

# Memorandum

date        October 29, 2013

to            Bill Roth and John Davidson

from        Jill Hamilton

subject     Errata for the First Amendment to the Draft EIR for the San Jose/Santa Clara Water Pollution Control Plant Master Plan

Attached please find replacement pages for Chapter 5 of the First Amendment to the Draft EIR to correct errata, primarily associated with editorial errors in Table S-1: Summary of Impacts and Mitigation Measures (presented on pages 5-2 through 5-46), as follows:

1. Due to editorial errors, revisions to Mitigation Measures NOI-1, HYD-4b, CUL-3a BIO-2e, and a reference to Mitigation Measure BIO-2e presented under Impact BIO-7, correctly shown in the main body of Chapter 5 (on pages 5-80, 5-101, 5-120, 5-214 through 5-216, and 5-241), are incorrectly shown in Table S-1. Pages 5-4, 5-16, 5-29 and 5-32 and 5-41 have been revised accordingly.
2. Due to a typographical error, revisions to Mitigation Measure TR-8 were presented as revisions to Mitigation Measure TR-3 on page 5-2 (Table S-1) and page 5-73. Pages 5-2, 5-3, 5-4 and 5-73 have been revised to correct these errors.
3. Due to an editorial error, revisions to Mitigation Measure C-HYD-1 (Cumulative Scour Assessment) to accommodate another measure added to the EIR and to designate the measure as a Project Design Feature were omitted from Chapter 5. To correct this oversight, page 5-46 and page 5-137 have been revised. In addition, the new Project Design Feature C-HYD-1 (Adaptive Management of Climate Change Effects on Coyote Creek Flood Risk, presented on page 5-135) was omitted from Table S-1; page 5-46 has been revised to include this Project Design Feature.
4. Due to an editorial error, two versions of revisions to Project Design Feature C-HYD-2 were presented in Chapter 5 (on pages 5-138 and 5-139). The revisions on page 5-138 are correct. The revisions presented on page 5-139 as well as in Table S-1 (page 5-46) are incorrect and have been deleted. Pages 5-46 and 5-139 have been revised accordingly.

These revisions do not materially affect the content of the Plant Master Plan EIR.

**TABLE S-1 (Continued)  
SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impacts	WPCP Improvements		Other Master Plan Land Uses (Program Level) <sup>a</sup>	Mitigation
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<b>TRANSPORTATION AND TRAFFIC</b>				
<b>Impact TR-3:</b> The construction activities associated with WPCP improvements would increase traffic volumes on area roadways and affect levels of service at the study intersections and freeways.	LSM	N/A	N/A	Implement <b>Mitigation Measure TR-4</b> for WPCP improvements.
<b>Impact TR-4:</b> The construction activities associated with the project would temporarily reduce roadway capacity and increase traffic delays on area roadways.	LSM	N/A	N/A	<p><b>Mitigation Measure TR-4: Implement Project Traffic Control Plan.</b></p> <p><i>The following measure applies to proposed WPCP improvements.</i></p> <p>The project proponent shall prepare and implement a traffic control plan to reduce traffic impacts on the roadways at and near the work site, as well as to reduce potential traffic safety hazards and ensure adequate access for emergency responders. The project proponent shall coordinate development and implementation of this plan with City departments (e.g., Emergency Services, Fire, Police, Transportation), as appropriate. To the extent applicable, the traffic control plan shall conform to the Caltrans' <i>California Manual on Uniform Traffic Control Devices</i>, Part 6 (Temporary Traffic Control)<sup>2</sup> and San José Public Works Department's Temporary Traffic Control Manual.<sup>3</sup></p> <p>The traffic control plan shall include, but not be limited to, the following elements:</p> <ul style="list-style-type: none"> <li>• Circulation and detour plans to minimize impacts on local road circulation during road and lane closures. Flaggers and/or signage shall be used to guide vehicles through and/or around the construction zone.</li> </ul>

<sup>2</sup> California Department of Transportation (Caltrans), California Manual on Uniform Traffic Control Devices for Streets and Highways – Part 6: Temporary Traffic Control, amended January 2012.

<sup>3</sup> City of San José, Public Works Department, Temporary Traffic Control Manual, September 25, 2005, available online at <http://www.sanjoseca.gov/DocumentCenter/View/931>, accessed January 2, 2013.

