

*INITIAL STUDY*

**NORTECH EAST LOOP  
WATER MAIN PROJECT**

File No. PP10-178



March 2011

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Appendix A	Biological Resources Report & Wetland Delineation
Appendix B	Soil Testing Laboratory Results
Appendix C	Archaeological Assessment Report <sup>1</sup>

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<sup>1</sup> This is a confidential document on file at City of San Jose Department of Planning Building and Code Enforcement.

## **SECTION 1.0 INTRODUCTION AND PURPOSE**

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This Initial Study of environmental impacts is being prepared to conform to the requirements of the California Environmental Quality Act (CEQA), the CEQA Guidelines (California Code of Regulations §15000 *et seq.*) and the regulations and policies of the City of San José (referred to as “the City” hereafter), California.

This Initial Study evaluates the environmental impacts that might reasonably be anticipated to result from the Nortech Water Main Loop (referred to as “the project” hereafter). The San Jose Municipal Water System proposes to install 1,000 linear feet (LF) of a 12-inch ductile iron pipe (DIP) water main within and adjacent to the City’s Water Pollution Control Plant lands in Alviso, Santa Clara County, California.

## **SECTION 2.0 PROJECT INFORMATION**

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### **2.1 PROJECT TITLE**

PP10-178; Nortech Water Main Loop

### **2.2 PROJECT LOCATION**

The project area includes three segments of land, two of which are located along the west and southwest property boundaries of San José/Santa Clara Water Pollution Control Plant (Plant) buffer lands bordered by State Route 237 to the south and an office park development to the north and west, respectively. The third segment of the study area is located directly adjacent to the south side of State Route 237. Refer to Figures 2.0-1, 2.0-2, and 2.0-3.

### **2.3 LEAD AGENCY NAME AND ADDRESS**

City of San José  
Department of Planning, Building and Code Enforcement  
200 E. Santa Clara Street,  
San José, CA 95113

### **2.4 APPLICANT CONTACT PERSON AND TELEPHONE NUMBER**

Rajesh Verma, Engineer II  
Department of Environmental Services  
San José Municipal Water System  
3025 Tuers Road  
San Jose, CA  
408-363-4723

### **2.5 ASSESSOR’S PARCEL NUMBERS**

North of SR 237 (2 segments)

015-30-098 – owned by the City of San Jose

015-30-099 – owned by CARR NP Properties LLC, PO Box A-3879, Chicago, IL 60690

South of SR 237 (one segment)

097-14-090 – owned by MFP Hunter, Hunter Properties, 10121 Miller Ave, Cupertino, CA 95014

**2.6 ZONING DISTRICT AND GENERAL PLAN DESIGNATION**

North of SR 237 (two segments)

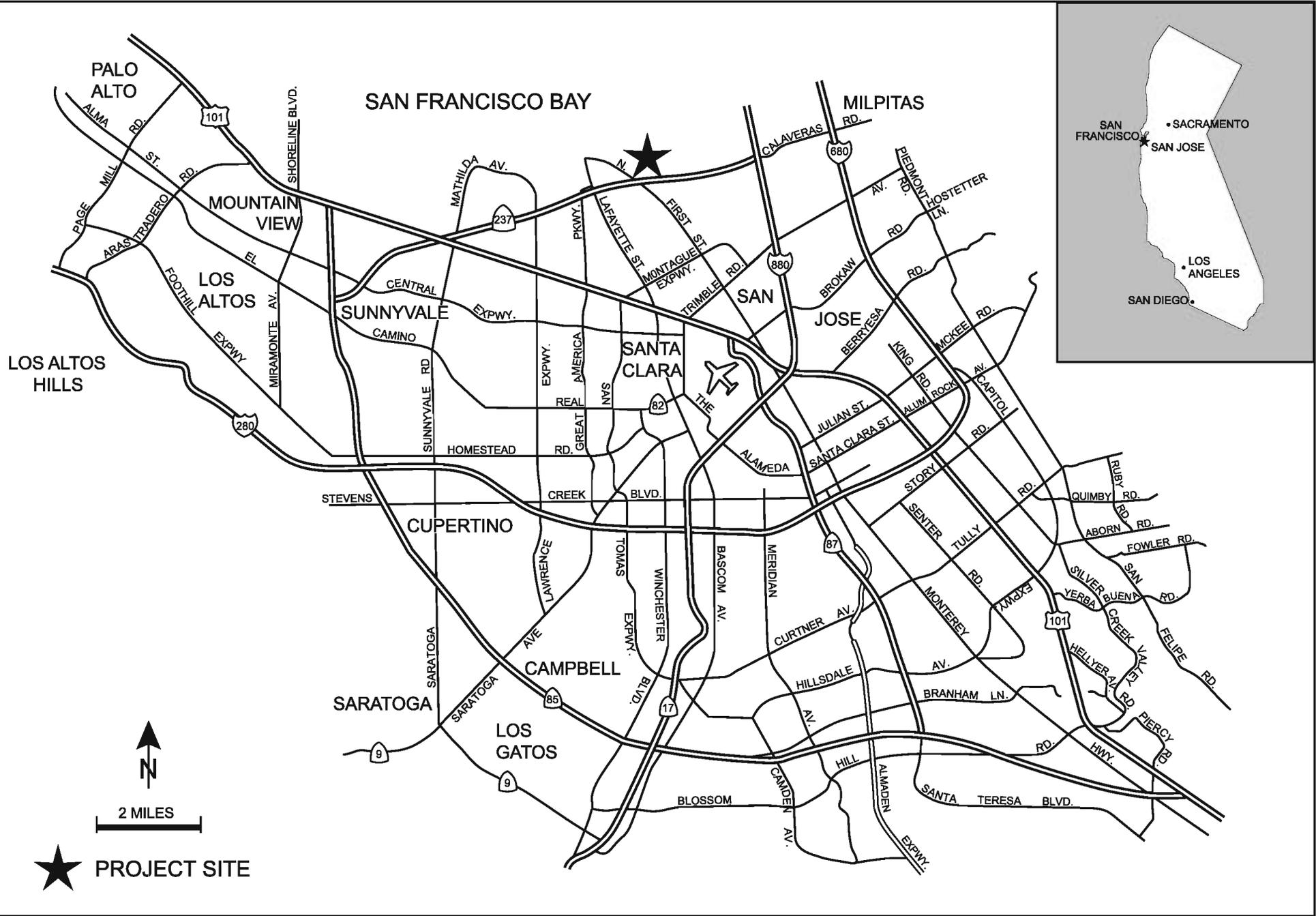
Zoning District: A(PD) Planned Development Zoning District (industrial uses); R-1-8  
Single Family Residential & R-M Multi-Family Residential Zoning  
Districts

General Plan Designation: Public/Quasi Public

South of SR 237 (one segment)

