CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Department of Planning, Building and Code Enforcement
JOSEPH HORWEDEL, DIRECTOR

PUBLIC NOTICE
INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION
CITY OF SAN JOSÉ, CALIFORNIA

File No. and Project Name/Description:
File No. PDC07-077. Planned Development Rezoning from the A(PD) Planned Development Zoning District to the A(PD) Planned Development Zoning District to allow up to 12 single family detached residential units on an approximately 6.4 acre portion of a 26.24 gross acre site located northerly of the intersection of Springbrook Avenue and Canyon Ridge Drive. (Council District 8)

The City has performed environmental review on the project. Environmental review examines the nature and extent of any adverse effects on the environment that could occur if a project is approved and implemented. Based on the review, the City has prepared a draft Mitigated Negative Declaration (MND) for this project. An MND is a statement by the City that the project will not have a significant effect on the environment if protective measures (mitigation measures) are included in the project.

The public is welcome to review and comment on the draft Mitigated Negative Declaration.

The public comment period for this draft Mitigated Negative Declaration begins on **November 9, 2012** and ends on **December 10, 2012.**

The draft Mitigated Negative Declaration, initial study, and reference documents are available online at: http://www.sanjoseca.gov/planning/eir/MND.asp .

The documents are also available for review from 9:00 a.m. to 5:00 p.m. Monday through Friday at the City of San Jose Department of Planning, Building & Code Enforcement, located at City Hall, 200 East Santa Clara Street; and at the Dr. Martin Luther King, Jr. Main Library, located at 150 E. San Fernando Street.

For additional information, please contact John Davidson at (408) 535-7895, or by e-mail at john.davidson@sanjoseca.gov .

Joseph Horwedel, Director
Planning, Building and Code Enforcement

Circulated on: 11/9/2012

John Davidson
Deputy

MITIGATED NEGATIVE DECLARATION

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

NAME OF PROJECT: Springbrook

PROJECT FILE NUMBER: PDC07-077

PROJECT DESCRIPTION: Planned Development (PD) Rezoning to allow the development of up to 12 single family detached residences. All existing on-site non-historic structures will be demolished. The project also includes the removal of 55 on site trees. 18 of these trees are ordinance size.

PROJECT LOCATION & ASSESSORS PARCEL NO.: The subject 0.6.4 gross acre project site is located in the foothills of East San Jose. (3698 Norwood Avenue). APN: 654-03-022.

COUNCIL DISTRICT: 8

APPLICANT CONTACT INFORMATION: HMH Engineers, 1570 Oakland Road, San Jose, CA 95131

FINDING: The Director of Planning, Building & Code Enforcement finds the project described above will not have a significant effect on the environment in that the attached initial study identifies one or more potentially significant effects on the environment for which the project applicant, before public release of this draft Mitigated Negative Declaration, has made or agrees to make project revisions that clearly mitigate the effects to a less than significant level.

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

I. AESTHETICS. The project will not have a significant impact on aesthetics or visual resources, therefore no mitigation is required.

II. AGRICULTURE AND FOREST RESOURCES. The project will not have a significant impact on agriculture or forest resources, therefore no mitigation is required.

III. AIR QUALITY. The project will not have a significant air quality impact, therefore no mitigation is required.

IV. BIOLOGICAL RESOURCES.

BIO-1. Burrowing Owls.
In order to avoid impacts to active burrowing owl nests, a qualified biologist shall conduct pre-construction surveys for burrowing owls within the construction footprint and within 250 feet of the footprint no more than 30 days prior to the onset of ground disturbance. The surveys shall be conducted in a manner consistent with accepted burrowing owl survey protocols. If pre-construction surveys determine that burrowing owls occupy the site during the non-breeding season (September 1 through January 31), then a passive relocation effort (e.g. blocking burrows with one-way doors and leaving them in place for a minimum of three days) may be necessary to ensure that the owls are not harmed or injured during construction.

Once it has been determined that owls have vacated the site, the burrows can be collapsed, and ground disturbance can proceed. If burrowing owls are detected within the construction footprint or immediately adjacent lands, (i.e. within 250 feet of the footprint) during the breeding season (February 1 through August 31), a construction-free buffer of 250 feet shall be established around all active owl nests. The buffer area shall be enclosed with temporary fencing, and construction equipment and workers shall not enter the enclosed setback areas. Buffers shall remain in place for the duration of the breeding season or until it has been confirmed by a qualified biologist that all chicks have fledged and are independent of their parents. After the breeding season, passive relocation of any remaining owls by a qualified biologist may take place.

BIO-2. Pallid Bat and Townsend Big Eared Bat.
A detailed bat survey shall be conducted prior to demolition of the barn and its attached rooms and the detached garage, as conditions may have changed since the 2008 survey. If a non-breeding bat colony is found in the barn, the individuals shall be humanely evicted from the barn via a two-part roof removal consisting of a partial roof removal under the direction of a qualified biologist one day, followed by full removal the next day. And, if a non-breeding bat colony is found in the detached garage, the individuals shall be humanely evicted via a separate procedure. Due to the construction style of the garage, all doors and windows, as well as the small room extension on the back of the building shall be removed from the structure 7 to 10 days prior to demolition. This method will alter the roost environment sufficiently to cause bats to abandon the roost over successive nights. All demolition shall occur during daylight hours. This mitigation measure will ensure that no harm or "take" would occur to any bats as a result of demolition activities.

If a maternity colony is detected in any of these buildings, then a construction-free buffer shall be established around the building and remain in place until it has been determined by a qualified biologist that the nursery is no longer active. Removal should preferably be done between March 1 and April 15 or August 15 and October 15 to avoid interfering with an active nursery. Mitigation would not be required for the loss of roosting or foraging habitat for bats, as such habitat is abundantly available regionally.

BIO-3. Birds of Prey/Raptors/Golden Eagle.
Should project construction be scheduled to commence between February 1 and August 31, a pre-construction survey shall be conducted by a qualified biologist for nesting birds within the

onsite trees, as well as all trees within 250 feet of the site. The survey shall occur within 30 days of the onset of construction.

If pre-construction surveys undertaken during the nesting season locate active nests within or near construction zones, these nests, and an appropriate buffer around them (as determined by a qualified biologist) shall remain off-limits to construction until the nesting season is over. Suitable setbacks from occupied nests will be established by a qualified biologist and maintained until the conclusion of the nesting season.

BIO-4. American Badger.
Pre-construction surveys conducted for burrowing owls should also be used to determine the presence or absence of badgers in the development footprint. If an active badger den is identified during pre-construction surveys within or immediately adjacent to the construction envelope, a construction-free buffer of up to 300 feet (or distance specified by the resource agencies, i.e., CDFG) should be established around the den. Because badgers are known to use multiple burrows in a breeding burrow complex, a biological monitor should be present onsite during construction activities to ensure the buffer is adequate to avoid direct impact to individuals or den abandonment. The monitor would be necessary onsite until it is determined that young are of an independent age and construction activities would not harm individual badgers

Once it has been determined that badgers have vacated the site, the burrows can be collapsed or excavated, and ground disturbance can proceed.

V. CULTURAL RESOURCES.

CUL-1. Prehistoric Resources.
There shall be monitoring of site excavation activities to the extent determined by a qualified professional archaeologist to be necessary to insure accurate evaluation of potential impacts to prehistoric resources.

1) If no resources are discovered, the archaeologist shall submit a report to the City's Environmental Review Section verifying that the required monitoring occurred and that no further mitigation is necessary.

2) If evidence of any archaeological, cultural, and/or historical deposits are found, hand excavation and/or mechanical excavation will proceed to evaluate the deposits for determination of significance as defined by CEQA guidelines. The archaeologist shall submit reports, to the satisfaction of the City's Environmental Review Section, describing the testing program and subsequent results. These reports shall identify any program mitigation that the Developer shall complete in order to mitigate archaeological impacts (including resource recovery and/or avoidance testing and analysis, removal, reburial, and curation of archaeological resources.)

