

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

File No. PDC11-020. 1126 Barnes Lane.

Project Description: Planned Development Rezoning from R-1-2 Single Family Residence District to R-1-2(PD) Planned Development Zoning District to allow up to 4 single family detached residences on an approximately 1.035 gross acre site.

PROJECT LOCATION: On the south side of Barnes Lane, approximately 650 feet west of Almaden Road (1126 Barnes Lane); (APN 583-11-126) (Council District 10).

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 **April 30, 2012**, and ends on **May 21, 2012**.

The draft Mitigated Negative Declaration, initial study, and reference documents are available online at: <http://www.sanjoseca.gov/planning/eir/MND.asp#PDC11-020> .

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 Baty at (408) 535-7894, or by e-mail at john.baty@sanjoseca.gov .

Joseph Horwedel, Director
Planning, Building and Code Enforcement

Circulated on:

4/30/2012

John Baty
Deputy

DRAFT 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: 1126 Barnes Lane

PROJECT FILE NUMBER: PDC11-020

PROJECT DESCRIPTION: Planned Development Rezoning from R-1-2 Single Family Residence District to R-1-2(PD) Planned Development Zoning District to allow up to 4 single family detached residences on an approximately 1.035 gross acre site.

PROJECT LOCATION & ASSESSORS PARCEL NO.: South side of Barnes Lane, approximately 650 feet west of Almaden Road (1126 Barnes Lane); (APN 583-11-126)

COUNCIL DISTRICT: 10

APPLICANT CONTACT INFORMATION:

Fred Egelston and Jill Amen, 22170 Alamos Road, San Jose, CA 95120
408-997-8151

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

AESTHETICS -- The project will not have a significant impact on this resource; therefore, no mitigation is required.

AGRICULTURE RESOURCES -- The project will not have a significant impact on this resource; therefore, no mitigation is required.

AIR QUALITY

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

BIOLOGICAL RESOURCES

- If possible, construction should be scheduled between October and December (inclusive) to avoid the nesting season. If this is not possible, pre-construction surveys for nesting raptors and other migratory breeding birds shall be conducted by a qualified ornithologist to identify active nests that may be disturbed during project implementation. Between January and April (inclusive) pre-construction surveys shall be conducted no more than 14 days prior to the initiation of construction activities or tree relocation or removal. Between May and August (inclusive), pre-construction surveys shall be conducted no more than thirty (30) days prior to the initiation of these activities. The surveying ornithologist shall inspect all trees in and immediately adjacent to the construction area for nests. If an active nest is found in or

close enough to the construction area to be disturbed by these activities, the ornithologist shall, in consultation with the California Department of Fish and Game, designate a construction-free buffer zone (typically 250 feet for raptors and 100 feet for other birds) around the nest, which shall be maintained until after the breeding season has ended and/or a qualified ornithologist has determined that the young birds have fledged. The applicant shall submit a report indicating the results of the survey and any designated buffer zones to the satisfaction of the Director of Planning, Building and Code Enforcement prior to the issuance of any grading or building permit.

- A detailed bat survey shall be conducted to determine if bats are roosting or breeding in the onsite buildings prior to demolition. A qualified bat specialist shall look for individuals, guano, staining, and/or vocalization by direct observation and potential waiting for nighttime emergence. The survey shall be conducted during the time of year when bats are active, between April 1 and September 15. If demolition is planned within this timeframe, the survey shall be conducted within 30 days of demolition. An initial survey could be conducted to provide early warning if bats are present, but a follow-up survey will be necessary within 30 days. If demolition is planned outside of this timeframe (September 16 through March 31), the survey shall be conducted in September prior to demolition. If no bats are observed to be roosting or breeding in these structures, then no further action would be required, and demolition can proceed.
- If a non-breeding bat colony is found in the buildings to be demolished, the individuals will be humanely evicted via the partial dismantlement of the buildings prior to demolition under the direction of a qualified bat specialist to ensure that no harm or “take” would occur to any bats as a result of demolition activities. If a maternity colony is detected in the buildings, then a construction-free buffer shall be established around the structure and remain in place until it has been determined by a qualified bat specialist that the nursery is no longer active. Demolition will preferably be done between March 1 and April 15 or August 15 and October 15 to avoid interfering with an active nursery.
- A biologist report outlining the results of pre-construction bat surveys and any recommended buffer zones or other mitigation shall be submitted and approved to the satisfaction of the Director of Planning, Building and Code Enforcement prior to the issuance of any grading, building, or tree removal permit.

CULTURAL RESOURCES -- The project will not have a significant impact on this resource; therefore, no mitigation is required.

GEOLOGY AND SOILS -- The project will not have a significant impact on this resource; therefore, no mitigation is required.

GREENHOUSE GAS EMISSIONS -- The project will not have a significant impact on this resource; therefore, no mitigation is required.

HAZARDS AND HAZARDOUS MATERIALS -- The project will not have a significant impact on this resource; therefore, no mitigation is required.

HYDROLOGY AND WATER QUALITY -- The project will not have a significant impact on this resource; therefore, no mitigation is required.

LAND USE AND PLANNING -- The project will not have a significant impact on this resource; therefore, no mitigation is required.

MINERAL RESOURCES -- The project will not have a significant impact on this resource; therefore, no mitigation is required.

NOISE -- The project will not have a significant impact on this resource; therefore, no mitigation is required.

POPULATION AND HOUSING -- The project will not have a significant impact on this resource; therefore, no mitigation is required.

PUBLIC SERVICES -- The project will not have a significant impact on this resource; therefore, no mitigation is required.

RECREATION -- The project will not have a significant impact on this resource; therefore, no mitigation is required.

TRANSPORTATION / TRAFFIC -- The project will not have a significant impact on this resource; therefore, no mitigation is required.

UTILITIES AND SERVICE SYSTEMS -- The project will not have a significant impact on this resource; therefore, no mitigation is required.

MANDATORY FINDINGS OF SIGNIFICANCE -- The project will not substantially reduce the habitat of a fish or wildlife species, be cumulatively considerable, or have a substantial adverse effect on human beings, therefore no additional mitigation is required.

PUBLIC REVIEW PERIOD

Before 5:00 p.m. on **May 21, 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

Circulated on: 4/30/2012

John Danbar
Deputy

Initial Study

1126 Barnes Lane

(PDC11-020)

April 27, 2012



CITY OF SAN JOSE

Initial Study

1126 Barnes Lane

Planned Development (PD) Rezoning (PDC11-020)

April 27, 2012

CITY OF SAN JOSE

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TECHNICAL APPENDIX - *reports included on a CD at the back of this document*

Evaluation of Existing Trees
Cultural Resources Study
Historic Evaluation
Reconnaissance Geologic Study Letter
Certificate of Geologic Hazard Clearance
Phase I Preliminary Environmental Site Assessment

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I. PROJECT DESCRIPTION

A. GENERAL INFORMATION

Lead Agency Contact: Mike Enderbe, Project Manager
City of San Jose
Planning, Building and Code Enforcement
200 East Santa Clara Street, 3rd Floor
San Jose, CA 95113
408-535-7843
Mike.Enderbe@sanjoseca.gov

Applicant: Fred Egelston and Jill Amen
22170 Alamos Road
San Jose, CA 95120
408-997-8151
Attn: Jill Amen
jill@angiusa.com

Property Owner: Fred Egelston and Jill Amen
22170 Alamos Road
San Jose, CA 95120
408-997-8151

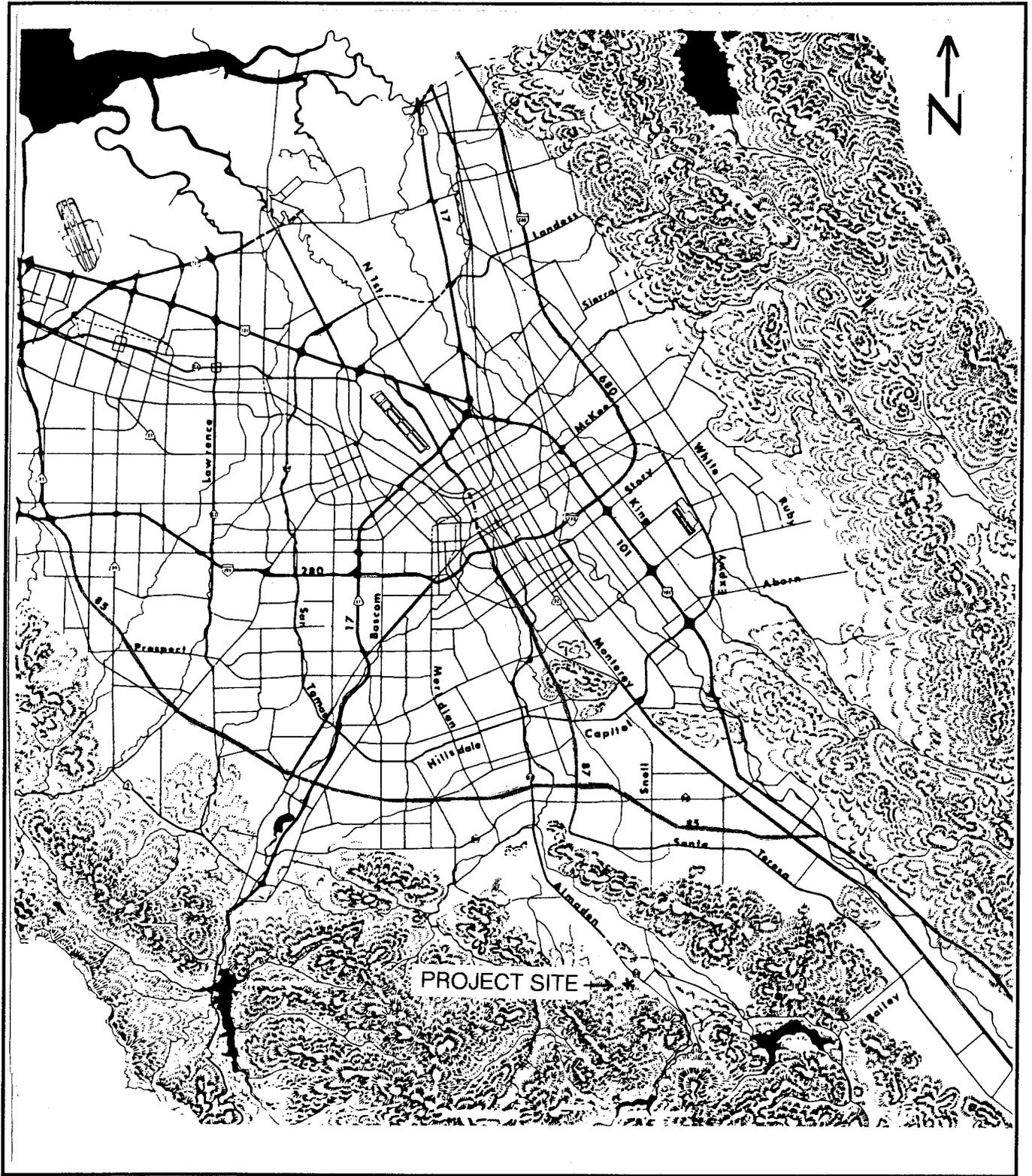
Environmental Consultant: Mindigo & Associates
1984 The Alameda, Suite 1
San Jose, CA 95126
408-554-6531, (fax) 408-554-6577
rmindigo@aol.com

Name of Project: **1126 Barnes Lane**

Location and Address: South side of Barnes Lane, approximately 650 feet west of Almaden Road (1126 Barnes Lane)

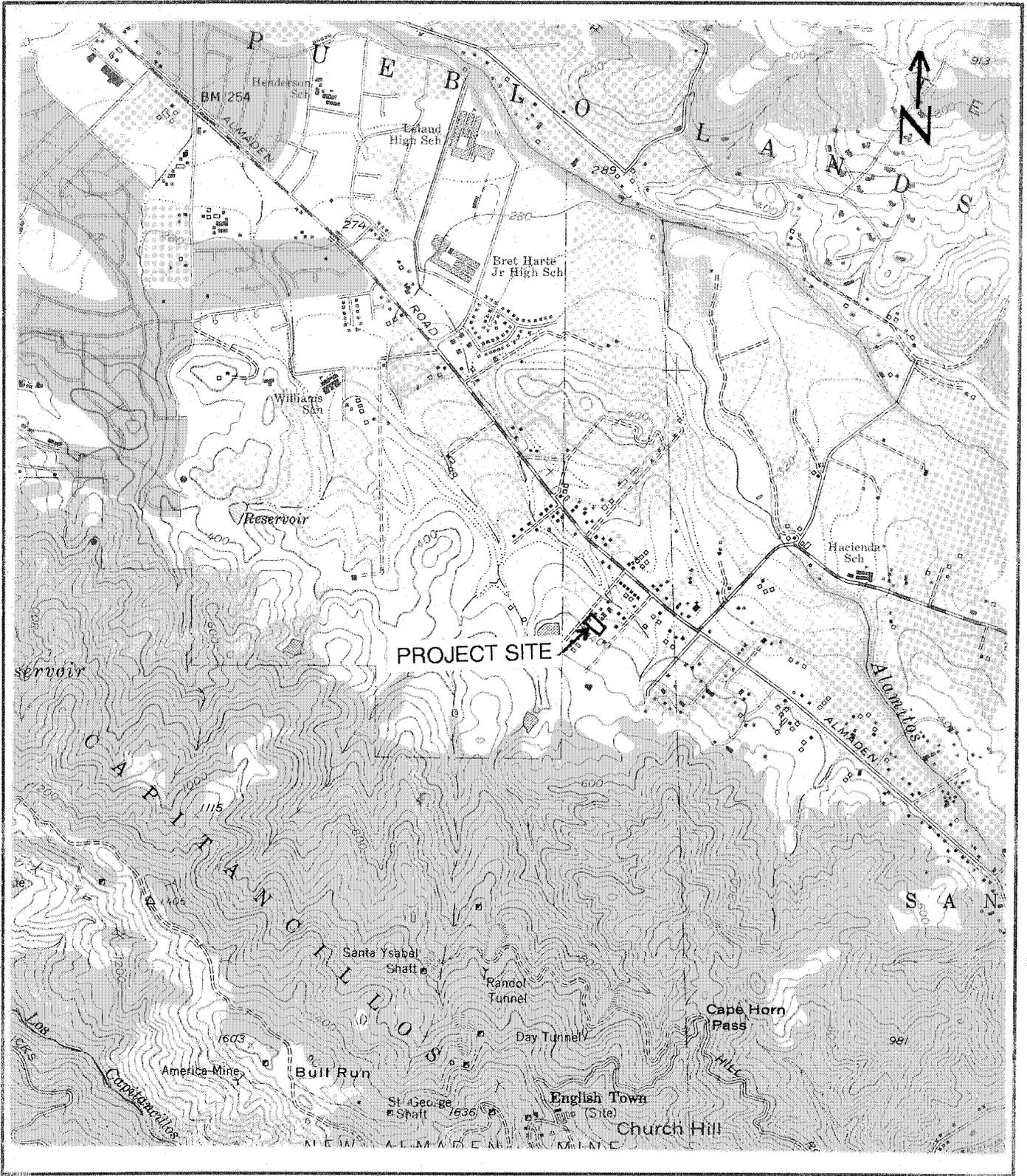
Brief Description of Project: **A Planned Development (PD) Rezoning** application for a 4-unit single family detached residential development on approximately 1.035 gross acres

Assessor's Parcel Number(s): 583-11-126



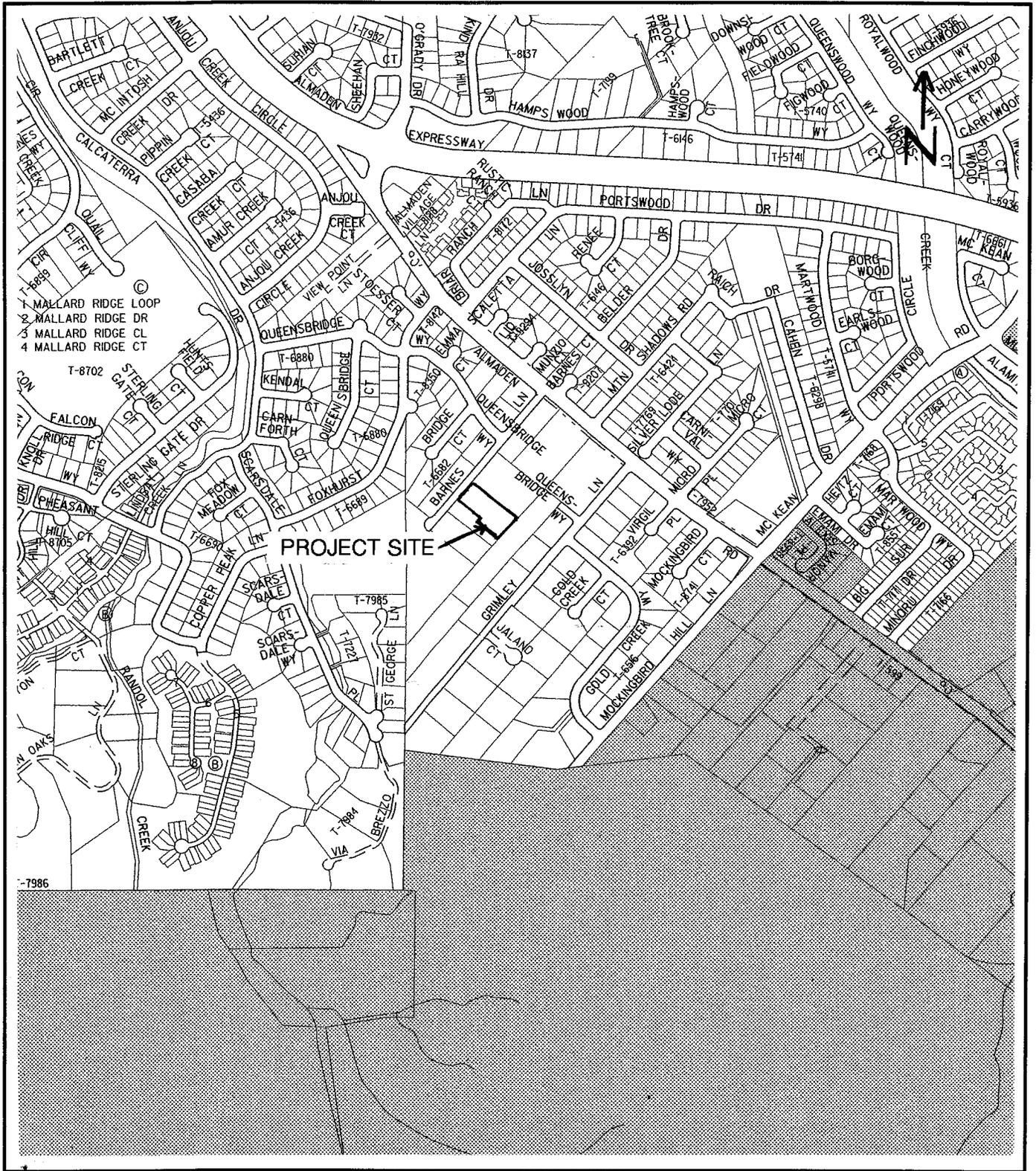
Santa Clara Valley Map

Figure 1



Source: Santa Teresa Hills Quadrangle (1953, photorevised 1968)

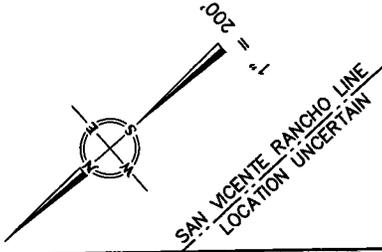
USGS Map
Figure 2



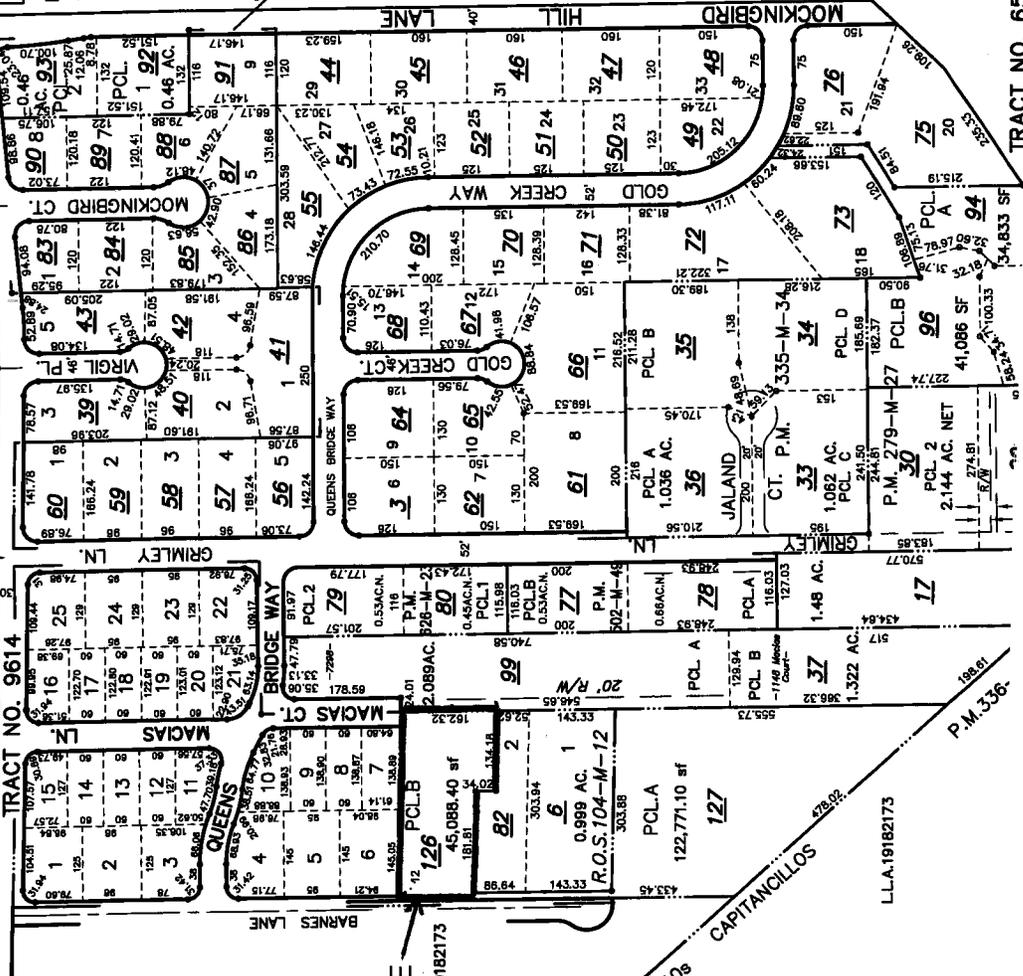
Vicinity Map

Figure 3

P.M. 686-M-39



SAN VICENTE RANCHO LINE
LOCATION UNCERTAIN



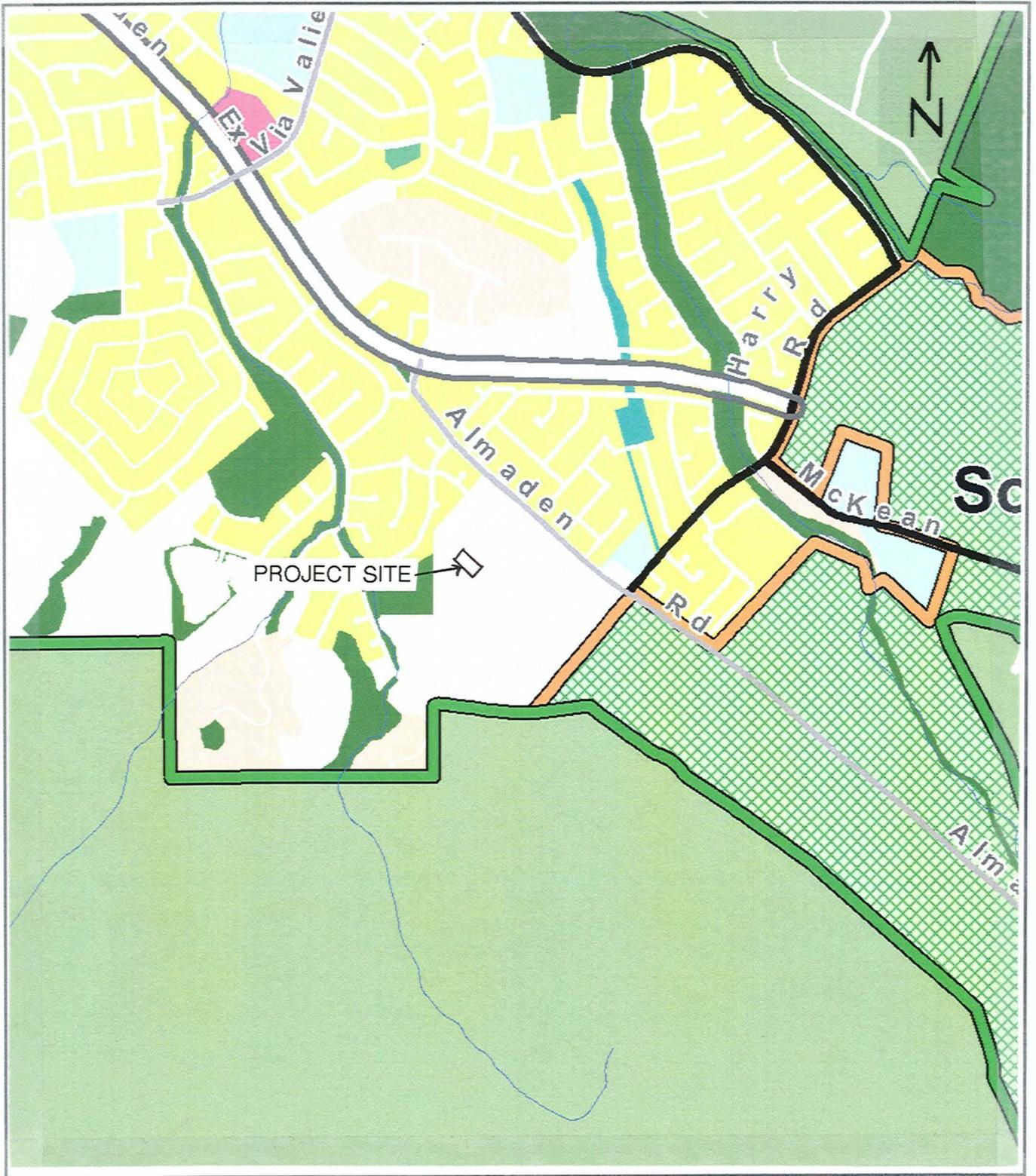
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43

