in the proposed Project area. The samples shall be tested for organochlorine pesticides and pesticide-based metals arsenic and lead to determine if contaminants from previous agricultural operations occur at concentrations above established construction worker safety and commercial/industrial standard environmental screening levels. The result of soil sampling and testing shall be provided to the Director of Planning, Building, and Code Enforcement, or Director's designee, and Municipal Environmental Compliance Officer for review.

If pesticide-contaminated soils are found in concentrations above regulatory environmental screening levels for construction worker safety and/or commercial/ industrial standards, the Project Applicant shall obtain regulatory oversight from the Santa Clara County Department of Environmental Health (or Department of Toxic Substances Control). A Site Management Plan (SMP), Removal Action Plan (RAP), or equivalent document shall be prepared by a qualified hazardous materials consultant. The Plan must establish remedial measures and/or soil management practices to ensure construction worker safety and the health of future workers and

visitors. The Plan and evidence of regulatory oversight shall be provided to the Director of Planning, Building, and Code Enforcement, or Director's designee, and the Environmental Compliance Officer in the City of San José's Environmental Services Department.

Operation. As stated previously, hazardous substances associated with the proposed Project would be limited in both amount and use such that they can be contained (stored or confined within a specific area) without impacting the environment. Project operation may involve the transport, use, and storage of potentially hazardous materials in the form of solvents, cleaning agents, paints, fertilizers, and pesticides typical of commercial/industrial uses. Such materials would be contained, stored, and used in accordance with manufacturers' instructions and handled in compliance with applicable standards and regulations. Any associated risk would be adequately reduced to a less than significant level through compliance with existing laws and regulations. Therefore, operation of the proposed Project would not create a significant hazard to the public or the environment through reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment. No mitigation would be required.

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

Less Than Significant Impact. The closest schools to the Project site are the Snell State Preschool Head Start and the Rancho Parkview Elementary School, which are located 0.24 mile northwest and 0.27 mile south of the Project site, respectively.

Construction. As stated previously, construction activities would involve the routine use of hazardous materials such as fuels, lubricants, paints, curing compounds, solvents, and sanitizers. Compliance with various federal, State, and local regulations related to hazardous materials use, storage, transportation, and disposal is expected to reduce the risk of a spill or accidental release of hazardous materials to a less than significant level.

Construction of the proposed Project would also include the use of construction equipment that would generate dust and particulate matter during site preparation activities within 0.25 mile of existing schools. These fugitive dust emissions would occur during construction of the proposed Project as a result of demolition, grading, and the exposure of soils to air and wind. However, in order to reduce fugitive dust emissions, the Project would be required to comply with Bay Area Air Quality Management District (BAAQMD) measures. These required dust suppression techniques would reduce fugitive dust generation and would reduce construction impacts resulting from hazardous emissions within 0.25 mile of an existing or proposed school to a less than significant level during construction activities. No mitigation would be required.

Operation. Although the Project site is located within 0.25 mile of several existing schools, operation of the proposed self-storage use would not result in the production of hazardous emissions or handling of significant amounts of hazardous materials. Therefore, operation of the proposed self-storage uses would not emit hazardous emissions or involve handling of hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school during operation and impacts are considered less than significant. No mitigation would be required.

d. Would the project be located on a site, which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, and, as a result, would it create a significant hazard to the public or the environment?

No Impact. According to the Phase I ESAs, the Project site is not located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, construction and implementation of the proposed Project would not create a significant hazard to the public or the environment because the site is not located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, and no mitigation would be required.

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

No Impact. As discussed previously, the nearest airport to the Project site is the Norman Y. Mineta San José International Airport, which is located approximately 6.41 miles north of the Project site. Therefore, due to the distance of the airport from the Project site, the proposed Project would not result in a change to air traffic patterns, or a change in location that results in substantial safety risk, and no mitigation would be required.

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

Less Than Significant Impact.

Construction. During short-term construction activities, the proposed Project is not anticipated to result in any substantial traffic queuing along Snell Avenue or West Capitol Expressway and all construction equipment would be staged on site. All large construction vehicles entering and exiting the site would be guided by the use of personnel using signs and flags to direct traffic.

The Project does not include any characteristics (e.g., permanent road closure or long-term blocking of road access) that would physically impair or otherwise interfere with emergency response or evacuation in the Project vicinity; however, the proposed Project may require temporary lane closures on Snell Avenue or West Capitol Expressway to allow for utility connections and the proposed improvements to the westbound left-turn lane at the intersection of Vistapark Drive/West Capitol Expressway. Temporary lane closures would be implemented consistent with applicable provisions in the City's Municipal Code (e.g., Section 11.14.060, Limitation on Hours of Construction on City Street) and recommendations outlined in the California Joint Utility Traffic Control Manual (Caltrans 2014). Among other things, the manual recommends early coordination with affected agencies to ensure that emergency vehicle access is maintained. In this manner, officials could plan and respond appropriately to direct the public away from West Capitol Expressway and Snell Avenue in the event of an emergency requiring evacuation. Therefore, potential impacts related to SJFD's ability to implement an emergency response plan or emergency evacuation access during construction would be less than significant.

Operation. As previously stated, the Santa Clara County Operational Area Emergency Operations Plan[1] establishes emergency organization, assigns tasks, specifies policies and general procedures, and provides for coordination of response in the event of an emergency. The plan does not identify specific emergency response or evacuation routes.

The Project consists of self-storage uses that are similar in nature to existing uses on the site. The Project would not impair or physically interfere with an adopted emergency response plan. Roads that are used as response corridors and evacuation routes usually follow the most direct path to or from various parts of the community. For the Project site, the main corridors utilized would be Snell Avenue and West Capitol Expressway.

The proposed Project would not physically interfere with an adopted emergency response plan or emergency evacuation plan. The proposed Project would be developed in accordance with City of San José emergency access standards. The proposed Project would also be required to comply with all applicable codes and ordinances for emergency vehicle access, which would ensure adequate access to, from, and on site for emergency vehicles.

As discussed in Section 5.17, Transportation, the proposed Project would not result in a significant traffic impact to any study area intersections. Therefore, the proposed Project would not result in long-term traffic impacts that could physically interfere with an adopted emergency response plan or emergency evacuation plan. In addition, during the operational phase of the proposed Project, on-site access would be required to comply with standards established by the City and the SJFD. The size and location of fire suppression facilities (e.g., hydrants) and fire access routes would be required to conform to City and SJFD standards. The proposed Project would provide adequate emergency access via the driveways along Snell Avenue and West Capitol Expressway. Therefore, operation of the proposed Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Potential Project operational impacts would be less than significant, and no mitigation would be required.

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

No Impact. According to the California Department of Forestry and Fire Protection (CAL FIRE), the Project site is not located in a Fire Hazard Severity Zone.[2] Furthermore, the Project site and the surrounding areas are developed with urban and suburban uses and do not include brush- and grass-covered areas typically found in areas susceptible to wildfires. Therefore, the Project would not expose people or structures to a significant risk of loss, injury, or death associated with wildland fires, and no mitigation would be required.

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1 County of Santa Clara. 2017. *County of Santa Clara Emergency Operations Plan*, Approved January 10, 2017. Website: https://www.sccgov.org/sites/oes/partners/Documents/emergency-operations-plan-jan-2017. pdf (accessed August 8, 2018).

2 State of California. Department of Forestry and Fire Protection. Fire and Resource Assessment Program (FRAP). 2008. Wildfire Hazard and Building Codes. October 8, 2008. Website: http://www.fire.ca.gov/fire_prevention/fhsz_maps/FHSZ/santa_clara/San_Jose.pdf (accessed August 8, 2018).

5.9.4 Conclusion

Less Than Significant with Mitigation Incorporated. Compliance with applicable regulations and implementation of Mitigation Measures HAZ-1 would ensure that the proposed Project would result in a less than significant impact on hazards and hazardous materials.

5.10 HYDROLOGY AND WATER QUALITY

The discussion and analysis provided in this section is based on information contained in the *Preliminary Storm Water Hydromodification Management Report for Public Storage 231 W Capitol Expressway, San José, California* (Hydromodification Report) prepared by Lars Anderson & Associates (July 2019) and the *Preliminary Storm Water Control Plan Supplemental Report for Public Storage 231 W Capitol Expressway, San José, California* (Storm Water Control Plan) prepared by Lars Anderson & Associates (September 2018) provided in Appendix D of this IS/MND.

5.10.1 Environmental Setting

5.10.1.1 Regulatory Framework

Federal and State Regulations

Clean Water Act

The USEPA adopted the Clean Water Act (CWA) in 1977 to set a framework for establishing regulations to protect the chemical, physical, and biological integrity of the nation's waters. The National Pollutant Discharge Elimination System (NPDES) under section 402(p) of the CWA aims to reduce the direct discharge of pollutants into waterways and manage additional pollution runoff. The San Francisco Bay Regional Water Quality Control Board (RWQCB) has the authority to administer permits within its jurisdiction including the City of San José. Section 303(d) of the CWA requires that each state identify "impaired" water bodies or segments of water bodies that do not meet at least one of the listed state water-quality standards. When the water body or segment is listed as impaired, the state institutes a Total Maximum Daily Load (TMDL) for the pollutant found to be creating the impairment. The TMDL is the maximum amount of a pollutant that a water body can receive and still meet water-quality standards, and is usually calculated based on the total amount of allowable loads generated by a single pollutant deriving from all of its originating point and non-point sources. The 303(d) list identifies water bodies that will need to establish a TMDL in the future in order to abide by water-quality standards. As per 303(d), the RWQCB has identified impaired water bodies within its authority as well as the associated pollutants causing the impairment.

National Pollutant Discharge Elimination System. As described above, the National Pollutant Discharge Elimination System (NPDES) was established under the CWA so to regulate municipal, industrial and stormwater discharges to the surface waters of the United States, including discharges from municipal separate storm sewer systems (MS4s). All entities that discharge pollutants into an identified waterbody of the United States are required to obtain a NPDES permit.

The proposed Project is subject to Waste Discharge Requirements (WDR) of the Municipal Regional Permit (MRP) (Order No. R4-2015-00249 NPDES Permit No. CAS004003). The MS4 permit covers the City of San José, Santa Clara County, and the Santa Clara Valley Water District (SCVWD). The C.3 Stormwater Handbook developed in June 2016 as per the Santa Clara Valley Urban Runoff Pollution Prevention Program, outlines low impact development provisions that the MS4 permit holders can use during planning of development activities so to manage and reduce occurrences of stormwater runoff pollutant discharges. These low impact development methods aim to preserve existing natural landscapes to minimize imperviousness and water quality impacts.

National Flood Insurance Program

The National Flood Insurance Program exists under the Federal Emergency Management Agency (FEMA) so to distinguish and evaluate flood hazards. FEMA generated Flood Insurance Rate Maps (FIRMs) identify the location of these potential flooding hazards and help plan for the correct land use and floodplain development within those locations. Information for FIRMs is generated by Flood Insurance Studies (FISs). Special Flood Hazard Areas (SFHAs) are distinguished via FIRMs. The current Insurance Rate Map (FIRM) Map No. 06085C0263H (May 18, 2009), and Map No. 06085C0264H (May 18, 2009), shows that the Project site is located in Zone D, Area of Undetermined Flood Hazard, which is not considered a special flood hazard area.

Porter-Cologne Water Quality Control Act

California adopted the Porter-Cologne Water Quality Act in 1969, giving the SWRCB and regional water quality control boards the authority over State water rights and policies in relation to managing and enforcing water quality. The regional boards adopt Water Quality Control Plans (Basin Plans) that outline their region's water quality conditions and standards as well as beneficial uses of the region's ground and surface water. The City of San José lies within the boundaries of the Santa Clara Basin and Region 2 governed by the San Francisco Bay RWQCB. The most recent Basin Plan for the San Francisco Bay Watershed was updated by the RWQCB in 2015 and is revised periodically so to reflect relevant ecological, technological, and political changes. The Basin also includes water quality standards for groundwater.

Statewide Construction General Permit

Construction projects or activities that are one acre or more must obtain a General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities, or a Construction General Permit from the SWRCB. Prior to construction, the Project Applicant must submit online Permit Registration Document (PRDs) to the Stormwater Multiple Application and Report Tracking System (SMARTS) website. The PRDs include a Notice of Intent (NOI), Risk Assessment, Post-Construction Calculations, a Site Map, the SWPPP, a signed certification by the Project Applicant, and the first annual fee. Applicants are also required develop Best Management Practices (BMPs) in accordance with the development of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP maps the boundaries of the Project site, identifying the existing and proposed structures and roads within the vicinity of the site, as well as stormwater collection and discharge points and drainage patterns. These BMPs should address strategies to prevent soil erosion and the proper treatment and discharge of other pollutants generated by construction, which could contaminate waterways on or nearby the site. A SWPPP must also include a visual chemical monitoring program of nonvisible pollutants and a sediment-monitoring program. As the Project site is larger than one acre, it is subject to these listed requirements.

Sustainable Groundwater Management Act

The Sustainable Groundwater Management Act of 2014 (SGMA) is a comprehensive three-bill package that was signed into California state law by Governor Jerry Brown in September 2014. The SGMA that provides a framework for sustainable management of groundwater supplies by local authorities, with a limited role for state intervention only if necessary to protect the resource. The plan is intended to ensure a reliable groundwater water supply for California for years to come.

The act requires the formation of local groundwater sustainability agencies (GSAs) that must assess conditions in their local water basins and adopt locally based management plans. The act requires that GSAs implement plans and achieve long-term groundwater sustainability within 20 years of implementation of the SGMA.

GSAs responsible for high- and medium-priority basins must adopt groundwater sustainability plans or an alternative to a groundwater sustainability plan within five to seven years of implementation of the SGMA, depending on whether the basin is in critical overdraft. Agencies may adopt a single plan covering an entire basin or combine a number of plans created by multiple agencies. Plans must include a physical description of the basin, including groundwater levels, groundwater quality, subsidence, information on groundwater-surface water interaction, data on historical and projected water demands and supplies, monitoring and management provisions, and a description of how the plan will affect other plans, including city and county general plans.

The Santa Clara Valley Water District's (SCVWD) has managed groundwater in the Santa Clara subbasin since 1929. On May 24, 2016, the SCVWD's Board of Directors adopted a resolution to become the GSA for the Santa Clara subbasin. The Board of Directors adopted the 2016 *Groundwater Management Plan for the Santa Clara and Llagas Subbasins* on November 22, 2016. The Groundwater Management Plan was submitted to DWR as an alternative to a groundwater sustainability plan on December 21, 2016.

Local Regulations

Santa Clara Valley Urban Runoff Pollution Prevention Program

The Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) is an association in Santa Clara Valley that includes the County of Santa Clara, SCVWD, and 13 regional cities. Under the authority of RWQCB, the SCVURPPP regulates stormwater and conducts public outreach so to reduce pollution generated by urban runoff and improve regional water quality supplies. The SCVURPPP addresses stormwater pollution prevention within the context of the MS4 Permit, and aims to ensure that both new development and redevelopment projects mitigate water quality impacts to stormwater runoff. A Hydromodification Management Plan (HMP) is also required to manage stormwater, and regulates increased peak runoff flows and volumes (hydromodification). An HMP aims to monitor and reduce the impacts of development projects that are located within a region subject to hydromodification, and plans to limit stream channel erosion as well as mitigate water quality degradation resulting from development activities.

Post-Construction Urban Runoff Management Policy

The City's Post-Construction Urban Runoff Management Policy 6-29 mandates the adoption of post-construction best management practices and treatment control measures (TCMs) during development projects. The policy sets design standards for post-construction TCMs for projects that create, add, or replace 10,000 sf or more of impervious surfaces. This policy is updated periodically in association with MRP changes. Infiltration treatment measures are also limited under this policy in order to protect groundwater from contaminants. Additionally, a Stormwater Control Plan (SCP) should be prepared for development projects which create and/or replace 10,000 sf or more of impervious surface. The SCP should be submitted and approved by the City before issuing grading

permits. As the proposed Project will create or replace more than 10,000 sf of impervious surface, it is subject to this policy.

Post-Construction Hydromodification Policy

All new development and redevelopment projects that create or replace one acre or more of impervious surface are subject to the City's Post-Construction Hydromodification Policy 8-14.

Projects subject to this policy are required to manage development related increases in peak runoff flow, volume, and duration where hydromodification has caused adverse impacts on local waterways. The policy requires these projects to be designed to control project-related hydromodification through an HMP. New development and redevelopment projects that create and/or replace one acre or more of impervious surface and are located in subwatersheds or catchment areas that are less than 65 percent impervious are subject to these requirements. Policy 8-14 is updated periodically to reflect the latest MRP requirements. As only a portion of the Project site is located within a hydromodification area and the amount of impervious surface area within the hydromodification area is less than 1 acre, the proposed Project is not classified as a Hydromodification Management Project. Therefore, the Project is subject to Policy 8-14. Furthermore, as post-project runoff rates and durations will not exceed the estimated pre-project rates and durations, the proposed Project is exempt from preparing an HMP.

Riparian Corridor Policy

The City has adopted a Riparian Corridor Policy that addresses how development of all types should be designed to protect and preserve riparian corridors through guidelines that promote water quality and flood protection.

Envision San José 2040 General Plan

The Measurable Environmental Sustainability (MS), Environmental Resources (ER), Environmental Considerations/Hazards (EC), and Infrastructure (IN) sections of the City's General Plan include the following goals and policies related to hydrology and water quality that are applicable to the proposed Project.

Policy MS-18.12 Encourage stormwater capture and encourage, when feasible and cost-effective, on-site rainwater catchment for new and existing development.

Policy MS-18.13 Encourage graywater use whenever appropriate and in areas that do not impact groundwater quality as determined through coordination with local agencies.

Goal MS-20 **Water Quality:** Ensure that all water in San José is of the highest quality appropriate for its intended use.

Policy MS-20.2 Avoid locating new development or authorizing activities with the potential to negatively impact groundwater quality in areas that have been identified as having a high degree of aquifer vulnerability by the Santa Clara Valley Water District or other authoritative public agency.

Policy MS-20.3 Protect groundwater as a water supply source through flood protection measures and the use of stormwater infiltration practices that protect groundwater quality. In the event percolation facilities are modified for infrastructure projects, replacement percolation capacity will be provided.

Goal ER-8 **Stormwater:** Minimize the adverse effects on ground and surface water quality and protect property and natural resources from stormwater generated in the City of San José.

Policy ER-8.1 Manage stormwater runoff in compliance with the City's Post-Construction Urban Runoff (6-29) and Hydromodification Management (8-14) Policies.

Policy ER-8.5 Ensure that all development projects in San José maximize opportunities to filter, infiltrate, store and reuse or evaporate stormwater runoff on-site.

Goal ER-9 **Water Resources:** Protect water resources because they are vital to the ecological and economic health of the region and its residents.

Policy ER-9.3 Utilize water resources in a manner that does not deplete the supply of surface or groundwater or cause overdrafting of the underground water basin.

Policy EC-4.1 Design and build all new or remodeled habitable structures in accordance with the most recent California Building Code and Municipal Code requirements as amended and adopted by the City of San José, including provisions for expansive soil, and grading and storm water controls.

Policy EC-4.5 Ensure that any development activity that requires grading does not impact adjacent properties, local creeks and storm drainage systems by designing and building the site to drain properly and minimize erosion. An Erosion Control Plan is required for all private development projects that have a soil disturbance of one acre or more, are adjacent to a creek/river, and/or are located in hillside areas. Erosion Control Plans are also required for any grading occurring between October 1 and April 30.

Action EC-4.12 Require review and approval of grading plans and erosion control plans (if applicable) prior to issuance of a grading permit by the Director of Public Works.

Goal EC-5 **Flooding Hazards:** Protect the community from flooding and inundation and preserve the natural attributes of local floodplains and floodways.

Policy EC-5.2 Allow development only when adequate mitigation measures are incorporated into the project design to prevent or minimize siltation of streams, flood protection ponds, and reservoirs.

Policy EC-5.7 Allow new urban development only when mitigation measures are incorporated into the project design to ensure that new urban runoff does not increase flood risks elsewhere.

Policy EC-5.11 Where possible, reduce the amount of impervious surfaces as a part of redevelopment or roadway improvements through the selection of materials, site planning, and street design.

Policy IN-3.7 Design new projects to minimize potential damage due to storm waters and flooding to the site and other properties.

Policy IN-3.9 Require developers to prepare drainage plans that define needed drainage improvements for proposed developments per City standards.

Policy IN-3.10 Incorporate appropriate stormwater treatment measures in development projects to achieve stormwater quality and quantity standards and objectives in compliance with the City's NPDES permit.

City of San José Municipal Code

Chapter 15.11, Water Efficient Landscape Standards for New and Rehabilitated Landscaping. This chapter of the municipal code establishes water conservation and efficiency measures during the design, implementation, and maintenance of city landscaping in accordance with the Water Conservation in Landscaping Act. New construction projects with a total landscaping area of 500 sf or more that require a building permit or rehabilitated landscape projects with a total landscape area of 2,500 sf or more that require a building permit, are required to validate that the Project meets the water efficiency guidelines as required by this chapter. Some of these guidelines include restrictions on turf area, irrigation sensors that use evapotranspiration or soil moisture sensor data, water budget calculations and recycled water options. A landscape documentation package must be submitted to the City as part of the development permit application, and should include project information, water efficient landscape worksheet, soil management report, landscape design plan, irrigation design plan, and grading design plan.

Chapter 15.16, Sewer Connection and Storm Drainage. This chapter outlines storm drainage fees that project developers must pay to the City. These fees pay for the overall maintenance of the City's storm drainage system. Every city property owner must also pay separate storm drainage service charges for storm drain maintenance as well.

Chapter 17.08, Special Flood Hazard Area Regulations. This chapter establishes flood damage prevention measures for special flood hazard zones such as the 100-year floodplain. This chapter aims to restrict monetary damages, flood related hazards, and injury to the tax base and governmental services. It also requires building and redevelopment Projects that are vulnerable to floods to be protected against flood damage at the time of construction by implementing construction standards that must be applied within the 100-year floodplain.

Chapter 20.95, Storm Water Management. This chapter outlines stormwater management procedures and enforcement rules for siting stormwater runoff in order to mitigate negative impacts on nearby areas. This chapter is based on requirements under the NPDES permit that are consistent with the City Council Policy 6-29, Post-Construction Urban Runoff Management. It applies to new development or redevelopment projects that create and/or replace 10,000 sf of impervious surfaces, or special land use category projects, create and/or replace 5,000 sf of impervious surfaces.

5.10.1.2 Existing Conditions

Groundwater. The Project site lies within the Santa Clara Plain Recharge Area of the Santa Clara subbasin of the larger Santa Clara Valley Groundwater Basin (DWR Basin 2-9.02). SCVWD manages groundwater recharge to the Santa Clara Valley Groundwater Basin. Groundwater quality within this basin is generally considered to be of good quality, meeting 95 percent of water quality objectives without additional treatment in water supply wells throughout the County.[1] As discussed in the Geotechnical Investigation (Appendix B) prepared for the Project, groundwater was encountered at a depth ranging from approximately 20.7 to 21.5 feet (ft) below ground surface (bgs) on the Project site.

Storm Drainage. The City of San José Public Works Department operates and maintains the City's storm drain system, which has over 1,150 miles of storm drains and drainage channels as well as 29 stormwater pump stations. City infrastructure such as catch basins and storm drain pipes collect stormwater runoff, which is eventually discharged into the San Francisco Bay. The U.S. Army Corps of Engineers (USACE) and SCVWD jointly oversee and operate the region's flood control facilities and stream channels.

The proposed Project would connect to the preexisting storm drainage system. The proposed Project would connect to the existing storm drain system, and as per City requirements, the storm drain connections must be designed and constructed to meet the City's ten-year storm event design standard. In addition, project developers are required to pay storm drain connection fees and storm drain service charges to assist in funding capital improvements to the system.

In the existing condition, stormwater runoff is conveyed via an on-site stormdrain system to the City stormdrain system located in Snell Avenue. The underground storm drain system (a 21-inch reinforced concrete pipe [RCP]) along Snell Avenue is owned by the City of San José and maintained by the City Department of Transportation. The underground stormdrain system in Snell Avenue is directed northwest and eventually discharges into Coyote Creek, then into the Lower Penitencia Creek, then into Coyote River, and eventually into the San Francisco Bay. Additionally, the Project site is located within a subwatershed with less than 65 percent impervious surface area. The vast majority of the existing site is developed and impervious.

Flooding. According to the County of Santa Clara General Plan Safety and Noise Element (2010), Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Map No.

[1] Great Oaks Water Company, 2015. *2015 Urban Water Management Plan*.

06085C0263H (May 18, 2009), and Map No. 06085C0264H (May 18, 2009), the Project site is located in Zone D, Area of Undetermined Flood Hazard, which is not considered a special flood hazard area.

Seiches and Tsunamis. Seiching occurs when seismic ground shaking induces standing waves (seiches) inside water retention facilities (e.g., reservoirs and lakes). The resulting waves can cause failure of retention structures and potential flooding of downstream properties. Small unenclosed ponds are located approximately 200 ft west of the Project site within the California Hawaiian Mobile Home Park, and structures within the mobile home park are located between the Project site and unenclosed ponds. Although these ponds are in close proximity to the Project site, they contain an insignificant volume of water and would not subject the Project to the threat of inundation by seiche.

Tsunamis are generated ocean wave trains generally caused by tectonic displacement of the sea floor associated with shallow earthquakes, sea floor landslides, rock falls, and exploding volcanic islands. The proposed Project is located approximately 21 miles from the ocean shoreline and 12 miles from the San Francisco Bay. The Project site is not in a tsunami inundation area (California Emergency Management Agency, California Geological Survey, and University of Southern California, Tsunami Inundation Map for Emergency Planning).

5.10.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☐	☒	☐
b. Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner, which would:				
i. Result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
ii. Substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site;	☐	☐	☒	☐
iii. Create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or	☐	☐	☒	☐
iv. Impede or redirect flood flows?	☐	☐	☒	☐
d. In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☐	☒
e. Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

5.10.3 Impact Analysis

a. Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Less Than Significant Impact.

Construction. During construction, the total disturbed soil area would be approximately 3.23 acres (1.82 acres for Phase I and 1.41 acres for Phase II). Because the Project would disturb greater than 1 acre of soil, it is required to comply with the State Water Resources Control Board's (SWRCB) National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ, NPDES No. CAS000002, as amended by Orders Nos. 2010-0014-DWQ and 2012-0006-DWQ) (Construction General Permit) and Section 20.100.480, Storm Water Management, of the City's Municipal Code.

The Construction General Permit requires preparation of a Storm Water Pollution Prevention Plan (SWPPP) and implementation of Construction Best Management Practices (BMPs). Section 20.100.480 of the Municipal Code requires compliance with the Construction General Permit, preparation of SWPPP as well as an Erosion Control Plan, and implementation of Construction BMPs. Construction BMPs would include, but are not limited to, Erosion Control and Sediment Control BMPs designed to minimize erosion and retain sediment on site and Good Housekeeping BMPs to prevent spills, leaks, and discharge of construction debris and waste into receiving waters. In addition, the proposed Project would comply with the City's Standard Permit Conditions.

Excavation for the proposed Project would extend to a depth of 2.5 ft bgs, and some overexcavation may be required due to existing fill and demolition disturbance. The Geotechnical Investigation (Appendix B) concluded that, despite the fact that excavation would occur well above existing groundwater levels (approximately 20.7 to 21.5 ft bgs), shallow perched groundwater may be present during wet periods. However, it is unlikely that groundwater dewatering would be required. Rather, due to the small size of the Project site, it is likely that the area of accumulated groundwater would be allowed to dry out prior to continuing excavation.

With adherence to the City's standard permit conditions, which require compliance with and implementation of construction BMPs, the proposed Project would not violate any water quality standards or waste discharge requirements, or otherwise substantially degrade surface or groundwater quality. Therefore, construction impacts related to waste discharge requirements, water quality standards, and degradation of surface or groundwater quality would be less than significant with the incorporation of the City's Standard Permit Conditions. No mitigation would be required.

Operation. According to the Preliminary Stormwater Control Plan, the Project would add or replace a total of approximately 2.73 acres (118,841 sf) of impervious surfaces on the site over the course of both phases. In addition, the proposed Project would increase the amount of impervious surface area on the disturbed portion of the Project site by approximately 0.11 acre (0.04 acre for Phase I and 0.07 acre for Phase II.

The City of San José operates under the San Francisco Bay Regional Water Quality Control Board (RWQCB) Municipal Regional Stormwater NPDES Permit (MRP) (Order No. R2-2015-0049, NPDES Permit No. CAS612008). The proposed Project is a regulated project under the MRP because it is a redevelopment project that creates or replaces more than 10,000 sf of impervious surface. The MRP requires regulated projects to install, operate, and maintain Low Impact Development (LID) BMPs, such as pollutant source control, site design, and stormwater treatment BMPs. The City implements the requirements of the MRP through several policies, including the Post-Construction Urban Runoff Management Policy (6-29). Policy 6-29 requires all projects to include BMPs that prevent rainwater pollution, treat polluted runoff, and eliminate or control runoff from the Project site. Per City Policy 6-29, since the proposed Project does not alter more than 50 percent of the total amount of impervious area from the existing site (approximately 47 percent is altered during Phase I and II), the proposed BMPs only need to treat the new and/or replaced impervious surface area.