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**TABLE S-1 (Continued)**  
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<b>TRANSPORTATION AND TRAFFIC (cont.)</b>				
<b>Impact TR-4 (cont.)</b>				<ul style="list-style-type: none"> <li>Identifying truck routes designated by City of San José and Santa Clara County. Haul routes that minimize truck traffic on local roadways shall be utilized to the extent possible.</li> <li>Sufficient staging areas for trucks accessing construction zones to minimize disruption of access to adjacent public rights-of-way.</li> <li>Controlling and monitoring construction vehicle movement through the enforcement of standard construction specifications by onsite inspectors.</li> <li>Scheduling truck trips outside the peak morning and evening commute hours to the extent possible.</li> <li>Limiting the duration of road and lane closures to the extent possible.</li> <li>Maintaining pedestrian and bicycle access and circulation during project construction where safe to do so. If construction activities encroach on bicycle routes or multi-use paths, advance warning signs (e.g., "Bicyclists Allowed Use of Full Lane" and/or "Share the Road") shall be posted that indicate the presence of such users.</li> <li>Identifying detours for bicycles and pedestrians, where applicable, in all areas affected by project construction.</li> <li>Storing all equipment and materials in designated contractor staging areas on or adjacent to the worksite, such that traffic obstruction is minimized.</li> <li>Implementing roadside safety protocols. Advance "Road Work Ahead" warning and speed control signs (including those informing drivers of State legislated double fines for speed infractions in a construction zone) shall be posted to reduce speeds and provide safe traffic flow through the work zone.</li> <li>Coordinating construction administrators of police and fire stations (including all fire protection agencies), and recreational facility managers. Operators shall be notified in advance of the timing, location, and duration of construction activities and the locations of detours and lane closures, where applicable.</li> <li>Repairing and restoring affected roadway rights-of way to their original condition after construction is completed.</li> </ul>
<b>Impact TR-6:</b> The project would result in inadequate emergency access.	LSM	LSM	LSM	Implement <b>Mitigation Measures TR-4 and C-TR</b> (Chapter 6) for WPCP improvements and proposed land uses.
<b>Impact TR-8:</b> The project would conflict with established measures of effectiveness for the performance of the circulation system, including all modes of transportation, under Envision 2040 plus Project Conditions.	LS	LS	SU	<p><b>Mitigation Measure TR-8. Implement Transportation Demand Management Program.</b></p> <p><i>This measure applies to economic development associated with the Plant Master Plan.</i></p> <p>To reduce potential impacts to travel mode shares and travel times in transit corridors, the project proponent would need to reduce the amount of vehicle traffic generated by future, planned economic activity within the project area. Such measures <del>would include</del> include implementing a Transportation Demand Management (TDM) Program as well as establishing progressive parking strategies and developing bicycle facilities and transit services as part</p>

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<b>TRANSPORTATION AND TRAFFIC (cont.)</b>				
<b>Impact TR-8 (cont.)</b>				of the development projects. As development occurs within the project area, <u>the City shall require</u> the project proponent to <u>implement measures that should</u> ensure that the project is consistent with land use goals, policies, and actions in the General Plan, specifically guidelines provided in Goal TR-7, <i>Transportation Demand Management</i> , and Goal TR-8, <i>Parking Strategies</i> , and subsequent policies (i.e., policies TR-1.4 through TR-1.10, TR-2.1 through TR-2.12, TR-3.1, TR-3.4, TR-7.1, and TR-8.2 through TR-8.9, which are listed in the Traffic Impact Analysis Report, included in Appendix E of the Draft EIR.
<b>NOISE AND VIBRATION</b>				
<b>Impact NOI-1:</b> Project-related demolition and construction would temporarily increase noise exposure in the project vicinity.	<u>LSM</u>	<u>LSM</u>	LSM	<p><b>Mitigation Measure NOI-1: Develop and Implement Construction Noise and Vibration Logistics Plan.</b></p> <p><i>This mitigation measure applies to <u>any pile driving for either the WPCP improvements or the proposed other land uses, and to all construction activities associated with the other proposed land uses south of the operational area. WPCP improvements that could require pile driving include: P2, H2, P3, S1, F1, D1, D2, B2-P2, B4-P2, E1-P1, and SF1-P2. Specifically, the noise minimization components of this measure applies apply to any pile driving and to any construction within 1,200 feet of noise-sensitive uses, and 200 feet of institutional, retail, and office/R&amp;D uses in place at the time of construction, and the vibration control components of this measure apply to any pile driving within 100 feet of institutional, retail, and office/R&amp;D uses in place at the time of construction.</u></i></p> <p>Prior to construction of proposed economic development, the project proponent shall develop a Construction Noise Logistics plan that specifies hours of construction, noise and vibration minimization measures, requires posting or notification of construction schedules, and identifies a designated noise disturbance coordinator who shall respond to noise complaints. <u>The Construction Noise and Vibration Logistics Plan shall be submitted to the City's Planning Division for review and approval prior to the commencement of construction activities. Noise minimization and noticing measures to be included in the plan shall include, but not necessarily be limited to the following:</u></p> <ul style="list-style-type: none"> <li><u>In the event pile driving is determined to be necessary, no pile driving shall occur before 7:00 a.m. or after 7:00 p.m., Monday through Friday, or at any time on weekends. In addition, the use of an impact pile driver shall be avoided where possible within 1,200 feet of any noise-sensitive uses, including the Environmental Education Center building, and within 200 feet of commercial uses, and instead, piles within 1,200 feet of a noise-sensitive use and/or within 200 feet of commercial uses shall be drilled where permitted by the geological conditions. If geologic conditions do not permit the use of drilling, the Construction Noise Logistics Plan shall substantiate those conditions, and the EEC shall be notified and consulted with regarding the pile driving schedule for all pile driving within 1,200 feet of the EEC, and commercial uses within 200 feet of pile driving shall be notified of the schedule for pile driving. Portable acoustical barriers shall be installed around pile driving equipment where feasible. All internal combustion engines for construction equipment used on the site shall be properly muffled and maintained;</u></li> </ul>

