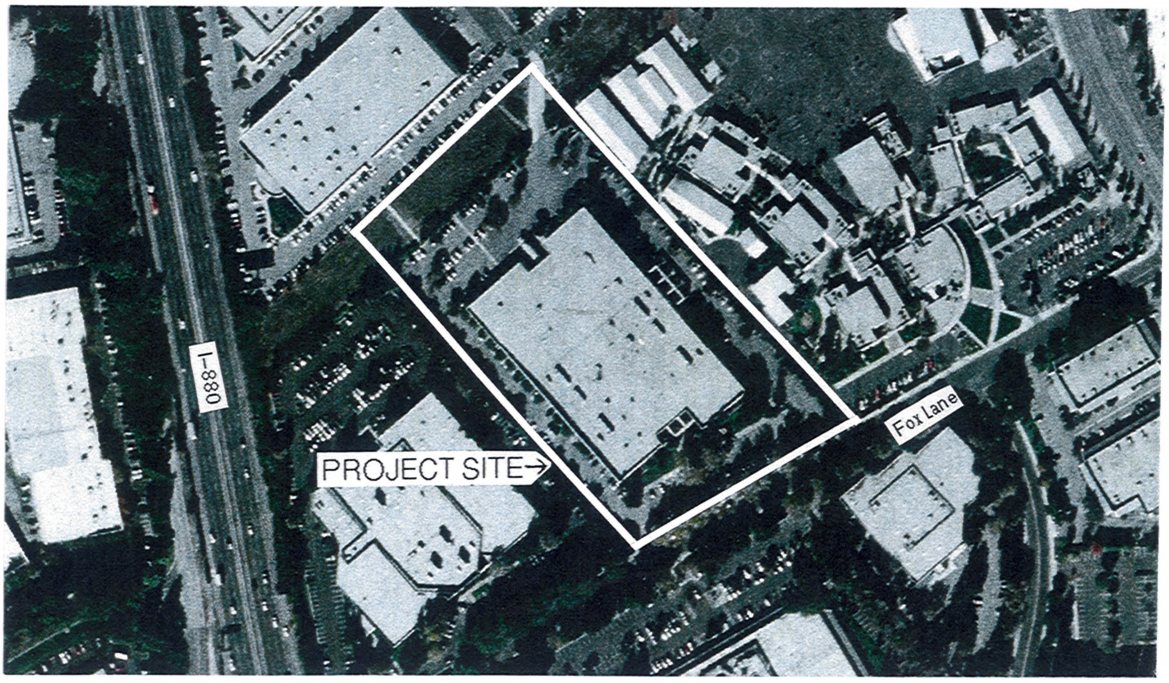
Initial Study

SUPERMICRO Expansion

HA89-039-01

April 4, 2011



CITY OF SAN JOSE

Initial Study

SUPERMICRO Expansion

Site Development Permit Amendment (HA89-039-01)

April 4, 2011

CITY OF SAN JOSE

TABLE OF CONTENTS

I. PROJECT DESCRIPTION

A. General Information 1
B. Project Objective 12
C. Description 12

II. ENVIRONMENTAL SETTING, IMPACT CHECKLIST AND MITIGATION

1. Aesthetics 23
2. Agriculture and Forest Resources 25
3. Air Quality 27
4. Biological Resources 32
5. Cultural Resources 41
6. Geology and Soils 44
7. Greenhouse Gas Emissions 49
8. Hazards and Hazardous Materials 53
9. Hydrology and Water Quality 57
10. Land Use and Planning 63
11. Mineral Resources 65
12. Noise 66
13. Population and Housing 70
14. Public Services 71
15. Recreation 74
16. Transportation / Traffic 75
17. Utilities and Service Systems 77
18. Mandatory Findings of Significance 80

APPENDIX
- Authors and Consultants
- Disclosure Statement
- Persons and Organizations Consulted
- Sources and References

TECHNICAL APPENDIX - *reports included on a CD at the back of this document*
- Tree Survey
- Archaeological Literature Review

LIST OF TABLES

1. Project Data 14
2. Local Air Quality 28
3. Existing Trees or Tree Survey Summary 32
4. Tree Replacement Ratios 39
5. Greenhouse Gas Sources in California, 2004 51
6. Pervious and Impervious Surfaces Comparison 60

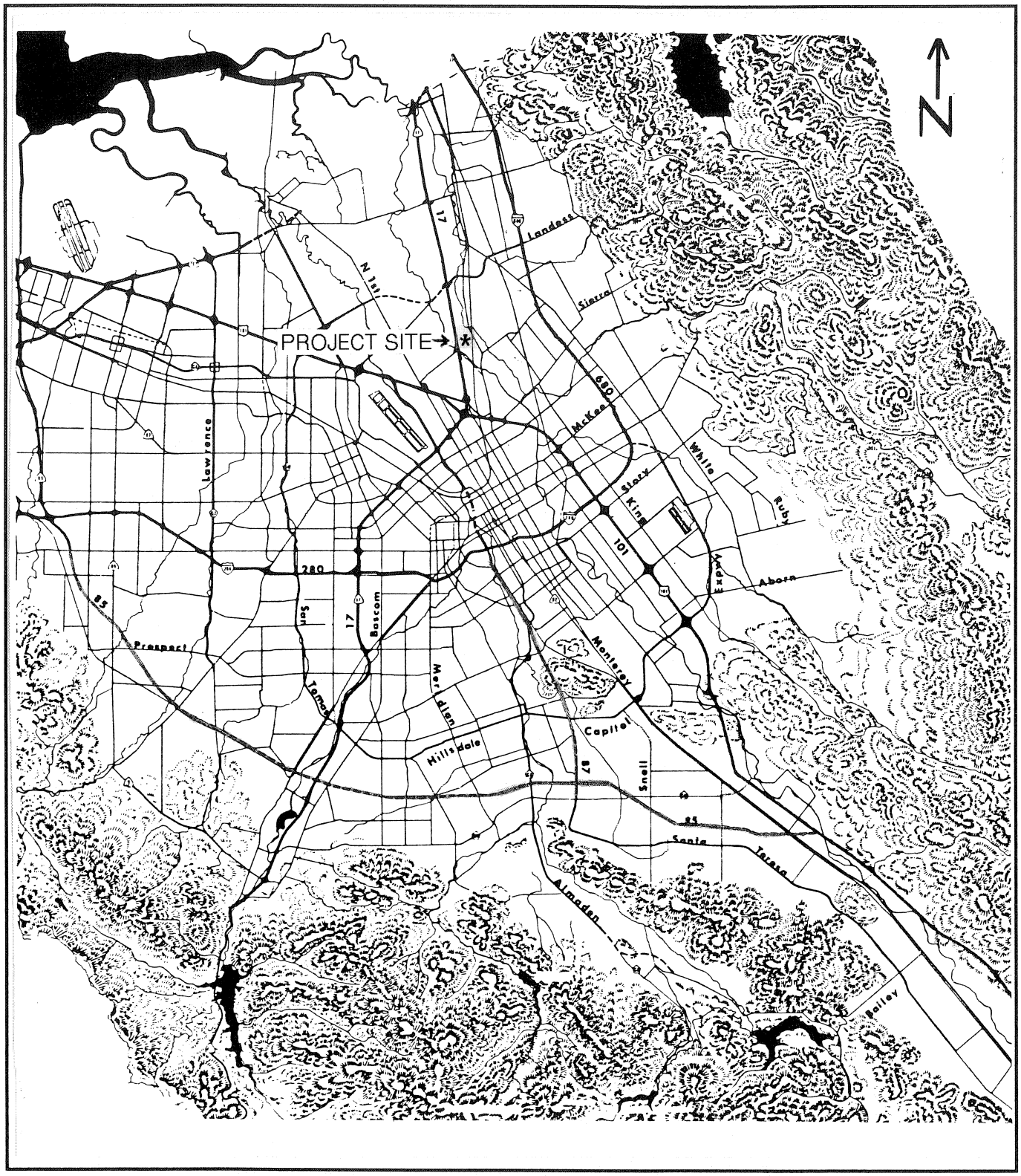
LIST OF FIGURES

1. Santa Clara Valley Map 2
2. USGS Map 3
3. Vicinity Map 4
4. Assessor's Parcels 5
5. General Plan Map 6
6. Zoning Map 7
7. Aerial Photgraph 8
8. View of the Site 9
9. View of the Site 10
10. View of the Site 11
11. Existing Site Plan 15
12. Proposed Site Plan 16
13. Proposed Building Plan 17
14. Elevations 18
15a. Grading & Drainage Plan – Northerly Area 19
15b. Grading & Drainage Plan – Southerly Area 20
16. Stormwater Quality Plan 21
17. Landscape Plan 22
18. Tree Locations 36

I. PROJECT DESCRIPTION

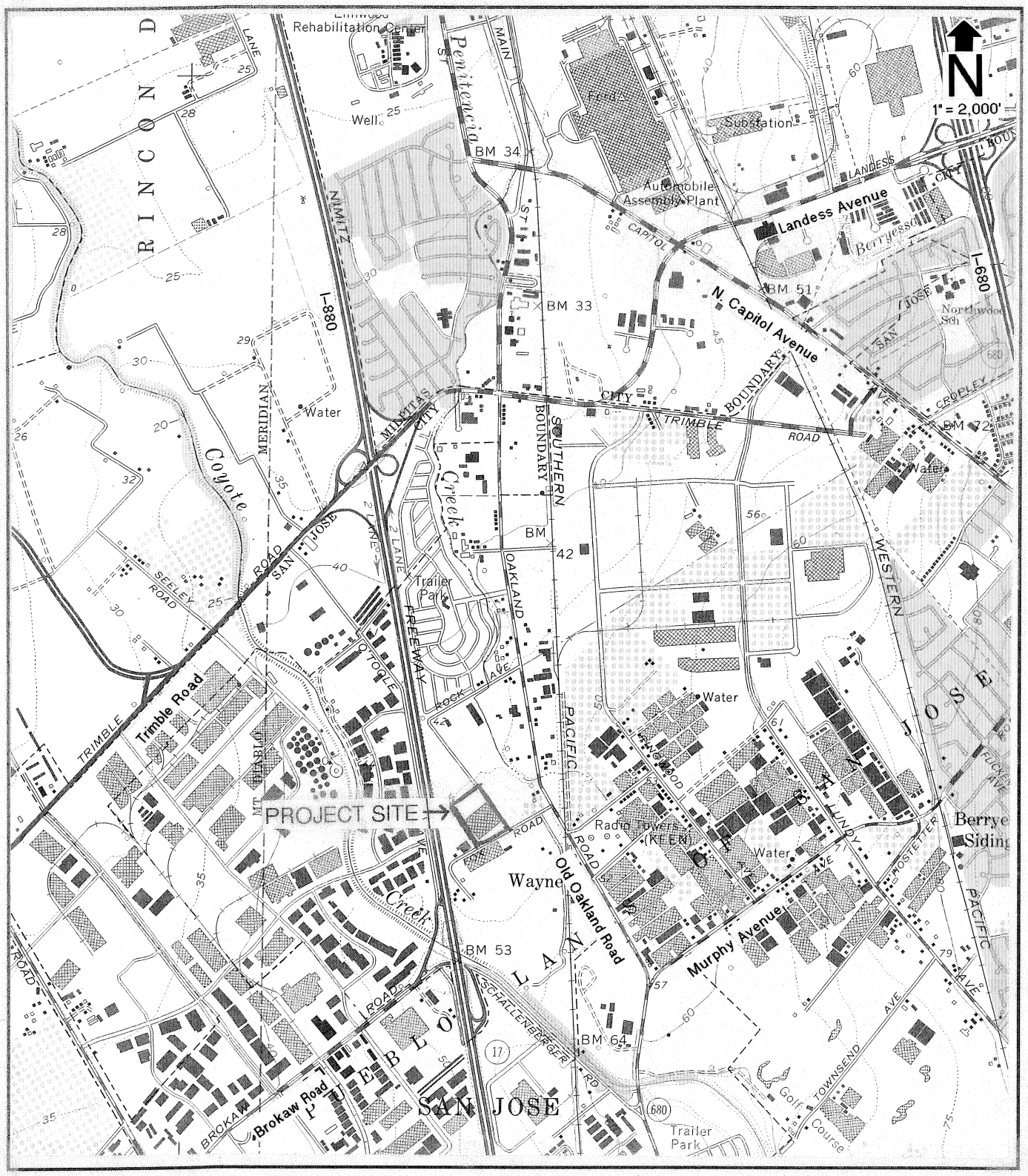
A. GENERAL INFORMATION

Lead Agency Contact:	Lesley Xavier, Project Manager City of San Jose Planning, Building and Code Enforcement 200 East Santa Clara Street, 3rd Floor San Jose, CA 95113 408-535-7852 lesley.xavier@sanjoseca.gov
Applicant:	Super Micro Computer, Inc. 980 Rock Avenue San Jose, CA 95131 408-895-6245 Attn: John Chang john.chang@supermicro.com
Property Owner:	Super Micro Computer, Inc. 980 Rock Avenue San Jose, CA 95131
Environmental Consultant:	Mindigo & Associates 1984 The Alameda, Suite 1 San Jose, CA 95126 408-554-6531, (fax) 408-554-6577 rmindigo@aol.com
Name of Project:	**SUPERMICRO Expansion**
Location and Address:	Northerly side of Fox Lane, approximately 600 feet westerly of Old Oakland Road (871 Fox Lane)
Brief Description of Project:	A **Site Development Permit Amendment** application to construct a 59,626-square-foot addition to an existing 99,623-square-foot warehouse on an approximately 7.4-gross-acre site
Assessor's Parcel Number(s):	237-15-188



Santa Clara Valley Map

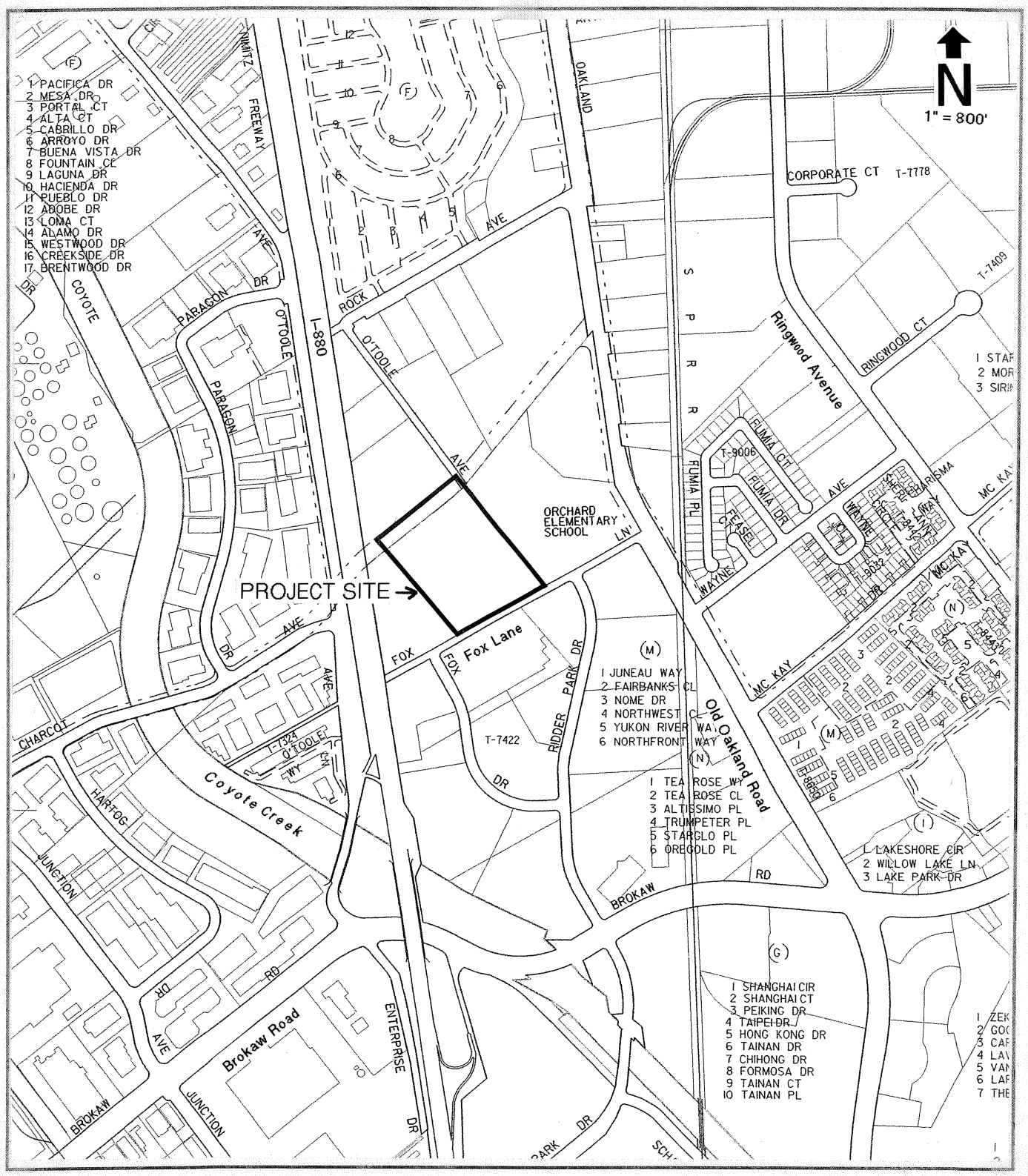
Figure 1



Source: Milpitas Quadrangle (1961, photorevised 1980)