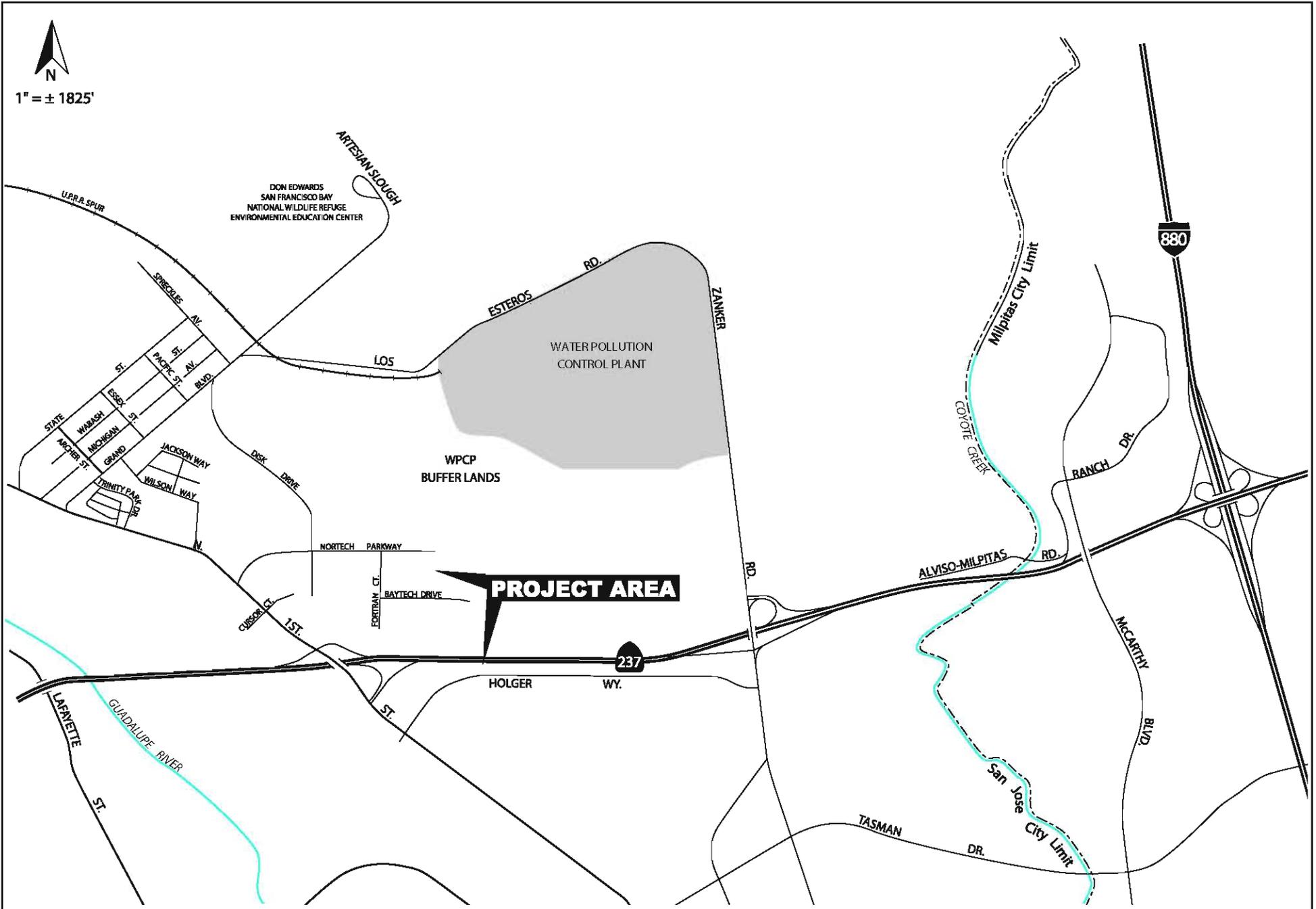
Zoning District: IP Industrial Park

General Plan Designation: Industrial Park



REGIONAL MAP

FIGURE 2.0-1



VICINITY MAP

FIGURE 2.0-2



AERIAL PHOTOGRAPH AND SURROUNDING LAND USES

FIGURE 2.0-3

## **SECTION 3.0 PROJECT DESCRIPTION**

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The San Jose Municipal Water System proposes to install 1,000 linear feet (LF) of a 12-inch DIP water main within and adjacent to the City's Water Pollution Control Plant (Plant) lands in Alviso, Santa Clara County, California. The project will complete a looped system and increase service reliability to the Alviso service area. The new pipe will connect two existing pipelines. The new pipes will be installed in two segments, refer to Figure 3.0-1.

The project area includes three segments of land, two of which are located along the west and southwest property boundaries of Plant buffer lands bordered by State Route (SR) 237 to the south and an office park development to the north and west, respectively. The third segment of the study area is located directly adjacent to the south side of SR 237.

The first 700 LF segment would be through Plant lands starting at the end of Nortech Parkway, approximately 60 feet east of the adjacent office fence property boundary. The pipe would continue south terminating at Baytech Drive. The pipe will be installed within an open trench, approximately three (3) feet wide and four (4) feet deep. This section of pipe will connect two existing water pipes. Ground disturbance will be the area limited to between the Plant property boundary and approximately sixty feet east of said property boundary. After installation, soil will be refilled and the site will be returned to its original condition.

The second 300 LF segment would start between the most southeastern office park on Baytech Drive and SR 237, approximately 50 feet west of the fence property boundary for the Plant lands. This pipeline would be installed by means of jack-and-bore encased in a steel pipe crossing beneath SR 237 and terminating at Holger Way (third segment). The addition of this pipe would connect two existing pipelines on either side of the freeway. On the north side of SR 237, the pipe will be installed approximately five feet parallel to and west of the eastern property boundary and will lie within an existing utility easement. Ground disturbance will be limited to the area between the property boundary and approximately fifty feet west of said property boundary. After installation, soil will be refilled and the site will be returned to its original condition.



SITE PLAN

FIGURE 3.0-1

## **SECTION 4.0 ENVIRONMENTAL SETTING, CHECKLIST, AND DISCUSSION OF IMPACTS**

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*This section describes the existing environmental conditions on and near the project area, as well as environmental impacts associated with the proposed project. The environmental checklist, as recommended in the California Environmental Quality Act (CEQA) Guidelines, identifies environmental impacts that could occur if the proposed project is implemented.*

*The right-hand column in the checklist lists the source(s) for the answer to each question. The sources cited are identified at the end of this section. Mitigation measures are identified for all significant project impacts. Measures that are standard and required by the City or law are categorized as “Standard Measures.” Measures that are proposed by the applicant that will further reduce already less than significant impacts are categorized as “Avoidance Measures.” Measures that are required to reduce significant impacts to a less than significant level are categorized as “Mitigation Measures.” All measures shall be printed on all construction documents, contracts, and project plans.*

### **4.1 AESTHETICS**

#### **4.1.1 Setting**

The portions of the project site north of SR 237 located on Plant bufferlands are undeveloped. Adjacent to the site is an office park complex, including paved surface parking lots, one and two-story buildings, and landscaping. The sites are separated from the office complex by landscaping trees and chain-link fencing.

Within the vicinity of the project area are facilities that are industrial in character. North of the project area is the Water Pollution Control Plant and its bufferlands. The Plant includes seven large industrial buildings, a series of large tanks, and other outdoor processing equipment, as well as a large complex of sludge ponds and buffer lands. Further north of the project area are two landfill and resource recovery facilities: the Zanker Material Processing Facility (ZMPF) and the Zanker Road Resource Recovery Operation and Landfill (ZRRROL).

The portion of the project area on the south side of the SR 237 is vacant land located between the State Route 237 and Headquarters Drive. Adjacent to this site is a paved road (Holger Way) merging with Headquarters Drive which provides access to the office park under construction located southwest of the project site. A chainlink fence separates the vacant land portion of the project site from this paved road. Southeast of this project site is a large office park complex.

The historic residential area of Alviso, referred to in the Alviso Master Plan as the Alviso Village, is roughly bounded by Spreckles Avenue, Grand Boulevard, and North First Street, and is approximately ½-mile northwest from the project area.

Grasslands, waterways, and marshes are found farther north of the project area beyond the Plant, including the Don Edwards San Francisco Bay National Wildlife Refuge (NWR).

**4.1.2 Environmental Checklist and Discussion of Impacts**

AESTHETICS						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
2) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
3) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
4) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
5) Increase the amount of shading on private or public open space (e.g., backyards, parks, plazas, and/or school yards)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1

**4.1.2.1 Discussion**

The project proposes to install linear segments of water main pipe, both of which will be installed underground. The project will not alter the visual character or quality of the site and surroundings. No development or lighting is proposed as part of the project and, therefore, the project would not affect day or nighttime views in the area; nor would it increase shading.

**4.1.3 Conclusion**

The proposed project would not result in any significant visual or aesthetic impacts. **(No Impact)**

**4.2 AGRICULTURAL AND FORESTRY RESOURCES**

**4.2.1 Setting**

The project sites are not classified as farmland, are not currently being farmed, and are not located near any current agricultural resources. The project sites are not classified as Timberland Production, are not being used for timberland, and are not located near any forest land.

**4.2.2 Environmental Checklist and Discussion of Impacts**

AGRICULTURAL RESOURCES						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3,4
2) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3,4
3) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3
4) Result in loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3
5) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3,4

**4.2.2.1 *Discussion***

Agricultural uses have not occurred on the project site or adjacent to the project site for many years. There is no Williamson Act contract on the property. The proposed project would not affect farmland or agricultural uses in any way. The project would, therefore, have no impact on farmland or agricultural activities of any kind.

The project site does not include forest land, nor has any timberland production taken place on the project site. The proposed project would not affect forest land or timberland uses in any way. The project would, therefore, have no impact on forest land or timberland activities of any kind.

**4.2.3            Conclusion**

The proposed project would not impact farmlands or agricultural activities. **(No Impact)**

**4.3 AIR QUALITY**

**4.3.1 Setting**

Air quality and the amount of a given pollutant in the atmosphere are determined by the amount of pollutant released and the atmosphere’s ability to transport and dilute the pollutant. The major determinants of transport and dilution are wind, atmospheric stability, terrain and, for photochemical pollutants, sunlight.

Of the three pollutants known to at times exceed the state and federal standards in the project area, two are regional pollutants. Both ozone and PM10 are considered regional pollutants in that concentrations are not determined by proximity to individual sources, but show a relative uniformity over a region. The third pollutant, carbon monoxide, is considered a local pollutant because elevated concentrations are usually only found near the source.

Under amendments to the federal Clean Air Act, the Environmental Protection Agency (EPA) has classified air basins, or portions thereof, as either “attainment” or “nonattainment” for each criteria air pollutant, based on whether or not the national standards have been achieved. Under the California Clean Air Act, Santa Clara County is classified as a non-attainment area for ozone and PM10. The EPA has designated the Bay Area as a federal non-attainment area for ozone. The County is either in attainment or unclassified for other pollutants.

**4.3.2 Environmental Checklist and Discussion of Impacts**

AIR QUALITY						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
2) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1
3) 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 which exceed quantitative thresholds for ozone precursors?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1
4) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1

AIR QUALITY						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project: 5) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1

**4.3.2.1 Discussion**

The project does not propose any new development that could generate traffic and therefore, will not result in any air quality impacts associated with building construction or traffic generation.