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<b>BIOLOGICAL RESOURCES (cont.)</b>				
Impact BIO-2 (cont.)				<p>would be anything within 2 miles of the nesting habitat (shown on <b>Figure 4.7-3</b>). Impacts associated with project-level improvements will be mitigated through the preservation of 0.9-acre nesting and foraging habitat near the existing artificial burrow complexes in the bufferlands west of Artesian Slough. Impacts from program-level improvements and other proposed land uses will be mitigated through the respective preservation of 0.9-acre and 178.2 acres of nesting and foraging habitat surrounding the existing artificial burrow complexes in the bufferlands west of Artesian Slough (refer to Table 4.7-7).</p> <p>The temporal benefit of protecting and managing 180 acres of burrowing owl habitat well in advance (likely 10 years or more) of impacts from program-level WPCP improvements and other proposed land uses occurring is expected to adequately offset the future loss of burrowing owl nesting and foraging habitat. As program-level WPCP improvements and other proposed land uses are defined, and additional environmental documentation prepared, a qualified biologist retained by the City will determine whether the 180 acres of mitigation land is supporting a stable or increasing burrowing owl population that is serving as a source population for the region, in which case no additional mitigation for habitat loss is required. If the 180 acres of mitigation land is supporting a decreasing population that is not a source population for the region, additional mitigation needs will be determined through project-level environmental documentation, including an assessment of the current status of burrowing owls in the South Bay area, the ongoing efforts on WPCP lands and elsewhere in the region to protect and manage land for burrowing owls, and the relative contribution to the regional population that has been made by owls nesting on the 180 acres of mitigation land in the years prior to program-level WPCP improvements and other proposed land use changes.</p> <p><i>Potential Burrowing Owl Coverage under Santa Clara Valley Habitat Plan</i></p> <p>Alternatively, if the Santa Clara Valley Habitat Plan is approved, the City could seek mitigation coverage for loss of burrowing owl habitat by utilizing the burrowing owl conservation strategy outlined in the Habitat Plan. North of SR 237, the Santa Clara Valley Habitat Plan only covers other proposed land uses that are east of Guadalupe River and Grand Boulevard; south of Los Esteros Road, the Plant; and west of McCarthy Lane and Coyote Creek. The PMP components that fall inside of that area could pursue coverage for burrowing owl under the Santa Clara Valley Habitat Plan by paying the burrowing owl fee and employing other avoidance measures outlined in the Habitat Plan. Other PMP land uses that fall outside of the Santa Clara Valley Habitat Plan could not be mitigated through the same means without prior approval of all Santa Clara Valley Habitat Plan signatories, including the USFWS and CDFG.</p> <p>Note that the 530 acres of marsh/mudflat/upland habitat (including levee), a portion of the area designated as Flex Space would also be retained or restored under the Master Plan. Depending on habitat types upon completion and management objectives, much of these areas could serve as burrowing owl habitat (mostly foraging with limited nesting potential). Due to the uncertainty surrounding the timing and characteristics of those Master Plan features, these areas are not currently included in burrowing owl mitigation scenarios though they would benefit the regional burrowing owl population once restoration occurs.</p>