3) In the event that human remains and/or cultural materials are found, all project-related construction shall cease within a 50-foot radius in order to proceed with the testing and

mitigation measures required. 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:

a) In the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The 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 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.

b) A final report shall be submitted to the City's Environmental Review Section prior to release of a Certificate of Occupancy. This report shall contain a description of the mitigation programs and its results including a description of the monitoring and testing program, a list of the resources found, a summary of the resources analysis methodology and conclusions, and a description of the disposition/curation of the resources. The report shall verify completion of the mitigation program to the satisfaction of the City's Environmental Review Section.

VI. GEOLOGY AND SOILS. The project will not have a significant impact due to geology and soils, therefore no mitigation is required.

VII. GREENHOUSE GAS EMISSIONS. The project will not have a significant impact due to greenhouse gas emissions, therefore no mitigation is required.

VIII. HAZARDS AND HAZARDOUS MATERIALS. The project will not have a significant impact due to hazards and hazardous materials, therefore no mitigation is required.

IX. HYDROLOGY AND WATER QUALITY. The project will not have a significant hydrology and water quality impact, therefore no mitigation is required.

X. LAND USE AND PLANNING. The project will not have a significant land use impact, therefore no mitigation is required.

XI. MINERAL RESOURCES. The project will not have a significant impact on mineral resources, therefore no mitigation is required.

XII. NOISE. The project will not have a significant impact on noise, therefore no mitigation is required.

XIII. POPULATION AND HOUSING. The project will not have a significant population and housing impact, therefore no mitigation is required.

XIV. PUBLIC SERVICES. The project will not have a significant impact on public services, therefore no mitigation is required.

XV. RECREATION. The project will not have a significant impact on recreation, therefore no mitigation is required.

XVI. TRANSPORTATION / TRAFFIC. The project will not have a significant traffic impact, therefore no mitigation is required.

XVII. UTILITIES AND SERVICE SYSTEMS. The project will not have a significant impact on utilities and service systems, therefore no mitigation is required.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE. As discussed in the previous sections, the proposed project could potentially have significant environmental effects with respect to biological resources and cultural resources. With the above noted mitigation, however, the impacts of the proposed project would be reduced to a less than significant level.

PUBLIC REVIEW PERIOD

Before 5:00 p.m. on December 10, 2012, any person may:

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

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

Joseph Horwedel, Director
Planning, Building and Code Enforcement

Circulation period, from November 9, 2012 to December 10, 2012

Deputy

INITIAL STUDY

PROJECT FILE NO.: PDC07-077

PROJECT DESCRIPTION: The project consists of a Planned Development Rezoning, and subsequent Planned Development Permit and Tentative Map to subdivide seven lots into twelve lots for single-family residential use on 6.4 gross acres. (See detailed description, below)

PROJECT LOCATION AND ASSESSOR'S PARCEL NUMBER(s): Northwest corner of Springbrook Avenue and Canyon Ridge Drive, APNs 654-03-008, 654-09-342, and 654-15-022.

EXISTING GENERAL PLAN DESIGNATION: Rural Residential

EXISTING ZONING: A(PD) Planned Development District

EXISTING LAND USE: Hillside, Rural Residential

SURROUNDING LAND USES / GENERAL PLAN / ZONING:
North: Hillside, rural residential / Open Hillside / A(PD); South: Single-family residential, church / Residential Neighborhood, Public/Quasi-Public / R-1-5, A(PD); East: Rural residential, hillside / Open Hillside / County (unincorporated); West: Detention basin, single-family residential / Open Space, Parks and Habitat / County (unincorporated)

PROJECT APPLICANT'S NAME AND ADDRESS: STL Company, LLC, 3300 Douglas Blvd., Bldg. 400, Ste. 450, Roseville, CA 95661

LEAD AGENCY CONTACT INFORMATION: John Davidson, Senior Planner, City of San Jose Dept. of Planning, Building and Code Enforcement, (408) 535-7895

OTHER PUBLIC AGENCIES WHOSE APPROVAL IS REQUIRED:

DETERMINATION
On the basis of this initial study:

☐	I find the proposed project could not have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
X	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the project proponent has agreed to revise the project to avoid any significant effect. A MITIGATED NEGATIVE DECLARATION will be prepared.
☐	I find the proposed project could have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT(EIR) is required.
☐	I find the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated impact" on the environment, but at least one effect has been (1) adequately analyzed in a previous document pursuant to applicable legal standards, and (2) addressed by mitigation measures based on the previous analysis as described in the attached sheets/initial study. An EIR is required that analyzes only the effects that were not adequately addressed in a previous document.
☐	I find that although the proposed project could have a significant effect on the environment, no further

	environmental analysis is required because all potentially significant effects have been (1) adequately analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (2) avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are included in the project, and further analysis is not required.

Date

Signature

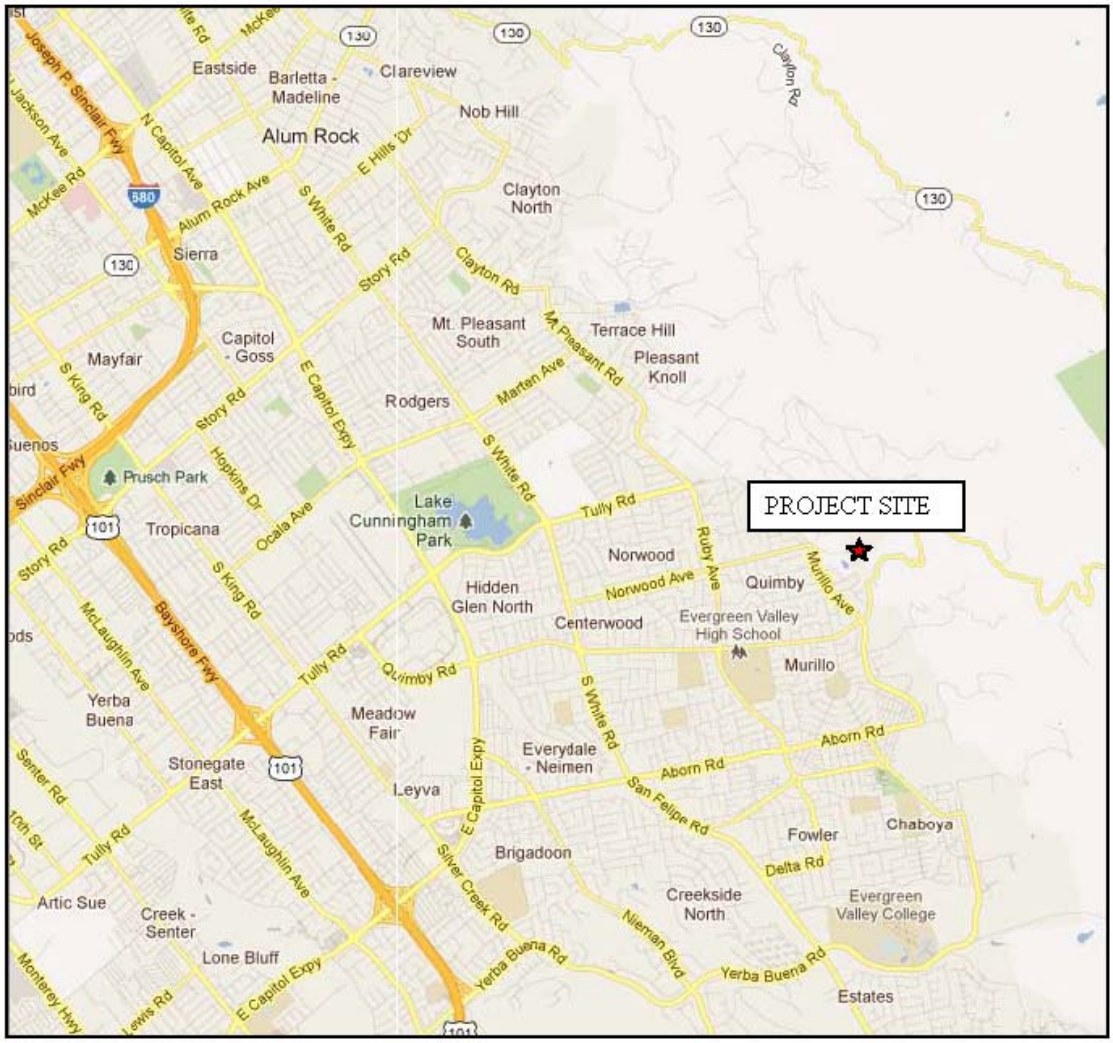
Name of Preparer: Mike Campbell, AICP

PROJECT DESCRIPTION:

The project consists of a Planned Development Rezoning, and subsequent Planned Development Permit and Tentative Map to subdivide seven lots into twelve lots for single-family residential use on 6.4 gross acres. The subject property is located in the foothills of East San Jose, with the site currently containing sloped open grassland and rural residential uses. There are three residences on the property, consisting of two houses and one trailer with associated landscaping. One of the houses has several associated outbuildings - a barn, shed, and detached garage. Norwood Creek runs along the site's northerly boundary. The site is surrounded by large lot, rural residential properties to the north and east, and medium density single-family residential to the west and south. A church is located adjacent to the southeast boundary of the site.