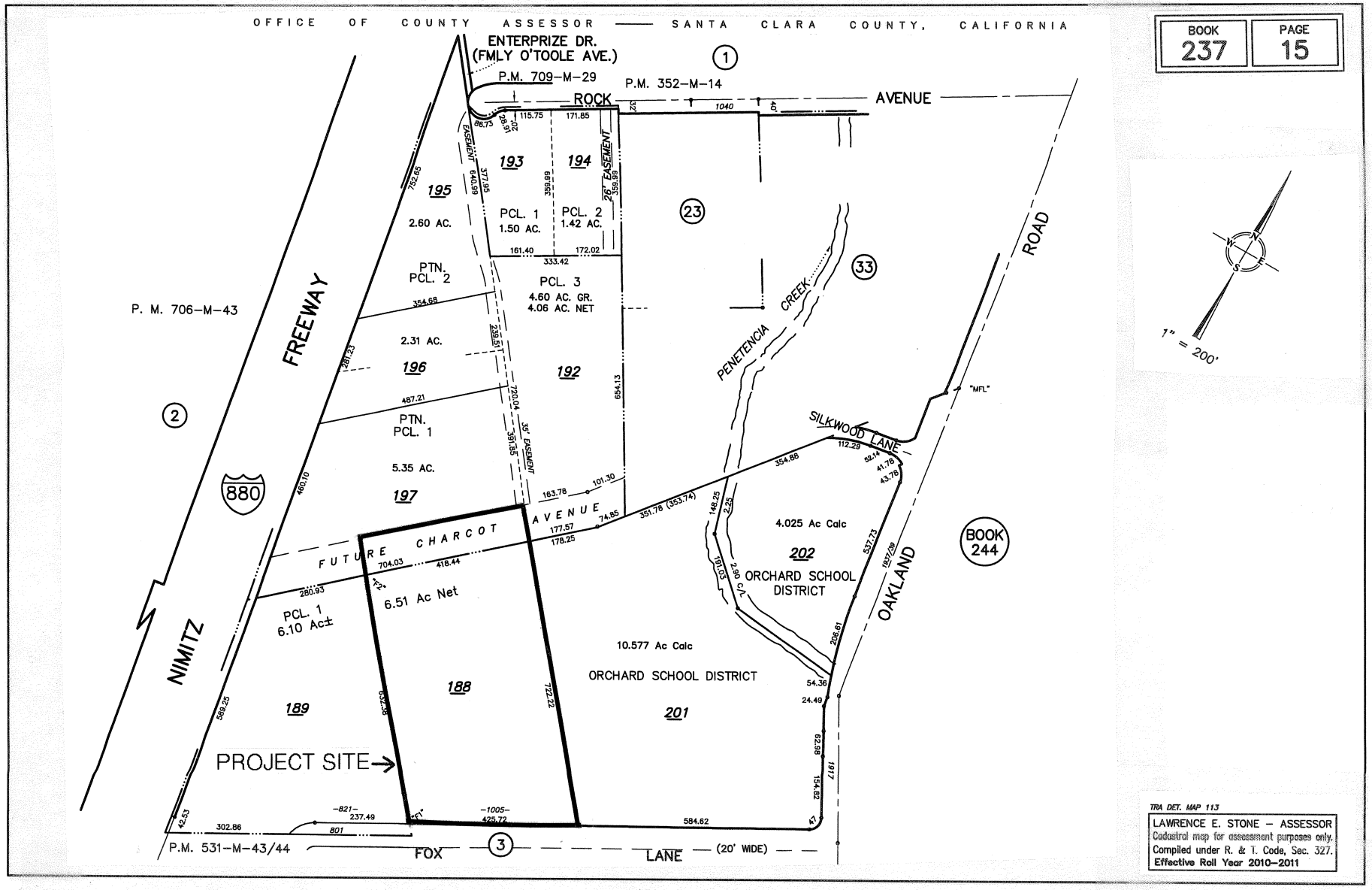
USGS Map

Figure 2



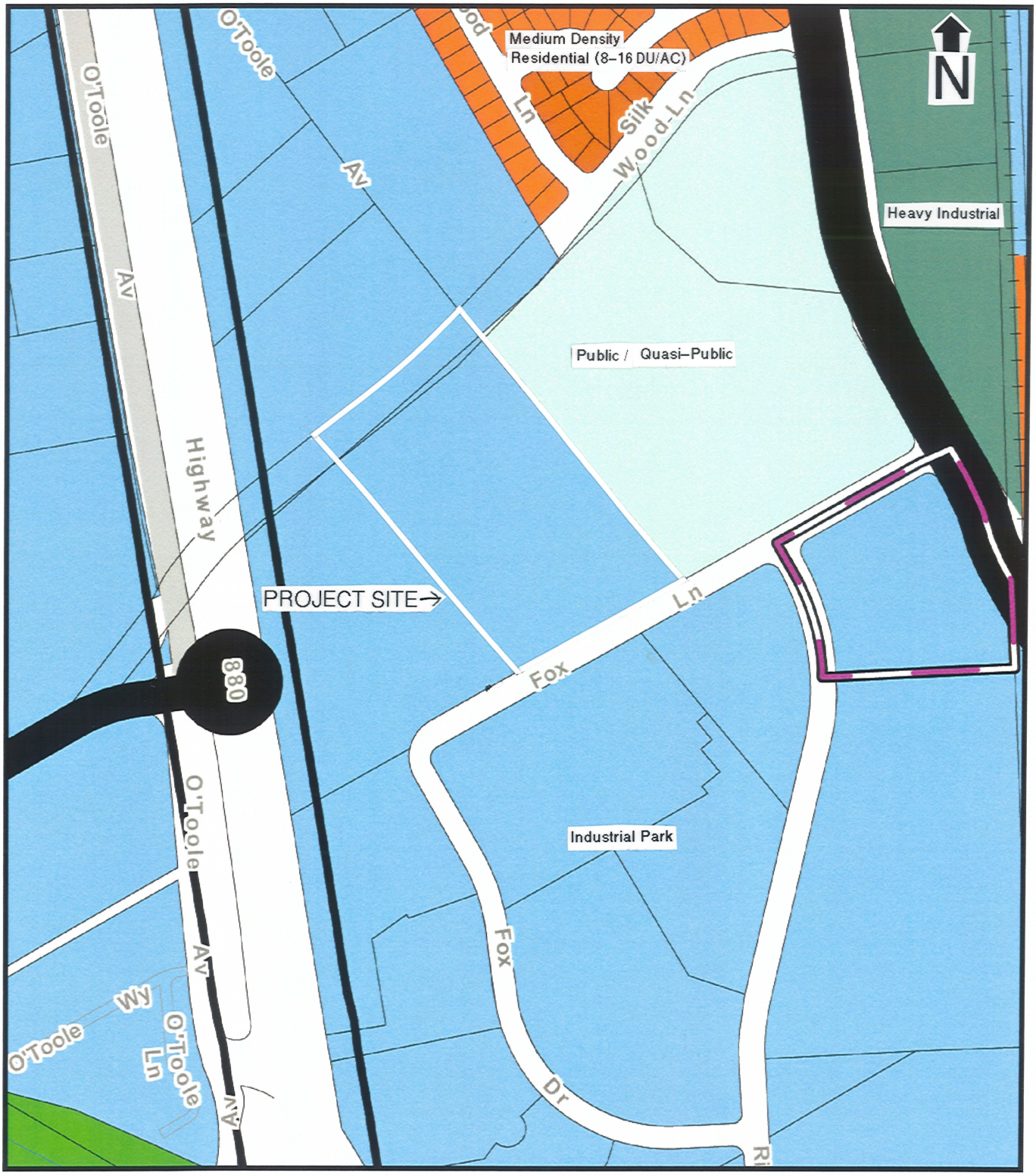
Vicinity Map

Figure 3



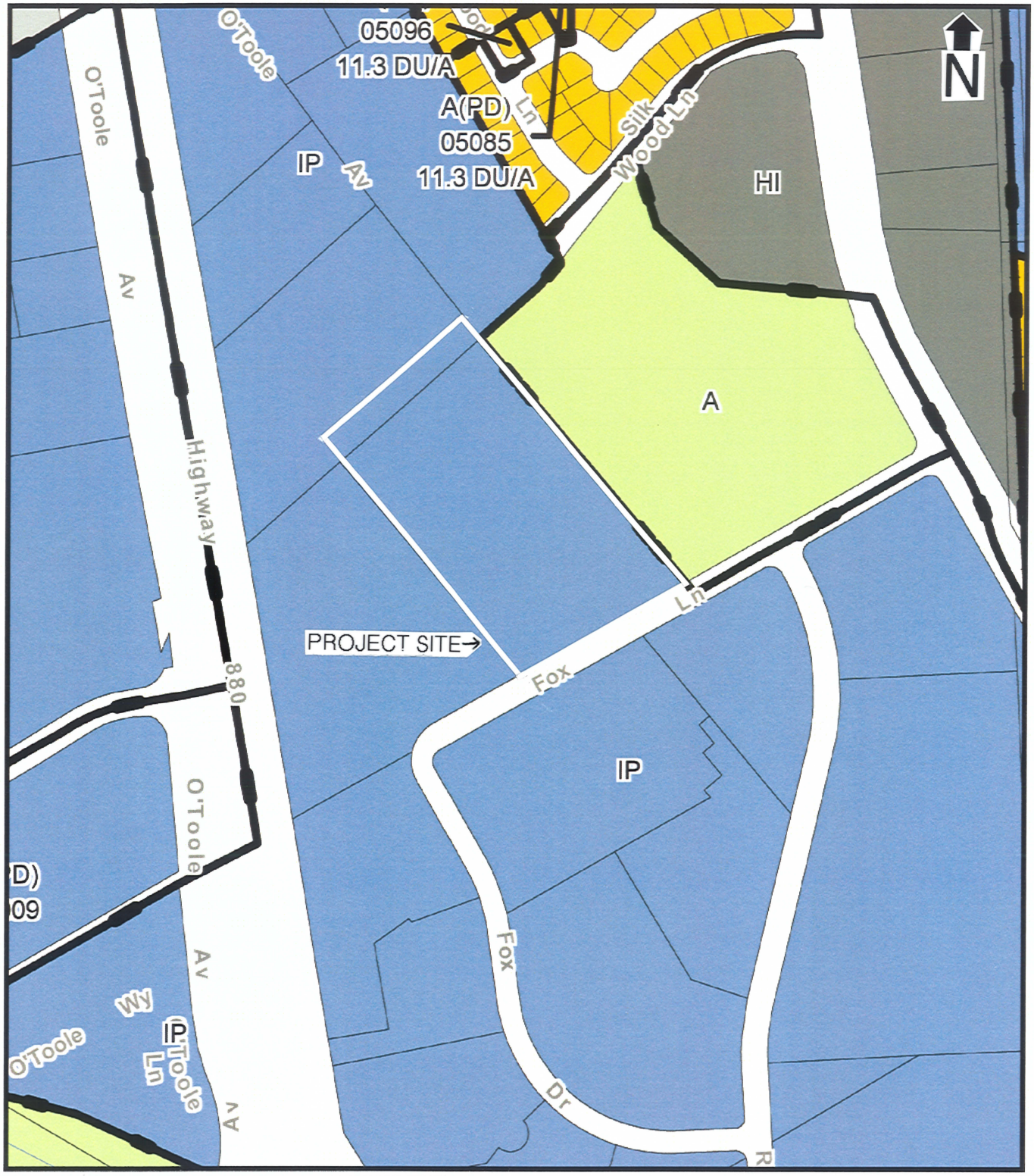
Assessor's Parcels

Figure 4



General Plan Map

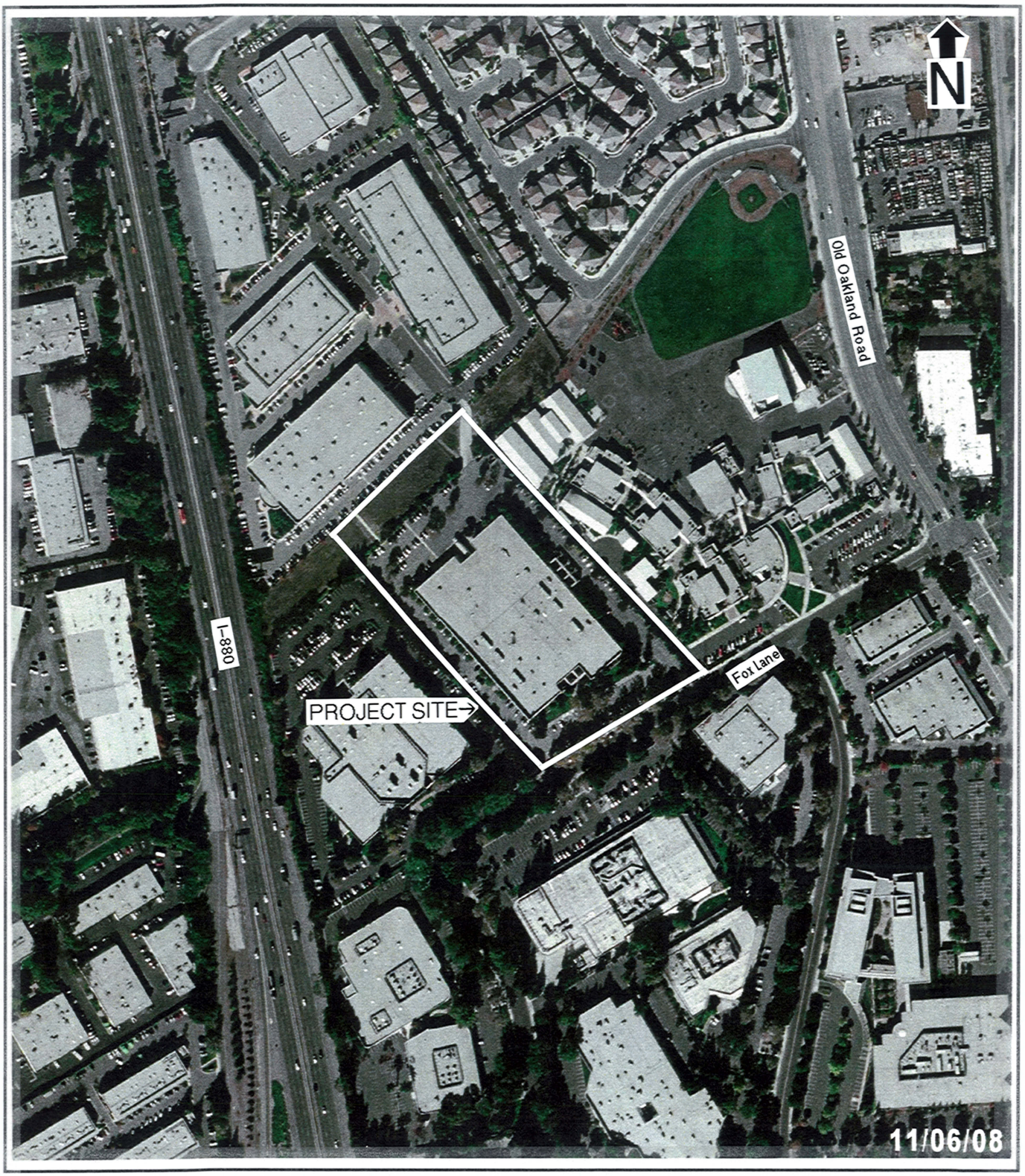
Figure 5



IP = Industrial Park District
HP = Heavy Industrial District
A = Agriculture District
A(PD) = Planned Development District

Zoning Map

Figure 6



Aerial Photograph

November 6, 2008 Figure 7

Viewing northwesterly from the southeasterly corner on Fox Lane.

Viewing northeasterly from the southwesterly corner on Fox Lane.

View of the Site

February 11, 2011 Figure 8

Viewing southeasterly from the northwesterly corner of the northerly parking area.

Viewing southwesterly from the northeasterly corner of the northerly parking area.

View of the Site

February 11, 2011 Figure 9

Viewing southeasterly from the northwesterly corner.

Viewing southwesterly from the northeasterly corner.

View of the Site

March 4, 2011 Figure 10

B. PROJECT OBJECTIVE

The objective of this project is to expand an existing warehouse building on the site.

C. DESCRIPTION

EXISTING USE

The existing use on the project site is currently a 99,623-square-foot warehouse building, surface parking, trees and landscaping.

SITE DEVELOPMENT PERMIT

The project is a **Site Development Permit Amendment** application to allow the construction of a 59,626-square-foot warehouse expansion on the northerly side of Fox Lane, approximately 600 feet westerly of Old Oakland Road (871 Fox Lane). The new warehouse expansion is to be located on both the northerly and southerly portions of the existing building. The parking and loading dock area will extend into the vacant grassy area (future Charcot Avenue) north of the existing parking area.

There is currently a pedestrian path across the future right-of-way to the Supermicro buildings to the north. There will continue to be pedestrian access to these buildings through the proposed new driveway and parking area.

The Project Data table and reduced copies of the project plans follow, Figures 11 through 17. Full size copies are available for review at the City of San Jose Planning Division.

Landscaping

The landscaping proposed is shown on the Landscape Plan, Figure 17. Trees, shrubs, and groundcover are planned.

Access

Access is from Fox Lane.

Parking

There are currently 386 parking spaces on the project site. A total of 200 spaces will be removed to construct the additions, and 55 new spaces will be constructed on the northerly side for a new total of 241 spaces. The parking requirement for a 159,249-square-foot warehouse (1 space per 5,000 square feet) is 32 spaces, so there is more than required.

Exterior Lighting

Downward-directed lighting fixtures with low-elevation standards are to be provided with the project. All exterior lighting is subject to the City's Outdoor Lighting Policy 4-3.

Demolition
There are no existing structures on the project site to be demolished.

Hazardous Materials
Hazardous materials other than those for normal warehouse and landscaping use will not be used as a part of the operation of any of the establishments on the project site.

Grading
Grading planned for the project is shown on the following Grading & Drainage Plan, Figure 15. The grading for the project is to be designed to conform to the natural ground as closely as possible. The amount of grading planned is expected to be the minimum required to provide a level building pad with parking and circulation that meet requirements for structural section and rate of grade in order to provide positive drainage. Approximately 1,600 cubic yards of material are estimated to be moved during the grading operations. The maximum finished cut or fill is estimated to be less than three feet, and no significant import or export of natural material is expected.

Water Quality Treatment
In accordance with the Santa Clara Valley Urban Runoff Pollution Prevention Program NPDES MS4 permit and City Council Policies 6-29 and 8-14, the project includes a stormwater filter vault, as further discussed in the following Hydrology and Water Quality section.

Tree Removal
There are 118 existing trees onsite, 55 of which are to be removed (some of which are being considered for relocation), as further discussed in the following Biological Resources section.

Public Improvements
There are no public improvements with this project; however, the project .

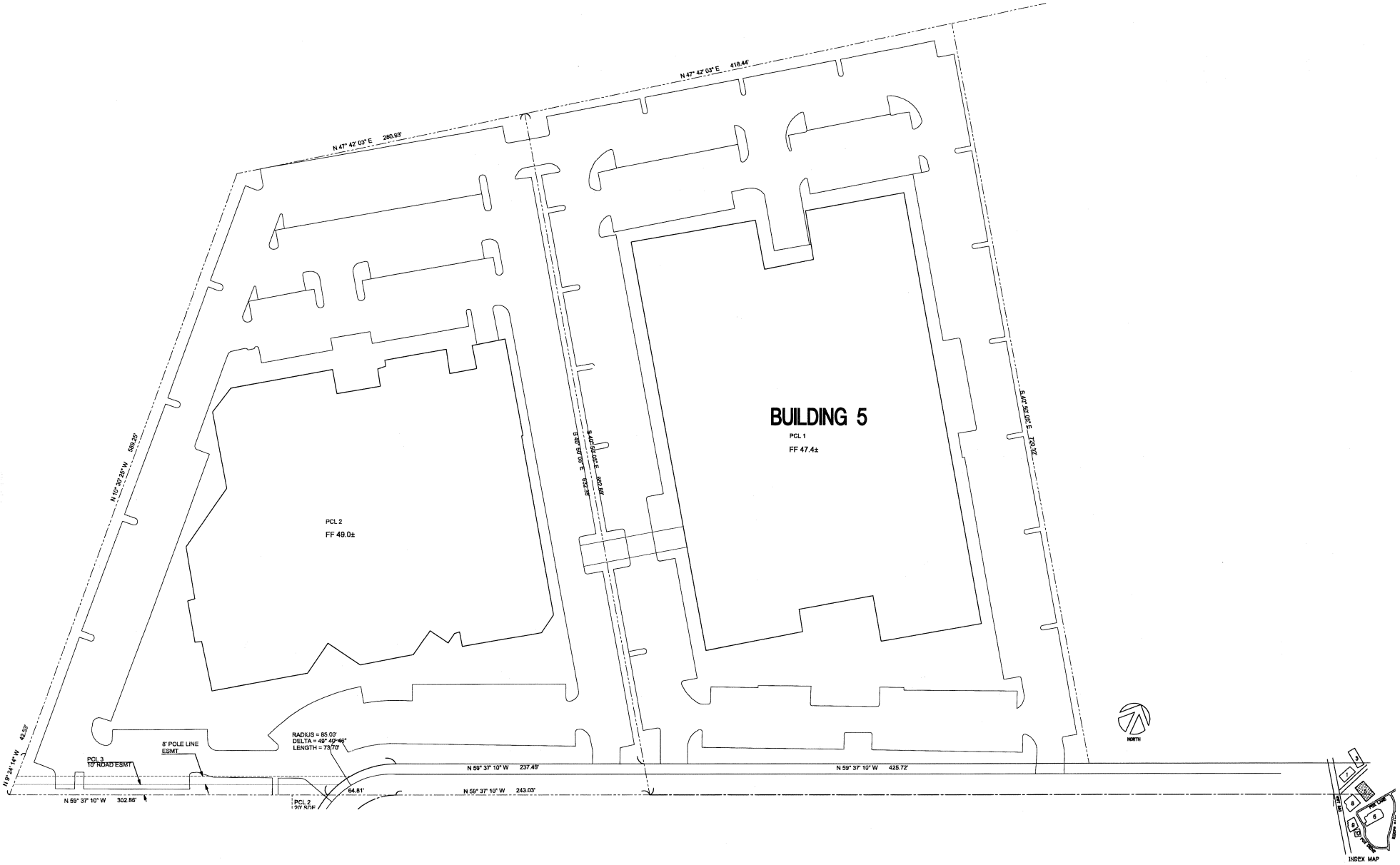
Public Land Reservations
There are no public land reservations with this project; however, the project .

Other Related Permits
In addition to the proposed **Site Development Permit Amendment**, other related permits to be obtained from the City of San Jose and/or any other public agency approvals required for this project by other local, State or Federal agencies are as follows:

Agency	Permit / Approval
City of San Jose	Grading Permit, Building Permits

Table 1. Project Data

Category		Figure
Gross and Net Acreage		7.4
Building Area (*square feet*)		
Existing Warehouse		99,623
Proposed Expansion		59,626
Total		159,249
Building Height *(feet)*		24
Employees		No Change
Coverage Factors	Acres	Percent
Building	3.7	50
Landscaping	0.8	11
Vehicular Area	2.9	39
Total	7.4	100
Start/Completion Dates	Summer, 2011 / Fall, 2011	



SUPER MICRO COMPUTER INC.
980 ROCK AVENUE
SAN JOSE, CA. 95131

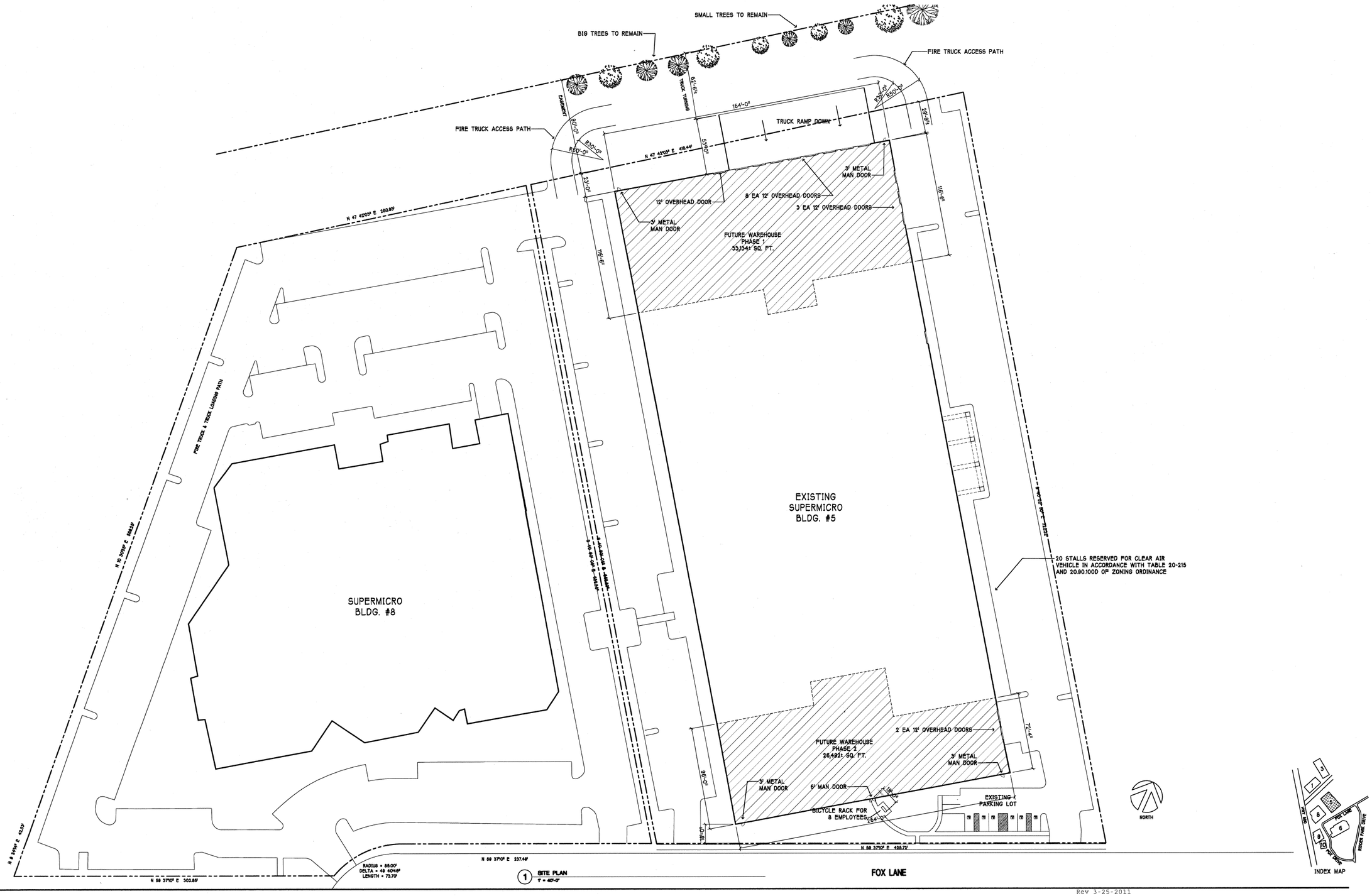
SUPER MICRO EXPANSION

871 FOX LANE
SAN JOSE - CALIFORNIA

Date:	1-10-2011
Scale:	1" = 40'-0"
Revisions:	
Drawing Title:	EXISTING SITE PLAN
Sheet No:	2A
of	Sheets

LPMD Architects
1288 Kifer Road # 206
Sunnyvale - CA 94086
Telephone : 408-992-0280
Fax : 408-992-0281

Figure 11



SUPER MICRO COMPUTER INC.
980 ROCK AVENUE
SAN JOSE, CA. 95131

SUPER MICRO EXPANSION

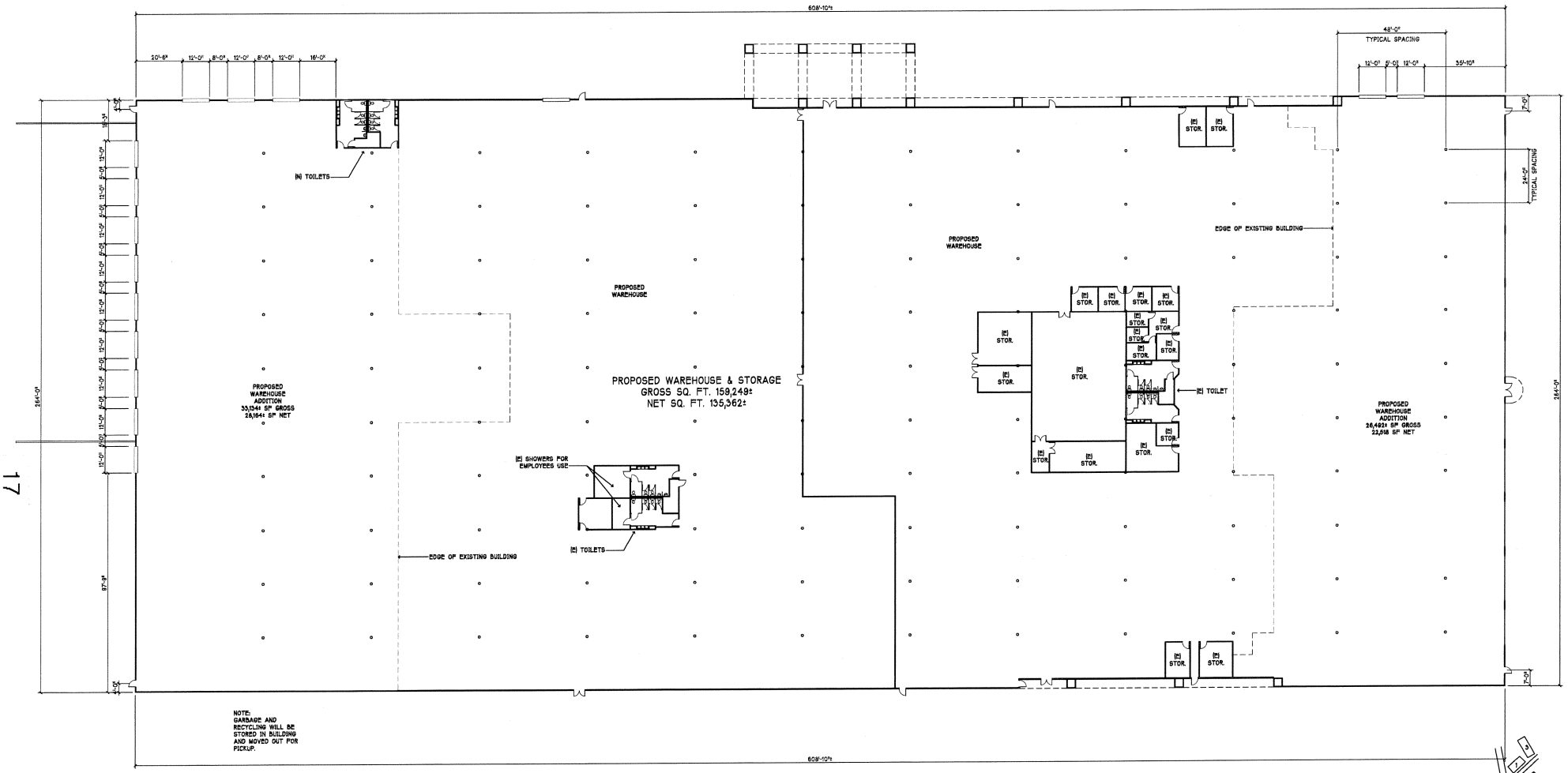
871 FOX LANE
SAN JOSE - CALIFORNIA

Rev 3-25-2011

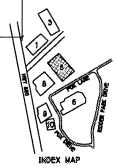
Date: 1-10-2011	Drawing Title: -
Scale: 1" = 40'-0"	PROPOSED SITE PLAN
Revisions:	Sheet No: 2B
	of Sheets

LPMD Architects
1288 Kifer Road # 206
Sunnyvale - CA 94086
Telephone : 408-992-0280
Fax : 408-992-0281

Figure 12



1 PROPOSED FLOOR PLANS
1" = 20'-0"



17

SUPER MICRO COMPUTER INC.
980 ROCK AVENUE
SAN JOSE, CA. 95131

SUPER MICRO EXPANSION

871 FOX LANE
SAN JOSE - CALIFORNIA

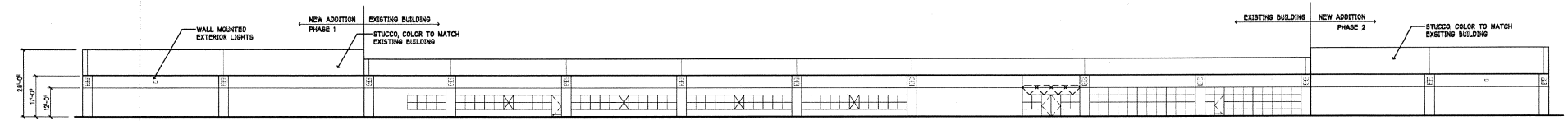
Rev 3-25-2011

Date: 1-10-2011
Scale: 1" = 20'-0"
Revisions:

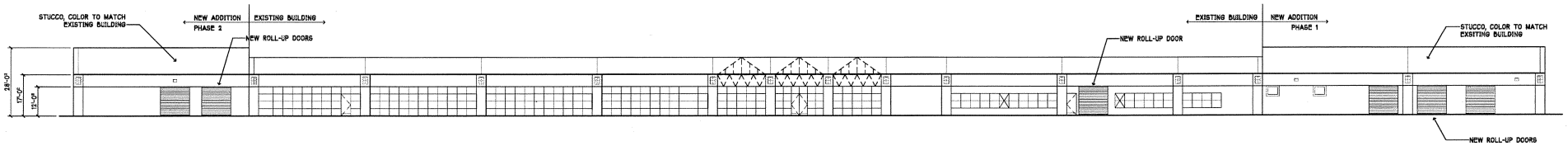
Drawing Title: PROPOSED BUILDING PLAN
Sheet No: 5B
of Sheets

LPMD Architects
1288 Kifer Road # 206
Sunnyvale - CA 94086
Telephone : 408-992-0280
Fax : 408-992-0281

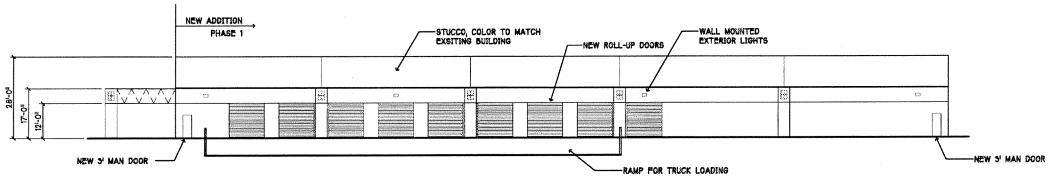
Figure 13



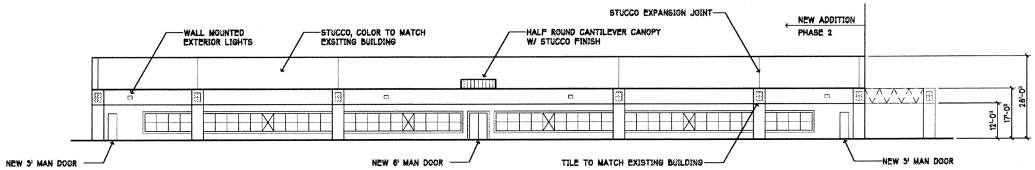
PROPOSED SOUTH ELEVATION
1" = 20'-0"



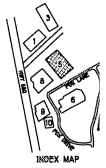
PROPOSED NORTH ELEVATION
1" = 20'-0"



PROPOSED WEST ELEVATION
1" = 20'-0"



PROPOSED EAST ELEVATION
1" = 20'-0"