The Project would include LID BMPs in compliance with the MRP and the City's Post- Construction Urban Runoff Management Policy 6-29. The *Preliminary Stormwater Control Plan* details the proposed LID BMPs that would be implemented to target pollutants of concern in runoff from the Project site to reduce impacts to water quality during operation. The proposed LID BMPs include bioretention with underdrains connecting to the storm drain system, pervious pavement to increase on-site infiltration, and flow through planters.

During final design, a Final Stormwater Control Plan would be prepared based on final design plans

Due to the depth to groundwater (approximately 20.7 to 21.5 ft bgs) and the lower infiltration rates as indicated in percolation tests conducted as part of the Geotechnical Investigation, it is not expected that any stormwater that may infiltrate would affect groundwater quality because there is not a direct path for pollutants to reach groundwater.

With implementation of post-construction BMPs and LID features, the proposed Project would not violate any water quality standards or waste discharge requirements, or otherwise substantially degrade surface or groundwater quality. Therefore, operational impacts related to waste discharge requirements, water quality standards, and degradation of surface or groundwater quality would be less than significant with adherence to the City's Standard Permit Conditions. No mitigation would be required.

<u>Standard Permit Conditions:</u>

- Burlap bags filled with drain rock shall be installed around storm drains to route sediment and other debris away from the drains.
- Earthmoving or other dust-producing activities shall be suspended during periods of high winds.
- All exposed or disturbed soil surfaces shall be watered at least twice daily to control dust as necessary.

- Stockpiles of soil or other materials that can be blown by the wind shall be watered or covered.
- All trucks hauling soil, sand, and other loose materials shall be covered and all trucks shall maintain at least two feet of freeboard.
- All paved access roads, parking areas, staging areas and residential streets adjacent to the construction sites shall be swept daily (with water sweepers).
- Vegetation in disturbed areas shall be replanted as quickly as possible.
- All unpaved entrances to the site shall be filled with rock to remove mud from tires prior to entering City streets. A tire wash system shall be installed if requested by the City.
- The 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.

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

Less Than Significant Impact. Construction and operation of the proposed Project would not require groundwater extraction. Following Project implementation, there would be an increase in impervious surface area of 0.04 acre for Phase I and 0.07 acre for Phase II on the Project site, for a total increase of 0.11 acre. An increase in impervious surface area decreases infiltration, which can decrease the amount of water that is able to recharge the aquifer/groundwater. However, on-site soils have low-to-moderately low infiltration rates; therefore, the small increase in impervious area would not substantially decrease any infiltration that currently may occur on the site. In addition, compared to the volume of the groundwater basin (350,000 acre-feet [AF]), any reduction in on-site infiltration would not be substantial. Therefore, the Project would not impede the SCVWD's ability to manage groundwater in the Santa Clara groundwater subbasin, which according to the 2016 Groundwater Management Plan, has been in a sustainable condition for many decades. Thus, this project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that the Project would impede sustainable management of the Santa Clara groundwater subbasin. Impacts would be less than significant, and no mitigation is required.

c. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner, which would:

i. Result in a substantial erosion or siltation on- or off-site?

Less Than Significant Impact. During construction activities, excavated soil would be exposed and disturbed, drainage patterns would be temporarily altered during grading and other construction activities, and there would be an increased potential for soil erosion and the transport of sediment

downstream compared with existing conditions. As discussed in Response 4.10.3(a), the Project would comply with the Construction General Permit and the City's Municipal Code, which require preparation of a SWPPP and an Erosion Control Plan, and implementation of construction BMPs to reduce impacts to water quality during construction, including those impacts associated with soil erosion and siltation. Additionally, the Project would be required to comply with the standard conditions listed in Response 4.10.3(a) to reduce erosion during construction.

The proposed Project would increase impervious surface area on the Project site by approximately 0.11 acre compared to existing conditions and could potentially increase on-site stormwater runoff during a storm event. In the proposed condition, the impervious surface areas would not be prone to erosion or siltation. Erosion and siltation would be minimized in the landscaped areas, where soil would be stabilized by vegetation. Therefore, the proposed Project would not increase on-site erosion or siltation.

An increase in impervious surface area can potentially increase stormwater runoff generated from a project and increase erosion and sedimentation in receiving waters. However, as discussed previously, the proposed Project would increase impervious surfaces on the site by 0.11 acre.

As only a portion of the Project site is located within a hydromodification area and the amount of impervious surface area within the hydromodification area is less than 1 acre, the proposed Project is not classified as a Hydromodification Management Project. Furthermore, post-project runoff rates and durations would not exceed the estimated pre-project rates and durations and would therefore not have the potential to result in increased erosion in receiving waters. Therefore, the proposed Project would not increase off-site erosion or siltation.

For the reasons detailed above, impacts related to on- or off-site erosion and siltation from alterations of drainage patterns would be less than significant. No mitigation would be required.

Standard Permit Conditions:

- Burlap bags filled with drain rock shall be installed around storm drains to route sediment and other debris away from the drains.
- Earthmoving or other dust-producing activities shall be suspended during periods of high winds.
- All exposed or disturbed soil surfaces shall be watered at least twice daily to control dust as necessary.
- Stockpiles of soil or other materials that can be blown by the wind shall be watered or covered.
- All trucks hauling soil, sand, and other loose materials shall be covered and all trucks shall maintain at least two feet of freeboard.

- All paved access roads, parking areas, staging areas, and residential streets adjacent to the construction sites shall be swept daily (with water sweepers).
- Vegetation in disturbed areas shall be replanted as quickly as possible.
- All unpaved entrances to the site shall be filled with rock to remove mud from tires prior to entering City streets. A tire wash system shall be installed if requested by the City.
- The 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.

For the reasons detailed above, with implementation of the Standard Permit Conditions, impacts related to on- or off-site erosion and siltation from alterations of drainage patterns would be less than significant. No mitigation would be required.

c. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner, which would:

ii. Substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?

Less Than Significant Impact. Construction activities would alter the on-site drainage pattern, potentially compact on-site soils, and increase the potential for flooding compared to existing conditions. As discussed in Response 4.10.3(a) the Project would comply with the Construction General Permit and City's Municipal Code, which requires preparation of a SWPPP and Erosion Control Plan to identify construction BMPs to be implemented as part of the proposed Project to manage stormwater during construction. Proper management of storm water during construction would reduce impacts associated with flooding.

The proposed Project would increase impervious surfaces on the site by 0.11 acre, which would potentially increase runoff peak flow during a storm event. The Project includes drainage systems to ensure that on-site runoff is adequately conveyed and on-site flooding does not occur. In addition, the Project would include LID BMPs to reduce stormwater runoff from the Project site by aiding in infiltration. With implementation of the LID and BMPs, designed in accordance with the appropriate standards set forth in the City's stormwater policies, post-development runoff would not exceed existing conditions and off-site flooding would not occur. With the implementation of the City's Standard Permit Conditions, potential impacts related to on- or off-site flooding resulting from the alteration of existing drainage patterns on the site would be less than significant. No mitigation would be required.

c. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner, which would:

iii. Create or contribute runoff water, which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

Less Than Significant Impact. In the existing condition, stormwater runoff is conveyed via an on-site stormdrain system to the City stormdrain system located in Snell Avenue. The underground storm drain system (a 21-inch RCP) along Snell Avenue is owned by the City of San José and maintained by the City Department of Transportation. The underground stormdrain system in Snell Avenue is directed northwest and eventually discharges into Coyote Creek, then into the Lower Penitencia Creek, then into Coyote River, and eventually into the San Francisco Bay. The proposed Project includes an on-site stormdrain system comprised of 2-inch valley gutters, an underground trench drain, pervious pavement, and two storm drain inlets to convey on-site runoff to the a bioretention basin, flow through planters, and to the City's storm drain system in Snell Avenue.

As discussed in Response 4.10.3(a), earthwork activities would compact soil, which can potentially increase stormwater runoff during construction. Drainage patterns would be temporarily altered during grading and other construction activities, and construction-related pollutants such as liquid and petroleum products and concrete-related waste could be spilled, leaked, or transported via storm runoff into adjacent drainages and into downstream receiving waters. The proposed Project would be required to comply with requirements set forth by the Construction General Permit and City's Municipal Code, which requires preparation of a SWPPP and an Erosion Control Plan, and implementation of construction BMPs to control stormwater runoff and discharge of pollutants. Additionally, the Project would be required to comply with the standard conditions listed in Response 4.10.3(a) to reduce erosion and discharge of pollutants during construction

As discussed under Responses 4.10.3(c) and 4.10.3(d), the proposed Project would increase the impervious surface area on the Project site by 0.11 acre compared to existing conditions, which would potentially increase runoff and pollutants generated on the Project site.

As discussed in Response 4.10.3(a), a Final Stormwater Control Plan would be prepared for the Project that details the Source Control and LID BMPs that would be implemented to treat stormwater runoff and reduce impacts to water quality during operation. The proposed LID BMPs include bioretention, pervious pavement, and flow through planters. These BMPs would capture and treat stormwater runoff and reduce pollutants of concern in stormwater runoff.

With implementation of the LID and BMPs, post-development runoff would not exceed existing conditions and, therefore, the capacity of downstream receiving waters would not be exceeded.

For the reasons discussed above, with adherence to the City's Standard Permit Conditions, Project impacts associated with the introduction of substantial sources of polluted runoff or additional runoff would be less than significant. No mitigation would be required.

c. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner, which would:

iv. Impede or redirect flood flows?

Less Than Significant Impact. As previously discussed, according to the County of Santa Clara General Plan Safety and Noise Element (2010), FEMA FlRM Map No. 06085C0263H (May 18, 2009), and Map No. 06085C0264H (May 18, 2009), the Project site is located in Zone D, an Area of Undetermined Flood Hazard, which is not considered a special flood hazard area. Although, the Project would increase the impervious surface area on the Project site by 0.11 acre compared to existing conditions, the Project would maintain the existing on-site drainage patterns. Stormwater runoff would continue to be conveyed via an on-site stormdrain system to the City stormdrain system located in Snell Avenue. In addition, the Project would not alter the course of a stream or river. For these reasons, the Project would not alter the existing drainage pattern in a manner that would impede or redirect flood flows. Impacts would be less than significant, and no mitigation would be required.

d. In a flood hazard, tsunami, or seiche zones, would there be a release of pollutants due to project inundation?

No Impact. As discussed further under Response 4.10.3(d)(iv), the Project site is located in Flood Zone D, an Area of Undetermined Flood Hazard, which is not considered a special flood hazard area. In addition, the Project is located approximately 21 miles from the ocean shoreline and 12 miles from the San Francisco Bay and is not located in a tsunami inundation area. Finally, the Project site is not in close proximity to any large bodies of water and is, therefore, not at risk of inundation due to seiche. Therefore, the Project would not result in a release of pollutants due to inundation as a result of on-site flooding, tsunami, or seiche. No impacts would occur, and no mitigation would be required.

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

Less Than Significant Impact. As discussed in Response 4.10.3(a), the proposed Project would be required to comply with requirements set forth by the Construction General Permit and the City's Municipal Code, which requires preparation of a SWPPP and an Erosion Control Plan, and implementation of construction BMPs to control stormwater runoff and discharge of pollutants. In addition, a Final Stormwater Control Plan would be prepared for the Project that details the Source Control and LID BMPs that would be implemented to treat stormwater runoff and reduce impacts to water quality during operation. With adherence to City Standard Permit Conditions, the Project would not result in water quality impacts that would conflict with the RWQCB's Water Quality Control Plan (Basin Plan). Therefore, impacts related to conflict with a water quality control plan would be less than significant.

As discussed in Response 4.10.3(b), construction and operation of the proposed Project would not require groundwater extraction. However, the Project would increase impervious surface areas by 0.11 acre, which can decrease the amount of water that is able to recharge the aquifer/groundwater. However, on-site soils have low- to-moderately low infiltration rates;

therefore, the small increase in impervious area would not substantially decrease any infiltration that currently may occur on the site. In addition, compared to the volume of the groundwater basin (350,000 acre-feet [AF]), any reduction in on-site infiltration would not be substantial. For these reasons, the Project would not conflict with the SCVWD's 2016 Groundwater Management Plan.

5.10.4 Conclusion

Less Than Significant Impact. Compliance with applicable regulations and implementation of the City's Standard Permit Conditions would result in a less than significant water quality and hydrology impact. No mitigation would be required.

5.11 LAND USE AND PLANNING

5.11.1 Environmental Setting

5.11.1.1 Regulatory Framework

Federal and State Regulations

There are no federal and/or State regulations applicable to the proposed Project.

Local Regulations

Envision San José 2040 General Plan

The City of San José's (City) General Plan is a policy document guiding future development within the City and is a comprehensive plan intended to guide growth and development. The Land Use Element is considered the framework for the General Plan because it establishes development and land use patterns that enhance the City's character. Chapter 6 of the Land Use Element outlines goals and policies that are carried out through specific implementation programs. The Land Use and Transportation (LU) section of the City's General Plan includes the following goals and policies related to land use that are applicable to the proposed Project.

Policy LU-4.1 Retain existing commercial lands to provide jobs, goods, services, entertainment, and other amenities for San José's workers, residents, and visitors.

Policy LU-4.4 Allow limited industrial uses in commercially designated areas if such uses are of a scale, design, or intensity that creates less than significant negative impacts to surrounding uses.

Policy LU-6.5 Maintain and create Light Industrial and Heavy Industrial designated sites that are at least one acre in size in order to facilitate viable industrial uses.

Policy LU-8.1 In areas that are designated for mixed industrial and commercial uses, allow only commercial uses that are compatible with industrial uses. Non-employment uses are prohibited in these areas.

Policy LU-8.2 Encourage more large-format commercial uses in Combined Industrial/ Commercial lands, since these development typologies are typically similar to the development scale of industrial development in the same area. Discourage small-scale and strip commercial shopping centers in the Combined Industrial/Commercial area.

TR-1.2 Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.

TR-2.18 Provide bicycle storage facilities as identified in the San José Bicycle Master Plan.

City of San José Municipal Code

Chapter 20.10 under Title 20 of the City's Municipal Code establishes the San José Zoning Ordinance,[1] which sets cohesive zoning rules for the City and designates land use types. The City's Zoning Ordinance[2] is the primary implementation tool for the goals and policies contained in the Land Use Element. For this reason, the Zoning Map must be consistent with the General Plan Land Use Map. The City's Land Use Map indicates the general location and extent of future development in the City. The City's Zoning Ordinance contains more specific information related to permitted land uses, building intensities, and development standards.

5.11.1.2 Existing Conditions

Existing and Surrounding Land Uses. The Project site borders Snell Avenue to the northeast, West Capitol Expressway to the southeast, and a mobile home park to the west, and is located in an urbanized, industrial corridor, developed with self-storage facilities and paved asphalt parking areas. As such, the Project site is primarily surrounded by Combined Industrial/Commercial to the east, Mixed Use Neighborhood to the east and southwest, Residential Neighborhood to the northwest, and Light Industrial Uses to the north.

Existing Land Use Designation. The Project site is designated Combined Industrial/Commercial in the General Plan. The Combined Industrial/Commercial use allows for the development of a mixture of compatible commercial, office, and industrial uses, including hospitals and community gathering spaces. This designation occurs within areas where existing development patterns exhibit a mix of commercial and industrial uses or are on the boundary of areas with commercial and industrial uses. Development intensity varies within this designation, as allowable heights range from 1 to 24 stories and the maximum building intensity (floor area ratio) is 12.0.

Existing Zoning Classification. The Project site is classified as Light Industrial on the City's Zoning Map. The Light Industrial classification is intended for a wide variety of uses, but excludes industrial uses with unmitigated or nuisance effects. Allowable uses in the Light Industrial zoning classification include warehousing (including self-storage uses), wholesaling, and light manufacturing. Warehouse retail uses may be allowed where they are compatible with adjacent uses and will not constrain the future use of the site for industrial purposes.

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1 City of San José Municipal Code. Zoning Ordinance. Title 20. Website: https://library.municode.com/ca/san_jose/codes/code_of_ordinances?nodeId=TIT20ZO_CH20.60PLADEDI (accessed December 11, 2018).

2 Ibid. (accessed July 16, 2018).

5.11.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Physically divide an established community?	☐	☐	☐	☒
b. Cause a significant environmental impact due to conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	☒	☐

5.11.3 Impact Analysis

a. Would the project physically divide an established community?

No Impact. The Project site consists of Assessor's Parcel Numbers (APNs) 462-19-13 and 462-19-14 that, when combined, have a net acreage of approximately 6.4 acres (278,807 sf). The Project site is triangular in shape and is bounded by Snell Avenue to the northeast, West Capitol Expressway to the southeast, and a mobile home park to the west. As previously stated, the Project site is primarily surrounded by Combined Industrial/Commercial to the east, Mixed Use Neighborhood to the east and southwest, Residential Neighborhood to the northwest, and Light Industrial Uses to the north.

The Project site is located in an urbanized, industrial corridor and is developed with self-storage facilities and paved asphalt parking areas. The Project would involve the full or partial demolition of ten existing self-storage buildings on the site and the construction of two new four-story storage buildings in their place. One four-story building would be constructed on each parcel of the Project site, each with a total area of 179,616 sf. Following Project implementation, the total building square footage on the site (including existing buildings to remain on the site) would be 427,376 sf. The proposed buildings would be setback approximately 70 ft from the existing residential uses.

Vehicular access to the site would be provided via the existing driveway on West Capitol Expressway and one of the existing driveways off Snell Avenue at the northern end of the Project site. However, the Project proposes the permanent vacation of the southernmost driveway on Snell Avenue.

The proposed demolition of the existing self-storage facilities, access improvements, and parcel re-adjustments would occur on two adjacent parcels in a built-out urban environment and would not result in physical divisions within any established community. No mitigation would be required.

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

Less Than Significant Impact. The main documents regulating land use on the Project site are the Envision San José 2040 General Plan and the City's Zoning Code. The Project site is designated Combined Industrial/Commercial in the General Plan and is classified as Light Industrial on the City's Zoning Map. The proposed Project's relationship to these planning documents is described further below.

5.11.3.1 General Plan

As previously noted, the City's General Plan is a policy document guiding future development within the City. Table 5.11.A, below, provides a consistency analysis of the proposed Project with the applicable General Plan policies, showing that the proposed Project is consistent with the City's General Plan. In order to avoid repetition and focus on key issues, goals, policies, and implementation programs that are not relevant to the proposed Project are not included in Table 5.11.A.

5.11.3.2 Zoning Code

The City's Zoning Ordinance[1] is the primary implementation tool for the goals and policies contained in the Land Use Element. As previously noted, the Project site has a zoning classification of Light Industrial (refer to Figure 3.5, Zoning Map). General provisions of Light Industrial zoning designations within the City are outlined in Section 20.10 of the Municipal Code. Table 5.11.B, below, provides a consistency analysis of the proposed Project with the development standards outlined in Section 20 of the City's Municipal Code.

As illustrated by Table 5.11.B, the proposed Project would be consistent with applicable development standards regulating development on the Project site. Therefore, the proposed Project would be consistent with the City's Zoning Code.

In summary, the proposed Project would not cause a significant environmental impact due to conflicts with approved land use plans, policies, or regulations, and no mitigation would be required.

5.11.4 Conclusion

Less Than Significant Impact. Implementation of the Project would result in a less than significant land use impact. No mitigation would be required.

[1] City of San José Municipal Code. Zoning Ordinance. Title 20. Website: https://library.municode.com/ca/san_jose/codes/code_of_ordinances?nodeId=TIT20ZO_CH20.60PLADEDI (accessed July 16, 2018).

Table 5.11.A: General Plan Consistency Analysis

Policy/Implementation Program	Proposed Project Consistency
Policy LU-4.1. Retain existing commercial lands to provide jobs, goods, services, entertainment, and other amenities for San José's workers, residents, and visitors	**Consistent.** The Project site is currently designated as Combined Industrial/Commercial on the City's General Plan Land Use Map. Implementation of the proposed Project would allow for the continued operation of a self-storage use on the Project site, which would serve to retain existing commercial uses in the City. Therefore, the proposed Project would be consistent with Policy LU-4.1.
Policy LU-4.4. Allow limited industrial uses in commercially designated areas if such uses are of a scale, design, or intensity that creates less than significant negative impacts to surrounding uses.	**Consistent.** The Project site is currently designated as Combined Industrial/ Commercial on the City's General Plan Land Use Map, but is zoned as Light Industrial. As detailed throughout this IS/MND, the proposed Project would result in the continued operation of a self-storage use on the site that would be consistent with the scale, design, and context of the surrounding neighborhood. Therefore, the proposed Project would be consistent with Policy LU-4.4.
Policy LU-6.5. Maintain and create Light Industrial and Heavy Industrial designated sites that are at least one acre in size in order to facilitate viable industrial uses.	**Consistent.** The Project site is currently designated as Combined Industrial/Commercial on the City's General Plan Land Use Map, but is zoned as Light Industrial. The Project site is approximately 6.4 acres in size. Implementation of the proposed Project would allow for the continued operation of a self-storage use on the Project site. The zoning classification would remain Light Industrial, which would serve to maintain existing industrial designated sites in the City. Therefore, the proposed Project would be consistent with Policy LU-6.5.
Policy LU-8.1. In areas that are designated for mixed industrial and commercial uses, allow only commercial uses that are compatible with industrial uses. Non-employment uses are prohibited in these areas.	**Consistent.** The Project site is currently designated as Combined Industrial/Commercial on the City's General Plan Land Use Map and zoned as Light Industrial. Implementation of the proposed Project would allow for the continued operation of a self-storage use on the Project site. The proposed Project would be compatible with uses surrounding the site, which include several self-storage, commercial, and industrial uses across Snell Avenue. The Project would also allow for a total of two employees on the site. Therefore, the proposed Project would be consistent with Policy LU-8.1.
Policy LU-8.2. Encourage more large-format commercial uses in Combined Industrial/ Commercial lands, since these development typologies are typically similar to the development scale of industrial development in the same area. Discourage small-scale and strip commercial shopping centers in the Combined Industrial/Commercial area.	**Consistent.** As previously stated, the Project site is Combined Industrial/Commercial on the City's General Plan Land Use Map and zoned as Light Industrial. Implementation of the proposed Project would allow for the continued operation of an existing self-storage use on the site. The continued operation of the Project site as a self-storage use would be consistent with similar self-storage uses that are currently present in the area. Therefore, the proposed Project would be consistent with Policy LU-8.2.
TR-1.2 Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.	**Consistent.** As discussed in Section 5.17, Transportation, the proposed Project would not exceed the City's threshold for VMT and would not significantly affect the intersections in the Project vicinity. However, the Project would extend the westbound left-turn lane at the Vistapark Drive/West Capitol Expressway intersection to ensure the left-turn lane could accommodate existing and projected vehicles at this location. The proposed extension would reduce impacts to the local circulation system. Therefore, the proposed Project would be consistent with Policy TR-1.2.
TR-2.18 Provide bicycle storage facilities as identified in the San José Bicycle Master Plan.	**Consistent.** Consistent with the City's bicycle parking requirements, the Project will provide two bicycle parking stalls to serve the two on-site employees. Bicycle storage would be provided at the Project entry and would connect to the existing Class III bikeway on West Capitol Expressway and the existing Class II bikeways on Snell Avenue, Vistapark Drive, and Monterey Road. Therefore, the proposed Project would be consistent with Policy TR-2.18

Source: Envision San José 2040 General Plan. Adopted November 1, 2011, and amended February 27, 2018.
City = City of San José

Table 5.11.B: Zoning Code Consistency Analysis

Table 20-120. Industrial Zoning Districts Development Standards	Proposed Project Consistency
Minimum Lot Size. For light industrial parcels shall be 10,000 square feet.	**Consistent.** The Project site is approximately 278,807 sf, which is greater than the minimum lot size of 10,000 sf. The proposed Project would satisfy this requirement. Therefore, the proposed Project would be consistent with the minimum lot size requirements.
Front Setbacks. Minimum setbacks from the building front shall be 15 ft. Minimum setbacks for front parking and circulation for vehicles shall be 25 ft. Minimum setbacks for front parking for trucks and buses shall be 40 ft.	**Consistent.** The proposed setback for the proposed building front from West Capitol Expressway and Snell Avenue is 15 ft. The proposed Project includes 15-foot building setbacks along West Capitol Expressway and Snell Avenue. Project setbacks are illustrated in Figures 3.8.a and 3.8.b, Conceptual Site Plans. Therefore, the proposed Project would be consistent with applicable front setback requirements.
Side Setbacks. Minimum setback of 0 ft from property line, or 25 ft from residential district, whichever is greater for building and structures, for parking and circulation for passenger vehicles, and for parking for trucks and buses. Minimum setback of 0 ft from property line, or 100 ft from residential district for loading docks.	**Consistent.** Project setbacks are illustrated in Figures 3.8.a and 3.8.b, Conceptual Site Plans. The Project site includes existing buildings that are not in conformance with the City's side setback requirements; however, the proposed Project does not include alteration of the existing non-conforming buildings. Additionally, the proposed buildings included as part of the Project would be centrally located and setback from adjacent residential uses (an approximately 300 ft side setback) and surrounding roadways. Therefore, the proposed Project would be consistent with applicable side setback requirements.
Rear Setbacks. Minimum setback of 0 ft from property line, or 25 ft from residential district, whichever is greater for building and structures, parking and circulation for passenger vehicles, and parking and circulation for trucks and buses. Minimum setback of 0 ft from property line, or 100 ft from residential district for loading docks.	**Consistent.** Project setbacks are illustrated in Figures 3.8.a and 3.8.b, Conceptual Site Plans. The Project site includes existing buildings that are not in conformance with the City's rear setback requirements; however, the proposed Project does not include alteration of the existing non-conforming buildings. Additionally, the proposed buildings included as part of the Project would be centrally located and setback from adjacent residential uses (an approximately 70 ft rear setback) and surrounding road ways. Therefore, the proposed Project would be consistent with applicable rear setback requirements.
Maximum Building Height. Of fifty (50) ft, unless a different maximum is established pursuant to Chapter 20.85 of the San José Municipal Code.	**Consistent.** As illustrated by Figures 3.8.a through 3.8.c, the proposed Project would have a maximum building height of 50 ft. Therefore, the proposed Project would be consistent with the City's building height standards.
Outdoor Uses - IP District. All uses or activities, except parking, permitted in the IP district shall be conducted entirely within an enclosed building unless the use or activity is traditionally conducted outdoors. (Ord. 26248.)	**Consistent.** All uses and activities of the proposed Project would be conducted within the enclosed buildings on the site. Loading and unloading of vehicles would be conducted in spaces that are designated for such uses adjacent to the proposed buildings. Therefore, the proposed Project would be consistent with the applicable development standards.
Late Night Use and Activity. No retail establishment in any industrial district shall be open between the hours of 12:00 midnight and 6:00 a.m., except pursuant to and in compliance with a conditional use permit as provided in Chapter 20.100. No outdoor activity, including loading, sweeping, landscaping or maintenance shall occur within one hundred fifty feet of any residentially zoned property between the hours of 12:00 midnight and 6:00 a.m., except pursuant to and in compliance with a conditional use permit as provided in Chapter 20.100.	**Consistent.** The proposed Project would not operate between the hours of 12:00 midnight or 6:00 a.m. The facility would be open for public access from 6:00 a.m. to 9:00 p.m. Additionally, no outdoor activities would occur within 150 ft of any residentially zoned property between the hours of 12:00 midnight and 6:00 a.m. Therefore, the proposed Project would be consistent with the applicable development standards.

Table 5.11.B: Zoning Code Consistency Analysis

Table 20-120. Industrial Zoning Districts Development Standards	Proposed Project Consistency
Lighting. A. All lighting or illumination shall conform with any lighting policy adopted by the city council. B. Light fixture heights should not exceed eight feet when adjacent to residential uses unless the setback of the fixture from property line is twice the height of the fixture. No ground mounted light fixture shall exceed twenty-five feet in height.	**Consistent.** As illustrated by Figure 3.9, Conceptual Landscape Plan, and Figure 3.9, Conceptual Lighting Plan, the proposed Project would include lighting around the proposed building and within the parking lot area on the west property. No lighting is proposed along the site's boundary with the neighboring residential uses to the northwestern perimeter. Further, no lighting is proposed at a height great than 20 ft. All lighting proposed during Phase II is anticipated to be similar to lighting proposed as part of Phase I. Therefore, the Project would conform to the City's lighting standards.
Landscaping. The following landscaping requirements shall apply for all sites in the industrial districts: All setback areas, exclusive of permitted off-street parking areas and private egress, or circulation, shall be landscaped.	**Consistent.** As illustrated by Figure 3.9, Conceptual Landscape Plan, the proposed Project would add new landscaping in setback areas along West Capitol Expressway and would retain existing landscaping in setback areas along Snell Avenue. Landscaping proposed as part of Phase I would be limited to the western property; however, new landscaping proposed as part of Phase II would be similar to Phase I improvements and would comply with the recommendations in a separate Tree Report to be prepared for Phase II and all landscaping requirements in the City's Zoning Code Therefore, the Project would conform to the City's landscaping standards.