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<b>BIOLOGICAL RESOURCES (cont.)</b>				
<b>Impact BIO-2 (cont.)</b>				<p><u>Impacts to burrowing owls shall be mitigated in one of two ways: (a) through participation in and coverage under the Santa Clara Valley Habitat Plan (“HCP”) or (b) through compliance with habitat conservation strategies consistent with those in the HCP but enforced independently by the City. Option (a) is the City’s preferred mitigation approach. Option (b) would become operative only in the event the HCP, which has been approved but is currently the subject of pending litigation, is deemed legally invalid. Under the approved HCP, most but not all PMP-related impacts to burrowing owls would be covered. Specifically, of the 255.4 acres of impacts to burrowing owl habitat, 0.9 acre would fall outside the HCP boundary and would not be covered under the plan. Although 254.5 acres of impact would be covered under the HCP, the City intends to retain the existing 180-acre burrowing owl area as a conservation-related design feature, three (3) acres of which will be used to mitigate the 0.9 acre of impacts associated with project-level WPCP improvements. The three-acre site will be managed as burrowing owl habitat in perpetuity. The City may partner with local organizations to maintain this 180-acre burrowing owl management site. Maintenance activities shall include mowing the 180-acre site three times during the year (except as noted below) to keep grasses short to allow owls to detect predators: once in late-January or early February when owls are selecting nest sites, once in mid-May when just prior to young emerging from burrows, and a third time in mid-June or early July as young start to disperse. Mowing should focus on areas within 25 feet of known or potential burrowing owl burrows. Around occupied burrowing owl burrows, grasses will be kept to less than 5-inches tall, except in areas where Congdon’s tarplant is present [those areas will not be mowed below 6-inches]. In areas where Congdon’s tarplant are present the third round of mowing will be omitted since the plants will be flowering during that time. For details on how to determine if Congdon’s tarplant are present refer to Mitigation Measure BIO-1. In addition, to reduce predation of owls by perching raptors, no trees shall be planted in the burrowing owl habitat area, including along roadways. To provide prey forage for the owls, ground squirrels will not be controlled.</u></p> <p><u>The two mitigation options are described below in greater detail:</u></p> <p><b><u>Option 1: Potential Burrowing Owl Coverage under the Santa Clara Valley Habitat Plan</u></b></p> <p><u>For impacts within the Santa Clara Valley Habitat Plan Boundary:</u></p> <p><u>The approved HCP covers PMP-related land uses east of Guadalupe River and Grand Boulevard, south of Los Esteros Road, and west of McCarthy Lane and Coyote Creek. It also covers the existing WPCP operational area. However, the HCP has been challenged in a legal proceeding pending in state court. Unless the HCP is deemed invalid the PMP components located within the HCP boundaries will pursue coverage for burrowing owl impacts under the HCP. This will be accomplished by paying the HCP’s</u></p>

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<b>BIOLOGICAL RESOURCES (cont.)</b>				
<b>Impact BIO-2 (cont.)</b>				<p>established burrowing owl fee or by contributing land to the Santa Clara Valley Habitat Plan Reserve System consistent with the Land In Lieu of Fee Program outlined in the HCP. Note that the Land In Lieu of Fee Program requires that all mitigation land meet the HCP's criteria for "Occupied Burrowing Owl habitat" and be within the Expanded Study Area for Burrowing Owl Conservation, both of which are described in the HCP. The City will utilize the avoidance measures outlined in Condition 15. Western Burrowing Owl [Chapter 6] of the HCP for burrowing owl. Implementation of these mitigation measures will reduce PMP-related impacts within the HCP boundary to less-than-significant. PMP land uses that fall outside the HCP boundary cannot be mitigated through the HCP without prior approval of all Santa Clara Valley Habitat Plan signatories, including the USFWS and CDFW. Therefore, project applicants in the non-covered areas will utilize the following mitigation strategy for impacts to burrowing owl.</p> <p><i>For Impacts outside of the Santa Clara Valley Habitat Plan Boundary:</i></p> <p>WPCP project-level improvements that are outside the HCP boundary will result in 0.9-acre of impact to "Occupied Burrowing Owl Habitat." To mitigate the loss of the 0.9-acre of burrowing owl habitat the City shall place a conservation easement over three (3) acres of habitat in the WPCP bufferlands that meets the "Occupied Burrowing Owl Habitat" criteria, as described in the HCP. Mitigation land shall be placed under a permanent conservation easement at or before the point in time when the WPCP project-level impacts occur. Management of those 3 acres could be coordinated with the Santa Clara Valley Habitat Agency and shall be consistent with the management of the other 177 acres in the burrowing owl habitat area. This mitigation measure will reduce WPCP project-level impacts on burrowing owl to less-than-significant levels.</p> <p><b>Option 2: Burrowing Owl Coverage without Santa Clara Valley Habitat Plan Approval</b></p> <p><i>For Impacts within the Santa Clara Valley Habitat Plan Boundary:</i></p> <p>If legal challenges to the HCP prevent implementation of the plan, PMP-related impacts will have to be mitigated through some other means. The City intends to accomplish this mitigation by employing strategies consistent with those set forth in the HCP, strategies will be effective in preserving owl habitat and promoting the reproductive success of the species, even if the strategies are employed independent of the HCP. Specifically, the measures shall (1) include the avoidance and minimization provisions described in Condition 15. Western Burrowing Owl of the HCP, although it will be considered a separate and independent mitigation strategy of the PMP and this EIR; (2) ensure that mitigation occurs prior to</p>