12

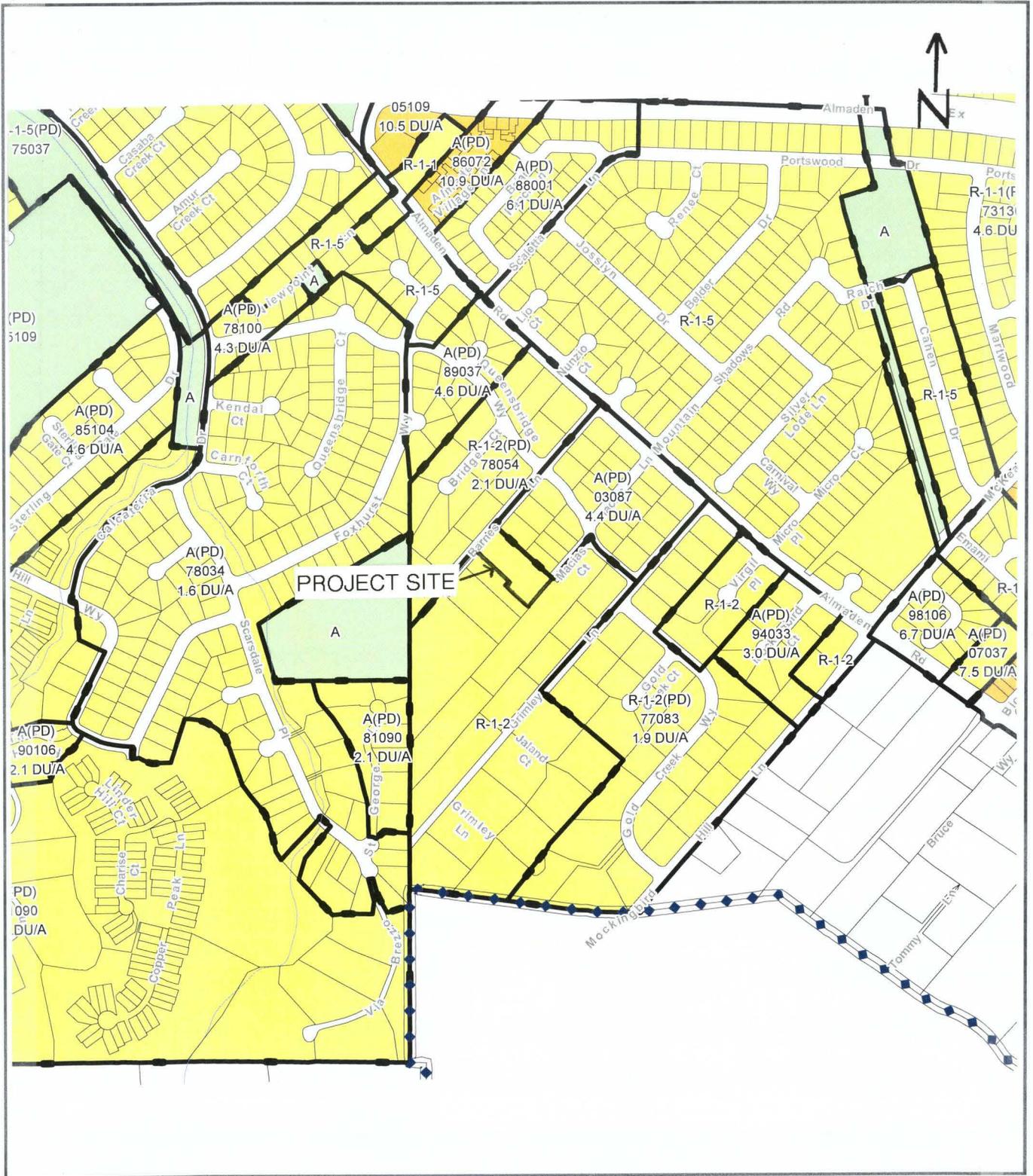
TRA DET. MAP 220
LAWRENCE E. STONE - ASSESSOR
Cadastral map for assessment purposes only.
Compiled under R. & T. Code, Sec. 327.
Effective Roll Year 2011-2012

Assessor's Parcels
Figure 4

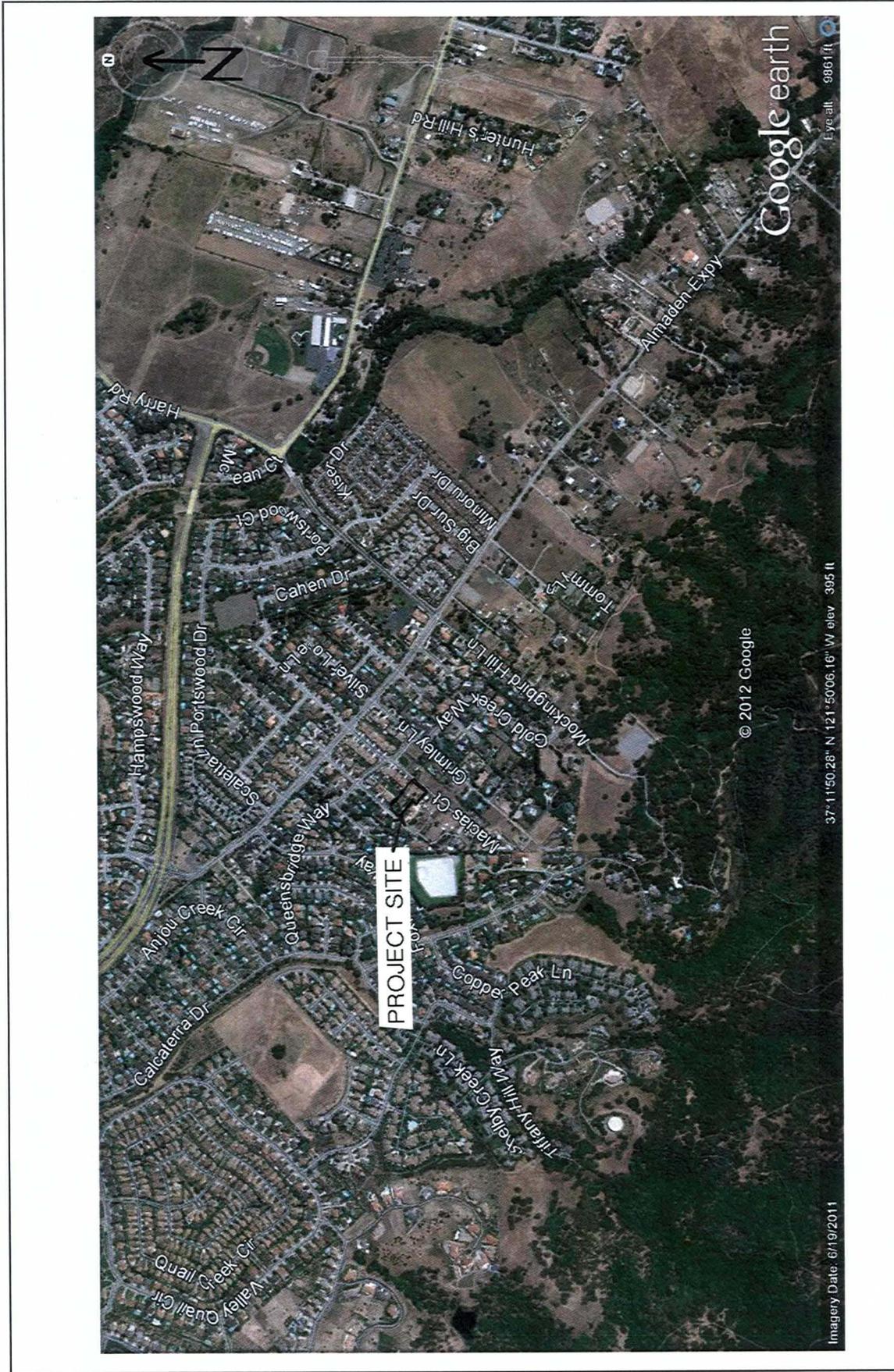


General Plan Map

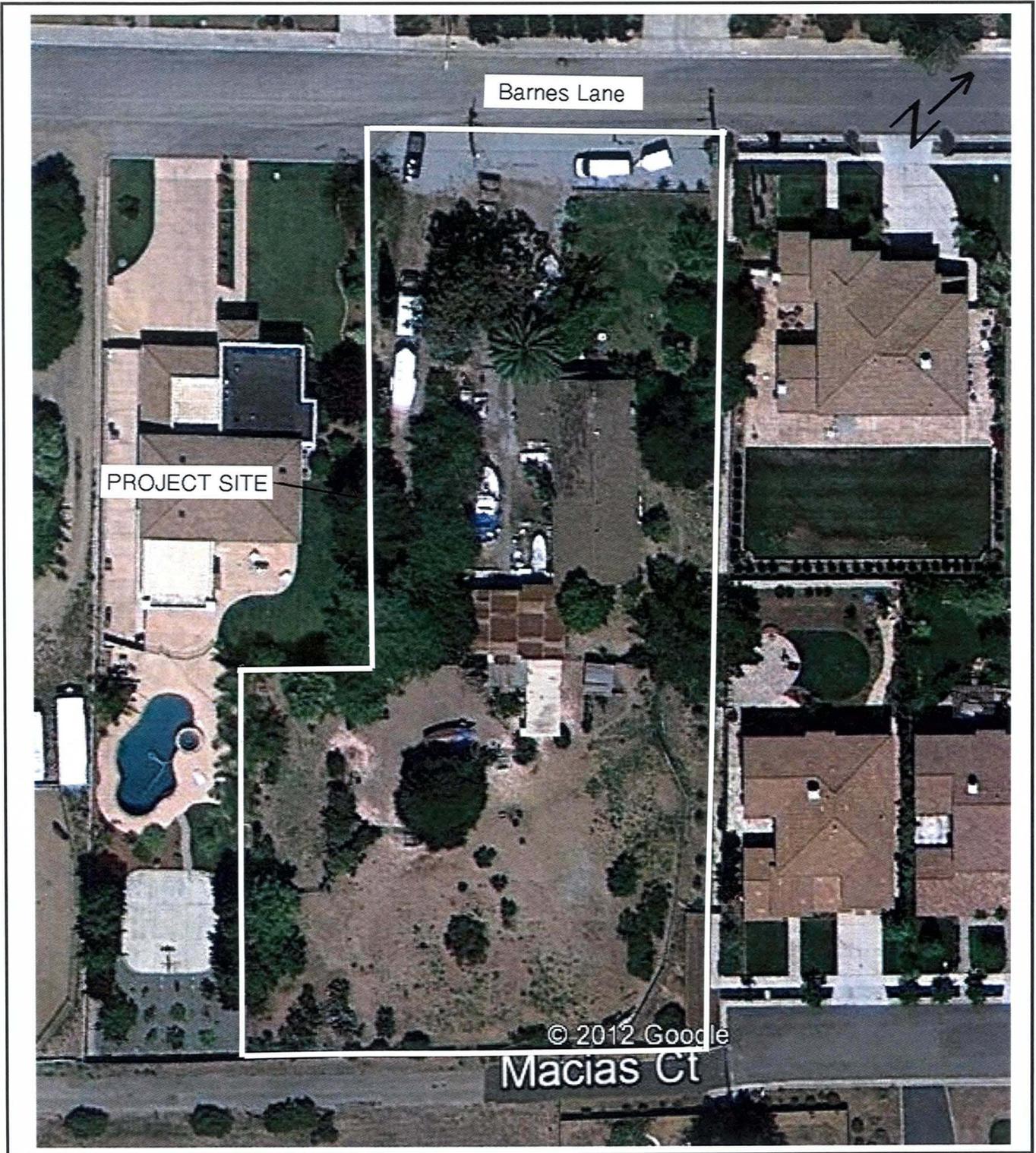
Figure 5



Zoning Map
Figure 6



Aerial Photo of the Vicinity
June 19, 2011
Figure 5



Aerial Photo of the Site

June 19, 2011

Figure 8



Viewing southerly from Barnes Lane.



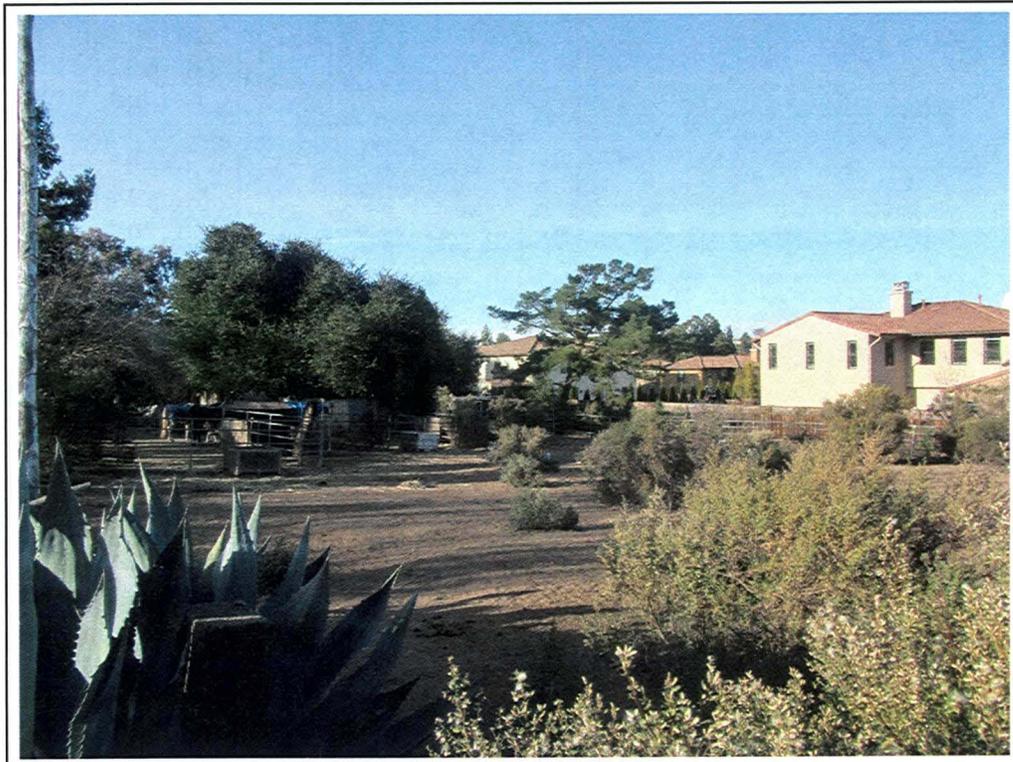
Viewing southwesterly from the northwesterly corner.

View of the Site

January 18, 2012 Figure 9



Viewing northerly from the southeasterly corner.



Viewing northeasterly from the southwesterly corner.

View of the Site

January 18, 2012 Figure 10

B. PROJECT OBJECTIVE

The objective of this project is to rezone the site in order to construct high quality, single family homes on the site, in accordance with the goals and policies of the City of San Jose.

C. DESCRIPTION

EXISTING USE

The project site is currently occupied by a single-story house, garage, and various sheds related to enclosures for horses on the rear of the site.

PD ZONING

The project is a **Planned Development (PD) Rezoning** from R-1-2, Single Family Residence District, to R-1-2(PD), Planned Development District, to allow the construction of up to 4 residential units and subsequent subdivision, located on the south side of Barnes Lane, approximately 650 feet west of Almaden Road (1126 Barnes Lane). The project is a single family detached residential development with individual lots located on public streets. The minimum lot size is 10,008 square feet in area and the average lot size is approximately 10,039 square feet. The Conceptual Site Plan, Figure 12, provides for 4 units.

The Project Data table and reduced copies of the project plans, Figures 11 through 18, follow. Full size copies are available for review at the City of San Jose Planning Division.

Unit Types

The homes are planned to be two story, wood frame structures with wood and stucco exteriors. They have four or five bedrooms, two and three-car garages and fenced rear yards. Front yard landscaping is to be provided by the developer.

Landscaping

The landscaping proposed is shown in schematic form on the Planting Plans, Figures 17 and 18. Street trees, specimen trees, shrubs, lawn and groundcover are planned throughout the project.

Access

Access is from Barnes Lane and an extension of Macias Court.

Parking

Off-street parking for the project is to be provided in attached two and three-car garages and on driveway aprons. A total of 20 off-street parking spaces is to be provided by the project.

Exterior Lighting

Standard electroliers using low pressure sodium vapor lights in accordance with the City's Public Street Lights Policy 4-2 currently exist and/or are to be provided along the public streets. Normal exterior household lighting is to be provided with the residences. All exterior lighting is subject to the City's Outdoor Lighting Policy 4-3.

Utilities

All utilities required to serve the project, including sanitary sewer, wastewater treatment, water supply, storm drainage, natural gas, electricity and telephone, as further described in the following Utilities and Service Systems section, would be provided with the project. All of the utilities within the project are to be underground.

Demolition

The project proposes the demolition of all the onsite structures. A discussion of potential asbestos-containing materials (ACM) and/or lead based paint (LBP) hazards is included in the following Hazards and Hazardous Materials section.

Hazardous Materials

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

Grading

Grading planned for the project is shown on the following Conceptual Grading & Drainage Plan, Figure 15. The final lot and street grading for the project is to be designed to conform to the natural ground as closely as possible. The amount of grading planned is the minimum required to provide public streets that meet requirements for structural section and rate of grade, and to allow the construction of level building pads with positive drainage. In addition to the lot and street excavation, trenching is required for the underground utilities and sewer system. Approximately 2,000 to 3,000 cubic yards of material are estimated to be moved during the grading operations. The maximum finished cut or fill is estimated to be less than two feet, and no significant import or export of natural material is expected.

Water Quality Treatment

In accordance with the Santa Clara Valley Urban Runoff Pollution Prevention Program NPDES MS4 permit and City Council Policies 6-29 and 8-14, the project includes disconnected downspouts, self-retaining areas, infiltration trenches and bioretention areas, as further discussed in the following Hydrology and Water Quality section.

Tree Removal

There are 39 existing trees onsite, 21 of which are to be removed, as further discussed in the following Biological Resources section.

Public Improvements

Public improvements planned with the project include the additional dedication (as required) and improvement of Barnes Lane and Macias Court adjacent to the project site. The precise dedication and improvement widths and public street rights-of-way are to be in conformance with City plans and requirements.

Public Land Reservations

There are no public land reservations with this project; however, the project will pay fees to improve park features in the area in accordance with the City’s Park Impact Ordinance (PIO) and/or Parkland Dedication Ordinance (PDO) (Municipal Code Chapters 14.25 and 19.38, respectively).

Other Related Permits

In addition to the proposed **Planned Development (PD) Rezoning**, other related permits to be obtained from the City of San Jose and/or any other public agency approvals required for this project by other local, State or Federal agencies are as follows:

Agency	Permit / Approval
City of San Jose	PD Permit, Tentative Map, Final Map, Grading Permit, Building Permits

Community Meeting

The applicant has met with all of the immediate neighbors. A formal community meeting is not planned.

Table 1. Project Data

Category	Figure	
Gross Acreage	1.035	
Public Streets	<u>-0.113</u>	
Net Acreage	0.922	
Average Lot Size (<i>square feet</i>)	10,039	
Minimum Lot Size (<i>square feet</i>)	10,008	
Number of Single Family Homes		
Four bedroom units	3	
Five bedroom units	<u>1</u>	
Total	4	
Building Height (<i>feet</i>)	27'10"	
Estimated Population *	14	
Estimated School Children		
K-5 (<i>0.173</i>)	1	
6-8 (<i>0.099</i>)	1	
9-12 (<i>0.111</i>)	<u>1</u>	
Total	3	
Estimated Wastewater (<i>gallons/day</i>)	950	
Estimated Water Demand (<i>gallons/day</i>)	1,800	
Estimated Solid Waste (<i>tons/year</i>)	4	
Coverage Factors	Acres	Percent
Homes & Garages	0.24	23
Private Open Space	0.75	72
Public Streets	<u>0.05</u>	<u>5</u>
Total	1.04	100
Impervious Areas	Square Feet	Percent
Existing	7,695	16
Project	22,466	46
Density (<i>units/net acre</i>)	4 / 0.922 = 4.3	
Start/Completion Dates	Summer, 2012 / Fall, 2013	

* Based on 2000 Census average of 3.50 persons per SFD dwelling unit.

DEVELOPMENT STANDARDS

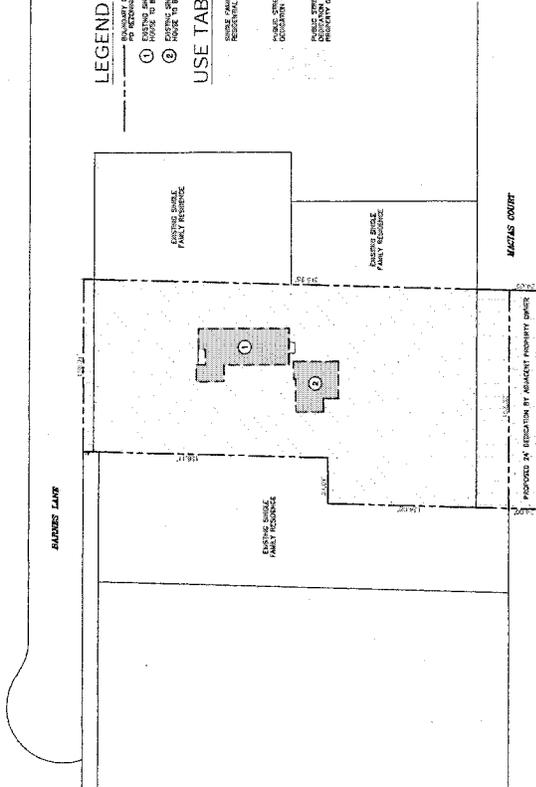


1985 Via Cimarron #1, San Jose, CA 95128
 408 244 6395

BARNES LANE - 4 LOTS
 1126 BARNES LN.
 SAN JOSE, CA. 95120

LEGEND
 (1) EXISTING PROPOSED
 (2) EXISTING PROPOSED
 (3) EXISTING PROPOSED
 (4) EXISTING PROPOSED

USE TABLE



LAND USE PLAN



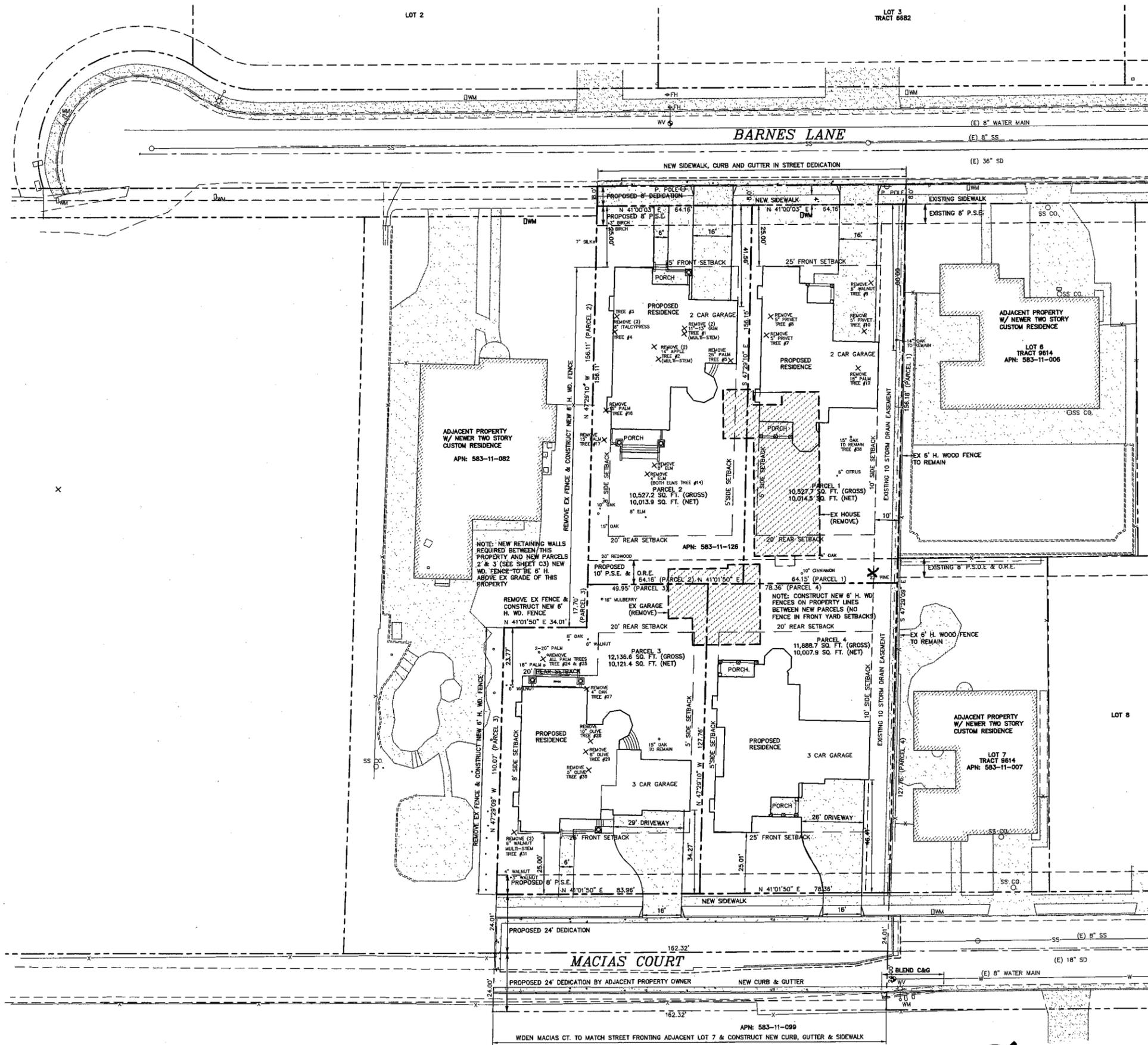
SITE LOCATION MAP

General Development Plan - Exhibit C

DATE: 11/11/03
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 SCALE: 1"=40'
 DATE: 11/11/03
 PLOT: [Number]
 SHEET: [Number]

LAND USE PLAN

Figure 11



SITE DATA

PROPERTY ADDRESS: 1126 BARNES LN.
 ASSESSOR'S PARCEL NUMBER: 583-11-126
 CURRENT ZONING: R-1-2 SINGLE FAMILY DETACHED
 CURRENT DENSITY ALLOWED: 2 DWELLING UNITS PER ACRE
 PROPOSED PD ZONING: TO MEET R-1-5 ZONING REQUIREMENTS
 PROPOSED DENSITY: 4 DWELLING UNITS PER ACRE (5 D.U./ACRE ALLOWED BY R-1-5)
 R-1-5 MINIMUM LOT SIZE: 8,000 S.F.