5.12 MINERAL RESOURCES

5.12.1 Environmental Setting

5.12.1.1 Regulatory Framework

Federal and State Regulations

Surface Mining and Reclamation Act of 1974

The California Department of Conservation, Geological Survey (CGS) and the California State Mining and Geology Board are required by the Surface Mining and Reclamation Act of 1974 (SMARA) to categorize lands into four Aggregate and Mineral Resource Zones (MRZs), described below. These MRZs classify lands that contain significant regional or statewide mineral deposits. Lead Agencies are mandated by the State to include MRZs into their General Plans.

Areas are classified on the basis of geologic factors without regard to existing land use and land ownership. The areas are categorized into four Mineral Resource Zones (MRZ):

- **MRZ-1:** An area where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.
- **MRZ-2:** An area where adequate information indicates that significant mineral deposits are present, or where it is judged that a high likelihood exists for their presence.
- **MRZ-3:** An area containing mineral deposits, the significance of which cannot be evaluated.
- **MRZ-4:** An area where available information is inadequate for assignment to any other MRZ zone.

Of the four categories, lands classified as MRZ-2 are of the greatest importance because such areas are underlain by demonstrated mineral resources or are located where geologic data indicate that significant measured or indicated resources are present. MRZ-2 areas are designated by the State Mining and Geology Board as being "regionally significant." Such designations require that a Lead Agency make land use decisions involving designated areas in accordance with its mineral resource management policies and that it consider the importance of the mineral resource to the region or the State as a whole, not just to the Lead Agency's jurisdiction.

Local Regulations

Envision San José 2040 General Plan.

The Environmental Leadership (ER) section of the City of San José's (City) General Plan includes the following goals and policies related to mineral resources that are applicable to the proposed Project.

Goal ER-11 **Extractive Resources:** Conserve and make prudent use of commercially usable extractive resources.

Policy ER-11.2 Encourage the conservation and development of SMARA-designated mineral deposits wherever economically feasible.

5.12.1.2 Existing Conditions

The California Department of Mines and Geology (CDMG) under SMARA has designated the Communications Hill area, located centrally in the City, as containing mineral deposits of regional significance for aggregate (Sector EE).[1] Neither the State Geologist nor the CDMG have classified any other areas in the City as containing mineral deposits that are either of statewide significance or the significance of which requires further evaluation. The Project site is located approximately 0.4 mile southeast of the Communications Hill area.

The Project site has been classified by the CDMG as being located in MRZ-1, indicating that the Project site is located in an area where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.[2] In addition, the Project site is not designated or zoned for the extraction of mineral deposits.

5.12.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	☐	☐	☐	☒
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	☒

5.12.3 Impact Analysis

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

No Impact. As previously stated, the Project site has been classified by the CDMG as being located in MRZ-1, indicating that the Project site is located in an area where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence.[3] In addition, the Project site is not designated or zoned for the extraction of mineral deposits.

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1 Santa Clara Valley Habitat Agency. 2012. Final Santa Clara Valley Habitat Plan. Chapter 6. Conditions on Covered Activities and Application Process. August 2012. Website: ftp://ftp.consrv.ca.gov/pub/dmg/pubs/sr/SR_146-2/SR-146_Plate_2.69.pdf (accessed November 28, 2018).

2 State of California, Division of Mines and Geology. 1982. Mineral Land Classification Map. South San Francisco Bay P-C Region. Special Report 146, Plate 2.49. Website: ftp://ftp.consrv.ca.gov/pub/dmg/pubs/sr/SR_146-2/SR-146_Plate_2.49.pdf (accessed July 11, 2018).

3 Ibid.

The proposed Project would not result in the loss of a known commercially valuable or locally important mineral resource. No impacts to known mineral resources would occur as a result of the proposed Project, and therefore, no mitigation would be required.

b. Would the project result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

No Impact. As stated in Response 4.12.3(a), the Project site is classified as MRZ-1, indicating the site is located where adequate information indicates that no significant mineral deposits are present, or where it is judged that little likelihood exists for their presence. The Project site is currently developed with an existing self-storage facility and paved parking areas. No mineral extraction activities occur on the Project site, and it is not located within an area known to contain locally important mineral resources. Moreover, the Communications Hill area (located centrally in the City) is the only designated area in the City known to contain mineral deposits of regional significance for aggregate. Therefore, the Project would not result in the loss of availability of a locally important mineral resource recovery site as delineated on a local general plan, specific plan, or other land use plan as a result of Project implementation. No mitigation would be required.

5.12.4 Conclusion

No Impact. Implementation of the Project would not result in impacts to mineral resources. No mitigation would be required.

5.13 NOISE AND VIBRATION

The discussion provided in this section is based on the *Noise and Vibration Impact Analysis* (LSA, August 2019) provided in Appendix E of this IS/MND.

5.13.1 Environmental Setting

5.13.1.1 Regulatory Framework

Local Regulations

Envision San José 2040 General Plan

The Environmental Considerations/Hazards (EC) section of the City of San José's (City) General Plan includes the following goals and policies related to noise and vibration that are applicable to the proposed Project.

Goal EC-1 **Community Noise Levels and Land Use Compatibility:** Minimize the impact of noise on people through noise reduction and suppression techniques, and through appropriate land use policies.

Policy EC-1.1 Locate new development in areas where noise levels are appropriate for the proposed uses. Consider federal, state and City noise standards and guidelines as a part of new development review. Applicable standards and guidelines for land uses in San José include:

- **Interior Noise Levels:** The City's standard for interior noise levels in residences, hotels, motels, residential care facilities, and hospitals is 45 dBA DNL. Include appropriate site and building design, building construction and noise attenuation techniques in new development to meet this standard. For sites with exterior noise levels of 60 dBA DNL or more, an acoustical analysis following protocols in the City-adopted California Building Code is required to demonstrate that development projects can meet this standard. The acoustical analysis shall base required noise attenuation techniques on expected Envision General Plan traffic volumes to ensure land use compatibility and General Plan consistency over the life of this plan.

- **Exterior Noise Levels:** The City's acceptable exterior noise level objective is 60 dBA DNL or less for residential and most institutional land uses (Table EC-1 in the General Plan; Table 5.13.A below). The acceptable exterior noise level objective is established for the City, except in the environs of the San José International Airport and the Downtown, as described below:

Table 5.13.A: Land Use Compatibility for Community Noise Environments

Land Use Category	Exterior Noise Exposure (DNL, dBA)						
	55	60	65	70	75	80	
1. Residential, Hotels and Motels, Hospitals and Residential Care[1]							
2. Outdoor Sports and Recreation, Neighborhood Parks and Playgrounds							
3. Schools, Libraries, Museums, Meeting Halls, Churches							
4. Office Buildings, Business Commercial, and Professional Offices							
5. Sports Arena, Outdoor Spectator Sports							
6. Public and Quasi-Public Auditoriums, Concert Halls, Amphitheaters							

Source: *Noise and Vibration Impact Analysis* (LSA 2019; Appendix E).

[1] Noise mitigation to reduce interior noise levels pursuant to Policy EC-1.1 is required.

Normally Acceptable:

- Specified land use is satisfactory, based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.

Conditionally Acceptable:

- Specified land use may be permitted only after detailed analysis of the noise reduction requirements and needed noise insulation features included in design.

Unacceptable:

- New Construction or development should generally not be undertaken because mitigation is usually not feasible to comply with noise element policies.

dBA = A-weighted decibel(s)
DNL = day-night average level

- For new multi-family residential projects and for the residential component of mixed-use development, use a standard of 60 dBA DNL in usable outdoor activity areas, excluding balconies and residential stoops and porches facing existing roadways. Some common use areas that meet the 60 dBA DNL exterior standard will be available to all residents. Use noise attenuation techniques such as shielding by buildings and structures for outdoor common use areas. On sites subject to aircraft overflights or adjacent to elevated roadways, use noise attenuation techniques to achieve the 60 dBA DNL standard for noise from sources other than aircraft and elevated roadway segments.

- For single family residential uses, use a standard of 60 dBA DNL for exterior noise in private usable outdoor activity areas, such as backyards.

Policy EC-1.2 Minimize the noise impacts of new development on land uses sensitive to increased noise levels (Categories 1, 2, 3, and 6) by limiting noise generation and by requiring use of noise attenuation measures such as acoustical enclosures and sound

barriers, where feasible. The City considers significant noise impacts to occur if a project would:

- Cause the DNL at noise sensitive receptors to increase by five dBA DNL or more where the noise levels would remain "Normally Acceptable"; or
- Cause the DNL at noise sensitive receptors to increase by three dBA DNL or more where noise levels would equal or exceed the "Normally Acceptable" level.

Policy EC-1.3 Mitigate noise generation of new nonresidential land uses to 55 dBA DNL at the property line when located adjacent to existing or planned noise sensitive residential and public/quasi-public land uses.

Policy EC-1.6 Regulate the effects of operational noise from existing and new industrial and commercial development on adjacent uses through noise standards in the City's Municipal Code.

Policy EC-1.7 Require construction operations within San José to use best available noise suppression devices and techniques and limit construction hours near residential uses per the City's Municipal Code. The City considers significant construction noise impacts to occur if a project located within 500 feet of residential uses or 200 feet of commercial or office uses would:

- Involve substantial noise generating activities (such as building demolition, grading, excavation, pile driving, use of impact equipment, or building framing) continuing for more than 12 months.

  For such large or complex projects, a construction noise logistics plan that specifies hours of construction, noise and vibration minimization measures, posting or notification of construction schedules, and designation of a noise disturbance coordinator who would respond to neighborhood complaints will be required to be in place prior to the start of construction and implemented during construction to reduce noise impacts on neighboring residents and other uses.

Goal EC-2 **Vibration:** Minimize vibration impacts on people, residences, and business operations.

Policy EC-2.3 Require new development to minimize continuous vibration impacts to adjacent uses during demolition and construction. For

sensitive historic structures, including ruins and ancient monuments or buildings that are documented to be structurally weakened, a continuous vibration limit of 0.08 in/sec PPV (peak particle velocity) will be used to minimize the potential for cosmetic damage to a building. A continuous vibration limit of 0.20 in/sec PPV will be used to minimize the potential for cosmetic damage at buildings of normal conventional construction. Equipment or activities typical of generating continuous vibration include but are not limited to: excavation equipment; static compaction equipment; vibratory pile drivers; pile-extraction equipment; and vibratory compaction equipment. Avoid use of impact pile drivers within 125 feet of any buildings, and within 300 feet of historical buildings, or buildings in poor condition. On a project-specific basis, this distance of 300 feet may be reduced where warranted with a technical study by a qualified professional who verifies that there will be virtually no risk of cosmetic damage to sensitive buildings from the new development during demolition and construction. Transient vibration impacts may exceed a vibration limit of 0.08 in/sec PPV only when and where warranted with a technical study by a qualified professional who verifies that there will be virtually no risk of cosmetic damage to sensitive buildings from the new development during demolition and construction.

The City's standard for interior noise levels in residences, hotels, motels, residential care facilities, and hospitals is 45 dBA DNL. For sites with exterior noise levels of 60 dBA DNL or more, an acoustical analysis following protocols in the City-adopted California Building Code is required to demonstrate that developments can meet this standard. The City's acceptable DNL exterior noise level is 60 dBA or less for residential and most institutional land uses. Refer to Table 5.13.A, above, shows land use compatibility guidelines for community noise in San José.

Section EC-1.2 of the City's Noise Element provide guidelines to minimize noise impacts of new development on land uses sensitive to increased noise levels (Categories 1, 2, 3, and 6) by limiting noise generation and by requiring use of noise attenuation measures such as acoustical enclosures and sound barriers, where feasible. The City considers significant noise impacts to occur if a project would:

- Cause the DNL at noise-sensitive receptors to increase by 5 dBA DNL or more where the noise level would remain "Normally Acceptable"; or

- Cause the DNL at nose sensitive receptors to increase by 3 dBA DNL or more where noise levels would equal or exceed the "Normally Acceptable" level.

As stated in EC-2.3, above, the General Plan requires new development to minimize vibration impacts to adjacent uses during demolition and construction. For sensitive historic structures, a vibration limit of 0.08 inch-per-second (in/sec) peak particle velocity (PPV) is used to minimize the

potential for cosmetic damage to a building. A vibration limit of 0.20 in/sec PPV is used to minimize the potential for cosmetic damage at buildings of normal conventional construction.

City of San José Municipal Code

As stated in Policy EC-1.3, above, the General Plan specifies noise generation of new nonresidential land uses to a 55 dBA maximum noise level at the property line when located adjacent to existing or planned noise-sensitive residential and public/quasi-public land uses. This standard of new nonresidential noise generation is codified in Title 20, Section 20.50.300, Performance Standards. Table 5.13.B shows the Municipal Code Noise Standards for industrial land uses adjacent to residential and commercial zoned land uses.

Table 5.13.B: Noise Performance Standards

Land Use	Maximum Noise Level at Property Line (dBA)
Industrial use adjacent to a property used or zoned for residential purposes	55
Industrial use adjacent to a property used or zoned for commercial purposes	60
Industrial use adjacent to a property used or zoned for industrial or use other than commercial or residential purposes	70

Source: *Noise and Vibration Impact Analysis* (LSA 2019; Appendix E).
dBA = A-weighted decibel(s)

For temporary construction-related noise to be considered significant, construction noise levels would have to exceed ambient noise levels by five dBA L_{eq} or more and exceed the normally acceptable levels of 55 dBA L_{eq} at the nearest noise-sensitive land uses or 60 dBA L_{eq} at office or commercial land uses for a period of more than 12 months (refer to General Plan Policy EC-1.7, above).

Title 20, Part 3, Section 20.100.450 specifies hours of construction within 500 ft of a residential unit as follows:

a. Unless otherwise expressly allowed in a development permit or other planning approval, no applicant or agent of an applicant shall suffer or allow any construction activity on a site located within 500 ft of a residential unit before 7:00 a.m. or after 7:00 p.m., Monday through Friday, or at any time on weekends.

b. Without limiting the scope of Section 20.100.310, no applicant or agent of an applicant shall suffer or allow any construction activity on a site subject to a development permit or other planning approval located within 500 ft of a residential unit at any time when that activity is not allowed under the development permit or planning approval.

c. This section is applicable whenever a development permit or other planning approval is required for construction activity.

Title 20, Part 5, Section 20.50.300 specifies there shall be no activity that causes ground vibration which is perceptible without instruments at the property line of the site.

5.13.1.2 Technical Background

Characteristics of Sound. Noise is usually defined as unwanted sound. Noise consists of any sound that may produce physiological or psychological damage and/or interfere with communication, work, rest, recreation, and sleep.

Sound intensity is measured through the A-weighted scale to correct for the relative frequency response of the human ear. That is, an A-weighted noise level de-emphasizes low and very high frequencies of sound similar to the human ear's de-emphasis of these frequencies. Unlike linear units, such as inches or pounds, decibels are measured on a logarithmic scale representing points on a sharply rising curve. For example, 10 decibels (dB) are 10 times more intense than 1 dB, 20 dB are 100 times more intense, and 30 dB are 1,000 times more intense. Thirty dB represents 1,000 times as much acoustic energy as one decibel. A sound as soft as human breathing is about 10 times greater than 0 dB. A 10 dB increase in sound level is perceived by the human ear as only a doubling of the loudness of the sound. Ambient sounds generally range from 30 dB (very quiet) to 100 dB (very loud).

Sound levels are generated from a source, and their decibel level decreases as the distance from that source increases. For a single point source, sound levels decrease approximately 6 dB for each doubling of distance from the source. This drop-off rate is appropriate for noise generated by stationary equipment. If noise is produced by a line source, such as highway traffic or railroad operations, the sound decreases 3 dB for each doubling of distance in a hard site environment. Line source, noise in a relatively flat environment with absorptive vegetation, decreases 4.5 dB for each doubling of distance.

There are many ways to rate noise for various time periods, but an appropriate rating of ambient noise affecting humans also accounts for the annoying effects of sound. Equivalent continuous sound level (L_{eq}) is the total sound energy of time varying noise over a sample period. However, the predominant rating scales for human communities in the State of California are the L_{eq} and community noise equivalent level (CNEL) or the day-night average level (DNL or L_{dn}) based on A-weighted decibels (dBA). CNEL is the time varying noise over a 24-hour period, with a 5 dBA weighting factor applied to the hourly L_{eq} for noises occurring from 7:00 p.m. to 10:00 p.m. (defined as relaxation hours) and 10 dBA weighting factor applied to noise occurring from 10:00 p.m.–7:00 a.m. (defined as sleeping hours). DNL is similar to the CNEL scale but without the adjustment for events occurring during the evening hours. CNEL and DNL are within 1 dBA of each other and are normally exchangeable. The City uses the CNEL noise scale for long-term noise impact assessment.

Other noise rating scales of importance when assessing the annoyance factor include the maximum noise level (L_{max}), which is the highest exponential time averaged sound level that occurs during a stated time period. The noise environments discussed in this analysis for short-term noise impacts are specified in terms of maximum levels denoted by L_{max}, which reflects peak operating conditions and addresses the annoying aspects of intermittent noise. It is often used together with another noise scale, or noise standards in terms of percentile noise levels, in noise ordinances for

enforcement purposes. For example, the L_{10} noise level represents the noise level exceeded 10 percent of the time during a stated period. The L_{50} noise level represents the median noise level. Half the time the noise level exceeds this level, and half the time it is less than this level. The L_{90} noise level represents the noise level exceeded 90 percent of the time and is considered the background noise level during a monitoring period. For a relatively constant noise source, the L_{eq} and L_{50} are approximately the same.

Noise impacts can be described in three categories. The first is audible impacts that refer to increases in noise levels noticeable to humans. Audible increases in noise levels generally refer to a change of 3.0 dB or greater because this level has been found to be barely perceptible in exterior environments. The second category, potentially audible, refers to a change in the noise level between 1.0 and 3.0 dB. This range of noise levels has been found to be noticeable only in laboratory environments. The last category is changes in noise levels of less than 1.0 dB, which are inaudible to the human ear. Only audible changes in existing ambient or background noise levels are considered potentially significant.

Physiological Effects of Noise. Physical damage to human hearing begins at prolonged exposure to noise levels higher than 85 dBA. Exposure to high noise levels affects the entire system, with prolonged noise exposure in excess of 75 dBA increasing body tensions, thereby affecting blood pressure and functions of the heart and the nervous system. In comparison, extended periods of noise exposure above 90 dBA would result in permanent cell damage. When the noise level reaches 120 dBA, a tickling sensation occurs in the human ear even with short-term exposure. This level of noise is called the threshold of feeling. As the sound reaches 140 dBA, the tickling sensation is replaced by the feeling of pain in the ear. This is called the threshold of pain. A sound level of 160–165 dBA will result in dizziness or loss of equilibrium. The ambient or background noise problem is widespread and generally more concentrated in urban areas than in outlying less developed areas.

Fundamentals of Vibration. Vibration refers to ground-borne noise and perceptible motion. Ground-borne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors, where the motion may be indiscernible. Typically, there is more adverse reaction to effects associated with the shaking of a building. Annoyance from vibration often occurs when the vibration exceeds the threshold of perception by 10 dB or less.

Typical sources of ground-borne vibration are construction activities (e.g., blasting, pile driving, and operating heavy-duty earthmoving equipment), steel-wheeled trains, and occasional traffic on rough roads. Problems with both ground-borne vibration and noise from these sources are usually localized to areas within approximately 100 ft from the vibration source.

Ground-borne vibration has the potential to disturb people and damage buildings. Although it is very rare for typical construction activities to cause even cosmetic building damage, it is not uncommon for construction processes such as blasting and pile driving to cause vibration of sufficient amplitudes to damage nearby buildings. Ground-borne vibration is usually measured in terms of vibration velocity, either the root-mean-square (RMS) velocity or peak particle velocity (PPV). The RMS is best for characterizing human response to building vibration, and PPV is used to characterize potential for damage.

5.13.1.3 Existing Conditions

The Project is located at the northwest quadrant of West Capitol Expressway and Snell Avenue. West Capitol Expressway is a six-lane arterial roadway, and Snell Avenue is a four-lane collector roadway. Roadway traffic is the predominant noise source in the vicinity of the Project site.

The Project site is approximately 6.5 miles south of Norman Y. Mineta San José International Airport (SJC) and approximately 4.1 miles southeast of Reid-Hillview Airport of Santa Clara County. The Project is outside of both airport's 60 dBA Community Noise Exposure Level (CNEL) contours. The Project vicinity is in SJC's approach and departure flight paths and SJC operated aircrafts are visible from the Project vicinity.

Existing Ambient Monitored Noise Levels. LSA conducted noise monitoring to establish the existing ambient noise environment at the Project site to assess existing noise levels. Two short-term (15-minute) measurements and three long-term (24-hour) noise measurements were conducted at the Project site from January 25, 2019, to January 29, 2019, as shown on Figure 5.13.1. Noise measurement data collected during the noise monitoring are summarized in Table 5.13.C. As shown in Table 5.13.C, the short-term noise measurements indicate that ambient noise in the Project vicinity ranges from approximately 61.3 dBA to 70.9 dBA L_{eq}. Vehicle traffic on West Capitol Expressway and Snell Avenue were reported as the primary noise sources.

Table 5.13.C: Ambient Noise Monitoring Results (dBA)

Location Number	Location Description	Date, Start Time	L_{eq}[1]	L_{max}[2]	L_{min}[3]	Primary Noise Sources
ST-01	Apartment Building Entry Area, Sagemark Apartment Complex	1/25/19, 3:23 p.m.	61.6	73.4	43.0	Traffic on West Capitol Expressway
		1/28/19, 11:06 a.m.	61.3	70.1	44.3	
ST-02	Near North Entry Area 3911 Snell Avenue	1/25/19, 6:36 p.m.	70.9	92.5	50.4	Traffic on Snell Avenue
		1/28/19, 12:41 p.m.	68.9	83.6	52.4	

Source: *Noise and Vibration Impact Analysis* (LSA 2019; Appendix E).

[1] L_{eq} represents the average of the sound energy occurring over the measurement time period for the short-term noise measurements.

[2] L_{max} is the highest sound level measured during the measurement time period.

[3] L_{min} is the lowest sound level measured during the measurement time period.

dBA = A-weighted decibel(s)

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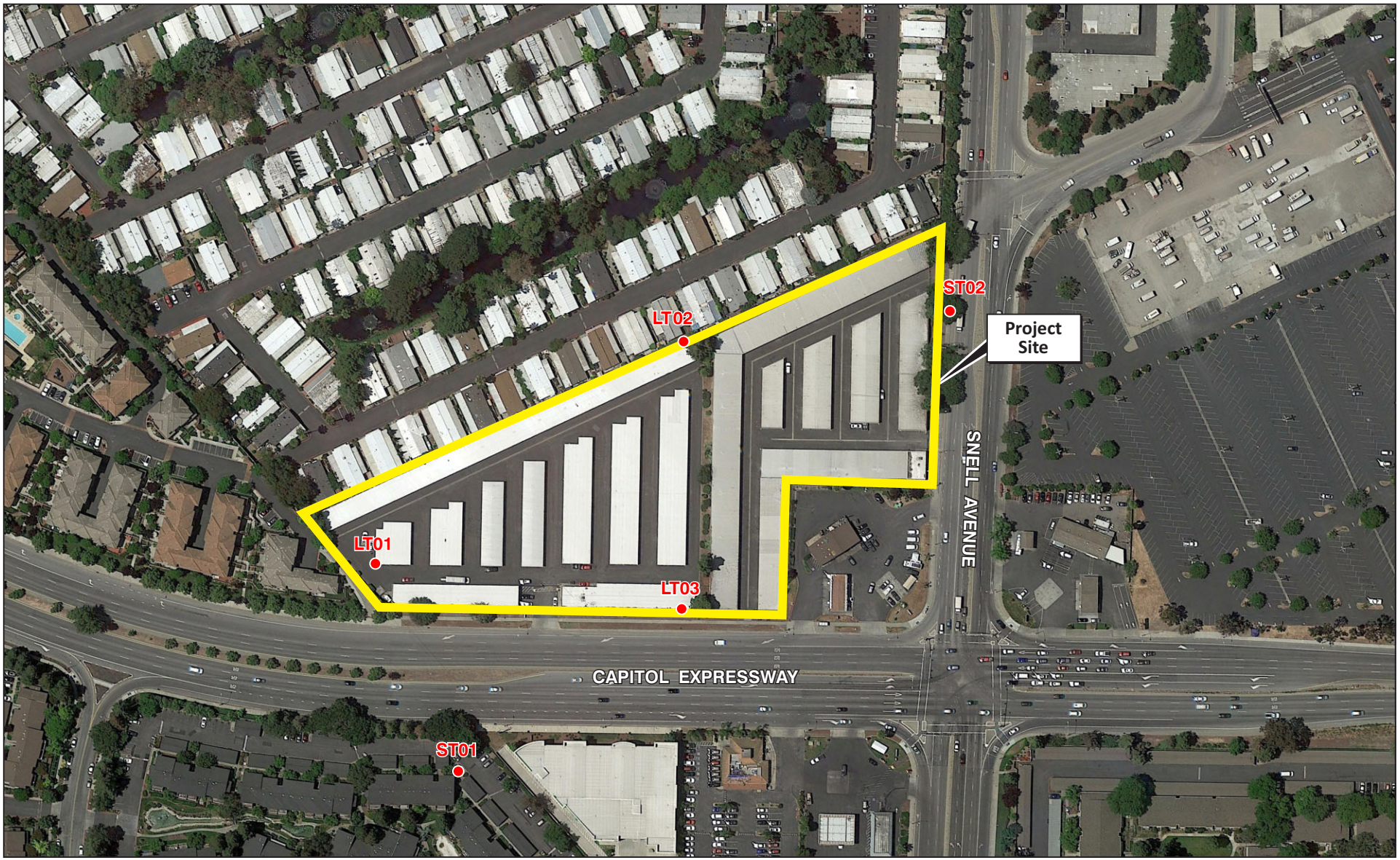

LSA

FIGURE 5.13.1

N

0 100 200
FEET

SOURCE: Google Earth, 5/2018

Public Storage San Jose

Noise Level Measurement Locations

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As shown in Table 5.13.D, the long-term measurement resulted in a daily DNL ranging from 58.5 dBA to 73.8 dBA. Roadway traffic was identified as the primary noise source.

Table 5.13.D: Long-Term Noise Level Measurement Summary

Site	Description	Date	Daytime Noise Levels (dBA L_{eq})	Nighttime Noise Levels (dBA L_{eq})	Daily Noise Levels (dBA DNL)	Average Daily Noise Levels (dBA DNL)
LT-01	West side of the Project site Condominium Residences	1/26/2019	58.8-61.3	51.6-58.3	63.3	62.7
		1/27/2019	58.8-60.8	50.7-57.8	62.2	
LT-02	North side of the Project site Mobile Home Park	1/26/2019	54.1-57.9	48.0-54.1	59.4	59.0
		1/27/2019	54.0-57.9	45.9-55.9	58.5	
LT-03	South side of the Project site West Capitol Expressway	1/26/2019	69.0-73.0	60.9-69.0	73.8	73.5
		1/27/2019	68.6-73.2	61.3-67.4	73.1	

Source: *Noise and Vibration Impact Analysis* (LSA 2019; Appendix E).
dBA = A-weighted decibel(s)
DNL = day-night average level
L_{eq} = equivalent continuous sound level

Existing Sensitive Land Uses. Certain land uses are considered more sensitive to noise than others are. Examples of these land uses include residential areas, educational facilities, hospitals, childcare facilities, and senior housing. The sensitive receptors in the vicinity of the Project site include a residential condominium located adjacent to the Project's western property line and a mobile home park located adjacent to the Project's northern property line. The condominium units were constructed in the early 2000s, and the mobile home park was built in the 1970s.

5.13.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project result in:				
a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☒	☐	☐
b. Generation of excessive ground-borne vibration or ground-borne noise levels?	☐	☐	☒	☐
c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	☒

5.13.3 Impact Analysis

a. Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Less Than Significant With Mitigation Incorporated.

Land Use Compatibility. The proposed Project involves the construction of a self-storage use on a site that is currently developed with self-storage uses at a lower building intensity than is proposed as part of the Project. As previously stated, the site currently contains two manager apartment units, both of which would be removed as part of the Project. The proposed Project conforms to the City's General Plan designation of CIC and zoning classification of LI, both of which allow for self-storage uses. Therefore, the Project is not a noise-sensitive use as specified in City of San José Land Use Categories 1 through 6 (refer to Table 5.13.A, above).