SUPER MICRO COMPUTER INC.
980 ROCK AVENUE
SAN JOSE, CA. 95131

SUPER MICRO EXPANSION

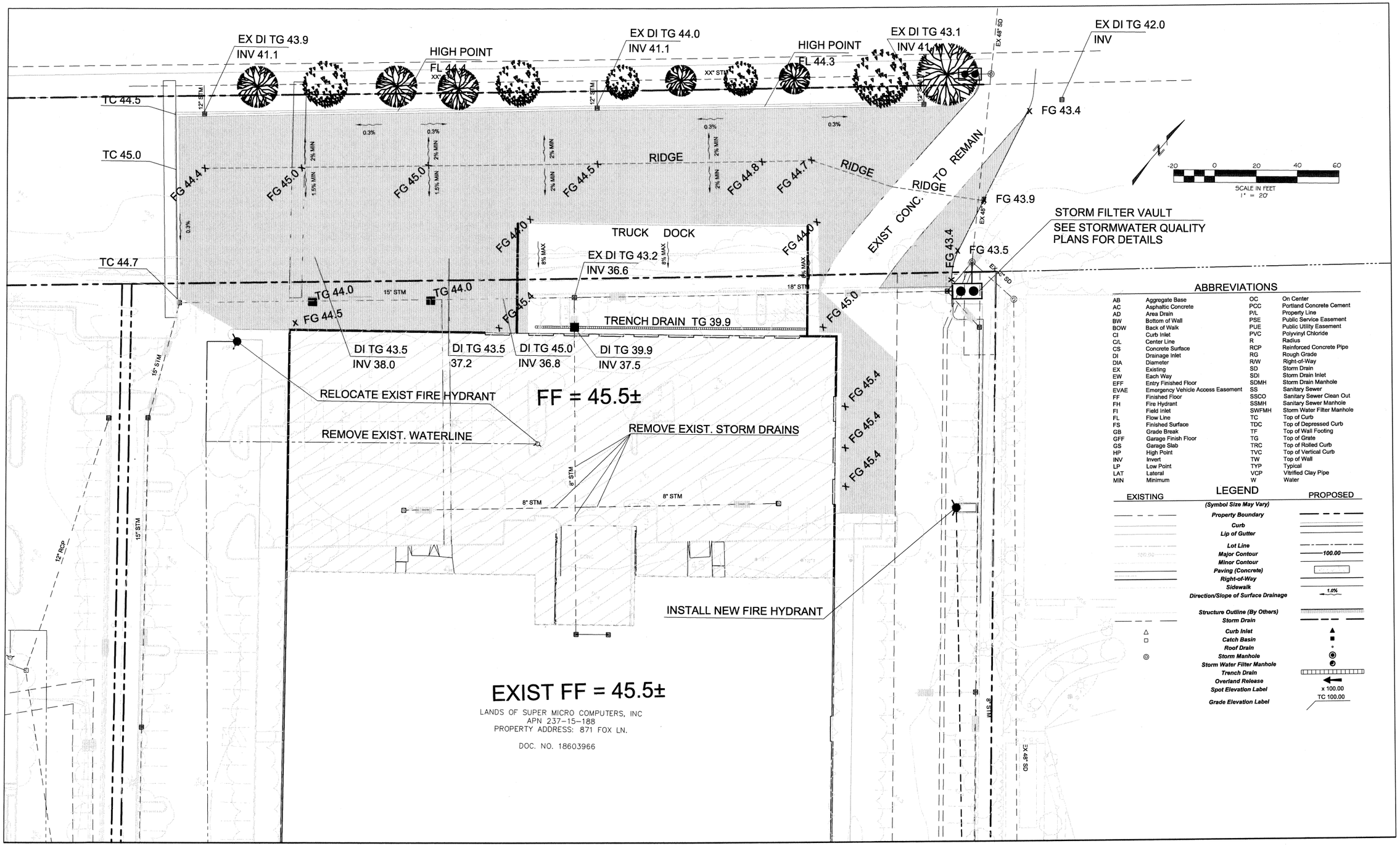
871 FOX LANE
SAN JOSE - CALIFORNIA

Date: 1-10-2011
Scale: 1" = 20'-0"
Revisions:

Drawing Title: **PROPOSED ELEVATIONS**
Sheet No: **4B**
of Sheets

LPMD Architects
1288 Kifer Road # 206
Sunnyvale - CA 94086
Telephone : 408-992-0280
Fax : 408-992-0281

Figure 14



ABBREVIATIONS

AB	Aggregate Base	OC	On Center
AC	Asphaltic Concrete	PCC	Portland Concrete Cement
AD	Area Drain	P/L	Property Line
BW	Bottom of Wall	PSE	Public Service Easement
BOW	Back of Walk	PUE	Public Utility Easement
CI	Curb Inlet	PVC	Polyvinyl Chloride
C/L	Center Line	R	Radius
CS	Concrete Surface	RCP	Reinforced Concrete Pipe
DI	Drainage Inlet	RG	Rough Grade
DIA	Diameter	R/W	Right-of-Way
EX	Existing	SD	Storm Drain
EW	Each Way	SDI	Storm Drain Inlet
EFF	Entry Finished Floor	SDMH	Storm Drain Manhole
EVAE	Emergency Vehicle Access Easement	SS	Sanitary Sewer
FF	Finished Floor	SSCO	Sanitary Sewer Clean Out
FH	Fire Hydrant	SSMH	Sanitary Sewer Manhole
FI	Field Inlet	SWFMH	Storm Water Filter Manhole
FL	Flow Line	TC	Top of Curb
FS	Finished Surface	TDC	Top of Depressed Curb
GB	Grade Break	TF	Top of Wall Footing
GFF	Garage Finish Floor	TG	Top of Grate
GS	Garage Slab	TRC	Top of Rolled Curb
HP	High Point	TVC	Top of Vertical Curb
INV	Invert	TW	Top of Wall
LP	Low Point	TYP	Typical
LAT	Lateral	VCP	Vitrified Clay Pipe
MIN	Minimum	W	Water

LEGEND

EXISTING		PROPOSED
	(Symbol Size May Vary)	
	Property Boundary	
	Curb	
	Lip of Gutter	
	Lot Line	
100.00	*Major Contour*	100.00
	Minor Contour	
	Paving (Concrete)	
	Right-of-Way	
	Sidewalk	
	Direction/Slope of Surface Drainage	1.0%
	Structure Outline (By Others)	
	Storm Drain	
△	*Curb Inlet*	▲
□	*Catch Basin*	■
	Roof Drain	•
◎	*Storm Manhole*	◉
	Storm Water Filter Manhole	◕
	Trench Drain	
	Overland Release	
	Spot Elevation Label	x 100.00
	Grade Elevation Label	TC 100.00

SUPER MICRO COMPUTER INC.
980 ROCK AVENUE
SAN JOSE, CA. 95131

VERO consultants
Planning | Engineering | Landscape Architecture
www.ver-consultants.com
PHONE 408.834.7889 FAX 408.834.7836

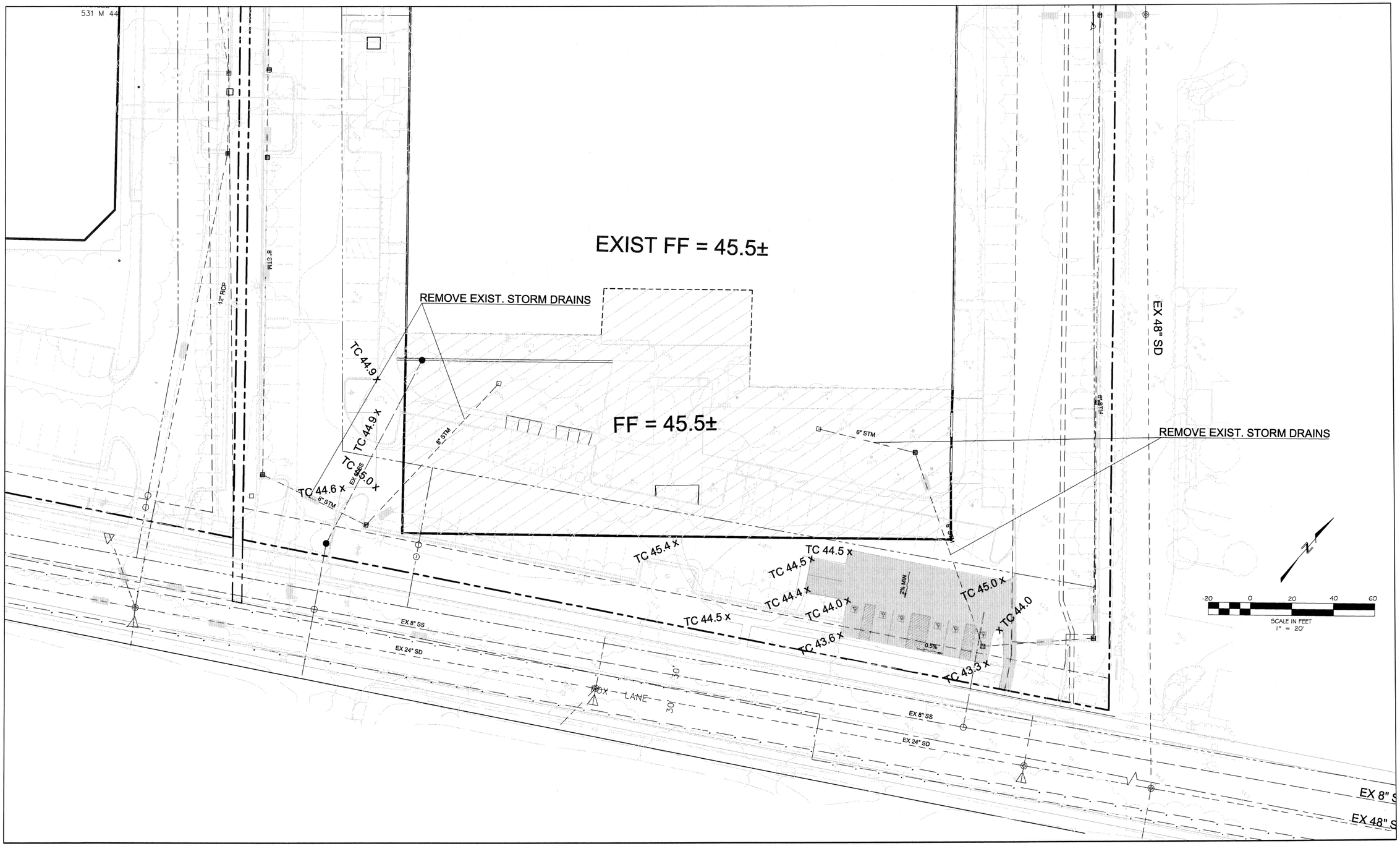
SUPER MICRO EXPANSION

FOX LANE
SAN JOSE - CALIFORNIA

Date: 1-10-2011
Scale:
Revisions:
Drawing Title:
Sheet No: 3.0
GP-1
of Sheets

LPMD Architects
1288 Kifer Road # 206
Sunnyvale - CA 94086
Telephone : 408-992-0280
Fax : 408-992-0281

Figure 15a



SUPER MICRO COMPUTER INC.
980 ROCK AVENUE
SAN JOSE, CA. 95131

VERO consultants
Planning | Engineering | Landscape Architecture
www.ver-consultants.com
PHONE 408.834.7889 FAX 408.834.7836

SUPER MICRO EXPANSION

FOX LANE
SAN JOSE - CALIFORNIA

Date: 1-10-2011
Scale:
Revisions:
Drawing Title:
Sheet No: 3.0 GP-2
of Sheets

LPMD Architects
1288 Kifer Road # 206
Sunnyvale - CA 94086
Telephone : 408-992-0280
Fax : 408-992-0281

Figure 15b

LEGEND

SYMBOL	DESCRIPTION
	PROJECT BOUNDARY
	LOT LINE
	EXISTING STORM DRAIN
	PROPOSED STORM DRAIN
	OVERLAND RELEASE PATH
	PROPOSED ATRIUM AREA DRAIN
	EXISTING STORM MANHOLE
	PROPOSED STORM MANHOLE
	STORM WATER FILTER VAULT
	STORM WATER FILTER MANHOLE
	STORM WATER DRAINAGE BOUNDARY
1	DRAINAGE AREA

GENERAL NOTES

1.

STORM WATER DRAINAGE AREA

ID	DESCRIPTION	AREA (SF)
1	EAST SIDE BUILDING 5	140,900
2	WEST SIDE BUILDING 5	164,940
3	SOUTH SIDE BUILDING 1	106,660
4		
TOTAL GROSS SITE AREA		412,500

-50 0 50 100 150

SCALE IN FEET
1" = 50'

SUPER MICRO COMPUTER INC.
980 ROCK AVENUE
SAN JOSE, CA. 95131

VERO consultants
Planning | Engineering | Landscape Architecture
www.ver-consultants.com
PHONE 408.834.7889 FAX 408.834.7836

SUPER MICRO EXPANSION

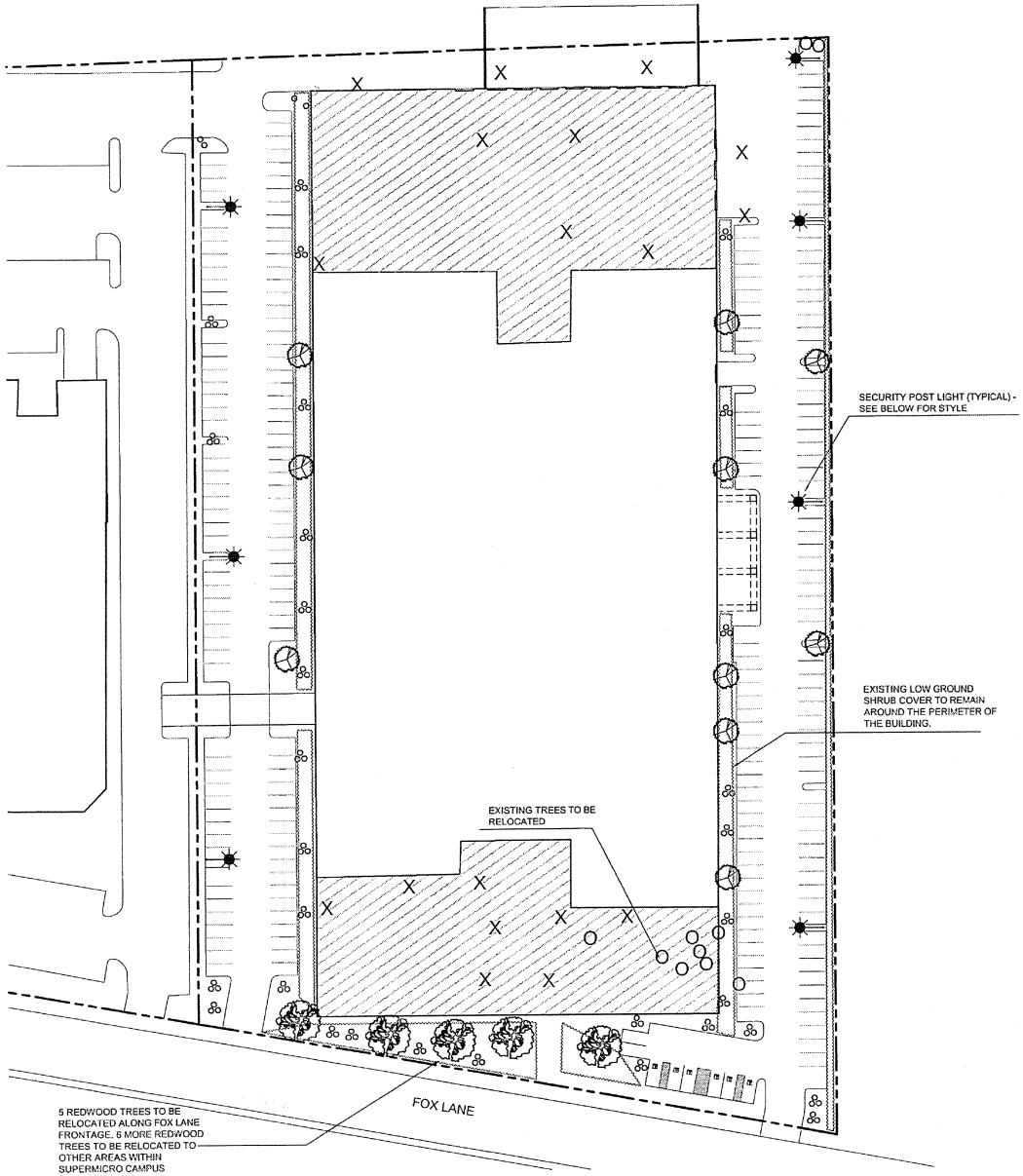
FOX LANE
SAN JOSE - CALIFORNIA

Date: 1-28-2011 1-10-2011
Scale: 1" = 20'
Revisions:

Drawing Title: STORMWATER QUALITY PLAN
Sheet No: SCP-1
of Sheets

LPMD Architects
1288 Kifer Road # 206
Sunnyvale - CA 94086
Telephone : 408-992-0280
Fax : 408-992-0281

Figure 16



PROPOSED PLANT PALETTE

	SYMBOL	BOTANICAL NAME	COMMON NAME	CONTAINER SIZE
TREES		LIQUIDAMBER STYRACIFLUA 'AURORA'	SWEET GUM	15 GALLON
		SEQUOIA SEMPERVIRENS	CALIFORNIA REDWOOD	15 GALLON
SHRUBS		PHORMIUM 'DUET'	NEW ZEALAND FLAX	15 GALLON
		PHORMIUM 'GOLD SWORD'	NEW ZEALAND FLAX	5 GALLON
GROUNDCOVER		CEANOTHUS GRISEUS	CALIFORNIA LILAC	1 GALLON
		HYPERICUM CALYCINUM	SAINT JOHN'S WORT	1 GALLON
		LANTANA MONTEVIDENSIS	LANTANA	1 GALLON

NOTES

X TREE TO BE REMOVED

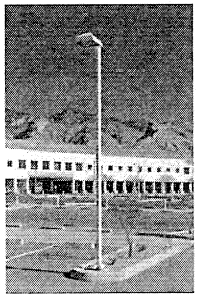
O TREE TO BE RELOCATED ON SUPERMIICRO CAMPUS

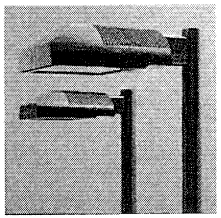
1. BARK MULCH: ALL PLANTER AREAS TO RECEIVE 2" THICK LAYER OF FIR BARK MULCH.

2. ALL SHRUB AREAS TO BE IRRIGATED USING A FULLY AUTOMATIC IRRIGATION SYSTEM UTILIZING LOW PRESSURE IRRIGATION HEADS. ALL IRRIGATION SHALL CONFORM TO THE CITY OF SAN JOSE LANDSCAPE GUIDELINES.

3. THERE ARE 28 EXISTING TREES ON THE SITE. 11 REDWOOD TREES TO BE RELOCATED. 17 TREES TO BE REMOVED

4. PLANTING DETAILS ON SHEET 7.0





BOX-STYLE POST LIGHT

GRAPHIC SCALE

20 0 10 20 40 80

1 inch = 20 feet

VER consultants

NOT FOR CONSTRUCTION

SITE DEVELOPMENT PERMIT
SUPER MICRO COMPUTER
871 FOX LANE
SAN JOSE, CA 95131

PROJECT:	2010.219
FILE:	2009.186LPSUP.DWG
DATE:	JAN. 27, 2010
SCALE:	1" = 20'
DESIGNED BY:	VER
DRAWN BY:	YC
REVIEWED BY:	VER

© VER CONSULTANTS

CONCEPTUAL LANDSCAPE PLAN

6.0

Figure 17

II. ENVIRONMENTAL SETTING, IMPACT CHECKLIST AND MITIGATION

1. AESTHETICS

SETTING

The current view of the project site consists primarily of a warehouse building, parking, trees and landscaping, which can be seen in the preceding photographs, Figures 8 through 10.

Scenic Route

The project site is not located adjacent to a designated scenic route.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
1. AESTHETICS. Would the project:					
a. Have a substantial adverse effect on a scenic vista?			X		25,26,27
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a state scenic highway?				X	25,26, 27,29,31
c. Substantially degrade the existing visual character or quality of the site and its surroundings?			X		25,26,27
d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?			X		25, 26,28,32
e. Increase the amount of shading on public open space (e.g., parks, plazas and/or school yards)?			X		25,26,28

The project would change the view of the site from a warehouse building, parking, trees and landscaping to a larger warehouse building, parking, trees and landscaping. The project would not have a substantial adverse effect on a scenic vista or substantially degrade the existing visual character or quality of the site and its surroundings. Replacement trees and landscaping will be provided as part of the project. The project will be designed in accordance with the City's Industrial Design Review Guidelines.

Light and Glare

The project could potentially produce offsite light and/or glare. The project will be designed to utilize downward-directed lights with low elevation standards in the parking areas in order to prevent offsite light and glare, in accordance with the City's Outdoor Lighting Policy.

Temporary Construction Visual Impacts

Construction of a typical project causes short-term visual impacts. The grading operations create a visual impact, and construction debris, rubbish and trash can accumulate on construction sites and are unsightly if visible from public streets. Public streets that are impacted by project construction activities will be swept and washed down daily. Debris, rubbish and trash will be cleared from any areas onsite that are visible from a public street. The completion of the project improvements and landscaping will eliminate the short-term visual impacts of the grading and construction operations.

STANDARD MEASURES INCLUDED IN THE PROJECT

Design

- The project design will conform to the City's Industrial Design Review Guidelines.

Light and Glare

- Lighting on the site will conform to the City's Outdoor Lighting Policy (4-3).

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

CONCLUSION

The implementation of the above design and light and glare standard measures would reduce the project's impact on aesthetics to a **less-than-significant impact**.

2. AGRICULTURE AND FOREST RESOURCES

SETTING

Agriculture Resources

The *Santa Clara County Important Farmland Map*, prepared by the California Department of Conservation and the USDA Natural Resources Conservation Service, classifies land in seven categories in order of significance: 1) prime farmland, 2) farmland of Statewide importance, 3) unique farmland, 4) farmland of local importance, 5) grazing land, 6) urban and built-up land and 7) other land. The project site is classified as "urban and built-up land," which is defined as land occupied by structures with a building density of at least one unit to one and one-half acres.

Williamson Act

The California Land Conservation Act ("Williamson Act") was enacted to help preserve agricultural and open space lands via a contract between the property owner and the local jurisdiction. Under the contract, the owner of the land agrees not to develop the land in exchange for reduced property taxes. The project site is not under a Williamson Act contract.

Forest Resources

"Forest land" is defined by the California Public Resources Code as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. "Timberland" means land, other than land owned by the federal government and land designated as experimental forest land, which is available for, and capable of, growing a crop of trees of any commercial species used to produce lumber and other forest products, including Christmas trees. The project site is surrounded by urban development and is not located on forest land or timberland.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
2. AGRICULTURE AND FOREST RESOURCES. 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?				X	33,34
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X	35,64

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
2. AGRICULTURE AND FOREST RESOURCES (Cont.). Would the project:					
c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526)?				X	25,27
d. Result in the loss of forest land or conversion of forest land to non-forest land?				X	25,26,28
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 or conversion of forest land to non-forest use?				X	25,26,28

Agriculture Resources

The project site is classified as urban and built-up land on the *Important Farmland Map* for Santa Clara County. Since the site is not located in an area identified as prime farmland, nor is the site being used for or zoned for agricultural use or is under a Williamson Act contract, the project would not have a significant impact on agricultural land.

Forest Resources

Since the site is not located in an area identified as forest land or timberland, nor is the site being used for or zoned for forestry use, the project would not have a significant impact on forest resources.

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

CONCLUSION

The proposed project would have **no impact** on agriculture or forest resources.

3. AIR QUALITY

SETTING

Bay Area Air Quality Management District

The project site is located within the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). The District includes seven Bay Area counties and portions of two others. Air quality emission and control standards are established by the BAAQMD and the California Air Resources Board, and by the Environmental Protection Agency (EPA) at the Federal level. These agencies are responsible for developing and enforcing regulations involving industrial and vehicular pollutant emissions, including transportation management and control mitigation measures.

Regional Climate

The air quality of a given area is not only dependent upon the amount of air pollutants emitted locally or within the air basin, but also is directly related to the weather patterns of the region. The wind speed and direction, the temperature profile of the atmosphere, and the amount of humidity and sunlight react with the emitted pollutants each day, and determine the resulting concentrations of air pollutants defining the "air quality."

The Bay Area climate is Mediterranean, with mild, rainy winters November through March, and warm, sunny and nearly dry summers June through September. Summer temperature inversions trap ground level pollutants. Winter conditions are less conducive to smog, but thin evening inversions sometimes concentrate carbon monoxide emissions at ground level.

Air Quality Standards

The U.S. EPA and the California Air Resources Board (CARB) have both established ambient air quality standards for common pollutants to avoid adverse health effects from each pollutant. The pollutants, which include ozone, carbon monoxide (CO), nitrogen dioxide, and particulate matter (PM_{10} and $PM_{2.5}$), and their standards are included in the Local Air Quality table that follows.

Regional Air Quality

The Federal Clean Air Act and the California Clean Air Act of 1988 require that the State Air Resources Board, based on air quality monitoring data, designate portions of the state where the federal or state ambient air quality standards are not met as "nonattainment areas". Because of the differences between the federal and state standards, the designation of nonattainment areas is different under Federal and State legislation.

The U.S. EPA has classified the San Francisco Bay Area as a nonattainment area for the federal 8-hour ozone and $PM_{2.5}$ standards. The Bay Area was designated as unclassifiable/attainment for the federal PM_{10} standard.

Under the California Clean Air Act, Santa Clara County is a nonattainment area for ozone and particulate matter (PM_{10} and $PM_{2.5}$). The county either meets attainment or is unclassified for the other pollutants. The California Clean Air Act requires local air pollution control districts to prepare air quality attainment plans; these plans must provide for district-wide emission reductions of five percent per year averaged over consecutive three-year periods or, if not, provide for adoption of "all feasible measures on an expeditious schedule".

Local Air Quality

Air quality in the project area is subject to the problems experienced by most of the Bay Area. Emissions from millions of vehicle-miles of travel each day often are not mixed and diluted, but are trapped near ground level by an atmospheric temperature inversion. Prevailing air currents generally sweep from the mouth of the Bay toward the south, picking up and concentrating pollutants along the way. A combination of pollutants emitted locally, the transport of pollutants from other areas, and the natural mountain barriers (the Diablo Range to the east and the Santa Cruz Range to the southwest) produce high concentrations. Air quality data from the last three years at the nearest BAAQMD monitoring station in San Jose, and Federal and State standards, are shown in the following table.

Table 2. Local Air Quality

Pollutant	Standard	Days Exceeding Standard 2007	2008	2009
OZONE				
State 1-hour	0.09 ppm	0	1	0
State 8-hour	0.07 ppm	0	3	0
Federal 8-hour	0.08 ppm	0	2	0
CARBON MONOXIDE				
State/Federal 8-hour	9.0 ppm	0	0	0
NITROGEN DIOXIDE				
State 1-hour	0.25 ppm	0	0	0
PARTICULATE MATTER (PM_{10})				
State 24-hour	50 $\mu g/m^3$	3	1	0
Federal 24-hour	150 $\mu g/m^3$	0	0	0
PARTICULATE MATTER ($PM_{2.5}$)				
Federal 24-hour	35 $\mu g/m^3$	9	5	0

ppm = parts per million $\mu g/m^3$ = micrograms per cubic meter
SOURCE: Bay Area Air Quality Management District monitoring data for San Jose.

Project Site

The project site is similar to other locations in the South Bay; air quality meets adopted State and/or Federal standards (the more stringent standard applies) on most days, and during periods when regional atmospheric conditions are stagnated, the air quality is poor throughout the extended South Bay area. There are no existing sources on the project site that currently adversely affect local air quality.