GROSS SITE AREA (EXISTING): 1.035 ACRES (45,079.97 S.F.)
 BARNES LN. STREET DEDICATION: 1,026.49 S.F.
 MACIAS CT. STREET DEDICATION: 3,895.87 S.F.
 MACIAS CT. STREET DEDICATION BY ADJACENT PROPERTY: 3,895.68 S.F.
 NET SITE AREA (PROPOSED): .92 ACRE (40,157.61 S.F.) SUBDIVIDED INTO 4 PARCELS AS FOLLOWS:

PARCEL 1
 SITE AREA: 10,014.5 S.F.
 BUILDING FOOTPRINT: 2,376 S.F.
 LOT COVERAGE: 24%
 DRIVEWAY, HARDSCAPE, PORCH AND PATIO: 1,164 S.F.
 LANDSCAPED AREA: 6,474 S.F. (65%)

FIRST FLOOR AREA: 1,812 S.F.
 SECOND FLOOR AREA: 1,814 S.F.
 TOTAL PARCEL 1 HOUSE AREA: 3,626 S.F.
 FLOOR AREA RATIO: 36%
 GARAGE: 543 S.F. TWO CAR

PARCEL 2
 SITE AREA: 10,013.9 S.F.
 BUILDING FOOTPRINT: 2,555 S.F.
 LOT COVERAGE: 26%
 DRIVEWAY, HARDSCAPE, PORCH AND PATIO: 1,064 S.F.
 LANDSCAPED AREA: 6,395 S.F. (64%)

FIRST FLOOR AREA: 2,033 S.F.
 SECOND FLOOR AREA: 1,563 S.F.
 TOTAL PARCEL 2 HOUSE AREA: 3,596 S.F.
 FLOOR AREA RATIO: 36%
 GARAGE: 508 S.F. TWO CAR

PARCEL 3
 SITE AREA: 10,121.4 S.F.
 BUILDING FOOTPRINT: 2,871 S.F.
 LOT COVERAGE: 28%
 DRIVEWAY, HARDSCAPE, PORCH AND PATIO: 1,249 S.F.
 LANDSCAPED AREA: 6,001 S.F. (59%)

FIRST FLOOR AREA: 2087 S.F.
 SECOND FLOOR AREA: 1,663 S.F.
 TOTAL PARCEL 3 HOUSE AREA: 3,750 S.F.
 FLOOR AREA RATIO: 37%
 GARAGE: 771 S.F. THREE CAR

PARCEL 4
 SITE AREA: 10,007.9 S.F.
 BUILDING FOOTPRINT: 2,764 S.F.
 LOT COVERAGE: 28%
 DRIVEWAY, HARDSCAPE, PORCH AND PATIO: 1,271 S.F.
 LANDSCAPED AREA: 5,973 S.F. (60%)

FIRST FLOOR AREA: 2004 S.F.
 SECOND FLOOR AREA: 1,597 S.F.
 TOTAL PARCEL 4 HOUSE AREA: 3,601 S.F.
 FLOOR AREA RATIO: 36%
 GARAGE: 709 S.F. THREE CAR



1998 the clameda #1, san jose, ca 95126

BARNES LANE - 4 LOTS

1126 BARNES LN.
 SAN JOSE, CA. 95120

REVISIONS

General Development Plan - Exhibit C

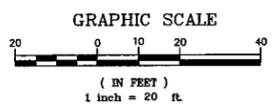
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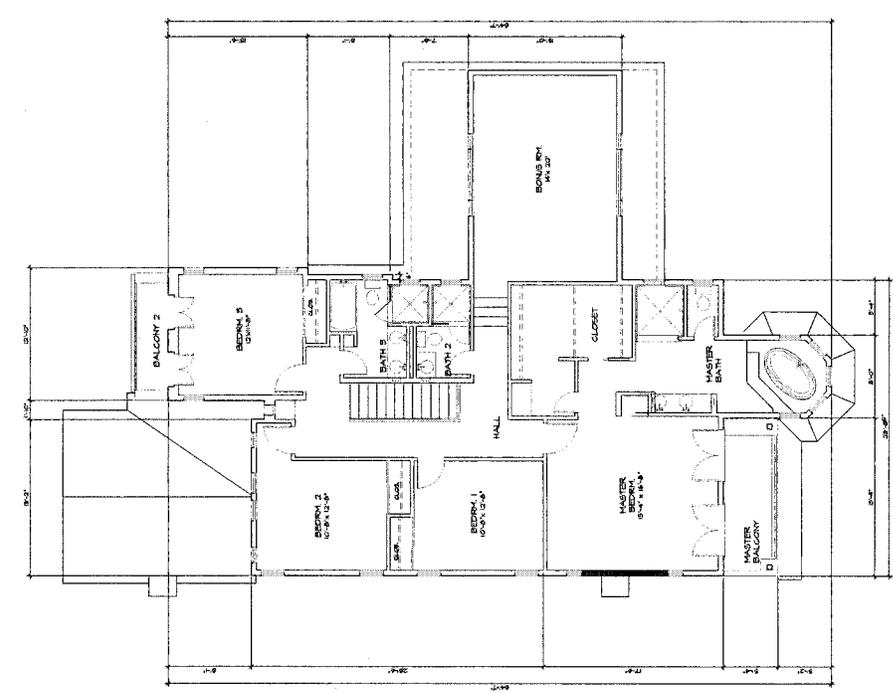
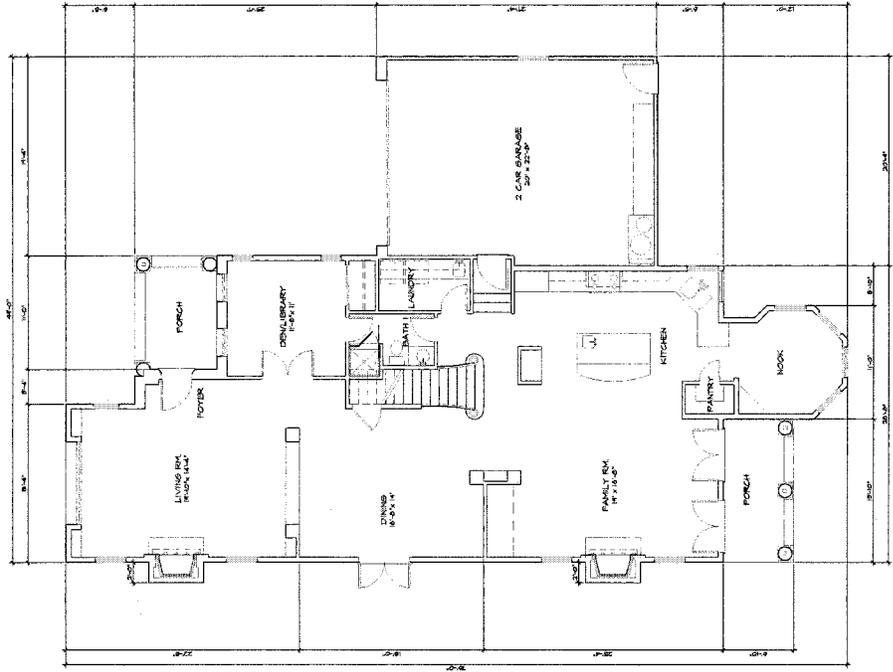
SHEET TITLE

CONCEPTUAL SITE PLAN

DRAWN	• GMG
CHECKED	• GMG
SCALE	• 1"=20'
DATE	• 3-23-12
JOB	• -
SHEET	•

CONCEPTUAL SITE PLAN

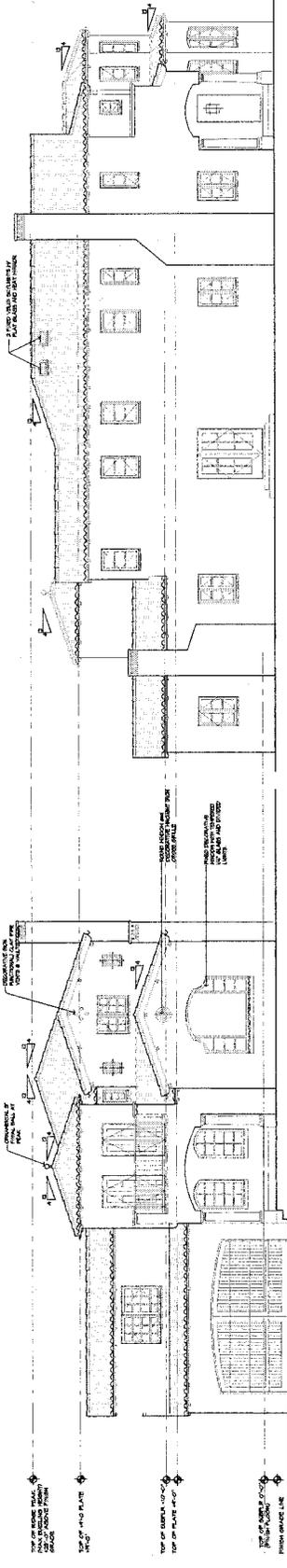




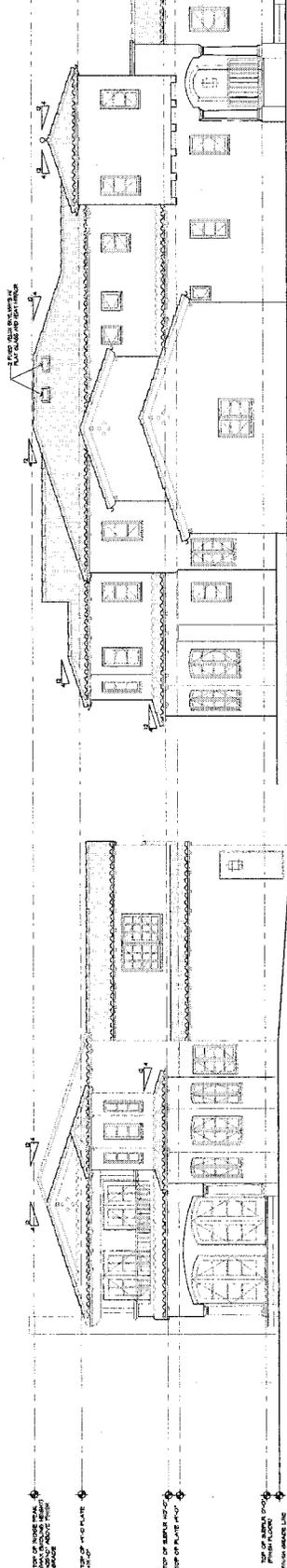
BARNES LANE PARCEL 1
CONCEPTUAL FLOOR PLANS 3/16" = 1'-0"

4 BEDRM/4 BATH HOUSE 2,626 SF.
#2 CAR GARAGE

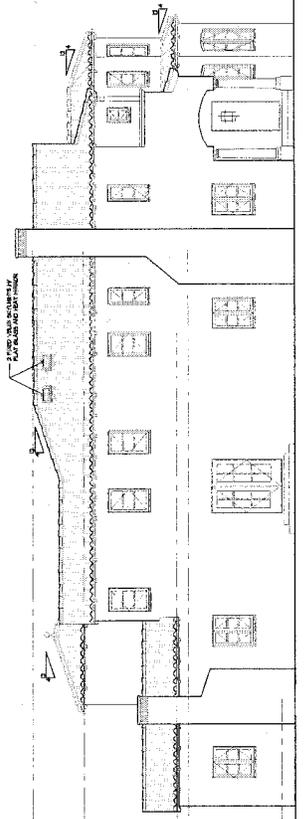
General Development Plan - Exhibit C



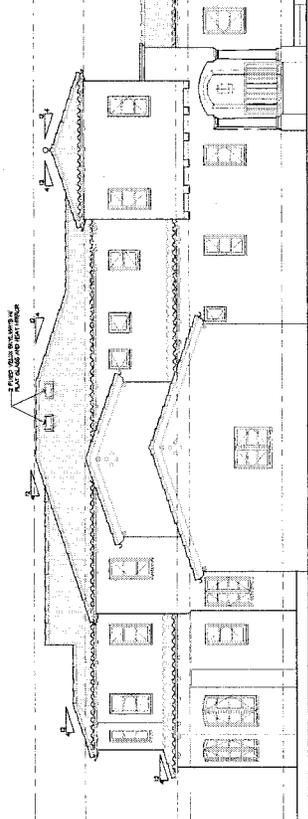
FRONT ELEVATION (NORTHWEST)



REAR ELEVATION (SOUTHEAST)



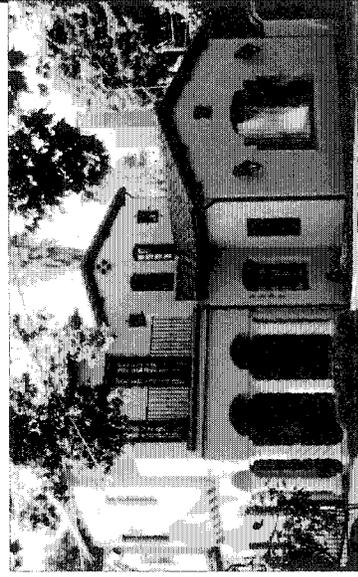
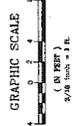
RIGHT SIDE ELEVATION (SOUTHWEST)



LEFT SIDE ELEVATION (NORTHEAST)

TYPICAL ELEVATION NOTES
 1. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE IN FEET AND INCHES.
 2. FINISH GRADE SHALL BE THE FINISH GRADE OF THE ADJACENT LOT.
 3. FINISH GRADE SHALL BE THE FINISH GRADE OF THE ADJACENT LOT.
 4. FINISH GRADE SHALL BE THE FINISH GRADE OF THE ADJACENT LOT.
 5. FINISH GRADE SHALL BE THE FINISH GRADE OF THE ADJACENT LOT.
 6. FINISH GRADE SHALL BE THE FINISH GRADE OF THE ADJACENT LOT.
 7. FINISH GRADE SHALL BE THE FINISH GRADE OF THE ADJACENT LOT.
 8. FINISH GRADE SHALL BE THE FINISH GRADE OF THE ADJACENT LOT.
 9. FINISH GRADE SHALL BE THE FINISH GRADE OF THE ADJACENT LOT.
 10. FINISH GRADE SHALL BE THE FINISH GRADE OF THE ADJACENT LOT.

BARNES LANE PARCEL 1
CONCEPTUAL BUILDING ELEVATIONS 3/16" = 1'-0"



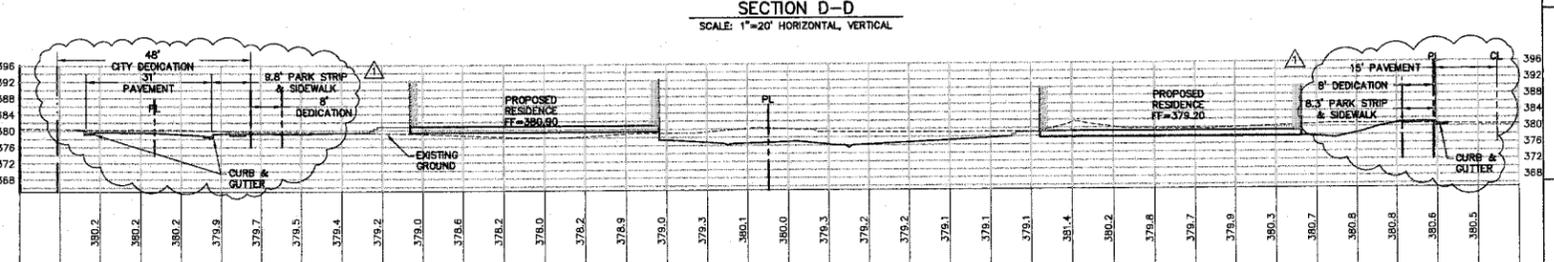
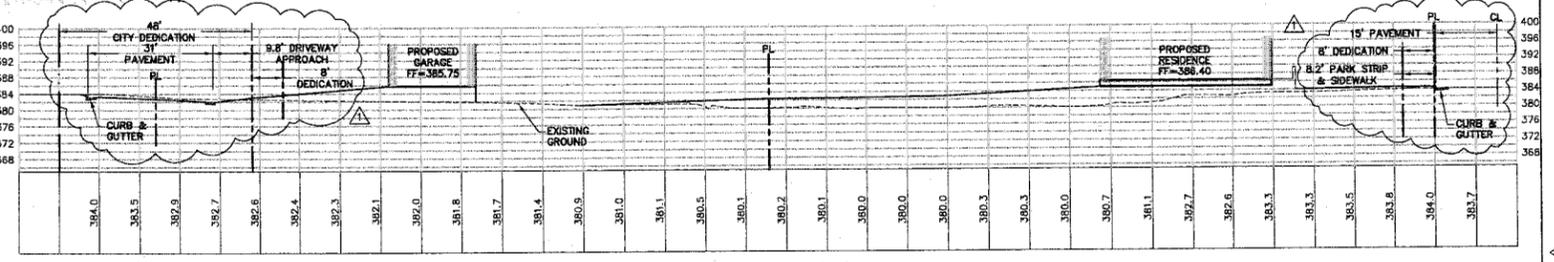
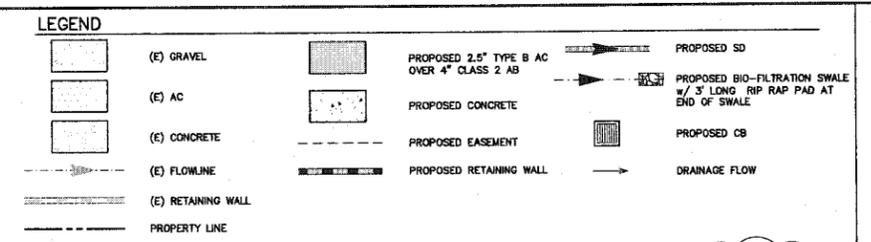
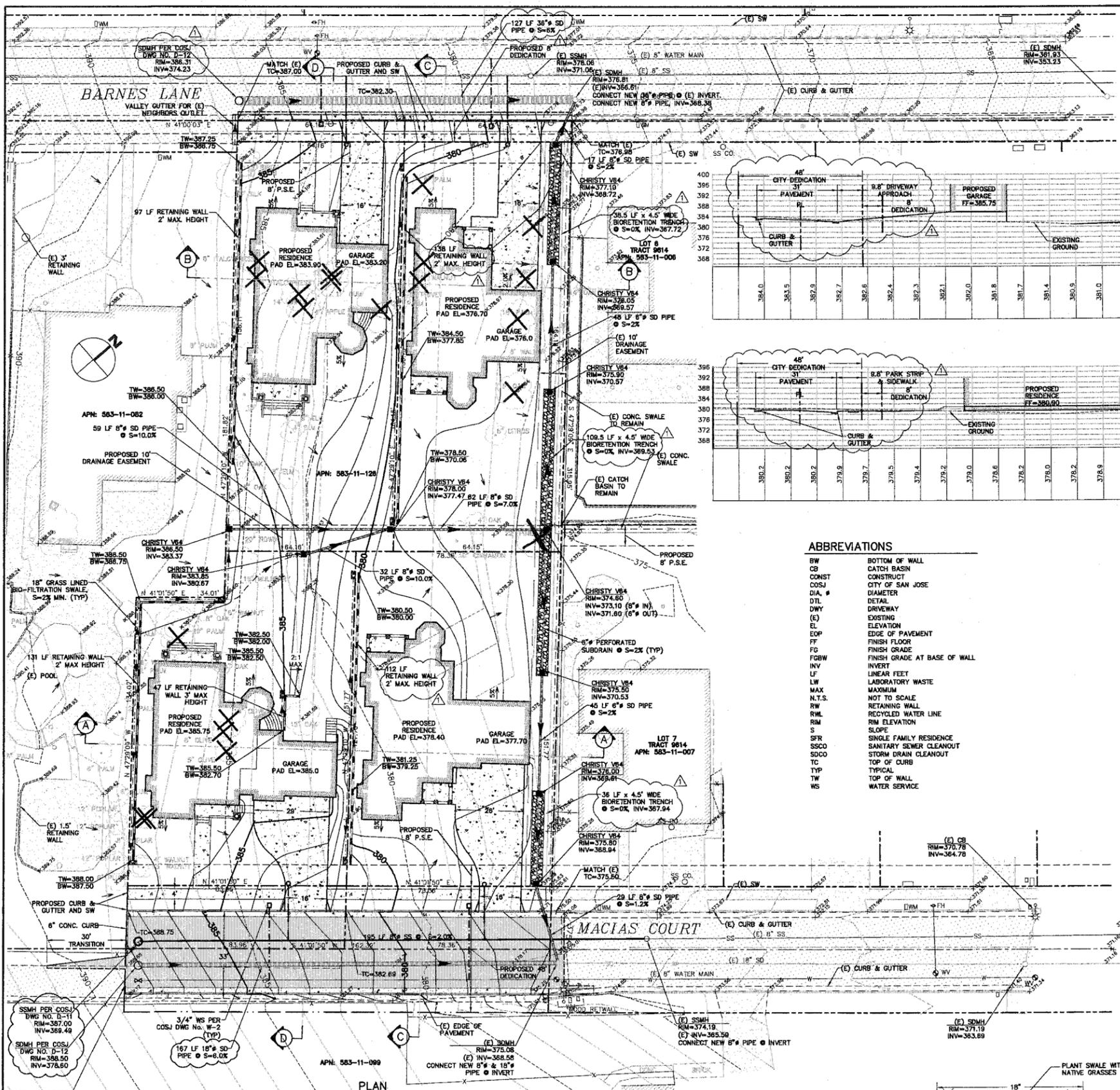
HOUSE DESIGN + COLOR AND MATERIALS REFERENCE

General Development Plan - Exhibit C

NO. 0000	0000
NO. 0001	0001
NO. 0002	0002
NO. 0003	0003
NO. 0004	0004
NO. 0005	0005
NO. 0006	0006
NO. 0007	0007
NO. 0008	0008
NO. 0009	0009
NO. 0010	0010
NO. 0011	0011
NO. 0012	0012
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NO. 0016	0016
NO. 0017	0017
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NO. 0020	0020
NO. 0021	0021
NO. 0022	0022
NO. 0023	0023
NO. 0024	0024
NO. 0025	0025
NO. 0026	0026
NO. 0027	0027
NO. 0028	0028
NO. 0029	0029
NO. 0030	0030
NO. 0031	0031
NO. 0032	0032
NO. 0033	0033
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NO. 0043	0043
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NO. 0047	0047
NO. 0048	0048
NO. 0049	0049
NO. 0050	0050

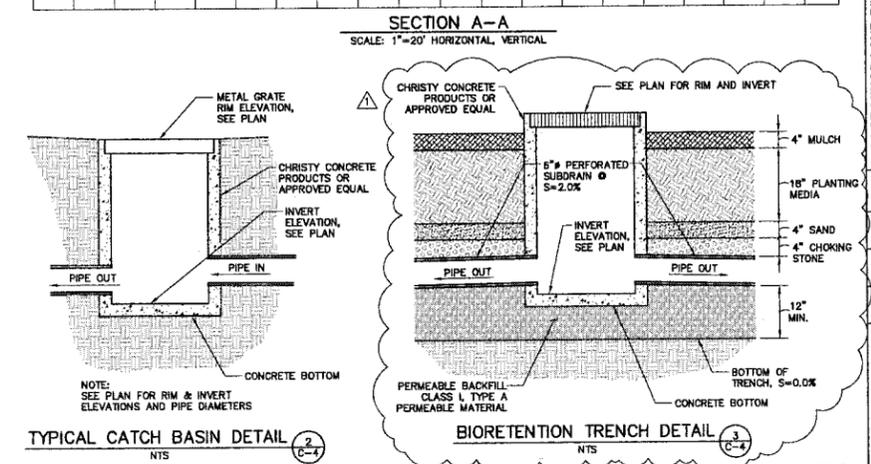
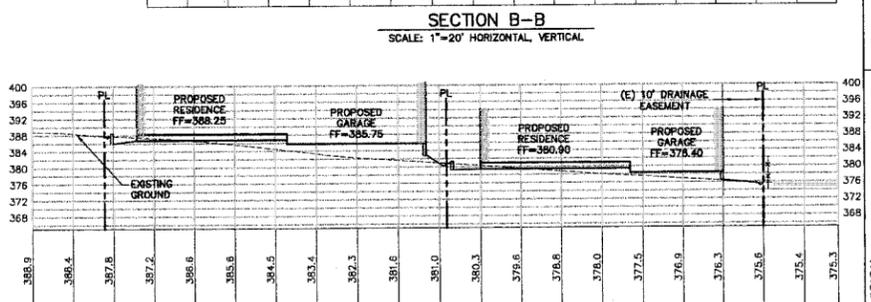
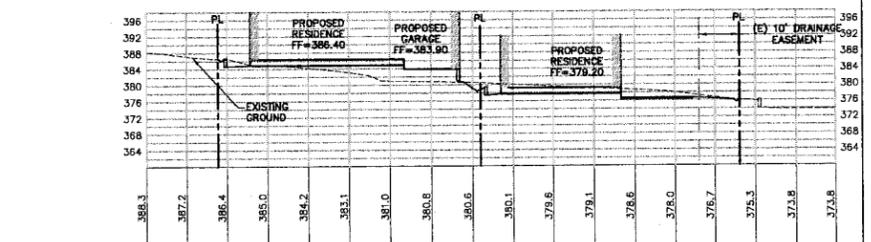
5.1

Figure 14



ABBREVIATIONS

BW	BOTTOM OF WALL
CB	CATCH BASIN
CONST	CONSTRUCT
COSJ	CITY OF SAN JOSE
DIA.	DIAMETER
DTL	DETAIL
DWY	DRIVEWAY
(E)	EXISTING
EL	ELEVATION
EOP	EDGE OF PAVEMENT
FF	FINISH FLOOR
FG	FINISH GRADE
FGBW	FINISH GRADE AT BASE OF WALL
INV	INVERT
LF	LINEAR FEET
LW	LABORATORY WASTE
MAX	MAXIMUM
N.T.S.	NOT TO SCALE
RW	RETAINING WALL
RWL	RECYCLED WATER LINE
RLM	RIM ELEVATION
S	SLOPE
SFR	SINGLE FAMILY RESIDENCE
SSCO	SANITARY SEWER CLEANOUT
SDCO	STORM DRAIN CLEANOUT
TC	TOP OF CURB
TYP	TYPICAL
TW	TOP OF WALL
WS	WATER SERVICE



TOPOGRAPHIC SURVEY

THE TOPOGRAPHIC SURVEY AND BOUNDARY INFORMATION PROVIDED HEREIN WAS COMPILED BY CARNES & ASSOCIATES, AN ENGINEERING INC. MAKES NO GUARANTEE AS TO THE ACCURACY OF BOTH. THE CONTRACTOR SHALL VERIFY THE BOUNDARY LOCATION AND TOPOGRAPHIC INFORMATION PRIOR TO COMMENCING WORK.

1 INCH = 20 FEET

STORM DRAINAGE NOTES

- CULVERTS SHALL BE REINFORCED CONCRETE PIPE (RCP), POLYVINYL CHLORIDE (PVC) SCHEDULE 40 OR BETTER, OR HIGH DENSITY POLYETHYLENE (HDPE) ADS N12 OR EQUAL AND SHALL HAVE A SMOOTH INTERIOR CONFORMING TO THE CITY OF SAN JOSE DESIGN CRITERIA.
- INLETS SHALL BE CHRISTY CONCRETE PRODUCTS OR APPROVED EQUAL WITH SMOOTH CONCRETE BOTTOM.
- DIRECT ALL DOWNSPOUTS ONTO SPLASH BLOCKS.