A riparian corridor setback area, ranging from 50 to 100 feet in width, was established along the Norwood Creek corridor on the northern portion of the site with the previous rezoning of the site. The current proposal does not encroach into the setback area. The project will create 12 flat pads for single-family houses on lots ranging from 10,000 to 12,000 square feet. A single cul-de-sac public street, extending northeasterly from the corner of Springbrook Avenue and Canyon Ridge Drive, provides access to the lots.

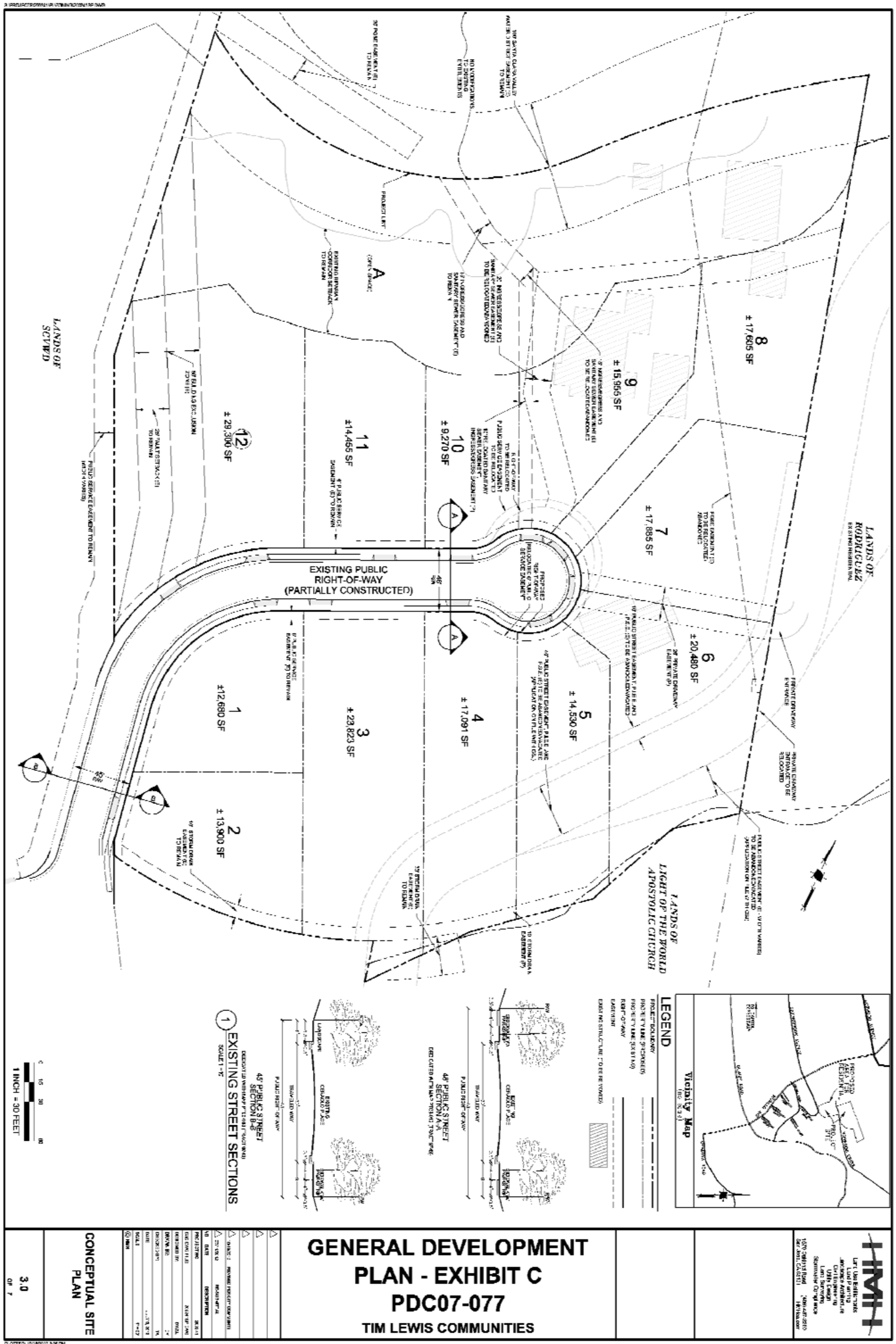
A Location Map, Aerial Photo and Site Plan are shown below. Additional exhibits, including an APN Map, General Plan Map, Zoning Map, and Site Photos are included in the Exhibits section of this Initial Study.



SOURCE: Google Maps

Location Map

Aerial Photo


GENERAL DEVELOPMENT
PLAN - EXHIBIT C
PDC07-077
TIM LEWIS COMMUNITIES
CONCEPTUAL SITE PLAN
3.0
OF 7
EXISTING PUBLIC
RIGHT-OF-WAY
(PARTIALLY CONSTRUCTED)
LANDS OF SCVWD
LANDS OF RODRIGUEZ
EXISTING RESIDENTIAL
LANDS OF LIGHT OF THE WORLD APOSTOLIC CHURCH
A
OPEN SPACE
1
±12,680 SF
2
± 13,900 SF
3
± 23,823 SF
4
± 17,091 SF
5
± 14,530 SF
6
± 20,480 SF
7
± 17,885 SF
8
± 17,605 SF
9
± 15,955 SF
10
± 9,270 SF
11
±14,455 SF
12
± 29,300 SF
LEGEND
Vicinity Map
1
EXISTING STREET SECTIONS
45' PUBLIC STREET SECTION A-A
45' PUBLIC STREET SECTION B-B
1 INCH = 30 FEET

I. AESTHETICS - Would the project:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Have a substantial adverse effect on a scenic vista?	☐	☐	X	☐	1,2
b) Substantially damage scenic resources, including, but not limited to, trees, rock out-croppings, and historic buildings within a state scenic highway?	☐	☐	X	☐	1,2
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	☐	☐	X	☐	1,2
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	☐	☐	X	☐	1,2
e) Increase the amount of shading on public open space (e.g. parks, plazas, and/or school yards) ?	☐	☐	☐	X	1,2

FINDINGS:

The proposed project would alter the existing visual character of the site and its surroundings by constructing a public street and single-family residences. However, the proposed project would not significantly degrade the existing visual character of the site in that the project would be required to undergo architectural and site design review by Planning Staff to ensure compatibility with the surrounding neighborhood.

STANDARD PROJECT CONDITIONS: The project shall implement the following standard measure(s):

- The project will conform to the City's Residential Design Guidelines at the Planned Development stage.

MITIGATION MEASURES: None required.

II. AGRICULTURE AND FOREST RESOURCES - Would the project:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☐	☐	☐	X	1,3,4
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	X	1,3,4
c) Conflict with existing zoning for, or cause rezoning of, forest land [as defined in PRC Section 12220(g)], timberland, (as defined by PRC Section 4526), or timberland zoned Timberland Production [as defined by GC Section 51104(g)]?	☐	☐	☐	X	1,3,4
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	X	1,3,4
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☐	☐	☐	X	1,3,4

FINDINGS:

The project site is not located in an area identified as prime farmland, nor is the site being used for or zoned for agricultural use. Therefore, the proposed project will not result in a significant impact on the City's or Region's agricultural resources.

The City of San Jose does not contain any forest lands or timberlands suitable for timber production nor are there any areas of the zoned Timberland Production. The project site is outside of any timberland areas, and will therefore not result in a significant impact from the loss forest lands or timberlands.