Construction activities will temporarily affect local air quality. Construction activities such as earthmoving, construction vehicle traffic, and wind blowing over exposed earth can generate exhaust emissions and fugitive particulate matter emissions that affect local and regional air quality. Construction activities are also a source of organic gas emissions. Construction activities will increase dustfall and locally elevated levels of PM<sub>10</sub> downwind. The following Standard Measures are included in the project.

**Standard Measures AIR-1.1:**

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) will be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site will be covered.
- All visible mud or dirt track-out onto adjacent public roads will 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 will be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved will be completed as soon as possible.
- Idling times will be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes. Clear signage will be provided for construction workers at all access points.
- All construction equipment will be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment will be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- The telephone number and person to contact at the City of San Jose Planning Department regarding dust complaints will be posted in an area visible to the public. The contact person will respond and commence corrective action within 48 hours. The BAAQMD’s phone number will also be visible to ensure compliance with applicable regulations.

**4.3.3 Conclusion**

Short-term air quality impacts associated with pipeline installation activities would be considered less than significant and will be minimized through implementation of the standard dust control measures described above. The project will not result in any significant air quality impacts. (**Less Than Significant Impact**)

## 4.4 BIOLOGICAL RESOURCES

The following section is primarily based upon a Biological Resources Report and a Wetland Delineation prepared for the proposed project by *H.T. Harvey & Associates* in July 2009. The reports are provided in Appendix A of this Initial Study.

### 4.4.1 Setting

The project area is situated on the southern fringe of the South San Francisco Bay in northern San José. Undeveloped land in the project vicinity is flat, low-lying, and poorly drained. Much of the project area was historically farmed and the majority of the site has been extensively disturbed as a result of this historical farming, or is disturbed by the SR 237 right of way, and is now dominated by ruderal non-native upland grassland habitat. Due to grazing, vegetation in the northern portion of the study area (south of the end of Nortech Parkway) is somewhat shorter and less dense than in the ungrazed and unmown area near the north side of SR 237, where weedy vegetation is tall and dense. Although annual grasslands can provide foraging and breeding habitat for numerous wildlife species, the limited extent of habitat within the portions of the project area on either side of SR 237, the long history of disturbance of these habitats, and their proximity to traffic along SR 237 and other developed areas limit the value of the ruderal/grassland habitat on the project site to wildlife. Most of the grasslands have historically been disturbed regularly by disking or mowing, and are all currently grazed or mown at least once a year as a fire suppression tactic.

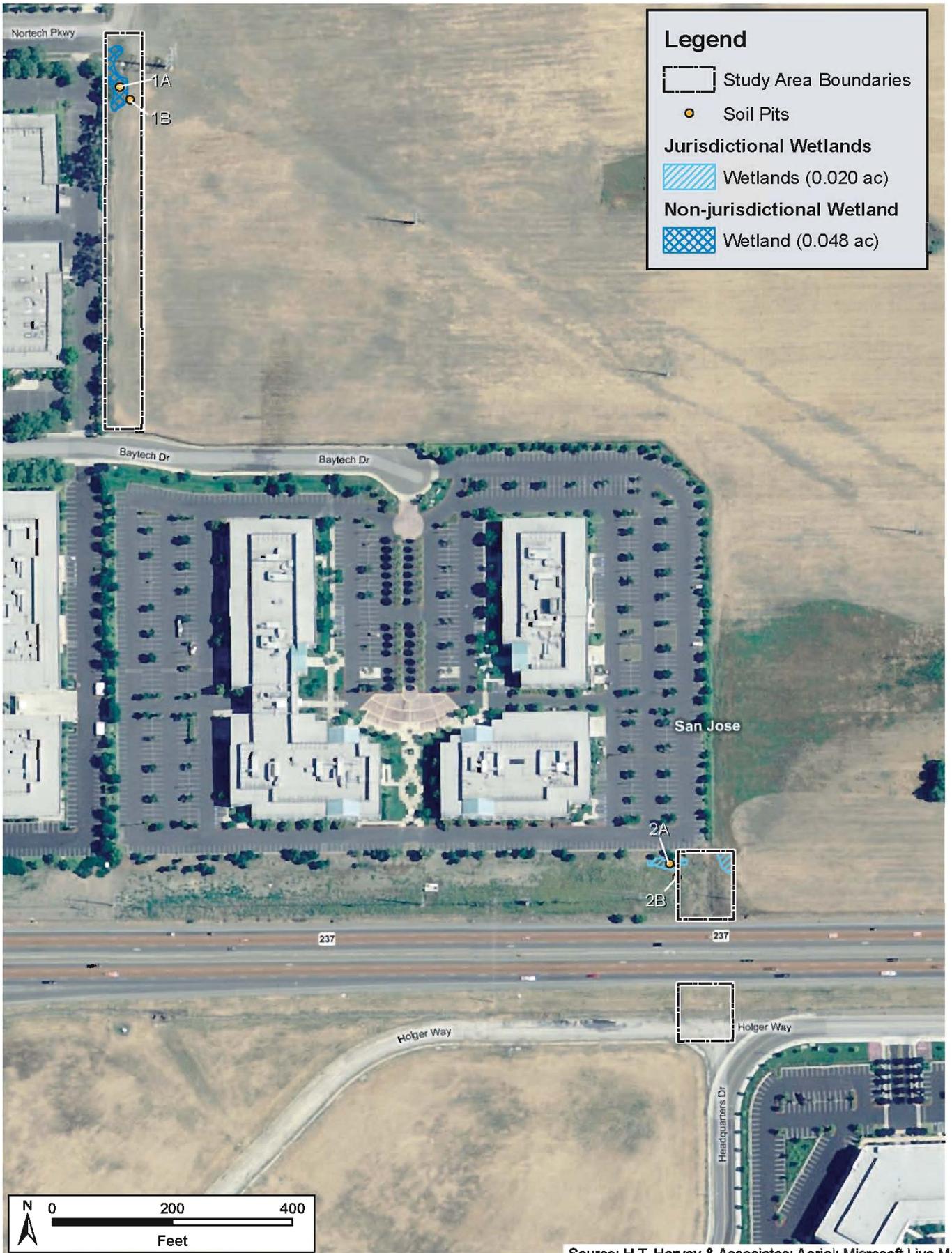
Three small patches of wetland are located within the vicinity of the project area (Figure 4.4-1). As shown in Figure 4.4-1, soil borings were completed for the wetland determination. A wetland at the northern end of Nortech Parkway has been created as a result of a leaking irrigation line and is considered a man-induced wetland. This wetland is located within a single shallow topographic depression supporting non-native and seasonal wetland plant species. A second wetland is located on the north side of SR 237 between the existing parking lot and SR 237. This wetland is also likely fed by a leaking irrigation pipe and a small amount of standing water was observed in a hole adjacent to the parking lot. The third wetland is located north of SR 237 and east of the fence marking the Water Pollution Control Plant property line; this wetland, which is a large wetland previously delineated by *H.T. Harvey and Associates* for a separate project, extends southwestward into the project area.

There are a number of landscaping trees within the vicinity of the northernmost project sites, between Nortech Parkway and Bayfront Parkway, along the outer edge of the parking lot for the adjacent industrial buildings.

#### 4.4.1.1 *Special-Status Plants*

##### **Congdon's Tarplant**

Based on a review of California Natural Diversity Database (CNDDDB) records and a reconnaissance-level field survey, it was determined that Congdon's tarplant has some potential to occur in close proximity to the project area. Several occurrences of this species are known from alkaline soils in disturbed ruderal annual grassland habitat in the vicinity of the project site, including one population located near the intersection of Spreckles Road and Zanker Road in Alviso. Congdon's tarplant is a California Native Plant Society List 1B plant species (i.e., plants rare, threatened and endangered in California and elsewhere).



Source: H.T. Harvey & Associates; Aerial: Microsoft Live Maps

WETLAND MAP

FIGURE 4.4-1

No Congdon's tarplants were detected during the reconnaissance-level field survey, which occurred during the appropriate blooming period for this species. Based on the marginal to poor-quality ruderal habitat and the lack of observations during the field survey, Congdon's tarplant was determined to be absent from the site.

#### **4.4.1.2      *Special-Status Animals***

Based on the site visit and review of CNDDDB records and other information regarding the occurrence of special-status wildlife species in the site vicinity, it was determined that the project's impact areas lack habitat for most regionally occurring special-status species. Several special-status species, such as the American peregrine falcon, golden eagle, Vaux's swift, long-eared owl, short-eared owl, bank swallow, yellow warbler, San Francisco common yellowthroat, yellow breasted chat, tricolored blackbird, and pallid bat, may occur on the site rarely, or only as occasional foragers, but are not expected to breed on or very near the site, and would not be affected by the proposed project.

The following paragraphs discuss potential impacts to species that may breed or roost in or immediately adjacent to the project area.

#### **Burrowing Owl**

The burrowing owl is known to occur adjacent to the project site, located in the vicinity of the former Arzino Ranch which is northwest of the project area, and is known to forage and nest in the grasslands near to the project area. Reconnaissance level field surveys conducted observed no burrows within the project area or any owls using the project area. The surveys did determine there is suitable nesting habitat within the project area north of the SR 237, and there is some potential for burrowing owls to use this habitat in the future. No suitable burrows for owls are present in the portion of the study area south of SR 237.