BIOFILTRATION SWALE DETAIL
NTS

TYPICAL CATCH BASIN DETAIL
NTS

BIORETENTION TRENCH DETAIL
NTS

GENERAL DEVELOPMENT PLAN - EXHIBIT C

CITY OF SAN JOSE PLANNING COMMENTS, 12/08/12

PROFESSIONAL SEAL
RICHARD J. IRBY
No. 45820
Exp. 12-31-12
CIVIL
03/23/12

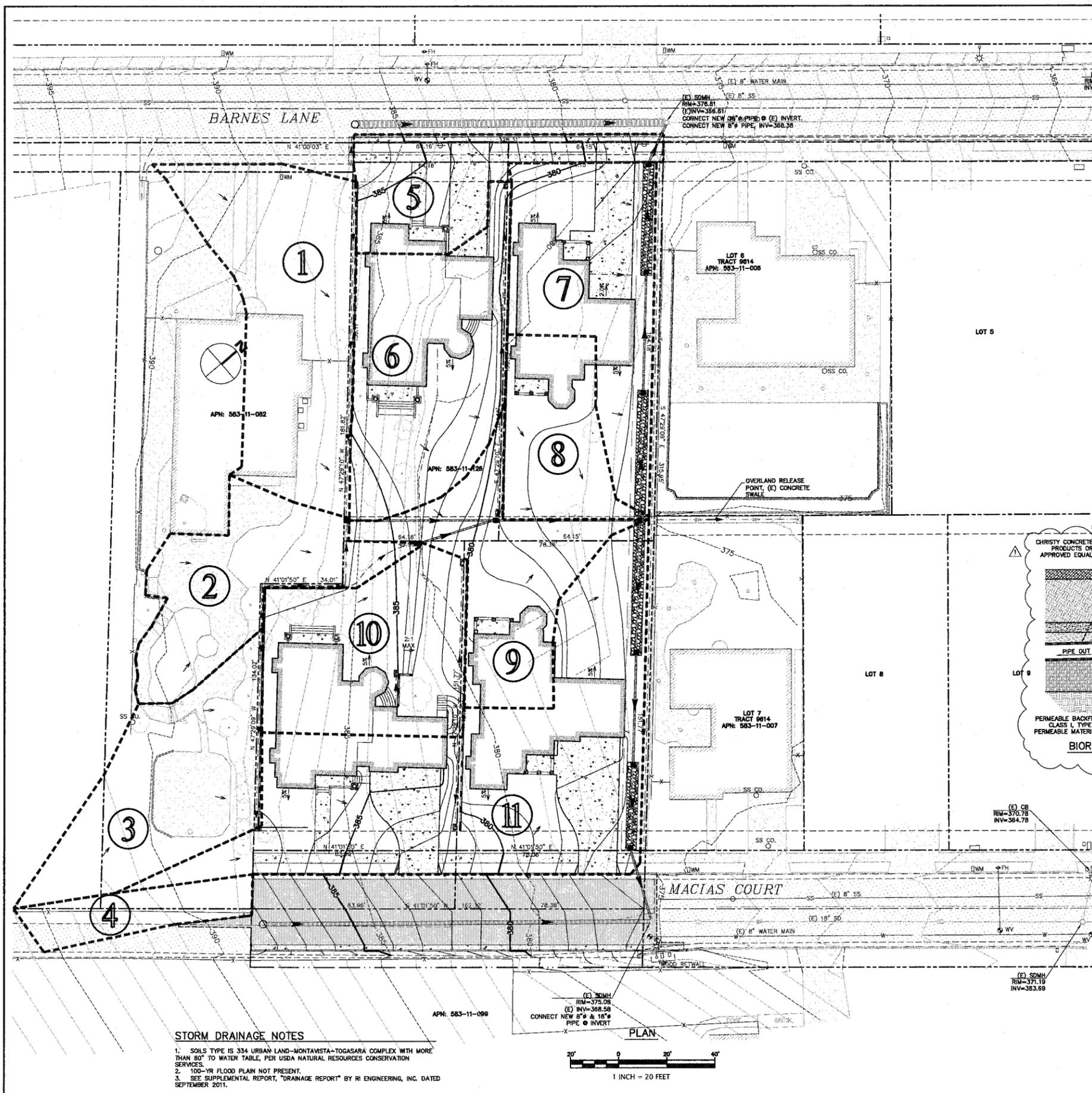
RI Engineering, Inc.
303 Potrero St., Suite 42-202, Santa Cruz, CA 95060
831-425-3901 www.rengineering.com

44-Lot MINOR LAND DIVISION
FOR
FRED & JILL EGELSTON
1126 BARNES LANE
SAN JOSE, CALIFORNIA
APN: 583-11-126

project no. 11-023-1
date MARCH 2012
scale AS SHOWN
dwg name CIVIL2 PLANNING.DWG

CONCEPTUAL GRADING AND DRAINAGE PLAN

Figure 15

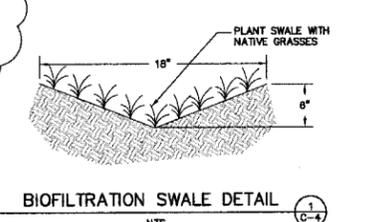
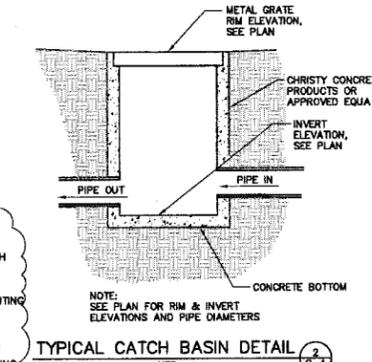
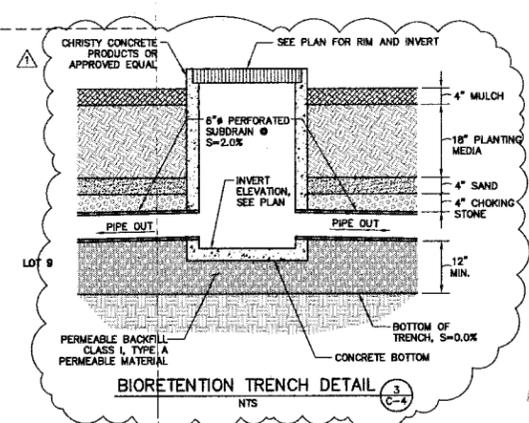


LEGEND

- (E) GRAVEL
- (E) AC
- (E) CONCRETE
- (E) FLOWLINE
- (E) RETAINING WALL
- PROPOSED 2.5" TYPE B AC OVER 4" CLASS 2 AB
- PROPOSED CONCRETE
- PROPERTY LINE
- PROPOSED SETBACK
- PROPOSED RETAINING WALL
- PROPOSED PERIMETER SD
- PROPOSED SD
- PROPOSED BIO-FILTRATION SWALE
- PROPOSED CB

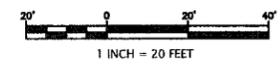
ABBREVIATIONS

- BW BOTTOM OF WALL
- CB CATCH BASIN
- CONST CONSTRUCT
- COSJ CITY OF SAN JOSE
- DIA # DIAMETER
- DTL DETAIL
- DWY DRIVEWAY
- (E) EXISTING
- EL ELEVATION
- EPF EDGE OF PAVEMENT
- FF FINISH FLOOR
- FG FINISH GRADE
- FBGW FINISH GRADE AT BASE OF WALL
- INVERT INVERT
- LF LINEAR FEET
- LW LABORATORY WASTE
- MAX MAXIMUM
- N.T.S. NOT TO SCALE
- RETAINING WALL
- RWL RECYCLED WATER LINE
- RIM RIM ELEVATION
- S SLOPE
- SFR SINGLE FAMILY RESIDENCE
- SSCO SANITARY SEWER CLEANOUT
- SDCO STORM DRAIN CLEANOUT
- TC TOP OF CURB
- TP TYPICAL
- TW TOP OF WALL
- WS WATER SERVICE



STORM DRAINAGE NOTES

- SOILS TYPE IS 334 URBAN LAND-MONTAVISTA-TOGASARA COMPLEX WITH MORE THAN 80" TO WATER TABLE, PER USDA NATURAL RESOURCES CONSERVATION SERVICES.
- 100-YR FLOOD PLAN NOT PRESENT.
- SEE SUPPLEMENTAL REPORT, "DRAINAGE REPORT" BY RI ENGINEERING, INC. DATED SEPTEMBER 2011.



PERVIOUS AND IMPERVIOUS SURFACES COMPARISON TABLE

PROJECT PHASE NUMBER: (N/A, 1, 2, 3, ETC)			
TOTAL SITE (ACRES):	1.12	TOTAL AREA OF SITE DISTURBED (ACRES):	1.12
IMPERVIOUS SURFACES	EXISTING CONDITION OF SITE AREA DISTURBED	PROPOSED CONDITION OF SITE AREA DISTURBED	
		REPLACED	NEW
ROOF AREA	3,117 s.f.	-	10,586 s.f.
PARKING	2,009 s.f.	-	4,052 s.f.
SIDEWALKS, PATIOS, PATHS, ETC	432 s.f.	-	2,202 s.f.
STREETS (PUBLIC)	2,137 s.f.	-	5,646 s.f.
STREETS (PRIVATE)	-	-	-
TOTAL IMPERVIOUS SURFACES:	7,695 s.f.	-	22,466 s.f.
PERVIOUS SURFACES	41,092 s.f.	-	26,321 s.f.
LANDSCAPED AREAS	-	-	-
PERVIOUS PAVING	-	-	-
OTHER PERVIOUS SURFACES	-	-	-
TOTAL PERVIOUS SURFACES:	41,092 s.f.	-	26,321 s.f.
TOTAL PROPOSED REPLACED + NEW IMPERVIOUS SURFACES:		22,466 s.f.	
TOTAL PROPOSED REPLACED+ NEW PERVIOUS SURFACES:		26,321 s.f.	

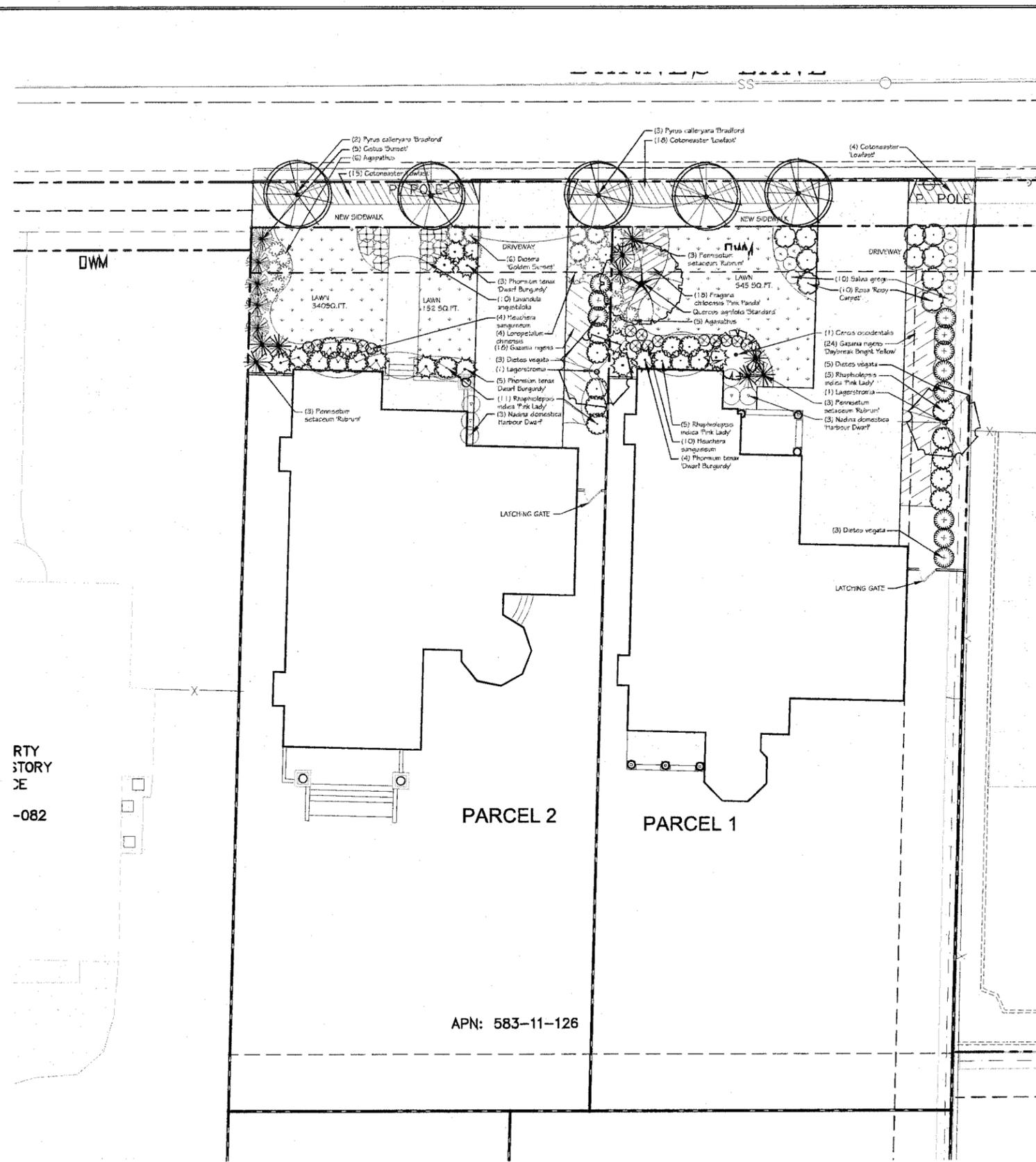
CITY OF SAN JOSE PLANNING COMMENTS, 12/05/12

RI Engineering, Inc.
303 Potrero St., Suite 42-202, Santa Cruz, CA 95060
831-425-3901 www.riengineering.com

4-Lot MINOR LAND DIVISION FOR FRED & JILL EGGLESTON 1126 BARNES LANE SAN JOSE, CALIFORNIA APN: 583-11-126

CONCEPTUAL STORMWATER CONTROL PLAN

project no. 11-023-1
date MARCH 2012
scale AS SHOWN
dwg name CIVIL2 PLANNING.DWG



RTY
STORY
DE
-082

APN: 583-11-126

PLANT LEGEND

SYMBOL	PLANT NAME	SIZE	QUANTITY
TREES			
	Cercos occidentalis Western Redbud	15 GAL	1
	Lagerstromia x fauchii Red Crane Myrtle	24" BOX	2
	Pyrus calleryana Bradford Bradford Flowering Pear	24" BOX	6
	Quercus agrifolia 'Standard' Coast Live Oak	24" BOX	1
SHRUBS			
	Agapitilus ornatale 'Queen Anne Select' Lily of the Nile	1 GAL	11
	Celastrus 'Sunset' Magenta Rockrose	5 GAL	5
	Diosma 'Golden Sunset' Fort Night Lily	1 GAL	11
	Diosma 'Golden Sunset' Pink Breath of Heaven	5 GAL	6
	Heuchera sanguinolenta Cora Bella	1 GAL	14
	Lavandula angustifolia English Lavender	5 GAL	10
	Loropetalum chinensis 'Lum. delight' Loropetalum	5 GAL	4
	Nadina domestica 'Harbour Dwarf' Heavenly Bamboo	5 GAL	6
	Perennetum setaceum 'Rubrum' Purple Fountain Grass	5 GAL	9
	Phormium tenax 'Dwarf Burgundy' New Zealand Flax	5 GAL	11
	Rhapidolepia indica 'Pink Lady' Indian Hawthorn	5 GAL	22
	Rosa 'Rosa Carpet' Carpet Rose	5 GAL	10
	Salvia greggii Autumn Sage	5 GAL	10
GROUND COVERS			
	Cotoneaster 'Lowfast' Cotoneaster	1 GAL	37
	Fragaria chiloensis 'Pink Panda' Wild Strawberry	1 GAL	18
	Gazania nigra 'Daybreak Bright Yellow' Clumping Gazania	1 GAL	42
	LAWN AREA IS LESS THAN 25% OF ALL LANDSCAPE AREAS	SOD	1037 SQ. FT.

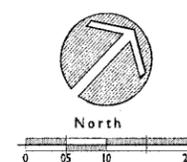
AT TIME OF BUILDING PERMIT APPLICATION, AN IRRIGATION PLAN WILL BE PROVIDED AND COMPLY WITH "WATER CONSERVATION IN LANDSCAPE REGULATIONS" FOR THE CITY OF SAN JOSE.

THE ELEMENTS OF THE LANDSCAPING ARE DESIGNED TO ACHIEVE WATER EFFICIENCY AND COMPLY WITH THE CRITERIA DESCRIBED IN THE ORDINANCE.

A. TURF AREA IS NOT MORE THAN 25% OF LANDSCAPED AREA.
 B. AT LEAST 80% OF PLANTS IN NON-TURF AREAS ARE NATIVE PLANTS, LOW WATER USING PLANTS, OR NO-WATER USING PLANTS.

PLANTING NOTES

- The contractor shall locate and verify the existence of all utilities prior to starting work.
- The plant material locations are diagrammatic and subject to change in the field as directed by the Landscape Architect.
- All plant material shall conform to the guidelines established by the current American Standard of Nursery Stock, published by The American Association of Nurserymen.
- The plant count is for contractor's convenience. In case of discrepancy, the plan shall govern.
- All trees to be staked plumb unless otherwise noted.
- The owner reserves the right to make substitutions, additions or deletions in the planting scheme as necessary while work is in progress. Such changes are to be accompanied by equitable adjustments in the contract price if/when necessary.
- The landscape contractor shall guarantee all trees for a period of one year and all shrubs for a period of six months. Protect existing trees and shrubs as necessary.
- All planted areas and plant pits shall be free from rocks and debris greater than 2" in diameter. Apply a 3" Layer of BROWN Pro-Chip recycled wood mulch over all planted areas. Verify mulch distributor sources w/landscape architect if necessary.



REVISIONS	BY
03-16-12	RMB

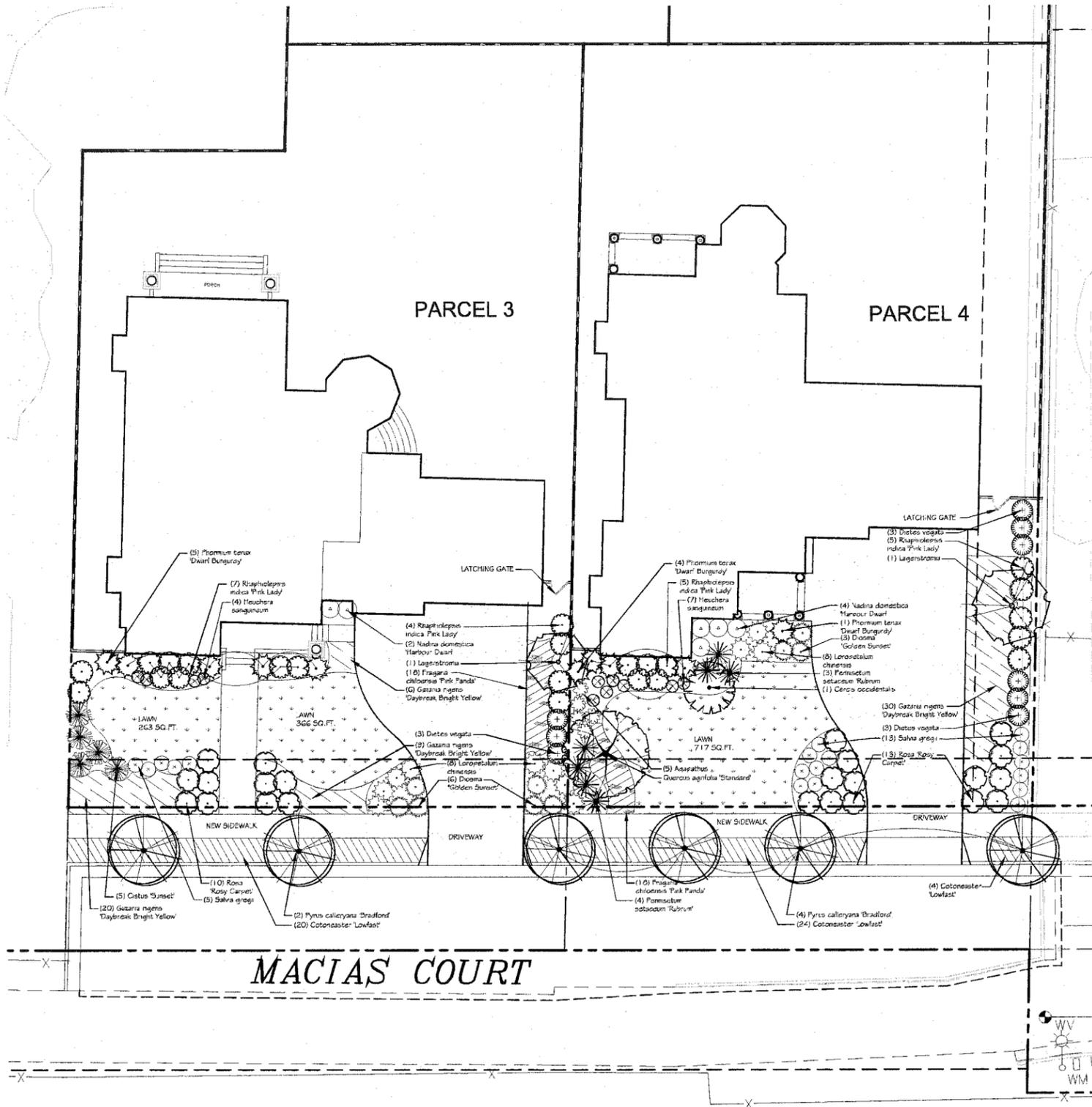
**AITKEN ASSOCIATES
LANDSCAPE ARCHITECTS**
3675 Hecker Pass Hwy, Gilroy, CA 95020
Calif. Reg. #22339 (408) 842-0245
aitkenassociates@gmail.com

EGELSTON 4 LOT DEVELOPMENT
BARNES LN. AND MACIAS CT., SAN JOSE, CA
PLANTING PLAN LOTS 1 & 2 BARNES LN.



DATE 09-09-11
SCALE 1"=10'-0"
DRAWN RMB
JOB EGELSTON

L-6.0
Figure 17



PLANT LEGEND

SYMBOL	PLANT NAME	SIZE	QUANTITY
TREES			
	<i>Cercis occidentalis</i> Western Redwood	1.5 GAL.	1
	<i>Lagerströmia x faurii</i> Red Crape Myrtle	24" BOX	2
	<i>Pyrus calleryana</i> 'Bradford' Bradford Flowering Pear	24" BOX	6
	<i>Quercus agrifolia</i> 'Standard' Coast Live Oak	24" BOX	1
SHRUBS			
	<i>Agapanthus orientalis</i> 'Queen Anne Select' Lily of the Vale	1 GAL.	11
	<i>Cistus</i> 'Sunset' Magenta Rockrose	5 GAL.	5
	<i>Dietes vegeta</i> Fort Night Lily	1 GAL.	11
	<i>Diosma</i> 'Golden Sunset' Pink Gem of Heaven	5 GAL.	6
	<i>Heuchera sanguinea</i> Coral Bells	1 GAL.	14
	<i>Lavandula angustifolia</i> English Lavender	5 GAL.	10
	<i>Loropetalum chinensis</i> 'Plum delight' Loropetalum	5 GAL.	4
	<i>Nandina domestica</i> 'Harbour Dwarf' Heavenly Bamboo	5 GAL.	6
	<i>Pennisetum setaceum</i> 'Rubrum' Purple Fountain Grass	5 GAL.	9
	<i>Phlox paniculata</i> 'Dwarf Burgundy' New Zealand Flax	5 GAL.	11
	<i>Rhaphiolepis indica</i> 'Pink Lady' Indian Hawthorn	5 GAL.	22
	<i>Rosa</i> 'Rosa Carpet' Carpet Rose	5 GAL.	10
	<i>Salvia greggii</i> Autumn Sage	5 GAL.	10

SYMBOL	PLANT NAME	SIZE	QUANTITY
GROUND COVERS			
	<i>Cotoneaster</i> 'Lowfast' Cotoneaster	1 GAL.	37
	<i>Fragaria chiloensis</i> 'Pink Panda' Wild Strawberry	1 GAL.	18
	<i>Gazania rigens</i> 'Daybreak Bright Yellow' Clumping Gazania	1 GAL.	42
	LAWN AREA IS LESS THAN 25% OF ALL LANDSCAPE AREAS	500	1037 SQ. FT.

AT TIME OF BUILDING PERMIT APPLICATION, AN IRRIGATION PLAN WILL BE PROVIDED AND COMPLY WITH "WATER CONSERVATION IN LANDSCAPE REGULATIONS" FOR THE CITY OF SAN JOSE.

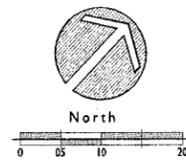
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PLANTING NOTES

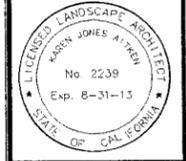
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- All plant material shall conform to the guidelines established by the current American Standard of Nursery Stock, published by The American Association of Nurserymen.
- The plant count is for contractor's convenience. In case of discrepancy, the plan shall govern.
- All trees to be staked plumb unless otherwise noted.
- The owner reserves the right to make substitutions, additions or deletions in the planting scheme as necessary while work is in progress. Such changes are to be accompanied by equitable adjustments in the contract price if/when necessary.
- The landscape contractor shall guarantee all trees for a period of one year and all shrubs for a period of six months. Protect existing trees and shrubs as necessary.
- All planted areas and plant pits shall be free from rocks and debris greater than 2" in diameter. Apply a 3" layer of BROWN Pro-Chip recycled wood mulch over all planted areas. Verify mulch distributor sources w/landscape architect if necessary.



REVISIONS	BY
03-16-12	RMB

**AITKEN ASSOCIATES
LANDSCAPE ARCHITECTS**
3675 Hecker Pass Hwy, Gilroy, CA 95020
Calif. Reg. #2239 (408) 842-0245
aitkenassociates@gmail.com

**EGLSTON 4 LOT DEVELOPMENT
BARNES LN. AND MACIAS CT., SAN JOSE, CA**
PLANTING PLAN LOTS 3 & 4 MACIAS CT.



DATE	09-09-11
SCALE	1" = 10'-0"
DRAWN	RMB
JOB	EGLSTON

L-6.1
Figure 18

APN: 583-11-099

II. ENVIRONMENTAL SETTING, IMPACT CHECKLIST AND MITIGATION

1. AESTHETICS

SETTING

The current view of the project site consists primarily of a single-story house, garage, sheds and numerous trees, which can be seen in the preceding photographs, Figures 9 and 10.

Scenic Route

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

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
1. AESTHETICS. Would the project:					
a. Have a substantial adverse effect on a scenic vista?			X		25,26,27
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a state scenic highway?			X		25,26, 27,29,31
c. Substantially degrade the existing visual character or quality of the site and its surroundings?			X		25,26,27
d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?			X		25, 26,28,34
e. Increase the amount of shading on public open space (e.g., parks, plazas and/or school yards)?			X		25,26,28

Scenic Vista

Because of the existing visual character of the project site, the change to two-story (maximum height = 35 feet) residential buildings would not have a substantial effect on scenic vistas.

Scenic Resources

Due to the fact that there are no state scenic highways along any of the roads that border the project site, there would be no impact to trees, rock outcrops or historic buildings along a scenic highway.

Visual Character

The project would change the view of the site from a single-story house, garage, sheds and numerous trees to a 4-unit two-story single family detached residential development. Any trees that are to be removed will be replaced in conformance with the City's requirements, as further described in the following Biological Resources section; and street trees and landscaping will be provided as part of the project. Detailed architectural and landscape plans will be submitted for review and approval in accordance with the City's Residential Design Guidelines and PD Zoning procedure.

Light and Glare

The project could produce offsite light and/or glare. The project will be designed to utilize downward-directed low pressure sodium vapor street lights in order to prevent offsite light and glare, in accordance with the City's Outdoor Lighting on Private Developments Policy (Policy 4-3).

Temporary Construction Visual Impacts

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

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

CONCLUSION

The project would have **no impact** on aesthetics.

2. AGRICULTURE AND FOREST RESOURCES

SETTING

Agriculture Resources

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

Williamson Act

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

Forest Resources

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

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
2. AGRICULTURE AND FOREST RESOURCES. Would the project:					
a. Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X	35,36
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X	37,66

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
2. AGRICULTURE AND FOREST RESOURCES (Cont.). Would the project:					
c. Conflict with existing zoning for, or cause rezoning of, forest land [as defined in PRC Section 12220(g)], timberland (as defined by PRC Section 4526), or timberland zoned Timberland Production [as defined by GC Section 51104(g)]?				X	25,27,29
d. Result in the loss of forest land or conversion of forest land to non-forest use?				X	25,26,28
e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?				X	25,26,28

Agriculture Resources

The project site is classified as urban and built-up land on the *Important Farmland Map* for Santa Clara County. Since the site is not located in an area identified as prime farmland, nor is the site being used for or zoned for agricultural use or is under a Williamson Act contract, the project would have no impact on agricultural land.

Forest Resources

Since the site is not located in an area identified as forest land or timberland, nor is the site being used for or zoned for forestry use, the project would have no impact on forest resources.

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

CONCLUSION

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

3. AIR QUALITY

SETTING

Regional Climate

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

The Bay Area climate is Mediterranean, with mild, rainy winters November through March, and warm, sunny and nearly dry summers June through September. Summer temperature inversions trap ground level pollutants. Winter conditions are less conducive to smog, but thin evening inversions sometimes concentrate carbon monoxide emissions at ground level. A temperature inversion is a thin layer of the atmosphere where the normal decrease in temperature with height switches to the temperature increasing with height; an inversion acts like a lid.

San Jose is located in the southern portion of the San Francisco Bay Area Air Basin. The proximity of this location to both the Pacific Ocean and San Francisco Bay has a moderating influence on the climate. Northwest winds and northerly winds are most common in the project area, reflecting the orientation of the Bay and the San Francisco Peninsula. Winds from these directions carry pollutants released by automobiles and factories from upwind areas of the Peninsula toward San Jose, particularly during the summer months. Winds are lightest on average in fall and winter. Every year in fall and winter there are periods of several days when winds are very light and local pollutants can build up.