MITIGATION MEASURES: None Required.

III. AIR QUALITY - Would the project:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	X	1,14
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	☐	☐	X	☐	1,14
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	☐	☐	X	☐	1,14
d) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	X	☐	1,14
e) Create objectionable odors affecting a substantial number of people?	☐	☐	X	☐	1,14

FINDINGS:

The City of San Jose uses the thresholds of significance established by the Bay Area Air Quality Management District (BAAQMD) to assess air quality impacts. The screening criteria contained in BAAQMD's recently adopted CEQA Guidelines provide a conservative indication of whether a project could result in potentially significant air quality impacts. If the screening criteria are met by a proposed project, then the project would not result in the generation of pollutants that exceed the thresholds of significance, and would not require a detailed air quality assessment of the project's air pollutant emissions. For single-family homes, the screening criteria for Criteria Air Pollutants and Precursors is 325 dwelling units. The proposed 12-unit project falls well below these screening criteria, therefore the project will not result in a significant impact.

Temporary Air Quality impacts may result from demolition of the existing structure(s), excavation of soil, and other construction activities on the subject site. Implementation of the following standard construction practices will ensure temporary construction impacts will be less than significant.

STANDARD CONSTRUCTION PRACTICES: The following basic construction mitigation measures, recommended by BAAQMD, shall be implemented during all phases of construction for the proposed project to reduce fugitive dust emissions.

- All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, andunpaved access roads) shall be watered two times per day.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered.

- All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 mph.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified visible emissions evaluator.
- Post a publicly visible sign with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

IV. BIOLOGICAL RESOURCES - Would the project:

Issues	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	Information Sources
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☐	X	☐	☐	1,10,25
b) Have a substantial adverse effect on any aquatic, wetland, or 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?	☐	☐	X	☐	1,6,10,25
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act including, but not limited to, marsh, vernal pool, coastal, etc., through direct removal, filling, hydrological interruption, or other means?	☐	☐	X	☐	1,6.25
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☐	X	☐	☐	1,10,25
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	X	☐	1,11,25
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☐	☐	☐	X	1,2,25

FINDINGS:

Trees

A Tree Survey was conducted on the project site in 2002 by Barrie D. Coate and Associates that encompassed the current development site as well as the adjacent riparian corridor area to the northwest. The survey identified a total of 148 trees. Based on interpretation of recent aerial photos and a recent site investigation, there are currently 55 trees remaining within the proposed development portion of the site (excluding the riparian corridor and setback area). The trees range from 6 inches to 36 inches in diameter (19 to 113 inches in circumference). The species present include Horsetail Beefwood, Crabapple, Purple Plum, California Pepper, Silk Tree, Deodar Cedar, Italian Cypress, Edible Fig, American Sweet Gum, Holly Oak, Pink Ironbark, Tree of Heaven, Monterey Pine, European Olive, Cypress species, Weeping Cherry, Windmill Palm, Black Locust, Blue Elderberry, Raywood Ash, Valley Oak, Coast Live Oak, Dracaena, Mediterranean Fan Palm, African Yew Pine, Queen Palm, and Silver Dollar Gum. The majority of these trees are non-native and non-riparian species, and are located in the vicinity of the existing residences, out-buildings and street right-of-way on the property. The proposed development is anticipated to remove all of these trees, 18 of which are ordinance-sized. With the exception of the 2 Valley Oaks, 2 Coast Live Oaks, and possibly 1 Monterey Pine, which would be considered native species, the loss of these trees would be considered a less-than-significant impact with the mitigation described below. A copy of the tree survey is included in the Technical Appendix.

The City of San José has established regulations for removal of landscape trees at least 56 inches in circumference measured two feet above grade. The proposed project will obtain a permit for the removal of ordinance-sized trees and provide for the replacement of removed trees in conformance with the City of San José Tree Ordinance. It should be noted that per City policy, plantings for impacts to riparian habitat do not count towards the mitigation for removal of trees outside of the riparian area.

STANDARD PERMIT CONDITIONS: All trees that are to be removed shall be replaced at the following ratios:

Diameter of Tree to be Removed	**Type of Tree to be Removed**			**Minimum Size of Each Replacement Tree**
	Native	**Non-Native**	**Orchard**	
18 inches or greater	5:1	4:1	3:1	24-inch box
12 - 18 inches	3:1	2:1	none	24-inch box
less than 12 inches	1:1	1:1	none	15-gallon container
x:x = tree replacement to tree loss ratio **Note:** Trees greater that 18" diameter shall not be removed unless a Tree Removal Permit, or equivalent, has been approved for the removal of such trees.				

The species and exact number of trees to be planted on the site will be determined at the development permit stage, in consultation with the City Arborist and the Department of Planning, Building, and Code Enforcement.

In the event the project site does not have sufficient area to accommodate the required tree mitigation, one or more of the following measures will be implemented, to the satisfaction of the Director of Planning, Building and Code Enforcement, at the development permit stage:

- The size of a 15-gallon replacement tree may be increased to 24-inch box and count as two replacement trees.
- An alternative site(s) will be identified for additional tree planting. Alternative sites may include local parks or schools or installation of trees on adjacent properties for screening purposes to the satisfaction of the Director of the Department of Planning, Building, and Code Enforcement. Contact Jaime Ruiz, PRNS Landscape Maintenance Manager, at 975-7214 or Jaime.Ruiz@sanjoseca.gov for specific park locations in need of trees.
- A donation of $300 per mitigation tree to Our City Forest for in-lieu off-site tree planting in the community. These funds will be used for tree planting and maintenance of planted trees for approximately three years. Contact Rhonda Berry, Our City Forest, at (408) 998-7337 x106 to make a donation. A donation receipt for off-site tree planting shall be provided to the Planning Project Manager prior to issuance of a development permit.

Biotic Habitats

A biological evaluation was prepared by Live Oak Associates, Inc. on July 16, 2012. The objectives of the report, entitled *Springbrook Biotic Evaluation, San Jose, Santa Clara County, California*, were to: 1) summarize all site-specific information related to existing biological resources; 2) make reasonable inferences about the biological resources that could occur onsite based on habitat suitability and the proximity if the site to a species' known range; 3) summarize all state and federal natural resource protection laws that may be relevant to possible future site development; 4) identify and discuss project impacts to biological resources likely to occur on the site, and 5) identify avoidance and mitigation measures that would reduce impacts to a less-than-significant level that are generally consistent with recommendations of the resource agencies for affected biological resources. A copy of the report is included in the Technical Appendix.

A reconnaissance-level field survey was conducted by Live Oak Associates, Inc. (LOA) on June 27, 2012 for the purpose of assessing any changes to conditions identified in previous site visits by LOA biologists and bat specialists in 2000 and 2008, as well as to identify the principal biotic habitats and their constituent plant and animal species and land uses on site. A Phase I burrowing owl survey was also conducted during the reconnaissance.

Three biotic habitats were identified on the site – Ruderal Grassland, Developed/Landscaped, and Riparian/Seasonal Creek. Ruderal/Grassland occupies the majority of the project site (approximately 8.5 acres), and is dominated by non-native grasses and forbes. It provides habitat for numerous reptile, amphibian, bird and mammal species. Developed/Landscaped areas make up the second largest habitat type on the site, and include all of the residential structures and associated structures, roads, and planted areas. This habitat type supports a variety of common bird species. The Riparian/Seasonal Creek habitat occurs along Norwood Creek on the north side of the site, and also along the southern border area. This habitat type supports a diverse array of plant and animal species due to the presence of seasonal water. More vertebrate species are expected to occur in these areas than in any other habitat area on the site. The report determined that while development on the site would result in the loss of habitat for some species, it would not constitute a significant impact. The Norwood Creek corridor is protected by a riparian setback zone, and provides a movement corridor for wildlife.

Riparian Setback

The project is currently designed to maintain a minimum setback of 75 feet from the edge of the riparian corridor along Norwood Creek. A Riparian Mitigation and Monitoring Plan was prepared in 2006 by Live Oak Associates to address the mitigation requirements of the previous Rezoning, which established the 75-foot setback. The Plan included a Vegetation Enhancement Plan for the riparian setback zone located along the northwest side of the site, and a Monitoring Plan with performance criteria included. The Plan also contained an Adaptive Management Plan. The Plans will be implemented with the development of the subject project, and any additional encroachments into the riparian setback area will require updates to provide additional mitigation.