Construction. Construction activities associated with the proposed Project would result in substantial temporary exceedances in the ambient noise levels in the Project site vicinity.

Project construction would result in short-term noise impacts on nearby sensitive receptors (i.e., residential uses west and north of the site). Maximum construction noise would be short-term, generally intermittent depending on the construction phase, and variable depending on receiver distance from the active construction zone. Each construction phase would occur over the course of 12 months. It is anticipated that Phase II construction activities would commence at least 6 months after the completion of Phase I construction.

Short-term noise impacts would occur during grading and site preparation activities. Table 5.13.E lists typical construction equipment noise levels (L_{max}) recommended for noise impact assessments, based on a distance of 50 ft between the equipment and a noise receptor, obtained from the Federal Highway Administration (FHWA) Roadway Construction Noise Model. Construction-related short-term noise levels would be higher than existing ambient noise levels currently in the Project area but would no longer occur once construction of the Project is completed.

Two types of short-term noise impacts would occur during construction of the proposed Project. The first type involves construction crew commutes and the transport of construction equipment and materials to the site, which would incrementally increase noise levels on roads leading to the site. As shown in Table 5.13.E, there would be a relatively high single-event noise exposure potential at a maximum level of 84 dBA L_{max} at a distance of 50 ft from the trucks passing by.

The second type of short-term noise impact is related to noise generated during grading and construction on the Project site. Construction is performed in discrete steps, or phases, each with its own mix of equipment and, consequently, its own noise characteristics. These various sequential phases would change the character of the noise generated on site. Therefore, the noise levels vary as construction progresses. Despite the variety in the type and size of construction equipment, similarities in the dominant noise sources and patterns of operation allow construction-related noise ranges to be categorized by work phase.

Table 5.13.E: Typical Construction Equipment Noise Levels

Equipment Description	Acoustical Usage Factor (%)	Maximum Noise Level (L_{max}) at 50 ft[1]
Backhoes	40	80
Compactor (ground)	20	80
Compressor	40	80
Cranes	16	85
Dozers	40	85
Dump Trucks	40	84
Excavators	40	85
Flat Bed Trucks	40	84
Forklift	20	85
Front-end Loaders	40	80
Graders	40	85
Jackhammers	20	85
Pick-up Truck	40	55
Pneumatic Tools	50	85
Pumps	50	77
Rock Drills	20	85
Rollers	20	85
Scrapers	40	85
Tractors	40	84
Welder	40	73

Source: *Noise and Vibration Impact Analysis* (LSA 2019; Appendix E).
Note: Noise levels reported in this table are rounded to the nearest whole number.
[1] Maximum noise levels were developed based on Spec 721.560 from the Central Artery/Tunnel (CA/T) program to be consistent with the City of Boston's Noise Code for the "Big Dig" project.
FHWA = Federal Highway Administration
ft = foot/feet
L_{max} = maximum instantaneous sound level

Table 5.13.E lists maximum noise levels recommended for noise impact assessments for typical construction equipment, based on a distance of 50 ft between the equipment and a noise receptor. Typical maximum noise levels range up to 85 dBA L_{max} at 50 ft during the noisiest construction phases. The site preparation phase, including excavation and grading of the site, tends to generate the highest noise levels because earthmoving machinery is the noisiest construction equipment. Earthmoving equipment includes excavating machinery such as backfillers, bulldozers, draglines, and front loaders. Earthmoving and compacting equipment includes compactors, scrapers, and graders.

Each piece of construction equipment operates as an individual point source. Utilizing the following equation, a composite noise level can be calculated when multiple sources of noise operate simultaneously:

$$Lmax\ (composite) = 10 * \log_{10}\left(\sum_{1}^{n} 10^{\frac{Ln}{10}}\right)$$

Table 5.13.E shows the composite noise levels of the three loudest pieces of equipment for each construction phase, at a distance of 50 ft from the construction area.

Once composite noise levels are calculated, reference noise levels can then be adjusted for distance using the following equation:

$$Lmax\ (at\ distance\ X) = Lmax\ (at\ 50\ feet) - 20 * \log_{10}\left(\frac{X}{50}\right)$$

In general, this equation shows that doubling the distance would decrease noise levels by 6 dBA while halving the distance would increase noise levels by 6 dBA.

Table 5.13.E is utilized to calculate the hourly noise level impact for each piece of equipment. While each piece of construction equipment operates as an individual point source, a composite noise level can be calculated when multiple sources of noise operate simultaneously. Utilizing this methodology, the composite noise level of the two loudest pieces of equipment, typically the grader and tractor, during construction would be 81 dBA L_{eq} at a distance of 50 ft from the construction area.

Noise sensitive residential receptors are located north and west of the Project site, and are approximately 50 and 300 ft, respectively, from the construction areas of Buildings 1 and 2 (Building 1 would be constructed during Phase I, and Building 2 would be constructed during Phase II of the Project). At these distances, noise levels would approach 81 dBA L_{eq} at the northern property line and 65 dBA L_{eq} at the western property line. The noise levels would exceed the City's noise standards for residential uses and exceed the existing ambient noise by more than five (5) dBA, but the increase in noise levels would cease once construction is complete. It should be noted that existing one-story self-storage buildings along the western and southern boundaries of the Project site would remain on the site following implementation of the Project and would act as a buffer between ground-level construction activities and the adjacent residential uses.

Construction of the Project would involve demolition of existing structures and pavement, site preparation, grading and excavation, trenching, building erection, and paving. The anticipated construction timeline would be approximately 12 months for each construction phase (Phase I and Phase II), with at least 6 months in between phases. As such, the Project shall implement the following Mitigation Measure NOI-1, which incorporates applicable provisions outlined in the City's General Plan Policy EC-1.7 and Title 20, Part 3, Section 20.100.450 of the City's Municipal Code. Implementation of Mitigation Measure NOI-1 would reduce potential construction noise impacts to a less than significant level.

Impact NOI-1: Sensitive receptors in the Project area would be intermittently exposed to high noise levels during project construction.

Mitigation Measure NOI-1:

MM NOI-1 **Construction Phasing.** Prior to the issuance of any grading or demolition permits, the Project Applicant shall submit and implement a construction noise logistics plan that specifies hours of construction, noise and vibration minimization measures, posting and notification of construction schedules, equipment to be used, and designation of a noise disturbance coordinator. The noise disturbance coordinator

shall respond to neighborhood complaints and shall be in place prior to the start of construction and implemented during construction to reduce noise impacts on neighboring residents and other uses.

- As a part of the noise logistic plan and Project, construction activities for the proposed Project shall include, but is not limited to, the following best management practices:
    - Construction activities shall be limited to the hours between 7:00 AM and 7:00 PM, Monday through Friday, unless permission is granted with a development permit or other planning approval. No construction activities are permitted on the weekends at sites within 500 feet of a residence (San José Municipal Code Section 20.100.450).
    - Construct temporary noise barriers, where feasible, to screen mobile and stationary construction equipment. The temporary noise barrier fences would provide 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.
    - Equip all internal combustion engine-driven equipment with intake and exhaust mufflers that are in good condition and appropriate for the equipment.
    - Unnecessary idling of internal combustion engines should be strictly prohibited.
    - Locate stationary noise-generating equipment, such as air compressors or portable power generators, as far as possible from sensitive receptors. Construct temporary noise barriers to screen stationary noise-generating equipment when located near adjoining sensitive land uses.
    - Utilize "quiet" air compressors and other stationary noise sources where technology exists.
    - Construction staging areas shall be established at locations that would create the greatest distance between the construction-related noise source and noise-sensitive receptors nearest the project site during all project construction.
    - A temporary noise control blanket barrier could be erected, if necessary, along building facades facing construction sites. This mitigation would only be necessary if conflicts occurred which were irresolvable by proper scheduling. Noise control blanket barriers can be rented and quickly erected.

- Locate material stockpiles, as well as maintenance/equipment staging and parking areas, as far as feasible from residential receptors.
- Control noise from construction workers' radios to a point where they are not audible at existing residences bordering the project site.
- The Project Applicant shall prepare a detailed construction schedule for major noise-generating construction activities. The construction plan shall identify a procedure for coordination with adjacent residential land uses so that construction activities can be scheduled to minimize noise disturbance.
- Designate a "disturbance coordinator" who would 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 require that reasonable measures be implemented to correct the problem. Conspicuously post a telephone number for the disturbance coordinator at the construction site and include in it the notice sent to neighbors regarding the construction schedule.

The Project Applicant shall submit the construction noise logistics plan to the Director of Planning, Building, and Code Enforcement or Director's designee prior to the issuance of any grading or demolition permits.

Operation.

Traffic Noise Impacts. As previously stated, audible increases in noise levels generally refer to a change of 3 dBA or greater, as this level has been found to be barely perceptible to the human ear in outdoor environments. Therefore, project-related off-site traffic noise impacts at sensitive uses along the roadway segments analyzed would create a significant impact if traffic noise increased by 3 dBA or more over ambient noise levels since uses along these segments experience noise levels above 60 dBA DNL.

Based on the Project's Transportation Analysis (Appendix F), the existing average daily traffic (ADT) on West Capitol Expressway west of Snell Avenue is 38,090 vehicles and 12,890 vehicles for Snell Avenue north of West Capitol Expressway. The future ADT for West Capitol Expressway and Snell Avenue, without the Project, are 39,700 and 22,280 vehicles, respectively. The proposed Project would generate approximately 443 vehicles on West Capitol Expressway and 22 vehicles on Snell Avenue. With the addition of the Project, future traffic noise levels for West Capitol Expressway and Snell Avenue would increase by 0.05 and 0.004 dBA, respectively, which would not be perceptible (i.e., less than 3 dBA). Therefore, the Project increase in daily vehicular trips would not result in a perceptible noise increase along any roadway segment in the Project vicinity, and no mitigation would be required.

Stationary Source Noise Impacts. As described in the regulatory framework discussion above, the City has established maximum permissible noise levels that may be generated by sources on a nonresidential land use. The permissible maximum levels under General Plan Policy EC-1.3 are 55

dBA at the property lines adjacent to sensitive residential uses. The proposed Project would not result in operational changes as compared to existing conditions. Truck activities on the site (e.g., for waste hauling or unloading/loading units), loading/unloading activities, and typical parking lot activities would continue to occur on the site. While the proposed Project would not result in a change in on-site operations, operational noise may slightly increase due to the higher number of storage units. These operations would be internal to the new buildings and would not contribute to the exterior noise environment at the surrounding receptors. It is expected the noise impacts associated with the increased number of units will be counter-balanced by the movement of aspects of the loading activities moving indoors; therefore, the net change in noise level is considered negligible. The proposed Project also includes the addition of rooftop HVAC units on the two proposed buildings, which could add to operational noise following Project implementation.

The on-site stationary noise sources and noise generated by moving truck activity would generate the highest maximum noise levels during operation of the Project. While parking activities, such as people conversing or doors slamming, would generate noise levels of approximately 60 dBA to 70 dBA L_{max} at 50 ft, moving truck loading and unloading activities would result in maximum noise levels from 75 dBA to 85 dBA L_{max} at 50 ft. Therefore, noise levels due to truck activities, loading/unloading activities, and typical parking lot activities are anticipated to remain unchanged.

As previously stated, Buildings 1 and 2 would have rooftop HVAC units. Specifically, each building would have three bays of HVAC units. Each bay will house three (3) Daikin RXYQ-TATJU HVAC units. Each of the HVAC units has a reference noise level of 65 dBA at 3 ft. The nearest noise-sensitive receptor is located in the backyard of the mobile home park north of the Project site at a distance of approximately 163 ft from the rooftop HVAC bays. At 163 ft, the noise attenuation due to distance along is 34 dBA, resulting in noise levels of 38 dBA, which is less that the allowable noise level of 55 dBA. Furthermore, the perimeter of Buildings 1 and 2 include a parapet (rooftop perimeter wall) with a height of approximately 4 ft that would also serve as a noise barrier to further reduce the HVAC noise. Therefore, operation of the proposed Project would not result in a permanent increase in ambient noise levels in the Project vicinity in excess of the City's noise standards. No mitigation would be required.

b. Generation of excessive ground-borne vibration or ground-borne noise levels?

Less Than Significant Impact.

Construction. Construction of the proposed Project could result in the generation of ground-borne vibration. The mobile home park and condominium units located to the north and west of the property are considered construction vibration-sensitive locations.

Table 5.13.F shows anticipated vibration levels at 25 ft from a construction vibration source. As shown in Table 5.13.F, bulldozers and other heavy-tracked construction equipment (except for pile drivers and vibratory rollers) generate approximately 87 VdB of ground-borne vibration when measured at 25 ft.

Table 5.13.F: Vibration Source Amplitudes for Construction Equipment

Equipment	Reference PPV/LV at 25 ft	
	PPV (in/sec)	LV (VdB)[1]
Hoe Ram	0.089	87
Large Bulldozer	0.089	87
Caisson Drilling	0.089	87
Loaded Trucks	0.076	86
Jackhammer	0.035	79
Small Bulldozer	0.003	58

Source: *Noise and Vibration Impact Analysis* (LSA 2019; Appendix E).
[1] RMS vibration velocity in decibels (VdB) is 1 µin/sec.
µin/sec = micro-inches per second
in/sec = inches per second
RMS = root-mean-square
ft = foot/feet
LV = velocity in decibels
VdB = vibration velocity decibels
FTA = Federal Transit Administration
PPV = peak particle velocity

Table 5.13.G lists the projected vibration level from various construction equipment expected to be used on the Project site to the nearest buildings in the Project vicinity. For typical construction activity, the equipment with the highest vibration generation potential is the large bulldozer, which would generate 87 VdB at 25 ft. The closest buildings to the Project site include mobile home residences located approximately 50 ft north of the Project site. A condominium is located approximately 300 ft west of the Project site, and a fuel service station building located approximately 150 ft southeast of the Project site.

Table 5.13.G: Summary of Construction Equipment and Activity Vibration

Land Use	Equipment/ Activity	Reference Vibration Level (VdB) at 25 ft	Reference Vibration Level (PPV) at 25 ft	Distance (ft)	Maximum Vibration Level (VdB)	Maximum Vibration Level (PPV)
Mobile Home Park	Large Bulldozers	87	0.089	50	78.0	0.031
Condominium Complex	Large Bulldozers	87	0.089	300	54.6	0.002
Fuel Service Station	Large Bulldozers	87	0.089	150	63.7	0.006

Source: *Noise and Vibration Impact Analysis* (LSA 2019; Appendix E).
Note: The FTA-recommended building damage threshold is 0.2 PPV (in/sec) or approximately 94 VdB at the receiving property structure or building.
ft = foot/feet
PPV = peak particle velocity
FTA = Federal Transit Administration
VdB = vibration velocity decibel(s)
in/sec = inch(es) per second

As shown in Table 5.13.G, the residences north of the Project site would experience vibration levels of up to 78 VdB or 0.031 in/sec PPV. These construction vibration levels would not exceed the City of San José vibration threshold of 0.2 in/sec PPV for building damage. The levels projected in Table 5.13.G reach a maximum of 0.031 in/sec PPV, which would be lower than the FTA Manual vibration level of 0.035 in/sec PPV which itself is defined as “barely perceptible.” Moreover, these vibration levels would no longer occur once construction of the Project is completed. Therefore, ground-borne vibration impacts from construction activities associated with the proposed Project would be less than significant, and no mitigation would be required.

c. For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. As previously stated, the site is approximately 6.5 miles south of Norman Y. Mineta San José International Airport (SJC) and approximately 4.1 miles southeast of Reid-Hillview Airport of Santa Clara County. While the Project site is in SJC's approach and departure flight paths and operated aircrafts are visible and audible, the Project site is outside of both airports 60 dBA Community Noise Exposure Level (CNEL) contours. Therefore, the proposed Project would not result in the exposure of on-site workers and customers to excessive aircraft noise levels. No mitigation would be required.

5.13.4 Conclusion

Less Than Significant Impact. Implementation of Mitigation Measure NOI-1 would ensure that the proposed Project would result in less than significant noise impacts.

5.14 POPULATION AND HOUSING

5.14.1 Environmental Setting

5.14.1.1 Regulatory Framework

Federal and State Regulations

Association of Bay Area Governments Projections 2013

The Association of Bay Area Governments (ABAG) is the regional planning agency for the San Francisco Bay Area. ABAG Projections 2013 is a growth forecast, which informs agencies such as the Metropolitan Transportation Commission (MTC) and the Bay Area Air Quality Management District (BAAQMD) for the purpose of project funding and regulatory decisions. Data for this forecast are provided from collective regional General Plans, zoning codes, and growth management programs. This growth forecast is produced every four years with the 2013 report being the most recent projection. These periodic updates include developing impacts of "smart growth" policies and incentives so to improve future development trends in the region, such as a more balanced ratio of the number of jobs to houses.

Plan Bay Area 2040

Plan Bay Area 2040 is the Bay Area's Regional Transportation Plan and Sustainable Communities Strategy as mandated by Senate Bill 375, the Sustainable Communities and Climate Protection Act. Plan Bay Area 2040 is a limited and focused update to the 2013 Plan Bay Area and includes key economic, demographic, and financial trends from the last several years. Plan Bay Area 2040 was adopted by the Association of Bay Area Governments (ABAG) and the MTC in 2017. Plan Bay Area aims to concentrate new population and employment growth in the region to areas with pre-existing transportation infrastructure to ensure greenhouse gas reductions are met.

Regional and Local Regulations

There are no applicable regional or local regulations related to population and housing that are applicable to the proposed Project.

5.14.1.2 Existing Conditions

In 2017, The United States Census Bureau estimated that the City of San José had approximately 1,035,317 people and 319,558 households.[1]

In its existing setting, the Project site includes two manager apartments to serve the on-site self-storage uses. The site does not contain any other housing units.

[1] United States Census Bureau. QuickFacts. San José, CA. Website: https://www.census.gov/quickfacts/fact/table/sanjosecitycalifornia,US/LFE041216#viewtop (accessed January 28, 2019).

5.14.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	☒	☐
b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

5.14.3 Impact Analysis

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

Less Than Significant Impact.

Construction. Construction of the proposed Project would provide short-term jobs over an approximately 24-month period. Many of the construction jobs would be temporary and would be specific to the variety of construction activities. This workforce would include a variety of craftspeople, such as cement finishers, ironworkers, welders, carpenters, electricians, painters, and laborers. It is anticipated that the project-related construction workers would be drawn from the labor force, and workers would not be expected to relocate their places of residence as a consequence of working on the proposed Project. Therefore, the proposed Project would not be expected to induce substantial population growth or demand for housing through increased construction employment, and no mitigation would be required.

Operation. The proposed Project would not cause or result in direct population growth because the Project would not provide housing on the Project site. Following Project implementation, the total number of employees on the site would remain the same as compared to existing conditions (up to two employees per day). Furthermore, the proposed Project would be located within a developed area that is already served by all utilities. Additionally, the existing regional infrastructure and the established roadway network would be utilized by employees accessing the Project site and would not indirectly or directly induce population or growth. Therefore, operation of the proposed Project would not induce substantial unplanned population growth or accelerate development in an underdeveloped area, and any impacts to population growth would be less than significant. No mitigation would be required.

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

No Impact. In its existing setting, the Project site includes two manager apartments, which house on-site employees who provides management and maintenance services on the property. This unit

would be demolished as part of the Project and no replacement apartment would be constructed in its place. Because the existing manager apartments are a function of the existing self-storage use on the property, demolition of these structures would not result in the displacement of people or housing necessitating replacement housing elsewhere in the City, and no mitigation would be required.

5.14.4 Conclusion

Less Than Significant Impact. Implementation of the proposed Project would result in less than significant population and housing impacts.

5.15 PUBLIC SERVICES

5.15.1 Environmental Setting

5.15.1.1 Regulatory Framework

Federal and State Regulations

California Fire Code

The California Fire Code exists within Part 9 of the California Building Code, and includes measures for emergency planning preparation and safety. Examples of fire safety requirements include: installation of sprinklers in all high-rise buildings; the establishment of fire resistance standards for fire doors, building materials, and particular types of construction; and the clearance of debris and vegetation within a prescribed distance from occupied structures in wildlife hazard areas.

California Government Code Sections 65995 to 65998 (School Facilities)

California Government Code Section 65996 exists to offset a project's impact on school facilities by paying a fee to the associated school district prior to receiving a building permit. The school district is therefore responsible for implementing specific methods for mitigating school impacts under the Government Code. Pursuant to California Government Code Section 65995, payment of school impact fees is considered to be full mitigation for reducing impacts on school facilities that would result from implementation of a project.

Local Regulations

Envision San José 2040 General Plan

The Education and Services (ES) section of the City's General Plan includes the following goals and policies related to public services that are applicable to the proposed Project.

Goal ES-2 **Libraries:** Maintain and expand Library Information Services within the City to:

1. Enrich lives by fostering lifelong learning and providing every member of the San José community access to a vast array of ideas and information
2. Give all members of the community opportunities for educational and personal growth throughout their lives
3. Develop partnerships to further the educational, cultural and community missions of organizations in San José
4. Support San José State University Library's educational mission in expanding the base of knowledge through research and scholarship.

5. Locate branch libraries in central commercial areas of neighborhoods for essential public access to library resources, events, and community meeting spaces, and to stimulate economic development.

6. Maximize branch library hours of operation to facilitate daily patronage.

Policy 2.2 Construct and maintain architecturally attractive, durable, resource-efficient, and environmentally healthful library facilities to minimize operating costs, foster learning, and express in built form the significant civic functions and spaces that libraries provide for the San José community. Library design should anticipate and build in flexibility to accommodate evolving community needs and evolving methods for providing the community with access to information sources. Provide at least 0.59 square feet of space per capita in library facilities.

Goal ES-3 **Law Enforcement and Fire Protection:** Provide high-quality law enforcement and fire protection services to the San José community to protect life, property and the environment through fire and crime prevention and response. Utilize land use planning, urban design and site development measures and partnerships with the community and other public agencies to support long-term community health, safety and well-being.

Policy ES-3.1 Provide rapid and timely Level of Service response time to all emergencies:

1. For police protection, use as a goal a response time of six minutes or less for 60 percent of all Priority 1 calls, and of eleven minutes or less for 60 percent of all Priority 2 calls.

2. For fire protection, use as a goal a total response time (reflex) of eight minutes and a total travel time of four minutes for 80 percent of emergency incidents.

3. Enhance service delivery through the adoption and effective use of innovative, emerging techniques, technologies and operating models.

4. Measure service delivery to identify the degree to which services are meeting the needs of San José's community.

5. Ensure that development of police and fire service facilities and delivery of services keeps pace with development and growth in the city.

Policy ES-3.2 Strive to ensure that equipment and facilities are provided and maintained to meet reasonable standards of safety, dependability, and compatibility with law enforcement and fire service operations.

Policy ES-3.3 Locate police and fire service facilities so that essential services can most efficiently be provided and level of service goals met. Ensure that the development of police and fire facilities and delivery of services keeps pace with development and growth of the city.

Policy CD-5.3 Promote crime prevention through site and building designs that facilitate surveillance of communities by putting "eyes on the street." Design sites and buildings to promote visual and physical access to parks and open space areas. Support safe, accessible, and well-used public open spaces by orienting active use areas and building facades towards them.

Municipal Code

Title 17 of the San José Municipal Code, Buildings and Construction, includes codes applicable to public services when constructing a project. Chapter 17.12 in this section adopts the California Fire Code, as addressed previously. Project applications for development in San José are plan-checked by SJFD for mandatory compliance with the California Fire Code.

5.15.1.2 Existing Setting

Fire Protection Services. Fire protection services would be provided to the proposed Project by the San José Fire Department (SJFD). The SJFD provides fire suppression and prevention, emergency medical and rescue services, hazardous materials response, and public education activities to the City of San José's (City) residents and has a total of 34 active stations within the City limits.[1] The SJFD's total emergency activity includes approximately 19 percent fire protection and 81 percent emergency medical services.[2] Currently, SJFD employs 671 full-time sworn firefighters.[3] The SJFD is divided into four bureaus: Administrative Services, Field Operations, Fire Prevention & Permits, and Fire Dispatch. The Administrative Services bureau is responsible for budget development, grant management, accounts payable and payroll processing, human resources, records management, data analysis, and mapping/information technology enhancements. The Field Operations bureau is comprised of 33 fire stations that are responsible for actively protecting approximately 206 square miles and one million citizens. The Fire Prevention & Permits bureau is responsible for providing

[1] City of San José. Fire Department. Stations. Website: http://www.sanjoseca.gov/index.aspx?NID=755 (accessed July 18, 2018).

[2] Total of 45,144 incidents, 8219 for Fire Protection, and 36925 for Medical. Percent Fire Protection = 8219/45,144 = 13%. Percent Medical = 36925/45144 = 81 %. Based on City-Wide Response Metrics for the Year 2018.

[3] City of San José. FY 2017–2018 Adopted Operating Budget. Website: http://www.sanjoseca.gov/DocumentCenter/View/71994 (accessed July 18, 2018).

public education and outreach services, investigation of fires to determine cause and origin, and code compliance. The Fire Dispatch bureau is responsible for handling emergency calls related to fire and/or medical assistance.[1]

Fire Station No. 18, located at 4430 Monterey Road, is the closest fire station to the Project site (approximately 0.9 mile southeast). Fire Station No. 18 would be the first to arrive at the Project site in the event of an emergency and would thus be designated as the "first-in" station. Fire Station No. 13, located at 2933 Saint Florian Way, would be designated as the "second-call" station to support Fire Station No. 18.

During 2017, the SJFD responded to 93,892 calls for service; 76,269 (approximately 81 percent) of calls were related to medical emergencies.[2]

Police Protection Services. Police protection and law enforcement services are provided to the City by the San José Police Department (SJPD). The SJPD is currently divided into four bureaus: Administration, Field Operations, Investigations, and Technical Services.[3] The Administration Bureau is responsible for budget development, grant management, accounts payable and payroll processing, human resources, records management, data analysis, and mapping/information technology enhancements. The Field Operations Bureau is responsible for providing police services for the residents of San José by deploying personnel to emergency and non-emergency calls. The Investigations Bureau is divided into two divisions responsible for investigating various crimes throughout the City. The Technical Services Bureau is responsible for managing the department's use of technology to provide competitive advantages in the process of delivering police services to the residents of the City.

The SJPD headquarters is located at 201 W. Mission Street, San José, CA 95110, approximately 6 miles northwest of the Project site. The Project site falls within the SJPD's Southern Division, which is one of four patrol divisions within the City. The Southern Division encompasses approximately 123 square miles and is the largest of the four patrol divisions. The Southern Division is comprised of four patrol districts: Tom, Adam, X-ray, and Yellow. The Project site is located within X-ray patrol district.

According to the City of San José FY 2017-2018 Budget, the SJPD employs approximately 1,107 full-time sworn officers.[4] With a current City population of 1,035,317,[5] the service ratio of officers to residents is approximately 1.07 to 1,000.[6] As per the City's General Plan, the SJPD's current response time goal is no more than 6 minutes for 60 percent of all Priority 1 calls (emergency calls) and 11

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1 City of San José. Fire Department. Bureaus. Website: http://www.sanjoseca.gov/index.aspx?NID=745 (accessed July 18, 2018).

2 City of San José. Fire Department. 2018. City-Wide Response Metrics. September 4, 2018. Website: http://www.sanjose ca.gov/DocumentCenter/View/36885 (accessed July 18, 2018).

3 City of San José Police Department Website: http://www.sjpd.org/COP/ (accessed August 7, 2018).

4 City of San José. FY 2017-2018 Adopted Budget. Police Department. Website: http://www.sanjoseca.gov/DocumentCenter/View/72003 (accessed July 19, 2018).

5 United States Census Bureau. QuickFacts. San José, CA. Website: https://www.census.gov/quickfacts/fact/table/sanjosecitycalifornia,US/LFE041216#viewtop (accessed July 18, 2018).

6 Calculation: 1,035,317 residents / 1,000 = 1035.3; 1107 / 1035.3 = 1.07.

minutes or less for 60 percent of all Priority 2 (non-emergency) calls. As such, the SJPD is not currently meeting its response time goals. In Fiscal Year 2016–2017, the SJPD responded to 564,490 calls for service with an average response time of 7.75 minutes for Priority 1 calls and 20.76 minutes for Priority 2 calls.[1]

School Services. The Project site is located within the Franklin-McKinley Elementary School District (FMSD) and the East Side Union High School District (ESUSD). The FMSD includes 22 elementary and middle schools, with a total enrollment of 10,735 students during the 2016–2017 school year.[2] The ESUSD contains 26 high schools, with a total enrollment of 27,049 during the 2016–2017 school year.[3] The closest schools to the Project site are the Snell State Preschool Head Start and the Rancho Parkview Elementary School, which are located 0.24 mile northwest and 0.27 mile south of the Project site, respectively.