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<b>BIOLOGICAL RESOURCES (cont.)</b>				
<b>Impact BIO-2 (cont.)</b>				<p><u>project implementation and project-related impacts; (3) ensure that mitigation occurs in the HCP study area or the expanded study area for burrowing owl conservation [described in the burrowing owl conservation strategy]; and (4) ensure that mitigation occurs on lands that meet the following habitat criteria, which are consistent with the HCP:</u></p> <p><b><u>Habitat Criteria</u></b></p> <ul style="list-style-type: none"> <li>• <u>Documented nesting burrowing owls on the parcel in at least one of the previous 3 years.</u></li> <li>• <u>Be surrounded by at least 140 acres of foraging habitat within 0.5 mile of a nest site (including the parcel where nesting was documented). If there is no potential for foraging habitat to be protected through future acquisition, conservation easement, or management agreement, the nest site should not be acquired unless long-term viability of the site can be in some other way demonstrated.</u></li> <li>• <u>Currently supports ground squirrels or is located adjacent to another parcel with ground squirrels, therefore supporting the potential for expansion of ground squirrel colonies.</u></li> <li>• <u>Currently support grassland, barren, or other land cover types that can be managed or modified to enhance the site to increase the habitat quality for burrowing owls.</u></li> </ul> <p><u>Mitigation for program-level and other land use elements shall include permanent protection and management of burrowing owl habitat consistent with the provision listed above. Among the areas that may be used to satisfy this mitigation requirement is the 177-acre burrowing owl habitat area described in the Draft EIR. The actual acreage of burrowing owl mitigation will be determined during future “project-level” environmental analyses for these elements when more detailed information will be available on permanent and temporary impacts from each project, the quality of the habitat for burrowing owls at that time, and with consideration for the status of the burrowing owl population in the region at that time. The impact to burrowing owl remains less-than-significant with mitigation.</u></p> <p><i>Impacts outside of the Santa Clara Valley Habitat Plan Boundary:</i></p> <p><u>Mitigation of project-level components, as described above, would remain the same under this option.</u></p>

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<b>BIOLOGICAL RESOURCES (cont.)</b>				
<b>Impact BIO-6:</b> The project could result in a potential interference with migration routes or nursery sites for native resident or migratory fish or wildlife species. <u>The long-term transition of the project site from active biosolid lagoons to upland to Bay transition zone would benefit migratory birds that use the Bay Area coastal wetlands as a stopover foraging location. There is low potential to impact migratory routes of fish and other species which utilize Coyote Creek and the associated riparian corridor for movement through introduction of invasive plants and increased human presence adjacent to the riparian zone. Measures to prevent the spread of invasive plant species are discussed under Impact BIO-3. City ordinances regarding trash management and reducing light pollution would ensure that impacts related to increased human presence is less-than significant.</u>	NI	NI	LSM	Implement <b>Mitigation Measures BIO-2a, BIO-3a, BIO-3b, BIO-3c, BIO-4a, BIO-4b, and BIO-4c</b> for other proposed land uses.
<b>Impact BIO-7:</b> The project would conflict with the provisions of the adopted Santa Clara Valley Habitat Plan a habitat conservation plan and natural community conservation plan.	NI	NI	LSM	Implement <b>Mitigation Measures BIO-2e</b> for <i>WPCP project level improvements P2, B2 P1, B3 P1, B4 P1, B5 P1, B6, and SF1 P1; WPCP program level improvements B2 P2, B3 P2, B4 P2, B5 P2, B7, E1 P1, E1 P2, F1, and SF1 P2; and proposed land uses surrounding the existing operational area</i>

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<b>HYDROLOGY (cont.)</b>				
<b>Impact HYD-4 (cont.)</b>				<p><b>Mitigation Measure HYD-4b: Levee Erosion Assessment.</b></p> <p><i>This mitigation measure applies to restoration of Pond A18.</i></p> <p>Prior to restoration of Pond A18, the City shall require preparation and implementation of a levee erosion assessment as a condition of approval for the entity responsible for the restoration design. The potential for levee erosion is <u>expected to</u> <del>may</del> be addressed in a feasibility study as part of the Shoreline Study (in progress).</p> <p>If detailed assessment suggests the potential for impacts, <u>mitigation measures shall be implemented to reduce impacts to less than significant.</u> Possible mitigation measures include:</p> <ul style="list-style-type: none"> <li>• Designing, monitoring, and implementing adaptive management to avoid impacts to the USFWS pond levees downstream as part of the broader Shoreline Study planning effort.</li> <li>• Regularly inspecting the pond levees downstream of Pond A18 in coordination with a qualified engineer following breaching to look for evidence of levee erosion that appears to be associated with Pond A18 restoration. If inspections identify excessive erosion along levees, develop and implement a plan to protect the pond levees. This shall be done in coordination with the lead agencies, including USFWS, SCVWD, and other partners involved in the Shoreline Study.</li> <li>• Coordinating with Cargill to mitigate impacts of erosion to levees along the Cargill ponds through levee maintenance or cost-share.</li> <li>• Redirecting high velocity flows through the restored USFWS ponds and away from the Cargill levees, as possible.</li> </ul> <p>(Note: If USFWS restores Ponds A9 through A17 prior to Pond A18 restoration, this mitigation measure may not be applicable to levees along Ponds A9 through A17. However, potential erosion impacts to other pond levees on the north side of Coyote Creek will need to be considered.)</p>
<b>Impact HYD-6:</b> The project could result in the potential to cause saltwater intrusion of regional groundwater sources.	LS	LS	LSM	<p><b>Mitigation Measure HYD-6: Proper Well Destruction/Abandonment.</b></p> <p><i>This mitigation measure applies to breaching of Pond A18, Artesian Slough Riparian Corridor, eastern stormwater channel and proposed wetland.</i></p> <p>Prior to breaching of Pond A18 and grading/construction activities associated with restoration of tidal marsh, freshwater wetland habitats, or creation of eastern stormwater channel, the City and/or its contractor shall identify and properly cap all abandoned wells which may be inundated by either saltwater or brackish water. Wells must be properly destroyed in accordance with local and State regulations by coordinating such activities with the SCVWD. A well destruction work plan shall be prepared in consultation with SCVWD to ensure conformance to SCVWD specifications and shall include consulting the databases of well locations provided by SCVWD.</p>