Sensitive Receptors

Some groups of people are more affected by air pollution than others. CARB has identified the following people who are most likely to be affected by air pollution: children under 14, the elderly over 65, athletes, and people with cardiovascular and chronic respiratory diseases. These groups are classified as sensitive receptors. Locations that may contain a high concentration of these sensitive population groups include residential areas, hospitals, daycare facilities, elder care facilities, elementary schools, and parks. The closest sensitive receptor is the elementary school located adjacent to the easterly project site boundary.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
3. AIR QUALITY. Would the project:					
a. Conflict with or obstruct implementation of the applicable air quality plan?				X	29,37
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X		26,37
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?			X		26,37
d. Expose sensitive receptors to substantial pollutant concentrations?		X			28,37
e. Create objectionable odors affecting a substantial number of people?				X	26,28

Project Impacts

Past, present and future development projects contribute to the region's adverse air quality impacts on a cumulative basis. By its very nature, air pollution is largely a cumulative impact. No single project is sufficient in size to, by itself, result in nonattainment of ambient air quality standards. Instead, a project's individual emissions contribute to existing cumulatively significant adverse air quality impacts. If a project's contribution to the cumulative impact is considerable, then the project's impact on air quality would be considered significant.

For most types of development projects, motor vehicles traveling to and from a project represent the primary source of air pollutant emissions associated with the project. The BAAQMD has established thresholds of significance for these indirect impacts from projects on local and regional air quality. If project vehicle emissions of carbon monoxide (CO) exceed 9 ppm (8-hour average) or 20 ppm (1-hour average); and if a project generates over 54 lbs/day of reactive

organic gases (ROG), nitrogen oxides (NO_x) or suspended particulate matter ($PM_{2.5}$ from exhaust) or over 82 lbs/day (PM_{10} from exhaust), it would have a significant air quality impact. For construction-related PM_{10} and $PM_{2.5}$ fugitive dust, the threshold of significance is a requirement that the facility employ Best Management Practices (BMPs) to minimize dust.

The BAAQMD developed screening criteria to provide lead agencies and project applicants with a conservative indication of whether a proposed project could result in potentially significant air quality impacts. If the screening criteria are met, then an air quality assessment of a project's air pollutant emissions is not required and the project would not result in the generation of operational-related criteria air pollutants and/or precursors that exceed the District's thresholds of significance. Operation of a proposed project would, therefore, result in a less-than-significant cumulative impact to air quality from criteria air pollutant and precursor emissions. For warehouse projects, the screening level is 864,000 square feet. The proposed 59,626-square-foot project is below that level and, therefore, would not have a significant air quality impact.

Odors

The project would not generate objectionable odors or place sensitive receptors adjacent to a use that generates odors (i.e., landfill, composting, etc.).

Sensitive Receptors

The closest sensitive receptor (the elementary school located adjacent to the easterly project site boundary) could be subjected to fugitive dust as a result of construction, as discussed below.

Temporary Construction Dust

The project would produce short-term fugitive dust generated as a result of site preparation and construction. The effects of construction activities would be increased dustfall and locally elevated levels of PM_{10} and $PM_{2.5}$ downwind of construction activity. Construction dust has the potential for creating a nuisance at nearby properties. This is considered a potentially significant impact. The BAAQMD threshold of significance for construction dust impacts is whether Best Management Practices (BMPs) are to be utilized. Mitigation measures include all basic BMPs identified by the BAAQMD; according to the District threshold of significance for construction impacts, implementation of the measures would reduce construction dust impacts of the project to a less-than-significant level.

MITIGATION MEASURES INCLUDED IN THE PROJECT

Temporary Construction Dust

- The following Best Management Practices shall be required of construction contracts and specifications for all construction to prevent visible dust emissions from leaving the site:
  - All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
  - All haul trucks transporting soil, sand or other loose material off-site shall be covered.

- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by CCR Title 13). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- A publicly-visible sign with the telephone number and person to contact at the Lead Agency regarding dust complaints shall be posted. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

CONCLUSION

The implementation of the above temporary construction dust mitigation measures would reduce the project's impact on air quality to a **less-than-significant impact with mitigation**.

4. BIOLOGICAL RESOURCES

Live Oak Associates, Inc. conducted a tree survey dated March 16, 2011 that is included in the Technical Appendix.

SETTING

Vegetation

Vegetation on the project site consists of landscaping around the existing warehouse building and trees. No rare or endangered plant species are known to inhabit the site.

Trees

The City of San Jose has a Tree Ordinance that regulates the removal of trees. An "Ordinance-sized tree" is defined as any native or non-native tree with a circumference of 56 inches (diameter of 18 inches) measured at 24 inches above the natural grade. For multi-trunk trees, the circumference is measured as the sum of the circumferences of all trunks at 24 inches above grade. A "heritage tree" is defined as a tree of special significance to the community due to history, girth, height, species, or other unique quality.

A detailed tree survey of all trees on the site was conducted. A total of 118 trees, ranging in diameter from 3 inches to 30 inches, were tagged and evaluated. Eleven (11) trees exceed 18 inches in diameter and come under the review of the City's Tree Ordinance. There are no designated Heritage Trees on the site. The approximate locations of the trees are shown on the following Tree Locations map, and their description by type, size and general condition is given in the following table. Ordinance-sized trees are shown in **bold** in the table. Photographs of each Ordinance-sized tree are included in the report in the Technical Appendix.

Table 3. Existing Trees

No.	Scientific Name	Common Name	Native Tree	Diameter * *(inches)*	General Condition	To Be Removed
1.	*Prunus cerasifera*	Purple Flowering Plum		8	Fair	
2.	*Prunus cerasifera*	Purple Flowering Plum		9	Good	
3.	*Prunus cerasifera*	Purple Flowering Plum		9	Good	
4.	*Prunus cerasifera*	Purple Flowering Plum		6	Good	
5.	*Prunus cerasifera*	Purple Flowering Plum		9	Good	
6.	*Prunus cerasifera*	Purple Flowering Plum		9	Fair	
7.	*Prunus cerasifera*	Purple Flowering Plum		11	Good	
8.	***Platanus occidentalis***	**American Sycamore**		**21**	**Good**	
9.	***Platanus occidentalis***	**American Sycamore**		**19**	**Good**	
10.	***Platanus occidentalis***	**American Sycamore**		**18**	**Good**	
11.	*Platanus occidentalis*	American Sycamore		17	Good	
12.	*Prunus cerasifera*	Purple Flowering Plum		11	Good	

continued

Table 3. Existing Trees (Cont.)

No.	Scientific Name	Common Name	Native Tree	Diameter * *(inches)*	General Condition	To Be Removed
13.	*Platanus occidentalis*	American Sycamore		17	Good	
14.	***Platanus occidentalis***	**American Sycamore**		**19**	**Good**	
15.	***Platanus occidentalis***	**American Sycamore**		**21**	**Good**	
16.	*Prunus cerasifera*	Purple Flowering Plum		10	Good	X
17.	*Prunus cerasifera*	Purple Flowering Plum		9	Good	X
18.	*Prunus cerasifera*	Purple Flowering Plum		9	Good	X
19.	*Prunus cerasifera*	Purple Flowering Plum		10	Good	X
20.	*Prunus cerasifera*	Purple Flowering Plum		10	Good	X
21.	*Prunus cerasifera*	Purple Flowering Plum		9	Good	
22.	*Prunus cerasifera*	Purple Flowering Plum		8	Fair	
23.	*Prunus cerasifera*	Purple Flowering Plum		12	Good	
24.	*Prunus cerasifera*	Purple Flowering Plum		10	Fair	
25.	*Prunus cerasifera*	Purple Flowering Plum		10	Good	
26.	*Pyrus calleryana*	Flowering Pear		15	Good	
27.	*Sequoia sempervirens*	Redwood		17	Good	X
28.	***Sequoia sempervirens***	**Redwood**		**18**	**Good**	**X**
29.	*Sequoia sempervirens*	Redwood		17	Good	X
30.	***Sequoia sempervirens***	**Redwood**		**20**	**Good**	**X**
31.	*Sequoia sempervirens*	Redwood		16	Good	X
32.	***Sequoia sempervirens***	**Redwood**		**18**	**Good**	**X**
33.	*Sequoia sempervirens*	Redwood		17	Good	X
34.	*Sequoia sempervirens*	Redwood		15	Good	X
35.	*Sequoia sempervirens*	Redwood		15	Good	X
36.	*Pyrus calleryana*	Flowering Pear		13	Good	X
37.	*Pyrus calleryana*	Flowering Pear		14	Good	X
38.	*Pyrus calleryana*	Flowering Pear		17	Good	X
39.	*Platanus occidentalis*	American Sycamore		15	Good	X
40.	*Platanus occidentalis*	American Sycamore		14	Good	X
41.	*Platanus occidentalis*	American Sycamore		15	Good	X
42.	*Pyrus calleryana*	Flowering Pear		14	Good	X
43.	*Pyrus calleryana*	Flowering Pear		14	Good	X
44.	*Pyrus calleryana*	Flowering Pear		14	Good	X
45.	*Sequoia sempervirens*	Redwood		13	Good	X
46.	*Sequoia sempervirens*	Redwood		13	Good	X
47.	*Sequoia sempervirens*	Redwood		15	Good	X
48.	*Prunus cerasifera*	Purple Flowering Plum		13	Good	X
49.	*Prunus cerasifera*	Purple Flowering Plum		4	Fair	X

continued

Table 3. Existing Trees (Cont.)

No.	Scientific Name	Common Name	Native Tree	Diameter * *(inches)*	General Condition	To Be Removed
50.	*Prunus cerasifera*	Purple Flowering Plum		8	Good	
51.	*Prunus cerasifera*	Purple Flowering Plum		7	Good	
52.	***Sambucus nigra***	**Blue Elderberry**	**Y**	**30**	**Good**	**X**
53.	***Sambucus nigra***	**Blue Elderberry**	**Y**	**19**	**Good**	**X**
54.	*Sambucus nigra*	Blue Elderberry	Y	8	Fair	X
55.	***Sambucus nigra***	**Blue Elderberry**	**Y**	**25**	**Fair**	**X**
56.	*Sambucus nigra*	Blue Elderberry	Y	12	Good	X
57.	*Sequoia sempervirens*	Redwood		15	Good	X
58.	*Sequoia sempervirens*	Redwood		15	Good	X
59.	*Sequoia sempervirens*	Redwood		14	Good	X
60.	*Sequoia sempervirens*	Redwood		16	Good	X
61.	*Platanus x acerifolia*	London Plane		12	Good	X
62.	*Platanus x acerifolia*	London Plane		10	Good	X
63.	*Prunus cerasifera*	Purple Flowering Plum		9	Fair	
64.	*Prunus cerasifera*	Purple Flowering Plum		10	Good	
65.	*Prunus cerasifera*	Purple Flowering Plum		8	Dead	X
66.	*Prunus cerasifera*	Purple Flowering Plum		9	Fair	X
67.	*Pyrus calleryana*	Flowering Pear		16	Good	X
68.	*Pyrus calleryana*	Flowering Pear		16	Good	X
69.	*Pyrus calleryana*	Flowering Pear		16	Good	X
70.	*Pyrus calleryana*	Flowering Pear		16	Good	X
71.	*Prunus cerasifera*	Purple Flowering Plum		13	Good	X
72.	*Platanus x acerifolia*	London Plane		14	Good	X
73.	*Prunus cerasifera*	Purple Flowering Plum		10	Fair	X
74.	*Prunus cerasifera*	Purple Flowering Plum		11	Good	X
75.	*Platanus x acerifolia*	London Plane		11	Good	X
76.	*Platanus x acerifolia*	London Plane		11	Good	X
77.	*Prunus cerasifera*	Purple Flowering Plum		8	Good	X
78.	*Prunus cerasifera*	Purple Flowering Plum		9	Good	
79.	*Platanus x acerifolia*	London Plane		12	Good	X
80.	*Platanus x acerifolia*	London Plane		10	Good	X
81.	*Prunus cerasifera*	Purple Flowering Plum		10	Good	X
82.	*Prunus cerasifera*	Purple Flowering Plum		6	Good	X
83.	*Prunus cerasifera*	Purple Flowering Plum		7	Good	X
84.	*Pyrus calleryana*	Flowering Pear		14	Good	X
85.	*Pyrus calleryana*	Flowering Pear		14	Good	
86.	*Pyrus calleryana*	Flowering Pear		14	Good	

continued

Table 3. Existing Trees (Cont.)

No.	Scientific Name	Common Name	Native Tree	Diameter * *(inches)*	General Condition	To Be Removed
87.	*Prunus cerasifera*	Purple Flowering Plum		10	Good	
88.	*Prunus cerasifera*	Purple Flowering Plum		8	Fair	
89.	*Sequoia sempervirens*	Redwood		13	Good	
90.	*Sequoia sempervirens*	Redwood		10	Fair	
91.	*Sequoia sempervirens*	Redwood		17	Good	
92.	*Sequoia sempervirens*	Redwood		3	Good	
93.	*Pyrus calleryana*	Flowering Pear		7	Good	
94.	*Sequoia sempervirens*	Redwood		4	Good	
95.	*Pyrus calleryana*	Flowering Pear		8	Good	
96.	*Sequoia sempervirens*	Redwood		4	Good	
97.	*Pyrus calleryana*	Flowering Pear		5	Good	
98.	*Pyrus calleryana*	Flowering Pear		5	Good	
99.	*Sequoia sempervirens*	Redwood		4	Good	
100.	*Pyrus calleryana*	Flowering Pear		9	Good	
101.	*Sequoia sempervirens*	Redwood		4	Good	
102.	*Pyrus calleryana*	Flowering Pear		6	Good	
103.	*Sequoia sempervirens*	Redwood		4	Good	
104.	*Pyrus calleryana*	Flowering Pear		8	Good	
105.	*Sequoia sempervirens*	Redwood		4	Good	
106.	*Pyrus calleryana*	Flowering Pear		6	Good	
107.	*Sequoia sempervirens*	Redwood		4	Good	
108.	*Pyrus calleryana*	Flowering Pear		6	Good	
109.	*Sequoia sempervirens*	Redwood		4	Good	
110.	*Pyrus calleryana*	Flowering Pear		6	Good	
111.	*Sequoia sempervirens*	Redwood		4	Good	
112.	*Pyrus calleryana*	Flowering Pear		5	Good	
113.	*Sequoia sempervirens*	Redwood		3	Good	
114.	*Pyrus calleryana*	Flowering Pear		4	Good	
115.	*Pyrus calleryana*	Flowering Pear		6	Good	
116.	*Pyrus calleryana*	Flowering Pear		8	Good	
117.	*Rhus lancea*	African Sumac		10	Good	
118.	*Sambucus nigra*	Blue Elderberry	Y	7	Good	X

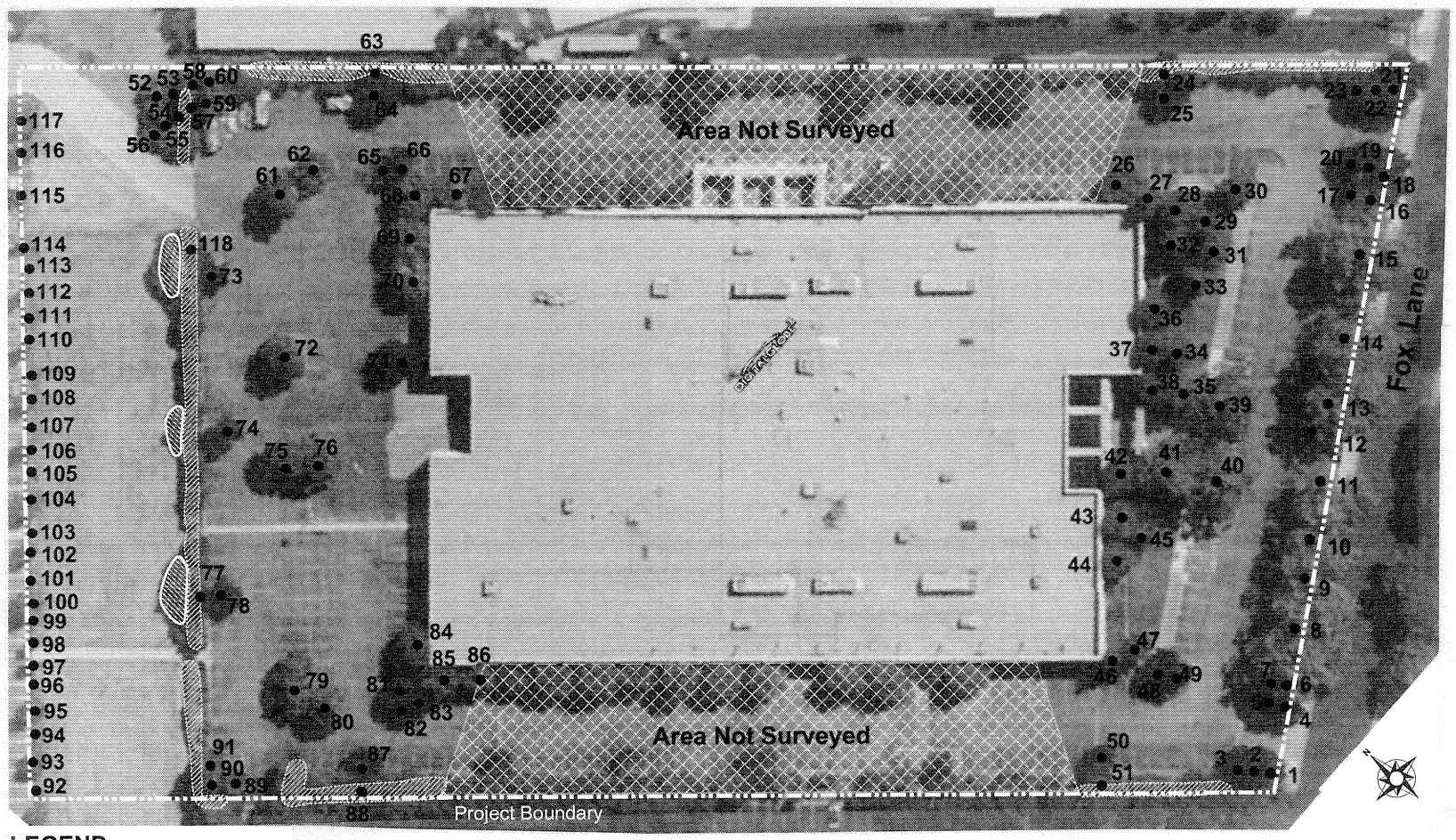
Note: Some trees have multiple stems from a single trunk. Ordinance-sized trees are shown in **bold**.

* Diameter at 2 feet above ground.

** Combined total represents Ordinance-sized tree.

Y = Native Tree.

X = To be Removed.



LEGEND

- ●7 Tree location and number
- Almond Tree Cluster
- Photinia

Aerial photograph courtesy of Digital Globe

Tree Locations

Figure 18

Riparian Corridor Habitat

Riparian corridor habitat is not located on or within 300 feet of the project site.

Wildlife

The project site contains developed habitat. Wildlife typically associated with this habitat type include birds, reptiles, and small mammals. No rare or endangered animal species are known to inhabit the site. The site does not contain any known important wildlife breeding, nesting or feeding areas.

Raptors

All raptors (i.e., eagles, hawks and owls) and their nests are protected under both Federal and State regulations. The Federal Migratory Bird Treaty Act prohibits killing, possessing or trading in migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. This Act encompasses whole birds, parts of birds and bird nests and eggs. Birds of prey are protected in California under the State Fish and Game Code. Section 3503.5 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 California Department of Fish and Game (CDFG). Any loss of fertile eggs or nesting raptors, or any activities resulting in nest abandonment would constitute a significant impact. Construction activities such as tree removal, site grading, etc., that disturb a nesting raptor onsite or immediately adjacent to the site constitute a significant impact.

The project site contains trees that may provide suitable habitat for tree-nesting raptors; however, no raptor nests are currently known to exist on the site. The site does not provide suitable habitat for burrowing owls.

Habitat Conservation Plan / Natural Community Conservation Plan (HCP/NCCP)

To promote the recovery of endangered species while accommodating planned development, infrastructure and maintenance activities, the Local Partners, consisting of the City of San Jose, Santa Clara Valley Transportation Authority, Santa Clara Valley Water District, Santa Clara County and the cities of Gilroy and Morgan Hill, are preparing a joint Habitat Conservation Plan/Natural Community Conservation Plan. The Santa Clara Valley Habitat Plan is being developed in association with the U.S. Fish & Wildlife Service (USFWS), the California Department of Fish and Game (CDFG) and the National Marine Fisheries Service (NMFS) and in consultation with stakeholder groups and the general public to protect and enhance ecological diversity and function within more than 500,000 acres of southern Santa Clara County. The final HCP/NCCP s currently expected to be completed by the end of 2011.

The Santa Clara Habitat Plan Planning Agreement outlines the Interim Project Process to ensure coordination of projects approved or initiated in the Planning Area before completion of the Habitat Plan to help achieve the preliminary conservation objectives of the Plan, and not preclude important conservation planning options or connectivity between areas of high habitat values. The Interim Project Referral Process requires the local participating agencies to notify the wildlife agencies (CDFG and USFWS) of projects that have the potential to adversely impact covered species or natural communities, or conflict with the preliminary conservation objectives of the Habitat Plan. The wildlife agencies' comments on Interim Projects should recommend mitigation measures or project alternatives that would help achieve the preliminary conservation objectives of the Habitat Plan.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
4. BIOLOGICAL RESOURCES. 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 Game or U.S. Fish and Wildlife Service?		X			25,67
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies or regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X	25,41
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act including, but not limited to, marsh, vernal pool, coastal, etc., through direct removal, filling, hydrological interruption or other means?				X	25
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?				X	25
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X		29,40,100
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?				X	25,29

The project site does not include riparian habitat, wetlands or any other sensitive habitat; nor is the site adjacent to any wetlands, waterway or other sensitive habitat. No sensitive plant or animal species are known or expected to inhabit the site. The project site does not contain sensitive wildlife habitat or any wildlife nursery sites, nor will its development affect any migratory corridor; and it does not meet the criteria for Interim Habitat Conservation Plan Referral.

Trees

There are 118 trees on the project site, ranging in diameter from 3 to 30 inches. Fifty-five (55) trees, of which 6 are native, are planned to be removed with the project, as indicated by an "X" on the preceding Existing Trees table, while some Redwood trees are being considered for relocation within the SuperMicro campus. Six (6) of the trees to be removed exceed 18 inches in diameter (56-inch circumference) and come under the review of the City's Tree Ordinance, which requires approval for the removal of any tree with an 18-inch diameter (56-inch circumference) or greater. Sixty-three (63) trees are currently planned to be retained with the project. Any tree that is removed will be replaced with the addition of a new tree(s) at the ratios shown in the following Tree Replacement Ratios table. The species and exact number of trees to be planted on the site will be determined in consultation with the City Arborist and the Department of Planning, Building and Code Enforcement.

Table 4. Tree Replacement Ratios

Diameter of Tree to be Removed	Type of Tree to be Removed			Minimum Size of Each Replacement Tree
	Native	Non-Native	Orchard	
18 inches or greater	5:1	4:1	3:1	24-inch box
12 to <18 inches	3:1	2:1	None	24-inch box
<12 inches	1:1	1:1	None	15-gallon container

x:x = tree replacement to tree loss ratio

Note: Trees greater that 18" diameter will not be removed unless a Tree Removal Permit, or equivalent, has been approved for the removal of such trees.

Trees to remain will be safeguarded before and during construction by a Tree Protection Plan developed by a consulting arborist, and implemented with measures such as the storage of oil, gasoline, chemicals, etc. away from trees; grading around trees or root pruning only as approved, and prevention of drying out of exposed soil where cuts are made; any additional tree pruning needed for clearance performed or supervised by an arborist; application of supplemental irrigation as determined by the consulting arborist; no dumping of liquid or solid wastes in the dripline or uphill from any tree; and construction of barricades around the dripline of the trees until all grading and construction is completed, as outlined in the City's Tree Ordinance.

Replacement trees are in addition to normal landscaping. If sufficient area is not available onsite within the project for all of the replacement trees, a contribution would be made to Our City Forest where the funds would be used to plant trees within the City.

Wildlife

The project requires the removal of trees and vegetation on the site. The birds and small mammals would diminish during the initial construction, but as the new urban landscaping matures, birds and small mammals that have adapted to the urban environment would return.

Raptors

The project site provides potentially suitable habitat for tree-nesting raptors, although the site does not currently contain any known raptor nests. If a raptor were to nest on or immediately adjacent to the site prior to construction, development-related activities could result in the abandonment of active nests or direct mortality to these birds, which would constitute a violation of state and federal laws and be considered a significant impact. Pre-construction surveys for nesting raptors should be conducted.

MITIGATION MEASURES INCLUDED IN THE PROJECT

Raptors

- If possible, construction should be scheduled between September and December (inclusive) to avoid the raptor nesting season. If this is not possible, pre-construction surveys for nesting raptors shall be conducted by a qualified biologist to identify active raptor nests that may be disturbed during project implementation. Between January and April (inclusive) pre-construction surveys shall be conducted no more than 14 days prior to the initiation of construction activities or tree relocation or removal. Between May and August (inclusive), pre-construction surveys shall be conducted no more than thirty (30) days prior to the initiation of these activities. The surveying biologist shall inspect all trees in and immediately adjacent to the construction area for raptor nests. If an active raptor nest is found in or close enough to the construction area to be disturbed by these activities, the biologist shall, in consultation with the California Department of Fish and Game, designate a construction-free buffer zone (typically 250 feet) around the nest, which shall be maintained until after the breeding season has ended and/or a qualified biologist has determined that the young birds have fledged. The applicant shall submit a report to the City's Environmental Principal Planner indicating the results of the survey and any designated buffer zones to the satisfaction of the City's Environmental Principal Planner prior to the issuance of any grading or building permit.

CONCLUSION

The implementation of the above raptors mitigation measure would reduce the project's impact on biological resources to a **less-than-significant impact with mitigation**.

5. CULTURAL RESOURCES

Holman & Associates conducted an archaeological literature review dated March 3, 2011 that is included in the Technical Appendix.

SETTING

Prehistoric Resources

The project site is within a potential archaeological resource zone as outlined on the maps on file at the City of San Jose Planning Division. Maps and records at the Northwest Information Center (NWIC), located in Rohnert Park, were consulted for any record of archaeological remains in and around the project area. The project site was originally developed before archeological surveys were routinely required; therefore, no recorded evidence of historic and/or prehistoric cultural resources exists inside the project borders. There are, however, several large prehistoric archaeological studies and recorded archaeological sites in the immediate area, as further discussed in the report in the Technical Appendix.