Due to recent declines in burrowing owl populations, the loss of any individuals or active nests would be considered a significant impact under CEQA. In addition, burrowing owls along with all other all native birds are protected by the federal Migratory Bird Treaty Act and the California Fish and Game Code.

#### **Nesting Special-Status Birds**

Due to the lack of suitable nesting substrates, no special-status birds are expected to nest on the project site. Several special-status bird species, however, including the northern harrier, loggerhead shrike, and white-tailed kite, could nest in vegetation near the project site. The ornamental pine and eucalyptus trees bordering the northern portion of the project site could potentially provide nesting habitat for white-tailed kite. Wetlands off-site to the northeast of the project site, on the north side of SR 237, could potentially provide nesting habitat for the northern harrier. Trees immediately adjacent to the project site north of SR 237 could potentially be used by nesting loggerhead shrikes. As mentioned previously, all native birds are protected by the federal Migratory Bird Treaty Act and the California Fish and Game Code.

**4.4.2 Environmental Checklist and Discussion of Impacts**

BIOLOGICAL RESOURCES						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,2,5
2) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,2,5
3) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,2,5
4) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,5
5) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,2,5
6) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,2,5

#### **4.4.2.1        *Discussion***

The San Jose Municipal Water System proposes to install 1,000 linear feet of a 12-inch water main pipe within and adjacent to the Water Pollution Control Plant lands. The new pipeline will be installed in two segments. The installation of both segments will create temporary ground disturbance within the immediate vicinity of the proposed water main pipes.

#### **4.4.2.2        *Sensitive Habitats and Special-Status Plant Impacts***

##### **Congdon’s Tarplant**

Based on the marginal to poor-quality ruderal habitat and the lack of observations during the field survey, Congdon’s tarplant was determined to be absent from the site. Considering the relative abundance of the tarplant in the region and the low quality ruderal grassland habitat on site, impacts to a small number of these plants would be considered less-than-significant under CEQA.

##### **Wetlands and Associated Species**

The proposed project may include minor temporary impacts to seasonal wetlands associated with the construction and installation of the pipe, including jack-and-bore activities near the seasonal wetlands on the north side of SR 237, and within the wetlands along the fence line near the end of Nortech Parkway. Each of the wetlands in the project area was determined to exhibit relatively low quality habitat, and no sensitive wetland-associated species are associated with the wetlands within the project area. The project will not result in permanent changes to hydrology supporting these wetlands, and any temporary impacts during construction are expected to be restored naturally following the completion of construction. Temporary impacts to these low-quality wetlands and associated species would be considered less than significant.

A wetland delineation was completed for this project. The affected wetlands were not claimed by the United States Army Corps of Engineers, and thus will not require a permit for installation of the pipeline segments.

#### **4.4.2.3        *Special-Status Animals***

##### **Burrowing Owls**

Reconnaissance level field surveys observed no burrows within the project site or any owls using the project site. The surveys did determine there is suitable nesting habitat within the project area north of the SR 237, and there is some potential for burrowing owls to use this habitat in the future. If owls are present during installation, construction, excavation or side-casting of soil and movement of heavy equipment could traps owls within their burrows, resulting in injury or mortality of individuals. Construction activity could also cause owls to abandon burrows that are adjacent to the project area; abandonment of active nests during the breeding season (February 1<sup>st</sup> to August 31<sup>st</sup>) could result in the loss of eggs or young. Because burrowing owl populations are declining throughout much of their range in the United States, and particularly within the South Bay region, any impacts from the project that result in the injury or mortality of individual owls or active nests would be considered significant.

**Impact BIO-1.1:** The installation of the proposed water main pipeline could result in impacts to individuals or abandonment of an active burrowing owl nest which could result in the loss of eggs or young. **(Significant Impact)**

**MM BIO-1.1:** The following mitigation measure will avoid significant impacts to individual burrowing owls or occupied burrows:

- The project proponent shall have a qualified biologist complete a burrowing owl survey and prepare a report. Surveys shall not be initiated more than 30 days prior to installation activities, and the final visit should take place no more than 14 days prior to the start of installation to determine the presence of burrowing owls on the site and all areas within 250 feet of the site. The pre-installation surveys shall follow California Department of Fish and Game (CDFG) guidelines, and shall be completed regardless of the time of year in which the installation occurs. If no burrowing owls are located during the surveys, no additional action would be warranted.
- If owls are present on the site or within 250 feet of the impact area during the breeding season (February 1<sup>st</sup> – August 31<sup>st</sup>), or as otherwise determined by surveys and monitoring, no installation activities or other activities that result in substantially more noise, vibration, or human activity than is currently present on the site would occur within 250 feet of the burrow until the nest is no longer active (i.e., until young have fledged or the nesting effort has failed for some reason other than project-related disturbance). A mitigation program shall be developed in conformance with the requirements of the CDFG and the U.S. Wildlife Service.
- If mitigation includes relocation, owls shall not be relocated during the nesting season. Prior to the start of any installation, the project proponent shall submit the biologist's report to the City's Environmental Principal Planner to the satisfaction of the Director of Planning indicating that no owls were found on the site or that owls were present and that mitigation has been implemented in conformance with the requirements of the above regulatory agencies.

### **Nesting Special-Status Birds**

The project will not result in direct take of individuals of special-status species including white-tailed kite, northern harrier, and loggerhead shrike, and because these species are not expected to nest on the project site itself, no direct loss of nests will occur. However, installation activities may result in disturbance to some nesting pairs of special-status birds and other bird species near the project site, potentially leading to abandonment of active nests, eggs, and young. All native birds are protected by the federal Migratory Bird Treaty Act and the California Fish and Game Code; therefore, any loss of active nests, eggs, and young would result in a significant impact.

**Impact BIO-2.1:** The installation of the proposed water main pipeline could result in abandonment of nearby active bird nests which could result in the loss of eggs or young. **(Significant Impact)**

**MM BIO-2.1:** The following mitigation measure would reduce the project impacts to nesting birds to a less than significant impact.

- If possible, pipeline installation shall be scheduled during the non-breeding season between September 1<sup>st</sup> and January 31<sup>st</sup> to avoid the bird nesting season. If this is not possible, surveys for nesting birds shall be completed by a qualified ornithologist to identify active nests that may be disturbed during project implementation. Between February 1<sup>st</sup> and August 31<sup>st</sup> surveys shall be completed no more than 14 days prior to the initiation of excavation and installation activities. The surveying ornithologist shall inspect all trees immediately adjacent to the installation area for raptor nests. If an active nest is found in or close enough to the installation area to be disturbed by these activities, the ornithologist, shall, in consultation with the State of California, Department of Fish & Game (CDFG), designate a disturbance-free buffer zone (typically 250 feet for raptors and 50-100 feet for non-raptors) around the nest. The ornithologist 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 Director of Planning prior to the start of installation activities.

#### **4.4.2.4**      *Trees*

There is a row of landscaping trees near the northernmost project site, located along the edge of the adjacent office parking lot, that are parallel to the proposed water main pipe alignment. The project does not propose removal of any landscaping trees. The following tree protection measures will be included in the project in order to protect trees to be retained during installation activities:

#### **Standard Measures BIO-1.1:**

- Pre-construction treatments:
  - The contractor shall retain a consulting arborist. The construction superintendent shall meet with the consulting arborist before beginning work to discuss work procedures and tree protection.
  - Fence all trees to be retained to completely enclose the TREE PROTECTION ZONE prior to excavation and installation. Fences shall be 6-foot chain link or equivalent as approved by consulting arborist. Fences are to remain until all excavation and installation is completed.
  - Prune trees to be preserved to clean the crown and to provide clearance. All pruning shall be completed or supervised by a Certified Arborist and adhere to the Best Management Practices for Pruning of the International Society of Arboriculture.
- During Pipeline Installation Activities:
  - No installation, excavation, or other work shall occur within the TREE PROTECTION ZONE. Any modifications must be approved and monitored by the consulting arborist.
  - Any root pruning required for construction purposes shall receive the prior approval of, and be supervised by, the consulting arborist.
  - Supplemental irrigation shall be applied as determined by the consulting arborist.
  - If injury should occur to any tree during installation, it shall be evaluated as soon as possible by the consulting arborist so that appropriate treatments can be applied.

- No excess soil, chemicals, debris, equipment, or other materials shall be dumped or stored within the TREE PROTECTION ZONE.
- Any additional tree pruning needed for clearance during installation must be performed or supervised by an Arborist and not by construction personnel. **(Less Than Significant Impact)**

#### **4.4.2.5      *Santa Clara Valley Habitat Conservation Plan (HCP)***

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 (Habitat Plan). The Santa Clara Valley Habitat Plan (Plan) is being developed in association with the U.S. Fish & Wildlife Service (USFWS), 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 draft HCP is currently in the planning stages with an estimated adoption for 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 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, natural communities, or conflict with the preliminary conservation objectives of the Habitat Plan.