Special Status Species

The report identified 19 plant species listed as special status species that could potentially occur in the vicinity of the project. All of these were determined to be absent from or unlikely to occur on the project site. No mitigation measures were recommended.

There were 15 special status animal species identified in the report as potentially occurring in the project vicinity. Of these, 2 species, the western burrowing owl and the pallid bat, were expected to be resident or breed on the site. Three other of these species are expected to occur rarely to occasionally for foraging activities or passing through the site. These are the golden eagle, Townsend big-eared bat, and American badger.

<u>Western Burrowing Owl</u>

No burrowing owls have been observed on the site, and based on past history over the last decade, their presence is unlikely. However, potential nesting habitat for burrowing owls is present throughout the ruderal grassland of the site in the form of California ground squirrel burrows. Phase I protocol-level burrowing owl surveys of the site were conducted on June 10, 2008 by Live Oak Associates, and it was determined that suitable burrows were absent from the site. Subsequent surveys were conducted by Live Oak Associates on June 27, 2012 that determined that suitable burrows were present in the form of several California ground squirrel burrows. If burrowing owls were to nest or overwinter in the proposed development area of the site prior to the start of construction, construction activities could result in the abandonment of active nests or direct harm, injury, or death of these birds. Construction activities that adversely affect the nesting success or result in mortality of individual owls would be considered a significant impact to individual owls.

MITIGATION MEASURES:

- In order to avoid impacts to active burrowing owl nests, a qualified biologist shall conduct pre-construction surveys for burrowing owls within the construction footprint and within 250 feet of the footprint no more than 30 days prior to the onset of ground disturbance. The surveys shall be conducted in a manner consistent with accepted burrowing owl survey protocols. If pre-construction surveys determine that burrowing owls occupy the site during the non-breeding season (September 1 through January 31), then a passive relocation effort (e.g. blocking burrows with one-way doors and leaving them in place for a minimum of three days) may be necessary to ensure that the owls are not harmed or injured during construction.

- Once it has been determined that owls have vacated the site, the burrows can be collapsed, and ground disturbance can proceed. If burrowing owls are detected within the construction footprint or immediately adjacent lands, (i.e. within 250 feet of the footprint) during the breeding season (February 1 through August 31), a construction-free buffer of 250 feet shall be established around all active owl nests. The buffer area shall be enclosed with temporary fencing, and construction equipment and workers shall not enter the enclosed setback areas. Buffers shall remain in place for the duration of the breeding season or until it has been confirmed by a qualified biologist that all chicks have fledged and are independent of their parents. After the breeding season, passive relocation of any remaining owls by a qualified biologist may take place.

<u>Pallid Bat and Townsend Big-Eared Bat</u>

Several bat species including, but not limited to the pallid bat, Townsend's big-eared bat and long-eared myotis may forage on the site year-round or during migration. Onsite residences and the detached garage provide suitable roosting habitat for these species. A survey was conducted of the onsite buildings by a bat biologist on June 25, 2008. He observed a pallid bat sign in the barn and attached rooms (workshop and stables), which he concluded was most likely a night roost and two long-eared myotis roosting in the garage. Since the survey, the roof of the barn has been demolished, however, the attached rooms still have an intact roof. Demolition of these onsite buildings may result in harm or injury to individuals of this species, which would constitute a significant adverse impact.

MITIGATION MEASURES: Mitigation measures that protect roosting bats from possible direct mortality are warranted for the above buildings only. The project applicant shall implement the following measures to ensure that bat mortality from project construction is avoided.

- A detailed bat survey shall be conducted prior to demolition of the barn and its attached rooms and the detached garage, as conditions may have changed since the 2008 survey. If a non-breeding bat colony is found in the barn, the individuals shall be humanely evicted from the barn via a two-part roof removal consisting of a partial roof removal under the direction of a qualified biologist one day, followed by full removal the next day. And, if a non-breeding bat colony is found in the detached garage, the individuals shall be humanely evicted via a separate procedure. Due to the construction style of the garage, all doors and windows, as well as the small room extension on the back of the building shall be removed from the structure 7 to 10 days prior to demolition. This method will alter the roost environment sufficiently to cause bats to abandon the roost over

successive nights. All demolition shall occur during daylight hours. This mitigation measure will ensure that no harm or "take" would occur to any bats as a result of demolition activities.

- If a maternity colony is detected in any of these buildings, then a construction-free buffer shall be established around the building and remain in place until it has been determined by a qualified biologist that the nursery is no longer active. Removal should preferably be done between March 1 and April 15 or August 15 and October 15 to avoid interfering with an active nursery. Mitigation would not be required for the loss of roosting or foraging habitat for bats, as such habitat is abundantly available regionally.

Golden Eagle

Although the loss of habitat for the golden eagle and other raptors would not be considered significant, activities that may result in harm, injury or death to these species would be considered a significant impact. Golden eagle nesting habitat is absent from the site. The larger trees on the site provide suitable nesting habitat for other raptor species including, but not limited to, white-tailed kite and red-tailed hawk, likewise protected by the California Fish and Game Code. A full pre-construction nesting raptor survey was not performed, however, one stick nest was observed onsite in a eucalyptus tree within the riparian habitat of the unnamed creek during the June 2012 site visit. Breeding pairs of tree-nesting raptors could choose to nest in the onsite trees or in the nearby trees in future years. Project construction at the time of nesting (February 1 through August 31) could induce the adults to abandon the nest when juveniles are present, thus leading to their starvation. The mortality of juveniles would constitute a significant adverse impact.

MITIGATION MEASURES: Site development during the raptor-nesting season (February 1 through August 31) could result in the abandonment of an active nesting raptor such as a white-tailed kite or red-tailed hawk. While golden eagles are not expected to nest on the site, the following measures would provide for the most unusual circumstance. The harm, injury or death of individuals that may result would constitute a significant adverse impact of the project. The following mitigation measures are warranted for tree-nesting raptors:

- Should project construction be scheduled to commence between February 1 and August 31, a pre-construction survey shall be conducted by a qualified biologist for nesting birds within the onsite trees, as well as all trees within 250 feet of the site. The survey shall occur within 30 days of the onset of construction.

- If pre-construction surveys undertaken during the nesting season locate active nests within or near construction zones, these nests, and an appropriate buffer around them (as determined by a qualified biologist) shall remain off-limits to construction until the nesting season is over. Suitable setbacks from occupied nests will be established by a qualified biologist and maintained until the conclusion of the nesting season.

American Badger

Although American badgers and their sign were not observed during the 2012 site visit, they are known to occur in the adjacent hills. Impacts to the American badger would be similar to those for the western burrowing owl. Conversion of grasslands to urban development would result in a less-than-significant loss of habitat for the American badger but may result in harm or injury to individuals of this species, which would constitute a significant adverse impact.

MITIGATION MEASURES:

- Pre-construction surveys conducted for burrowing owls should also be used to determine the presence or absence of badgers in the development footprint. If an active badger den is identified during pre-construction surveys within or immediately adjacent to the construction envelope, a construction-free buffer of up to 300 feet (or distance specified by the resource agencies, i.e., CDFG) should be established around the den. Because badgers are known to use multiple burrows in a breeding burrow complex, a biological monitor should be present onsite during construction activities to ensure the buffer is adequate to avoid direct impact to

individuals or den abandonment. The monitor would be necessary onsite until it is determined that young are of an independent age and construction activities would not harm individual badgers.

- Once it has been determined that badgers have vacated the site, the burrows can be collapsed or excavated, and ground disturbance can proceed.

V. CULTURAL RESOURCES - Would the project:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines §15064.5?	☐	☐	X	☐	1,7
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?	☐	X	☐	☐	1,8
c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	☐	☐	X	☐	1,8
d) Disturb any human remains, including those interred outside of formal cemeteries?	☐	X	☐	☐	1,8

FINDINGS:

Archaeological Resources. The project site is located in an archaeologically sensitive zone, due to its proximity to Norwood Creek. Any subsurface grading activity will require monitoring by a qualified archaeologist, as described in the mitigation measures below.