Historic Resources

There is one existing structure located on the project site, which was constructed approximately 20 years ago. This structure is not currently listed as a City Landmark or Candidate City Landmark, nor is it listed or determined eligible for listing on the National or California Register of Historic Places.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
5. CULTURAL RESOURCES. Would the project:					
a. Cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines §15064.5?				X	25,43,44
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?		X			27,42,101
c. Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?				X	27,67
d. Disturb any human remains, including those interred outside of formal cemeteries?			X		27,101

Prehistoric Resources and Native American Burials

The project site is in a potential archaeological resource zone. Although, there are no recorded historic and/or prehistoric sites on the property, an examination of archaeological research done for adjacent project areas suggests that there remains a moderate to high potential that the property may contain historically undisturbed prehistoric archaeological resources and/or Native

American burials. While grading and trenching for the existing building may have resulted in the destruction of historic archaeological remains, there is a possibility that historic disturbance did not reach deep enough, nor was it extensive enough, to have completely removed prehistoric archaeological deposits. While there is no basis to warrant subsurface investigations at this time, monitoring during site clearing and during grading and trenching operations that extend into native soils should be performed until the archaeological monitor is satisfied that there are no undisturbed prehistoric archaeological deposits on the property.

Historic Resources

As there are no designated historical structures on the site or in the vicinity and the existing structure is less than 50 years old, the project would have no significant impact on historic resources.

STANDARD MEASURES INCLUDED IN THE PROJECT

Native American Burials

- Pursuant to Section 7050.5 of the Health and Safety Code, and Section 5097.94 of the Public Resources Code of the State of California: In the event of the discovery of human remains during construction, there will be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner will be notified by the developer and will make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he will notify the Native American Heritage Commission, who will attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the landowner will reinter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.

- Any Native American human remains that are discovered and would be subject to disturbance will be removed and analyzed, a report will be prepared, and the remains will be reburied in consultation and agreement with the Native American Most Likely Descendant designated by the Native American Heritage Commission. Prior to obtaining an occupancy permit, a copy of the report will be submitted to the City's Environmental Principal Planner to the satisfaction of the Director of Planning.

MITIGATION MEASURES INCLUDED IN THE PROJECT

Prehistoric Resources

- A qualified archaeologist shall be required to monitor site clearing and all grading and trenching operations that extend into native soils, as follows:

- If no resources are discovered, the archaeologist shall submit a report to the City's Environmental Principal Planner verifying that the required monitoring occurred and that no further mitigation is necessary.
- If evidence of any archaeological, cultural, and/or historical deposits is found, hand excavation and/or mechanical excavation shall proceed to evaluate the deposits for determination of significance as defined by CEQA guidelines.
- The archaeologist shall submit reports, to the satisfaction of the City's Environmental Principal Planner, describing the testing program and subsequent results; these reports shall identify any program mitigation to be completed in order to mitigate archaeological impacts (including resource recovery and/or avoidance, testing and analysis, removal, reburial, and curation of archaeological resources at a recognized storage facility). A final report shall verify completion of the mitigation program to the satisfaction of the City's Environmental Principal Planner.
- In the event that human remains and/or cultural materials are found, all project-related construction shall cease within a 50-foot radius in order to proceed with the testing and mitigation measures required.

CONCLUSION

The implementation of the above Native American burials standard measures and prehistoric resources mitigation measures would reduce the project's impact on cultural resources to a **less-than-significant impact with mitigation**.

6. GEOLOGY AND SOILS

SETTING

Topography

The project site has a uniform northerly slope of less than one-half percent. Elevations on the site range from approximately 47 feet above sea level at the southerly boundary to approximately 45 feet above sea level at the northerly boundary. There are no significant topographical features on the site.

Geology

The project site is underlain by Quaternary alluvium (Qal), which consists of unconsolidated to weakly consolidated silt, sand and gravel. Quaternary alluvium includes Holocene and late Pleistocene alluvium and minor amounts of beach and dune sand and marine terrace deposits.

Geologic Hazard Zone

The project site is not located in a geologic hazard zone as mapped by the City of San Jose in accordance with the Geologic Hazards Ordinance.

Soils

The project site is underlain by the alluvial soils of the Yolo association as classified by the U.S. Department of Agriculture, Soil Conservation Service. Mocho clay loam (Mh) in the southwesterly majority and Cropley clay loam, 0-2% slopes (CsA) in the northeasterly portion are the specific soil types identified at the site.

Mocho clay loam is characterized by a brown, granular, slightly hard, calcareous surface layer approximately 12 to 20 inches thick; moderately good natural drainage; moderately slow subsoil permeability; vey slow surface runoff; no erosion hazard; high inherent fertility (Class I); and a moderate shrink/swell capacity.

Cropley clay loam, 0-2% slopes is characterized by a brown, massive, hard, slightly alkaline surface layer approximately 8 to 20 inches thick; good natural drainage; slow subsoil permeability; very slow surface runoff; no erosion hazard; high inherent fertility (Class II); and a high shrink/swell capacity.

The site is mapped within a hazard zone for liquefaction on the State's *Seismic Hazard Zones* maps. According to Cooper-Clark and Associates' *San Jose Geotechnical Investigation*, the site is mapped as having a high ground failure (liquefaction) potential, weak soil layers and lenses occurring at random locations and depths, moderately to highly expansive soils, no erosion potential, and no landslide susceptibility. The liquefaction potential is considered to warrant further geologic study at the environmental review stage. The remainder of the soils conditions can be managed using standard engineering measures and do not require further geologic study

at this time as part of the environmental review process, but may require further analysis prior to the issuance of a grading or building permit.

Faulting

There are no identified earthquake faults mapped on the site, and the site is not mapped within a designated Alquist-Priolo Earthquake Fault Zone (formerly Special Studies Zone) or within a City of San Jose Fault Hazard Zone. The nearest active fault zones are the Hayward and Calaveras Faults, which are mapped approximately 4.5 and 6.8 miles respectively to the northeast, and the San Andreas Fault, which is mapped approximately 13.8 miles to the southwest.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
6. GEOLOGY AND SOILS. Would the project:					
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: 1) Rupture of a known earthquake fault, as described 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.)				X	46, 47,50,51
2) Strong seismic ground shaking?			X		27,49
3) Seismic-related ground failure, including liquefaction?		X			31,49,87
4) Landslides?				X	47,49
b. Result in substantial soil erosion or the loss of topsoil?			X		48,49
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?			X		49
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X		48,49
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X	28

The site is mapped within a State hazard zone for liquefaction; and as having a high ground failure potential, weak soil layers and lenses occurring at random locations and depths, moderately to highly expansive soils, no erosion potential, and no landslide susceptibility.

Expansive Soils

Expansive soils shrink and swell as a result of moisture changes. The surface soils on the site pose a hazard to building foundations because of their moderate to high shrink/swell potential. Measures for buildings on expansive soils include drainage control and the use of special foundations.

Erosion

Development of the project site may subject the soils to accelerated erosion. In order to minimize erosion, erosion control measures such as those described in the Association of Bay Area Governments (ABAG) *Manual of Standards for Erosion & Sediment Control Measures* will be incorporated into the project.

Ground Rupture

Ground rupture (surface faulting) tends to occur along lines of previous faulting. As the site is not located within a State of California Earthquake Fault Hazard Zone and there are no known active faults on the site, the potential for ground rupture due to an earthquake is low.

Seismic Shaking

The maximum seismic event occurring on the site would probably be from effects originating from the Hayward, Calaveras, or San Andreas fault systems. Ground shaking effects can be expected in the area during a major earthquake originating along any of the active faults within the Bay Area. At present, it is not possible to predict when or where movement will occur on these faults. It must be assumed, however, that movement along one or more of these faults will result in a moderate or major earthquake during the lifetime of any construction on this site. The effects on development would depend on the distance to the earthquake epicenter, duration, magnitude of shaking, design and quality of construction, and geologic character of materials underlying foundations.

The maximum credible earthquake, which is defined as *"the maximum earthquake that appears capable of occurring under the presently known framework"*, for the San Andreas Fault ranges from magnitude 8.0 to 8.3; and from magnitude 7.0 to 7.5 for either the Hayward or Calaveras Faults. The maximum probable earthquake, which is defined as *"the maximum earthquake that is likely to occur during a 100-year interval"*, for the San Andreas Fault ranges from magnitude 7.5 to 8.5; from magnitude 6.75 to 7.5 for the Hayward Fault; and from magnitude 6.5 to 7.0 for the Calaveras Fault.

Structural damage from ground shaking is caused by the transmission of earthquake vibrations from the ground into the structure. Ground shaking is apparently the only significant threat to structures built on the site; however, it is important to note that well-designed and constructed

structures that take into account the ground response of the soil or rock in their design usually exhibit minor damage during earthquake shaking.

The proposed structures on the site will be designed and constructed in conformance with the Uniform Building Code Guidelines for Seismic Zone 4 to avoid or minimize potential damage from seismic shaking on the site.

Liquefaction

The site is mapped within a hazard zone for liquefaction on the State's *Seismic Hazard Zones* maps. Soil liquefaction is a phenomenon in which saturated, cohesionless soil layers located close to the ground surface lose strength during cyclic loading, such as imposed by earthquakes. During the loss of strength, the soil acquires a "mobility" sufficient to permit both horizontal and vertical movements. Soils that are most susceptible to liquefaction are clean, loose, saturated, uniformly graded, fine-grained sands.

Mitigation measures for liquefaction consist of ground improvement or foundation design. Ground improvement includes such measures as removal and re-compaction of low-density soils, removal of excess groundwater, in-situ ground densification, etc. Special foundations that are typically considered to mitigate impacts from liquefaction range from deep piles to reinforcement of shallow foundations (such as post-tensioned mats or grid footings).

STANDARD MEASURES INCLUDED IN THE PROJECT

Erosion

- A City-approved Erosion Control Plan will be developed and implemented prior to approval of a grading permit or Public Works clearance with such measures as: 1) the timing of grading activities during the dry months, if feasible; 2) temporary and permanent planting of exposed soil; 3) temporary check dams; 4) temporary sediment basins and traps and/or 5) temporary silt fences.

Seismic Shaking

- The proposed structures on the site will be designed and constructed in conformance with the Uniform Building Code Guidelines for Seismic Zone 4 to avoid or minimize potential damage from seismic shaking on the site.

Liquefaction

- A geotechnical report addressing the potential hazard of liquefaction will be submitted to, and reviewed and approved by, the City Geologist prior to issuance of a grading permit or Public Works clearance. The investigation should be consistent with the guidelines published by the State of California (CDMG Special Publication 117) and the Southern California Earthquake Center ("SCEC") report.

MITIGATION MEASURES INCLUDED IN THE PROJECT

Geotechnical Investigation

- A geotechnical report shall be conducted, submitted and approved prior to issuance of a grading permit to evaluate potential impacts due to liquefaction, expansive soils, seismic shaking, etc.; and mitigation measures, including site grading requirements, utilization of special foundations and control of drainage, shall be developed and implemented as warranted.

CONCLUSION

The implementation of the above erosion, seismic shaking and liquefaction standard measures and geotechnical investigation mitigation measure would reduce the project's geology and soils impact to a **less-than-significant impact with mitigation**.

7. GREENHOUSE GAS EMISSIONS

SETTING

Greenhouse Gases and Climate Change

Gases that trap heat in the atmosphere are referred to as greenhouse gases (GHGs) because they capture heat radiated from the sun as it is reflected back into the atmosphere, much like a greenhouse does. The accumulation of GHGs has been implicated as a driving force for global climate change. Definitions of climate change vary between and across regulatory authorities and the scientific community, but in general can be described as the changing of the earth's climate caused by natural fluctuations and anthropogenic activities which alter the composition of the global atmosphere.

California State law defines greenhouse gases as:

Carbon Dioxide (CO_2)
Methane (CH_4)
Nitrous Oxide (N_2O)
Hydrofluorocarbons
Perfluorocarbons
Sulfur Hexafluoride

The overall approach to the GHG discussion is based upon the technical advisory of the Governor's Office of Planning and Research (OPR) embodied in the document *CEQA and Climate Change: Addressing Climate Change Through California Environmental Quality Act (CEQA) Review*. According to the Governor's OPR, the most common GHG that results from human activity is carbon dioxide, followed by methane and nitrous oxide. The last three of the six identified GHGs are primarily emitted by industrial facilities. For this discussion, only carbon dioxide, methane and nitrous oxide emissions are considered. These primary greenhouse gases are described below.

Carbon dioxide is primarily generated by fossil fuel combustion in stationary and mobile sources. Due to the emergence of industrial facilities and mobile sources in the past 250 years, the concentration of carbon dioxide in the atmosphere has increased 35 percent. Carbon dioxide is the most widely emitted GHG and is the reference gas [Global Warming Potential (GPW) of 1] for determining GWPs for other GHGs.

Methane is emitted from biogenic sources, incomplete combustion in forest fires, landfills, manure management, and leaks in natural gas pipelines. In the United States, the top three sources of methane are landfills, natural gas systems, and enteric fermentation. Methane is the primary component of natural gas, which is used for space and water heating, steam production, and power generation. The GWP of methane is 21.

Nitrous oxide is produced by both natural and human-related sources. Primary human-related sources include agricultural soil management, animal manure management, sewage treatment, mobile and stationary combustion of fossil fuel, adipic acid production, and nitric acid production. The GWP of nitrous oxide is 310.

Greenhouse Gas Effects

There is international scientific consensus that human-caused increases in GHGs have and will continue to contribute to global warming, although there is uncertainty concerning the magnitude and rate of the warming. Potential global warming impacts in California may include, but are not limited to, loss in snow pack, sea level rise, more extreme heat days per year, more high ozone days, more large forest fires, and more drought years. Secondary effects are likely to include a global rise in sea level, impacts to agriculture, changes in disease vectors, and changes in habitat and biodiversity.

Local Greenhouse Gas Regulations

The Bay Area Air Quality Management District (BAAQMD) has established a climate protection program to reduce pollutants that contribute to global climate change and affect air quality in the Bay Area. The climate protection program includes measures that promote energy efficiency, reduce vehicle miles traveled, and develop alternative sources of energy, all of which assist in reducing emissions of GHG and in reducing air pollutants that affect the health of residents. BAAQMD also seeks to support current climate protection programs in the region and to stimulate additional efforts through public education and outreach, technical assistance to local government and other interested parties, and promotion of collaborative efforts among stakeholders.

Sources of Greenhouse Gas Emissions

Anthropogenic GHG emissions worldwide as of 2005 totaled approximately 30,800 CO_2 equivalent million metric tons ($MMTCO_2E$). The United States was the top producer of greenhouse gas emissions as of 2005. The primary greenhouse gas emitted by human activities in the United States was CO_2, representing approximately 84 percent of total GHG emissions. Carbon dioxide from fossil fuel combustion, the largest source of US greenhouse gas emissions, accounted for approximately 80 percent of US GHG emissions

The primary contributors to GHG emissions in California are transportation, electric power production from both in-state and out-of-state sources, industry, agriculture and forestry, and other sources, which include commercial and residential activities. These primary contributors to California's GHG emissions and their relative contributions are presented in the following table.

Table 5. Greenhouse Gas Sources in California, 2004

Source	Annual GHG Emissions ($MMTCO_2E$)	Percent of Total
Agriculture	27.9	5.8
Commercial Uses	12.8	2.6
Electricity Generation	119.8	24.7
Forestry (*Excluding Sinks**)	0.2	0.0
Industrial Uses	96.2	19.9
Residential Uses	29.1	6.0
Transportation	182.4	37.7
Other	16.0	3.3
Total	484.4	100.0

* *Emissions are for the forestry industry. Forests, themselves, are a sink for carbon dioxide, as photosynthesis removes carbon dioxide from the atmosphere.*

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
7. GREENHOUSE GAS EMISSIONS. Would the project:					
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X		29,65
b. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?				X	25,26,28

Standards

The BAAQMD adopted *CEQA Guidelines* significance thresholds for GHG emissions that include quantitative thresholds of significance for GHG emissions. The *Guidelines* provide that a development project, other than a stationary source, would have a significant cumulative impact unless:

- The project can be shown to be in compliance with a qualified Climate Action Plan; or
- Project emissions of CO_2 equivalent GHGs (CO_2e) are less than 1,100 metric tons per year; or
- Project emissions of CO_2 equivalent GHGs are less than 4.6 metric tons per year per service population (residents plus employees).

Greenhouse Gases and Climate Change

The project's incremental increases in GHG emissions associated with traffic increases and direct and indirect energy use would contribute to regional and global increases in GHG emissions and associated climate change effects. The City of San Jose does not currently have a qualified Climate Action Plan. According to the BAAQMD's *CEQA Guidelines*, projects below

the applicable screening criteria (warehouse – 64,000 square feet) would not exceed the 1,100 metric tons per year of CO_2-eq GHG threshold of significance. Therefore, the proposed 59,626-square-foot warehouse expansion would not have a significant impact on GHG emissions.

Green Design

The Green Building Policy for Private Sector New Construction (Policy 6-32) demonstrates the City's commitment to environmental, economic and social stewardship, to yield cost savings through reduced operating costs, to provide healthy work environments, and to contribute to the City's goals of protecting, conserving and enhancing the region's environmental resources. The Policy uses third-party Green Building Certification levels of Leadership in Energy and Environmental Design (LEED) or Build It Green (BIG) as green building standards. Adherence to these standards would result in energy efficiency levels from 10 to 15 percent better than those achieved with the 2009 Title 24 California Efficiency Standards. The project will be designed to be consistent with the Green Building Policy.

In addition, the California Building Standards Commission (CBSC) recently adopted statewide green building standards. Known as CALGREEN, the regulations went into effect on January 1, 2011. The 2010 Green Building Standards Code require:

- 20 percent mandatory reduction in indoor water use, with voluntary goal standards for 30, 35 and 40 percent reductions;
- Separate water meters for non-residential buildings' indoor and outdoor water use, with a requirement for moisture-sensing irrigation systems for larger landscape projects;
- Diversion of 50 percent of construction waste from landfills, increasing voluntarily to 65 and 75 percent for new homes and 80 percent for commercial projects;
- Mandatory inspections of energy systems (i.e., heat furnace, air conditioner, mechanical equipment) for non-residential buildings over 10,000 square feet; and
- Low-pollutant-emitting interior finish materials such as paints, carpet, vinyl flooring and particle board.

STANDARD MEASURES INCLUDED IN THE PROJECT

Green Design

- The project will be designed in conformance with the Green Building Policy (Policy 6-32).

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

CONCLUSION

The project would have a **less-than-significant impact** on greenhouse gas emissions.

8. HAZARDS AND HAZARDOUS MATERIALS

SETTING

Wells

There are no known existing active or abandoned water wells located on the project site.

Pesticides

There are no known pesticides currently used on the site for either agricultural production or landscape maintenance operation.

Hazardous Materials

There are no known hazardous materials currently being used as a part of a present business operating on the site.

According to a 2005 Phase I environmental site assessment conducted on the site, the property was used as a nursery prior to the construction of the existing building. It is likely that pesticides were applied to flowering plants cultivated in the greenhouses.

Service Station

The project site has never been occupied by a gas station and/or auto repair facility.

Underground Storage Tank

The project site does not have underground storage of chemicals and has not used underground storage tanks.

Previous occupants of the site, Exclusive Design Company (EDC Biosystems), Precision Design Corporation and ITW Texwipe, are listed on the HAZNET List as generators of California-listed hazardous wastes, which were likely associated with an onsite wastewater treatment system and manufacturing activities.

Soil/Groundwater Testing / Remediation

No known soils/groundwater tests have ever been performed on the project site in relation to potential hazardous materials contamination. No known remediation of hazardous materials has ever been performed on the project site.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
8. HAZARDS AND HAZARDOUS MATERIALS. Would the project:					
a. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?				X	26,27,28
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X	28
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?		X			27,28,87
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?			X		85,87
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 for people residing or working in the project area?				X	27,69
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X	27,69
g. Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?				X	27
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X	25, 27,57,58

The project site is not located within the Santa Clara County Airport Land Use Commission (ALUC) jurisdiction, nor is it on one of the City's designated evacuation routes. The site also is not located within an area subject to wildfires.

General

The project site will be viewed by a qualified environmental professional during demolition and pre-grading activities to observe areas of the property that may have been obscured by existing

structures or pavement for such items as stained soils, septic systems, underground storage tanks, and/or unforeseen buried utilities; and, if found, a mitigation program will be developed, submitted to the City's Environmental Principal Planner, and implemented with such measures as soil testing, removal and/or offsite disposal at a permitted facility.

Wells

There are no known water wells on the project site. If an old well(s) is discovered during grading operations, the well(s) will be destroyed prior to the construction. If not properly destroyed, a well could cause contamination of the groundwater. Well destruction is regulated by the Santa Clara Valley Water District's Ordinance No. 90-1 in order to assure that such wells will not cause pollution or contamination of groundwater or otherwise jeopardize the health, safety, or welfare of the people of the district. The Ordinance requires that a permit be obtained before a well can be destroyed.

Septic Systems

There are no known septic systems on the site. If remnants of an old system are discovered during grading operations, the septic system should be removed in accordance with the requirements of the Santa Clara County Sewage Disposal Ordinance.

Soil Contamination

Pesticides

It is likely that pesticides were applied to flowering plants cultivated in greenhouses on the site prior to the construction of the existing building; therefore, the potential exists that shallow soils may contain elevated concentrations of long-life pesticides. Soil at the site should be sampled for pesticides and CAM metals; if detected above their respective Total Threshold Level Concentrations (TTLCs), they would be considered a hazardous waste.

Hazardous Materials

EDC Biosystems and its subtenants used hazardous materials and generated hazardous wastes. EDC and its subtenants maintained reqired permits issued by regulatory agencies for the usage of hazardous materials and the generation of hazardous wastes. No evidence of releases at the site that may have contaminated property soils and/or groundwater was observed during the 2005 Phase I environmental site assessment.

EDC Biosystems and Texwipe operated an onsite wastewater treatment system. The system treated process water containing nickel that was generated by polishing machines. Following the removal of the nickel, the process water was discharged to the sanitary sewer in accordance with an Industrial Wastewater Discharge Permit issued by the San Jose/Santa Clara Water Pollution Control Plant.

Fire Department closure for the EDC Biosystems facility was obtained in 2006. There were no signs of degradation or staining in the wastewater area; no sampling was requested.

Demolition

The project does not propose the demolition of any structure that may contain hazards such as asbestos-containing materials (ACM) or lead based paint (LBP).

STANDARD MEASURES INCLUDED IN THE PROJECT

Wells

- If a well is found during grading operations, a well destruction permit will be obtained from the Santa Clara Valley Water District, and the well will be destroyed in accordance with District standards.

Septic Systems

- If a septic system is found during grading operations, it will be abandoned in accordance with the requirements of the Santa Clara County Sewage Disposal Ordinance.

MITIGATION MEASURES INCLUDED IN THE PROJECT

Soil Contamination

- Prior to issuance of a grading permit, a Soil Management Plan shall be developed to the satisfaction of the Environmental Compliance Officer of the City's Environmental Services Department. The Soil Management Plan shall establish practices for managing and handling buried structures, wells, debris and/or impacted soil if these materials/structures are encountered prior to or during demolition and/or site grading. The measures identified in the Soil Management Plan, including special handling and/or disposal measures, shall be implemented as warranted.

- Prior to issuance of a grading permit as part of the Soil Management Plan, soil at the site shall be sampled for long-life pesticides and/or CAM metals. If impacted soil is detected above the respective Total Threshold Level Concentrations (TTLCs) or other California Hazardous Waste criteria, it shall be over-excavated for appropriate offsite disposal at a permitted facility.

CONCLUSION

The implementation of the above wells and septic systems standard measures and soil contamination mitigation measures that include a Soil Management Plan would reduce the project's impact on hazards and hazardous materials to a **less-than-significant impact with mitigation**.

9. HYDROLOGY AND WATER QUALITY

SETTING

Waterways

There are no waterways on the project site or within 300 feet of the project site.

Flooding

The project site is not within an area of historic flooding, and according to the Federal Emergency Management Agency's (FEMA) *Flood Insurance Rate Maps*, the site is within Zone D, an area with undetermined flooding, but flooding is possible.

Water Quality

Stormwater runoff flows from the project site to Lower Penitencia Creek via the City's storm drainage system, and then north to Coyote Creek and the San Francisco Bay.

The project site is currently covered with an existing warehouse building, parking and landscaping, and is approximately 74 percent impervious surfaces.

Nonpoint Sources

The discharge of stormwater from the City's municipal storm sewer system is regulated primarily under the federal Clean Water Act and California's Porter-Cologne Water Quality Control Act. The San Francisco Bay Regional Water Quality Control Board (RWQCB) implements these regulations at the regional level. New construction in San Jose is subject to the conditions of the City's National Pollutant Discharge Elimination System (NPDES) Permit, which was reissued by the RWQCB in February, 2001. Additional water quality control measures were approved in October, 2001 (revised in 2005), when the RWQCB adopted an amendment to the NPDES Permit for Santa Clara County. This amendment, which is commonly referred to as "C3", requires all new and redevelopment projects that result in the addition or replacement of impervious surfaces totaling 10,000 square feet or more to: 1) include stormwater treatment measures; 2) ensure that the treatment measures be designed to treat an optimal volume or flow of stormwater runoff from the project site; and 3) ensure that stormwater treatment measures are properly installed, operated and maintained. On October 14, 2009, the RWQCB adopted the Municipal Regional Stormwater NPDES Permit No. CAS612008 for the San Francisco Bay Region; this Permit replaces current countywide municipal stormwater permits with a Municipal Regional Permit (MRP) for all 76 Bay Area municipalities in an effort to standardize stormwater requirements in the region.

The City has developed a policy that implements Provision C.3 of the NPDES Permit, requiring new development projects to include specific construction and post-construction measures for improving the water quality of urban runoff to the maximum extent feasible. The City's Post-Construction Urban Runoff Management Policy (6-29) established general guidelines and minimum Best Management Practices (BMPs) for specified land uses, and includes the

requirement of regular maintenance to ensure their effectiveness. Later, the City adopted the Post-Construction Hydromodification Management Policy (8-14) to manage development-related increases in peak runoff flow, volume and duration, where such hydromodification is likely to cause increased erosion, silt pollutant generation or other impacts to local rivers, streams and creeks. Implementation of these Policies will reduce potential water quality impacts to less-than-significant levels.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
9. HYDROLOGY AND WATER QUALITY. Would the project:					
a. Violate any water quality standards or waste discharge requirements?			X		28,61,80
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X	25,27
c. Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X		25,26
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?			X		25,26
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X		26,28
f. Otherwise substantially degrade water quality?			X		26,28
g. Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X	26,27,59
h. Place within a 100-year flood hazard area structures that would impede or redirect flood flows?				X	26,27,59

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
9. HYDROLOGY AND WATER QUALITY (Cont.). Would the project:					
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X	27,28
j. Be subject to inundation by seiche, tsunami or mudflow?				X	27

Flooding

The project site is not within the limits of potential inundation with the occurrence of a one percent flood. The site is not subject to seiche or tsunami. There are an existing 24-inch City of San Jose storm drainage line in Fox Lane and an existing 48-inch City storm drainage line through the easterly portion of the property, which are designed to serve the site in a developed condition. Warehouse development of the site would not cause flooding. Any excess flows beyond the design capacity would pond onsite.

Erosion

The 101,609-square-foot increase in impervious surface on the site would result in an increase in runoff. Increased flow and duration can contribute to downstream streambank erosion. The project would not have a direct outfall into any stream. As described above, project flows would drain through the existing storm drainage system to Lower Penitencia Creek, which is approximately 1.1 miles northeasterly.