The project site is located within the Baylands area which is not included within the HCP Planning Area; therefore, the project site does not meet the threshold that requires an interim HCP project referral. **(Less Than Significant Impact)**

#### **4.4.3      Conclusion**

The proposed project, with the implementation of the above measures, would not result in any significant impacts to biological resources that cannot be reduced to a less than significant level. **(Less Than Significant Impact with Mitigation)**

**4.5 CULTURAL RESOURCES**

**4.5.1 Setting**

The following discussion is based upon an Archaeological Assessment Report prepared by *Basin Research Associates* in July 2009. The archaeological report may discuss the location of specific archaeological sites; therefore, it is considered administratively confidential and is not included in this Initial Study. Qualified personnel may request a copy from the City’s Planning Division located at 200 East Santa Clara Street, Floor 3, during normal business hours.

**4.5.1.1 *Prehistoric Resources***

An archaeological literature review and visual inspection completed for the project area found no recorded historic and/or prehistoric archaeological sites within one-quarter mile of the project area and no surface indications of prehistoric or historic cultural materials were observed.<sup>2</sup>

**4.5.1.2 *Historic Resources***

A records search and literature review determined no historic era sites recorded in or adjacent to the proposed project. A review of historic maps indicated a single building, apparently associated with an adjacent historic orchard, appears to have been built between 1939 and 1961 on the north side of SR 237 in the vicinity of the project area. It was destroyed at some point in the past 30 years.

**4.5.2 Environmental Checklist and Discussion of Impacts**

CULTURAL RESOURCES						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Cause a substantial adverse change in the significance of an historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,3,6
2) Cause a substantial adverse change in the significance of an archaeological resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,3,6
3) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,3,6
4) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,3,6

<sup>2</sup> Basin Research Associates, *Archaeological Assessment Report for Nortech Parkway East Main Loop Project*, July 2009.

#### 4.5.2.1 *Prehistoric and Historic Resources*

No evidence of Native American use and/or occupation was noted in the project area and no recorded historic and/or prehistoric archaeological sites are located within one-quarter mile of the project site. Installation of the proposed water main pipes on the project site is not anticipated to affect prehistoric and/or historic archaeological resources. A program of archaeological subsurface presence/absence testing is not necessary and no archaeological monitoring is required during installation of the project. **(Less than Significant Impact)**

**Standard Measures CUL-1.1:** The following standard measures are included in the project in the event prehistoric resources are encountered during excavation or installation.

- Should evidence of prehistoric cultural resources be discovered during installation, work within 50 feet of the find shall be stopped to allow adequate time for evaluation and mitigation by a qualified professional archaeologist. The material shall be evaluated and if significant, a mitigation program including collection and analysis of the materials at a recognized storage facility shall be developed by a qualified archaeologist and implemented under the direction of the City’s Environmental Principal Planner.
- As required by County ordinance, this project has incorporated the following guidelines: 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 installation, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall 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 shall notify the Native American Heritage Commission who shall 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 City of San Jose, as land owner, shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.

#### 4.5.3 Conclusion

The propose project would not result in significant cultural resources impacts. **(Less Than Significant Impact)**

**4.6 GEOLOGY AND SOILS**

**4.6.1 Setting**

The project site is located at the southern end of the San Francisco Bay where the bay margin meets the northwest-trending Santa Clara Valley. The entire project area is on recent alluvium that overlies Pleistocene Older alluvium. This alluvium is largely derived from and is overlying the Miocene marine sandstones and shales which form the hills to the east.

The San Francisco Bay region is dominated by strike-slip faulting associated with the San Andreas Fault system. The major active components of the San Andreas Fault system near the site are the Hayward Fault (five miles east), the Calaveras Fault (seven miles east), and the San Andreas Fault (15 miles west). The inferred trace of the potentially active Silver Creek Fault is about a half mile southwest of the site. Seismic hazards resulting from a nearby moderate to major earthquake may include ground shaking, liquefaction, and lateral spreading. Since there are no known active faults crossing the site, fault ground rupture is considered unlikely. The project site is located in an area having high to moderate liquefaction susceptibility and is subject to settlement.

**4.6.2 Environmental Checklist and Discussion of Impacts**

GEOLOGY AND SOILS						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1
a) 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.)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1
b) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1
c) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1
d) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1
2) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1

GEOLOGY AND SOILS						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1
3) Be located on a geologic unit or soil that is unstable, or that will become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1
4) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1
5) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1

**4.6.2.1 Discussion**

The project does not propose the construction of any buildings. The project proposes the installation of two segments of water main pipe. The pipeline project will be designed to minimize damage from seismic shaking, through standard geotechnical design practices.

The project will implement standard grading and best management practices that would prevent substantial erosion and siltation during installation of the water main pipes. These measures are listed in **Section 4.8.2.1 Hydrology and Water Quality, SM HYD-1.1.**

The installation project will not result in any impacts associated with geological and soils conditions in the project area.

**4.6.3 Conclusion**

The proposed project would not result in any significant geologic related impacts. **(Less Than Significant Impact)**

**4.7 GREENHOUSE GAS EMISSIONS**

**4.7.1 Setting**

Unlike emissions of criteria and toxic air pollutants, which have local or regional impacts, emissions of Greenhouse Gases (GHGs) have a broader, global impact. Global warming is a process whereby GHGs accumulating in the atmosphere contribute to an increase in the temperature of the earth’s atmosphere. The principal GHGs contributing to global warming are carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), and fluorinated compounds. Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the transportation, industrial/manufacturing, utility, residential, commercial, and agricultural sectors.

In September 2006, Governor Schwarzenegger signed the Global Warming Solutions Act (Assembly Bill 32), which was created to address the Global Warming situation in California. The Act requires that the greenhouse gas (GHG) emissions in California be reduced to 1990 levels by 2020. This is part of a larger plan in which California hopes to reduce its emissions to 80 percent below 1990 levels by 2050. This reduction shall be accomplished through an enforceable statewide cap on GHG emissions that shall be phased in starting in 2012 and regulated by the California Air Resources Board (CARB). With this Act in place, CARB is in charge of setting specific standards for different source emissions, as well as monitoring whether they are being met.

The project site is located in the area under the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). BAAQMD is responsible for adopting and enforcing rules and regulations concerning air pollutant sources, issuing permits for stationary sources of air pollutant, inspecting stationary sources of air pollutants, responding to citizen complaints, monitoring ambient air quality and meteorological conditions, awarding grants to reduce motor vehicle emissions, completing public education campaigns, and many other associated activities.

BAAQMD adopted CEQA Guidelines in June 2010, which are intended to serve as a guide for those who prepare or evaluate air quality impact analyses for projects and plans in the San Francisco Bay Area. The Guidelines include information on legal requirements, BAAQMD rules, plans and procedures, background air quality information, methods of analyzing air quality impacts, thresholds of significance, and mitigation strategies for criteria pollutants, air toxics, odors, and greenhouse gas emissions.

**4.7.2 Environmental Checklist and Discussion of Impacts**

GREENHOUSE GAS EMISSIONS						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project: 1) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1

GREENHOUSE GAS EMISSIONS						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
2) Conflict with an applicable plan, policy, or regulation adopted for the purposes of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1

**4.7.2.1 Discussion**

The proposed project would result in minor temporary increases in GHGs associated with construction activities. Project construction shall result in GHG emissions from the following construction related sources: (1) construction equipment emissions; and (2) emissions from construction workers personal vehicles traveling to and from construction site. Construction-related GHG emissions vary depending on the level of activity, length of the construction period, specific construction operations, types of equipment, and number of personnel. BAAQMD has not established a quantitative threshold or standard for determining whether a project's construction-related GHG emissions are significant. Construction GHG emissions would be intermittent and substantially less than the lower reporting limit for major stationary sources established by the CARB. That reporting limit requires sources that generate more than 25,000 metric tons per year of CO<sub>2</sub> to report GHG emissions to CARB. Consequently, project construction would not have a significant impact on the environment. Therefore, this impact would be less than significant.

The proposed project would not conflict with any existing GHG laws, plans, policies, or regulations adopted by the California legislature, the CARB, or BAAQMD. Therefore, this impact would be less than significant.

**4.7.3 Conclusion**

The proposed project would not result in any significant greenhouse gas-related effects. **(Less Than Significant Impact)**