Parks. The City's Parks, Recreation & Neighborhood Services Department oversees the operation and maintenance of parks and recreational facilities throughout the City. According to the Parks, Recreation, and Open Space section of the City's Quality of Life General Plan Element, the City currently maintains 3,520 acres of parkland through joint-use agreements with the City and other public land agencies such as the FMSD and the ESUSD. The Parks, Open Space, and Recreation section of the General Plan Quality of Life Element requires the provision of 3.5 acres of parkland per 1,000 residents through a combination of 1.5 acres of public park and 2.0 acres of recreational school grounds, as well as 7.5 acres of citywide/regional park and open space lands per 1,000 residents through a combination of facilities provided by the City and other public land agencies.[4] Parkview Park I is the closest park to the Project site, located approximately 0.2 mile south of the property.

Library Services. The San José Public Library (SJPL) system provides library services within the jurisdictions of the City.[5] There are 24 library locations currently serving the City. The three closest libraries to the Project site are: Edenvale Branch Library (approximately 1.36 miles southeast of the Project site), Pearl Avenue Branch Library (approximately 1.39 miles west of the Project site), and Santa Teresa Branch Library (approximately 3.54 miles southeast of the Project site). Due to their proximity, either the Pearl Avenue Branch Library or Edenvale Branch Library would serve the Project site. Amenities include library materials, computer access, meeting room space, and study areas.

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1 City of San José. FY 2017-2018 Adopted Budget. Police Department. Performance Summary. Website: http://www.sanjoseca.gov/DocumentCenter/View/72003 (accessed July 19, 2018).

2 Ed Data. Education Data Partnership. District Summary. Franklin-McKinley Elementary. Website: http://www.ed-data.org/district/Santa-Clara/Franklin--McKinley-Elementary.

3 California Department of Education. DataQuest. Website: https://dq.cde.ca.gov/dataquest/dataquest.asp (accessed July 19, 2018).

4 City of San José. 2011. Envision San José 2040 General Plan. Parks, Open Space, and Recreation Element.

5 San José Public Library. Mission & Vision. Website: https://www.sjpl.org/mission (accessed July 19, 2018).

5.15.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	☐	☐	☒	☐
ii. Police protection?	☐	☐	☒	☐
iii. Schools?	☐	☐	☒	
iv. Parks?	☐	☐	☒	
v. Other public facilities?	☐	☐	☒	

5.15.3 Impact Analysis

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

i. Fire protection?

Less Than Significant Impact.

Construction. Phase I of the Project construction includes water, fire, sewer, and storm drain improvements to connect existing utility laterals to City mains along West Capitol Expressway and Snell Avenue. Construction activities for utility improvements proposed as part of Phase II are unknown at this time, but are anticipated to be similar to construction activities proposed as part of Phase I.

Construction activities associated with the proposed Project have the potential to affect emergency services related to fire protection by potentially requiring partial lane closures during utility installation. Project construction may also necessitate stopping of traffic to accommodate trucks entering or exiting the Project site during construction (e.g., for the movement of construction equipment). Therefore, construction activities could temporarily increase response times for emergency vehicles in the vicinity of the Project site. As discussed further in Section 5.9, Hazards and Hazardous Materials, the proposed Project would comply with all applicable City requirements and recommendations outlined in the California Traffic Control Manual (Caltrans 2014) to ensure that emergency vehicles would be able to navigate through streets adjacent to the Project site during construction. Therefore, potential impacts related to emergency fire access during construction would be less than significant.

Operation. The proposed Project is not anticipated to result in an excessive increase in calls for fire protection services due to the nature of the Project as a self-storage use. Furthermore, as discussed in Section 5.14, Population and Housing, the number of employees on the site following Project implementation would remain the same as current on-site conditions (two employees per day). Therefore, the proposed Project would not necessitate new or expanded fire protection facilities due to an increase in the number of employees on the site.

Phase I of the Project proposes the installation of a single new hydrant and relocation of two existing hydrants. Fire laterals would likely connect to the existing mains on West Capitol Expressway and Snell Avenue, forming a fire service loop that would serve the three on-site hydrants and proposed storage building. In addition, Phase I of the Project includes the installation of a domestic water line that would tie into the existing City-owned water main (8-inch ductile iron) in West Capitol Expressway. Water improvements proposed as part of Phase II are unknown at this time but are anticipated to be similar to water improvements proposed as part of Phase I.

Utility improvements proposed as part of the Project would be required to comply with all applicable building code requirements requiring fire protection devices such as sprinklers, alarms per the California Fire Code (CFC), adequately spaced fire hydrants, and fire access lanes. In addition, Section 17.12.620 of the City's Municipal Code requires that approved automatic sprinkler systems are installed and maintained as part of the Project because the proposed Project involves an expansion of more than 10,000 sf.

Project compliance with requirements set forth in the CFC and the City's Municipal Code would provide fire protection for people and structures, as well as emergency medical services on site. Adherence to applicable codes would decrease the demand for fire services and ensure that there is adequate emergency access on site. Further, as discussed in Section 5.17, Transportation, the proposed Project would not result in a significant traffic impact to any study area intersections. Therefore, the proposed Project would not impair emergency response vehicles.

As stated above, the proposed Project would be designed to comply with all SJFD and CFC requirements, would not impair emergency response vehicles or increase response times, and would not substantially increase calls for service, thereby causing the need for new or expanded facilities. Furthermore, the Project site is not located within a Fire Hazard Severity Zone on the Statewide CAL FIRE Map for the Santa Clara County Region.[1] Operation of the proposed Project would not result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire protection. Therefore, operational impacts to fire protection would be less than significant, and no mitigation would be required.

[1] State of California. Department of Forestry and Fire Protection (CAL FIRE). Wildland Hazard & Building Codes, Santa Clara County, FHSZ Map. State and Local Responsibility Areas. Website: http://www.fire.ca.gov/fireprevention/fhsz_maps_santaclara (accessed July 18, 2018).

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

ii. Police protection?

Less Than Significant Impact.

Construction. Refer to Response 4.15.3(a)(i), above, for discussion on the potential for construction activities to affect emergency services. The project would comply with all applicable City requirements and recommendations outlined in the *California Traffic Control Manual* (Caltrans 2014), which would ensure that emergency vehicle access is maintained during construction activities. Additionally, construction of the proposed Project would not result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police protection. Therefore, construction-related impacts to police services would be less than significant, and no mitigation would be required

Operation. As previously stated, the proposed Project would not increase employment in the City as the number of on-site employees would remain the same as currently provided under existing conditions (i.e., two employees per day). As such, the Project would have no impact on the SJPD's ratio of police officers per 1,000 residents and would not contribute to delayed response times for police services in the City. Therefore, Project implementation would not trigger the need for new or physically altered police facilities. Furthermore, the Project would install lighting throughout the parking areas adjacent to the proposed building on the west property and would also install metal rolling gates on West Capitol Expressway and restrict access through the use of a gate code at each entrance. In addition, a tubular steel swing gate would secure the site's northernmost access point off of Snell Avenue. Together, these security improvements would ensure public safety on the site. Operation of the proposed Project would not result in substantial adverse physical impacts associated with the provision of or need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for police protection. Therefore, operational impacts to police services would be less than significant, and no mitigation would be required.

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

iii. Schools?

Less Than Significant Impact. The proposed Project does not include any residential uses that would increase population growth, generate an increased demand for school facilities, or require the construction of school facilities. As previously stated, the Project is not anticipated to increase

employment on the site, and as such, would not generate an increase in school-aged children that would require the need for new or expanded public school services within the FMSD or the ESUSD.

Pursuant to California Education Code Section 17620(a)(1), the governing board of any school district is authorized to levy a fee, charge, dedication, or other requirement against any construction within the boundaries of the district for the purpose of funding the construction or reconstruction of school facilities. The Applicant would be required to pay such fees established by the Franklin-McKinley School District and the East Side Union High School District to reduce any impacts of non-residential development on school services as provided in Section 65995 of the California Government Code. Pursuant to the provisions of Government Code Section 65996, a project's impact on school facilities is fully mitigated through payment of the requisite school facility development fees current at the time a building permit is issued.

Therefore, the project would not impact school services and facilities, and no mitigation would be required.

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

iv. Parks?

Less Than Significant Impact. As discussed in Section 5.14, Population and Housing, the Project would not increase on-site employment. As such, implementation of the proposed Project would not result in the increased the use of existing parks or other recreation uses and would not require the expansion of parks within the City. Therefore, no impacts to parks would occur, and no mitigation would be required.

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

v. Other public facilities?

Less Than Significant Impact. As discussed previously, development of the proposed Project would not increase employment on the site. Further, because the proposed Project does not include residential uses, it is unlikely that the implementation would increase demand for library facilities. Therefore, no impacts to library facilities would occur, and no mitigation would be required.

5.15.4 Conclusion

Less Than Significant with Mitigation Incorporated. Implementation of the proposed Project would not result in significant impacts to existing public services in the City of San José or require the construction of new facilities.

5.16 RECREATION

5.16.1 Environmental Setting

5.16.1.1 Regulatory Framework

Federal and State Regulations

There are no applicable federal or State regulations related to recreational resources.

Local Regulations

Envision San José 2040 General Plan

The Parks, Open Space, and Recreation (PR) section of the City's General Plan includes the following goals and policies related to recreation that are applicable to the proposed Project.

Goal PR-1 **High Quality Facilities and Programs:** Provide park lands, trails, open space, recreation amenities, and programs, nationally recognized for their excellence, which enhance the livability of the urban and suburban environments; preserve significant natural, historic, scenic and other open space resources; and meet the parks and recreation services needs of San José's residents, workers, and visitors.

Policy PR-1.1 Provide 3.5 acres per 1,000 population of neighborhood/ community serving parkland through a combination of 1.5 acres of public park and 2.0 acres of recreational school grounds open to the public per 1,000 San José residents.

Policy PR-1.8 Enhance existing parks and recreation facilities in built-out areas through new amenities and other improvements to ensure that residents' needs are being met.

Goal PR-3 **Provide an Equitable Park System:** Create a balanced park system that provides all residents access to parks, trails, open space, community centers, dog parks, skate parks, aquatics facilities, sports fields, community gardens, and other amenities.

Policy PR-3.2 Provide access to an existing or future neighborhood park, a community park, recreational school grounds, a regional park, open space lands, and/or a major City trail within a ⅓-mile radius of all San José residents by either acquiring lands within ⅓-mile or providing safe connections to existing recreation facilities outside of the ⅓-mile radius. This is consistent with the United Nation's Urban Environmental Accords, as adopted by the City for recreation open space.

Goal VN-1 **Vibrant, Attractive, and Complete Neighborhoods**: Develop new and preserve and enhance existing neighborhoods to be vibrant, attractive, and complete.

Policy VN-1.1 Include services and facilities within each neighborhood to meet the daily needs of neighborhood residents with the goal that all San José residents be provided with the opportunity to live within a ½-mile walking distance of schools, parks, and retail services.

City of San José Municipal Code.

Chapter 19.38 Parkland Dedication Ordinance and Park Impact Ordinance. Chapter 19.38 of the San José Municipal Code (SJMC) includes the Parkland Dedication Ordinance (PDO) and Park Impact Ordinance (PIO), which both require residential developers to dedicate public parkland, pay in-lieu fees, or both, to account for the demand of neighborhood parkland when developing a project. Section 19.38.310 of the SJMC states that the amount of dedicated land is determined by the number of dwelling units and the average number of persons per dwelling unit.

Greenprint 2009 Update Plan for Parks, Recreation Facilities, and Trails. The Greenprint 2009 Update is a long-term plan that provides guidelines for the improvement of San José's parks, trails, community centers, and facilities within the next 20 years. This plan sets goals and objectives for the City to make San José residents healthier and happier when utilizing the local park system.

5.16.1.2 Existing Conditions

As previously stated, the City's Parks, Recreation & Neighborhood Services Department oversees the operation and maintenance of parks and recreational facilities throughout the City. According to the Parks, Recreation, and Open Space section of the City's Quality of Life General Plan Element, the City currently maintains 3,520 acres of parkland through joint-use agreements with the City and other public land agencies, such as the Franklin-McKinley Elementary School District (FMSD) and the East Side Union High School District (ESUSD). The Parks, Open Space, and Recreation section of the General Plan Quality of Life Element requires the provision of 3.5 acres of parkland per 1,000 residents through a combination of 1.5 acres of public park and 2.0 acres of recreational school grounds, as well as 7.5 acres of citywide/regional park and open space lands per 1,000 residents through a combination of facilities provided by the City and other public land agencies.[1]

The proposed Project is located in an urbanized area and is developed with 16 one-story self-storage buildings. There are no existing parks or other recreation uses adjacent to the Project site; however, as illustrated by Table 5.16.A, there are a number of parks within three miles of the Project site.

[1] City of San José. 2011. Envision San José 2040 General Plan. Parks, Open Space, and Recreation Element.

Table 5.16.A: City-Maintained Parks Within 3 Miles of the Project Site

Name	Size (acres)
River Glen Park	8.73
Wallenberg Park	9.1
Paul Moore Park	8.25
Almaden Lake Park	71.41
Cahalan Park	9.73
Vista Park	11.61
Waterford Park	3.01
Calero Park	4.06
Parkview Park I	2.39
Parkview Park II	2.6
Parkview Park III	5.24
Meadows Park	4.48
Waterford Park	3.01
Danna Rock Park	9.52
Edenvale Gardens Regional Park	18.97
Hellyer County Park	86.7
Lone Bluff Park	228.3
Vieira Park	1.32
Thousand Oaks Park	6.89

Source: City of San José. Facilities. Website: http://www.sanjoseca.gov/Facilities (accessed July 31, 2018).

5.16.2 Checklist and Discussion of Impacts

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

5.16.3 Impact Analysis

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

No Impact. As discussed in Section 5.14, Population and Housing, the number of employees on the site following Project implementation would remain the same as is under existing conditions (i.e., two employees per day). As such, Project implementation would not increase the City's population that would utilize parks. Therefore, the Project would not result in impacts related to the use of the

existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. No mitigation would be required.

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

No Impact. The Project would involve the demolition of approximately 65,537 sf of existing single-story storage buildings on the site and construction of two new, 179,616 sf multistory storage buildings in their place, totaling 359,232 sf of newly constructed buildings. Following Project implementation, the proposed Project would increase the size of the business by 293,694 sf. The Project does not propose any recreational uses, which might have an adverse physical effect on the environment. Therefore, there would be no impacts related to the construction or expansion of recreational facilities, and no mitigation would be required.

5.16.4 Conclusion

No Impact. Implementation of the proposed Project would not result in impacts to recreational facilities in San José. No mitigation would be required.

5.17 TRANSPORTATION

The discussion provided in this section is based on the Transportation Analysis (LSA, July 2019), provided in Appendix F of this IS/MND.

5.17.1 Environmental Setting

5.17.1.1 Regulatory Framework

Federal and State Regulations

Senate Bill 743

On September 27, 2013, Governor Jerry Brown signed Senate Bill (SB) 743 into law and started a process that changes the methodology of a transportation impact analysis as part of CEQA requirements. SB 743 directed the California Office of Planning and Research (OPR) to establish new CEQA guidance for jurisdictions that removes the LOS method, which focuses on automobile vehicle delay and other similar measures of vehicular capacity or traffic congestion, from CEQA transportation analysis. Rather, vehicle miles travelled (VMT), or other measures that promote "the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses," are now be used as the basis for determining significant transportation impacts in the State.

State CEQA Guidelines Section 15064.3, Subdivision (b.

In January 2018, the State of California Office of Planning and Research (OPR) submitted a proposal for comprehensive updates to the *State CEQA Guidelines* to the California Natural Resources Agency. The submittal included proposed updates related to the analysis of greenhouse gas (GHG) emissions, energy, transportation impacts pursuant to SB 743, and wildfires, as well as revisions to Section 15126.2(a) in response to the California Supreme Court's decision in *California Building Industry Association v. Bay Area Air Quality Management District* (2015) 62 Cal. 4th 369. On December 28, 2018, the updated *State CEQA Guidelines* went into effect.

As part of the update to the *State CEQA Guidelines*, Section 15064.3 was added and codifies that project-related transportation impacts are typically best measured by evaluating the Project's VMT. Specifically, subdivision (b) focuses on specific criteria related to transportation analysis and is divided into four subdivisions: (1) land use projects, (2) transportation projects, (3), qualitative analysis, and (4) methodology. Subdivision (b)(1) provides guidance on determining the significance of transportation impacts of land use projects using VMT; projects located within 0.5 mile of transit should be considered to have a less than significant impact. Subdivision (b)(2) addresses VMT associated with transportation projects and states that projects that reduce VMT, such as pedestrian, bicycle, and transit projects, should be presumed to have a less than significant impact. Subdivision (b)(3) acknowledges that Lead Agencies may not be able to quantitatively estimate VMT for every project type; in these cases, a qualitative analysis may be used. Subdivision (b)(4) stipulates that Lead Agencies have the discretion to formulate a methodology that would appropriately analyze a project's VMT.

Regional and Local Regulations

Metropolitan Transportation Commission (MTC)

The Metropolitan Transportation Commission (MTC) conducts transportation planning, financing, and coordinating for the San Francisco Bay Area, including Santa Clara County. MTC periodically updates the Regional Transportation Plan, which plans for the development of mass transit, highway, airport, seaport, railroad, bike, and pedestrian facilities. The most current Regional Transportation Plan, *Transportation 2035*, budgets funding for transportation related projects in Santa Clara County, such as local street pavement maintenance and countywide shuttle service programs. In addition, MTC and the Association of Bay Area Governments (ABAG) adopted Plan Bay Area 2040 in 2017, which is a State-mandated transportation and land use plan. The Sustainable Communities Strategy outlines a Sustainable Communities Strategy for the region, which aims to integrate transportation, land use, and housing to meet GHG reduction targets established by the California Air Resources Board.

Santa Clara Valley County Congestion Management Plan

Santa Clara Valley Transportation Authority (VTA) is an independent special district that aims to provide sustainable, accessible, and community-focused transportation opportunities. VTA is the county's congestion management agency, providing countywide transportation planning, design and construction of specific highway, pedestrian, and bicycle improvement projects, as well as the promotion of transit oriented development. In accordance with California Statute, Government code 65088, (VTA) prepares the Santa Clara County Congestion Management Plan (CMP) which addresses strategies for combating congestion and monitoring compliance.

The Santa Clara CMP contains the following five mandatory elements: (1) a system definition and traffic level of service standard element; (2) a transit service and standards element; (3) a trip reduction and transportation demand management element; (4) a land use impact analysis program element; and (5) a capital improvement element. The Santa Clara CMP also includes three optional elements, which include a county-wide transportation model and database element, an annual monitoring and conformance element, and a deficiency element. The VTA is responsible for reviewing new development projects that are expected to affect CMP designated intersections in the County.

City Council Policy 5-1, Transportation Analysis Policy

On February 27, 2018, the City adopted City Council Policy 5-1, Transportation Analysis Policy, which establishes VMT as the City's metric for CEQA transportation analysis. City Council Policy 5-1 replaces City Council Policy 5-3, in which the City would use the LOS method for assessing transportation impacts under CEQA. Consistent with SB 743; the City's *Transportation Analysis Handbook* (2018); and the major strategies, goals, and policies of the City's General Plan; City Council Policy 5-1 establishes a new threshold for transportation impacts under CEQA by replacing LOS with VMT. The City has developed a VMT Evaluation Tool to streamline the analysis for residential, office, and industrial (including self-storage) projects by assessing a project's potential VMT based on the Project's description, location, and attributes. This tool is used to determine the existing VMT and a project's VMT impacts, and suggests potential mitigation measures (if necessary).

The policy also requires development projects to conduct a Local Transportation Analysis (LTA) to analyze conformance with the multimodal transportation strategies, goals, and policies in the General Plan and address adverse impacts to the transportation system. The primary goal of an LTA is to establish a local transportation system that is reflective of both land use context and multimodal functions. An LTA will ensure that the type, character, and intensity of land uses along a street are appropriate to the primary function of the street, and that all people travel safely on city streets. City Council Policy 5-1 supports implementation of the City's General Plan by promoting mixed-use, infill projects in Planned Growth Areas. Further, the policy focuses resources on the development of multimodal transportation networks envisioned in the General Plan.

Envision San José 2040 General Plan

The Community Design (CD) and Land Use/Transportation (TR) sections of the City's General Plan include the following goals and policies related to transportation that are applicable to the proposed Project.

Goal CD-2 **Function:** Create integrated public and private areas and uses that work together to support businesses and to promote pedestrian activity and multi-modal transportation.

Policy CD-2.1 Promote the Circulation Goals and Policies in this Plan. Create streets that promote pedestrian and bicycle transportation by following applicable goals and policies in the Circulation section of this Plan.

1. Design the street network for its safe shared use by pedestrians, bicyclists, and vehicles. Include elements that increase driver awareness.

2. Create a comfortable and safe pedestrian environment by implementing wider sidewalks, shade structures, attractive street furniture, street trees, reduced traffic speeds, pedestrian-oriented lighting, mid-block pedestrian crossings, pedestrian-activated crossing lights, bulb- outs and curb extensions at intersections, and on-street parking that buffers pedestrians from vehicles.

3. Consider support for reduced parking requirements, alternative parking arrangements, and Transportation Demand Management strategies to reduce area dedicated to parking and increase area dedicated to employment, housing, parks, public art, or other amenities. Encourage de-coupled parking to ensure that the value and cost of parking are considered in real estate and business transactions.

Policy CD-2.2 Consider the street type (e.g., expressway, arterial, Main Street) in the development review process to ensure that the design of the site, buildings, and public way respond to the transportation mode priorities (i.e., pedestrian, bicycle, or vehicular traffic) for the area. (Refer to the Transportation section of this Plan for street types and mode priorities for each type.)

Goal TR-1 **Balanced Transportation System:** Complete and maintain a multimodal transportation system that gives priority to the mobility needs of bicyclists, pedestrians, and public transit users while also providing for the safe and efficient movement of automobiles, buses, and trucks.

Policy TR-1.1 Accommodate and encourage use of non-automobile transportation modes to achieve San José's mobility goals and reduce vehicle trip generation and vehicle miles traveled (VMT).

Policy TR-1.2 Consider impacts on overall mobility and all travel modes when evaluating transportation impacts of new developments or infrastructure projects.

Policy TR-1.4 Through the entitlement process for new development, projects shall be required to fund or construct needed transportation improvements for all transportation modes giving first consideration to improvement of bicycling, walking and transit facilities and services that encourage reduced vehicle travel demand.

- Development proposals shall be reviewed for their impacts on all transportation modes through the study of Vehicle Miles Traveled (VMT), Envision San José 2040 General Plan policies, and other measures enumerated in the City Council Transportation Analysis Policy and its Local Transportation Analysis. Projects shall fund or construct proportional fair share mitigations and improvements to address their impacts on the transportation systems.

Goal TR-3 **Maximize use of Public Transit:** Maximize use of existing and future public transportation services to increase ridership and decrease the use of private automobiles.

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

Goal TR-5 **Vehicular Circulation:** Maintain the City's street network to promote the safe and efficient movement of automobile and truck traffic while also providing for the safe and efficient movement of bicyclists, pedestrian, and transit vehicles.

Vision Zero San José Two-Year Action Plan: 2017/2018

In 2015, the City adopted a Vision Zero Two-Year Action Plan (2017), which is a transportation safety initiative aimed at prioritizing street safety for all road users, including those who walk, bike, drive, or ride transit. The Two-Year Action Plan includes strategies aimed at eliminating all traffic fatalities and significantly reducing severe injuries related to transportation-related accidents.

West Capitol Expressway, which is directly south of the Project site, has been identified as a Vision Zero Priority Safety Corridor. For each Priority Safety Corridor, safety assessments have been developed and include recommendations focused on engineering features that would help reduce vehicle speeds, minimize traffic conflicts, and create safer and more accessible facilities for all roadway users. The recommendations range in cost, including actions such as trimming trees that may obstruct visibility, enhancing crosswalks with flashing beacons, and installing new traffic signals. The safety assessments also include targeted recommendations for law enforcement and traffic safety education for the public.

Transportation Analysis Handbook

The City's *Transportation Analysis Handbook* (April 2018) sets forth objectives and methodologies related to the preparation of project-related transportation analyses. The *Transportation Analysis Handbook* outlines significance criteria, screening criteria, and thresholds of significance for environmental clearance for development projects, transportation projects, and General Plan Amendments. The Transportation Analysis Handbook aligns with SB 743; City Council Policy 5-1, and the major strategies, goals, and policies of the City's General Plan. According to the *Transportation Analysis Handbook*, a detailed CEQA transportation analysis would not be required if a project meets certain screening criteria. Small infill projects and other projects of sufficiently small size (i.e., 30,000 sf or less of industrial use) would meet the City's screening criteria, in which case the Project would not be required to prepare a detailed CEQA transportation analysis.

San José Bike Plan 2020

The San José Bike Plan 2020 (November 2009) includes policies for developing and maintaining bike trails and associated facilities within the City. The following five goals are listed within the plan in order to improve bike accessibility and connectivity: (1) Complete 500 miles of bikeways; (2) Achieve a 5 percent bike mode share; (3) Reduce bike collision rates by 50 percent; (4) Add 5,000 bicycle parking spaces; and (5) Achieve Gold-Level Bicycle Friendly Community status.

San José Emergency Operations Plan

Under State law, California requires that local governments create and administer an Emergency Operations Plan (EOP) under the guidelines provided by the Federal Emergency Management Agency (FEMA). The State Office of Emergency Services (OES) adopts these emergency management guidelines for business activities in the Emergency Operations Center (EOC). The City of San José Emergency Operations Plan was adopted in 2004 and was updated most recently on May 15, 2016.

5.17.1.2 Existing Conditions

Vehicle Miles Traveled of Existing Onsite Uses. The City's VMT Evaluation Tool was utilized to assess the VMT associated with the existing 133,701 sf self-storage building on the Project site. As outlined in the Traffic Analysis for the Project, the existing VMT is 12.53 VMT per employee.

Roadway Network and General Plan Typologies. The Project site is currently developed and is located in an urban area. Key roadways within the vicinity of the Project site include West Capitol Expressway, Snell Avenue, and Vistapark Drive. West Capitol Expressway is a six-lane, divided, east-west City Connector Street with three lanes in each direction. Regionally, West Capitol Expressway extends centrally throughout the majority of the City and provides many opportunities for alternative modes of transportation, including Class III bikeways and access to transit stops. Snell Avenue is a four-lane, undivided, north-south Local Connector Street with two northbound lanes and three southbound lanes. Regionally, Snell Avenue extends throughout the majority of the southern part of the City and ends at the City's southern boundary. Vistapark Drive is a two-lane, undivided Residential Street that extends from Hillsdale Avenue to West Capitol Expressway. Vistapark Drive is located to the west of the Project site and provides access to and from residential housing and apartment complexes.

Vehicular access to the Project site is provided via two driveways. The entrance to the west property is provided via West Capitol Expressway, and the entrance to the east property is provided via Snell Avenue. Vehicular entry to the Project site is provided on both West Capitol Expressway and Snell Avenue; access is restricted through the use of an individual customer access code at each entrance. In addition, an emergency access location is provided at the northernmost access point off of Snell Avenue.

Pedestrian access to the site is provided via sidewalks along West Capitol Expressway and Snell Avenue. Pedestrians may enter either through the rolling gate with their individual customer access code, or through each of the rental offices. Pedestrians can exit through a pedestrian gate in the metal fence at either location.

Within the Project site, customers are able to access their individual storage units via two internal roadways within each property. Access between the two properties is currently obstructed by Building AA, which forms the western boundary of the east property.

Pedestrian and Bicycle Facilities. The existing pedestrian and bicycle system includes sidewalks on both sides of West Capitol Expressway. In addition, Snell Avenue includes sidewalks and Class II bikeways to the northwest of West Capitol Expressway on both sides of the street. Class II bikeways are planned for Snell Avenue north of West Capitol Expressway by 2020. Vistapark Drive provides sidewalks on both sides of the street. Class II bikeways are planned for both sides of the Vistapark Drive to the north and west of the site by 2020; Class II bikeways are currently present on Vistapark south of the site. Class II bike lanes are also present on Monterey Boulevard east of the site. These facilities provide opportunities for the public to use alternative modes of transportation and connections to a variety of commercial, residential, and employment designations. All sidewalks and bikeways provide access to transit stops and incorporate the last-mile goals set forth by the City. Refer to Figure 5.17.1 for an illustration of existing bicycle facilities within the vicinity of the Project site.