Water Quality

The primary impact on water quality would result from the addition of impervious surfaces, such as rooftop, driveway and street runoff. Particulates, oils, greases, toxic heavy metals, pesticides and organic materials are typically found in urban storm runoff. The project's contribution would have a potentially significant impact on water quality. Stormwater runoff could increase under project conditions as the amount of impervious surfaces (buildings, pavement, walks, etc.) would increase by 101,609 square feet, as shown in the following table. The proposed increase in impervious surfaces could increase the amount of stormwater discharged into the storm drainage system and Coyote Creek. In addition, temporary construction-related activities such as clearing, grading, or excavation could result in potentially significant impacts to water quality.

Table 6. Pervious and Impervious Surfaces Comparison

Total Site: 9.47 acres* 412,500 sf	Total Disturbed Area: 2.73 acres 118,800 sf		
Area	**Existing Condition of Site Area Disturbed - sf**	**Proposed Condition of Site Area Disturbed - sf**	
		Replaced (or Remain)	**New**
Impervious Surfaces			
Roof Area(s)	133,600	0	56,403
Parking/Private Drive (paved)	160,900	3,560	43,706
Sidewalks, Patios, Paths, etc.	6,000	0	1,500
Streets (Public)	0	0	0
Streets (Private)	0	0	0
Total Impervious Surfaces	**300,500**	**3,560**	**101,609**
Pervious Surfaces			
Landscape Areas	112,013	10,527	3,104
Pervious Pavers	0	0	0
Other Pervious Surfaces (green roof, etc.)	0	0	0
Total Pervious Surfaces	**112,013**	**10,527**	**3,104**
Total Proposed Replaced + New Impervious Surfaces:			**105,169**
Total Proposed Replaced + New Pervious Surfaces:			**13,631**

** Because of existing drainage patterns, the total site for the stormwater treatment includes 2.07 acres of offsite area to the north and west for a total of 9.47 acres.*

Stormwater runoff and pollution would be reduced by the use of a stormwater filter vault, as shown on the Stormwater Quality Plan, Figure 16. The stormwater filter vault functions as a passive, flow-through stormwater filtration system; it is comprised of one or more structures that house rechargeable media-filled cartridges that trap particulates and absorb materials such as dissolved metals, hydrocarbons and nutrients in dissolved runoff. This measure would also provide some flow control benefit in conformance with HMP Policy provisions.

STANDARD MEASURES INCLUDED IN THE PROJECT

Water Quality

Construction

- Prior to the commencement of any clearing, grading or excavation, the project will comply with the State Water Resources Control Board's National Pollutant Discharge Elimination System (NPDES) General Construction Activities Permit, to the satisfaction of the Director of Public Works, as follows:

- The applicant will develop, implement and maintain a Storm Water Pollution Prevention Plan (SWPPP) to control the discharge of stormwater pollutants including sediments associated with construction activities; and
- The applicant will file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB).

- The project will incorporate Best Management Practices (BMPs) into the project to control the discharge of stormwater pollutants including sediments associated with construction activities.

- The project applicant will comply with the City of San Jose Grading Ordinance, including erosion and dust control during site preparation and with the City of San Jose Zoning Ordinance requirements for keeping adjacent streets free of dirt and mud during construction. The following specific BMPs will be implemented to prevent stormwater pollution and minimize potential sedimentation during construction:
  - Restriction of grading to the dry season (April 15 through October 15) or meet City requirements for grading during the rainy season;
  - Utilize onsite sediment control BMPs to retain sediment on the project site;
  - Utilize stabilized construction entrances and/or wash racks;
  - Implement damp street sweeping;
  - Provide temporary cover of disturbed surfaces to help control erosion during construction; and
  - Provide permanent cover to stabilize the disturbed surfaces after construction has been completed.

Post-Construction

- Prior to the issuance of a grading permit, the applicant must provide details of specific BMPs including, but not limited to, bioswales, disconnected downspouts, landscaping to reduce impervious surface area, and inlets stenciled "No Dumping – Flows to Bay" to the satisfaction of the Director of Planning, Building and Code Enforcement.

- The project will comply with the Municipal Regional Stormwater NPDES Permit No. CAS612008, which provides enhanced performance standards for the management of stormwater of new development.

- The project will comply with applicable provisions of the following City Policies – 1) Post-Construction Urban Runoff Management Policy (6-29) which establishes guidelines and minimum BMPs and numerically-sized (or hydraulically-sized) Treatment Control Measures (TCMs) for all projects; and 2) Post-Construction Hydromodification Management Policy (8-14) which provides for hydromodification measures.

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

CONCLUSION

The implementation of the above construction and post-construction water quality standard measures would reduce the project's impact on hydrology and water quality to a **less-than-significant impact**.

10. LAND USE AND PLANNING

SETTING

General Plan

The land use designation for the project site on the *San Jose 2020 General Plan* Land Use/ Transportation Diagram is Industrial Park, as shown on the preceding General Plan Map, Figure 5. Warehouses are an allowable use under this designation.

Special Areas

The project site is not located within any of the following special areas:

- Midtown Planned Community and Specific Plan Area
- Jackson – Taylor Planned Residential Community
- Communications Hill Planned Residential Community
- Evergreen Planned Residential Community
- Berryessa Planned Residential Community
- Silver Creek Planned Residential Community
- Alviso Master Plan Area
- Tamien Specific Plan Area
- Downtown Strategy Plan Area
- North San Jose (Rincon de Los Esteros Redevelopment Area)
- Edenvale Redevelopment Area
- Martha Gardens Planned Community

Zoning

The project site is currently zoned IP (Industrial Park District), as shown on the preceding Zoning Map, Figure 6. The project is a **Site Development Permit Amendment** application to allow the construction of a warehouse expansion.

Existing and Surrounding Uses

The project site is currently industrial (a warehouse building). Previous uses of the site include residential and agricultural (greenhouses). Land uses surrounding (within 500 feet of) the project site include: industrial park to the north, south and west; and institutional (Orchard Elementary School) to the east.

Habitat Conservation Plan / Natural Community Conservation Plan (HCP/NCCP)

As discussed in the preceding Biological Resources section, the City of San Jose, Santa Clara Valley Transportation Authority, Santa Clara Valley Water District, Santa Clara County and the cities of Gilroy and Morgan Hill are preparing a joint Habitat Conservation Plan/Natural Community Conservation Plan. The Habitat Plan is being developed in association with the USFWS, CDFG and NMFS and in consultation with stakeholder groups and the general public to protect and enhance ecological diversity and function within more than 500,000 acres of southern Santa Clara County. The Interim Project Referral Process requires the local participating agencies to notify the wildlife agencies (CDFG and USFWS) of projects that have the potential to adversely impact covered species or natural communities, or conflict with the preliminary conservation objectives of the Habitat Plan.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
10. LAND USE AND PLANNING. Would the project:					
a. Physically divide an established community?				X	25,26
b. Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X	29,65
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				X	25,26,28

General Plan

The Industrial Park land use designation is intended for a wide variety of industrial users, where such users can mitigate hazards and nuisance activities through design controls. Warehouses are an industrial use, and the operation of the proposed expanded warehouse facility, with no hazardous materials storage and minimal truck traffic, would not create hazards or nuisance activities. Further, the proposed use supports the Economic Development, Growth Management, and other Major Strategies in the *San Jose 2020 General Plan.* The Major Strategies are supported because the proposed warehouse expansion represents an investment in San Jose's industrial lands, and the proposed project supports the expansion of an existing business that is located in an area already served by existing City infrastructure.

Compatibility

The project would not change the land use on the site. Industrial (warehouse) use is compatible with the surrounding area. Development of the project site would enlarge an existing building, which would change the view of the site and would generate increases in traffic, noise and air pollution in the area that would not be significant.

Habitat Conservation Plan / Natural Community Conservation Plan (HCP/NCCP)

The project site does not meet the threshold that requires an interim Habitat Conservation Plan project referral.

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

CONCLUSION

The proposed project would have **no impact** on land use and planning.

11. MINERAL RESOURCES

SETTING

Extractive resources known to exist in and near the Santa Clara Valley include cement, sand, gravel, crushed rock, clay and limestone. Santa Clara County has also supplied a significant portion of the nation's mercury over the past century. Pursuant to the mandate of the Surface Mining and Reclamation Act of 1975 (SMARA), the State Mining and Geology Board has designated the Communications Hill Area, bounded generally by the Southern Pacific Railroad, Curtner Avenue, State Route 87 and Hillsdale Avenue, as the only area in San Jose containing mineral deposits that are of regional significance as a source of construction aggregate materials.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
11. MINERAL RESOURCES. 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?				X	27,29,67
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?				X	27,29,67

Since the project site is outside of the Communications Hill area, there will be no impact on any known important mineral resource.

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

CONCLUSION

The proposed project would have **no impact** on mineral resources.

12. NOISE

SETTING

Existing Noise Sources

Noise intrusion over the site originates primarily from vehicular traffic sources along Interstate 880 (I-880). The project site is located within the 65 dB DNL noise contour line from I-880; Fox Lane is not designated as having noise level exceedances on the *City of San Jose Year 2020 Noise Exposure Map for Major Transportation Noise Sources.*

ALUC Noise Zone

The project site is not located within an Airport Land Use Commission (ALUC) Noise Zone (65 dB CNEL).

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
12. NOISE. Would the project result in:					
a. Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?					26, 29,68,___
b. Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?				X	25,27
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?					25,26,28
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X		25,26,28
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 expose people residing or working in the project area to excessive noise levels?				X	27,69
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X	27,69

Standards

Noise criteria that apply to the project are included in the City of San Jose General Plan, which establishes a policy of requiring noise mitigation from transportation noise for industrial land use where the exterior level exceeds 70 dB DNL.

The City of San Jose General Plan specifies a limit of 55 dB DNL at the property line of noise-sensitive uses impacted by non-transportation related noise sources, such as trucking, loading area operations and/or mechanical equipment. The General Plan also specifies a limit of 60 dB DNL for transportation noise such as automobile and truck traffic.

Equipment-Generated Noise

The San Jose Zoning Ordinance contains performance standards for the generation of noise at adjacent properties. In summary, noise generation is limited to 55 dB at residential property lines and 60 dB at commercial property lines.

Exterior Noise Exposures

The project site is located within the 65 dB DNL noise contour line from I-880 on the *City of San Jose Year 2020 Noise Exposure Map for Major Transportation Noise Sources*. The projected exterior noise exposure impacts do not exceed the City industrial standard of 70 dB DNL; and noise sensitive exterior uses are not anticipated.

Project Generated Noise

Noise from operations associated with the proposed warehouse development have the potential to adversely impact adjacent noise-sensitive areas (Orchard Elementary School). Possible impacts from warehouse activity include:

- Noise from loading dock activity, including truck traffic, impact noise from loading and unloading activities and human voice sounds.
- Noise from general activity, including vehicle traffic noise, human voices, car radios and other associated activities.
- Noise from mechanical equipment, such as rooftop air conditioning and refrigeration equipment or electrical transformers.

The extent of these impacts is primarily determined by the orientation of the building in relation to nearby noise-sensitive uses, the distance of noise sources to these uses, and the frequency and time of day that the noise sources are present.

Equipment Generated Noise

The project should incorporate measures to reduce noise from air conditioning units and other stationary equipment to acceptable levels. These measures, which may include equipment selection and location and, if necessary, equipment enclosures, will be determined during the design phase.

Temporary Construction Noise

During construction, the site preparation and construction phase would generate temporary sound levels ranging from approximately 70 to 90 dBA at 50 foot distances from heavy equipment and vehicles. These construction vehicles and equipment are generally diesel

powered, and produce a characteristic noise that is primarily concentrated in the lower frequencies.

The powered equipment and vehicles act as point sources of sound, which would diminish with distance over open terrain at the rate of 6 dBA for each doubling of the distance from the noise source. For example, the 70 to 90 dBA equipment peak noise range at 50 feet would reduce to 64 to 84 dBA at 100 feet, and to 58 to 78 dBA at 200 feet. Therefore, during the construction operations, sound level increases of 20 to 40 dBA due to these sources could occur near the project boundary.

Since construction is carried out in several reasonably discrete phases, each has its own mix of equipment and consequently its own noise characteristics. Generally, the short-term site preparation phase, which requires the use of heavy equipment such as concrete crushers, bulldozers, scrapers, trenchers, trucks, etc., would be the noisiest. The ensuing building construction and equipment installation phases would be quieter and on completion of the project, the area's sound levels would revert essentially to the traffic levels.

STANDARD MEASURES INCLUDED IN THE PROJECT

Equipment Generated Noise

- Post-construction mechanical equipment will conform to the City's General Plan limitation of 55 dB DNL at residential property lines and 60 dB DNL at commercial property lines by utilizing measures such as equipment selection and location and, if necessary, equipment enclosures.

Temporary Construction Noise

- Construction activities will be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday for any onsite or offsite work within 500 feet of any residential unit. Construction outside of these hours may be approved through a development permit based on a site-specific construction noise mitigation plan and a finding by the Director of Planning, Building and Code Enforcement that the construction noise mitigation plan is adequate to prevent noise disturbance of affected residential uses.

- The contractor will use "new technology" power construction equipment with state-of-the-art noise shielding and muffling devices. All internal combustion engines used on the project site will be equipped with adequate mufflers and will be in good mechanical condition to minimize noise created by faulty or poorly maintained engines or other components.

- Stationary noise-generating equipment will be located as far as possible from sensitive receptors. Staging areas will be located a minimum of 200 feet from noise-sensitive receptors, such as residential uses.

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

CONCLUSION

The implementation of the above equipment generated noise and temporary construction noise standard measures would reduce the project's impact on noise to a **less-than-significant impact**.

13. POPULATION AND HOUSING

SETTING

The population of the City of San Jose is approximately 945,942 (March, 2010). The project site is located in Census Tract 5043.18, which has a population of approximately 4,312 (2000 Census). There are no housing units currently on the project site.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
13. POPULATION AND HOUSING. Would the project:					
a. Induce 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)?				X	25,26,28
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X	25,26
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X	25,26

The project would not displace or add any housing units; therefore, the project would have no impact on population and housing.

Growth Inducement

Direct growth inducing impacts include the construction of streets and utilities that would provide access to or capacity for additional undeveloped land. The site is bordered by developed industial park and/or institutional (school) uses. The project would not have a direct growth inducing impact. Indirect growth inducing impacts include increases in population and economic impacts. There would be short-term increases in employment in the construction industry. The project would not have a significant indirect growth inducing impact.

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

CONCLUSION

The proposed project would have **no impact** on population and housing.

14. PUBLIC SERVICES

SETTING

Schools

The project site is in the Orchard School District (K-8) and the East Side Union High School District (9-12). The closest schools are as follows:

School	Address	Approx.Distance *(miles)*
Orchard Elementary	921 Fox Lane	0.04
Independence High	1776 Educational Park Drive	3.50

Parks

There are no developed City of San Jose parks within walking distance (3/4 mile) of the project site. The closest parks are Townsend Park and North Coyote Park. Townsend Park is an 8-acre neighborhood park located at Townsend Avenue and Townsend Park Circle, approximately 1.8 miles to the southeast; it includes two playgrounds, a children's water play feature, unlighted tennis courts, an exercise course, a horse shoe pit, and open fields. North Coyote Park is a partially developed regional park located along Coyote Creek easterly of Old Oakland Road. In addition, the 160-acre Municipal Golf Course is located at 1560 Oakland Road, approximately one mile from the site.

Fire Protection

The project site is in the service area of the San Jose Fire Department. The closest fire station is Station No. 5, located at 1380 N. 10th Street, approximately 2.05 miles southerly of the site.

Police Protection

The project site is served by the San Jose Police Department (SJPD). The project site is within the Central Division of the SJPD's service area.

Libraries

The project site is served by the San Jose Public Library System. The closest branch library is the Joyce Ellington Branch, located at 491 E. Empire Street, approximately 3.4 miles southerly of the site.

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
14. PUBLIC SERVICES. Would the project:					
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the 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: Fire protection?			X		28
Police protection?			X		28
Schools?			X		28
Parks?			X		28
Other Public Facilities?			X		28

Schools

The project would have no direct impact on schools, but could have a secondary impact should any of the employees move into the district(s) or petition that their child(ren) be accepted into district schools under Allen Bill provisions. The Allen Bill only applies to elementary-aged school children.

The State School Facilities Act provides for school district impaction fees for elementary and high schools and related facilities as a condition of approval to offset the increased demands on school facilities caused by non-residential projects, when a link is found between the new non-residential development and the need for schools. Both districts have implemented such a fee. The one-time fee, which is based on the square footage of newly constructed non-residential (commercial and industrial) use, would be paid prior to the issuance of a building permit and would be allocated to the two districts.

Parks

The City of San Jose provides parks and recreation facilities within the city. The project is not expected to have an impact on City park and recreation facilities, although employees could utilize them during lunch periods or after work. The City parks in the area are adequate to serve the project employees.

Fire Protection

The San Jose Fire Department provides fire protection for the city. No additional fire personnel or equipment are expected to be necessary to serve the project.

Police Protection

The San Jose Police Department provides police protection for the city. No additional police personnel or equipment are expected to be necessary to serve the project.

Libraries

The San Jose Public Library System provides library services for the city. No additional library personnel or volumes (items) are expected to be necessary to serve the project.

STANDARD MEASURES INCLUDED IN THE PROJECT

Schools

- A school impact fee will be paid to the school districts to offset the increased demands on school facilities caused by the proposed project, in accordance with California Government Code Section 65996.

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

CONCLUSION

The implementation of the above schools standard measure would further reduce the project's impact on public services to a **less-than-significant impact**.

15. RECREATION

SETTING

There are no developed City of San Jose parks within walking distance (3/4 mile) of the project site. The closest parks are Townsend Park and North Coyote Park. Townsend Park is an 8-acre neighborhood park located at Townsend Avenue and Townsend Park Circle, approximately 1.8 miles to the southeast; it includes two playgrounds, a children's water play feature, unlighted tennis courts, an exercise course, a horse shoe pit, and open fields. North Coyote Park is a partially developed regional park located along Coyote Creek easterly of Old Oakland Road. In addition, the 160-acre Municipal Golf Course is located at 1560 Oakland Road, approximately one mile from the site.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
15. RECREATION.					
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?			X		70,71
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?				X	26,28

The City of San Jose provides recreation facilities within the city. The project is not expected to have an impact on City recreation facilities, although employees could utilize area parks during lunch periods or after work. The City parks in the area are adequate to serve the project employees.

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

CONCLUSION

The project would have a **less-than-significant impact** on recreation.

16. TRANSPORTATION / TRAFFIC

SETTING

Street System

Access to the project site is provided by Fox Lane, which is a two-lane street that provides access to I-880 via Old Oakland Road and Brokaw Road.

Public Transit

Public transit in the project area is provided by the Santa Clara Valley Transportation Authority. Bus route 66 (Kaiser San Jose to Milpitas/Dixon Road via Downtown San Jose) operates along Old Oakland Road. The project site is not located within 2,000 feet of a light rail station.

Congestion Management Program Analysis

A Congestion Management Program (CMP) analysis was not performed because the Santa Clara County Congestion Management Agency, which monitors regional traffic issues, does not require an analysis for small projects of less than 100 peak hour trips.

Freeway Segment Analysis

A freeway level of service analysis was not performed since project trips on freeway segments would not be greater than one percent of the capacity of the segments.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
16. TRANSPORTATION/TRAFFIC. Would the project:					
a. Exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?			X		76
b. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?			X		78
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X	27,28

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
16. TRANSPORTATION/TRAFFIC (Cont.). Would the project:					
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?				X	26,28
e. Result in inadequate emergency access?				X	26,28
f. Conflict with adopted policies, plans or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X	26,29

The existing 104,091 sf warehouse includes approximately 8 employees directly related to the storage building that arrive and depart during the City's peak travel periods and 3 to 4 additional employees from other existing buildings that support the warehouse. The employees travel back and forth to the other surrounding buildings and transfer materials with a forklift from building to building.

Typically, daily truck traffic begins at 11:00 a.m. and continues through the work day finishing around 6:00 p.m. Currently, there are 11-12 round trips per day that travel from the warehouse to the other buildings including 4 round trips that occur during the peak hour. The warehouse is proposed to be expanded by 56,403 sf but because it is a storage warehouse and not a shipping terminal, there will not be additional increase in traffic and therefore no increase in traffic during the peak hour.

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

CONCLUSION

The project's impact on transportation / traffic would be a **less-than-significant impact**.

17. UTILITIES AND SERVICE SYSTEMS

SETTING

Sanitary Sewers

There is an existing 8- to 10-inch City of San Jose sanitary sewer in Fox Lane.

Wastewater Treatment

Wastewater treatment for the City of San Jose is provided by the San Jose-Santa Clara Water Pollution Control Plant (WPCP). Capacity is expected to be available to serve the project based on the current capacity of 167 million gallons per day (MGD). The Water Pollution Control Plant is currently operating under a 120 MGD dry weather flow trigger. This requirement is based upon the State Water Resources Board and the Regional Water Quality Control Board (RWQCB) concerns over the effects of additional freshwater discharges on the saltwater marsh habitat, and pollutants loading to the South Bay from the WPCP. A Growth Management System regulates new development to assure that the capacity is not exceeded. There are programs and services in place to help minimize flows to the Plant and, while plans are in place to ensure Plant compliance with the 120 mgd trigger, those plans call for conservation and water recycling as strategies for ongoing compliance.

Water Supply

There is an existing San Jose Water Company water line in Fox Lane.

Storm Drainage Facilities

There is an 24-inch City of San Jose storm drainage line in Fox Lane and an existing 48-inch City storm drainage line through the easterly portion of the property.

Solid Waste / Recycling

There are several solid waste disposal service companies available for industrial purposes in San Jose. They are using the Newby Island sanitary landfill disposal site operated by International Disposal Company, and/or the Kirby Canyon disposal site operated by Waste Management of California, Inc. Newby Island has an estimated service life based on remaining capacity and contractual commitments to 2023. Kirby Canyon has an estimated service life of up to 50 years.

Gas and Electric Service

Natural gas and electric services for San Jose are provided by Pacific Gas and Electric Company. There are existing services in the area.

Telephone Service

There are several telephone service providers available for industrial purposes. There is existing service in the area.

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
17. UTILITIES AND SERVICE SYSTEMS. Would the project:					
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X		28,80
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X		28
c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X		28
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X		28
e. 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?			X		28
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X		28
g. Comply with federal, state and local statutes and regulations related to solid waste?			X		28

Sanitary Sewers

Sanitary sewer service for the project site is provided by the City of San Jose. The existing sanitary sewer line in Fox Lane is available and adequate to serve the project.

Water Supply

Water for the project site is provided by the San Jose Water Company. The existing water line in Fox Lane is available and adequate to serve the project.

Storm Drainage Facilities

An increase in impervious surfaces associated with project development would cause an increase in stormwater runoff. Storm drainage service for the project site is provided by the City of San Jose. The existing storm drainage lines in Fox Lane and through the easterly portion of the property are available and adequate to serve the project.

Solid Waste / Recycling

There are several solid waste disposal service companies available for industrial purposes in San Jose.

Construction / Demolition Debris

The project is also subject to mandatory construction and demolition debris recycling. At least 50 percent of the debris generated from the project must be recycled.

Gas and Electric Service

There are existing Pacific Gas and Electric Company gas and electric services in the area that would be extended as required to serve the project. There is sufficient capacity in this utility system to provide adequate project service.

Telephone Service

There are several telephone service providers available for industrial purposes. There is sufficient capacity in these utility systems to provide adequate project service.

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

CONCLUSION

The project's impact on utilities and service systems would be a **less-than-significant impact**.

18. MANDATORY FINDINGS OF SIGNIFICANCE

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT
18. MANDATORY FINDINGS OF SIGNIFICANCE.				
a. Does the project have the potential to (1) degrade the quality of the environment, (2) substantially reduce the habitat of a fish or wildlife species, (3) cause a fish or wildlife population to drop below self-sustaining levels, (4) threaten to eliminate a plant or animal community, (5) reduce the number or restrict the range of a rare or endangered plant or animal or (6) eliminate important examples of the major periods of California history or prehistory?		X		
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 and the effects of other current projects.			X	
c. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X		

Impact Summary

As discussed in previous sections, the proposed project would have environmental effects that could cause substantial adverse effects on human beings, either directly or indirectly, with respect to air quality, biological resources, geology and soils, hazards and hazardous materials, and hydrology and water quality. With the implementation of the previously listed Standard Measures and Mitigation Measures Included in the Project, these impacts would be reduced to less-than-significant impacts with mitigation.

APPENDIX

Authors and Consultants

City of San Jose
Department of Planning,
Building and Code Enforcement
200 East Santa Clara Street, 3rd Floor
San Jose, CA 95113

Joseph Horwedel
Director

Darryl Boyd
Principal Planner

John Davidson
Senior Planner

Lesley Xavier
Planner

Mindigo & Associates
Environmental Consultants
1984 The Alameda, Suite 1
San Jose, CA 95126

Richard P. Mindigo
Louanne (Bergna) Quilici

Live Oak Associates, Inc.
Ecological Consultant
6840 Via del Oro, Suite 220
San Jose, CA 95119

Rick A. Hopkins
Michele Korpos
Neal Kramer

Holman & Associates
Consulting Archaeologist
3615 Folsom Street
San Francisco, CA 94110

Miley Paul Holman

Although Mindigo & Associates have used their best efforts to prepare a complete and competent report, Mindigo & Associates shall not be liable for cost or damage to any project due to judicial or administrative action, whether or not such action is based on the form or content of this report or portion prepared by Mindigo & Associates. Any services of staff or subconsultants of Mindigo & Associates required by any party in any litigation on or related to this report shall be paid for by the party requesting such services at the current, standard consulting rates of Mindigo & Associates.

INITIAL STUDY / EIR

DISCLOSURE STATEMENT

APPLICANT Super Micro Computers, Inc.

PROJECT TITLE **SUPERMICRO Expansion**
HA89-039-01

PROJECT LOCATION Northerly side of Fox Lane, approximately 600 westerly of Old Oakland Road (871 Fox Lane)

Mindigo & Associates has prepared the above Initial Study or Draft Environmental Impact Report, doing business as:

An Individual

The above-named, now has or will have the following direct or indirect economic interest or interests in the development of, or, after its completion, the operation of the project for which the attached Initial Study or Draft EIR has been submitted:

None, Except Fees For The Preparation Of Environmental Studies

I/We declare, under penalty of perjury, that the statements furnished above pertaining to the environmental effects of a proposed project and to my/our economic interest or interests in that project are complete, true and correct to the best of my/our knowledge and belief.

Mindigo & Associates
Environmental Consultants
1984 The Alameda, Suite 1
San Jose, CA 95126

In order to achieve maximum objectivity in the Environmental Review process, the City requires persons, including individuals, firms, associations, partnerships, trusts, corporations, or companies, who submit to the City applications for Environmental Clearance, or who submit to the City a proposed Draft EIR, to disclose any economic interest in the project which they have derived or will or might derive from the development of, or, after its completion, the operation of the project. This application shall apply to consultants and subcontracted consultants who prepare all, or portions of, the Environmental Clearance document or the proposed Draft EIR. Each proponent, consultant, and subcontracted consultant shall prepare a disclosure statement as presented in this application.