## 4.8 HAZARDS AND HAZARDOUS MATERIALS

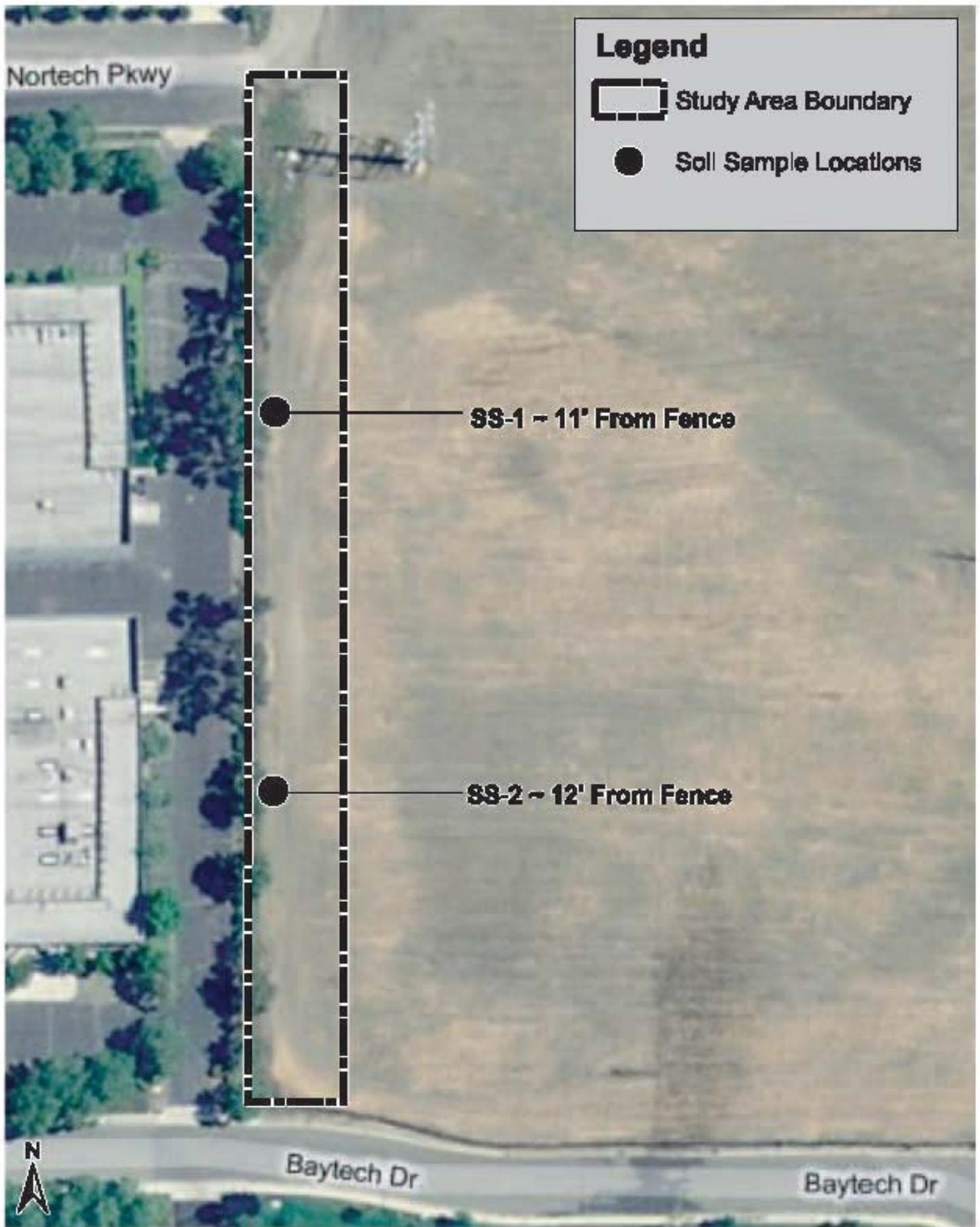
The following section is primarily based upon two soil sampling laboratory results prepared by McCloskey Consultants and Strategic Engineering & Science for the proposed project in July and September 2010. These soil sampling laboratory results are provided in Appendix B of this Initial Study.

### 4.8.1 Setting

The project site is surrounded by land uses that may have involved or currently involve the use, storage, disposal, or handling of hazardous materials. Such land uses include auto and boat repair and painting, trucking operations, metal working, railway lines, agriculture, landfills, resource recovery facilities, and the operation of the San Jose Water Pollution Control Plant (located approximately 0.7 miles from the project site). The Zanker Material Processing Facility and Zanker Road Resource Recovery Operation and Landfill are located approximately 0.8 miles from the project site. The project site is also located approximately two miles southeast from the South Bay Asbestos Superfund Area as listed by the Environmental Protection Agency (EPA) in June 1986. This site is also known as the Alviso Dumping Area. Due to clean up efforts most of the asbestos problem has been resolved but it still remains a Superfund site.

The project site was historically used for orchards and could contain pesticides. The project site soil was sampled in July and September 2010 to identify the soil conditions along the proposed pipeline construction area. The soil samples collected in July were collected at two locations along the proposed pipeline route at a depth of six inches below surface grade and were analyzed for pesticides, arsenic, lead, and mercury. An organochlorine pesticides compound (4,4'-DDE) was detected exceeding the laboratory reporting limits, but were less than the thresholds for construction / trench work direct exposure. The lead concentrations were less than the construction / trench work direct exposure threshold and total hazardous waste thresholds. The mercury concentrations were less than the construction / trench work direct exposure threshold and hazardous waste thresholds and appear consistent with naturally-occurring background levels. One of the arsenic concentrations detected at 19.9 mg/kg exceeded the thresholds for construction / trench work direct exposure (15 mg/kg), but both concentrations did not exceed the hazardous waste threshold.

Background studies in the area have shown naturally-occurring concentrations of arsenic up to 20 mg/kg or parts per million (ppm). In order to determine if the arsenic detected in the soils sampling completed in July 2010 was anthropogenic (i.e., man-made), and a concern to worker health, deeper soil sampling was completed in September 2010 (Figure 4.8-1). The arsenic concentrations detected in the deeper soils samples were approximately 9 mg/kg, which is within the range expected for naturally-occurring concentrations for this area. Therefore, the earlier surface samples of arsenic represent anthropogenic contamination, most likely from the weed control spraying along the fence within the area of the proposed pipeline route; however, since the surface samples exceeded the California Human Health Screening Levels for worker safety, health and safety measures will be required to protect construction workers from exposure to surface soils during construction.



**SOIL SAMPLE TESTING LOCATIONS**

**FIGURE 4.8-1**

**4.8.2 Environmental Checklist and Discussion of Impacts**

HAZARDS AND HAZARDOUS MATERIALS						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Create a significant hazard to human beings or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 8, 9
2) Create a significant hazard to human beings or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 8, 9
3) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
4) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 11
5) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
6) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
7) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1

HAZARDS AND HAZARDOUS MATERIALS						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project: 8) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 10

**4.8.2.1 Discussion**

Operation of the project would not involve the routine transportation, use, storage, and/or disposal of hazardous materials. However, construction of the project could temporarily increase the transport of materials generally regarded as hazardous materials that are used in construction activities. It is anticipated that limited quantities of miscellaneous hazardous substances, such as gasoline, diesel fuel, hydraulic fluids, paint, and other similarly related materials would be brought onto the project site, used, and stored during the construction period. The types and quantities of materials to be used could pose a significant risk to the public and/or the environment. In addition, construction of the proposed project could result in the exposure of construction workers to potentially contaminated surface soils due to the elevated concentrations of arsenic.

**Impact HAZ-1.1:** Construction of the proposed project could result in the exposure of construction workers to potentially contaminated surface soils due to the elevated concentrations of arsenic. **(Significant Impact)**

**MM HAZ-1.1:** The project would include the following mitigation measures to reduce the risk of hazard to human beings or the environment through the routine transport, use, or disposal of hazardous materials:

- **Site Management Plan.** Health and safety measures in the form of a Health and Safety Plan will be implemented to protect workers from exposure to surface soils during construction. Under OSHA requirements, workers will receive 2-hours of health and safety awareness training<sup>3</sup> and personal protection equipment will be worn by workers (e.g. tyvek suit, rubber boots, decon, etc.), and a washing facility will be provided on site. Upper soils will be stockpiled separately and covered during pipeline installation, then put back in the trench to reduce exposure. **(Less Than Significant Impact with Mitigation)**
- **Standard Measure HAZ-1.1: Store, Handle, Use Hazardous Materials in Accordance with Applicable Laws.** The contractor shall ensure that all construction-related hazardous materials and hazardous wastes shall be

<sup>3</sup> If the workers have already completed 40-hours of hazardous worker training, then they would not need to do the 2 hour training.

stored, handled, and used in a manner consistent with relevant and applicable federal, state, and local laws. In addition, construction-related hazardous materials and hazardous wastes shall be staged and stored a safe distance from near-by property. **(Less Than Significant Impact)**

The proposed project would not involve a permanent use or source of hazardous materials. Therefore, there are no reasonably foreseeable upset and/or accident conditions that would involve the release of hazardous materials into the environment.

The closest school is George Mayne Elementary School which is 0.7 mile west of the project site. The proposed project would not emit hazardous emissions or result in the handling of hazardous materials, substances, or waste within the project area.

The project is not located on a site which is known to be included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and therefore would not create a significant hazard to the public or the environment.

The project site is not located within the Santa Clara County Airport Land Use Commission's jurisdiction. The proposed project site is not located within two miles of any public airports or private airstrips. Further, construction and/or operation of the proposed project would not adversely affect an airport or airport operations, including, noise, take-offs, landings, flight patterns, safety, light, navigation, or communications between aircraft and the control tower within the project area. The proposed project would not create a safety hazard for people residing or working near an airport or airstrip.

The proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

According to the Santa Clara County Fire Hazard Severity Zone Map, dated February 4, 2009, the project site is not located within a wildland area and is not assigned a fire hazard severity zoning.

#### **4.8.3            Conclusion**

Implementation of the measures listed above will avoid impacts from hazardous materials associated with construction of the proposed project **(Less Than Significant Impact with Mitigation)**

**4.9 HYDROLOGY AND WATER QUALITY**

**4.9.1 Setting**

The project area is within the Water Quality Control Plan for the San Francisco Bay Basin (Basin Plan) and under the jurisdiction of the San Francisco Bay Regional Water Quality Control Board. The Basin Plan is the master water quality control planning document that designates beneficial uses and water quality objectives for waters of the State. Regulations for discharges in the area are included in the Water Quality Control Plan for the San Francisco Bay Basin, which is located in the Santa Clara Hydrologic Planning Area.