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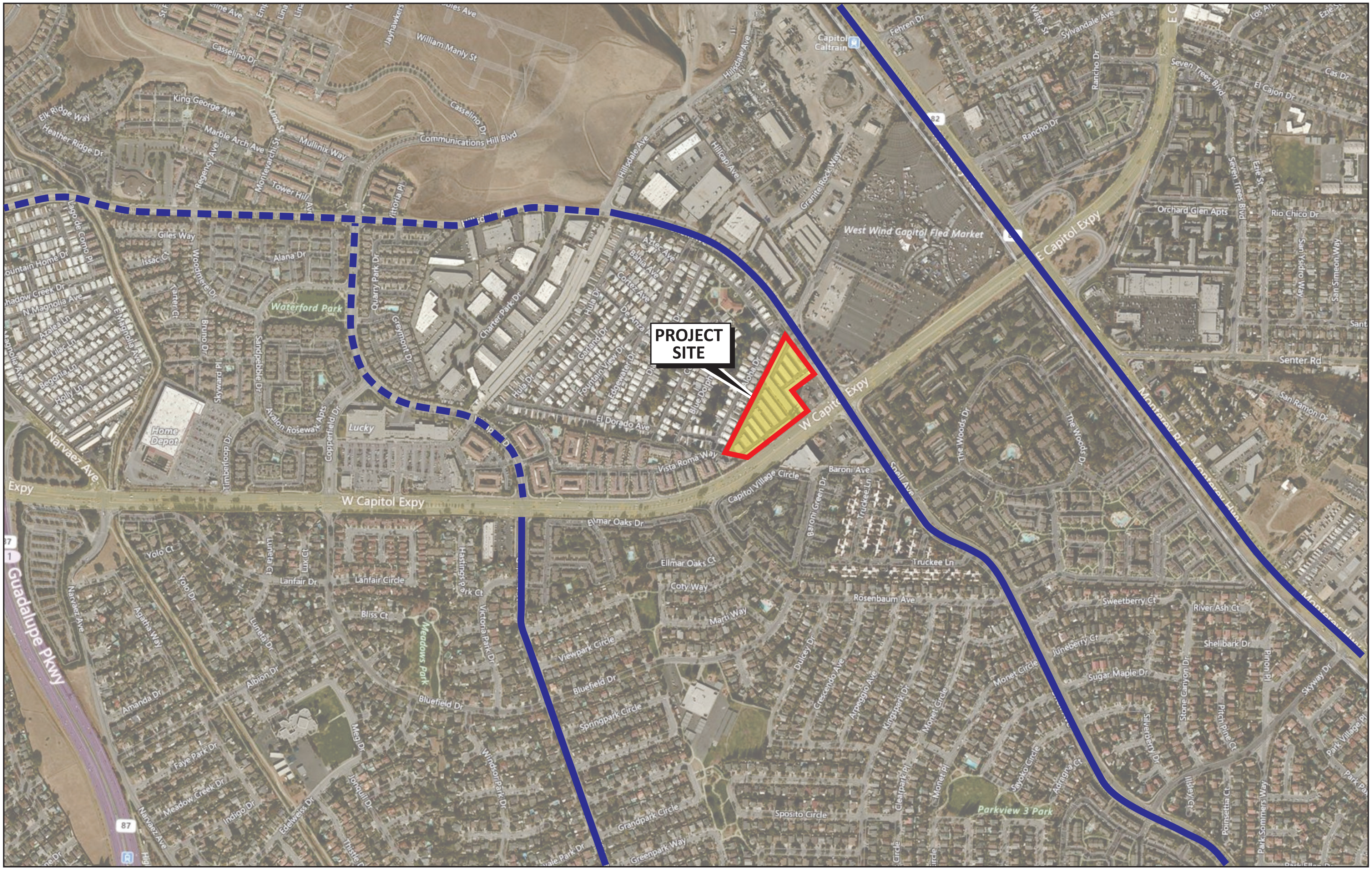

FIGURE 5.17.1

LEGEND

- Proposed Class II Bike Route
- Class II Bike Route

N

0 500 1000

FEET

SOURCE: Bing Maps, San Jose Bike Plan 2020 (November 2009)

231 West Capitol Expressway Public Storage

Existing Bicycle Facilities

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Transit Facilities. The VTA is responsible for providing and operating transit facilities in the City. In the Project vicinity, Bus Routes 70 and 122 intersect at West Capitol Expressway and Snell Avenue. A third bus route, Route 73, begins and ends on Snell Avenue within a 0.5-mile radius of the Project site. Routes 70 and 122 provide transit stops along West Capitol Expressway, and Routes 73 and 122 provide transit stops along Snell Avenue. All routes connect residential land uses with employment opportunities and are vital to the surrounding area. Refer to Figure 5.17.2, below, for an illustration of existing transit routes in the vicinity of the Project site.

5.17.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b. Would the Project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☒	☐
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d. Result in inadequate emergency access?	☐	☐	☒	☐

5.17.3 Impact Analysis

a. Conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Less Than Significant Impact.

Construction. As described further in Section 2.0, Project Description, construction equipment and vehicles will be staged on site. Although the Project does not include any characteristics (e.g., permanent road closure or long-term blocking of road access) that would physically impair or otherwise interfere with transit, roadways, bicycle facilities, and/or pedestrian facilities in the Project vicinity, the Project may require temporary lane closures on Snell Avenue or West Capitol Expressway to allow for utility connections and the proposed extension of the existing 370 westbound left-turn lane at the intersection of Vistapark Drive/West Capitol Expressway.

In order to reduce potential impacts on the local circulation system during Project construction, the Project would be required to adhere to all applicable City requirements and would implement recommendations outlined in the California Traffic Control Manual (Caltrans 2014). Among other things, this manual recommends early coordination with affected agencies to ensure that emergency vehicle access is maintained. Therefore, construction of the Project would result in less than significant traffic impacts related to potential conflicts with plans, programs, ordinances or policies addressing the local circulation system, and no mitigation would be required.

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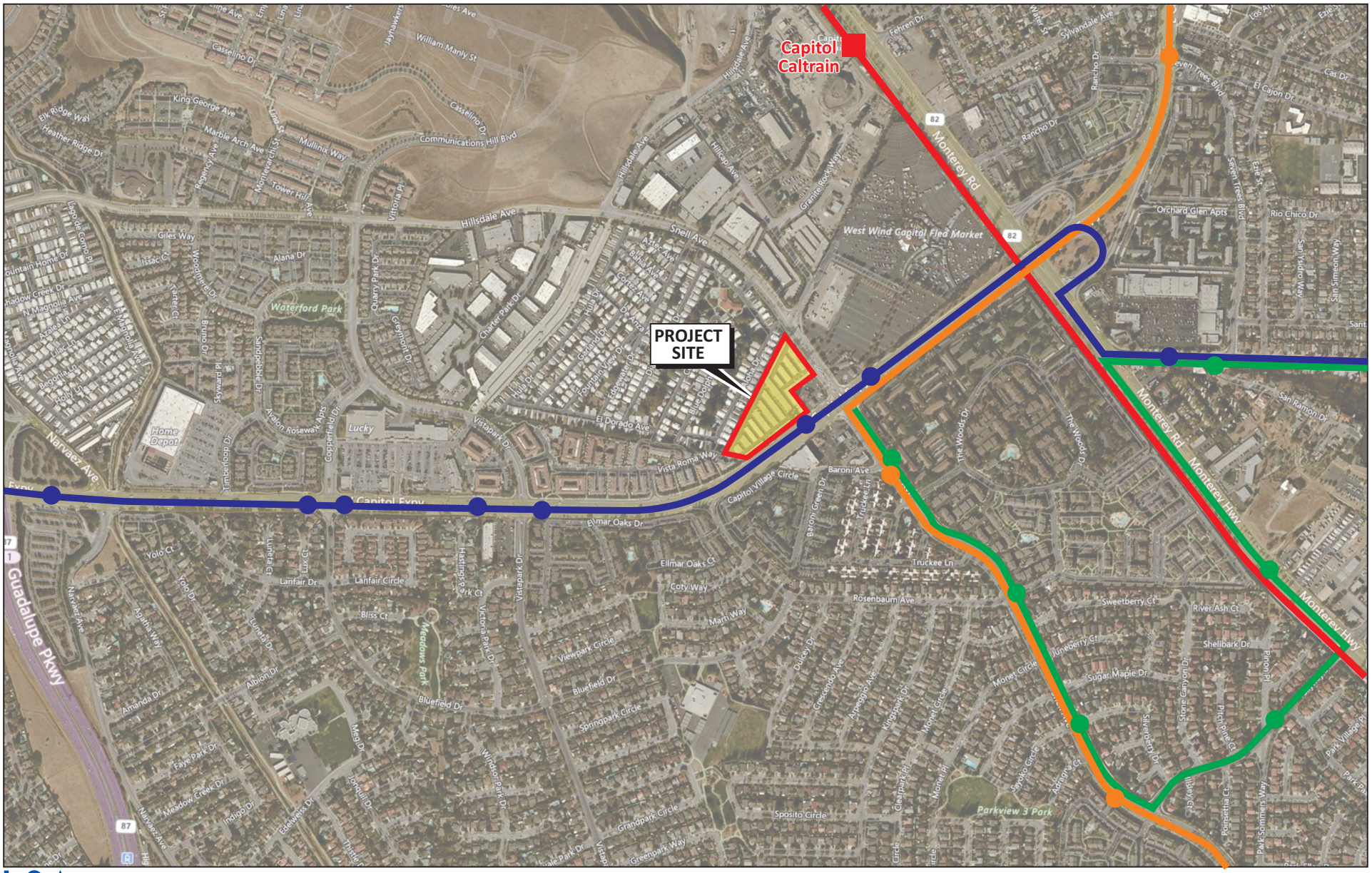

LSA

LEGEND

- Route 122
- Route 73
- Route 70
- Bus Stop
- Caltrain

N

0 500 1000
FEET

SOURCE: Bing Maps

FIGURE 5.17.2

231 West Capitol Expressway Public Storage

Existing Transit Routes

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Operation. The proposed Project would be required to comply with General Plan policies addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. The Project would also be required to comply with City Council Policy 5-1, which requires consistency with transportation-related goals and policies in the City's General Plan, the Vision Zero Two-Year Action Plan, and the San José Bike Plan 2020. The Project's consistency with these plans is described in detail below.

Project Access/Circulation and Parking. As part of the Project, the existing sidewalk along West Capitol Expressway would be widened within the Project limits to 15 ft to ensure the provision of adequate pedestrian facilities within the vicinity of the Project site. Consistent with the policies from the Americans with Disabilities Act (ADA), ramps are currently provided at the Project right-in/right-out driveway and at the surrounding intersections of Snell Avenue/West Capitol Expressway and Vistapark Drive/West Capitol Expressway. To accommodate bicycle commuting, the Project would provide bicycle parking at the Project entry adjacent to Buildings 1 and 2. Bicycle and pedestrian access to the Project site will be provided at the existing driveway on West Capitol Expressway, which includes a pedestrian sidewalk that allows for pedestrian circulation on-site. The pedestrian path will lead visitors and bicyclists to internal paths and bicycle parking on the Project site.

As stated previously, the existing transit system is serviced through the VTA and provides three bus routes with transit stops within a 0.5-mile buffer of the Project site. Bus routes include Route 70 that provides service on West Capitol Expressway, Route 122 that provides service on West Capitol Expressway and Snell Avenue, and Route 73 that provides service on Snell Avenue. All routes connect residential land uses with employment opportunities. The proposed Project would not result in any changes to the transit system and transit stops.

As required by Section 20.90.060 of the City's Municipal Code, the Project would be required to provide 1 parking space per 5,000 sf of floor area. Floor area is defined as 85 percent of the gross floor area. As such, Phase I of the Project would be required to provide 31 parking spaces on the Site. At completion of Phase I, the Project would provide 31 spaces. At completion of Phase II, the Project would be required to provide parking space in accordance with Section 20.90.060 of the City's Municipal Code.

Conformance with City Council Policy 5-1 and the General Plan. City Council Policy 5-1 requires development projects to conduct a Local Transportation Analysis (LTA) to analyze conformance with the multimodal transportation strategies, goals, and policies in the General Plan and address adverse impacts to the transportation system. The LTA is included as part of the Traffic Analysis that was prepared for the Project. Findings of the LTA are described below in the Non-CEQA Considerations section.

The proposed Project would be required to comply with transportation related goals and policies in the City's General Plan (refer to Section 5.17.1.1, above, for a list of goals and policies applicable to the proposed Project). As previously stated, the proposed Project would include sidewalk improvements on West Capitol Expressway and would install on-site bicycle parking at the Project entry. These improvements would ensure consistency with the City's goal of creating an integrated multi-modal transportation network that promotes pedestrian and bicycle transportation as part of a greater effort to reduce VMT (Goals CD-2 and TR-1, Policy CD-1, Policy CD-2, Policy TR-1.1, Policy

TR-1.2, and Policy TR-1.4). In addition, the Project site would not result in any disruptions to existing transit facilities in the area. As such, the Project would be consistent with the City's goal of encouraging the use of public transportation services (Goal TR-3 and Policy TR-3.3). Moreover, the proposed Project would not result in increased congestion on roadways or at intersections near the Project site nor would the Project result in excessive vehicle queuing. Consequently, the Project would be consistent with the City's goal of maintaining safe and efficient street network (Goal TR-5). For the reasons stated above, the proposed Project would not conflict with provisions in the City's General Plan related to bicycle, pedestrian, and transit infrastructure and access.

Conformance with Transportation Development Policies.

Vision Zero Two-Year Action Plan. As stated previously, the Vision Zero program was enacted in order to prioritize street safety and ensure safety for all road users, including those who walk, bicycle, drive, or ride transit. West Capitol Expressway, which is directly south of the Project site, has been identified as a Vision Zero Priority Safety Corridor. For each Priority Safety Corridor, safety assessments have been developed and include recommendations focused on engineering features that would help reduce vehicle speeds, minimize traffic conflicts, and create safer and more accessible facilities for all roadway users.

The proposed Project would not conflict with the safety assessment prepared for West Capitol Expressway. Instead, the Project includes features that would improve safety for roadway users, including pedestrian and bicycle paths that connect to the public sidewalks to allow for safe circulation. Additionally, the Project would widen the existing West Capitol Expressway sidewalk adjacent to the site to 15 ft and maintain the existing Class III bikeway on West Capitol Expressway and existing Class II bikeways on Snell Avenue, Vistapark Drive, and Monterey Road. Further, the Project would provide bicycle parking at the Project entry on West Capitol Expressway, which would accommodate bicycle commuting. Therefore, the Project would not conflict with the City's Vision Zero Two-Year Action Plan.

San José Bike Plan 2020. Bicycle access to the Project site would be provided at the existing driveway on West Capitol Expressway. The San José Bike Plan 2020 (November 2009) includes policies for developing and maintaining bike trails and associated facilities within the City. As stated previously, the proposed Project would maintain the existing Class III bikeway on West Capitol Expressway and existing Class II bikeways on Snell Avenue, Vistapark Drive, and Monterey Road. As outlined in the Bike Plan, extensions to the Class II bikeways on Snell Avenue and Vistapark Drive are planned for the year 2020. Further, the Project would provide bicycle parking at the Project entry on West Capitol Expressway, which would accommodate bicycle commuting. As such, the Project would not conflict with the San José Bike Plan 2020.

Summary. The proposed Project would not conflict with City Council Policy 5-1, transportation-related goals and policies the City's General Plan, the Vision Zero Two-Year Action Plan, and the San José Bike Plan 2020. Therefore, the proposed Project would result in less than significant impacts related to compliance with applicable plans, ordinances, programs, and policies addressing the circulation system in the City, and no mitigation would be required.

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

Less Than Significant Impact.

VMT Analysis and Approach. As previously stated, the City of San José has established a new threshold for transportation impacts (City Council Policy 5-1) that is consistent with Senate Bill 743. Under this new threshold, transportation impacts are evaluated under vehicle miles traveled (VMT), which looks at project-related effects on the number of VMT per capita or per employee in the City.

According to the City's Transportation Analysis Handbook, a detailed CEQA transportation analysis is not required if a project meets certain screening criteria. Small infill projects and other projects of sufficiently small size (i.e., 30,000 sf or less of industrial use) would meet the City's screening criteria for a detailed CEQA transportation analysis. The proposed Project includes 427,395 sf of self-storage (industrial) use, which exceeds the City's industrial project VMT screening threshold. As such, a CEQA transportation analysis is required to evaluate the Project's VMT against the appropriate thresholds of significance established in City Council Policy 5-1. The required VMT analysis for the proposed Project is provided in the Traffic Analysis and summarized below.

The City has developed the San José VMT Evaluation Tool to streamline the analysis for residential, office, and industrial (including self-storage) projects by assessing a project's potential VMT based on the Project's description, location, and attributes. This tool is used to determine the existing VMT and the Project's VMT impacts, and suggests potential mitigation measures if mitigation would be necessary.

City Council Policy 5-1 Thresholds of Significance. Under direction from City staff, the proposed Project was analyzed under the thresholds according to Project Type and was categorized as an Industrial Employment Use. An Industrial Employment Use is determined to have an impact if the Project VMT per employee would exceed the regional average VMT per employee. Currently, there are 14.37 VMT per industrial employee in the region.

Figure 5.17.3 illustrates the location of the Project site on the City's VMT per Industrial Job Heat Map. As illustrated by this figure, the Project is located within the Threshold VMT Area per the industrial Job Heat Map. Consequently, a significant VMT impact would only occur if the Project exceeds the 14.37 VMT per industrial threshold.

Analysis of Project VMT

LSA used the San José VMT Evaluation Tool to assess the Project's potential VMT. The VMT Evaluation Tool evaluates a list of VMT reduction measures that can be applied to a project to reduce its VMT.

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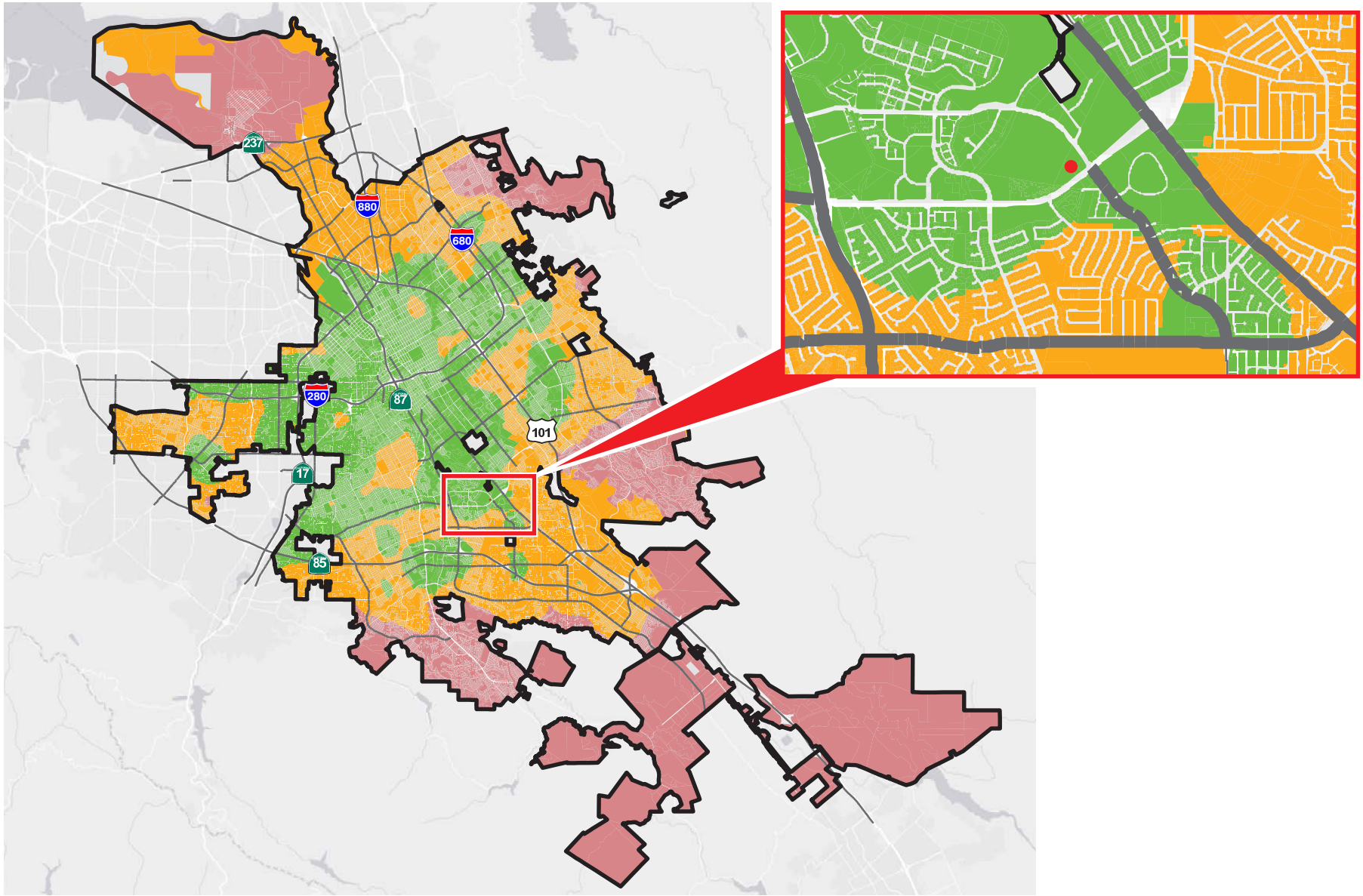

LSA

LEGEND

Threshold VMT Areas

Mitigatable VMT Areas

Immitigatable VMT Areas

Project Site

N

0 2 4

MILES

FIGURE 5.17.3

231 West Capitol Expressway Public Storage

San Jose VMT per Industrial Job Heat Map

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There are four VMT reduction strategy tiers:

Tier 1: Project Characteristics
Tier 2: Multimodal Improvements
Tier 3: Parking
Tier 4: Transportation Demand Management.

Tier 1–3 strategies are physical design features that can be incorporated into the Project Description. Tier 4 strategies are programmatic measures that aim to reduce VMT by decreasing personal motorized vehicle mode share and encouraging alternative transportation modes (i.e., walking, biking, and transit). Due to the nature of self-storage projects, the majority of trips are made by passenger vehicles. As such, Tier 2–4 strategies would not apply to this Project.

Consistent with Tier 1 VMT reduction strategies, the proposed Project would incorporate design features to support alternative modes of transportation (i.e., pedestrian, bicycle, and public transportation). Within the Project limits, the Project would widen the existing West Capitol Expressway sidewalk to 15 ft. Pedestrian and bicycle traffic would travel via sidewalks throughout the site that would connect to the public street system and existing transit facilities. Bicycle transportation will be accommodated for visitors and employees with the addition of bicycle parking. These design features would be consistent with local VMT reduction strategies, as well as *State CEQA Guidelines* Section 15064.3.

In addition, as ascertained using the VMT Evaluation Tool, the proposed Project is expected to have a VMT of 12.35[1] per employee, which is less than the City's threshold VMT of 14.37 per employee. Therefore, because the Project VMT is lower than the City's threshold VMT, implementation of the Project would not result in a VMT impact.

For the reasons stated above, the Project would not conflict or be inconsistent with *State CEQA Guidelines* Section 15064.3 subdivision (b). No mitigation would be required.

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

Less Than Significant Impact. The proposed Project involves the expansion of an existing self-storage facility through the construction of two buildings that would be centrally located on the Project site. Vehicular access to the site would be provided via the existing driveway on West Capitol Expressway and one of the existing driveways off Snell Avenue at the northern end of the Project site.

The proposed Project would rely on and can be accommodated by the existing roadway system in the Project's vicinity. As stated previously, the Project would increase the westbound left-turn volumes and queues at the intersection of Vistapark Drive and West Capitol Expressway. The Project would extend the existing 370 ft westbound left-turn lane on West Capitol Expressway by an additional 80 ft (a revised left-turn lane of 450 ft). This proposed extension would ensure that all

[1] The VMT Evaluation Tool outputs are included in Appendix B of the *Transportation Analysis* (LSA; February 2019), which is included as Appendix F of this IS/MND.

existing, Project, and future vehicles could be accommodated at this location. In addition, the Project would include widening of the sidewalk to 15 ft along West Capitol Expressway adjacent to the Project site. These improvements would not substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections). Due to the proposed Project's compatibility with surrounding land uses, which include other commercial and industrial uses, the Project would not substantially increase hazards due to incompatible uses.

The proposed Project would not introduce any new roadways or introduce a land use that would conflict with existing urban land uses in the surrounding area. Further, design of the proposed Project, including the extension of the left-turn lane and sidewalk widening on West Capitol Expressway, as well as other streetscape changes, would be subject to review by the City's Public Works Department. Therefore, the Project would result in less than significant impacts resulted to design hazards and incompatible uses. No mitigation would be required.

d. Result in inadequate emergency access?

Less Than Significant Impact. Construction activities proposed as part of the Project do not include any characteristics (e.g., permanent road closure or long-term blocking of road access) that would result in inadequate emergency access; however, the proposed Project may require temporary lane closures on Snell Avenue or West Capitol Expressway to allow for utility connections and the proposed westbound turn-lane extension on West Capitol Expressway during Project construction. Temporary lane closures would be implemented consistent with the recommendations of the California Joint Utility Traffic Control Manual (Caltrans 2014). Among other things, this manual recommends early coordination with affected agencies to ensure that emergency vehicle access is maintained. In this manner, officials could plan and respond appropriately to direct the public away from West Capitol Expressway and Snell Avenue in the event of an emergency requiring evacuation.

The proposed Project would allow for the continued operation of self-storage uses that are similar in nature to existing uses on the site. Following Project implementation, the secondary northernmost driveway on Snell Avenue will be used for Fire Department emergency access only (no public access will be allowed). Additionally, the Project would not result in traffic impacts that could hinder or obstruct emergency access to the Project site or surrounding areas. Further, the proposed Project would be developed in accordance with the City's emergency access standards and would be required to comply with all applicable codes and ordinances for emergency vehicle access, which would ensure adequate access to, from, and on site for emergency vehicles. Therefore, operation of the proposed Project would result in less than significant impacts related to inadequate emergency access to the site. No mitigation would be required.

5.17.3.2 Other Transportation and Site Access Considerations-Non-CEQA

The following discussion analyzes the Project's potential impacts on the roadway network within the vicinity of the Project site. This information has been summarized from the Traffic Analysis that was prepared for the proposed Project and is intended for informational purposes; this information is not provided for purposes of determining the significance of an environmental impact.

Project Net Trip Generation. Weekday peak-hour and daily traffic volumes for the existing site and the Project were generated using trip rates referenced from the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 10th Edition (2017).

As shown in Table 5.17.A, the proposed Project would generate a net increase in 443 ADT, 30 a.m. peak-hour (18 inbound and 12 outbound) trips, and 50 p.m. peak-hour (23 inbound and 27 outbound) trips.

Table 5.17.A: Existing and Project-Related Trip Generation

Land Use	Size	Unit	ADT	AM Peak Hour			PM Peak Hour		
				In	Out	Total	In	Out	Total
Trip Rates1									
Self-Storage		TSF	1.51	0.06	0.04	0.10	0.08	0.09	0.17
Project Trip Generation									
Self-Storage	427.395	TSF	645	26	17	43	34	39	73
Existing Trip Generation									
Self-Storage	133.701	TSF	202	8	5	13	11	12	23
Net Trip Generation (Proposed - Existing)			**443**	**18**	**12**	**30**	**23**	**27**	**50**

Source: *Transportation Analysis* (LSA 2019; Appendix F).
[1] Trip rates referenced from the Institute of Transportation Engineers (ITE) *Trip Generation Manual,* 10th Edition (2017). Land Use 151 (Mini-Warehouse).
ADT = average daily traffic
TSF = thousand square feet

Intersection Level of Service Analysis. Roadway performance is most often controlled by the performance of intersections, specifically during peak traffic periods. This is because traffic control at intersections interrupts traffic flow that could otherwise be relatively unimpeded except for the influences of on-street parking, access to adjacent land uses, or other factors resulting in interaction of vehicles between intersections. For this reason, traffic analyses for individual projects typically focus on peak-hour operating conditions for key intersections rather than roadway segments. Operating conditions at intersections are typically described in terms of level of service (LOS). LOS is a measure of a roadway's operating performance and is a tool used in defining thresholds of significance. LOS is described with a letter designation from A to F, with LOS A representing the best operating conditions (free-flow traffic) and LOS F the worst (traffic jammed).

In order to evaluate the potential for future projects to impact the performance of local roadways, the City's LTA requires a LOS analysis. According to the City's Transportation Analysis Guidelines and consistent with the City's General Plan, LOS at an intersection or roadway is considered to be unsatisfactory when the HCM 2000 delay exceeds 55.0 (i.e., LOS D). It should be noted that for intersections already operating at LOS E or F under baseline conditions, an adverse effect can occur and is defined as: an increase in average critical delay by 4.0 seconds or more AND an increase in the critical volume-to-capacity (v/c) ratio of 0.010 or more; OR a decrease in average critical delay AND an increase in critical v/c ratio of 0.010 or more. Table 5.17.B demonstrates the relationship of HCM 2000 to LOS.