Historic Resources. An Historical Evaluation was prepared for the existing barn, house, office and garage structures on the property in 2002. The report, prepared by Archaeological Resource Management, concluded that none of the structures were listed on the California Register of Historical Resources or the National Register of Historic Places, and did not appear to be potentially eligible for inclusion in either of those historic registers. The property received a point score of 31.74 on the City of San Jose Historic Resource Evaluation form, identifying it as non-significant.

MITIGATION MEASURES: There shall be monitoring of site excavation activities to the extent determined by a qualified professional archaeologist to be necessary to insure accurate evaluation of potential impacts to prehistoric resources.

1) If no resources are discovered, the archaeologist shall submit a report to the City's Environmental Principal Planner verifying that the required monitoring occurred and that no further mitigation is necessary.

2) If evidence of any archaeological, cultural, and/or historical deposits are found, hand excavation and/or mechanical excavation will proceed to evaluate the deposits for determination of significance as defined by CEQA guidelines. The archaeologist shall submit reports, to the satisfaction of the City's Environmental Principal Planner, describing the testing program and subsequent results. These reports shall identify any program mitigation that the Developer shall complete in order to mitigate archaeological impacts (including resource recovery and/or avoidance testing and analysis, removal, reburial, and curation of archaeological resources.)

3) In the event that human remains and/or cultural materials are found, all project-related construction shall cease within a 50-foot radius in order to proceed with the testing and mitigation measures required. 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:

   a) In the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The 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 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.

b) A final report shall be submitted to the City's Environmental Principal Planner prior to release of a Certificate of Occupancy. This report shall contain a description of the mitigation programs and its results including a description of the monitoring and testing program, a list of the resources found, a summary of the resources analysis methodology and conclusions, and a description of the disposition/curation of the resources. The report shall verify completion of the mitigation program to the satisfaction of the City's Environmental Principal Planner.

VI. GEOLOGY AND SOILS - Would the project:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
1) Rupture of a known earthquake fault, as described on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	☐	☐	X	☐	1,5,24
2) Strong seismic ground shaking?	☐	☐	X	☐	1,5,24,27
3) Seismic-related ground failure, including liquefaction?	☐	☐	X	☐	1,5,24,27
4) Landslides?	☐	☐	X	☐	1,5,24
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	X	☐	1,5,24
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☐	☐	X	☐	1,5,24,27
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	☐	☐	X	☐	1,5,24
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	☐	☐	☐	X	1,5,24

FINDINGS:

Due to its location within a seismically active region, the project site would likely be subject to at least one moderate to major earthquake that could affect the project after construction. The site would be subject to strong ground shaking in the event of a major earthquake on one of the region's active faults. Because the potential for liquefaction on the site is considered high, liquefaction and differential settlement could occur on the site during an earthquake. The proposed structures on the site would be designed and constructed in conformance with the Uniform Building Code Guidelines for Seismic Zone 4 to avoid or minimize potential damage from seismic shaking on the site.

Conformance with standard Uniform Building Code Guidelines would minimize potential impacts from seismic shaking on the site. Therefore, this impact is considered less than significant. The site is not subject to landslides because it is generally flat.

Prior to issuance of a Public Works Clearance, the developer must obtain a grading permit before commencement of excavation and construction. Implementation of standard grading and best management practices would prevent substantial erosion and siltation during development of the site.

The Project site is within the State of California Seismic Hazard Zone. A soil investigation report addressing the potential hazard of liquefaction must be submitted to, reviewed and approved by the City Geologist prior to issuance of a grading permit or Public Works Clearance. A recommended depth of 50 feet should be explored and evaluated in the investigation.

A preliminary assessment of the geologic hazards, conditions, and materials at the site was prepared in 2001 by Terrasearch, Inc. The report concluded that their field investigation did not reveal any geologic conditions or materials that would preclude development of the property, but recommended that a complete geotechnical investigation be made prior to final grading and foundation design for the proposed subdivision. A copy of the report is included in the Technical Appendix.

A Geologic Hazard Clearance was issued for the site in 2007.

STANDARD PROJECT CONDITIONS:

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

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

VII. GREENHOUSE GAS EMISSIONS - Would the project:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	X	☐	1,14
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☐	X	1,14
(Note: Greenhouse gas(es) include, but are not limited to, carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulphur hexafluoride)					

FINDINGS:

Various gases in the Earth's atmosphere, classified as atmospheric greenhouse gases (GHGs), play a critical role in determining the Earth's surface temperature. Solar radiation enters the atmosphere from space and a portion f the radiation is absorbed by the Earth's surface. The Earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower frequency infrared radiation. Greenhouse gases, which are transparent to solar radiation, are effective in absorbing infrared

radiation. As a result, this radiation that otherwise would have escaped back into space is retained, resulting in a warming of the atmosphere. This phenomenon is known as the greenhouse effect. Among the prominent GHCs contributing to the greenhouse effect, or climate change, are carbon dioxide (CO_2), methane (CH_4), ozone (O_3), water vapor, nitrous oxide (N_2O), and chlorofluorocarbons (CFCs). Human-caused emissions of these GHGs in excess of natural ambient concentrations are responsible for enhancing the greenhouse effect.

The City if San Jose recently adopted the Envision San Jose 2040 General Plan (November 2011). As part of the General Plan update, the City adopted a Greenhouse Gas Reduction Strategy in accordance with the BAAQMD CEQA Guidelines and CEQA Guidelines Section 15183.5. The GHG strategy identifies policies and measures to reduce greenhouse gas generation within the City.

The Envision San Jose 2040 General Plan focuses on creating urban centers that provide mixed-use settings for new housing and job growth that are pedestrian, bicycle and transit-oriented. The mixed-use land use concept reduces GHC emissions by placing land uses closer together and, as a result, decreasing vehicle miles traveled. The City has also adopted a GHG Strategy that includes policies and measures to reduce GHG emissions. Adoption of a GHG Strategy provides environmental clearance for GHG impacts of proposed development as per the BAAQMD CEQA Guidelines and CEQA Guidelines Section 15183.5. The project is consistent with the 2040 General Plan and GHG Strategy: therefore, it would have a less-than-significant impact for GHG emissions.

The project will not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases, since the proposed project is consistent with the City's 2040 General Plan that includes implementation of a GHG Reduction Strategy.

MITIGATION MEASURES: None required.

VIII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	X	☐	1
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	X	☐	1
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	X	1
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	X	1,12,27
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	X	1,2

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	X	1
g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	☐	☐	☐	X	1,2
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	☐	☐	X	☐	1

FINDINGS:

Development of the proposed project will require the demolition of several structures on the site, which may contain asbestos building materials and/or lead-based paint. Demolition done in conformance with these Federal, State and Local laws and regulations, will avoid significant exposure of construction workers and/or the public to asbestos and lead-based paint.

A Phase I Report was prepared for the site by Terrasearch, Inc.. A copy of the report, entitled *Phase I Environmental Site Assessment at Springbrook Avenue Subdivision San Jose, California for Mr. Richard Ceraolo*, dated July 31, 2002, in included in the Technical Appendix. The following discussion presents a summary of the findings and conclusions of the report.

The project is not currently included on the State DTSC's Hazardous Waste and Substances Site List (Cortese List), the project site is not listed on other federal, state or local databases. (See the following websites: DTSC: http://www.envirostor.dtsc.ca.gov/public/SCCDEH:http://lustop.sccgov.org/RWQCB:http://www.geotracker.swrcb.ca.gov/). Historical uses of the site include residential and farming. There is no historical information that indicates the location or use of hazardous materials at the subject site, other than the household cleaners, paint, solvent and gasoline containers that were observed stored in the garage and workshop. There were no visual indications of USTs or dumping of hazardous waste, although the report acknowledged that very old and abandoned USTs could potentially exist at the site, based on the past history of similar sites of similar age in the area. A pair of abandoned septic tanks are located on the south side of the existing residence. The report concludes that the only further environmental assessment of the site that would be warranted is testing for lead-based paint and asbestos-containing materials.