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	Project Level	Program Level		
<b>CULTURAL RESOURCES (cont.)</b>				
<b>Impact CUL-3:</b> The project could result in a substantial change in the significance of an archaeological resource.	LSM	LSM	LSM	<p><b>Mitigation Measure CUL-3a: Accidental Discovery of Archaeological Resources.</b></p> <p><i>This mitigation measure applies to all WPCP improvements and other proposed land uses.</i></p> <p>If discovery is made of items of historic or archaeological interest, the City’s contractor shall immediately cease all work activities in the vicinity (within approximately 100 feet) of the discovery. Prehistoric archaeological materials might include obsidian and chert flaked-stone tools (e.g., projectile points, knives, scrapers) or toolmaking debris; culturally darkened soil (“midden”) containing heat-affected rocks, baked clay fragments, or faunal food remains (bone and shell); stone milling equipment (e.g., mortars, pestles, handstones, or milling slabs); and battered stone tools, such as hammerstones and pitted stones. Historic-period materials might include the remains of stone, concrete, or adobe footings and walls; filled wells or privies; and deposits of metal, glass, and/or ceramic refuse. After cessation of excavation the contractor shall immediately contact the City. The contractor shall not resume work until authorization is received from the City.</p> <p>Any inadvertent discovery of cultural resources during construction shall be evaluated by a qualified archaeologist. <u>If it is determined that the project could damage a historical resource or a unique archaeological resource (as defined pursuant to the CEQA Guidelines), mitigation shall be implemented in accordance with PRC Section 21083.2 and Section 15126.4 of the CEQA Guidelines, with a preference for preservation in place. Consistent with Section 15126.4(b)(3), this may be accomplished through planning construction to avoid the resource; incorporating the resource within open space; capping and covering the resource; or deeding the site into a permanent conservation easement. If avoidance is not feasible <del>if the find is determined to be potentially significant</del>, the archaeologist shall develop a treatment plan in consultation with the City and appropriate Native American representatives (if the find is of Native American origin). Implementation of this measure, in conjunction with the WPCP’s requirement for archaeological monitoring of any excavation work reaching a depth of 6 feet or more in undisturbed soils, would reduce potential impacts on archaeological resources to a less-than-significant level.</u></p> <p><b>Mitigation Measure CUL-3b: Project-level Cultural Resources Assessment.</b></p> <p><i>This mitigation measure applies to other proposed land uses outside of the operational area and to any program-level WPCP improvements that require substantial design changes.</i></p> <p>When project-level plans are completed for other proposed land uses, each proposed project area of potential effect (APE) shall be subject to a cultural resources investigation that includes, at a minimum, the following items.</p> <ul style="list-style-type: none"> <li>• A detailed APE map including depth of ground disturbance for all project components and locations of potential staging areas.</li> <li>• An updated records search at the Northwest Information Center: An updated records search shall be conducted for planned construction/excavation locations that have not had a records search completed within the previous five years. Investigations should begin with a review of the data acquired for this document to determine whether the proposed activity will occur within a known area of high cultural sensitivity. An addendum records search at the Northwest Information Center will also be necessary to determine if any cultural resources have been recorded since the creation of this document. The records search will identify resources within or near the project APE and determine whether that location has been previously surveyed up to current professional standards.</li> </ul>

<sup>a</sup> Master Plan components evaluated at a program level will be subject to additional review pursuant to CEQA.