Table 5.17.B: HCM 2000 to LOS

Operation Standard	Descriptions	Average Control Delay (seconds/vehicle)
A	Operations with very low delay occurring with favorable progression and/or short cycle lengths	10.0 or less
B	Operations with low delay occurring with good progression and/or short cycle length	10.1–20.0
C	Operations with longer delays due to a combination of unfavorable progression and/or longer cycle lengths. Individual cycle failures begin to appear.	20.1–35.0
D	Operations with longer delays due to a combination of unfavorable progression, long cycle lengths, and high volume-to-capacity (v/c) ratios. Individual cycle failures are noticeable	35.1–55.0
E	Operations with high delays indicating poor progression, long cycle lengths, and high v/c ratios. Individual cycle failures are frequent occurrences.	55.1–80.0
F	Operations with delays unacceptable to most drivers occurring due to over-saturation, poor progression, or very long cycle lengths.	> 80.0

Source: *Transportation Analysis Handbook* (City of San José 2018).
HCM = Highway Capacity Manual
LOS = Level of Service

The following three study area intersections were analyzed as part of the LTA (LOS analysis): Project Driveway/West Capitol Expressway, Snell Avenue/West Capitol Expressway, and Vistapark Drive/ West Capitol Expressway. These study area intersections were selected because they are closest to the Project site and, therefore, have the greatest potential to have traffic impacts related to the Project.

Existing traffic counts taken in November 2018 for the study area intersections were obtained from the City and a third party. Traffic conditions at the study intersections were analyzed for the weekday a.m. and p.m. peak hours of traffic.[1] Table 5.17.C, below, shows a summary of existing intersection LOS.

Table 5.17.C: Existing Intersection Operations Summary

Intersection		Existing					
		AM Peak Hour			PM Peak Hour		
		V/C	Delay (sec/veh)	LOS	V/C	Delay (sec/veh)	LOS
1	Project Driveway/West Capitol Expressway	0.010	13.2	B	0.020	10.9	B
2	Snell Avenue/West Capitol Expressway	0.946	96.5	F	0.659	45.9	D
3	Vistapark Drive/West Capitol Expressway	0.461	42.3	D	0.502	41.4	D

Source: *Transportation Analysis* (LSA 2019; Appendix F).
LOS = level of service
sec/veh = seconds per vehicle
V/C = volume-to-capacity

[1] The a.m. peak hour is generally between 7:00 a.m. and 9:00 a.m., and the p.m. peak hour is typically between 4:00 p.m. and 6:00 p.m. It is during these periods on an average weekday that the most congested traffic conditions occur.

As shown in Table 5.17.C, all study area intersections currently operate at satisfactory LOS, with the exception of Snell Avenue/West Capitol Expressway, which operates at LOS F in the a.m. peak hour.

In addition to evaluating existing intersection conditions, potential impacts were analyzed for the traffic volume conditions in the Existing plus Approved Projects Condition and the Existing plus Approved Projects plus Project Condition.

Table 5.17.D presents a summary of Existing plus Approved Projects a.m. and p.m. peak-hour analysis for the study area intersections. The Approved Trip Inventory (ATI), a database of vehicle trips of approved but not yet constructed projects, was provided by the City in order to analyze the Approved Projects component. As shown in Table 5.17.D, all study area intersections would operate at satisfactory LOS, with the exception of Snell Avenue/West Capitol Expressway (LOS F in both the a.m. and p.m. peak hours).

Table 5.17.D: Existing Plus Approved Projects

Intersection		Existing Plus Approved Projects					
		AM Peak Hour			PM Peak Hour		
		V/C	Delay (sec/veh)	LOS	V/C	Delay (sec/veh)	LOS
1	Project Driveway/West Capitol Expressway	0.010	14.3	B	0.020	11.1	B
2	Snell Avenue/West Capitol Expressway	1.583	127.4	F	0.834	105.1	F
3	Vistapark Drive/W. Capitol Expressway	0.462	45.5	D	0.520	41.6	D

Source: *Transportation Analysis* (LSA 2019; Appendix F).
LOS = level of service
sec/veh = seconds per vehicle
V/C = volume-to-capacity

Existing plus Project conditions were developed by incorporating existing counts, ATI volumes, and the proposed Project trips. Table 5.17.E provides a summary of Existing plus Approved Projects plus Project intersection LOS. As shown in Table 5.17.E, all study area intersections would continue to operate at satisfactory LOS with the Project, with the exception of Snell Avenue/West Capitol Expressway (LOS F in the both a.m. and p.m. peak hours). However, because the Project would not add 4.0 or more seconds of delay to this intersection, the proposed Project would not result in a significant intersection impact in the Existing plus Approved Project condition.

Table 5.17.E: Existing Plus Approved Projects Plus Project

Intersection		Existing Plus Approved Projects Plus Project					
		AM Peak Hour			PM Peak Hour		
		V/C	Delay (sec/veh)	LOS	V/C	Delay (sec/veh)	LOS
1	Project Driveway/West Capitol Expressway	0.040	14.7	B	0.060	11.6	B
2	Snell Avenue/West Capitol Expressway	1.586	127.3	F	0.835	104.9	F
3	Vistapark Drive/West Capitol Expressway	0.471	45.7	D	0.532	41.9	D

Source: *Transportation Analysis* (LSA 2019; Appendix F).
LOS = level of service sec/veh = seconds per vehicle V/C = volume-to-capacity

For the reasons stated above, the proposed Project would not result in an unsatisfactory LOS at any of the study area intersections in the Existing Condition, Existing plus Approved Project, or Existing plus Approved Projects plus Project scenarios.

CMP Analysis. The Santa Clara Valley Transportation Authority CMP guidelines indicate that a CMP analysis is not required for projects that would generate fewer than 100 peak-hour trips. As shown in Table 5.17.A, the Project would generate a total of 43 trips in the a.m (a net increase in 30 trips). peak-hour and 73 trips in the p.m. peak hour (net increase in 50 trips). Therefore, because the Project would result in less than 100 peak hour trips, a CMP analysis is not required.

Intersection Queuing Analysis. As part of the Traffic Analysis, an intersection queuing analysis was also prepared to assess the effectiveness of the storage lengths and queuing, and to identify potential for vehicle spillback out of the turn lanes. The Traffic Analysis concluded that the Project would increase the westbound left-turn volumes and queues at the intersection of Vistapark Drive and West Capitol Expressway. As such, the Project is proposing to extend the existing 370 ft westbound left-turn lane on West Capitol Expressway by additional 80 ft (a revised left-turn lane of 450 ft). With the incorporation of the proposed extension on West Capitol Expressway, all existing, Project, and future vehicles would be accommodated at the intersection of Vistapark Drive and West Capitol Expressway.

Neighborhood Traffic Intrusion. The Project involves the expansion of an existing self-storage facility. It is not a new residential development, employment center, retail center, or recreational use that could potentially create cut-through traffic or induce speeding. The proposed Project would allow for the continued operation of self-storage facilities and would continue to serve local-area residents. No neighborhood traffic intrusions would be generated by the Project.

Truck Operations. As previously described, the Project involves the expansion of existing self-storage facility on the Project site. The existing driveways along West Capitol Expressway and Snell Avenue, as well as the existing/proposed internal drive aisles, would continue to provide adequate access and circulation for all vehicles types, including personal vehicles and emergency vehicles/trucks.

Construction. The proposed westbound left-turn lane improvement at Vistapark Drive/West Capitol Expressway (i.e., an 80 ft extension from 370 ft to 450 ft) could require temporary lane closures. Construction equipment and vehicles will be staged on site. With the exception of potential utility improvements and right-of-way improvements (i.e., driveway, curb, and/or gutter), construction activities are not anticipated to take place within the public right-of-way that could result in temporary sidewalk and bicycle lane closures and detours. As such, off-site pedestrian, bicycle, and transit facilities would not be affected by the proposed Project.

Parking. According to City Municipal Code Chapter 20.90.060, mini-warehouse/mini-storage establishments require 1 parking space per 5,000 sf of floor area plus 1 space per residential manager. Floor area is defined as 85 percent of gross floor area. Phase 1 of the proposed Project (179,616 sf of gross floor area) would require 31 parking spaces ([179,616 x 0.85] / 5,000). The Project will not include a resident manager. At completion of Phase 1, the Project would provide the required 31 spaces. Upon completion of Phase II, the Project will provide parking spaces consistent

with the City's Municipal Code requirements for mini-warehouse (self-storage) use. As such, the Project will provide parking consistent with the City Municipal Code.

Per City Municipal Code Chapter 20.90.060, mini-warehouse/ministorage establishments are required to provide one bicycle parking space/rack for every 10 employees. The Project will provide two bicycle parking stalls to serve the two on-site employees. As such, the Project will provide bicycle parking consistent with the City Municipal Code.

5.17.4 Conclusion

Less Than Significant Impact. Conformance with City Council Policy 5 1, transportation-related goals and policies in the City's General Plan, and the Vision Zero Two-Year Action Plan, and the San José Bike Plan 2020, would ensure that the proposed Project would not result in significant adverse transportation impacts.

5.18 TRIBAL CULTURAL RESOURCES

The analysis provided in this section is based on the results of the Assembly Bill (AB) 52 consultation process completed in support of the proposed Project.

5.18.1 Environmental Setting

5.18.1.1 Regulatory Framework

Federal and State Regulations

Native American Heritage Commission (NAHC)

In 1976, the California State Government passed AB 4239, creating the Native American Heritage Commission (NAHC). The NAHC is responsible for identifying and categorizing Native American cultural resources as well as preventing damages to designated sacred sites and associated artifacts and remains. Legislation passed in 1982 authorized the NAHC to identify a Most Likely Descendant (MLD) when Native American remains are found outside of any place other than a designated cemetery. A MLD has the authority to make recommendations in regards to the treatment and disposition of the discovered remains.

The Native American Historic Resource Protection Act. The Native American Historic Resource Protection Act, or Assembly Bill (AB 52) defines guidelines for reducing conflicts between Native Americans and development projects and activities. Projects are subject to AB 52 if a notice of preparation for an EIR is filed or a notice of intent to adopt a Negative or Mitigated Negative Declaration is filed on or after July 1, 2016. “Tribal cultural resources” (TCR) are protected under CEQA and are defined as a site, feature, place, cultural landscape (must include the size and scope of landscape), sacred place, and object with a cultural value to a California Native American tribe that is either included or eligible for inclusion in the California Register, or included in a local register of historical resources. At the lead agency’s discretion, a resource can be treated as a TCR if a Native American Tribe provides substantial evidence. Additionally, AB 52 allows tribes to engage in consultation with lead agencies and sets guidelines for such consultation.

Health and Safety Code Section 7050.5

Section 7050.5 of the California Health and Safety Code protects Native American burials, remains, and associated grave artifacts in the event that they are discovered in any location other than a designated cemetery. The Code mandates the immediate stop of excavation in the site as well as any adjacent or overlying area where the remains or associated item is found, and provides for the sensitive disposition of those remains. Should remains be discovered, the County Coroner must determine that the remains are not subject to the provisions of Section 27491 of the Government Code or any other related provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible for the excavation, or designee, in the manner provided in Section 5097.98 of the Public Resources Code. The County Coroner shall make the determination within two working days from the time the person responsible for the excavation, or designee, notifies the County Coroner of the discovery or recognition of the human remains. If the County Coroner identifies the remains to be of Native American origin, or has reason to believe that the remains are those of Native American origin, the County Coroner must contact the

California NAHC within 24 hours. The NAHC representative will then alert a Native American MLD to conduct an inspection of the site and to determine the following course of treatment and action. Additionally, *State CEQA Guidelines* Section 15064.5 sets forth a procedure if human remains are found on land outside of federal jurisdiction.

Local Regulations

Envision San José 2040 General Plan

The Environmental Resources (ER) and Land Use/Transportation (LU) sections of the City of San José's (City) General Plan include the following goals and policies related to recreation that are applicable to the proposed Project.

Goal ER-10 **Archaeology and Paleontology:** Preserve and conserve archaeologically significant structures, sites, districts, and artifacts in order to promote a greater sense of historic awareness and community identity.

Policy ER-10.1 For proposed development sites that have been identified as archaeologically or paleontologically sensitive, require investigation during the planning process in order to determine whether potentially significant archeological or paleontological information may be affected by the project and then require, if needed, that appropriate mitigation measures be incorporated into the project design.

Policy ER-10.2 Recognizing that Native American human remains may be encountered at unexpected locations, impose a requirement on all development permits and tentative subdivision maps that upon discovery during construction, development activity will cease until professional archaeological examination confirms whether the burial is human. If the remains are determined to be Native American, applicable state laws shall be enforced.

5.18.1.2 Existing Conditions

Tribal cultural resources are defined as "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe." Additionally, a lead agency can, at its discretion and supported by substantial evidence, choose to treat a resource as a tribal resource. Assembly Bill (AB) 52 requires lead agencies to conduct formal consultations with California Native American tribes during the CEQA process to identify tribal cultural resources that may be subject to significant impacts by a project. At the time of preparation of this IS/MND, no Native American tribes that are or have been traditionally culturally affiliated with the Project vicinity have requested notification from the City under AB 52 regarding projects in the area and their effects on a tribal cultural resource. No known tribal resources occur on the site.

5.18.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	☐	☐	☐	☒
b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	☐	☐	☐	☒

5.18.3 Impact Analysis

a. Would the project be listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)?

OR

b. Would the project be a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

No Impact. The following responses address the thresholds in Questions 4.18.2(a) and 4.18.2(b), above.

Chapter 532, Statutes of 2014 (i.e., AB 52), requires that Lead Agencies evaluate a project's potential to impact "tribal cultural resources." Such resources include "[s]ites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are eligible for inclusion in the California Register of Historical Resources (California Register) or included in a local register of historical resources." AB 52 also gives Lead Agencies the discretion to determine, supported by substantial evidence, whether a resource qualifies as a "tribal cultural resource."

In addition, per AB 52 (specifically Public Resources Code [PRC] 21080.3.1), Native American consultation is required upon request by any California Native American tribe that has previously requested that the City provide it with notice of projects that the City is undertaking.

Assembly Bill (AB) 52 requires lead agencies to complete formal consultations with California Native American tribes during the CEQA process to identify tribal cultural resources that may be subject to

significant impacts by a project. Where a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document must discuss the impact and whether feasible alternatives or mitigation measures could avoid or substantially lessen the impact. This consultation requirement applies only if the tribes have sent written requests for notification of projects to the lead agency. In 2017, the City had sent a letter to tribal representatives in the area to welcome participation in consultation process for all ongoing, proposed, or future projects within the City's Sphere of Influence or specific areas of the City. In July 2018, the Ohlone tribe requested notification for projects in the City that involve ground-disturbing activities that require a Negative Declaration, Mitigated Declaration, or Environmental Impact Report. The Ohlone tribal representative was notified of this Project on March 3, 2019 and did not request consultation. At the time of preparation of this Initial Study, the City of San José had yet to receive any requests for consultation from tribes. As discussed in Section 5.5, Cultural Resources, and Response 4.5.3(a), the property does not meet any of the California Register criteria and the existing buildings on the Project site do not qualify as "historical resources" as defined by CEQA. Therefore, the proposed Project would not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the *State CEQA Guidelines* or PRC 5020.1(k).

Also discussed in Section 5.5, Cultural Resources, and Response 4.5.3(b), there is little potential for the proposed Project to impact prehistoric resources due to significant prior disturbance from past grading and development activities. In the unlikely event archaeological resources are discovered at any time during construction, those activities would be halted in the vicinity of the find until they can be assessed for significance by a qualified archaeologist (Cultural Resources Standard Permit Conditions). Implementation of Cultural Resources Standard Permit Conditions would reduce any potential impacts to previously undiscovered archaeological and/or tribal cultural resources to a less than significant level.

5.18.4 Conclusion

No Impact. Tribal representatives were notified of the proposed project in March 2019 and did not request consultation or provide evidence indicating that tribal cultural resources were present on the Project Site. Moreover, there is no evidence to suggest that cultural or historic resources are present on the site. Therefore, the proposed Project would not result in impacts to tribal cultural resources.

5.19 UTILITIES AND SERVICE SYSTEMS

5.19.1 Environmental Setting

5.19.1.1 Regulatory Framework

Federal and State Regulations

California Urban Water Management Planning Act

Under the California Water Code and Urban Water Management Planning Act of 1983, all California urban water suppliers are required to prepare and adopt an Urban Water Management Plan (UWMP) every five years, which promotes water conservation and efficiency measures. Urban water suppliers that serve more than 3,000 customers or are supplying more than 3,000 acre-feet of water annually are subject to this Act. This Act requires that the total project water use be compared to water supply sources over the next 20 years in five-year increments. Planning must occur for all drought years and must include a water recycling analysis that incorporates a description of the wastewater collection and treatment system, outlining existing and potential recycled water uses. In September 2014, the Act was amended by SB 1420, which now requires urban water suppliers to provide descriptions of their water demand management measures and similar information.

State Updated Model Landscape Ordinance

The State Updated Model Landscape Ordinance requires the adoption of landscape water conservation ordinances or the adoption of a different ordinance that is at least as stringent as the updated Model Ordinance (MO). The City adopted Water Efficient Landscaping Standards for new and Rehabilitated Landscaping in 2013, as well as the revised SJMC Chapter 15.11.

Water Conservation Act of 2009

The Water Conservation Act of 2009 (SB X7-7) requires all water suppliers to increase water use efficiency by reducing per capita urban water use by 20 percent by December 31, 2020. This bill also set a goal for the state of reducing per capita water use by at least 10 percent by December 31, 2015.

California Integrated Waste Management Act (AB 939)

AB 939 established the California Integrated Waste Management Board under CalRecycle, which required all counties within California to prepare integrated waste management plans. Additionally, it changed the focus of solid waste management from landfill to diversion strategies (e.g., source reduction, recycling, and composting), and required all municipalities to divert 25 percent of their solid waste from landfill disposal by January 1, 1995 and fifty percent by the year 2000. The City of San José currently generates 1.7 million tons of solid waste annually, and diverts 60 percent of its waste streams by utilizing curbside recycling, yard waste collection, and composting programs.

CALGreen Building Code

CALGreen requires mandatory green standards that all buildings in California must abide by, including: reducing indoor water use, reducing wastewater, recycling and/or salvaging nonhazardous construction and demolition debris, and providing readily accessible areas for

recycling by the occupant. The code includes different categories such as energy, water, material, and resource efficiency. These standards include a mandatory set of minimum guidelines, as well as more stringent voluntary measures for new construction projects that local communities can opt into.

Local Regulations

Envision San José 2040 General Plan

The Infrastructure (IC) and the Measurable Environmental Sustainability (MS) sections of the City's General Plan includes the following goals and policies related to recreation that are applicable to the proposed Project:

Goal MS-3 **Water Conservation and Quality:** Maximize the use of green building practices in new and existing development to minimize the use of potable water and to reduce water pollution.

Policy MS-3.1 Require water-efficient landscaping, which conforms to the State's Model Water Efficient Landscape Ordinance, for all new commercial, institutional, industrial, and developer- installed residential development unless for recreational needs or other area functions.

Policy MS-3.2 Promote use of green building technology or techniques that can help reduce the depletion of the City's potable water supply, as building codes permit. For example, promote the use of captured rainwater, graywater, or recycled water as the preferred source for non-potable water needs such as irrigation and building cooling, consistent with Building Codes or other regulations.

Policy MS-3.3 Promote the use of drought tolerant plants and landscaping materials for non- residential and residential uses.

Policy MS-3.4 Promote the use of green roofs (i.e., roofs with vegetated cover), landscape-based treatment measures, pervious materials for hardscape, and other stormwater management practices to reduce water pollution.

Policy IN-3.10 Incorporate appropriate stormwater treatment measures in development projects to achieve stormwater quality and quantity standards and objectives in compliance with the City's National Pollutant Discharge Elimination System (NPDES) permit.

Goal MS-6 **Waste Reduction:** Reduce generation of solid and hazardous waste.

Policy MS-6.3 Encourage the use of locally extracted, manufactured or recycled and reused materials, including construction materials and compost.

Policy MS-6.5 Reduce the amount of waste disposed in landfills through waste prevention, reuse, and recycling of materials at venues, facilities, and special events.

Policy MS-6.12 Promote use of recycled materials, including reuse of existing building shells/ elements, as part of new construction or renovations.

Goal MS-14 **Reduce Consumption and Increase Efficiency:** Reduce per capita energy consumption by at least 50% compared to 2008 levels by 2022 and maintain or reduce net aggregate energy consumption levels equivalent to the 2022 (Green Vision) level through 2040.

Policy MS-14.4 Implement the City's Green Building Policies (see Green Building Section) so that new construction and rehabilitation of existing buildings fully implements industry best practices, including the use of optimized energy systems, selection of materials and resources, water efficiency, sustainable site selection, passive solar building design, and planting of trees and other landscape materials to reduce energy consumption.

Goal MS-18 **Water Conservation**: Continuously improve water conservation efforts in order to achieve best in class performance. Double the City's annual water conservation savings by 2040 and achieve half of the Water District's goal for Santa Clara County on an annual basis.

Policy MS-18.4 Retrofit existing development to improve water conservation.

Goal MS-19 **Water Recycling:** Recycle or beneficially reuse 100% of the City's wastewater supply, including the indirect use of recycled water as part of the potable water supply.

Policy MS-19.4 Require the use of recycled water wherever feasible and cost-effective to serve existing and new development.

Zero Waste Resolution

In 2007, the City of San José adopted a Zero Waste Resolution (No. 74077). This resolution set a goal of shifting consumption patterns to achieve 75 percent waste diversion by 2013 and a goal of zero waste by 2022 for the City. Key zero waste objectives that the City included are:

- Improving "downstream" reuse and recycling of end-of-life products and materials to ensure their highest and best use;
- Pursuing "upstream" redesign strategies to reduce the volume and toxicity of discarded products and materials while promoting less wasteful lifestyles;
- Supporting the reuse of discarded products and materials to stimulate and drive local economic workforce development; and
- Preserving land for sustainable development and green industry infrastructure.

Zero Waste Strategic Plan

The Integrated Waste Management Zero Waste Strategic Plan was adopted by the City of San José Environmental Services Department in November 2008. This plan has adopted three phases focusing on education, advocacy, and regulations in order to achieve its goal of diverting 75 percent of waste from landfills. Some aspects that the plan focuses on in the long-term include implementing mixed waste recycling in single-family residential garbage, promoting new energy conversion technologies to convert residual wastes into energy, and strengthening the market for reusable materials.

Private Sector Green Building Policy

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

2015 Urban Water Management Plan (UWMP)

Water is provided to the Project site by San José Water Company (SJWC). San José Water adopted a UWMP in 2011 as per SB X7-7 and the Urban Water Management Planning Act (Section 10610 of Division 6 of the California Water Code). These plans are prepared every five years and must address the reliability of water sources within the following 20 years as well as other demand management measures and water shortage contingency plans. Additionally, the UWMP identifies strategies to meet requirements under SB X7-7 by reporting on progress towards meeting a 20 percent reduction for per-capita urban water use by the year 2020. The UWMP also plans for emergencies and times of water shortage.

5.19.1.2 Existing Setting

Wastewater Treatment. The Project site is located within the sewer service area of the City's San José-Santa Clara Regional Wastewater Facility (RWF), which is responsible for the primary, secondary, and tertiary treatment and disposal of treated wastewater. The existing capacity of the RWF is 167 million gallons per day (mgd) and currently treats an average of approximately 110 mgd,

about 65 percent of its total capacity.[1] The RWQCB also has established an effluent flow trigger of 120 mgd to minimize the amount of fresh water effluent, which is discharged into the San Francisco Bay.[2] The actual Average Dry Weather Influent flow (ADWIF) in 2016 identified the highest 5-weekday period from June through October at 101.1 mgd as well as the actual Average Dry Weather Effluent flow at 73.0 mgd occurring through the months of July to September.[3,4] Based on the average daily dry weather flow from sources in San José, approximately 69.8 mgd, or 64 percent of the City's total allocated 108.6 mgd of wastewater flow to the RWF, the City currently has approximately 38.8 mgd of available treatment capacity.[5] The City's level-of service goal for sewage treatment is to remain within RWF's capacity.

The RWF is currently operating under a 120 mgd (dry weather) flow trigger, which is based upon SWRCB and RWQCB concerns over the impacts of additional freshwater discharges from the RWF on saltwater marsh habitat and pollutant loading to the Bay from the RWF. The City has addressed these concerns within the Clean Bay Strategy and the South Bay Action Plan. The Clean Bay Strategy outlines the City's goals towards reducing effluent discharges to the South San Francisco Bay as mandated under NPDES, and encourages an integrated watershed management structure that considers the total water quality and supply issues influencing the South Bay area. The South Bay Action Plan describes conservation activities that aim to reduce effluent flow from the RWF to ensure that it remains below 120 mgd. Additionally, a contingency plan is in place in the event that Average Dry Weather Effluent flow reaches a planning trigger of 115 mgd.

Sanitary Sewer System. The City of San José's Environmental Services Department is the primary agency responsible for sewer facilities in the City. The City maintains approximately 2,294 miles of wastewater collection system pipeline that ranges from six to 90 inches in diameter, including approximately 45,000 manholes and 16 sewage lift stations. Collected wastewater is conveyed to the San José-Santa Clara Regional WPCP by major interceptor pipelines located in the northern portion of San José.[6] The San José-Santa Clara Regional WPCP would receive wastewater generated from the proposed Project. The WPCP treats an average of 110 million gallons of wastewater per day (mgd), with a capacity of up to 167 mgd. Thus, remaining capacity of the plant is approximately 57 mgd.

The SWRCB has issued statewide waste discharge requirements for sanitary sewer systems, which include requirements for development of a Sewer System Management Plan (SSMP). The most

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1 City of San José, 2017. San José-Santa Clara Regional Wastewater Facility. Website: https://www.sanjosecaca.gov/Index.aspx?NID=1663 (accessed December 12, 2018).

2 San José – Santa Clara RWF, 2017. Annual Self-Monitoring Report, 2016. Website: https://www.sanjosecaca.gov/ArchiveCenter/ViewFile/Item/2950 (accessed December 12, 2018).

3 San José – Santa Clara RWF, 2017. Annual Self-Monitoring Report, 2016. Website: https://www.sanjosecaca.gov/ArchiveCenter/ViewFile/Item/2950 (accessed December 12, 2018).

4 City of San José, 2017. San José-Santa Clara Regional Wastewater Facility. Website: https://www.sanjosecaca.gov/Index.aspx?NID=1663 (accessed December 12, 2018).

5 SCVTA, 2016. VTA's BART Silicon Valley—Phase II Extension Project Draft SEIS/SEIR (p. 4.15-13). http://vtaorgcontent.s3-us-west-1.amazonaws.com/Site_Content/4.15_Utilities.pdf (accessed December 12, 2018).

6 City of San José. 2014. Sewer System Management Plan. October. Website: https://www.sanjoseca.gov/DocumentCenter/Home/View/7.

recent SSMP was prepared by the City in October 2014. The SSMP describes the City's wastewater collection system management activities so to maintain system infrastructure and minimize the impact of sanitary sewer overflows (SSOs).

The General Plan calls for a level of service (LOS) D for sanitary sewer lines. At LOS D, the sewer main is occasionally running full. New development is required by existing policies to avoid or minimize impacts upon any existing or anticipated LOS E sewer lines by constructing or contributing to the construction of new lines or by waiting for completion of planned sewer line improvements. The City's existing sanitary sewer system operates with approximately 95 percent of the trunk sewer pipelines at LOS D or better, under dry weather conditions.

Water Service and Supply. The City of San José has three water service providers who each serve different regions of the City. The San José Water Company (SJWC) is the water service provider currently serving the Project site. The SJWC's main sources of water supply are from groundwater, imported treated water from the SCVWD, and surface water runoff from the surrounding mountains.[1]

The SCVWD is required to prepare an UWMP every five years to provide long-term water resource planning and to ensure adequate water supplies are available to meet existing and future water demands, in accordance with the UWMP Act. The Final Draft 2015 UWMP was completed in May 2016.[2] Currently, the City has the available water supply to meet projected demands through the year 2040 for the San José Municipal Water System.

Stormwater. As discussed in Section 5.10, Hydrology and Water Quality, stormwater runoff from the Project site is conveyed to City stormdrain systems. The City's stormwater drainage system flows into facilities that are owned, operated, and maintained by the Santa Clara Valley Urban Runoff Pollution Prevention Program, which is an association of thirteen cities and towns in Santa Clara Valley, the County of Santa Clara, and the Santa Clara Valley Water District. The City of San José Public Works Department operates and maintains the City's storm drain system, which has over 1,150 miles of storm drains and drainage channels as well as 29 stormwater pump stations. City infrastructure such as catch basins and storm drain pipes collect stormwater runoff, which is eventually discharged into the San Francisco Bay. The U.S. Army Corps of Engineers (USACE) and SCVWD jointly oversee and operate the region's flood control facilities and stream channels. In low-lying areas of the City stormwater pump stations are employed to facilitate drainage when gravity drainage is not feasible.[3] The existing storm drain system drains north and eventually connects to the City storm drain on Snell Avenue.

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1 San José Municipal Water System. 2016. *2015 Urban Water Management Plan, Sources of Supply*. June.