STANDARD PROJECT CONDITIONS:

- In conformance with State and Local laws, a visual inspection/pre-demolition survey, and possible sampling, will be conducted prior to the demolition of the building to determine the presence of asbestos-containing materials and/or lead-based paint.

  All potentially friable asbestos-containing materials shall be removed in accordance with National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines prior to building demolition or renovation that may disturb the materials. All demolition activities will be undertaken in accordance with Cal/OSHA standards, contained in Title 8 of the California Code of Regulations (CCR), Section 1529, to protect workers from exposure to asbestos. Materials containing more than one percent asbestos are also subject to Bay Area Air Quality Management District (BAAQMD) regulations.

  During demolition activities, all building materials containing lead-based paint shall be removed in accordance with Cal/OSHA Lead in Construction Standard, Title 8, California Code of Regulations 1532.1, including employees training, employee air monitoring and dust control. Any debris or soil containing lead-based paint or coatings will be disposed of at landfills that meet acceptance criteria for the waste being disposed.

IX. HYDROLOGY AND WATER QUALITY - Would the project:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Violate any water quality standards or waste discharge requirements?	☐	☐	X	☐	1,15
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	☐	☐	X	☐	1
c) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on-or off-site?	☐	☐	X	☐	1
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on-or off-site?	☐	☐	X	☐	1
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	☐	☐	X	☐	1,17
f) Otherwise substantially degrade water quality?	☐	☐	X	☐	1
g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	☐	☐	☐	X	1,9
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	☐	☐	☐	X	1,9
i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	☐	☐	☐	X	1
j) Be subject to inundation by seiche, tsunami, or mudflow?	☐	☐	☐	X	1

FINDINGS:

Flooding/Drainage

The subject site is located within the 100-year flood hazard area. It is located in Flood Zone A. The project would not expose people or structures to flooding because it must (1) elevate the lowest floor above the flood level, and (2) elevate the building support utility systems such as HVAC, electrical, plumbing, air conditioning equipment, including ductwork, and other service facilities must be elevated above the base flood elevation or otherwise protected from flood damage.

Water Quality - Construction Period

Any construction or demolition activity that results in land disturbance equal to or greater than one acre must comply with the Construction General Permit (CGP), administered by the State Water Resources Control Board (SWRCB). The CGP requires the installation and maintenance of Best Management Practices (BMPs) to protect water Quality until the site is stabilized.

The project is expected to require Construction General Permit coverage based on the area of land disturbed. Prior to commencement of construction or demolition, the project must file a Notice of Intent (NOI) with the SWRCB and develop, implement and maintain a Storm Water Pollution Prevention Plan (SWPPP) to control the discharge of stormwater pollutants associated with construction activities.

All development projects, whether subject to the CGP or not, shall comply with the City of San Jose's Grading Ordinance, which requires the use of erosion and sediment controls to protect water quality while the site is under construction. Prior to the issuance of a permit for grading activity occurring during the rainy season (October 15 to April 15), the project will submit to the Director of Public Works an Erosion Control Plan detailing BMPs that will prevent the discharge of stormwater pollutants.

Water Quality - Post-Construction

The City of San Jose is required to operate under a Municipal Stormwater NPDES Permit to discharge stormwater from the City's storm drain system to surface waters. On October 14, 2009, the San Francisco Bay Regional Water Quality Control Board adopted the San Francisco Bay Region Municipal Regional Stormwater NPDES Permit (MRP) for 76 Bay Area municipalities, including the City of San Jose.

The MRP (NPDES Permit No. CAS612008) mandates the City of San Jose use its planning and development review authority to require that stormwater management measures such as Site Design, Pollutant Source Control and Treatment measures are included in new and redevelopment projects to minimize and properly treat stormwater runoff. Provision C.3 of the MRP regulates the following types of development projects:

- Projects that create or replace 10,000 square feet or more of impervious surface;
- Special Land Use Categories[1] that create or replace 5,000 feet or more of impervious surface

The MRP requires regulated projects to include Low Impact Development (LID) practices, such as pollutant source control measures and stormwater treatment features aimed to maintain or restore the site's natural hydrologic functions. The MRP also requires that stormwater treatment measures are properly installed, operated and maintained.

The project will create or replace approximately 25,730 square feet of impervious surface. Based on its size and land use, the project will be required to comply with the LID stormwater management requirements of Provision C.3 of the MRP.

The MRP also requires regulated projects to include measures to control hydromodification impacts where the project would otherwise cause increased erosion, silt pollutant generation, or other adverse impacts to local rivers and creeks. Development projects that create and/or replace 1 acre or more of impervious surface and are located in a subwatershed or catchment that is less than 65% impervious, must manage increases in runoff flow and volume so that post-project runoff shall not exceed estimated pre-project rates and durations.

[1] Special Land Use Categories are defined as uncovered parking areas (stand-alone o r part of another use), restaurants, auto service facilities, and retail gasoline outlets.

Based on its size and land use, the project will not be required to comply with the hydromodification requirements of Provision C.3 of the MRP.

The City has developed policies that implement Provision C.3, consistent with the MRP. The City's Post-Construction Urban Runoff Management Policy (6-29) establishes specific requirements to minimize and treat stormwater runoff from new and redevelopment projects. The City's Post-Construction Hydromodification management Policy (8-14) establishes an implementation framework for incorporating measures to control hydromodification impacts from development projects.

Implementation of the following standard conditions, consistent with NPDES Permit and City Policy requirements, will reduce potential construction and post-construction impacts to surface water quality to less than significant levels:

Construction Measures

- Prior to commencement of any clearing, grading or excavation, the project shall comply with the SWRCB's National Pollutant Discharge Elimination System (NPDES) Construction General Permit, as follows:
  1. The applicant shall file a Notice of Intent (NOI) with the SWRCB
  2. The applicant shall develop, implement and maintain a Sotrm Water Pollution Prevention Plan (SWPPP) to control the discharge of stormwater pollutants including sediments associated with construction activities, The SWPPP shall identify current construction-period Best Management Practices, as described in the CASQA Construction Handbook (August 2011).

- The project shall comply with the City of San Jose Grading Ordinance, including implementing erosion and dust control during site preparation and with the City of San Jose Zoning Ordinance requirements for keeping adjacent streets free of dirt and mud during construction.

- Typical measures that will be implemented to prevent stormwater pollution and minimize potential sedimentation during construction include but are not limited to:
  1. Utilize on-site sediment control BMPs to retain sediment on the project site;
  2. Utilize stabilized construction entrances and/or wash racks;
  3. Implement damp street sweeping;
  4. Provide temporary cover of disturbed surfaces to help control erosion during construction;
  5. Provide permanent cover to stabilize the disturbed surfaces after construction has been completed.

X. LAND USE AND PLANNING - Would the project:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Physically divide an established community?	☐	☐	☐	X	1,2
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	☐	☐	X	☐	1,2

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	☐	☐	☐	X	1,2

FINDINGS:

Projects that have the potential to physically divide an established community include new freeways and highways, major arterials streets, and railroad lines. The proposed project will not physically divide an established community, and the project is consistent with the site's General Plan Land Use designation. The proposed project will be subject to architectural and site design review by the City at the Planned Development Permit stage. Such review will include conformance with the City's adopted Residential Design Guidelines. The Guidelines are intended to ensure that new development is compatible with existing neighborhood character and does not adversely impact neighboring residential uses. A less than significant impact would occur as a result of the project.

MITIGATION MEASURES: None Required.

XI. MINERAL RESOURCES - Would the project:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☐	☐	☐	X	1,2,23
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	☐	☐	☐	X	1,2,23

FINDINGS:

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

MITIGATION MEASURES: None Required.

XII. NOISE - Would the project result in:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☐	☐	X	☐	1,2,13,18
b) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	☐	☐	X	☐	1
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	X	☐	1
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	☐	☐	X	☐	1
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	X	1
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	☐	☐	☐	X	1

FINDINGS:

The San Jose 2020 General Plan states that the City's acceptable exterior noise level is 55 DNL long term, and 60 DNL short term. The acceptable interior noise level is 45 DNL. The plan recognizes that the noise levels may not be achieved in the Downtown, and in the vicinity of major roadways and the Mineta San Jose International Airport.