Regulatory Overview

The Federal Clean Air Act establishes pollutant thresholds for air quality in the United States; which are administered by the U.S. Environmental Protection Agency (EPA). In addition to being subject to Federal requirements, California has its own, more stringent, regulations under the California Clean Air Act, which is administered by the California Air Resources Board (CARB) at the State level and by Air Quality Management Districts at the local level. The project site is located within the jurisdiction of the Bay Area Air Quality Management District (BAAQMD), which includes seven Bay Area counties and portions of two others.

Criteria Pollutants

The BAAQMD is primarily responsible for ensuring that the National and State ambient air quality standards are attained and maintained in the Bay Area. These ambient air quality standards are levels of contaminants that represent safe levels in order to avoid specific adverse health effects associated with each pollutant. The ambient air quality standards cover what are called “criteria” pollutants because the health and other effects of each pollutant are described in criteria documents. The major criteria pollutants, characteristics, health effects and typical

sources for the Bay Area are identified in the table on the following page, Table 2. The BAAQMD is also responsible for adopting and enforcing rules and regulations concerning air pollutant sources, issuing permits for and inspecting stationary sources of air pollutants, responding to citizen complaints, monitoring ambient air quality and meteorological conditions, and many other associated activities.

Toxic Air Contaminants

In addition to the criteria pollutants discussed above, Toxic Air Contaminants (TACs) are another group of pollutants of concern. There are many different types of TACs, with varying degrees of toxicity. Sources of TACs include industrial processes such as petroleum refining and chrome plating operations, commercial operations such as gasoline stations and dry cleaners, and motor vehicle exhaust. Cars and trucks release at least forty different toxic air contaminants. The most important, in terms of health risk, are diesel particulate, benzene, formaldehyde, 1,3-butadiene and acetaldehyde. Public exposure to TACs can result from emissions from normal operations, as well as accidental releases. Health effects of TACs include cancer, birth defects, neurological damage and death.

Air Quality Standards

Air quality is described by the concentration of various pollutants in the atmosphere. The significance of the pollutant concentration is determined by comparing the concentration to an appropriate ambient air quality standard. The U.S. EPA and CARB have both established ambient air quality standards for common pollutants to avoid adverse health effects from each pollutant. The pollutants, which include ozone, carbon monoxide (CO), nitrogen dioxide, and particulate matter (PM₁₀ and PM_{2.5}), and their standards are included in the Local Air Quality table, Table 2, that follows. In Santa Clara County, ozone and particulate matter are the pollutants of greatest concern since measured air pollutant levels exceed the State and Federal air quality standards concentrations at times.

Attainment Status

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

The U.S. EPA has classified the San Francisco Bay Area as a nonattainment area for the Federal 8-hour ozone and PM_{2.5} standards. The Bay Area was designated as unclassifiable/attainment for the Federal PM₁₀ standard.

Under the California Clean Air Act, Santa Clara County is a nonattainment area for ozone and particulate matter (PM₁₀ and PM_{2.5}). The county either meets attainment or is unclassified for the other pollutants. The California Clean Air Act requires local air pollution control districts to

prepare air quality attainment plans; these plans must provide for district-wide emission reductions of five percent per year averaged over consecutive three-year periods or, if not, provide for adoption of “all feasible measures on an expeditious schedule”.

Local Air Quality

Air quality in the project area is subject to the problems experienced by most of the Bay Area. Emissions from millions of vehicle-miles of travel each day often are not mixed and diluted, but are trapped near ground level by an atmospheric temperature inversion. Prevailing air currents generally sweep from the mouth of the Bay toward the south, picking up and concentrating pollutants along the way. A combination of pollutants emitted locally, the transport of pollutants from other areas, and the natural mountain barriers (the Diablo Range to the east and the Santa Cruz Range to the southwest) give San Jose a relatively high atmospheric potential for pollution compared to other parts of the San Francisco Bay Air Basin.

The BAAQMD maintains a network of monitoring sites in the Bay Area. The closest to the project site is located in Downtown San Jose. Violations of air quality standards for the last three reported years at the downtown San Jose monitoring station are shown in the following table. Federal ambient air quality standards are met in the project area with the exception of ozone and PM_{2.5}. State ambient standards are met with the exception of ozone and PM₁₀ / PM_{2.5}.

Table 2. Local Air Quality

Pollutant	Standard	Days Exceeding Standard		
		2007	2008	2009
OZONE				
State 1-hour	0.09 ppm	0	1	0
State 8-hour	0.07 ppm	0	3	0
Federal 8-hour	0.08 ppm	0	2	0
CARBON MONOXIDE				
State/Federal 8-hour	9.0 ppm	0	0	0
NITROGEN DIOXIDE				
State 1-hour	0.25 ppm	0	0	0
PARTICULATE MATTER (PM₁₀)				
State 24-hour	50 µg/m ³	3	1	0
Federal 24-hour	150 µg/m ³	0	0	0
PARTICULATE MATTER (PM_{2.5})				
Federal 24-hour	35 µg/m ³	9	5	0

ppm = parts per million

µg/m³ = micrograms per cubic meter

SOURCE: Bay Area Air Quality Management District monitoring data for Downtown San Jose.

Project Site

The project site is similar to other locations in the South Bay; air quality meets adopted State and/or Federal standards (the more stringent standard applies) on most days, and during periods when regional atmospheric conditions are stagnated, the air quality is poor throughout the

extended South Bay area. There are no existing sources on the project site that currently adversely affect local air quality.

Sensitive Receptors

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

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
3. AIR QUALITY. Would the project:					
a. Conflict with or obstruct implementation of the applicable air quality plan?				X	29,39
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?			X		26,39
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?			X		26,39
d. Expose sensitive receptors to substantial pollutant concentrations?			X		28,39
e. Create objectionable odors affecting a substantial number of people?				X	26,28

Project Impacts

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

For most types of development projects, motor vehicles traveling to and from a project represent the primary source of air pollutant emissions associated with the project. The BAAQMD has

established thresholds of significance for these indirect impacts from projects on local and regional air quality. If project vehicle emissions of carbon monoxide (CO) exceed 9 ppm (8-hour average) or 20 ppm (1-hour average); and if a project generates over 54 lbs/day of reactive organic gases (ROG), nitrogen oxides (NO_x) or suspended particulate matter (PM_{2.5} from exhaust) or over 82 lbs/day (PM₁₀ from exhaust), it would have a significant air quality impact. For construction-related PM₁₀ and PM_{2.5} fugitive dust, the threshold of significance is a requirement that the facility employ Best Management Practices (BMPs) to minimize dust.

The BAAQMD developed screening criteria to provide lead agencies and project applicants with a conservative indication of whether a proposed project could result in potentially significant air quality impacts. If the screening criteria are met, then an air quality assessment of a project's air pollutant emissions is not required and the project would not result in the generation of operational-related criteria air pollutants and/or precursors that exceed the District's thresholds of significance. Operation of a proposed project would, therefore, result in a less-than-significant cumulative impact to air quality from criteria air pollutant and precursor emissions. For single family residential projects, the screening level is 325 units. The proposed 4-unit project is below that level and, therefore, would not have a significant air quality impact.

Odors

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

Sensitive Receptors

The closest sensitive receptors (the single family residences surrounding the project site) could be subjected to fugitive dust as a result of construction, as discussed below.

Temporary Construction Dust

The project would produce short-term fugitive dust generated as a result of site preparation and construction. The effects of construction activities would be increased dustfall and locally elevated levels of PM₁₀ and PM_{2.5} downwind of construction activity. Construction dust has the potential for creating a nuisance at nearby properties. This is considered a potentially significant impact. The BAAQMD threshold of significance for construction dust impacts is whether Best Management Practices (BMPs) are to be utilized. Standard project conditions include all basic BMPs identified by the BAAQMD; according to the District threshold of significance for construction impacts, implementation of the measures would reduce construction dust impacts of the project to a less-than-significant level.

Standard Project Conditions

The following standard project conditions will be included in the development permit.

Temporary Construction Dust

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

CONCLUSION

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

4. BIOLOGICAL RESOURCES

Michael L. Bench, Consulting Arborist conducted a tree survey dated July 21, 2011 that is included in the Technical Appendix.

SETTING

Vegetation

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

Trees

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

A detailed tree survey of all trees on the site having trunk diameters of 4 inches or greater, or having multiple trunks, was conducted. A total of 55 trees, ranging in diameter from 4 inches to 43 inches, were evaluated. Sixteen (16) of the trees are located offsite along the northeasterly and southwesterly boundaries; some branches and/or canopies extend onto the site. Only the 39 onsite trees were tagged. Ten (10) trees exceed 18 inches in diameter, are considered to be Ordinance-sized trees, and come under the review of the City's Tree Ordinance. There are no designated Heritage Trees on the site. The approximate locations of the trees are shown on the following Tree Locations map, and their description by type, size and general condition is given in the following table. Ordinance-sized trees are shown in **bold** in the table. Photographs of each Ordinance-sized tree are included in the Technical Appendix.

Table 3. Existing Trees

No.	Scientific Name	Common Name	Native Tree	Diameter * (inches)	General Condition	To Be Removed
Onsite						
1.	<i>Eucalyptus species</i>	Red Box or Silver Dollar Gum		13,11,11,8**	Fair to Poor	X
2.	<i>Eucalyptus cinerea</i>	Argyle Apple		14,14,7	Poor	X
3.	<i>Cupressus sempervirens</i>	Italian Cypress		8	Excellent	X
4.	<i>Cupressus sempervirens</i>	Italian Cypress		8	Excellent	X
5.	<i>Phoenix canariensis</i>	Canary Island Date Palm		26	Good	X
6.	<i>Ligustrum japonicum</i>	Japanese Privet		5,5,3,3	Fair	
7.	<i>Juglans hindsii</i>	California Black Walnut	Y	6	Good	X
8.	<i>Junipers chinensis</i>	Hollywood Juniper		9	Excellent	X
9.	<i>Juglans hindsii</i>	California Black Walnut	Y	6,4	Good	X
10.	<i>Ligustrum japonicum</i>	Japanese Privet		5,3,3,3,3,3,3**	Fair to Poor	X

continued

Table 3. Existing Trees (Cont.)

No.	Scientific Name	Common Name	Native Tree	Diameter * (inches)	General Condition	To Be Removed
11.	<i>Quercus agrifolia</i>	Coast Live Oak	Y	14	Excellent	
12.	<i>Washingtonia robusta</i>	Mexican Fan Palm		18	Excellent	X
13.	<i>Juglans hindsii</i>	California Black Walnut	Y	8	Good	
14.	<i>Ulmus pumila</i>	Siberian Elm		8,4,4,4**	Good	X
15.	<i>Ulmus pumila</i>	Siberian Elm		8	Good	
16.	<i>Washingtonia robusta</i>	Mexican Fan Palm		15	Excellent	X
17.	<i>Washingtonia robusta</i>	Mexican Fan Palm		15	Excellent	X
18.	<i>Quercus agrifolia</i>	Coast Live Oak	Y	15	Excellent	
19.	<i>Quercus agrifolia</i>	Coast Live Oak	Y	10	Good	
20.	<i>Sequoia sempervirens</i>	Coast Redwood		20,14	Good	
21.	<i>Morus alba</i>	Fruitless Mulberry		16	Good	
22.	<i>Juglans hindsii</i>	California Black Walnut	Y	6	Fair	
23.	<i>Quercus agrifolia</i>	Coast Live Oak	Y	8	Excellent	
24.	<i>Washingtonia robusta</i>	Mexican Fan Palm		20	Excellent	X
25.	<i>Washingtonia robusta</i>	Mexican Fan Palm		20,18	Excellent	X
26.	<i>Juglans hindsii</i>	California Black Walnut	Y	6	Fair	
27.	<i>Quercus agrifolia</i>	Coast Live Oak	Y	4	Good	X
28.	<i>Olea europea</i>	European Olive		10	Good	X
29.	<i>Olea europea</i>	European Olive		8	Good	X
30.	<i>Olea europea</i>	European Olive		5	Good	X
31.	<i>Juglans hindsii</i>	California Black Walnut	Y	6,6,6	Good	X
32.	<i>Juglans hindsii</i>	California Black Walnut	Y	4,3,3,3,3,3,3,3	Fair to Poor	
33.	<i>Quercus agrifolia</i>	Coast Live Oak	Y	15	Excellent	
34.	<i>Cinnamomum camphora</i>	Camphor		10	Good	
35.	<i>Quercus agrifolia</i>	Coast Live Oak	Y	4	Excellent	
36.	<i>Pinus radiata</i>	Monterey Pine		22	Poor	X
37.	<i>Citrus sinensis</i>	Orange		6	Fair	
38.	<i>Quercus agrifolia</i>	Coast Live Oak	Y	15	Excellent	
39.	<i>Betula pendula</i>	European White Birch		5,3,2	Fair	
Offsite						
40.	<i>Albizia julibrissin</i>	Purple Silk Tree		7	Good	
41.	<i>Prunus cerasifera</i>	Purple Plum		8	Good	
42.	<i>Syagrus romanzoffianum</i>	Queen Palm		12	Excellent	
43.	<i>Syagrus romanzoffianum</i>	Queen Palm		12	Excellent	
44.	<i>Syagrus romanzoffianum</i>	Queen Palm		12	Excellent	
45.	<i>Prunus cerasifera</i>	Purple Plum		6	Fair	
46.	<i>Populus nigra</i>	Lombardy Poplar		12	Good	
47.	<i>Populus nigra</i>	Lombardy Poplar		12	Good	
48.	<i>Populus nigra</i>	Lombardy Poplar		8	Good	
49.	<i>Populus nigra</i>	Lombardy Poplar		12	Good	
50.	<i>Prunus cerasifera</i>	Purple Plum		6	Good	
51.	<i>Cupressus sempervirens</i>	Italian Cypress (5)		6	Excellent	

Note: Some trees have multiple stems from a single trunk.

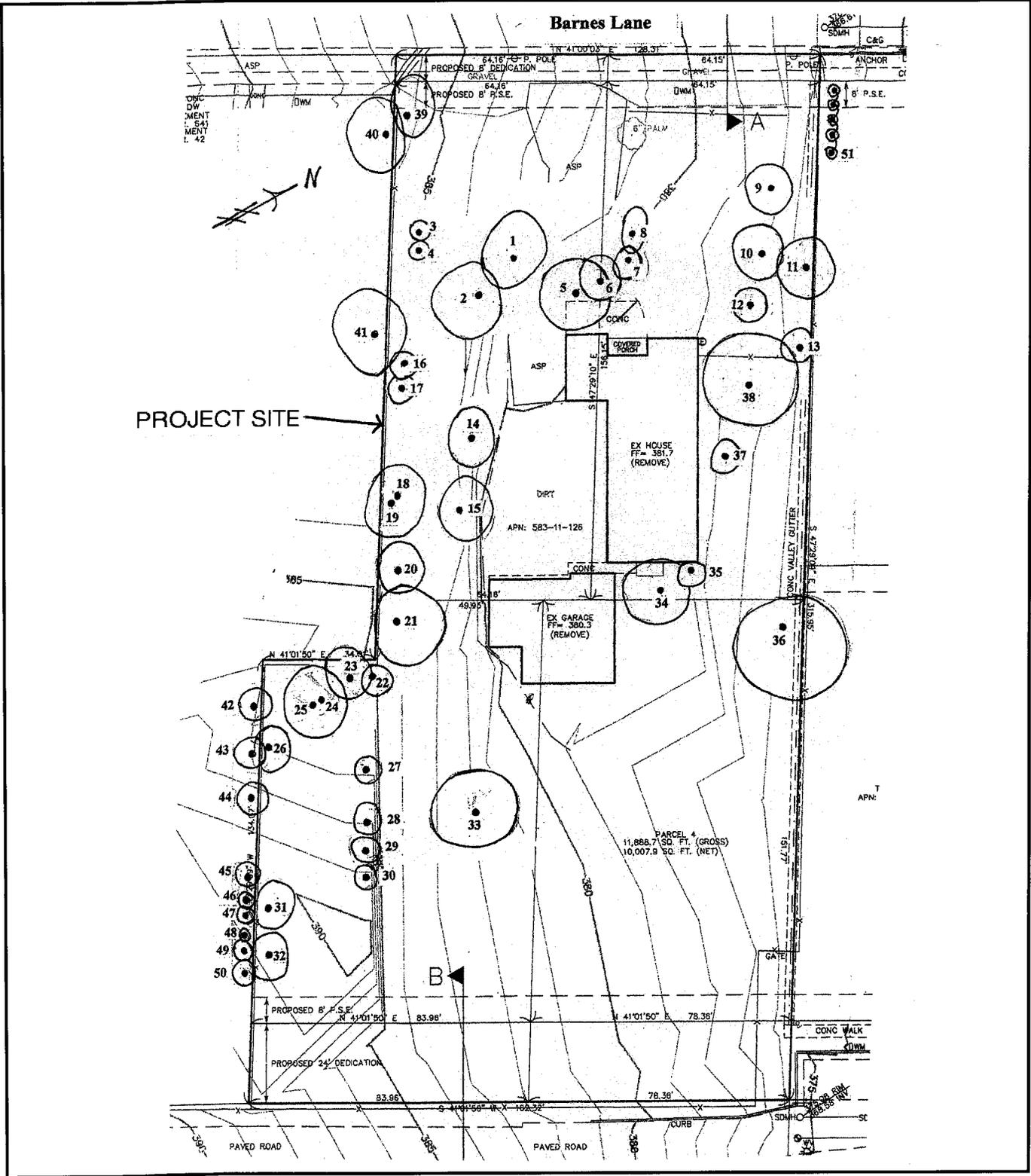
Ordinance-sized trees are shown in **bold**.

* Diameter at 2 feet above ground.

** Combined total represents an Ordinance-sized tree.

Y = Native Tree.

X = To be Removed.



Tree Locations

Figure 19

Riparian Corridor Habitat

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

Wildlife

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

Raptors and Other Migratory Birds

The Federal Migratory Bird Treaty Act prohibits killing, possessing or trading in migratory birds except in accordance with regulations prescribed by the Secretary of the Interior. This Act encompasses whole birds, parts of birds and bird nests and eggs. All raptors (i.e., eagles, hawks and owls) and their nests are protected under both Federal and State regulations. Birds of prey are protected in California under the State Fish and Game Code. Section 3503.5 states that it is *“unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto.”* Construction disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered “taking” by the CDFG. Any loss of fertile eggs or any activities resulting in nest abandonment would constitute a significant impact. Construction activities such as tree removal, site grading, construction etc., that disturb a nest onsite or immediately adjacent to the site constitute a significant impact.

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

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

To promote the recovery of endangered species while accommodating planned development, infrastructure and maintenance activities, the Local Partners, consisting of the City of San Jose, Santa Clara Valley Transportation Authority, Santa Clara Valley Water District, Santa Clara County and the cities of Gilroy and Morgan Hill, are preparing a joint Habitat Conservation Plan/Natural Community Conservation Plan. The Santa Clara Valley Habitat Plan is being developed in association with the U.S. Fish & Wildlife Service (USFWS), the California Department of Fish and Game (CDFG) and the National Marine Fisheries Service (NMFS) and in consultation with stakeholder groups and the general public to protect and enhance ecological diversity and function within more than 500,000 acres of southern Santa Clara County. The final HCP/NCCP is currently expected to be completed in 2013.

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

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
4. BIOLOGICAL RESOURCES. Would the project:					
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X			25,40,41
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 or regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X	25,43
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act including, but not limited to, marsh, vernal pool, coastal, etc., through direct removal, filling, hydrological interruption or other means?				X	25
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X	25
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X		29,42,100
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?				X	25,29

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

Trees

There are 39 trees on the project site, ranging in diameter from 4 to 43 inches. Twenty-three (18) trees are currently planned to be retained with the project, as shown on the Conceptual Site Plan, Figure 12. Twenty-one (21) trees, four of which are native, are planned to be removed with the project, as indicated by an "X" on the preceding Existing Trees table. Nine (9) of the trees to be removed exceed 18 inches in diameter (56-inch circumference) and come under the review of the City's Tree Ordinance, which requires approval for the removal of any tree with an 18-inch diameter (56-inch circumference) or greater. The removal of 10 or more native Ordinance-sized trees and/or the removal of 20 or more non-native Ordinance-sized trees is considered a significant impact.

Street trees will be planted along the public streets. Any tree that is removed will be replaced with the addition of a new tree(s) at the ratios shown in the Tree Replacement Ratios table that follows. Replacement trees are in addition to normal landscaping and required street trees. If sufficient area is not available onsite within the project for all of the replacement trees, a contribution would be made to Our City Forest where the funds would be used to plant trees within the City.

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

Wildlife

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

Raptors and Other Migratory Birds

The project site provides potentially suitable habitat for tree-nesting raptors and other migratory birds, although the site does not currently contain any known nests. If a raptor or other

migratory bird were to nest on or immediately adjacent to the site prior to construction, development-related activities could result in the abandonment of active nests or direct mortality to these birds, which would constitute a violation of state and federal laws and be considered a significant impact. Pre-construction surveys for nesting raptors and other migratory birds should be conducted.

Bats

The structures on the site provide potentially suitable habitat for bats. The site does not currently contain any known roosting bats; however, pre-construction bat surveys should be conducted prior to any demolition.

Standard Project Conditions

The following standard project conditions will be included in the development permit.

Trees

- Any tree that is removed will be replaced with the addition of a new tree(s) at the ratios shown in the following Tree Replacement Ratios table.

Table 4. Tree Replacement Ratios

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

x:x = tree replacement to tree loss ratio

Note: Trees greater than 18" diameter will 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.
- Replacement trees are to be above and beyond standard landscaping; required street trees do not count as replacement trees.
- 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, Parks, Recreation and Neighborhood Services Landscape Maintenance Manager, at 975-7214 or jaime.ruiz@sanjoseca.gov for specific park locations in need of trees.
- A donation of \$300.00 per mitigation tree will be paid to Our City Forest for in-lieu offsite 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 offsite tree planting will be provided to the Planning Project Manager prior to issuance of a development permit.
- The following tree protection measures will also be included in the project in order to protect trees to be retained during construction:

Pre-construction Treatments

- The applicant will retain a consulting arborist. The construction superintendent will 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 demolition, grubbing or grading. Fences will be 6-foot chain link or equivalent as approved by consulting arborist. Fences are to remain until all grading and construction are completed.
- Prune trees to be preserved to clean the crown and to provide clearance. All pruning will be completed or supervised by a Certified Arborist and adhere to the Best Management Practices for Pruning of the International Society of Arboriculture.

During Construction

- No grading, construction, demolition or other work will occur within the tree protection zone. Any modifications must be approved and monitored by the consulting arborist
- Any root pruning required for construction purposes will receive the prior approval of, and be supervised by, the consulting arborist.
- Supplemental irrigation will be applied as determined by the consulting arborist.
- If injury should occur to any tree during construction, it will 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 will be dumped or stored within the tree protection zone.
- Any additional tree pruning needed for clearance during construction must be performed or supervised by an Arborist and not by construction personnel.
- As trees withdraw water from the soil, expansive soils may shrink within the root area. Therefore, foundations, footings and pavements on expansive soils near trees will be designed to withstand differential displacement.

MITIGATION MEASURES INCLUDED IN THE PROJECT

Raptors and Other Migratory Birds

- If possible, construction should be scheduled between October and December (inclusive) to avoid the nesting season. If this is not possible, pre-construction surveys for nesting raptors and other migratory breeding birds shall be conducted by a qualified ornithologist to identify active nests that may be disturbed during project implementation. Between January and April (inclusive) pre-construction surveys shall be conducted no more than 14 days prior to the initiation of construction activities or tree relocation or removal. Between May and August (inclusive), pre-construction surveys shall be conducted no more than thirty (30) days prior to the initiation of these activities. The surveying ornithologist shall inspect all trees in and immediately adjacent to the construction area for nests. If an active nest is found in or close enough to the construction area to be disturbed by these activities, the ornithologist shall, in consultation with the California Department of Fish and Game, designate a construction-free buffer zone (typically 250 feet for raptors and 100 feet for other birds) around the nest, which shall be maintained until after the breeding season has ended and/or a qualified ornithologist has determined that the young birds have fledged. The applicant shall submit a report indicating the results of the survey and any designated buffer zones to the satisfaction of the Director of Planning, Building and Code Enforcement prior to the issuance of any grading or building permit.

Bats

- A detailed bat survey shall be conducted to determine if bats are roosting or breeding in the onsite buildings prior to demolition. A qualified bat specialist shall look for individuals, guano, staining, and/or vocalization by direct observation and potential waiting for nighttime emergence. The survey shall be conducted during the time of year when bats are active, between April 1 and September 15. If demolition is planned within this timeframe, the survey shall be conducted within 30 days of demolition. An initial survey could be conducted to provide early warning if bats are present, but a follow-up survey will be necessary within 30 days. If demolition is planned outside of this timeframe (September 16 through March 31), the survey shall be conducted in September prior to demolition. If no bats are observed to be roosting or breeding in these structures, then no further action would be required, and demolition can proceed.
- If a non-breeding bat colony is found in the buildings to be demolished, the individuals will be humanely evicted via the partial dismantlement of the buildings prior to demolition under the direction of a qualified bat specialist to ensure that no harm or “take” would occur to any bats as a result of demolition activities. If a maternity colony is detected in the buildings, then a construction-free buffer shall be established around the structure and remain in place until it has been determined by a qualified bat specialist that the nursery is no longer active. Demolition will preferably be done between March 1 and April 15 or August 15 and October 15 to avoid interfering with an active nursery.

- A biologist report outlining the results of pre-construction bat surveys and any recommended buffer zones or other mitigation shall be submitted and approved to the satisfaction of the Director of Planning, Building and Code Enforcement prior to the issuance of any grading, building, or tree removal permit.

CONCLUSION

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

5. CULTURAL RESOURCES

Holman & Associates conducted an archaeological reconnaissance dated March 6, 2012 that is included in the Technical Appendix. Archaeological Resource Management conducted an architectural and historical evaluation dated September 7, 2011 that is also included in the Technical Appendix.

SETTING

Prehistoric Cultural Resources

The project site is located within a sensitive archaeological resource area as outlined on the maps on file at the City of San Jose Planning Division. Prior to a field reconnaissance, maps and records at the Northwest Information Center (NWIC), located in Rohnert Park, were consulted for any record of archaeological remains in and around the project area. Only one archaeological study has been done in the immediate area - on the north side of Barnes Lane - with negative findings.

A field reconnaissance of the project site was done on March 1, 2012, as described in the report in the Technical Appendix. Visible ground was limited to small areas in the front of the property not covered by pavement or machinery or the house itself. The majority of open space was found at the back of the property where a shed gives way to a pasture area; the surface was visible throughout this area due to the grazing of horses. No surface material was found to indicate that the site was utilized by aboriginal populations.

There are no known cultural sites on the project site, nor does the site have any natural features of significant scenic value or with rare or unique characteristics.

Historic Cultural Resources

An historical and architectural evaluation of the structure(s) on the project site was conducted to determine their significance, if any.

Historical Evaluation

The project site was originally part of Rancho San Vicente, granted to Jose de Los Reyes Berryessa on August 1, 1842. By 1876, the site made up a portion of the 5,360.48-acre property of the Quicksilver Mining Company, which ran the New Almaden Mines. The site was still in the hands of the mining company in 1890. By the early 1920s, the site made up a portion of the 20-acre property of Marco Rigazzi. On May 31, 1923, Rigazzi sold the site to John Althape; the property remained in Althape's possession until his death. On January 22, 1948, the property was sold by his estate to Lewis and Eleanor Stotesberry, and Mary Martin. Ten acres of the property were split off that year and granted to Mary Martin, with the project site remaining in the hands of the Stotesberrys.