You have an indirect economic interest in the project if your spouse or dependent child or agent acting on your behalf owns or otherwise has an economic interest in the site upon which the project is to be developed or if your spouse or dependent child or agent acting on your behalf has a present or future economic interest in the development of, or, after its completion, operation of the project. Briefly but specifically describe each of your direct and indirect economic interests in the project. You need but disclose the nature of your economic interest in the project, not the amount of said interest. If you have no interest, simply write "none" in the space provided.

Persons and Organizations Consulted

1. **Sammy Hu**, Super Micro Computer, Inc.
2. **John Chang**, Super Micro Computer, Inc.
3. **Vince Rivero**, Planner, VER Consultants
4. **Danny Raymond**, Civil Engineer, VER Consultants

5 to 24. Not used.

Sources and References

25.* **Site Inspection**

26. **Project Plans, HA89-039-01**

27. **Preparer's Knowledge of the Area**

28. **Experience with Other Project(s) of this Size and Nature**

29. **San Jose 2020 General Plan, Focus on the Future**, City of San Jose Department of Planning, Building and Code Enforcement, August 16, 1994, as amended

30. **Draft Environmental Impact Report (Revised) San Jose 2020 General Plan**, City of San Jose, April, 1994

31. **General Property Information, City of San Jose Website**, www.sjpermits.org

32. **Outdoor Lighting on Private Developments Policy No. 4-3**, City of San Jose, March 1, 1983 as revised June 20, 2000

33. **Santa Clara County Important Farmland Map**, State of California Department of Conservation and the United States Department of Agriculture, Soil Conservation Service, 1996

34. **Advisory Guidelines for the Farmland Mapping and Monitoring Program**, California Department of Conservation, Division of Land Resource Protection, 1992

35. **Assessor's Maps**, Office of County Assessor, Santa Clara County, 2010-2011

36. **Bay Area Air Pollution Summary – 2007, 2008 and 2009, Bay Area Air Quality Management District Website**, www.baaqmd.gov

37. **BAAQMD CEQA Guidelines**, Bay Area Air Quality Management District, April, 1996 as revised December, 1999

38. **At The Crossroads**, State of California Resources Agency, Fish and Game Commission, and Department of Fish and Game, December, 1980 as amended July, 1983

39. **Inventory of Rare and Endangered Vascular Plants of California**, Robert M. Powell, California Native Plant Society Special Publication No. 1, 1974

40. **Heritage Tree List**, San Jose City Council, August 11, 2004

41. **Riparian Corridor Policy Study**, City of San Jose, May 17, 1994 as revised March, 1999

42. **Potential Archaeological Resource Maps**, San Jose Department of Planning, Building and Code Enforcement

**Numbers 1-24 are reserved for Persons and Organizations Consulted. See previous page.*

43. **Santa Clara County Heritage Resource Inventory**, Santa Clara County Historical Heritage Commission, October, 1975 with Amendments

44. **Historic Resources Inventory**, City of San Jose Historic Landmarks Commission, Department of City Planning and Building, September, 1996

45. **Milpitas Quadrangle**, United States Geological Survey, 1980

46. **Generalized Geologic Map**, Roger D. Borcherdt, James F. Gibbs, and Kenneth R. Lajoie, 1975

47. **Geologic Hazard Zones**, City of San Jose, November, 1985

48. **Soils of Santa Clara County**, United States Department of Agriculture, Soil Conservation Service, 1968

49. **San Jose Geotechnical Investigation**, Cooper-Clark and Associates, July, 1974

50. **Special Studies Zones Map, Milpitas Quadrangle**, California Division of Mines and Geology, January 1, 1982

51. **Fault Hazard Maps, Milpitas Quadrangle**, City of San Jose, 1983

52. **Santa Clara Valley Map**, Barclay Maps, 1993

53. **Manual of Standards for Erosion and Sediment Control Measures**, Association of Bay Area Governments, June, 1981

54. **Standards for the Sealing of Abandoned Wells, Santa Clara County**, Santa Clara Valley Water District and Santa Clara County Health Department, July 27, 1976

55. **Ordinance No. 90-1**, Santa Clara Valley Water District, April 24, 1990

56. **Hazardous Waste and Substance Sites List**, California Environmental Protection Agency Hazardous Materials Data Management Program, December, 1994

57. **Santa Clara County General Plan**, Santa Clara County Planning Office, December 21, 1994 (as amended 1996)

58. **The Safety Element of the General Plan of Santa Clara County**, Santa Clara County Planning Department, July, 1977

59. **Flood Insurance Rate Maps, Santa Clara County, California and Incorporated Areas, Panel No. 06085C0069H**, Federal Emergency Management Agency, May 18, 2009, msc.fema.gov

60. **Maps of Flood Control Facilities and Limits of 1% Flooding**, Santa Clara Valley Water District, June, 1993

61. **NPDES Permit for the Santa Clara Valley Urban Runoff Pollution Prevention Program**, California Regional Water Quality Control Board San Francisco Bay Region

62. **C.3 Handbook**, Santa Clara Valley Urban Runoff Pollution Prevention Program, May 20, 2004

63. **Land Use/Transportation Diagram, San Jose 2020 General Plan**, City of San Jose Department of Planning, Building and Code Enforcement

64. **Zoning Maps**, City of San Jose Department of Planning, Building and Code Enforcement

65. **Zoning Ordinance**, City of San Jose, effective December 31, 2004

66. **City Maps**, Department of Public Works, City of San Jose, 2003

67. **A Plan for the Conservation of Resources**, Santa Clara County Planning Department, November, 1973

68. **City of San Jose Year 2020 Noise Exposure Map for Major Transportation Noise Sources**, Illingworth & Rodkin, Inc., April 5, 1998

69. **Land Use Plan for Areas Surrounding Santa Clara County Airports**, Airport Land Use Commission, September, 1992

70. **Leisure and Life 2000**, San Jose Department of Recreation, Parks and Community Services, March 2, 1988

71. **Neighborhood Parks, City of San Jose, Parks, Recreation and Neighborhood Services Department Website,** www.sjparks.org

72. **Parkland Dedication Ordinance**, City of San Jose, December 8, 1992 as revised March, 2000 // **Park Impact Fee Ordinance**, City of San Jose, June 14, 1994 as revised March, 2000

73. **San Jose Police Department Website,** www.sjpd.org

74. **Library Locations, San Jose Public Library Website**, www.sjpl.org

75. **Bus Route Schedules and Route Maps, Santa Clara Valley Transportation Authority Website**, www.vta.org

76. **Transportation Level of Service, Council Policy 5-3**, City of San Jose City Council, August 26, 1980

77. **Evergreen – East Hills Development Policy (Resolution No. 74741)**, City of San Jose, December 16, 2008

78. **Congestion Management Program, Transportation Impact Analysis Guidelines**, Santa Clara Valley Transportation Authority, adopted May 7, 1998

79. **Light Rail Transit System, Santa Clara Valley Transportation Authority Website**, www.vta.org

80. **Specific Use Codes and Sewage Coefficients - Development Tracking Information System**, City of San Jose, March 1, 1985

81. **Sanitary Sewer Maps, City of San Jose Department of Public Works Website**, www.sanjoseca.gov

82. **Storm Drainage Maps, City of San Jose Department of Public Works Website**, www.sanjoseca.gov

83. **Industrial Design Review Guidelines,** City of San Jose, April, 1999

84. **South Bay Water Recycling Website**, www.sanjoseca.gov/sbwr

85. **Regulated Facilities Database, State Water Resources Control Board Website**, www.geotracker.swrcb.ca.gov

86. **State of California Seismic Hazard Zones Website, Milpitas Quadrangle**, gmw.consrv.ca.gov

87. **Phase I Environmental Site Assessment, 871 Fox Lane, San Jose, CA**, Environmental Risk Solutions, September 9, 2005

88 to 99. Not used.

Consultants' Reports

100. **Tree Survey Results for the Supermicro Site Located at 871 Fox Lane, San Jose, California**, Live Oak Associates, Inc., March 16, 2011

101. **Cultural Resources Literature Review for the 871 Fox Lane Project, San Jose, Santa Clara County, California**, Holman & Associates, March 3, 2011

TECHNICAL APPENDIX

TECHNICAL APPENDIX

Copies of the following consultants' reports, which were prepared for the **SUPERMICRO Expansion** and are summarized in this Initial Study, are included in this Technical Appendix or in the CD attached to the back cover of this document. Copies are on file at the City of San Jose Planning Division. In accordance with the State CEQA Guidelines, these reports are incorporated by reference and not reproduced in the body of the Initial Study in order to reduce the size and number of pages.

Tree Survey Results for the Supermicro Site Located at 871 Fox Lane, San Jose, California, Live Oak Associates, Inc., March 16, 2011

Cultural Resources Literature Review for the 871 Fox Lane Project, San Jose, Santa Clara County, California, Holman & Associates, March 3, 2011

LIVE OAK ASSOCIATES, INC.
an Ecological Consulting Firm

March 16, 2011

Mr. Sammy Hu
Supermicro Computers Inc.
980 Rock Avenue
San Jose, CA 95131

Subject: Tree Survey Results for Supermicro 871 Fox Lane, San Jose, California (PN 1515-01).

Dear Mr. Hu,

Per your request, Live Oak Associates, Inc. (LOA) conducted a tree survey for an Initial Study on the Supermicro site located at 871 Fox Lane in the City of San Jose, Santa Clara County, California (APN 237-15-188). The site is currently occupied by a large warehouse/office building with associated asphalt parking areas and loading dock. The proposed project would expand the existing warehouse to the southeast and northwest, with a new loading dock area extending into the adjacent property to the northwest. This tree survey was limited to the northeastern and southwestern ends of the project site where the proposed warehouse and loading dock expansion would take place (Figure 1). The survey includes a portion of the parcel to the northwest where the proposed loading dock area extends and grading work would take place. LOA Certified Arborist Neal Kramer conducted this tree survey on March 7-8, 2011.

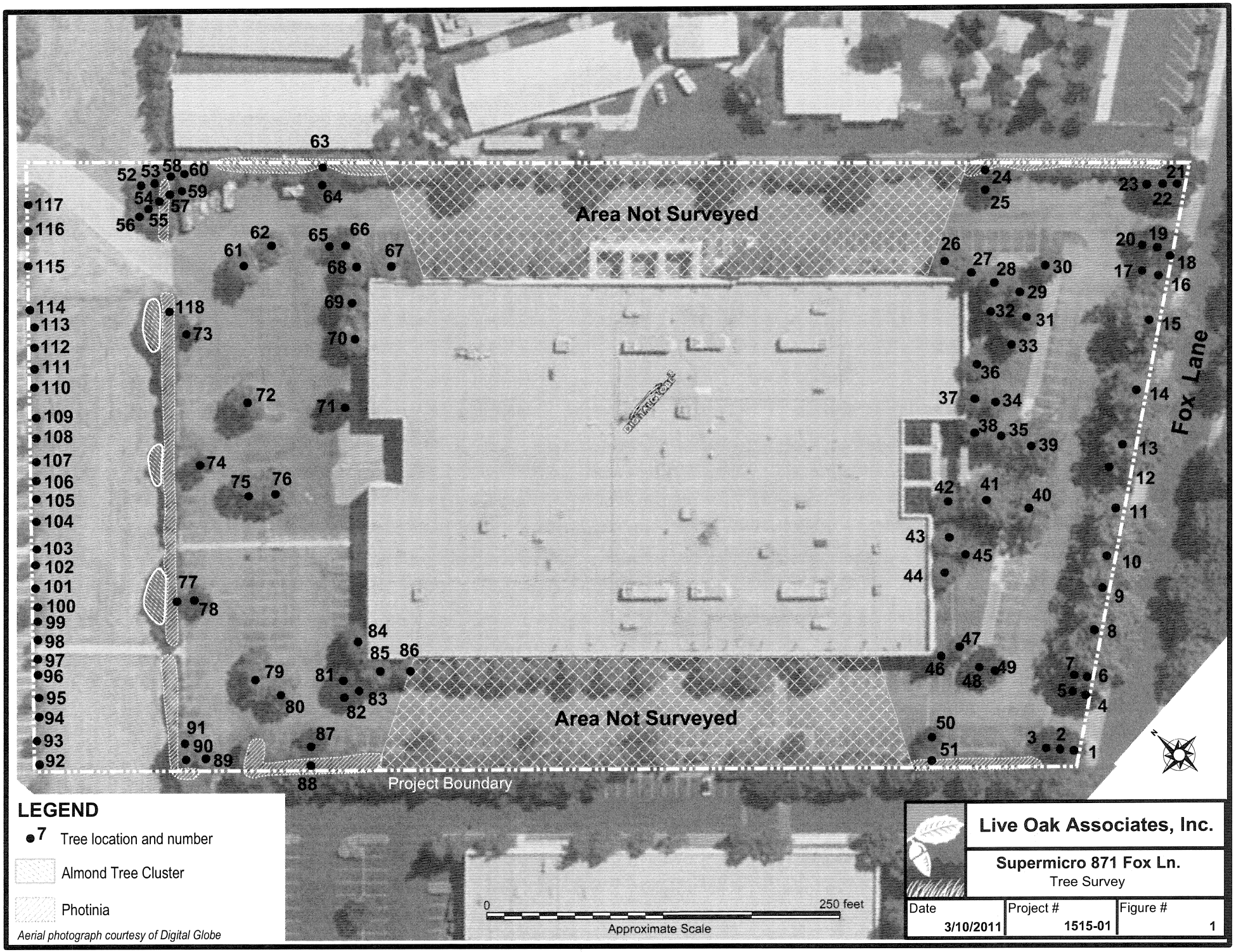
CITY OF SAN JOSE TREE ORDINANCE

The City of San Jose recognizes the many intrinsic values urban forest can contribute to urban areas and encourages the retention and maintenance of mature trees on public and private property as an integral part of that forest.

The City of San Jose defines a tree as any growing plant exceeding six feet in height, whether planted singly or as a hedge. An "ordinance sized tree" is defined as any native or non-native tree with a circumference of 56 inches (diameter of 18 inches) at 24 inches above the natural grade. For multi-trunk trees, the circumference is measured as the sum of the circumferences of all trunks at 24 inches above the natural grade. A "heritage tree" is defined as a tree of special significance to the community due to history, girth, height, species, or other unique quality.

Consistent with the City's ordinance, our survey included a record of the tree scientific and common names, the trunk diameter at 24 inches above natural grade, along with an assessment of the general health of each tree occurring within the survey boundaries. The approximate height and spread of each tree were also noted. Each surveyed tree was marked with a numbered aluminum tag and its location was mapped (Figure 1).

San Jose: 6840 Via del Oro, Suite 220 • San Jose, CA 95119 • Phone: (408) 224-8300 • Fax: (408) 224-1411
Oakhurst: P.O. Box 2697 • 39930 Sierra Way, Suite B • Oakhurst, CA 93644 • Phone: (559) 642-4880 • Fax: (559) 642-4883
Bakersfield: 8200 Stockdale Highway, M10-293 • Bakersfield, CA 93311


Area Not Surveyed
Area Not Surveyed
Fox Lane
Project Boundary
0
250 feet
Approximate Scale
LEGEND
7 Tree location and number
Almond Tree Cluster
Photinia
Aerial photograph courtesy of Digital Globe
Live Oak Associates, Inc.
Supermicro 871 Fox Ln.
Tree Survey
Date 3/10/2011
Project # 1515-01
Figure # 1

SURVEY RESULTS AND DISCUSSION

A total of 118 trees were recorded for this survey. The approximate location of each of these trees is shown on Figure 1. Appendix A of this report lists each surveyed tree by numbered tag and includes common and scientific name, diameter and circumference of trunk(s), tree height and spread, whether or not the tree is ordinance size and a general assessment of the of the tree's health. A preliminary intent to retain, relocate or remove trees is also included with Appendix A.

Trees surveyed on this site are primarily landscape plantings consisting of American sycamore *(Platanus occidentalis)* (10 trees), London plane *(Platanus x acerifolia)* (7 trees), purple flowering plum *(Prunus cerasifera)* (36 trees), flowering pear *(Pyrus calleryana)* (28 trees), African sumac *(Rhus lancea)* (1 tree), and redwood *(Sequoia sempervirens)* (30 trees).

Native trees surveyed on the site include six blue elderberry *(Sambucus nigra ssp. caerulea).* These native elderberry (trees #52-56 & 118) are all located near the northern parcel corner.

Several other woody species are noted on Figure 1, but were not surveyed. These include several lengths of photinia hedge and three almond tree clusters. The photinia hedge *(Photinia fraseri)* extends along the southwest, northwest and northeast parcel boundaries. The hedge is uneven and intermittent with plants ranging from about 4-18 feet in height. Almond trees *(Prunus dulces)* are grouped in three clusters along the northwest parcel boundary. These are ragged, spreading, multistem trees (likely volunteers) heavily pruned on the northwest side.

Ordinance Sized Trees

Eleven ordinance sized trees were recorded during the survey. These are discussed briefly below and photo documentation for each is included in Appendix B.

Trees 8, 9, 10, 14, 15. American sycamore *(Platanus occidentalis).* These five ordinance sized trees are in a line of eight American sycamores located along Fox lane on the southeastern perimeter of the project site. All are in good condition. These trees are in locations potentially impacted by project development, but may be retained by developing and adhering to a strong Tree Protection Plan. Final grading and utility plans should be reviewed by a qualified arborist to make a final determination for retention or removal.

Trees 28, 30, 32. Redwood *(Sequoia sempervirens).* These three ordinance sized trees are located near the eastern corner of the existing warehouse structure within a group of seven redwoods. All are in good condition. These trees are within proposed grading limits and require removal. The relocation of eleven redwood trees to other areas of the Supermicro campus is being considered. Feasibility for relocating these trees should be evaluated further by an arborist or tree service company specializing in large tree relocations.

Trees 52, 53, 55. Blue elderberry *(Sambucus nigra ssp. Caerulea).* These three ordinance sized trees are in a clump of five elderberries located near the northern corner of the parcel. Trees 52 and 53 are in good condition. Tree 55 is in fair condition with approximately 30% dead branches. These trees are within proposed grading limits and require removal.

Heritage Trees

No Heritage Trees are present on this site.

Construction Impacts
A review of drawings provided indicates that at least 58 trees (16 redwood, 15 flowering plum, 11 flowering pear, 7 London plane, 6 blue elderberry and 3 American sycamore) are within grading limits and require removal. The remaining 61 trees surveyed are in locations that are potentially impacted by project development. Potential impacts include demolition activities, grading for new parking areas, driveways and dock areas, trenching for underground utilities, and new foundation and building construction. Final grading and utility plans should be reviewed by a qualified arborist to make a final assessment on which trees can be retained and which should be removed.

The project proponent is considering relocating 11 existing mature redwood trees to other areas within the Supermicro campus. Feasibility for relocating the trees should be investigated further by an arborist or tree service company specializing in large tree relocations.

Tree Protection Recommendations
The proposed warehouse expansion and development of project infrastructure including parking areas, utilities and drainage facilities will alter existing terrain and affect existing trees growing close to the construction areas.

In order to mitigate potential damage to retained trees, San Jose Municipal Code requires that trees be safeguarded during construction through implementation of the following measures:

- Prior to the issuance of any approval or permit, all trees on the site shall be inventoried by a certified arborist as to size, species and location on the lot and the inventory shall be submitted on a topographical map to the Director;
- Damage to any tree during construction shall be reported to the City's Environmental Principal Planner, and the contractor or owner shall treat the tree for damage in the manner specified by the Environmental Principal Planner.
- No construction equipment, vehicles or materials shall be stored, parked or standing within the tree dripline; and
- Drains shall be installed according to city specifications so as to avoid harm to trees due to excess watering; and
- Wires, signs and other similar items shall not be attached to trees; and
- Cutting and filling around the base of trees shall be done only after consultation with the city arborist and then only to the extent authorized by the city arborist; and
- No paint thinner, paint, plaster or other liquid or solid excess or waste construction materials or wastewater shall be dumped on the ground or into any grate between the dripline and the base of the tree or uphill from any tree where certain substances might reach the roots through a leaching process; and
- Barricades shall be constructed around the trunks of trees as specified by a qualified arborist so as to prevent injury to trees making them susceptible to disease causing organisms; and
- Wherever cuts are made in the ground near the roots of trees, appropriate measures shall be taken to prevent exposed soil from drying out and causing damage to tree roots.

To maximize survivability of trees to be retained, it is recommended that a Tree Protection Plan be developed by a qualified arborist to address specific tree protection issues and provide tree protection guidelines for each development phase. All arboricultural and related soil work should be monitored by a qualified arborist.

Tree Replacement Guidelines
The City of San Jose has specific guidelines pertaining to replacement ratios for trees to be removed. These guidelines are outlined below in Table 1. The species and exact number of trees to be planted on a site will ultimately be determined in consultation with the City Arborist and the Department of Planning, Building, and Code Enforcement.

TABLE 1. City of San Jose Replacement Ratio Guidelines for trees to be removed.

Diameter of Tree to be Removed	Type of Tree to be Removed			Minimum Size of Each Replacement Tree
	Native	Non-Native	Orchard	
18 inches or greater	5:1	4:1	3:1	24-inch box
12 - 17 inches	3:1	2:1	none	24-inch box
less than 12 inches	1:1	1:1	none	15-gallon container

x:x = tree replacement to tree loss ratio

Note: Trees greater than 18" diameter shall not be removed unless a Tree Removal Permit, or equivalent, has been approved for the removal of such trees.

Unless expressed otherwise, this survey is limited to visual examination of accessible parts without dissection, excavation, probing, or coring. There is no warranty or guarantee, expressed or implied, that problems or deficiencies of the trees discussed in this report may not arise in the future.

If you have any questions regarding findings or other elements of this report, please feel free to contact me at (650) 563-9943 or (650) 208-0061

Sincerely,

Neal Kramer

Neal Kramer
Certified Arborist #WE-7833A

APPENDIX A: Tree Survey Results 871 Fox Lane, San Jose, CA March 7-8, 2011

Tree #	Common Name	Scientific Name	Diameter (inches) at 24" above grade	Circum. (inches)	Height (approximate ft.)	Spread (approximate ft.)	Ordinance Tree*	General Condition**	Disposition		
									Retain	Relocate	Remove
1	Purple flowering plum	*Prunus cerasifera*	8.4	26	18	10	-	Fair	X		
2	Purple flowering plum	*Prunus cerasifera*	8.9	28	22	10	-	Good	X		
3	Purple flowering plum	*Prunus cerasifera*	8.8	28	20	12	-	Good	X		
4	Purple flowering plum	*Prunus cerasifera*	5.7	18	18	15	-	Good	X		
5	Purple flowering plum	*Prunus cerasifera*	9	28	22	12	-	Good	X		
6	Purple flowering plum	*Prunus cerasifera*	8.7	27	24	10	-	Fair	X		
7	Purple flowering plum	*Prunus cerasifera*	10.6	33	25	12	-	Good	X		
8	**American sycamore**	***Platanus occidentalis***	**20.8**	**65**	40	33	**Yes**	Good	X		
9	**American sycamore**	***Platanus occidentalis***	**19**	**60**	40	30	**Yes**	Good	X		
10	**American sycamore**	***Platanus occidentalis***	**18.3**	**58**	40	32	**Yes**	Good	X		
11	American sycamore	*Platanus occidentalis*	16.7	52	40	28	-	Good	X		
12	Purple flowering plum	*Prunus cerasifera*	10.5	33	18	18	-	Good	X		
13	American sycamore	*Platanus occidentalis*	17.8	38	45	32	-	Good	X		
14	**American sycamore**	***Platanus occidentalis***	**19**	**60**	48	40	**Yes**	Good	X		
15	**American sycamore**	***Platanus occidentalis***	**21**	**66**	50	50	**Yes**	Good	X		
16	Purple flowering plum	*Prunus cerasifera*	10.2	32	18	18	-	Good	X		
17	Purple flowering plum	*Prunus cerasifera*	9	28	18	15	-	Good			X
18	Purple flowering plum	*Prunus cerasifera*	8.7	27	16	12	-	Good	X		
19	Purple flowering plum	*Prunus cerasifera*	9.5	30	16	10	-	Good			X
20	Purple flowering plum	*Prunus cerasifera*	9.5	30	18	15	-	Good			X
21	Purple flowering plum	*Prunus cerasifera*	8.8	28	15	18	-	Good	X		
22	Purple flowering plum	*Prunus cerasifera*	8.2	26	14	12	-	Fair	X		
23	Purple flowering plum	*Prunus cerasifera*	12.2	38	15	16		Good	X		
24	Purple flowering plum	*Prunus cerasifera*	10	31	18	12	-	Fair	X		

* In addition to being indicated in the Ordinance Tree Column, ordinance tree numbers and names are shown in bold lettering.

** Health: **Good** = 80-100% healthy foliage and no significant defects; **Fair** = 50-79% healthy foliage and/or minor defects: **Poor** = 5-49% healthy foliage and/or other significant defects; **Dead** = less than 5% healthy foliage

Tree #	Common Name	Scientific Name	Diameter (inches) at 24" above grade	Circum. (inches)	Height (approximate ft.	Spread	Ordinance Tree*	General Condition**	Disposition		
									Retain	***	Remove
25	Purple flowering plum	*Prunus cerasifera*	9.6	30	16	15	-	Good	X		
26	Flowering pear	*Pyrus calleryana*	14.8	47	20	24	-	Good	X		
27	Redwood	*Sequoia sempervirens*	17	53	37	15	-	Good		X	
28	**Redwood**	***Sequoia sempervirens***	**18.2**	**57**	38	18	**Yes**	Good		X	
29	Redwood	*Sequoia sempervirens*	17.5	55	38	18	-	Good		X	
30	**Redwood**	***Sequoia sempervirens***	**19.5**	**61**	30	20	**Yes**	Good		X	
31	Redwood	*Sequoia sempervirens*	16.3	51	37	18	-	Good		X	
32	**Redwood**	***Sequoia sempervirens***	**18**	**57**	37	16	**Yes**	Good		X	
33	Redwood	*Sequoia sempervirens*	17.5	55	37	18	-	Good		X	
34	Redwood	*Sequoia sempervirens*	14.8	47	38	20	-	Good		X	
35	Redwood	*Sequoia sempervirens*	15.1	47	36	15	-	Good		X	
36	Flowering pear	*Pyrus calleryana*	13.2	41	22	22	-	Good			X
37	Flowering pear	*Pyrus calleryana*	14.4	45	23	23	-	Good			X
38	Flowering pear	*Pyrus calleryana*	17	53	22	23	-	Good			X
39	American sycamore	*Platanus occidentalis*	14.8	47	28	22	-	Good			X
40	American sycamore	*Platanus occidentalis*	14.1	44	26	30	-	Good			X
41	American sycamore	*Platanus occidentalis*	15.4	48	28	25	-	Good			X
42	Flowering pear	*Pyrus calleryana*	13.7	43	20	21	-	Good			X
43	Flowering pear	*Pyrus calleryana*	13.7	43	20	20	-	Good			X
44	Flowering pear	*Pyrus calleryana*	14.2	45	20	20	-	Good			X
45	Redwood	*Sequoia sempervirens*	12.5	39	28	12	-	Good		X	
46	Redwood	*Sequoia sempervirens*	12.5	39	30	15	-	Good			X
47	Redwood	*Sequoia sempervirens*	15.3	48	28	12	-	Good		X	
48	Purple flowering plum	*Prunus cerasifera*	12.5	39	18	18	-	Good			X
49	Purple flowering plum	*Prunus cerasifera*	3.8	12	9	9	-	Fair			X
50	Purple flowering plum	*Prunus cerasifera*	7.7	24	18	12	-	Good	X		
51	Purple flowering plum	*Prunus cerasifera*	7	22	15	15	-	Good	X		

* In addition to being indicated in the Ordinance Tree Column, ordinance tree numbers and names are shown in bold lettering.