LS = Less than Significant impact, no mitigation required  
 LSM = Less than Significant impact with Mitigation

NI = No Impact  
 N/A = Not applicable

SU = Significant and Unavoidable impact, for which feasible mitigation is not available

**TABLE S-1 (Continued)**  
**SUMMARY OF IMPACTS AND MITIGATION MEASURES**

Impacts	WPCP Improvements		Other Master Plan Land Uses (Program Level) <sup>a</sup>	Mitigation
	Project Level	Program Level		
<b>CUMULATIVE (cont.)</b>				
<b>Impact C-HYD:</b> Cumulative impacts on hydrology.	LS	LS	LSM	<p><b><u>Project Design Feature C-HYD-1: Adaptive Management of Climate Change Effects on Coyote Creek Flood Risk.</u></b> <i>This measure applies to program-level WPCP improvements and proposed economic development and recreational uses.</i></p> <p><u>The City shall consider updated climate change science and guidance during planning and design of future project phases. Prior to future project phases, the City shall request that the SCVWD evaluate and provide a statement on the ability of the levee along Coyote Creek to provide protection from the 100-year river flood event. In particular, this input will focus on changes in extreme flood events (e.g. the 100-year event) that could result from increased storm intensity and/or increased backwater flooding due to sea level rise. If monitoring shows that extreme flood events are increasing in frequency or magnitude, the City shall request recommendations from the SCVWD regarding floodproofing or flood risk management. Subsequent management actions could include (but are not limited to) a SCVWD retrofit of the existing levee or increased floodproofing of Plant structures implemented by the City.</u></p> <p><u>The potential for implementation of any additional flood protection improvements to generate substantial impacts on the physical environment would require investigation as part of project-level evaluation under CEQA review for those flood protection projects.</u></p> <p><b><u>Mitigation Measure C-HYD-2: Floodproofing Design Considering Future Sea Level Rise.</u></b> <i>The following project design feature (PDF) applies to all WPCP improvements and other proposed land uses implemented prior to construction of the new flood control levee.</i></p> <p><u>During design, the City shall confirm the projected FEMA 100-year floodplain projected to occur at the start of project operations. The project proponent shall incorporate future sea level rise projections into floodproofing designs for structures within the FEMA 100-year floodplain. For any structures to be constructed and in operation or use prior to construction of the proposed flood control levee, the City shall insure that during design, the latest approved FEMA 100-year floodplain for the project site is used to develop necessary floodproofing measures. FEMA is currently in the process of updating its floodplain maps, which will consider sea level rise that occurred from the 1980s (when the currently-approved maps were created) to the present. Neither the current nor updated maps consider future sea level rise projected to occur from the present to the PMP planning horizon (2040). Therefore, the project proponent also shall incorporate future sea level rise projections into floodproofing designs for structures within the FEMA 100-year floodplain. Specifically, the City shall require that planning and design of structures within the 100-year FEMA floodplain provide protection for either (1) the high end of projected sea level rise (e.g. NRC Curve III) over the design life of the structure or (2) a lower projected sea level rise with later improvements to protect against the higher rate, should a higher rate occur. Any improvements would need to occur before sea level exceeded the design elevation. The sea level rise projection shall take into account the design life of the structure (e.g., 50 years).</u></p> <p><u>The Flood Emergency Operation Plan prepared in accordance with City Standard Floodproofing requirements shall describe evacuation and access routes that allow access to and from the developed areas in the project site during the 100-year event, including future sea level rise.</u></p> <p><b><u>Mitigation Measure Project Design Feature C-HYD-43: Cumulative Scour Assessment.</u></b> <i>The following measure applies to restoration of Pond A18.</i></p> <p><u>The City shall require that the scour assessments undertaken as part of Mitigation Measure HYD-4a reflect the PMP's contribution to scour at the Union Pacific Railroad Bridge in light of increased tidal flows associated with sea level rise.</u></p>

<sup>a</sup> Master Plan components evaluated at a program level will be subject to additional review pursuant to CEQA.

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land use designations. The operations of the individual new roadways are not analyzed as part of this analysis. The program-level analysis of citywide MOEs (described previously) evaluates the transportation network as a whole and provides an operational comparison of the City’s network without and with the new roadway connections. The new roadway connections would facilitate connectivity within and to the PMP area. The new roadways would be evaluated in more detail – i.e. in a subsequent CEQA document – as development proposals come forward.

~~These~~The four new roadway improvement projects are summarized below.

Page 4.3-23 Table 4.3-8: **REVISE** the last row and **ADD** a new row, which follows this page.