On December 7, 1948, the property (now consisting of approximately 8.009 acres) was sold to Edward and Eudora Barnes, who split the property in three parts; and on September 22, 1950, the approximately 2.5-acre project site was sold to Joseph and Janet Gunther. The site was sold

again on July 26, 1955 to John and Ethel La Fontaine; and on February 14, 1963, the site was granted to Jess and Ann Sillas. Based on historic aerial photography, the residence was moved onto the project site between 1956 and 1965, during the ownership of the La Fontaine's or the Sillas'. The project site remained with the Sillas' for over 30 years; however, on November 17, 1994, the property was sold to Douglas and Evie Lynn Turk and on June 13, 1996, the project site was sold to Steve E. Lenheim, the current owner.

Architectural Evaluation

The residence at 1126 Barnes Lane is a single-story Craftsman bungalow-style home in fair to poor condition. The roof is front gabled, and surfaced with composition shingles. Characteristic of the Craftsman style, the eaves are broad and open with exposed rafters. The exterior walls are surfaced with narrow horizontal wooden siding. Notable features of the front façade include decorative triangular wooden braces beneath the gable, and a small porch covered by an extending shed roof.

Two major additions have been made to the structure, one towards the front of the residence along the southwest façade and a large rear addition. Exterior siding appears consistent in both the original and added portions of the home; however, fenestration is varied. The original structure is characterized by wooden framed multi-paned windows consistent with the Craftsman bungalow style. A single wooden framed multi-paned window is present at the rear of the front addition, while modern French doors provide front access. The rear addition appears to be of more recent construction, and fenestration consists of aluminum-framed windows throughout. The foundation of the residence consists of a poured concrete perimeter footing, with thick posts and concrete piers in the interior, and appears to date from the movement of the residence to the current site. Two large holes have been broken into the concrete foundation along the northeast façade of the home.

Also present on the project site is a detached garage. The roof of this structure is front-gabled and of shallow pitch, surfaced with corrugated metal sheeting. The exterior walls are surfaced in a variety of vertical horizontal siding, varying in thickness. A shed roof addition has been added to the northeast façade of this building.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
5. CULTURAL RESOURCES. Would the project:					
a. Cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines §15064.5?			X		25, 45,46,102
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?			X		27,44,101
c. Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?				X	27,47
d. Disturb any human remains, including those interred outside of formal cemeteries?			X		27

Prehistoric Cultural Resources and Native American Burials

The project site is located within a sensitive archaeological resource area; however, there are no recorded sites on the property, and a reconnaissance of the site did not locate any cultural resources. There is no basis to warrant subsurface investigations or monitoring during construction at this time; therefore, the project would not have a significant impact on known archaeological resources. Although they are not expected to be found at this location, Native American burials are protected by State law.

Historic Cultural Resources

The 1126 Barnes Lane Property was evaluated using the criteria or standards of the City of San Jose Historic Preservation Ordinance and those of the California Register of Historic Resources and National Register of Historic Places.

Prior to considering the architectural quality, a property is evaluated to determine if it retains architectural integrity and is representative of a style or age of which there are few or very limited representations in San Jose. To consider the attributes of a candidate property, it is necessary to define the historical context and the period of significance. The significant era for context evaluation was the Post-War Era.

The City of San Jose’s criteria for historical significance are described in the report in the Technical Appendix. Based on these criteria, the San Jose Historical Landmarks Commission has established a process by which historical resources are evaluated for significance and a numerical value is assigned. Scores of 32 or less are not eligible for a category of significance. Scores above 33 are to be evaluated for Landmark Status and California Register of Historic Resources eligibility. The property and structures received 16.25 points under the City of San

Jose Historic Evaluation criteria and are not eligible for a category of significance. The historic evaluation tally forms are included in the report in the Technical Appendix.

The National Register of Historic Places has established standards for evaluating the significance of resources that are important in the heritage of the nation. The criteria for listing historical resources in the California Register of Historic Resources are consistent with those developed by the National Park Service for listing resources in the National Register of Historic Places, but have been modified for State use in order to include a range of historical resources that better reflect the history of California. The property does not meet the levels of significance for listing in the National Register and does not appear to qualify for the California Register.

Standard Project Conditions

The following standard project conditions will be included in the development permit.

Prehistoric Cultural Resources

- In the unlikely event that evidence of unknown prehistoric cultural resources (darker than surrounding soils containing evidence of fire – ash, charcoal, fire affected rock or earth; concentrations of stone, bone or freshwater shellfish; artifacts of these materials; and burials, both animal and human) is discovered during construction, work within 50 feet of the find will be stopped to allow adequate time for evaluation and mitigation, and a qualified professional archaeologist called in to make an evaluation; the material will be evaluated; and if significant, a mitigation program including collection and analysis of the materials prior to the resumption of grading, preparation of a report and curation of the materials at a recognized storage facility will be developed and implemented to the satisfaction of the Director of Planning, Building and Code Enforcement, who will receive a copy of the report.

Native American Burials

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

designated by the Native American Heritage Commission. Prior to obtaining a Certificate of Occupancy, a copy of the report will be submitted to the satisfaction of the Director of Planning, Building and Code Enforcement.

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

CONCLUSION

The implementation of the above standard project conditions would ensure the project will have a **less-than-significant impact** on cultural resources.

6. GEOLOGY AND SOILS

UPP Geotechnology, Inc. conducted a reconnaissance geologic study dated September 1, 2011 that is included in the Technical Appendix.

SETTING

Topography

The project site has a uniform northeasterly slope of approximately 8 percent. Elevations on the site range from approximately 377 feet above sea level at the northerly corner to approximately 388 feet above sea level at the southerly corner. There are no significant topographical features on the site.

Geology

According to the *Preliminary Geologic Maps of the San Jose 30 Minute by 60 Minute Quadrangle*, the area of the project site may be underlain by the Santa Clara formation and Melange. The Santa Clara formation can be generally described as of Pliocene to Pleistocene age (approximately 10,000 years to 5.3 million years old), and is made up of unsorted fluvial boulders, gravel and pebble deposits, and sandstone and siltstone. The Melange bedrock may be described as of upper Cretaceous age (approximately 65.5 to 99.6 million years old), and is made up of various blocks of different rock types in a matrix of sheared argillite. The originally flat-lying sedimentary bedrock has been uplifted, tilted, and folded by the mountain-building processes that formed the Santa Cruz Mountains.

Geologic Hazard Zone

The project site is located in a geologic hazard zone as mapped by the City of San Jose in accordance with the Geologic Hazards Ordinance. For proposed development in a geologic hazard zone, a Certificate of Geologic Hazard Clearance must be obtained from the Director of Public Works before any discretionary approval for development, or any grading permit or any building permit, may be issued for any property located in a special geologic hazard area. Geologic hazard is defined as:

“any condition in earth, whether naturally occurring or artificially created, which is dangerous or potentially dangerous to life, limb, property, or improvements due to movement, failure or shifting of earth, or which, in the opinion of the Director, may lead to damage to structures which may be located on or adjacent to soils or rocks having such conditions.”

In order to receive a Certificate of Geologic Hazard Clearance, the applicant must demonstrate to the satisfaction of the Director of Public Works that the proposed development is not endangered or potentially endangered by geologic hazards on the site or in the area which may potentially affect the site, nor will it create new hazardous geologic conditions or potentially endanger adjoining lands, and that the proposed improvements, including earthwork, will adequately mitigate the identified geologic hazards.

Soils

The project site is underlain by the alluvial soils of the Keefers-Hillgate association as classified by the U.S. Department of Agriculture, Soil Conservation Service. Positas-Saratoga loams is the specific soil type identified at the site. Positas-Saratoga loams are characterized by a brown, massive, hard, neutral to medium acid surface layer approximately 10 to 25 inches thick; good natural drainage; moderately to very slow subsoil permeability; slow to medium surface runoff; slight to moderate erosion hazard; low to moderate inherent fertility (Class II to III); and a moderate to high shrink/swell capacity.

The site is not mapped within a hazard zone for liquefaction on the State's *Seismic Hazard Zones* maps. According to Cooper-Clark and Associates' *San Jose Geotechnical Investigation*, the site is mapped as having a high ground failure potential, weak soil layers and lenses occurring at random depths, highly expansive soils, no erosion potential and low susceptibility to landslides. These soils conditions can be managed using standard engineering measures and do not require further geologic study at this time as part of the environmental review process, but may require further analysis prior to the issuance of a grading or building permit.

Faulting

There are no identified earthquake faults mapped on the site, and the site is not mapped within a designated Alquist-Priolo Earthquake Fault Zone (formerly Special Studies Zone) or within a City of San Jose Fault Hazard Zone.

Geologists and seismologists recognize the greater San Francisco Bay Area as one of the most active seismic regions in the United States. The three major faults that pass through the Bay Area in a northwest direction have produced approximately 12 earthquakes per century strong enough to cause structural damage. The faults causing such earthquakes are part of the San Andreas fault system, a major rift in the earth's crust that extends for at least 700 miles along the California coast, and includes the San Andreas, Hayward and Calaveras fault zones.

The nearest trace of the active San Andreas fault is located approximately 7 miles southwest of the site. In addition, the property is located approximately 2 miles northeast of the mapped trace of the potentially active Berrocal fault. The Hayward and Calaveras faults are approximately 8.25 miles and 10.25 miles northeast of the site, respectively.

Geotechnical Investigation

A reconnaissance geologic study was conducted to provide a professional opinion of the future site performance. The investigation included a review of pertinent published and unpublished geotechnical and geologic literature on the site and its vicinity, examination of aerial photographs, site reconnaissance, and formulation of conclusions and recommendations.

Investigative Conclusions

The project site is considered suitable from a geotechnical perspective for construction of the proposed development, provided that the improvements are designed and constructed in

accordance with generally accepted soil and foundation engineering principles and practices. The primary geotechnical concern is seismic shaking.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
6. GEOLOGY AND SOILS. Would the project:					
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving: 1) Rupture of a known earthquake fault, as described on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)				X	50, 53,54,103
2) Strong seismic ground shaking?			X		27,52,103
3) Seismic-related ground failure, including liquefaction?			X		31, 52,56,103
4) Landslides?				X	50,56,103
b. Result in substantial soil erosion or the loss of topsoil?			X		51,52,103
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		52,103
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		51,52,103
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X	28

The site is not mapped within a State hazard zone for liquefaction; but has weak soil layers and lenses occurring at random depths, no erosion potential and low susceptibility to landslides. The site is not subject to tsunamis or seiches.

Detailed onsite investigations would be performed prior to the design and construction of the project, in order to determine the in-place conditions of the soils on the site and make appropriate recommendations for the design and construction of the project.

Geologic Hazard Zone

The project site is located within a geologic hazard zone as mapped by the City in accordance with the Geologic Hazards Ordinance. Based on the review and acceptance of the reconnaissance geologic study letter prepared by UPP Geotechnology Inc., the City Engineering Geologist issued a Certificate of Geologic Hazard Clearance (Conditional) for the project. The conditional clearance requires a future design-level geologic/seismic hazard evaluation and geotechnical engineering investigation, including subsurface exploration and laboratory testing, to be submitted to and approved by the City Engineering Geologist prior to the issuance of a PD Permit. A copy of the Certificate letter is included in the Technical Appendix.

Expansive Soils

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

Erosion

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

Seismic Hazards

Ground Rupture

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

Seismic Shaking

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

The maximum credible earthquake, which is defined as "*the maximum earthquake that appears capable of occurring under the presently known framework*", for the San Andreas Fault ranges from magnitude 8.0 to 8.3; and from magnitude 7.0 to 7.5 for either the Hayward or Calaveras

Faults. The maximum probable earthquake, which is defined as "*the maximum earthquake that is likely to occur during a 100-year interval*", for the San Andreas Fault ranges from magnitude 7.5 to 8.5; from magnitude 6.75 to 7.5 for the Hayward Fault; and from magnitude 6.5 to 7.0 for the Calaveras Fault.

Structural damage from ground shaking is caused by the transmission of earthquake vibrations from the ground into the structure. Ground shaking is apparently the only significant threat to structures built on the site; however, it is important to note that well-designed and constructed structures that take into account the ground response of the soil or rock in their design usually exhibit minor damage during earthquake shaking. The proposed structures on the site will be designed and constructed in conformance with the Uniform Building Code Guidelines for Seismic Zone 4 to avoid or minimize potential damage from seismic shaking on the site.

Other Secondary Seismic Effects

Based on the topographic (and lithologic) data, the risk of lurch cracking, lateral spreading, dynamic densification, regional subsidence or uplift, landslides, tsunamis or seiches is considered low at the site.

Standard Project Conditions

The following standard project conditions will be included in the development permit.

Geologic Hazard Zone

- A Certificate of Geologic Hazard Clearance shall be obtained from the Director of Public Works prior to issuance of a PD Permit for all development in areas shown on the Geologic Hazards Ordinance map; and any Conditions of Clearance including, but not limited to, measures identified in the geologic evaluation for slope stabilization, surface and subsurface drainage control, offsite improvements, use restrictions, erosion control and/or maintenance guarantees for private improvements contained therein shall be implemented as specified.
A Certificate of Geologic Hazard Clearance (Conditional) was issued for the project on November 17, 2011.

Erosion

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

Seismic Shaking

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

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

CONCLUSION

The implementation of the above standard project conditions would ensure the project will have a **less-than-significant impact** on geology and soils.

7. GREENHOUSE GAS EMISSIONS

SETTING

Greenhouse Gases and Climate Change

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

California State law defines greenhouse gases as:

- Carbon Dioxide (CO₂)
- Methane (CH₄)
- Nitrous Oxide (N₂O)
- Hydrofluorocarbons
- Perfluorocarbons
- Sulfur Hexafluoride

The most common GHG that results from human activity is carbon dioxide, followed by methane and nitrous oxide. The last three of the six identified GHGs are primarily emitted by industrial facilities.

Greenhouse Gas Effects

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

Sources of Greenhouse Gas Emissions

The primary contributors to GHG emissions in California are transportation, electric power production from both in-state and out-of-state sources, industry, agriculture and forestry, and other sources, which include commercial and residential activities.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
7. GREENHOUSE GAS EMISSIONS. Would the project:					
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X		29,37
b. Conflict with an applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?				X	25,26,28

Standards

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

- The project can be shown to be in compliance with a qualified Climate Action Plan; or
- Project emissions of CO₂ equivalent GHGs (CO₂e) are less than 1,100 metric tons per year; or
- Project emissions of CO₂ equivalent GHGs are less than 4.6 metric tons per year per service population (residents plus employees).

Greenhouse Gases and Climate Change

The City has adopted a Greenhouse Gas (GHG) Reduction Strategy that includes policies and measures to reduce GHG emissions. Adoption of a GHG Strategy provides clearance for GHG impacts of proposed development as per the BAAQMD CEQA Guidelines and CEQA Guidelines Section 15183.5. With the inclusion of the mitigation measures identified in this Initial Study, the project is consistent with the *Envision San Jose 2040 General Plan* as described in Section 10. Land Use and Planning and the GHG Strategy; therefore, it would have a less-than-significant impact for GHG emissions.

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

CONCLUSION

The project’s impact on greenhouse gas emissions would be a **less-than-significant impact**.

8. HAZARDS AND HAZARDOUS MATERIALS

Hoexter Consulting, Inc. conducted a Phase I Preliminary Environmental Site Assessment dated September 12, 2011 that is included in the Technical Appendix.

SETTING

Phase I Preliminary Environmental Site Assessment

A Phase I preliminary environmental site assessment was conducted to discover, if possible, conditions or activities on or near the site that could indicate the presence of hazardous materials in the shallow soil or groundwater at the site. The investigation included site history research (a review of available aerial photographs and maps, and interviews with knowledgeable persons); a site reconnaissance; and regulatory agency database review for soil and groundwater contamination cases within the vicinity.

Historical Review

Historical aerial photographs of the site and vicinity commencing 1939 and historical maps commencing 1876 were reviewed. No development or structures were observed on the site or in the vicinity on the earliest map; mining activity was noted within the hills to the south, but no mining activity was observed in the site vicinity. In 1939, the site remained open land; the vicinity was rural with orchards or vineyards and open grazing fields. Barnes Lane is shown as a gravel/dirt road on 1953 topographic maps; structures are shown on adjacent properties, but nothing is shown on the project site. The site is open land but appears to be close-planted on a square grid pattern with minimal surface soil disturbance in a 1954 aerial photograph; however, no indication of grid-pattern planting is indicated by 1956. By 1963, a residence and garage are shown on the site; sheds/small buildings along the southeasterly property line appear by 1965. The project site remained similar through 2011, while the surrounding area developed over time.

Site Reconnaissance

A site reconnaissance was conducted on August 24, 2011. The site is currently occupied by one primary building (a residence) and a secondary building (detached garage).

The front of the property along Barnes Lane is occupied by driveways and vegetation. The single family residence and detached garage occupy the center of the site. There were no indications of the storage of hazardous materials, other than small quantities typical of household use. Various boats, other vehicles, idle machinery, and miscellaneous materials were parked or stored at various locations in the driveway areas; there were no indications of hazardous materials.

Paint containers were stored in a shed located along the westerly property line. Most of the containers were of relatively recent vintage -- thus, lead- and solvent-free -- and there were no indications of leakage or other release.

The rear one-third of the project site is occupied by corrals and sheds for horses. The ground surface was essentially exposed, with sparse vegetation. There were no obvious areas of distressed vegetation that might indicate the disposal of hazardous materials.

There were no indications of wells on the property. There were no visual indications of a fuel oil tank (for heating the residence). A septic tank and leach field had reportedly been present up to the late 1990s.

Most of the surrounding neighborhood is residential; the two adjacent residences are of relatively recent construction. There were no indications of monitoring wells on nearby properties.

Regulatory Agency Review

A regulatory agency database report was obtained and reviewed to help establish whether contamination incidents have been reported on the site or in the vicinity, as detailed in the report in the Technical Appendix. The project site was not listed on any of the various databases. Two sites with a potential to impact the project site include: 1) Almaden Feed, and 2) Almaden Quicksilver County Park. Almaden Feed is located approximately 1,275 feet down gradient of the site. A gasoline release occurred from three former underground storage tanks (USTs). The USTs were removed. Subsurface investigation indicated that the release was localized and very old; minor residual soil and groundwater contamination were deemed to be not significant and not a threat to beneficial use of water. Active mining at Almaden Quicksilver County Park has ceased; however, residual soil contamination remains, resulting in mercury contamination of soil and fish within waterways draining the site. Although the project site is down gradient of the park, it is not located within or adjacent to a drainage (creek or stream) flowing from the park. There are no indications of elevated mercury contamination to soils in the vicinity.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
8. HAZARDS AND HAZARDOUS MATERIALS. Would the project:					
a. Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?			X		26, 27,28,104
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X	28,104
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?				X	27,28,104

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
8. HAZARDS AND HAZARDOUS MATERIALS (Cont.). Would the project:					
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	58,104
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X	27,71
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X	27,71
g. Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?				X	27
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X	25, 27,61,62

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

General

The project site will be viewed by a qualified environmental professional during demolition and pre-grading activities to observe areas of the property that may have been obscured by existing structures or pavement for such items as stained soils, septic systems, underground storage tanks, and/or unforeseen buried utilities; and, if found, a mitigation program will be developed, submitted to the appropriate regulatory agencies with a copy to the Director of Planning, Building and Code Enforcement, and implemented with such measures as soil testing, removal and/or offsite disposal at a permitted facility.

Wells

There are no known water wells on the project site. If an old well(s) is discovered during grading operations, the well(s) will be destroyed prior to the construction. If not properly destroyed, a well could cause contamination of the groundwater. Well destruction is regulated by the Santa Clara Valley Water District's Ordinance No. 90-1 in order to assure that such wells

will not cause pollution or contamination of groundwater or otherwise jeopardize the health, safety, or welfare of the people of the district. The Ordinance requires that a permit be obtained before a well can be destroyed.

Septic Systems

Sewage disposal for the project site was reportedly accomplished by an onsite septic system prior to 2000. If remnants of an old system are discovered during grading operations, the septic system should be removed in accordance with the requirements of the Santa Clara County Sewage Disposal Ordinance.

Potential Hazardous Material Contamination

The project site appears to be currently essentially free of significant environmental impediments. There are no indications of current storage or dumping of significant quantities of hazardous materials on the site. Two aspects of past land use or practices could be considered to be of potential concern, as discussed below.

1. Isolated rural residences may utilize fuel oil for heating purposes, and the possible presence of a fuel UST must be considered. However, installation of a fuel oil tank at a residence placed on the property in the 1950s would be unlikely, with the more likely heating energy source being propane. In addition, there were no indications of fuel oil USTs associated with older residences in the vicinity. There are no indications of a fuel UST on the project site, and one is unlikely to have been or be currently present.
2. A faint square grid pattern on a single 1954 aerial photograph suggests that an orchard or more likely vineyard occupied the site for a relatively brief period. There were no indications of this feature in 1948 or 1956. The use of chlorinated or metal-based pesticides and herbicides must be considered. However, the site appears to have been used for this purpose for no more than eight years. Furthermore, subsequent construction of various buildings on the site, storage of equipment, and, in the rear portion of the property, the significant movement of horses over the following decades would have completely mixed and ameliorated any possible effect of pesticide or herbicide spraying. Sampling of soil for agricultural chemicals conducted on adjacent parcels were for the most part negligible. The likelihood of the presence of agricultural chemicals on the project site at concentrations that would be a detriment to the environment or to human health is considered remote.

The City Environmental Services Department reviewed the Phase I and concurred with the results and stated that no additional soil testing is required.

Demolition

The project proposes the demolition of a structure(s) that may contain hazards such as asbestos-containing materials (ACM) or lead based paint (LBP). The structures to be removed should be surveyed for the presence of ACM and/or LBP. If any suspect ACM are present, they should be sampled prior to demolition and removed in accordance with National Emissions Standards for Hazardous Air Pollutants (NESHAP) and Cal-OSHA requirements, if warranted. Notification must also be made to the Bay Area Air Quality Management District (BAAQMD). If any suspect LBP is present, it should be sampled prior to demolition and removed in accordance with EPA, OSHA and BAAQMD requirements, if warranted.

Standard Project Conditions

The following standard project conditions will be included in the development permit.

Wells

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

Septic Systems

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

Asbestos-Containing Materials

- The structure(s) to be removed will be surveyed for the presence of asbestos-containing materials (ACM) at the demolition permit stage; and if any suspect ACM are present, they will be sampled prior to demolition in accordance with NESHAP guidelines, and all potentially friable ACM will be removed prior to building demolition and disposed of by offsite burial at a permitted facility in accordance with NESHAP, Cal-OSHA and BAAQMD requirements.

Lead Based Paint

- The structure(s) to be removed will be surveyed for the presence of lead based paint (LBP) at the demolition permit stage; and if any suspect LBP is present, it will be sampled prior to demolition, and all potential LBP will be removed prior to building demolition and disposed of by offsite burial at a permitted facility in accordance with EPA and OSHA requirements.

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

CONCLUSION

The implementation of the above standard project conditions would ensure the project will have a **less-than-significant impact** on hazards and hazardous materials.

9. HYDROLOGY AND WATER QUALITY

SETTING

Waterways

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

Flooding

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

Water Quality

Stormwater runoff flows from the project site to Alamitos Creek and then north to the San Francisco Bay.

The project site is currently covered with a house, garage and various sheds, and is approximately 16 percent impervious surfaces.

Nonpoint Sources

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

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

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

A new MRP provision (C.3.c. Low Impact Development) went into effect on December 1, 2011 and requires that each Regulated Project treat 100 percent of the design storm runoff with Low Impact Development (LID) measures. LID includes preserving and creating new pervious areas (Site Design); preventing stormwater contact with pollutants (Source Control); and treating runoff with either infiltration, stormwater collection and reuse (Harvesting and Reuse) and/or with landscaped-based treatment measures (Biotreatment). Site design and source control measures should be used to reduce treatment-requiring runoff as much as possible to limit the need for expensive treatment measures that require space, piping, and long-term maintenance. For remaining runoff from areas that are not Self-Treating or Self Retaining, the MRP allows the use of Biotreatment stormwater treatment measures if harvesting/reuse and infiltration are infeasible (for reasons including soil infiltration rate, project density, onsite water demand, land use, recycled water use, etc.). San Jose's Post- Construction Urban Runoff Management Policy (6-29) emphasizes the use of Low Impact Development measures.

The project site is located in a Hydromodification Management (HM) area, however, it will not create and/or replace one acre or more of impervious surface; therefore, the project need not comply with the City's Post-Construction Hydromodification Management Plan (Council Policy 8-14) that requires HM projects to demonstrate that post-project runoff does not exceed estimated pre-project runoff rates and durations.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
9. HYDROLOGY AND WATER QUALITY. Would the project:					
a. Violate any water quality standards or waste discharge requirements?			X		28,64,84
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X	25,27
c. Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?			X		25,26
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?			X		25,26
e. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X		26,28
f. Otherwise substantially degrade water quality?			X		26,28
g. Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X	26,27,63
h. Place within a 100-year flood hazard area structures that would impede or redirect flood flows?				X	26,27,63
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X	27,28
j. Be subject to inundation by seiche, tsunami or mudflow?				X	27

Flooding

The project site is not within the limits of potential inundation with the occurrence of a one percent flood and would, therefore, have no impact on 100-year flood flows. The project would not expose people to flood hazards associated with the 100-year flood. The site is not subject to seiche or tsunami. There are an existing 36-inch City of San Jose storm drainage line in Barnes Lane and an existing 18-inch City storm drainage line in Macias Court, which are designed to serve the site in a developed condition. Any excess flows beyond the design capacity would pond onsite.

Erosion

The approximately 30 percent increase in impervious surface on the site would result in an increase in runoff. Increased flow and duration can contribute to downstream streambank erosion. The project would not have a direct outfall into any stream. As described above, project flows would drain through the existing storm drainage system to Alamitos Creek, which is approximately half a mile northeasterly.

Water Quality

The primary impact on water quality would result from the addition of impervious surfaces, such as rooftop, driveway and street runoff. Particulates, oils, greases, toxic heavy metals, pesticides and organic materials are typically found in urban storm runoff. The project's contribution would have a potentially significant impact on water quality. Stormwater runoff could increase under project conditions as the amount of impervious surfaces (buildings and pavement) would increase from approximately 16 percent of the site to approximately 46 percent, as shown in the following table. The proposed increase in impervious surfaces could increase the amount of stormwater discharged into the storm drainage system and Alamitos Creek. In addition, temporary construction-related activities such as clearing, grading, or excavation could result in potentially significant impacts to water quality.

Table 6. Pervious and Impervious Surfaces Comparison

Total Site: 1.12 acres* 48,787 sf		Total Disturbed Area: 1.12 acres* 48,787 sf	
Area	Existing Condition of Site Area Disturbed - sf	Proposed Condition of Site Area Disturbed - sf	
		Replaced (or Remain)	New
Impervious Surfaces			
Roof Area(s)	3,117		10,566
Parking/Private Drive (paved)	2,009		4,052
Sidewalks, Patios, Paths, etc.	432		2,202
Streets (Public)	2,137		5,646
Streets (Private)			
Total Impervious Surfaces	7,695		22,466
Pervious Surfaces			
Landscape Areas	41,092		26,321
Pervious Pavers			
Other Pervious Surfaces (green roof, etc.)			
Total Pervious Surfaces	41,092		26,321
Total Proposed Replaced + New Impervious Surfaces:			22,466
Total Proposed Replaced + New Pervious Surfaces:			26,321

* The total site includes approximately 3,700 square feet of off-site roadway improvements.