** Health: **Good** = 80-100% healthy foliage and no significant defects; **Fair** = 50-79% healthy foliage and/or minor defects: **Poor** = 5-49% healthy foliage and/or other significant defects; **Dead** = less than 5% healthy foliage

*** Relocation is being considered.

Tree #	Common Name	Scientific Name	Diameter (inches) at 24" above grade	Circum. (inches)	Height (approximate ft.)	Spread (approximate ft.)	Ordinance Tree*	General Condition**	Disposition		
									Retain	Relocate	Remove
52	**Blue elderberry**	***Sambucus nigra ssp. caerulea***	11.5+5+4.5+2.8+2.5+3.5 =**29.8**	**94**	14	24	**Yes**	Good			X
53	**Blue elderberry**	***Sambucus nigra ssp. caerulea***	12.5+3.8+2.5 =**18.8**	**59**	18	15	**Yes**	Good			X
54	Blue elderberry	*Sambucus nigra ssp. caerulea*	3.6+4.5 =8.1	25	15	8	-	Fair			X
55	**Blue elderberry**	***Sambucus nigra ssp. caerulea***	2.8+4.5+2.5+2.5+3+3+2+5 =**25.3**	**79**	16	20	**Yes**	Fair			X
56	Blue elderberry	*Sambucus nigra ssp. caerulea*	2.5+2.5+7 =12	38	14	12	-	Good			X
57	Redwood	*Sequoia sempervirens*	14.5	46	30	12	-	Good			X
58	Redwood	*Sequoia sempervirens*	15.3	48	31	14	-	Good			X
59	Redwood	*Sequoia sempervirens*	14.4	45	30	12	-	Good			X
60	Redwood	*Sequoia sempervirens*	16	50	32	13	-	Good			X
61	London plane	*Platanus x acerifolia*	11.5	36	25	20	-	Good			X
62	London plane	*Platanus x acerifolia*	10	31	26	20	-	Good			X
63	Purple flowering plum	*Prunus cerasifera*	8.5	27	16	15	-	Fair	X		
64	Purple flowering plum	*Prunus cerasifera*	9.7	31	16	24	-	Good	X		
65	Purple flowering plum	*Prunus cerasifera*	8.3	26	17	14	-	Dead			X
66	Purple flowering plum	*Prunus cerasifera*	8.7	27	18	15	-	Fair			X
67	Flowering pear	*Pyrus calleryana*	15.7	49	21	18	-	Good	X		
68	Flowering pear	*Pyrus calleryana*	15.6	49	20	17	-	Good			X
69	Flowering pear	*Pyrus calleryana*	15.8	50	21	16	-	Good			X
70	Flowering pear	*Pyrus calleryana*	16	50	21	26	-	Good			X
71	Purple flowering plum	*Prunus cerasifera*	13	41	17	20	-	Good			X
72	London plane	*Platanus x acerifolia*	13.5	42	26	2	-	Good			X
73	Purple flowering plum	*Prunus cerasifera*	9.5	30	15	16	-	Fair			X

* In addition to being indicated in the Ordinance Tree Column, ordinance tree numbers and names are shown in bold lettering.

** Health: **Good** = 80-100% healthy foliage and no significant defects; **Fair** = 50-79% healthy foliage and/or minor defects: **Poor** = 5-49% healthy foliage and/or other significant defects; **Dead** = less than 5% healthy foliage

Tree #	Common Name	Scientific Name	Diameter (inches) at 24" above grade	Circum. (inches)	Height (approximate ft.)	Spread (approximate ft.)	Ordinance Tree*	General Condition**	Disposition		
									Retain	Relocate	Remove
74	Purple flowering plum	*Prunus cerasifera*	11	35	17	16	-	Good			X
75	London plane	*Platanus x acerifolia*	10.6	33	22	22	-	Good			X
76	London plane	*Platanus x acerifolia*	11	35	26	24	-	Good			X
77	Purple flowering plum	*Prunus cerasifera*	7.8	25	18	14	-	Good			X
78	Purple flowering plum	*Prunus cerasifera*	9.2	29	17	18	-	Good			X
79	London plane	*Platanus x acerifolia*	11.7	37	26	30	-	Good			X
80	London plane	*Platanus x acerifolia*	10	31	28	18	-	Good			X
81	Purple flowering plum	*Prunus cerasifera*	9.5	30	18	18	-	Good			X
82	Purple flowering plum	*Prunus cerasifera*	6	19	16	12	-	Good			X
83	Purple flowering plum	*Prunus cerasifera*	7	22	18	18	-	Good			X
84	Flowering pear	*Pyrus calleryana*	14.2	45	21	22	-	Good			X
85	Flowering pear	*Pyrus calleryana*	14	44	20	20	-	Good			X
86	Flowering pear	*Pyrus calleryana*	14.1	44	21	18	-	Good	X		
87	Purple flowering plum	*Prunus cerasifera*	9.5	30	18	18	-	Good	X		
88	Purple flowering plum	*Prunus cerasifera*	7.5	24	16	12	-	Fair	X		
89	Redwood	*Sequoia sempervirens*	12.7	40	26	14	-	Good	X		
90	Redwood	*Sequoia sempervirens*	9.5	30	28	10	-	Fair	X		
91	Redwood	*Sequoia sempervirens*	16.8	53	34	15	-	Good	X		
92	Redwood	*Sequoia sempervirens*	3.2	10	11	6	-	Good	X		
93	Flowering pear	*Pyrus calleryana*	6.5	20	17	13	-	Good	X		
94	Redwood	*Sequoia sempervirens*	3.5	11	11	6	-	Good	X		
95	Flowering pear	*Pyrus calleryana*	7.7	24	18	12		Good	X		
96	Redwood	*Sequoia sempervirens*	3.6	11	11	6	-	Good	X		
97	Flowering pear	*Pyrus calleryana*	4.5	14	15	8	-	Good	X		
98	Flowering pear	*Pyrus calleryana*	4.5	14	15	9	-	Good	X		
99	Redwood	*Sequoia sempervirens*	3.5	11	11	5	-	Good	X		
100	Flowering pear	*Pyrus calleryana*	9	28	22	15	-	Good	X		
101	Redwood	*Sequoia sempervirens*	3.6	11	11	5	-	Good	X		

* In addition to being indicated in the Ordinance Tree Column, ordinance tree numbers and names are shown in bold lettering.

** Health: **Good** = 80-100% healthy foliage and no significant defects; **Fair** = 50-79% healthy foliage and/or minor defects: **Poor** = 5-49% healthy foliage and/or other significant defects; **Dead** = less than 5% healthy foliage

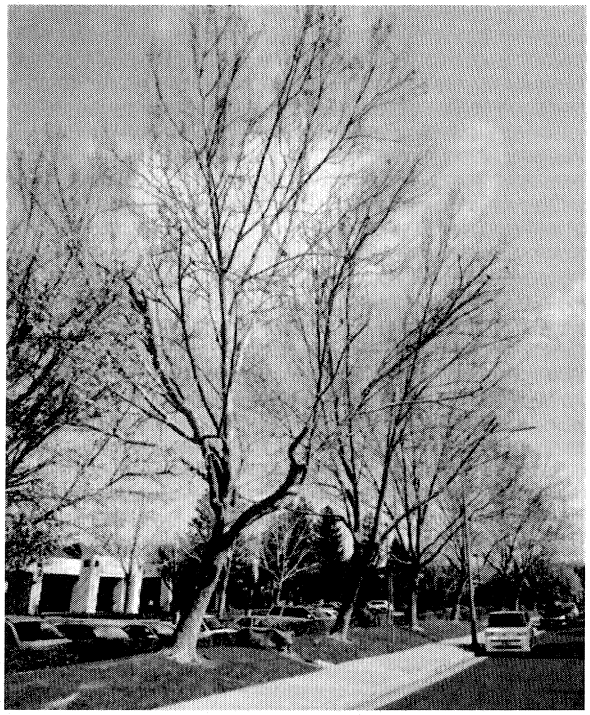
Tree #	Common Name	Scientific Name	Diameter (inches) at 24" above grade	Circum. (inches)	Height (approximate ft.)	Spread (approximate ft.)	Ordinance Tree*	General Condition**	Disposition		
									Retain	Relocate	Remove
102	Flowering pear	*Pyrus calleryana*	6.2	20	15	12	-	Good	X		
103	Redwood	*Sequoia sempervirens*	4	13	11	5	-	Good	X		
104	Flowering pear	*Pyrus calleryana*	8	25	18	12	-	Good	X		
105	Redwood	*Sequoia sempervirens*	3.7	12	11	6	-	Good	X		
106	Flowering pear	*Pyrus calleryana*	6.4	20	16	10	-	Good	X		
107	Redwood	*Sequoia sempervirens*	3.7	12	10	6	-	Good	X		
108	Flowering pear	*Pyrus calleryana*	5.9	19	14	9	-	Good	X		
109	Redwood	*Sequoia sempervirens*	3.6	11	11	5	-	Good	X		
110	Flowering pear	*Pyrus calleryana*	5.8	18	15	11	-	Good	X		
111	Redwood	*Sequoia sempervirens*	3.8	12	11	6	-	Good	X		
112	Flowering pear	*Pyrus calleryana*	5	16	14	7	-	Good	X		
113	Redwood	*Sequoia sempervirens*	3.4	11	11	5	-	Good	X		
114	Flowering pear	*Pyrus calleryana*	4	13	11	8	-	Good	X		
115	Flowering pear	*Pyrus calleryana*	5.6	18	12	9	-	Good	X		
116	Flowering pear	*Pyrus calleryana*	8	25	17	15	-	Good	X		
117	African sumac	*Rhus lancea*	9.5	30	16	20	-	Good	X		
118	Blue elderberry	*Sambucus nigra ssp. caerulea*	6.8	21	18	16	-	Good			X

* In addition to being indictaed in the Ordinance Tree Column, ordinance tree numbers and names are shown in bold lettering.

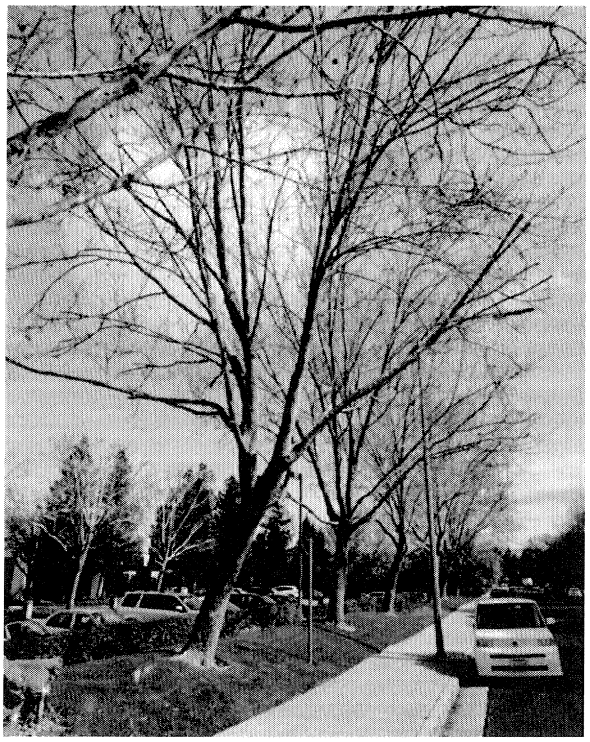
** Health: **Good** = 80-100% healthy foliage and no significant defects; **Fair** = 50-79% healthy foliage and/or minor defects: **Poor** = 5-49% healthy foliage and/or other significant defects; **Dead** = less than 5% healthy foliage

APPENDIX B: Ordinance Trees

Supermicro, 871 Fox Lane, San Jose, CA. March 7, 2011

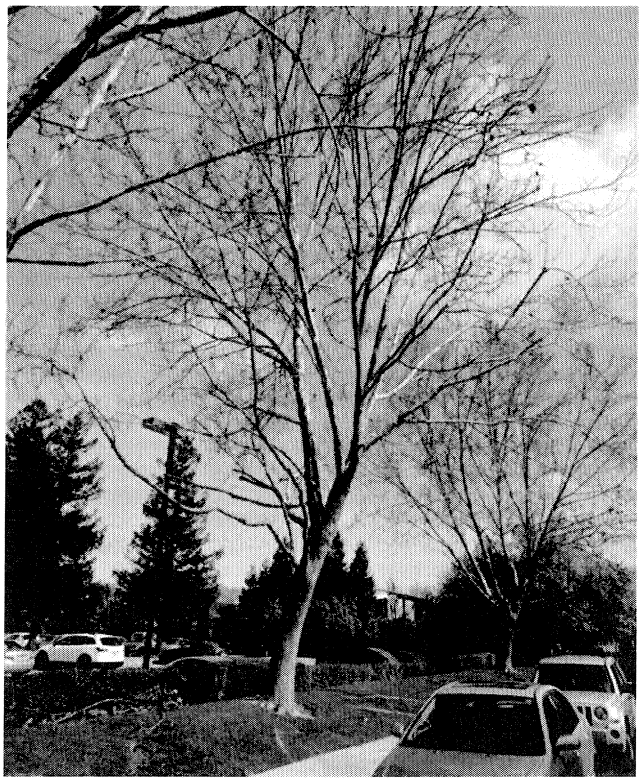


Tree 8: American sycamore *(Platanus occidentalis)*

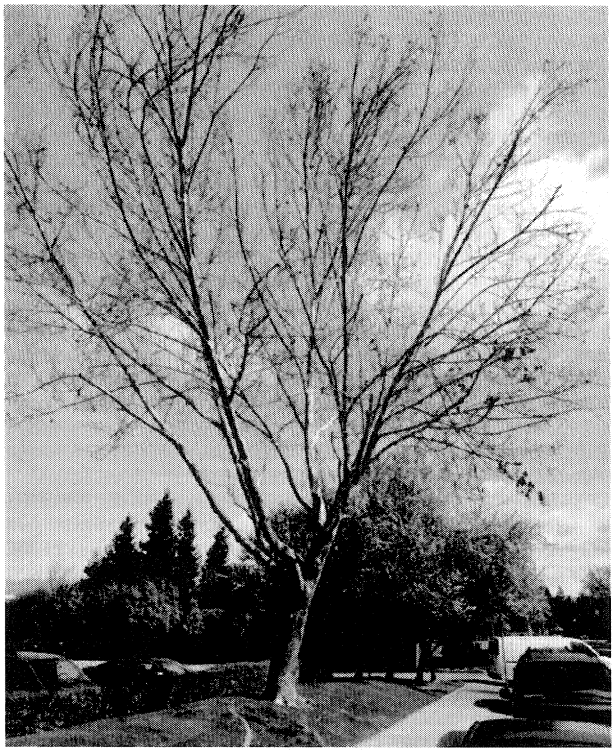


Tree 9: American sycamore *(Platanus occidentalis)*

Tree 10: American sycamore *(Platanus occidentalis)*

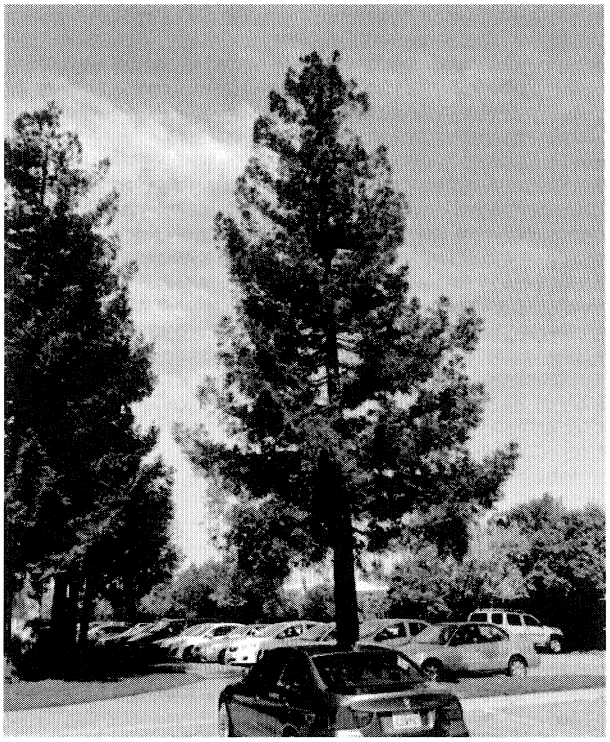


Tree 14: American sycamore *(Platanus occidentalis)*

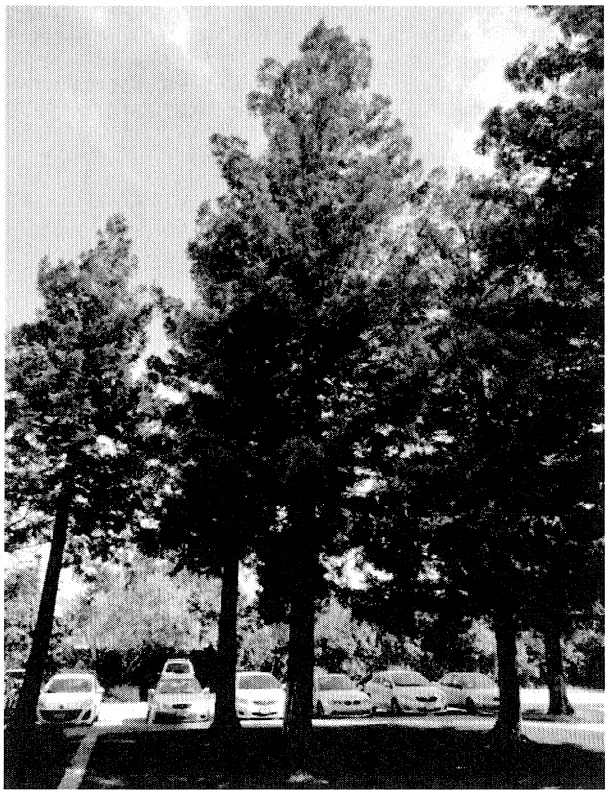


Tree 15: American sycamore *(Platanus occidentalis)*

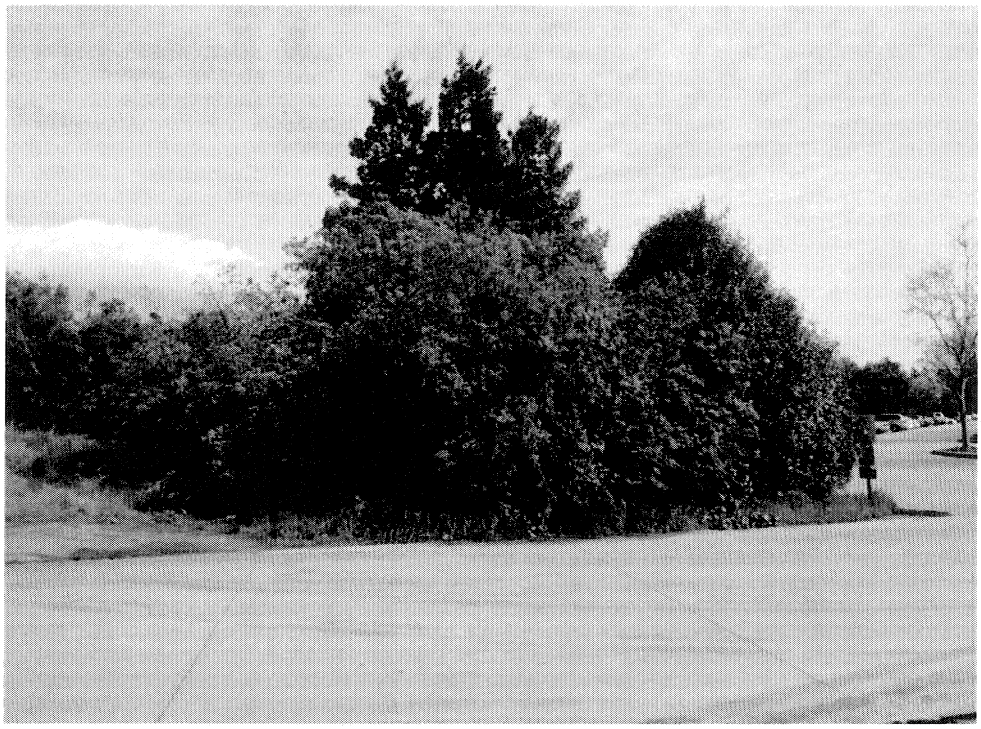
Tree 28: Redwood *(Sequoia sempervirens)*



Tree 30: Redwood *(Sequoia sempervirens)*



Tree 32: Redwood *(Sequoia sempervirens)*



Trees 52-56: Blue elderberry *(Sambucus niga ssp. caerulea)*

holman & ASSOCIATES
Archaeological Consultants
"SINCE THE BEGINNING"
3615 FOLSOM ST. SAN FRANCISCO, CALIFORNIA 94110 415/550-7286

Richard Mindigo
Mindigo & Associates
1984 The Alameda
San Jose, Ca 95110

March 3, 2011

Dear Mr. Mindigo:

RE: CULTURAL RESOURCES LITERATURE REVIEW FOR THE 871 FOX LANE PROJECT, SAN JOSE, SANTA CLARA COUNTY, CALIFORNIA

At your request I have completed an archaeological literature review for the above referenced project area located near Old Oakland Road in San Jose, Santa Clara County, California. No recorded evidence of historic and/or prehistoric cultural resources exists, but an examination of archaeological research done for adjacent project areas suggests that there remains a moderate to high potential that the property may contain historically undisturbed prehistoric archaeological resources. Archaeological monitoring of site clearing and initial subsurface grading and trenching is recommended. This report contains a summary of information gained to date.

PROJECT DESCRIPTION

The existing 6.5 acre parcel located on Fox Lane west of Old Oakland Road is currently covered by an office park development, which was built at a point before archaeological surveys were routinely required for development along the Old Oakland Road corridor and adjacent Coyote Creek. The project consists of additions to the existing building on the property.

LITERATURE REVIEW

An updated archaeological literature review was conducted by this author at the Northwest Information Center (NWIC) in Rohnert Park on February 28, 2011 (NWIC file no. 10-0826) to obtain information about archaeological studies and recorded archaeological sites in or immediately around the project area.

There are no records of a formal archaeological study having been done for the Fox Lane property, and there are no recorded historic or prehistoric sites inside the project borders. There are however, several large prehistoric archaeological sites located within a thousand foot radius

which will be discussed below. There have been numerous archaeological studies done of the immediate area, including one by Dr. Robert Cartier done in 1999 just southeast of the existing project area which warrants discussion.

Dr. Cartier conducted a survey in 1999 for a 4 acre parcel located at 1160 Ridder Park Drive. Although his visual inspection of the area (evidently it wasn't built on at this time) did not reveal prehistoric resources, he did note the existence of the remains of what may have been an historic farmstead.

His real concern was the potential for the discovery of prehistoric materials:

> "In general, the subject area is in a portion of San Jose that is well known for having numerous buried archaeological deposits. The proposed project is located approximately 1600 feet due north of Coyote Creek. The region along Coyote Creek has revealed prehistoric material found buried beneath alluvial soils. Most of these sites have been found during archaeological testing, archaeological monitoring, and construction excavation. Based upon the high potential for buried prehistoric sites in this area and the traces of sub surface historic deposits within the subject property, it is recommended that monitoring be conducted by a qualified archaeologist during earthmoving activities into native soils." (Cartier 1999:1).

Dr. Cartier was referring in part to a large and contiguous archaeological complex found along Old Oakland Road and Murphy Avenue, southeast of the current project area. Recorded at times as Scl-429/H, Scl-343 and Scl-627, research conducted by Holman & Associates for projects including golf course expansion and the conversion of farm land into housing projects for the general area revealed a rich deposit of archaeological soils containing hundreds of human remains evident on the surface, and in many locations, buried under as much as 4 feet of alluvial materials. Based upon observations of the artifacts and human burials removed by Holman & Associates and other archaeological firms, it appears that this portion of the Coyote Creek riparian zone was inhabited on and off over several thousand years as villages relocated either near Coyote Creek or the seasonal creeks which drained into it prehistorically from the southeast.

FINDINGS/RECOMMENDATIONS

Based upon the archaeological record of adjacent areas, this author must agree with Dr. Cartier that the area which includes 871 Fox Lane must be considered to be archaeologically sensitive. This is in spite of the fact that there is existing construction on the property: while grading and trenching for the existing buildings may have resulted in the destruction of historic archaeological materials, there is a possibility that historic disturbance did not reach deep enough, nor was it extensive enough to have completely removed prehistoric archaeological deposits.

In short, construction of additions to the front and rear of the existing building may result

in the discovery of historically undisturbed archaeological deposits which would be eligible for inclusion on the California Register of Historic Resources (CRHR). All of the nearby prehistoric archaeological sites investigated by Holman & Associates and others have also contained concentrations of human burials.

Since it is impossible at present to conduct a visual inspection of the ground surface or to conduct mechanical subsurface presence/absence testing, this report recommends that a qualified archaeologist be retained to observe site clearing, and to observe grading and trenching operations which will extend into native soils in the construction areas.

In the event that archaeological deposits are discovered, the project archaeologist should submit a plan for mitigation to the San Jose Planning Department for approval. Mitigation normally takes the place of limited hand excavation to retrieve materials and information which demonstrate CRHR eligibility, combined with additional monitoring of all earthmoving inside the zone designated as archaeologically sensitive to insure that significant archaeological materials are retrieved for analysis.

Monitoring inside archaeologically sensitive zones also functions to identify and hopefully to limit damage to human remains and associated grave goods. In the event that human remains are encountered during any phase of earthmoving, work should be stopped inside a zone defined by the project archaeologist until the County Coroner's Office has been notified along with the Native American Heritage Commission (NAHC). The NAHC is responsible for naming a Most Likely Descendant who will represent Tribal interests by writing recommendations regarding the method of exposure and removal of all human burials and associated grave goods as well as recommending a place and process for the reburial of these items.

Sincerely,

Miley Paul Holman

REFERENCES

Cartier, Robert
1999 CULTURAL RESOURCE EVALUATION OF THE PROPERTY AT 1160 RIDDER PARK DRIVE IN THE CITY OF SAN JOSE. On file, City of San Jose.