The project area is located between Coyote Creek and the Guadalupe River near their confluence with the San Francisco Bay. Both Coyote Creek and the Guadalupe River are isolated from the area by flood control levees. Artesian Slough is north of the area. Most of the surface water in the vicinity of the project area drains towards the low-lying lands near Alviso Village and New Chicago Marsh. Stormwater drains to the New Chicago Marsh through a culvert under Grand Boulevard. Water levels in the New Chicago Marsh are regulated by the Don Edwards San Francisco Bay National Wildlife Refuge via pumps that drain the subsided marsh to the San Francisco Bay.

The project site does not cross any major streams and is not directly connected to area freshwater streams due to levees on both Coyote Creek and Guadalupe River.

The entire project area is within the 100-year FEMA floodplain. Other potential phenomena that could lead to flooding are tsunamis and seiches. Tsunamis are long sea waves, generated by sea water displacements associated with earthquakes. These waves can reach great heights when they encounter shallow water. The project sites are located far enough from the ocean that the potential for tsunamis affecting them is remote. Previous relationships based on compiled runup data from tsunamis in 1960 and 1964 suggest that tsunami-induced wave heights are reduced to less than ten percent of the height at the Golden Gate in the far South Bay below the Dumbarton Bridge. Seiches are caused by seismically-induced ground motions imparted to bodies of water which cause them to oscillate from side to side. Seiches may occur in the channels located within the vicinity of the project area during strong earthquakes.

**4.9.2 Environmental Checklist and Discussion of Impacts**

HYDROLOGY AND WATER QUALITY						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project: 1) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,3

HYDROLOGY AND WATER QUALITY						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3
2) 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,2,3
3) Substantially alter the existing drainage pattern of the site or area, including through 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,2,3
4) 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 which would result in flooding on-or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,2,3
5) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,2,3
6) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,2,3
7) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3
8) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,3

HYDROLOGY AND WATER QUALITY						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,3
9) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,3
10) Be subject to inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,3

**4.9.2.1 Discussion**

The project will not expose people or structures to flooding because no above-ground buildings are proposed. Underground installation of the two water main pipes is not affected by the presence of a floodplain or seiche. The installation will also have no affect on flood flows.

The project proposes to install new water main pipes in order to create a looped system to increase service reliability to the Alviso area. The increased service reliability would not affect overall water usage amounts.

The following standard measures are proposed by the project to reduce or avoid temporary water quality impacts during installation of the water main pipes.

**Standard Measures HYD-1.1:** Implementation of the following standard construction measures, consistent with NPDES Permit and City Policy requirements, will reduce potential impacts to surface water quality from installation of the water pipe mains to less than significant levels:

- Prior to the commencement of any installation activities, the project shall 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 project contractor shall develop, implement and maintain a Storm Water Pollution Prevention Plan (SWPPP) to control the discharge of stormwater pollutants including sediments associated with installation activities;
  - The contractor shall file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB).
- The project shall incorporate Best Management Practices (BMPs) into the project to control the discharge of stormwater pollutants including sediments associated with installation activities. Examples of BMPs are contained in the publication Blueprint for a Clean Bay. Prior to installation, the contractor may be required to submit an Erosion Control Plan to the City Project Engineer, Department of Public Works, 200 E. Santa Clara Street, San Jose, California 95113. The Erosion Control Plan may include BMPs as specified in ABAG’s Manual of Standards Erosion & Sediment Control Measures for reducing impacts on the City’s storm drainage system from installation activities. For additional information about the Erosion Control Plan, the NPDES Permit requirements or the documents mentioned above, please call the Department of Public Works at (408) 535-8300.

- The project contractor shall comply with the City of San Jose Grading Ordinance, including erosion and dust control during installation 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 installation:
  - Restrict grading to the dry season (April 15 through October 15) or meet City requirements for grading during the rainy season.
  - Utilize on-site 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 installation;
  - Provide permanent cover to stabilize the disturbed surfaces after installation has been completed. **(Less Than Significant Impact)**

#### 4.9.3 Conclusion/

The project would not result in any flood impacts. Implementation of the standard measures listed above will avoid water quality impacts from the proposed project **(Less Than Significant Impact)**

**4.10 LAND USE**

**4.10.1 Setting**

The project sites located north of SR 237 are adjacent to several industrial office buildings and a portion the San José/Santa Clara Water Pollution Control Plant (Plant) buffer lands. The buffer lands serve to maintain the distance between plant operations and neighboring properties and communities.

These northern sites are located within the Alviso Master Plan Area. The *Alviso Master Plan*, adopted in 1998, is incorporated into the *San José 2020 General Plan* as the Alviso Planned Community. Under the Master Plan, the land use designation of the northern project sites is *Public/Quasi-Public*. The *Public/Quasi-Public* designation allows public land uses such as libraries, community centers, schools, fire stations, post offices, and the Water Pollution Control Plant and its buffer lands.

The portion of the project located on the south side of the SR 237 is located adjacent to industrial offices buildings to the southeast and under construction office buildings to the southwest. Under the *San José 2020 General Plan*, the land use designation of the southern project site is *Industrial Park*. The *Industrial Park* designation allows for the development of an area with various light and heavy industrial uses.

The project site is not located within an adopted Habitat Conservation Plan (HCP) or other approved local, regional, or state habitat conservation plan, although, an draft HCP is currently in the planning stages with an estimated adoption for 2011. In the meantime, an interim project process is in place to ensure coordination of projects approved or initiated in the Planning Area before completion of the Habitat Conservation 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 HCP is discussed in detail in **Section 4.4.2.5 Santa Clara Valley Habitat Conservation Plan**.

**4.10.2 Environmental Checklist and Discussion of Impacts**

LAND USE						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3
2) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3

LAND USE						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project: 3) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3

**4.10.2.1 Discussion**

The proposed project would install two segments of water main piping to connect existing water mains and create a looped system to increase service reliability. The proposed project would be compatible with the adjacent land uses and would not divide an established community or result in any new significant land use impacts since no other development of the site is proposed.

**4.10.3 Conclusion**

There would be no significant land use impacts from the proposed project. **(No Impact)**

**4.11 MINERAL RESOURCES**

**4.11.1 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 (Sector EE), bounded generally by the Southern Pacific Railroad, Curtner Avenue, State Route 87, and Hillsdale Avenue, as containing mineral deposits which are of regional significance as a source of construction aggregate materials.

Neither the State Geologist nor the State Mining and Geology Board has classified any other areas in San José as containing mineral deposits which are either of statewide significance or the significance of which requires further evaluation. Therefore, other than the Communications Hill area cited above, San José does not have mineral deposits subject to SMARA.

The project area is outside of the Communications Hill area.

**4.11.2 Environmental Checklist and Discussion of Impacts**

MINERAL RESOURCES						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
2) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1

**4.11.2.1 Discussion**

The project area is outside of the Communications Hill area, and will not, therefore, result in a significant impact from the loss of availability of a known mineral resource.

**4.11.3 Conclusion**

There would be no impact to mineral resources by the implementation by the proposed project. **(No Impact)**

**4.12 NOISE**

**4.12.1 Setting**

**4.12.1.1 *Existing Noise Conditions***

The nearest noise sensitive receptors are single-family residences and the George Mayne Elementary School in the residential community of Alviso, approximately 0.7-mile northwest of the project area. There are also office buildings located to the west and south of the project area.

**4.12.2 Environmental Checklist and Discussion of Impacts**

NOISE						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,2,3
2) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,2,3
3) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3
4) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,2,3
5) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3
6) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3

#### **4.12.2.1**      *Noise Impacts to the Project*

No development is proposed as a part of this project; therefore, no new long-term noise impacts would occur from the project.

#### **4.12.2.2**      *Noise Impact from the Project*

Noise would be generated during excavation, installation, and jack-and-bore activities in the project area. Based upon the distance from the project area to the closest sensitive receptor (0.7-mile), installation would not significantly impact these receptors. While there is not a significant noise impact, the project will include standard construction noise control measures to further reduce any short-term noise impact from excavation, installation, and jack-and-bore activities.

#### **Standard Measure NOI-1.1:**

The following measures will be implemented by the project during excavation and installation to reduce noise impacts to nearby sensitive receptors:

- Excavation, installation, and jack-and-bore activities will be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday.
- The contractor shall use “new technology” equipment with state-of-the-art noise shielding and muffling devices. All internal combustion engines used on the project site shall be equipped with adequate mufflers and shall be in good mechanical condition to minimize noise created by faulty or poor maintained engines or other components.

#### **4.12.3**      **Conclusion**

Implementation of the above-listed measures will avoid significant noise impacts associated with installation of the water main pipes. **(Less Than Significant Impact)**

**4.13 POPULATION AND HOUSING**

**4.13.1 Setting**

According to the Association of Bay Area Governments’ (ABAG) *Projections 2007*, within the City of San José’s Sphere of Influence, the population for 2005 was 993,000 in 309,350 households. For 2020, the projected population for San José is 1,210,200 in 377,640 households. The proposed project is located in Council District 4.