Stormwater runoff and pollution would be reduced by the use of disconnected roof drains, self-retaining areas, infiltration trenches and bioretention areas, as shown on the Conceptual Stormwater Control Plan, Figure 16. Roof drains that are not connected to the storm drainage system divert runoff to landscaped areas via splash blocks or pop-up drainage emitters. A self-retaining area is a portion of a development site designed to retain the first one inch of rainfall (by ponding and infiltration and/or evapotranspiration) without producing stormwater runoff. Infiltration trenches are long, narrow trenches filled with permeable material (e.g., gravel) that may contain perforated pipe, designed to store runoff and infiltrate through the bottom and sides into the subsurface soil. Bioretention is a soil and plant-based infiltration device that removes pollutants through a variety of physical, biological and chemical treatment processes. These measures would also provide some flow control benefit in conformance with HMP Policy provisions.

Standard Project Conditions

The following standard project conditions will be included in the development permit.

Water Quality

Construction

- Prior to the commencement of any clearing, grading or excavation, the project will comply with the State Water Resources Control Board's National Pollutant Discharge Elimination System (NPDES) General Construction Activities Permit, to the satisfaction of the Director of Public Works, as follows:
 - The applicant will develop, implement and maintain a Storm Water Pollution Prevention Plan (SWPPP) to control the discharge of stormwater pollutants including sediments associated with construction activities; and
 - The applicant will file a Notice of Intent (NOI) with the State Water Resources Control Board (SWRCB).
- The project will incorporate Best Management Practices (BMPs) into the project to control the discharge of stormwater pollutants including sediments associated with construction activities.
- The project applicant will comply with the City of San Jose Grading Ordinance, including erosion and dust control during site preparation and with the City of San Jose Zoning Ordinance requirements for keeping adjacent streets free of dirt and mud during construction. The following specific BMPs will be implemented to prevent stormwater pollution and minimize potential sedimentation during construction:
 - Restriction of grading to the dry season (April 15 through October 15) or meet City requirements for grading during the rainy season;
 - Utilize onsite sediment control BMPs to retain sediment on the project site;
 - Utilize stabilized construction entrances and/or wash racks;
 - Implement damp street sweeping;
 - Provide temporary cover of disturbed surfaces to help control erosion during construction; and
 - Provide permanent cover to stabilize the disturbed surfaces after construction has been completed.

Post-Construction

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

- The project will comply with the Municipal Regional Stormwater NPDES Permit No. CAS612008, which provides enhanced performance standards for the management of stormwater of new development.
- The project will comply with applicable provisions of the following City Policies – 1) Post-Construction Urban Runoff Management Policy (6-29) which establishes guidelines and minimum BMPs and numerically-sized (or hydraulically-sized) Treatment Control Measures (TCMs) for all projects; and 2) Post-Construction Hydromodification Management Policy (8-14) which provides for hydromodification measures.

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

CONCLUSION

The implementation of the above standard project conditions would ensure the project will have a **less-than-significant impact** on hydrology and water quality.

10. LAND USE AND PLANNING

SETTING

General Plan

The land use designation for the project site on the *Envision San Jose 2040 General Plan Land Use/Transportation Diagram* is Rural Residential, as shown on the preceding General Plan Map, Figure 5.

The plans also include the following policy:

- IP-1.9 *For a period of up to 18 months following the adoption date of the Envision San Jose General Plan, planned development zonings and discretionary development permits (including use permits and subdivision maps) may be considered for General Plan conformance to the land use designations as shown on the final adopted version of the Focus on the Future San Jose 2020 Land Use/Transportation Diagram. In addition, during the same 18-month period, planned development zonings and development permits for residential projects of four units or less on sites with a residential designation on the final adopted version of the Focus on the Future San Jose 2020 Land Use/Transportation Diagram may be considered in conformance with the General Plan. All of the “Pipeline” applications benefiting from this policy must have been submitted to the City, including full payment of initial application fees, prior to adoption of this General Plan and their review must be completed within this same 18-month period.*

The project is for four units and was designated as Very Low Density Residential on the *Focus on the Future San Jose 2020 Land Use/Transportation Diagram*; therefore, it may be considered in conformance with the General Plan.

Special Areas

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

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

Zoning

The project site is currently zoned R-1-2, Single Family Residence District, as shown on the preceding Zoning Map, Figure 6. The project is an application to rezone the site to R-1-2(PD) Planned Development District in accordance with the proposed General Development Plan.

Existing and Surrounding Uses

The project site is currently occupied by a single-story house, garage, and various sheds related to enclosures for horses on the rear of the site. Since 1876, the site was vacant until the existing

house was moved onto the site between 1956-1965. Land uses surrounding (within 500 feet of) the project site include: single family detached residential to the north, east, south, and west.

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

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

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
10. LAND USE AND PLANNING. Would the project:					
a. Physically divide an established community?				X	25,26
b. Conflict with any applicable land use plan, policy or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X	29,68
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?				X	25,26,28

Projects that have the potential to physically divide an established community include new freeways and highways, major arterial streets, and railroad lines. The proposed 4-unit project would provide infill housing within an existing residential area, and would, therefore, not physically divide an established community but rather complete that community.

General Plan

The project conforms to the *Envision San Jose 2040 General Plan* using Policy IP-1.9 as it is a four unit project on a site that had a residential designation on the *Future San Jose 2020 Land Use/Transportation Diagram* and had an application on file prior to the adoption of the *Envision San Jose 2040 General Plan*.

Compatibility

The project would change the land use on the site from rural residential to single family detached residential use in accordance with the General Plan land use designation and Policy IP-1.9. Residential use is compatible with the surrounding area. Development of the project site would introduce new roads and homes to the area. These uses would change the view of the site and would generate increases in traffic, noise and air pollution in the area that would not be significant.

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.

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

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

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

CONCLUSION

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

11. MINERAL RESOURCES

SETTING

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

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
11. MINERAL RESOURCES. Would the project:					
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X	27,29,47
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X	27,29,47

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

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

CONCLUSION

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

12. NOISE

SETTING

Existing Noise Sources

Noise intrusion over the site originates primarily from vehicular traffic sources along Almaden Road and Almaden Expressway. The City of San Jose General Plan establishes a policy of requiring noise mitigation from transportation noise for residential land use where the exterior level exceeds 60 dB DNL and/or the interior level exceeds 45 dB DNL. The project site is located in the less than 55 DNL, dB(A) traffic noise level area on the *Envision San Jose 2040 Environmental Noise Assessment 2008 and 2035 Maps*.

ALUC Noise Zone

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

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
12. NOISE. Would the project result in:					
a. Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X		26, 29,68,70
b. Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?				X	25,27
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X		25,26,28
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X		25,26,28
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X	27,71
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X	27,71

Standards

Noise criteria that apply to the project are included in the City of San Jose General Plan, which establishes a policy of requiring noise mitigation from transportation noise for residential land use where the exterior level exceeds 60 dB DNL and/or the interior level exceeds 45 dB DNL. It is recognized, however, that attainment of the exterior noise quality levels in the vicinity of San Jose International Airport, the Downtown Core Area and along major roadways may not be achieved within the time frame of the General Plan. In these areas, an exterior noise goal of 65 dB DNL is acceptable where it is not feasible to reduce the exterior noise level to 60 dB DNL.

Equipment-Generated Noise

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

Exterior Noise Exposures

The project site is located in the less than 55 DNL, dB(A) traffic noise level area on the *Envision San Jose 2040 Environmental Noise Assessment 2008 and 2035 Maps*, which is less than the 60 DNL, dB(A) General Plan standard.

Interior Noise Exposures

To determine the interior DNL values, a 15 dB attenuation factor was applied to the measured exterior exposure. This factor represents an annual average condition; i.e., assuming that windows with single-strength glass are kept open up to 50 percent of the time for natural ventilation. Interior noise exposures would be 40 DNL dB(A) under projected future (2035) traffic conditions. Thus, the interior exposure would be 5 dB less than the 45 dB interior limit of the General Plan.

Project Traffic Noise

As described in the following Transportation / Traffic section, the proposed project would generate approximately 30 net new average daily trips; 10 on Barnes Lane and 20 on Macias Court. As traffic would normally have to double to create a significant noise impact, traffic generated by this project is not expected to substantially increase noise levels in the project area.

Equipment Generated Noise

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

Temporary Construction Noise

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

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

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

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

Standard Project Conditions

The following standard project conditions will be included in the development permit.

Equipment Generated Noise

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

Temporary Construction Noise

- Construction activities will be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday for any onsite or offsite work within 500 feet of any residential unit. Construction outside of these hours may be approved through a development permit based on a site-specific construction noise mitigation plan and a finding by the Director of Planning, Building and Code Enforcement that the construction noise mitigation plan is adequate to prevent noise disturbance of affected residential uses.
- The contractor will use "new technology" power construction equipment with state-of-the-art noise shielding and muffling devices. All internal combustion engines used on the project site will be equipped with adequate mufflers and will be in good mechanical condition to minimize noise created by faulty or poorly maintained engines or other components.
- Stationary noise-generating equipment will be located as far as possible from sensitive receptors. Staging areas will be located a minimum of 200 feet from noise-sensitive receptors, such as residential uses.

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

CONCLUSION

The implementation of the above standard project conditions would ensure the project will have a **less-than-significant impact** on noise.

13. POPULATION AND HOUSING

SETTING

The population of the City of San Jose is approximately 958,789 (*January 1, 2011*). There is one housing unit currently on the project site.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
13. POPULATION AND HOUSING. Would the project:					
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X		25,26,28
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?			X		25,26
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?			X		25,26

The project would displace 1 existing housing unit with an estimated population of 3 persons. The project would add 4 housing units that would add approximately 14 people to the City of San Jose for a net increase of 3 housing units and approximately 11 people, which would not be a substantial increase to the City’s population.

Growth Inducement

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

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

CONCLUSION

The proposed project would have a **less-than-significant impact** on population and housing.

14. PUBLIC SERVICES

SETTING

Schools

The project site is in the San Jose Unified School District (K-12). Students from the project are expected to attend:

School	Address	Approx. Distance (miles)
Williams Elementary	1150 Rajkovich Way	1.1
Bret Harte Middle	7050 Bret Harte Drive	1.2
Leland High	6677 Camden Avenue	1.5

The District also includes several magnet schools, which offer educational options to students with special interests, talents, career goals or instructional needs; actual school attendance would also be determined by magnet and/or other school requests.

Parks

There are no developed City of San Jose parks within walking distance (3/4 mile) of the project site. Glenview Park, which is 4.2 acres and includes a playground and open space, is located approximately 1.5 miles to the north on Valley Quail Circle.

Fire Protection

The project site is in the service area of the San Jose Fire Department. The closest fire station is Station No. 28, located at 19911 McKean Road, approximately 1.0 mile easterly of the site.

Police Protection

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

Libraries

The project site is served by the San Jose Public Library System. The closest branch library is the Almaden Branch, located at 6445 Camden Avenue, approximately 3.8 miles northwesterly of the site.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
14. PUBLIC SERVICES. Would the project:					
a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Fire protection?			X		28
Police protection?			X		28
Schools?			X		28
Parks?			X		28
Other Public Facilities?			X		28

Schools

The project would add additional students to the San Jose Unified School District as follows:

School	Generation Factor	Number of Students
Williams Elementary	0.173/du	1
Bret Harte Middle	0.099/du	1
Leland High	0.111/du	1

Based on the district generation factors listed above, the project would generate a total of up to 3 students. This is not considered to have a significant physical effect on the environment.

The State School Facilities Act provides for school district impaction fees for elementary and high schools and related facilities as a condition of approval to offset the increased demands on school facilities caused by residential projects. The San Jose Unified School District has implemented such a fee. The one-time fee, which is based on the square footage of new habitable residential construction, would be paid prior to the issuance of a building permit.

Parks

The City of San Jose provides parks and recreation facilities within the city. Project residents would increase the demand for public park facilities; however, there are currently no developed City parks within the 3/4-mile reasonable walking distance standard.

Parkland Dedications

The City has established a Parkland Dedication Ordinance that requires dedication of land and/or payment of fees for neighborhood and community park or recreational purposes in accordance with the Services and Facilities and the Parks and Recreation Goals and Policies of the General Plan. There are currently no plans to dedicate land for park purposes with the project. Fees would be paid to improve park features in the area.

Fire Protection

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

Police Protection

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

Libraries

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

Standard Project Conditions

The following standard project conditions will be included in the development permit.

Schools

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

Parks

- The project will conform to the City’s Park Impact Ordinance (PIO) and/or Parkland Dedication Ordinance (PDO) (Municipal Code Chapters 14.25 and 19.38, respectively).

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

CONCLUSION

The implementation of the above standard project conditions would ensure the project will have a **less-than-significant impact** on public services.

15. RECREATION

SETTING

There are no developed City of San Jose parks within walking distance (3/4 mile) of the project site. Glenview Park, which is 4.2 acres and includes a playground and open space, is located approximately 1.5 miles to the north on Valley Quail Circle.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
15. RECREATION.					
a. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X		72,73
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?				X	26,28

The City of San Jose provides parks and recreation facilities within the city. Project residents would increase the demand for public park facilities; however, there are currently no developed City parks within the 3/4-mile reasonable walking distance standard.

Standard Project Conditions

The following standard project conditions will be included in the development permit.

Recreation

- The project will conform to the City’s Park Impact Ordinance (PIO) and/or Parkland Dedication Ordinance (PDO) (Municipal Code Chapters 14.25 and 19.38, respectively).

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

CONCLUSION

The implementation of the above standard measure would ensure the project will have a **less-than-significant impact** on recreation.

16. TRANSPORTATION / TRAFFIC

SETTING

Street System

Access to the project site is provided by Barnes Lane and Macias Court, which are a two-lane streets that provide access to Almaden Road, which is located to the east. Almaden Road provides northerly access to Almaden Expressway.

Public Transit

Public transit in the project area is provided by the Santa Clara Valley Transportation Authority. Bus route 13 operates along McKean Road and Almaden Road with a stop on McKean Road east of Almaden Road. The project site is not located within 2,000 feet of a light rail station.

Congestion Management Program Analysis

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

Freeway Segment Analysis

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

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
16. TRANSPORTATION/TRAFFIC. Would the project:					
a. 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		78
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	80

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
16. TRANSPORTATION/TRAFFIC (Cont.). Would the project:					
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X	27,28
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?				X	26,28
e. Result in inadequate emergency access?				X	26,28
f. Conflict with adopted policies, plans or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X	26,29

Trip Generation

The project traffic generation is estimated in the following table.

Table 6. Project Trip Generation

Land Use	Units/ Size	Trip Rate	Daily Trips	A.M. Peak Hour Trips			P.M. Peak Hour Trips		
				In (35%)	Out (65%)	Total	In (65%)	Out (35%)	Total
Proposed Use									
SFD Residential	4	9.9	40	1	3	4	3	1	4
Existing Use									
SFD Residential	1	9.9	10	0	1	1	1	0	1
Net New Trips			30	1	2	3	2	1	3

Project Impacts

The proposed project would generate a net increase of approximately 30 daily trips, with 3 a.m. and 3 p.m. net peak hour trips. This would not result in a significant impact.

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

CONCLUSION

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

17. UTILITIES AND SERVICE SYSTEMS

SETTING

Sanitary Sewers

There is an existing 8-inch City of San Jose sanitary sewer in Barnes Lane and an existing 8-inch City sanitary sewer stubbed at the property line in Macias Court. Extensions within the project would be required.

Wastewater Treatment

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

Water Supply

There is an existing 8-inch San Jose Water Company (SJWC) water line in Barnes Lane and an existing 8-inch SJWC water line stubbed at the property line in Macias Court. Extensions within the project would be required.

Storm Drainage Facilities

There is an existing 36-inch City of San Jose storm drainage line in Barnes Lane and an existing 18-inch City storm drainage line stubbed at the property line in Macias Court. Extensions within the project would be required.

Solid Waste / Recycling

Residential solid waste disposal service for the project site is provided by the City of San Jose, using Garden City Sanitation, Inc. and/or California Waste Solutions. They are currently using the Newby Island sanitary landfill disposal site operated by International Disposal Company. The landfill area has an estimated service life based on remaining capacity and contractual commitments to 2023. An unlimited residential recycling program in the City currently results in an approximately 50 percent reduction in residential solid waste that typically required disposal in a landfill.

Gas and Electric Service

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

Telephone Service

Residential telephone service for the project site is provided by AT&T. There is existing service in the area.

IMPACT AND MITIGATION

ISSUES	POTENTIALLY SIGNIFICANT IMPACT	LESS THAN SIGNIFICANT WITH MITIGATION INCORPORATED	LESS THAN SIGNIFICANT IMPACT	NO IMPACT	SOURCES
17. UTILITIES AND SERVICE SYSTEMS. Would the project:					
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			X		28,84
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X		28
c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X		28
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			X		28
e. Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X		28
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X		28
g. Comply with federal, state and local statutes and regulations related to solid waste?			X		28

Sanitary Sewers

Sanitary sewer service for the project site is provided by the City of San Jose. The existing sanitary sewer lines in Barnes Lane and Macias Court are available and adequate to serve the project. Extensions within the project would be provided.

Wastewater Treatment

Wastewater treatment for the City of San Jose is provided by the San Jose-Santa Clara Water Pollution Control Plant. The project is estimated to generate an average of approximately 950 gallons per day (0.001 MGD) of effluent, based on the Growth Management System's land use/effluent coefficient of 237 gallons per day per single family detached residential unit. High

energy efficiency appliances (e.g., Energy Star Certified clothes washers, dishwashers, etc.) would be provided with the project.

Water Supply

Water for the project site is provided by the San Jose Water Company. The existing water lines in Barnes Lane and Macias Court are available and adequate to serve the project. Extensions within the project would be provided. The project is estimated to require approximately 1,800 gallons of water per day, based on 130 gallons per person per day. The project incorporates built-in water savings devices such as shower heads with flow control devices and low flush toilets to reduce water usage.

Storm Drainage Facilities

An increase in impervious surfaces associated with project development would cause an increase in stormwater runoff. Storm drainage service for the project site is provided by the City of San Jose. The existing storm drainage lines in Barnes Lane and Macias Court are available and adequate to serve the project. Extensions within the project would be provided. An onsite collection system including curbs, gutters and an underground system would be included in the project.

Solid Waste / Recycling

Residential solid waste disposal service for the project site is provided by the City of San Jose. The project is estimated to generate up to approximately 8 tons of solid waste per year, based on 3.0 pounds per person per day; however, with recycling, the amount disposed of in a landfill could be reduced to approximately 4 tons per year.

Construction / Demolition Debris

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

Gas and Electric Service

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

Telephone Service

There are existing AT&T telephone facilities in the area that would be extended as required to serve the project. There is sufficient capacity in this utility system to provide adequate project service.

MITIGATION MEASURES INCLUDED IN THE PROJECT

None required.

CONCLUSION

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

18. MANDATORY FINDINGS OF SIGNIFICANCE

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

Impact Summary

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

APPENDIX

Authors and Consultants

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

INITIAL STUDY / EIR

DISCLOSURE STATEMENT

APPLICANT Fred Egelston and Jill Amen

PROJECT TITLE 1126 Barnes Lane
PDC11-020

PROJECT LOCATION South side of Barnes Lane, approximately 650 feet west of Almaden Road (1126 Barnes Lane)

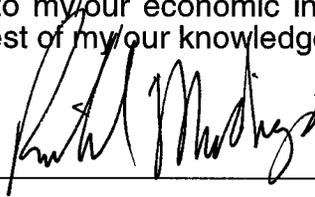
Mindigo & Associates has prepared the above Initial Study or Draft Environmental Impact Report, doing business as:

An Individual

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

None, Except Fees For The Preparation Of Environmental Studies

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



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

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

Persons and Organizations Consulted

1. **Fred Egelston and Jill Amen**, Applicants
2. **Erik Schoennauer**, Project Representative, The Schoennauer Company
3. **Gil Garcia**, Architect
4. **Sarah Erickson**, Civil Engineer, RI Engineering
5. **Bob Gonzales**, Director, Student Assignment, San Jose Unified School District
- 6 to 24. Not used.

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49. **Generalized Geologic Map**, Roger D. Borchardt, James F. Gibbs, and Kenneth R. Lajoie, 1975
50. **Geologic Hazard Zones**, City of San Jose, November, 1985
51. **Soils of Santa Clara County**, United States Department of Agriculture, Soil Conservation Service, 1968
52. **San Jose Geotechnical Investigation**, Cooper-Clark and Associates, July, 1974
53. **Special Studies Zones Map, Santa Teresa Hills Quadrangle**, California Division of Mines and Geology, January 1, 1982
54. **Fault Hazard Maps, Santa Teresa Hills Quadrangle**, City of San Jose, 1983
55. **Santa Clara Valley Map**, Barclay Maps, 1993
56. **State of California Seismic Hazard Zones Website, Santa Teresa Hills Quadrangle**, gmw.consrv.ca.gov
57. **Manual of Standards for Erosion and Sediment Control Measures**, Association of Bay Area Governments, June, 1981
58. **Regulated Facilities Database, State Water Resources Control Board Website**, www.geotracker.swrcb.ca.gov
59. **Ordinance No. 90-1**, Santa Clara Valley Water District, April 24, 1990
60. **Standards for the Sealing of Abandoned Wells, Santa Clara County**, Santa Clara Valley Water District and Santa Clara County Health Department, July 27, 1976
61. **Santa Clara County General Plan**, Santa Clara County Planning Office, December 21, 1994 (as amended 1996)
62. **The Safety Element of the General Plan of Santa Clara County**, Santa Clara County Planning Department, July, 1977

63. **Flood Insurance Rate Maps, Santa Clara County, California, Map Number, 06085C0404H** Federal Emergency Management Agency, May 18, 2009, msc.fema.gov
64. **NPDES Permit for the Santa Clara Valley Urban Runoff Pollution Prevention Program**, California Regional Water Quality Control Board San Francisco Bay Region
65. **C.3 Handbook**, Santa Clara Valley Urban Runoff Pollution Prevention Program, May 20, 2004
66. **Land Use/Transportation Diagram, San Jose 2020 General Plan**, City of San Jose Department of Planning, Building and Code Enforcement
67. **Zoning Maps**, City of San Jose Department of Planning, Building and Code Enforcement
68. **Zoning Ordinance**, City of San Jose, effective December 31, 2004
69. **City Maps**, Department of Public Works, City of San Jose, 2003
70. **City of San Jose Year 2020 Noise Exposure Map for Major Transportation Noise Sources**, Illingworth & Rodkin, Inc., April 5, 1998
71. **Land Use Plan for Areas Surrounding Santa Clara County Airports**, Airport Land Use Commission, September, 1992
72. **Leisure and Life 2000**, San Jose Department of Recreation, Parks and Community Services, March 2, 1988
73. **Neighborhood Parks, City of San Jose, Parks, Recreation and Neighborhood Services Department Website**, www.sjpark.org
74. **Parkland Dedication Ordinance**, City of San Jose, December 8, 1992 as revised March, 2000 // **Park Impact Fee Ordinance**, City of San Jose, June 14, 1994 as revised March, 2000
75. **San Jose Fire Department Website**, www.sjfd.com
76. **San Jose Police Department Website**, www.sjpd.org
77. **Library Locations, San Jose Public Library Website**, www.sjpl.org
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79. **Evergreen–East Hills Development Policy (Resolution No. 74741)**, City of San Jose, adopted December 16, 2008
80. **Congestion Management Program, Transportation Impact Analysis Guidelines**, Santa Clara Valley Transportation Authority, adopted May 7, 1998
81. **Bus Route Schedules and Route Maps, Santa Clara Valley Transportation Authority Website**, www.vta.org

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83. **Sanitary Sewer Maps, City of San Jose Department of Public Works Website, www.sanjoseca.gov**
84. **Specific Use Codes and Sewage Coefficients - Development Tracking Information System, City of San Jose, March 1, 1985**
85. **South Bay Water Recycling Website, www.sanjoseca.gov/sbwr**
86. **Storm Drainage Maps, City of San Jose Department of Public Works Website, www.sanjoseca.gov**
87. **Santa Clara Valley Habitat Conservation Plan Website, www.scv-habitatplan.org**
88. **Initial Response to Development Application Memorandum, PDC11-020, Maria Angeles, Public Works Department, City of San Jose, December 8, 2011**

89 to 99. Not used.

Consultants' Reports

100. **An Evaluation of the Existing Trees at 1126 Barnes Lane, San Jose, California, Michael L. Bench, Consulting Arborist, July 21, 2011**
101. **Cultural Resources Study of the 1126 Barnes Lane Property, San Jose, Santa Clara County, California, Holman & Associates, March 6, 2012**
102. **Historic Evaluation of the Property at 1126 Barnes Lane in the City of San Jose, Archaeological Resource Management, September 7, 2011**
103. **Reconnaissance Geologic Study Letter, Proposed Four-Lot Subdivision, Egelston Property, 1126 Barnes Lane, San Jose, California, UPP Geotechnology, Inc., September 1, 2011**
104. **Phase I Preliminary Environmental Site Assessment, 1126 Barnes Lane, San Jose, California, Hoexter Consulting, Inc., September 12, 2011**

TECHNICAL APPENDIX

TECHNICAL APPENDIX

Copies of the following consultants' reports, which were prepared for the **1126 Barnes Lane** and are summarized in this Initial Study, are included in this Technical Appendix or in the CD attached to the back cover of this document. Copies are on file at the City of San Jose Planning Division. In accordance with the State CEQA Guidelines, these reports are incorporated by reference and not reproduced in the body of the Initial Study in order to reduce the size and number of pages.

An Evaluation of the Existing Trees at 1126 Barnes Lane, San Jose, California, Michael L. Bench, Consulting Arborist, July 21, 2011

Cultural Resources Study of the 1126 Barnes Lane Property, San Jose, Santa Clara County, California, Holman & Associates, March 6, 2012

Historic Evaluation of the Property at 1126 Barnes Lane in the City of San Jose, Archaeological Resource Management, September 7, 2011

Reconnaissance Geologic Study Letter, Proposed Four-Lot Subdivision, Egelston Property, 1126 Barnes Lane, San Jose, California, UPP Geotechnology, Inc., September 1, 2011

Certificate of Geologic Hazard Clearance (Conditional), Proposed 4 Lot SFD Subdivision Development 1126 Barnes Lane, APN 583-11-126, Michael K. Shimamoto, Engineering Geologist, Engineering Services Division, City of San Jose, November 17, 2011

Phase I Preliminary Environmental Site Assessment, 1126 Barnes Lane, San Jose, California, Hoexter Consulting, Inc., September 12, 2011

**AN EVALUATION OF THE EXISTING TREES AT
1126 BARNES LANE
SAN JOSE, CALIFORNIA
APN # 583-11-126**

**PREPARED AT THE REQUEST OF
MR. FRED EGELSTON
122170 ALIMATOS ROAD
SAN JOSE, CALIFORNIA 95120**

**PREPARED BY
MICHAEL L. BENCH
CONSULTING ARBORIST
JULY 21, 2011**

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Assignment

I have been asked by Mr. Fred Egelston to evaluate the existing trees located at 1126 Barnes Lane, San Jose, California. This property is listed as APN # 583-11-126.

The plan provided for this evaluation is the Tentative Map prepared by Carnes and Associates Engineering Firm, Gilroy, California, dated 4-04-11.

Summary

A total of 55 trees are included in this inventory. Among these 55 trees, 39 are located on this property, and 16 trees are located on adjacent properties.

All of the 55 trees are identified by species, briefly described (trunk diameter, height, spread, health, structural integrity) and given a condition rating of Excellent, Good, Fair, Poor, Extremely Poor.

The plans of the proposed project are not available at the time of this evaluation. Therefore, the disposition of each tree in relation to proposed plan features is not included in this report.