Page 4.3-36 **ADD** text at the end of the first paragraph under the heading “4.3.3.5 Program-Level Analysis of City Measures of Effectiveness” as follows:

This section presents the program-level analysis for the Plant Master Plan that includes implementation of the WPCP improvements as well as the development of a mix of land uses including retail, office and light industrial, recreational uses, and roadway connections that would require a general plan amendment. The program-level analysis addresses citywide implications of the Plant Master Plan by using the City of San José Travel Demand Forecasting (TDF) model, and citywide MOEs developed for the General Plan. In addition, project-zone level MOEs are developed to evaluate potential localized transportation circulation changes. The focus of the program-level analysis is on the potential changes (burden) on city transportation conditions in the horizon year of the General Plan (2040). The analysis is based on a projected transportation condition in the future year when the General Plan capacities for jobs and housing are fully developed. The program-level analysis focuses on the Envision 2040 No Project, and Envision 2040 plus Project conditions, which also provides an analysis of cumulative impacts, as required by CEQA. The program-level transportation analysis focuses on TDF model MOEs, versus a focused intersection level analysis, because the detailed specifics of the proposed economic development are for the PMP planning area as whole and are not provided on a parcel level. As economic development comes forward and the specifics of the proposed economic development are refined, more detailed project-level analyses would be developed.

Page 4.3-41 **REVISE** Mitigation Measure TR-8 as follows:

**Mitigation Measure TR-8: Implement Transportation Demand Management Program.**

*This measure applies to economic development associated with the Plant Master Plan.*

To reduce potential impacts to travel mode shares and travel times in transit corridors, the project proponent would need to reduce the amount of vehicle traffic generated by future, planned economic activity within the project area. Such measures ~~would~~could include implementing a Transportation Demand Management (TDM) Program as well as establishing progressive parking strategies and developing bicycle facilities and transit services as part of the development projects. As development occurs within the project area, the City shall require the project proponent to

<sup>0a</sup> NRC, 2012, *Sea-Level Rise for the Coasts of California, Oregon, and Washington: Past, Present, and Future*. Prepublication. National Academy Press: Washington, D.C.

Page 6-29 **REVISE** the third sentence of the paragraph immediately after the heading “Increased Risk of Flooding Due to Runoff Associated with Increases in Impervious Area” as follows:

Other cumulative projects listed in Tables 6-1 and 6-2, which include various development projects and other CIP projects at the WPCP, would also create new impervious surfaces and could result in the same effects, a potentially significant cumulative impact.

Page 6-30 **REVISE** the third sentence of the paragraph immediately after the heading “Potential for Degradation of Receiving Waters Due to Generation and Emission of Construction-related Water Quality Pollutants” as follows:

Similarly, construction activities associated with the other cumulative projects listed in Tables 6-1 and 6-2, which include various development projects, restoration projects, and other CIP projects at the WPCP, would also require acquisition of coverage under the statewide General Construction permit, the conditions of which would ensure that construction-related water quality pollutants would be minimized to the extent needed to ensure compliance with the Basin Plan and protection of beneficial use...

Page 6-31 **REVISE** the number and name of Mitigation Measure C-HYD-1 as follows:

~~Mitigation Measure~~ **Project Design Feature C-HYD-13: Cumulative Scour Assessment.**

Page 6-32 **REVISE** the fourth sentence of the second paragraph under the heading “Potential for Increased Coastal Flood Risk” as follows:

Additionally, the Shoreline Study would likely include an adaptive management plan that would address increasing coastal flood risk due to sea level rise. Because the timing and implementing entity of the flood protection levee is somewhat uncertain (relying on as-yet unauthorized congressional funding) and because numerous PMP facilities and other proposed development would be implemented within the FEMA 100-year coastal floodplain, increased coastal flood risks would be a potentially significant cumulative impact.

Page 6-32 **ADD** the following sentence after the first sentence of the first full paragraph under the heading “Potential for Increased Coastal Flood Risk.”

***Potential for Increased Coastal Flood Risk***

As discussed under Topic HYD-5, construction of new WPCP facilities and proposed development in the southern and eastern portions of the PMP planning area would occur within the FEMA 100-year coastal floodplain. Assuming a continuation of existing flood control at the site as described in Section 4.9, projected sea level rise is expected to exacerbate coastal flood hazards: higher tides and storm surge would increase the likelihood of wave-induced overtopping and direct inundation resulting from breaching of bayfront levees, which in turn

Page 6-34 Section 6.1.4.8: **REVISE** the numbering of the subheading as follows:

#### **6.1.4.89 Water Quality**

Page 6-35 Section 6.1.4.9: **REVISE** the numbering of the subheading as follows:

#### **6.1.4.910 Hazards and Hazardous Materials**

Page 6-35 **REVISE** the third sentence of the paragraph under the heading “Release of Hazardous Materials in Soil or Groundwater” as follows:

Other cumulative projects listed in Tables 6-1 and 6-2, including various development projects and other capital improvement projects at the WPCP, could also include excavation within areas that have had previous unauthorized releases of hazardous materials.

Page 6-36 **REVISE** the second sentence of the paragraph under the heading “Release of Hazardous Building Materials” as follows:

Other cumulative projects identified in Tables 6-1 and 6-2, including development projects and other capital improvement projects at the WPCP, could include the potential to encounter hazardous building materials, which would be significant cumulative impact...