Noise Impacts From the Project. As described in the Transportation section (XV. TRANSPORTATION/TRAFFIC), the proposed project would generate approximately 115 net new average daily trips. As traffic would normally have to double to create a significant impact, traffic generated by this project is not expected to substantially increase noise levels in the project area.

Noise from the construction of the proposed project could potentially pose a significant impact to the surrounding residential properties. To limit the construction noise impacts on nearby properties, various mitigation measures have been incorporated into the proposal.

STANDARD PROJECT CONDITIONS:

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

- The contractor shall use “new technology” power construction equipment with state-of-the-art noise shielding and muffling devices. All internal combustion engines used on the project site 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.

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

XIII. POPULATION AND HOUSING - Would the project:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☐	☐	X	☐	1,2
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	X	☐	1
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	X	☐	1

FINDINGS:

The proposed project would not induce substantial population growth because it has a net density of 2.0 DU/AC which is consistent with the General Plan Land Use/Transportation Diagram designation of Rural Residential (2 DU/AC).

MITIGATION MEASURES: None required.

XIV. PUBLIC SERVICES – Would the project:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
Fire Protection?	☐	☐	X	☐	1,2
Police Protection?	☐	☐	X	☐	1,2
Schools?	☐	☐	X	☐	1,2
Parks?	☐	☐	X	☐	1,2
Other Public Facilities?	☐	☐	X	☐	1,2

FINDINGS:

The project site is located in an urbanized area of San Jose, and well served by existing Fire, Police, School, Park and other Public Facilities. No additional Fire or Police personnel or equipment are necessary to serve the proposed project.

As required by California Government Code Section 53080, the project will be required to pay a school impact fee for residential development to offset the increased demands on school facilities caused by the project. Therefore, the project will have a less than significant impact on school facilities.

Lake Cunningham Park is located approximately 2 miles west of the site and contains picnic facilities, a lake providing water sports, and hiking/jogging trails. Fowler Creek Park is located approximately 1 ½ miles south of the project site, and contains picnic areas, tennis courts, bocce courts, gardens and trails.

STANDARD PROJECT CONDITIONS:

- In accordance with California Government Code Section 65996, the developer shall pay a school impact fee, to the School District, to offset the increased demands on school facilities caused by the proposed project.

- The project shall conform to the City's *Park Impact Ordinance (PIO)* and *Parkland Dedication Ordinance (PDO)* (Municipal Code Chapter 19.38).

MITIGATION MEASURES: None required.

XIV. RECREATION

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☐	☐	X	☐	1,2
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	☐	☐	X	☐	1,2

FINDINGS:

Lake Cunningham Park is located approximately 2 miles west of the site and contains picnic facilities, a lake providing water sports, and hiking/jogging trails. Fowler Creek Park is located approximately 1 ½ miles south of the project site, and contains picnic areas, tennis courts, bocce courts, gardens and trails.

The City of San José has adopted the Parkland Dedication Ordinance (PDO) (Chapter 19.38) and Park Impact Ordinance (PIO) requiring residential developers to dedicate public parkland or pay in-lieu fees, or both, to offset the demand for neighborhood parkland created by their housing developments. Each new residential project is required to conform to the PDO and PIO. The acreage of parkland required is based upon the Acreage Dedication Formula outlined in the Parkland Dedication Ordinance.

The proposed project would increase the number of residents on the site, and would add to the residential population using nearby recreational facilities. However, the project is not expected to increase the use of existing parks such that substantial deterioration would occur or be accelerated.

STANDARD PROJECT CONDITIONS:

- The project shall conform to the City's *Park Impact Ordinance (PIO)* and *Parkland Dedication Ordinance (PDO)* (Municipal Code Chapter 19.38).

MITIGATION MEASURES: None required.

XV. TRANSPORTATION / TRAFFIC - Would the project:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	☐	☐	X	☐	1,2,19
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	☐	☐	X	☐	1,2,19
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	☐	☐	☐	X	1,19
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	☐	☐	X	☐	1,19
e) Result in inadequate emergency access?	☐	☐	X	☐	1,20
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	☐	☐	X	☐	1,2,18

FINDINGS:

Based on the Institute of Traffic Engineers' trip generation rate of 9.57 trips per day per dwelling unit for single family detached housing, the project would generate approximately 115 daily trips. The City's Department of Public Works has analyzed the proposed project and determined that it would be in conformance with the City's Transportation Level of Service Policy (Council Policy 5-3) and would not create a significant traffic impact.

MITIGATION MEASURES: None required.

XVI. UTILITIES AND SERVICE SYSTEMS - Would the project:

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	☐	☐	X	☐	1,15
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	X	☐	1,2,21
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	☐	☐	X	☐	1,17

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	☐	☐	X	☐	1,22
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☐	☐	X	☐	1,21
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	☐	☐	X	☐	1,21
g) Comply with federal, state, and local statutes and regulations related to solid waste?	☐	☐	X	☐	1,21

FINDINGS:

The proposed project would not require construction of new facilities for wastewater treatment, storm drainage, water, or waste disposal because the subject site is located within the City of San Jose Urban Service Area where such facilities exist, and have the capacity to serve the proposed project.

MITIGATION MEASURES: None required.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

Issues	*Potentially Significant Impact*	*Less Than Significant With Mitigation Incorporated*	*Less Than Significant Impact*	*No Impact*	*Information Sources*
a) Does the project have the potential to (1) degrade the quality of the environment, (2) substantially reduce the habitat of a fish or wildlife species, (3) cause a fish or wildlife population to drop below self-sustaining levels, (4) threaten to eliminate a plant or animal community, (5) reduce the number or restrict the range of a rare or endangered plant or animal, or (6) eliminate important examples of the major periods of California history or prehistory?	☐	X	☐	☐	1,10
b) Does the project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.	☐	☐	X	☐	1,16
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☐	X	☐	1

FINDINGS:

As discussed in the previous sections, the proposed project could potentially have significant environmental effects with respect to biological resources and cultural resources. With the above noted mitigation, however, the impacts of the proposed project would be reduced to a less than significant level.

MITIGATION MEASURES: See above.

CHECKLIST REFERENCES

1. Environmental Clearance Application – File No. PDC07-077
2. San Jose 2020 General Plan
3. USDA, Soil Conservation Service, Soil Survey of SC County, August 1968
4. USDA, Soil Conservation Service, Important Farmlands of SC County map, June 1979
5. State of California's Geo-Hazard maps / Alquist Priolo Fault maps
6. Riparian Corridor Policy Study 1994
7. San Jose Historic Resources Inventory
8. City of San Jose Archeological Sensitivity Maps
9. FEMA Flood Insurance Rate Map, Santa Clara County, 1986
10. California Department of Fish & Game, California Natural Diversity Database, 2001
11. City of San Jose Heritage Tree Survey Report
12. California Environmental Protection Agency Hazardous Waste and Substances Sites List, 1998
13. City of San Jose Noise Exposure Map for the 2020 General Plan
14. BAAQMD CEQA Guidelines, Bay Area Air Quality Management District. April 1996, revised 1999.
15. San Francisco Bay Regional Water Quality Control Board 1995 Basin Plan
16. Final Environmental Impact Report, City of San Jose, SJ 2020 General Plan
17. Santa Clara Valley Water District
18. City of San Jose Title 20 Zoning Ordinance
19. San Jose Department of Public Works
20. San Jose Fire Department
21. San Jose Environmental Services Department
22. San Jose Water Company, Great Oaks Water Company
23. California Division of Mines and Geology
24. Cooper Clark, San Jose Geotechnical Information Maps, July 1974
25. Barrie D. Coate & Associates, Tree Survey at the Springbrook Subdivision, Springbrook Avenue and Canyon Ridge Avenue, San Jose, July 16, 2002
26. Live Oak Associates, Inc., Springbrook Biological Evaluation, San Jose, Santa Clara County, California, July 16, 2012
27. Terrasearch, Inc., Geologic / Seismic Investigation, Norwood Avenue, San Jose, APN 654-03-009 for Mr. Richard Ceraolo, 5579 Morningside Drive, San Jose, California, 95138, June 8, 2001
28. Terrasearch, Inc., Phase I Environmental Site Assessment at Springbrook Avenue Subdivision, San Jose, California for Mr. Richard Ceraolo, July 31, 2002.