**4.13.2 Environmental Checklist and Discussion of Impacts**

POPULATION AND HOUSING						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3
2) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3
3) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3

**4.13.2.1 *Discussion***

The project proposes the installation of water main pipes to complete a looped system and increase service reliability to the area; it will not introduce water service to an area previously without service, and will not increase or induce development. The project will not construct any type of housing development. The proposed project would not induce population or job growth or displace either housing or persons.

**4.13.3 Conclusion**

The proposed project will not result in significant population and housing impacts. **(No Impact)**

## **4.14 PUBLIC SERVICES**

### **4.14.1 Setting**

#### **4.14.1.1 *Fire Service***

Fire protection to the site is provided by the San José Fire Department (SJFD), which serves a total area of 203 square miles. The SJFD responds to all fires, hazardous materials spills, and medical emergencies (including injury accidents) in the project area. The SJFD currently has 35 fire stations located throughout the City.

The closest station to the project site is Station 25, approximately one mile west of the project area, located at 1525 Wilson Way.

#### **4.14.1.2 *Police Service***

Police protection services for the site are provided by the San José Police Department (SJPD). Officers patrolling the project area are dispatched from police headquarters located at 201 West Mission Street. The SJPD consists of approximately 1,390 sworn officers and 341 marked police cars.<sup>4</sup>

The SJPD has four patrol divisions (plus San José Airport), 16 patrol districts, 83 patrol beats, and 357 patrol beat building blocks (BBB). The project site is located in the BBB 42.

#### **4.14.1.3 *Schools***

The closest schools to the proposed project include George Mayne Elementary School, Peterson Middle School, and Wilcox High School.

#### **4.14.1.4 *Parks***

Existing parks and recreation facilities in the Alviso area include the 7.5 acre Alviso Park adjacent to George Mayne Elementary School, and an 800 square foot community center on Liberty Street.

Regional facilities in the area include the Don Edwards San Francisco Bay National Wildlife Refuge, which has 3,652 acres within the San José Sphere of Influence (19,058 acres total), and the Alviso Marina County Park (approximately 28 acres total). The Water Pollution Control Plant buffer lands also provide additional open space within the City of San José, although the buffer lands are not open to the general public.

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<sup>4</sup> Sergeant Christopher Monahan, Office of the Chief of Police, San José Police Department. Personal communications. 27 February 2009.

**4.14.2 Environmental Checklist and Discussion of Impacts**

PUBLIC SERVICES						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) 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:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3
Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3
Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3

**4.14.2.1 Discussion**

**Police and Fire Services**

The proposed project will not result in an increase in population or activities on the site that could increase the demand for police and fire services. Increased reliability of water service for fire protection will be a benefit of the project.

**Schools**

The proposed project would not generate students for the local public school system and, therefore, would not result in any impacts on the existing schools facilities in the area; nor would it trigger the need for a new school.

**Parks and Recreational Facilities**

The proposed project would not generate the need for additional park space within the City of San Jose.

**4.14.3 Conclusion**

The proposed installation of water main piping would not result in significant impacts on the physical environment resulting from increased demand for public facilities or services. **(No Impact)**

**4.15 RECREATION**

**4.15.1 Setting**

The City of San José provides parklands, open space, and community facilities for public recreation and community services. Park and recreation facilities vary in size, use and type of service and provide for regional and neighborhood uses.

**4.15.2 Environmental Checklist and Discussion of Impacts**

RECREATION						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3
2) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,3

**4.15.2.1 *Discussion***

The proposed installation of water main piping will not result in any impacts to recreational facilities nor will it increase the number of residents in the area.

**4.15.3 Conclusion**

The proposed project would not result in significant impacts to recreational facilities. **(No Impact)**

**4.16 TRANSPORTATION**

**4.16.1 Setting**

Regional access to the project sites is provided via State Route (SR) 237. SR 237 is a six-lane freeway, oriented in an east/west alignment, which provides access to US 101 and I-880. Two of the six lanes (one in each direction) are designated as high occupancy vehicle (HOV) lanes.

Local access to the sites is provided by North First Street and Nortech Parkway. North First Street is a four-lane arterial that provides access to the site from downtown San José, Montague Expressway, U.S. 101 and SR 237. Nortech Parkway is a four-lane roadway that provides access to the sites north of SR 237 from North First Street. The portion of the project area on the north side of SR 237 is also accessed via Baytech Drive, which connects to Nortech Parkway via Fortran Drive. The portion of the project on the south side of SR 237 is accessed via Headquarters Drive, which connects to North First Street.

**4.16.2 Environmental Checklist and Discussion of Impacts**

TRANSPORTATION						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio of roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3
2) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3
3) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3
4) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3
5) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3
6) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3

TRANSPORTATION						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project: 7) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3

**4.16.2.1 Discussion**

The proposed installation of water main piping will not add or generate traffic within the project area. There would be no long-term traffic impacts resulting from the project.

**4.16.3 Conclusion**

The proposed project would not result in any transportation impacts. **(No Impact)**

**4.17 UTILITIES AND SERVICE SYSTEMS**

**4.17.1 Setting**

The San José Municipal Water System (SJMWS) provides potable water supply to the project area. The City of San José provides sanitary sewer service in the project area.

Currently, most of the surface water in the vicinity of the project area drains towards the low-lying lands near Alviso Village and New Chicago Marsh. Stormwater drains to the New Chicago Marsh through a culvert under Grand Boulevard. Water levels in the New Chicago Marsh are regulated by the Don Edwards San Francisco Bay National Wildlife Refuge via pumps that drain the subsided marsh to the San Francisco Bay.

There are existing utility lines underneath Nortech Parkway, Bayfront Parkway, and Headquarters Drive/Holger Way, including storm drain, water, and sanitary sewer lines. There is also a 36-inch high pressure natural gas transmission line that is along both sides of SR 237.

**4.17.2 Environmental Checklist and Discussion of Impacts**

UTILITIES AND SERVICE SYSTEMS						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3
2) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3
3) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3
4) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3

UTILITIES AND SERVICE SYSTEMS						
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
5) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3
6) Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3
7) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,3

**4.17.2.1 Discussion**

The project proposes to install water main piping to connect existing water mains in Baytech Parkway and Nortech Parkway. The project also proposes to install water main piping to connect existing water mains on the north and south sides of SR 237.

The project proposes to install new water main pipes in order to create a looped system to increase service reliability to the Alviso area; thus, the project would generally improve the utility system in the area.

**4.17.3 Conclusion**

The proposed installation project would not result in any impacts to utilities and services systems in the area. **(No Impact)**

**4.18 MANDATORY FINDINGS OF SIGNIFICANCE**

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Beneficial Impact	Information Source(s)
Would the project:						
1) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,2,3,x
2) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,2,3
3) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,2,3
4) Does the project have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,2,3

As discussed in the previous sections, the project may have significant impacts with respect to biological resources. However, with the implementation of the noted standard measures and mitigation measures, the impacts of the proposed project would be reduced to a less than significant level. Therefore, the project would not result in significant impacts, result in impacts that are cumulatively considerable, or substantially adversely affect human beings directly or indirectly.

### Checklist Sources

1. Judgment of the professional planner completing the checklist, based on visual reconnaissance of the site, review of relevant background information, and professional judgment.
2. Project description and information
3. *San José 2020 General Plan*
4. California Department of Conservation, *2008 Important Farmlands Map*, July 2009.
5. H.T. Harvey & Associates, *Biological Resources Report*, July 2009.
6. Basin Research Associates, *Archaeological Assessment Report*, July 2009.
7. McCloskey Consultants, *Soil Testing Laboratory Results*, September 2010
8. Strategic Engineering & Science, *Soil Testing Laboratory Results*, July 2010
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10. California Department of Forestry and Fire Protection (CDFFP) 2009. *California Fire Hazard Severity Zone Map Update Project*.
11. California Department of Toxic Substances Control. *Envirostor*. October 2010. <http://www.envirostor.dtsc.ca.gov/public/>.

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## SECTION 6.0    **AUTHORS AND CONSULTANTS**

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**Author:**                    **City of San José**  
*Department of Planning, Building, and Code Enforcement*  
Joe Horwedel, Director  
Janis Moore, Planner II

**Consultants:**            **David J. Powers and Associates, Inc.**  
*Environmental Consultants and Planners*  
Judy Shanley, Principal  
Julie Mier, Project Manager  
Stephanie Francis, Graphic Artist

**Basin Research Associates**  
*Cultural Resources Consultants*  
Colin Busby, President

**H.T. Harvey and Associates, Inc**  
*Biological Consultants*  
Steve Rottenborn, Principal/Senior Wildlife Ecologist  
Patrick Boursier, Senior Plant/Wetlands Ecologist  
Julie Klingmann, Project Manager/Senior Wildlife Ecologist  
Brian Cleary, Botanist  
Nellie Thorngate, Wildlife Ecologist

**McCloskey Consultants**  
*Environmental and Geotechnical Consultants*  
Tom McCloskey, P.G. C.E.G. C.Hg.

## Appendix A

### Biological Resources Report

## Appendix B

### Soil Testing Laboratory Results