2 Santa Clara Valley Water District (SCVWD), 2015 Urban Water Management Plan, adopted May 2016, Website: http://www.valleywater.org/Services/UWMP.aspx (accessed December 12, 2018).

3 City of San José. 2011. Envision San José 2040 Draft Environmental Impact Report, June 2011.

Solid Waste. Waste collection and recycling services are provided by the City of San José through a service contract with Republic Services. Republic Services collects solid waste, green waste (e.g., grass clippings and tree and shrub clippings), and items for recycling.

Republic Services operates a Wet/Dry waste system, which receives organics, recyclables, and all other wastes. Waste collected by Republic Services is sorted locally at the Newby Island Resources Recovery Park. After sorting, recyclable materials are captured for reuse, diverting them from a landfill. Organic materials are transported to a Zero Waste Energy Development facility and processed via anaerobic digestion, producing electricity and compost. Republic Service's waste collection and recycling services would ensure that waste streams produced by the Project would adhere to the State's Mandatory Recycling (AB 341) and Mandatory Organics (AB 1826) laws.

The City of San José currently generates 1.7 million tons of solid waste annually, and diverts 60 percent of its waste streams by utilizing curbside recycling, yard waste collection, and composting programs. Waste collection and recycling services are provided by the City of San José through a service contract with Republic Services. Republic Services collects solid waste, green waste (e.g., grass clippings and tree and shrub clippings), and items for recycling.

5.19.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Would the project:				
a. Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities or the construction of which could cause significant environmental effects?	☐	☐	☒	☐
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple years?	☐	☐	☒	☐
c. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	☒	☐
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☐	☐	☒	☐
e. Comply with federal, State, and local management and reduction statutes and regulations related to solid wastes?	☐	☐	☒	☐

5.19.3 Impact Analysis

a. Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction of which could cause significant environmental effects?

Less Than Significant Impact.

Water. Short-term demand for water may occur during construction activities on site. Water demand for soil watering (fugitive dust control), cleanup, masonry, painting, and other activities would be temporary and would cease at Project build out. Overall, demolition and construction activities require minimal water and are not expected to have any adverse impacts on the existing water system or available water supplies. Therefore, potential project impacts associated with short-term construction activities would be less than significant.

As shown in Table 5.19.A, the proposed Project would result in a net increase of 293,694 sf of self-storage uses, which would result in a projected water demand of 52,864.92 gpd, or 59.22 AFY. As is required of all new development in California, the proposed Project would comply with California State law regarding water conservation measures, including pertinent provisions of Title 24 of the California Government Code (Title 24) regarding the use of water-efficient appliances and low-flow plumbing fixtures.

Table 5.19.A: Water Demand and Wastewater Generation Rates

Land Use Type	Generation Rate	Proposed Project (net increase in sf)	Total per Day
Wastewater Generation			
Light Industrial	90 percent of water demand	293,694 sf	47,578 gpd
Water Generation[1]			
Light Industrial	0.18 gallons/sf/day	293,694 sf	52,864 gpd

Source: *Program EIR, North San José Development Policies Update* (March 2005).

[1] Wastewater usage estimates were calculated based on the assumption that approximately 90 percent of potable water use is returned to the system as wastewater. Conversely, generation rates provided in the previous section, assuming that approximately 90 percent of water demand results in wastewater generation on site.

gpd = gallons per day
sf = square foot/feet

The estimated increase in water demand associated with new development proposed as part of the Project would represent approximately 0.04 of the SJWC's projected water demand for the years 2020 and 2035 (140,607 AF and 155,479 AF, respectively).[1]

According to SJWC's 2015 UWMP, the City's available water supply will meet the future projected demand because the SJWC significant water reserves, groundwater supplies, and opportunity to purchase additional imported water from the Santa Clara Valley Water District. As per SCVWD's

[1] 59 AFY (project-related increase in water demand)/ 140,607 AF water demand in 2020 = 0.04 percent. 59 AFY (project-related increase in water demand)/ 155,479 AF water demand in 2035 = 0.04 percent.

Draft 2015 UWMP, water supplies, with the use of reserves, are sufficient to meet demands during a single dry year through 2035 without temporary reductions of water demands.[1] Additionally, during year 1 of the multiple dry year scenario, no shortage of supply is anticipated.[2] However, during years 2 and 3 of the multiple-dry year period, supplies will be insufficient to meet the projected water demand without the aid of temporary reductions.

In order to ensure the adequate provision of water during a multiple-dry year scenario, a combination of calls for short-term water use reductions, use of reserves, and obtaining additional water supplies through water transfers and exchanges would be employed. Tier One and Tier Two Water Shortage Allocation Plans would also be implemented in the event of a multiple dry year scenario. A Tier One Plan would allow for the voluntary transfer of water allocations between wholesale customers and would also allow for water "banked" by wholesale customers (through reductions in use) to be transferred to other customers in need of additional supplies. The Tier Two Plan would allocate the collective wholesale customer share among the wholesale customers based on supply guarantees, seasonal use of water, and residential per capita use. In other words, as customers change their water use characteristics, the allocation of water to each customer would also change. The Tier 2 Plan would also impose water use restrictions during single- and multiple-year shortages.

With the implementation of water reduction measures as outlined above, the City would have adequate water supplies to meet full service demands following Project implementation. As such, the proposed Project would not necessitate new or expanded water entitlements, and the SJWC would be able to accommodate the increased demand for potable water. Project impacts associated with an increase in potable water demand would be less than significant, and no mitigation would be required.

Wastewater. Phase I of the proposed Project includes the installation of a sanitary sewer line that would connect to the existing on-site sewer lateral, which itself dischargers into the existing City-owned sewer main (30-inch reinforced concrete) in Snell Avenue. Sewer improvements proposed as part of Phase II are unknown at this time but are anticipated to be similar to sewer improvements proposed as part of Phase I. All sewer improvements proposed as part of Phase II would be consistent with applicable sewer standards outlined in Section 15.12, Sewers, Section 15.14, Sewer Use Regulations, and Section 15.16, Sewer Connections and Storm Drainage, of the City's Municipal Code.

As previously stated, the proposed Project is anticipated to generate 47,578 gpd of wastewater, which would be approximately 0.08 percent of the remaining daily treatment capacity (57 million gpd) at the San José-Santa Clara Regional WPCP.[3] The San José-Santa Clara Regional WPCP is in compliance with the San Francisco Bay RWQCB's wastewater treatment requirements and has the

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1 San José Municipal Water System. 2016. *2015 Urban Water Management Plan, Single Dry Year Supplies and Demands*. Website: https://www.sanjoseca.gov/DocumentCenter/View/57483 (accessed January 14, 2019).

2 Ibid.

3 47,578 gpd (project-related increase in wastewater generated at the site)/ 57,000,000 gpd (available capacity at the San José/Santa Clara WPCP) = 0.08 percent.

capacity to accommodate the increased wastewater flows from the proposed Project. Therefore, development of the proposed Project would not require, nor would it result in, the construction of new wastewater treatment or collection facilities or expansion of existing facilities other than those facilities to be constructed on site, which could cause significant environmental effects. Project impacts related to the construction of wastewater treatment or collection facilities would be less than significant, and no mitigation would be required.

Storm Water and Drainage. As discussed in detail in Section 5.10, Hydrology and Water Quality, stormwater runoff from the Project site is conveyed to City stormdrain systems. The City's stormwater drainage system flows into facilities that are owned, operated, and maintained by the Santa Clara Valley Urban Runoff Pollution Prevention Program, which is an association of thirteen cities and towns in Santa Clara Valley, the County of Santa Clara, and the Santa Clara Valley Water District. The City is responsible for regulating inflows to and discharges from its municipal storm drainage system.

As discussed further in Section 5.10, Hydrology and Water Quality, the proposed Project would increase the impervious surface area on the Project site by 0.11 acre compared to existing conditions, which would potentially increase runoff generated on the Project site. An increase in runoff has the potential to exceed the capacity of downstream stormdrain systems. However, the Project would be required to include Low Impact Development (LID) Best Management Practices (BMPs) and hydromodification controls (HMCs) (bioretention, pervious pavement, and flow through planters) to reduce off-site runoff. With implementation of the LID BMPs and HMCs, post-development runoff would not exceed existing conditions and, therefore, the capacity of downstream storm drain systems would not be exceeded. Because the volume runoff from the site would be equal to existing conditions, the proposed Project would not require or result in the construction of new stormwater drainage facilities or expansion of existing facilities beyond the on-site improvements included as part of the proposed Project. Therefore, impacts to stormwater drainage facilities would be less than significant with the inclusion of LID BMPs and HMCs. No mitigation would be required.

Electric Power. Refer to Section 5.6, Energy, for further discussion related to the Project's impacts with respect to existing and projected supplies of electricity. As discussed further in Section 5.6, the Project would not require or result in the relocation or construction of new or expanded electric power facilities, the construction of which could cause significant environmental effects. No mitigation would be required.

Natural Gas. Refer to Section 5.6, Energy, for further discussion related to the Project's impacts with respect to existing and projected supplies of natural gas. No proposed uses on the Project site would use natural gas. As discussed further in Section 5.6, the Project would not require or result in the relocation or construction of new or expanded natural gas facilities, the construction of which could cause significant environmental effects. No mitigation would be required.

Telecommunications. Construction activities associated with the proposed Project would not increase the demand for telecommunications facilities. Similarly, operation of the proposed Project would not result in an increased demand for telecommunications facilities as the Project would not increase employees on the site and does not include any uses that would induce population growth.

Therefore, implementation of the proposed Project would not result in impacts related to the construction or relocation of existing telecommunications facilities, and no mitigation would be required.

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

Less Than Significant Impact. As previously stated in Response 4.19.3(a), above, the Project-related increase in water use would not necessitate new or expanded water entitlements, and the City would be able to accommodate the increased demand for water. Therefore, the City would have sufficient water supplies available to serve the Project from existing entitlements and would not require new or expanded entitlements. In addition, the proposed Project is consistent with the City's General Plan and the planned land uses for the Project site. Impacts related to water supplies during normal, dry and multiple dry years would be less than significant, and no mitigation would be required.

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

Less Than Significant Impact. As previously stated in Response 4.19.3(b), the proposed Project would not generate a significant increase in wastewater from the Project site. The increased wastewater flows from the proposed Project can be accommodated within the existing design capacity of the treatment plants that currently serve the City. Therefore, the wastewater treatment providers would have adequate capacity to serve the Project's projected demand in addition to the providers' existing commitments. In addition, the proposed Project is consistent with the City's General Plan and the planned land uses for the Project site. Impacts related to wastewater generation would be less than significant, and no mitigation would be required.

d. Would the Project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less Than Significant Impact. Construction waste is anticipated to be minimal compared to waste generated throughout the lifetime of the Project during project operation. The proposed Project would generate approximately 0.01 tons of solid waste per day during project operation, assuming that two employees are working concurrently. Solid waste generation rates are based upon California Department of Resources Recycling and Recovery (CalRecycle) values for warehouse waste generation sources.[1,2] Note that project operation would involve use of on-site self-storage facilities, and that actual waste generation may likely be less than the rate for warehousing facilities provided by CalRecycle. Trash facilities would be locked and would not be accessible to customers; only employees would have access to trash facilities. For these reasons, waste generation estimates are conservative because actual waste generation as a result of the Project is likely to be lower than

[1] 13.82 lbs/employee/day * 2 employees = 27.64 lbs per day = 0.01 ton per day

[2] Cal Recycle. Estimated Solid Waste Generation Rates. Waste Characterization. General Info (accessed August 14, 2018).

estimated. The incremental increase of solid waste generated by the proposed Project would constitute approximately 0.0022 percent of the existing daily disposal (625 tons per day [tpd]) at the Newby Island Sanitary Landfill. Furthermore, permitted maximum tonnage is 4,000 tons per day.[1] Therefore, solid waste generated by the proposed Project would not cause the capacity of the Newby Island Sanitary Landfill to be exceeded. The proposed Project would result in a less than significant impact to the generation of solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals, and no mitigation would be required.

e. Would the project comply with federal, State, and local management and reduction statutes and regulations related to solid waste?

Less Than Significant Impact. The proposed Project would comply with existing and future statutes and regulations, including waste diversion programs mandated by City, State, or federal law. In addition, as discussed above, the proposed Project would not result in an excessive production of solid waste that would exceed the capacity of the existing landfill serving the Project site. Therefore, the proposed Project would not result in an impact related to federal, State, and local management and reduction statutes and regulations related to solid wastes, and no mitigation would be required.

5.19.4 Conclusion

Less Than Significant Impact. The proposed Project would not require construction of new off-site facilities for wastewater treatment, storm drainage, water, waste disposal, telecommunications, natural gas, or electric power. Impacts to stormwater drainage facilities would be less than significant with adherence to the requirements of the City's Post-Construction Runoff Policy and Provision C.3 of the MRP. Existing facilities have the capacity to serve the anticipated uses, and the Project would not substantially increase demand upon these facilities compared to existing conditions. No mitigation would be required.

[1] City of San José. 2015. Newby Island Sanitary Landfill. Solid Waste Facility Permit. February 5, 2015.

5.20 WILDFIRE

5.20.1 Environmental Setting

5.20.1.1 Regulatory Framework

Federal and State Regulations

California Department of Forestry and Fire Protection (CAL FIRE)

The California Department of Forestry and Fire Protection (CAL FIRE) publishes maps that predict the threat of fire for each county within the State. Local Responsibility Areas and State or Federal Responsibility Areas are classified as either very high fire hazard severity zones (VHFHSZ) or non-VHFHSZ based on factors including fuel availability, topography, fire history, and climate. The 2012 Strategic Fire Plan for California was generated by CAL FIRE to provide guidelines and objectives in order to account for associated fire impacts.

California Fire Code

Chapter 17.12 of the City of San José's (City) Municipal Code adopts the California Fire Code by reference, which is updated every three years. The California Fire Code includes regulations for emergency planning, fire service features, fire protection systems, hazardous materials, fire flow requirements, and fire hydrant locations and distribution. Several fire safety requirements include: installation of sprinklers in all high-rise buildings; the establishment of fire resistance standards for fire doors, building materials, and particular types of construction; and the clearance of debris and vegetation within a prescribed distance from occupied structures in wildlife hazard areas.

California Emergency Management Agency (CalEMA)

The California Emergency Management Agency (CalEMA) was consolidated as part of the Governor's Office on January 1, 2009, merging the former Governor's Office of Emergency Services with the existing Governor's Office of Homeland Security. CalEMA coordinates all State agency response to major disasters to provide support and hazard mitigation efforts for local governments. The agency also ensures the State has the appropriate resources and plans in order to respond in the event of all natural and human-induced emergencies and disasters.

Executive Order N-05-19

On January 9, 2019, Gov. Gavin Newsom announced an E.O. that requires CAL FIRE and other State agencies to compile policy and regulatory recommendations concerning wildfire mitigation, emphasizing environmental sustainability and public health. The E.O. requires the incorporation of socioeconomic analysis when conducting risk management of wildfires and mandates that agencies identify geographic areas with populations that are more vulnerable to the impacts of wildfires.

Local Regulations

Envision San José 2040 General Plan

The Environmental Considerations/Hazards (EC) and Parks, Open Space, and Recreation (PR) sections of the City's General Plan include the following goals and policies related to wildfire that are applicable to the proposed Project.

Policy EC-8.1 Minimize development in very high fire hazard zone areas. Plan and construct permitted development so as to reduce exposure to fire hazards and to facilitate fire suppression efforts in the event of a wildfire.

Policy EC-8.2 Avoid actions which increase fire risk, such as increasing public access roads in very high fire hazard areas, because of the great environmental damage and economic loss associated with a large wildfire.

Policy EC-8.3 For development proposed on parcels located within a very high fire hazard severity zone or wildland-urban interface area, implement requirements for building materials and assemblies to provide a reasonable level of exterior wildfire exposure protection in accordance with City-adopted requirements in the California Building Code.

Policy EC-8.4 Require use of defensible space vegetation management best practices to protect structures at and near the urban/wildland interface.

Action EC-8.5 Periodically assist with revisions and updates of appropriate sections of the County-wide Area Plan that address emergency response to fires at the urban/ wildland interface.

Action EC-8.6 Provide information to the public on fire hazard reduction in cooperation with local, regional, and state agencies, including the County of Santa Clara FireSafe Council.

San José Emergency Operations Plan. Under State law, local governments are required to create and administer an Emergency Operations Plan (EOP) under the guidelines provided by the Federal Emergency Management Agency (FEMA). The State Office of Emergency Services (OES) adopts these emergency management guidelines for business activities in the Emergency Operations Center (EOC). The *City of San José Emergency Operations Plan* was adopted in 2004 and was updated most recently on May 15, 2016.

5.20.1.2 Existing Setting

The Project site and the surrounding areas are developed with urban and suburban uses and do not include brush- and grass-covered areas typically found in areas susceptible to wildfires. Wildland fires occur in geographic areas that contain the types and conditions of vegetation, topography, weather, and structure density susceptible to risks associated with uncontrolled fires that can be started by lightning, improperly managed camp fires, cigarettes, sparks from automobiles, and other ignition sources. According to the CAL FIRE Very High Fire Hazard Severity Zone Map for the Santa Clara County Region, the Project site is not located within a Very High Fire Hazard Severity Zone.[1]

[1] State of California. Department of Forestry and Fire Protection (CAL FIRE). Wildland Hazard & Building Codes, Santa Clara County, FHSZ Map. State and Local Responsibility Areas. Website: http://www.fire.ca.gov/fireprevention/fhsz_maps_santaclara (accessed July 18, 2018).

5.20.2 Checklist and Discussion of Impacts

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	☒
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	☐	☐	☐	☒
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☐	☐	☐	☒
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff post-fire slope instability, or drainage changes?	☐	☐	☐	☒

5.20.3 Impact Analysis

a. Substantially impair an adopted emergency response plan or emergency evacuation plan?

No Impact.

Construction. The Project site is not located in or near a VHFHSZ nor is it located in or near a State Responsibility Area, as defined by CAL FIRE. As discussed in Section 5.17, Transportation, the proposed Project is not anticipated to result in any substantial traffic queuing along Snell Avenue or West Capitol Expressway during short-term construction activities. All large construction vehicles entering and exiting the site would be guided by the use of personnel using signs and flags to direct traffic. The Project does not include any characteristics that would physically impair or otherwise interfere with emergency response or evacuation in the Project vicinity; however, the proposed Project may require temporary lane closures on Snell Avenue or West Capitol Expressway to allow for utility connections. The Project may also include temporary lane closures on West Capitol Expressway to accommodate the extension of the existing 370 ft westbound left-turn lane at Vistapark Drive/West Capitol Expressway by 80 ft (a revised left-turn lane of 450 ft). Temporary lane closures would be implemented consistent with the recommendations of the California Joint Utility Traffic Control Manual (Caltrans 2014). Among other things, the manual recommends early coordination with affected agencies to ensure that emergency vehicle access is maintained. In this manner, officials can plan and respond appropriately to direct the public away from West Capitol Expressway and Snell Avenue in the event of an emergency requiring evacuation. As described Section 5.9, Hazards and Hazardous Materials, the Project Applicant would adhere to all applicable City requirements and would incorporate recommendations outlined in the California Traffic Control Manual (Caltrans 2014) to ensure that emergency vehicles would be able to navigate through streets adjacent to the Project site that may experience congestion due to construction activities. However, since the Project site is not located in or near a VHFHSV nor is it located in or near a State

Responsibility Area, potential impacts described above would not pertain to wildfire. Therefore, construction of the proposed Project would not substantially impair an adopted emergency response plan or emergency evacuation plan. No mitigation would be required.

Operation. The Santa Clara County Operational Area Emergency Operations Plan[1] establishes emergency organization, assigns tasks, specifies policies and general procedures, and provides for coordination of response in the event of an emergency. The plan does not identify specific emergency response or evacuation routes.

The Project consists of self-storage uses that are similar in nature to existing uses on the site. The Project would not impair or physically interfere with an adopted emergency response plan. Roads that are used as response corridors and evacuation routes usually follow the most direct path to or from various parts of the community. For the Project site, the main corridors utilized would be Snell Avenue and West Capitol Expressway.

The proposed Project would not physically interfere with an adopted emergency response plan or emergency evacuation plan. The proposed Project would be developed in accordance with City of San José emergency access standards. The proposed Project would also be required to comply with all applicable codes and ordinances for emergency vehicle access, which would ensure adequate access to, from, and on site for emergency vehicles.

b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

No Impact. As stated previously, the Project site is not located in or near a VHFHSZ nor is it located in or near a State Responsibility Area. Therefore, the proposed Project would not exacerbate wildfire risks due to slope and prevailing winds, thereby exposing Project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. No mitigation would be required.

c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

No Impact. Utility and infrastructure improvements included as part of the Project are described in Section 2.0, Project Description. These improvements include the installation of new sanitary sewer, water, and fire water lines on the site that would connect to off-site facilities in West Capitol Expressway and Snell Avenue.

The Project site is not located in or near a VHFHSZ nor is it located in or near a State Responsibility Area. Utility installations and improvements to the westbound left-turn lane at Vistapark Drive/West Capitol Expressway would not exacerbate fire risk due to the location of the Project site in an urban

[1] County of Santa Clara. 2017. County of Santa Clara Emergency Operations Plan, Approved January 10, 2017. Website: https://www.sccgov.org/sites/oes/partners/Documents/emergency-operations-plan-jan-2017. pdf (accessed August 8, 2018).

area outside of a designated fire hazard zone. Moreover, the installation of the proposed 8-inch fire water line would aid in fire suppression in the unlikely event of a wildfire. Therefore, the proposed Project would not require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that would exacerbate fire risk or result in temporary or ongoing impacts to the environment. No mitigation would be required.

d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff post-fire slope instability, or drainage changes?

No Impact. Landslides and other forms of mass wasting, including mud flows, debris flows, and soil slips, occur as soil moves downslope under the influence of gravity. Landslides are frequently triggered by intense rainfall or seismic shaking but can also occur as a result of erosion and downslope runoff caused by rain following a fire. As previously discussed in Section 5.7, Geology and Soils, Response 3.6.(a)(iv), landslides or other forms of natural slope instability do not represent a significant hazard to the Project because the site is located in a relatively flat area, and there is no evidence of landslides in the Project vicinity. Additionally, the Project site does not lie within a designated Landslide Hazard Zone. Further, as stated previously, the Project site is not located in or near a VHFHSZ nor is it located in or near a State Responsibility Area. Therefore, the proposed Project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. No mitigation would be required.

5.20.4 Conclusion

No Impact. Since the Project site is not located in or near a VHFHSV nor is it located in or near a State Responsibility Area, implementation of the proposed Project would not result in impacts related to wildfires in San José. No mitigation would be required.

5.21 MANDATORY FINDINGS OF SIGNIFICANCE

5.21.1 Environmental Setting

5.21.1.1 Regulatory Framework

Refer to the Regulatory Framework sections (at the beginning of each environmental section) that are provided in throughout Section 5.0 of this IS/MND.

5.21.1.2 Existing Setting

The Project site is located in an urban area. The Project site is currently developed with 16 single-story self-storage buildings. No portion of the Project site or the immediately surrounding area contains an open body of water that serves as natural habitat in which fish could exist. Likewise, the Project site is not suitable to support special-status species, and no known candidate, sensitive, or special-status species are known to inhabit the site.

5.21.2 Checklist and Discussion of Impacts

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

5.21.3 Impact Analysis

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

Less Than Significant Impact with Mitigation Incorporated. Due to the urban nature of the site and limited on-site landscaping, impacts to candidate, sensitive, or special-status plant and animal species would be less than significant. Based on the Project Description and the preceding

responses, development of the proposed Project does not have the potential to degrade the quality of the natural environment. Implementation of the proposed Project would include the removal of some non-native landscaping and mature trees. The proposed Project would include the planting of a variety of trees along the perimeter of the Project site, as well as in the interior of the site. The existing on-site trees may, however, provide suitable habitat for nesting birds, some of which are protected by the Migratory Bird Treaty Act (MBTA). Disturbing or destroying active nests that are protected is a violation of the MBTA. In addition, nests and eggs are protected under California Fish and Game Code Section 3503. Implementation of Mitigation Measures BIO-1 and BIO-2, in Section 5.4, Biological Resources, would ensure that the Project complies with the MBTA and requires nesting bird surveys if vegetation and tree removal occur between February 15 and August 31 to reduce potential project impacts related to migratory birds. Further, the proposed Project would comply with Standard Permit Conditions, also outlined in Section 5.4, Biological Resources, to limit impacts to on-site trees following implementation of the Project and to ensure compliance with the SCVHP. With implementation of Measures BIO-1 and BIO-2 and adherence to Standard Permit Conditions, potential impacts to biological resources would be less than significant.

Although there is little potential for the Project to impact prehistoric resources due to significant prior disturbance from past grading and development activities, Project construction would require grading and excavation activities that may extend into native soils. Standard Permit Conditions outlined in Section 5.5, Cultural Resources, require construction to halt, in the unlikely event archaeological or historic resources are discovered, until a qualified archaeologist can evaluate the find. In the event that human remains are discovered during construction, Standard Permit Conditions, also outlined in Section 5.5, Cultural Resources, require notification of the proper authorities and adherence to standard procedures for the respectful handling of human remains. The potential for paleontological resources on the Project site is considered low because the site contains Artificial Fill (which has no paleontological sensitivity) at depths to 5 ft bgs and because the site has been heavily disturbed during past construction activities. In the unlikely event that fossil remains are encountered on the site, compliance with Standard Permit Conditions, outlined in Section 5.7, Geology and Soils, requires construction to halt in the event a paleontological resource is discovered until a qualified paleontologist can evaluate the find. Compliance with Standard Permit Conditions would reduce any potential impacts to previously undiscovered cultural resources, human remains, or paleontological resources to a less than significant level. No mitigation would be required.

Standard Permit Conditions and Mitigation Measures. Refer to Mitigation Measures BIO-1 and BIO-2 in Section 5.4, Biological Resources; and Standard Permit Conditions outlined in Section 5.5, Cultural Resources and Section 5.7, Geology and Soils.

b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects?)

Less Than Significant Impact. The Project site is currently developed and is located in an urban area. The proposed Project involves the expansion of an existing self-storage facility through the construction of two buildings that would be centrally located on the Project site. The proposed Project would rely on and can be accommodated by the existing road system, public parks, public services, and utilities. Based on the Project Description and the preceding responses, impacts related to the proposed Project are less than significant or can be reduced to less than significant levels with incorporation of Standard Permit Conditions and mitigation measures. The proposed Project's contribution to any significant cumulative impacts would be less than cumulatively considerable.

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

Less Than Significant with Mitigation Incorporated. The Project site is currently developed and is located in an urbanized area. The proposed Project involves the expansion of an existing self-storage facility through the demolition of eight existing buildings and the construction of two new buildings that would be centrally located on the Project site. The proposed Project would be consistent with all applicable zoning regulations. Therefore, the proposed Project would not require or necessitate a Zone Change, a Zoning Variance, or a General Plan Amendment. Furthermore, the proposed Project would result in less than significant impacts with respect to greenhouse gas (GHG) emissions. As stated previously, the Project would also result in less than significant impacts with respect to aesthetics, air quality, and biological, archaeological, paleontological, and tribal cultural resources with implementation of the Standard Permit Conditions listed below. Additionally, the proposed Project would result in less than significant impacts with respect to geological hazards and hazardous materials with implementation of the mitigation measures listed below. Project-related impacts with respect to hydrology and water quality, public services, noise, and traffic would also be less than significant with the incorporation of Standard Permit Conditions and mitigation measure listed below. Based on the Project Description and the preceding responses, development of the proposed Project would not cause substantial adverse effects to human beings because all potentially significant impacts of the proposed Project would be reduced to a less than significant level through the implementation of the Standard Permit Conditions and mitigation measures below.

Standard Permit Conditions and Mitigation Measures. Refer to Standard Permit Conditions in Section 5.1, Aesthetics; Standard Permit Conditions and Mitigation Measure AQ-1 in Section 5.3, Air Quality; Standard Permit Conditions and Mitigation Measures BIO-1 and BIO-2 in Section 5.4, Biological Resources; Standard Permit Conditions in Section 5.5, Cultural Resources; Standard Permit Conditions and Mitigation Measure GEO-1 in Section 5.7, Geology and Soils; Mitigation Measure HAZ-1 in Section 5.9, Hazards and Hazardous Materials; Standard Permit Conditions WQ-1 in Section 5.10, Hydrology and Water Quality; and Standard Permit Conditions and Mitigation Measure NOI-1 in Section 5.13, Noise.

5.21.4 Conclusion

Less Than Significant with Mitigation Incorporated. The proposed Project would result in less than significant environmental impacts with implementation of Standard Permit Conditions and mitigation measures outlined in Section 5.1, Aesthetics; Section 5.3, Air Quality; Section 5.4, Biological Resources; Section 5.5, Cultural Resources; Section 5.7, Geology and Soils; Section 5.9, Hazards and Hazardous Materials; Section 5.10, Hydrology and Water Quality; and Section 5.13, Noise.

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