Methods

The trunks of the trees are measured using a standard measuring tape at 2 feet above soil grade, except those specimens whose form does not allow for a representative measurement at this height. When possible, the trunk measurement is taken below the lowest fork on the trunk. The canopy height and spread are estimated using visual references only. The approximate shape of the canopy, which is estimated relative to the other nearby trees and infrastructure, has been added to the attached map.

Observations

There are 55 trees included in this tree survey. Among the total trees 39 are located on this site and 16 are located on adjacent neighboring properties near the property boundaries. These neighboring trees are included and the expected potential risks to them are described. The attached map shows the locations of all 55 trees and their approximate canopy dimensions. Metallic labels have been affixed to only the trees that are located on this property for field reference. No labels were affixed to the trees located on neighboring properties.

The particulars of the 55 trees (trunk diameter, height, spread) are included on the Field Data Sheets, which follow this text. These data sheets rate the health and structure of each specimen is rated on a scale of 1-5 as follows: (1) Excellent, (2) Good, (3) Fair, (4) Poor, (5) Extremely Poor.

Comments about Specific Trees

Almost all of the trees on this property are in good health. This is primarily judged by density of canopy, leaf color (appropriate for the species), presence or absence of leaf damage (i.e., tip burn or not), annual branch tip growth, and the presence or absence of disease or insect infestation. Individual tree ratings are on the Field Data Sheets.

However, structural integrity is rated separately. Several trees have co-dominant stems with imbedded bark. This structure often results in limb failures, which in time may result in additional limb failures.

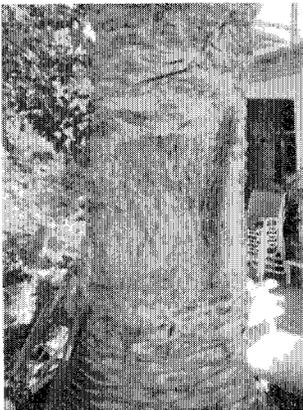


This is the trunk of Tree # 1, which has co-dominant stems with imbedded bark. As each of the stems grow larger independently, one or more of these stems will likely split apart and fall, leaving a very large wound.

Trees # 1, 2, 6, 15, 19, 20, 22, 26, 34 and 39 have this structural weakness in varying degrees of severity. This reduces the overall condition of these trees to a rating of only Fair, despite the fact that the health of most of these trees is excellent.

Two trees at this site have been “topped,” which results in a very weak structure over time. These are Trees # 2, an Argyle apple (*Eucalyptus cinerea*), and # 36, a Monterey pine (*Pinus radiata*). After a tree has been topped, the top growth diverts so the side branches, which become over-extended and prone to breakage. I consider the overall condition of these 2 trees to be Poor.

Trees # 10 and # 32 are stump sprout specimens, which have inherently weak structures. I consider the overall condition of these 2 trees to be Fair to Poor.



The Canary Island date palm (*Phoenix canariensis*) Tree # 5 suffered a significant trunk wound at about 6 feet above grade several years ago. The scar is very visible. This damage forms a weak area on the trunk, which is prone to breakage, especially as the tree becomes considerably taller. Although most palm trees can be transplanted with a high expectation for success, I do not consider this palm tree to be an acceptable candidate for transplant, because of this large trunk wound and the risks associated with it.

The health and structure of the larger coast live oak (*Quercus agrifolia*) Trees # 11, 18, 23, 33, and 38 are excellent.

Expected Risks to Trees By Construction

The trees at this site would likely be at risk of damage by construction or construction procedures that are common to most construction sites. These procedures may include the dumping or the stockpiling of materials over root systems, may include the trenching across the root zones for utilities or for landscape irrigation, or may include construction traffic across the root system resulting in soil compaction and root die back.

Concerning the neighboring trees, it would be essential that trenching, excavation or other earth work be done a minimum of 5 feet from the property boundary for the protection of the neighboring trees. In this event, none of the neighboring trees should suffer significant damage resulting in any noticeable decline.

The plans for each of the proposed lots are not available at the time of this evaluation. For this reason, recommendations for protection of trees in relation to specific plan features are not included in this report.

Respectfully submitted,



Michael L. Bench, Consulting Arborist
International Society of Arboriculture Certification WE – 1807
American Society of Consulting Arborists Member

Attachments: Field Data Sheets
Assumptions and Limiting Conditions
Site Plan Showing Trees
Photos of All Trees

Field Data Sheet 1126 Barnes Lane										
T #	Tree Name	DIA	DIA	Hght	Sprd	Hlth	Strc	CD/IB	Tppd	Notes
1	Red box or Silver dollar gum	13/11	11/8	60	30	1	4	X		
2	Argyle apple	14/14	7	45	25	1	4	X	X	
3	Eucalyptus cinerea									
	Italian cypress	8		50	10	1	1			
4	Cupressus sempervirens									
	Italian cypress	8		50	10	1	1			
5	Canary Island date palm	26		30	25	1	3			Trunk Damage
	Phoenix canariensis									
6	Japanese privet	5/5	3/3	20	20	1	4	X		
	Licium japonicum									
7	California black walnut	6		30	15	1	2			
	Judans. hindsii *									
8	Hollywood juniper	9		15	20	1	1			
	Junipers chinensis									
9	California black walnut *	6	4	20	20	1	2			
10	Japanese privet	5	3 (x6)	20	20	1	4			Stump Sprout
11	Coast live oak *	14		25	25	1	2			
	Quercia agrifolia									
12	Mexican fan palm	18		20	15	1	1			
	Washingtonia robusta									
13	California black walnut *	8		15	20	1	2			
14	Siberian elm	8/4	4/4	20	25	1	3			
	Ulmus pumila									
15	Siberian elm	8		20	25	1	3	X		
16	Mexican fan palm	15		10	10	1	1			
17	Mexican fan palm	15		10	10	1	1			
18	Coast live oak *	15		25	25	1	1			
19	Coast live oak *	10		25	15	1	3	X		
20	Coast redwood	20	14	70	25	1	3	X		
	Sequoia sempervirens									
21	Fruitless mulberry	16		25	35	1	3			
	Morus alba									
22	California black walnut *	6		25	20	1	4	X		
23	Coast live oak *	8		30	25	1	2			
24	Mexican fan palm	20		30	15	1	1			
25	Mexican fan palm	20/18		20	20	1	1			
26	California black walnut *	6		20	20	1	4	X		
27	Coast live oak *	4		10	10	1	2			
28	European olive	10		8	15	1	3			
	Olea europea									
29	European olive	8		10	15	1	3			
30	European olive	5		10	10	1	2			
31	California black walnut *	6/6	6	25	25	1	3			
32	California black walnut *	4/3	3/3 (x5)	20	25	1	4			Stump Sprout
33	Coast live oak *	15		30	35	1	1			
34	Camphor	10		30	25	1	3	X		
	Cinnamomum camphora									
35	Coast live oak *	4		15	10	1	1			
36	Monterey pine	22		35	50	2	4		X	
	Pinus radiata									
37	Orange	6		10	10	3	2			
	Citrus sinensis									
38	Coast live oak *	15		35	35	1	1			
39	European white birch	5/3	2	25	25	2	3	X		
	Betula pendula									

* Native

40	Purple Silk Tree Albizia julibrissin 'Summer Chocolate'	7	15	20	1	2		
41	Purple plum Prunus cerasifera 'Krauter Vesuvius'	8	25	25	1	2		
42	Queen palm Svachrus romanzoffianum	12	30	15	1	1		
43	Queen palm	12	25	15	1	1		
44	Queen palm	12	25	15	1	1		
45	Purple plum	6	15	15	1	3		
46	Lombardy poplar Populus nigra 'Italica'	12	35	15	1	2		
47	Lombardy poplar	12	35	15	1	2		
48	Lombardy poplar	8	30	10	1	2		
49	Lombardy poplar	12	35	15	1	2		
50	Purple plum	6	10	15	1	2		
51	Italian cypress Cupressus sempervirens	6	15	6	1	1		5 young trees
	Index DIA = Trunk Diameter (2 feet above grade) Hght = Canopy Height Sprd = Canopy Spread Hlth = Health Strc = Structure CD/IB = Co-dominant stems with Imbedded Bark - high risk of limb breakage Tppd = Topped							

Michael L. Bench

Consulting Arborist

ISA #1897, ASCA Member

(831) 594-5151 Fax (831) 663-0373

7327 Langley Canyon Rd., Prunedale, CA 93907

- 6 -

Subject: Egelston Property

APN # 583-11-126

1126 Barnes Lane

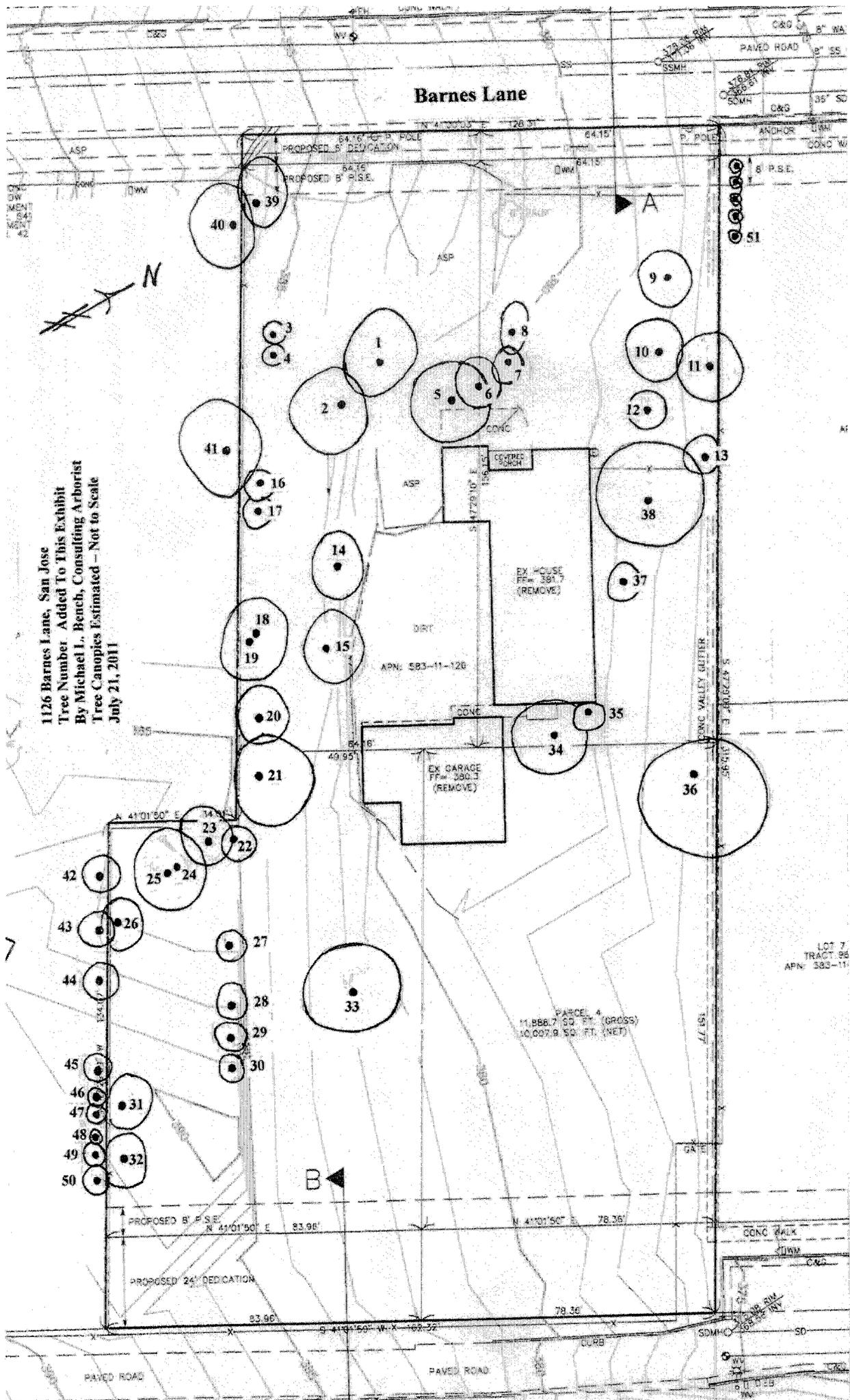
San Jose, California

Assumptions and Limiting Conditions

1. Any description provided to the appraiser/consultant is assumed to be correct. Any titles and ownerships to any property are assumed to be good and marketable. No responsibility is assumed for legal matters in character nor is any opinion rendered as to the quality of any title.
2. It is assumed that any property is not in violation of any applicable codes, ordinances, statutes, or other governmental regulations.
3. Care has been taken to obtain information from reliable sources. All data has been verified insofar as reasonably possible. However, the appraiser/consultant can neither guarantee nor be responsible for the accuracy of information provided by others.
4. The appraiser/consultant shall not be required to give testimony or to attend court by reason of this appraisal unless written arrangements are made, including payment of additional fees for services.
5. Loss or removal of any part of this report invalidates the entire appraisal/evaluation.
6. Possession of this report, or any copy thereof, does not imply right of publication or use for any purpose by any person other than to whom this report is addressed without written consent of this appraiser/consultant.
7. Neither all nor any part of the contents of this report, nor copy thereof, shall be used for any purpose by anyone but the client to whom this report is addressed, without the prior written consent of the appraiser/consultant; nor shall it be conveyed by anyone, including the client, to the public through advertizing, public relations, news, sales, or other media, without the written consent and approval of the author; particularly as to value considerations, identity of the appraiser/consultant to any professional society or institute or to any designation conferred upon by the appraiser/consultant as stated in his/her qualifications.
8. This report and the values expressed herein represent the opinion of the appraiser/consultant. Further, the appraiser/consultant's fee is in no way contingent upon the reporting of a specified value nor upon any finding or recommendation reported.
9. Sketches, diagrams, graphs, photos, etc., in this report are intended as visual aides and are not done necessarily to scale and should not be construed as engineering information or specifications.
10. This report has been made in conformity with generally acceptable appraisal/evaluation/diagnostic reporting methods and procedures and is consistent with practices recommended by the International Society of Arboriculture and the American Society of Consulting Arborists.
11. The appraiser/consultant takes no responsibility for any defects in any tree's structure. No tree described in this report/evaluation has been climbed, unless otherwise stated, and, as such, structural defects that could only have been discovered by climbing are not reported. Likewise, a root collar inspection, consisting of excavation of soil around the tree for the purpose of uncovering major root defects/weaknesses, has not been performed, unless otherwise stated.

Barnes Lane

1126 Barnes Lane, San Jose
Tree Number Added To This Exhibit
By Michael L. Bench, Consulting Arborist
Tree Canopies Estimated - Not to Scale
July 21, 2011



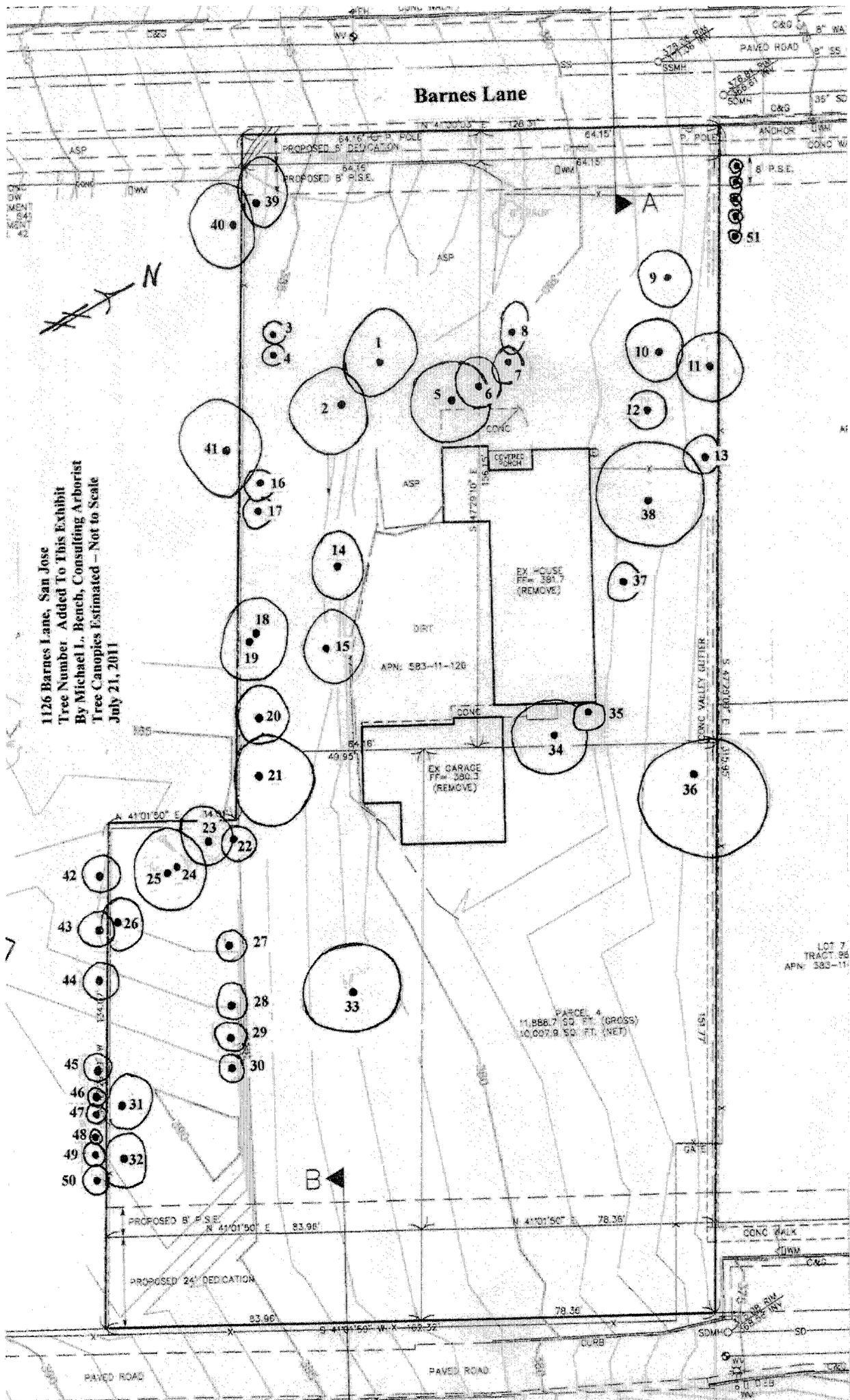
LOT 7
TRACT 86
APN: 583-11

PARCELA 4
11,866.7 SQ. FT. (GROSS)
10,097.9 SQ. FT. (NET)

APN: 583-11-120

EX GARAGE
FF# 380.3
(REMOVE)

EX HOUSE
FF# 381.7
(REMOVE)



LOT 7
TRACT 86
APN: 583-11

PARCELA 4
11,866.7 SQ. FT. (GROSS)
10,097.9 SQ. FT. (NET)

APN: 583-11-120

EX GARAGE
FF# 380.3
(REMOVE)

EX HOUSE
FF# 381.7
(REMOVE)

Photos

Tree # 1 - Center Foreground

Trees # 3 and # 4- Tall Italian Cypress



Tree # 2



Tree # 5



Trees # 6, 7, 8 Left to Right



Tree # 9



Tree # 10



An Evaluation of the Existing Trees at
1126 Barnes Lane, San Jose, CA

Tree # 10 Left
Tree # 11 Center (Most Hidden)
Tree # 12 Palm on Right



Tree # 12 Left; Tree # 13 Center



Tree # 14 Foreground



Trees # 15 Foreground; Tree # 20 behind Left



Trees # 16, 17 Foreground
Tree # 41 Background



Tree # 18 Foreground
Tree # 19 Behind (Not Visible)



An Evaluation of the Existing Trees at
1126 Barnes Lane, San Jose, CA

Tree # 21 – Foreground
Trees # 20 – Background Center



Tree # 22 – Right
Tree # 23 – Center Background (Top Visible)
Trees # 24 Center Left; Tree # 25 - Left



Trees # 26 – Center
Tree # 42 – Right Palm
Tree # 43 – Left Palm above # 26



Trees # 27



Tree # 28 – Right Foreground
Tree # 29 – Center
Tree # 30 – Left



Tree # 31 – Right Foreground
Tree # 32 – Left Foreground
Trees # 45-50 (Right to Left)
in Background



An Evaluation of the Existing Trees at
1126 Barnes Lane, San Jose, CA

Tree # 33



Tree # 34



Tree # 35



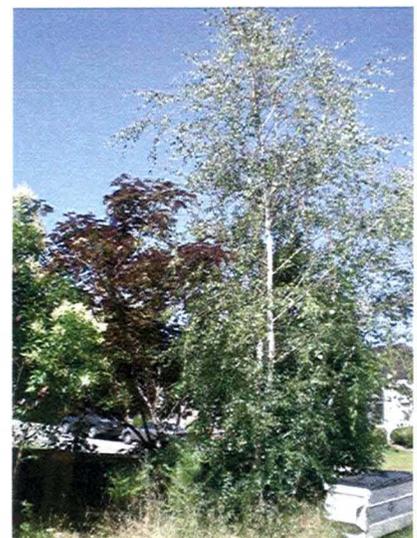
Tree # 38



Trees # 37 - Foreground
Tree # 38 – Top Seen in Background



Tree # 39 – Left
Tree # 40 – Left Center





holman & ASSOCIATES

Archaeological Consultants

"SINCE THE BEGINNING"

3615 FOLSOM ST. SAN FRANCISCO,
CALIFORNIA 94110 415/550-7286

Richard Mindigo
Mindigo & Associates
1984 The Alameda
San Jose, CA 95126

March 6, 2012

Dear Mr. Mindigo:

RE: CULTURAL RESOURCES STUDY OF THE 1126 BARNES LANE PROPERTY, SAN JOSE, SANTA CLARA COUNTY, CALIFORNIA

At your request I have completed an archaeological literature review and field inspection of the above referenced property found in San Jose, Santa Clara County. No evidence of historic and/or prehistoric archaeological materials was found. This report contains a summary of information gained to date.

PROJECT DESCRIPTION

The proposed project area is an approximately 1.03 acre rectangular shaped parcel of land located in the southern Almaden Valley off of old Almaden Road at 1126 Barnes Lane. Located on the Santa Teresa U.S.G.S. map, the borders of the property are Barnes lane on the northwest, housing on the northeast, southeast and southwest. Currently the property contains a house and outbuildings which were not the subject of this study; the rear portion of the property contains a field which is divided up into two stable areas.

ARCHIVAL RESEARCH

An archaeological literature review was conducted by this author at the Northwest Information Center (NWIC) located in Rohnert Park on January 24, 2012 (NWIC file no. 11-0775). there are no archaeological sites inside or within 500 feet of the project area and there have been no formal surveys of the property. There has been only one archaeological study done in the immediate area on the north side of Barnes Lane with negative findings. While there is a report that Basin Research Associates surveyed the subdivision surrounding the project area, the report is not on file at the NWIC.

The nearest archaeological sites are found along the Arroyo Calero and Alamos Creek drainages to the north; the New Almaden mining complex is found over a mile to the southeast.

1126 BARNES LANE CULTURAL RESOURCES STUDY

DESCRIPTION OF FIELD INSPECTION

A visual inspection of the project area was done by this author on March 1, 2012 in the company of a tenant of the property. Visible ground is limited to small areas in the front of the property not covered by pavement or machinery or the house itself. The majority of open space is found at the back of the property where a shed gives way to a pasture area currently containing two horses.

Soils throughout the stables area consist of a light brown clay loam containing small amounts of angular gravel. The use for a pasture appears to have led to the removal of the native topsoil from the area, exposing a uniform layer of clay throughout. Thanks to the constantly grazing horses, the surface was visible throughout the stable area.

FINDINGS/RECOMMENDATIONS

In summary, no evidence of historic and/or prehistoric archaeological deposits was seen anywhere inside the project area. It is the opinion of this author that development of the parcel will have no effect on cultural resources; this report does not recommend mechanical subsurface presence/absence testing and does not recommend archaeological monitoring during site clearing and/or subsequent construction related earthmoving.

Sincerely,



Miley Paul Holman
Holman & Associates

Archaeological Resource Management

*Robert R. Cartier, Ph.D.
496 North 5th Street
San Jose, CA 95112
Telephone (408) 295-1373
Fax (408) 286-2040
email: armcartier@netscape.net*

Mr. Mike Gill
Eagle Financial Group
1975 Hamilton Avenue #25
San Jose, CA 95125

September 7, 2011

RE: HISTORIC EVALUATION OF THE PROPERTY AT 1126 BARNES LANE
IN THE CITY OF SAN JOSE

Dear Mr. Gill:

As per your request our firm is submitting the enclosed updated historical evaluation of the property at 1126 Barnes Lane in the City of San Jose. Based upon the requirements of the City of San Jose, a methodology was designed which included the following services:

- an evaluation of the property based on the criteria of the NRHP and CRHR
- an evaluation of the property using the criteria of the City of San Jose Inventory
- a State Historic Resources Evaluation form (DPR 523) for the property

Based upon the results of this investigation, it was determined that the property at 1126 Barnes Lane does not appear to be eligible for listing in the California Register of Historic Resources or the National Register of Historic Places. The home received a score of 16.25 points on the City of San Jose Evaluation tally form, identifying it as a non-significant structure. Therefore, it is determined that the proposed project will have no impact on significant historic resources, and no further recommendations are being made.

Sincerely,



Robert Cartier, Ph.D.
Principal Investigator

RC/dj

Primary # _____
HRI # _____
Trinomial _____
NRHP Status Code _____

Other Listings _____
Review Code _____ Reviewer _____ Date _____

Page 1 of 21 Resource Name or # 1126 Barnes Lane

P1. Other Identifier: N/A

P2. Location: _____ Not for Publication Unrestricted *a. County Santa Clara
and (P2b and P2c or P2d. Attach a Location Map as necessary.)

Santa Teresa

*b. USGS 7.5' Quad: Hills Date: 1978 T ; R ; 1/4 of 1/4 of Sec ; BM

c. Address: 1126 Barnes Lane City: San Jose Zip: 95120

d. UTM: 10S 6 o3 185mE/41 17 309mN

e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, etc., as appropriate)

APN: 583-11-126

*P3a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries.)
The residence at 1126 Barnes Lane is a single story craftsman bungalow style home in fair to poor condition. The roof is front gabled, and surfaced with composition shingles. Characteristic of the Craftsman style, the eaves are broad and open with exposed rafters. The exterior walls are surfaced with narrow horizontal wooden siding. Notable features of the front façade include decorative triangular wooden braces beneath the gable, and a small porch covered by an extending shed roof.

See Continuation Sheet, Page 4

*P3b. Resource Attributes: (List attributes and codes.) HP02- Single Family Residence

*P4. Resources Present: Building Structure Object District Element of District Site Other

P5a. Photo or drawing (Photo required for buildings, structures, objects.)



*P5b. Description of Photo: (View, date, accession #)
View of the front façade of the residence at 1126 Barnes Lane

*P6. Date Constructed/Age and Sources

Historic Prehistoric Both

Structure moved to the property between 1956-1965 based upon aerial photography. Originally constructed circa the 1920's based upon physical examination and stylistic elements.

*P7. Owner and Address:

Mr. Steven Lenheim
1126 Barnes Lane
San Jose, CA 95120

*P8. Recorded by:

Robert Cartier
Archaeological Resource Management
496 North 5th Street
San Jose, CA 95112

*P9. Date Recorded: 9/7/11

*P10. Survey Type: Intensive

*P11. Report Citation: (Cite Survey Report and other sources, or enter "none.")

None

* Attachments: None Location Map Sketch Map Continuation Sheet Building, Structure, and Object Record
 Archaeological Record District Record Linear Feature Record Milling Station Record Rock Art Record Artifact Record
 Photographic Record Other (List):

BUILDING, STRUCTURE, AND OBJECT RECORD

Page 2 of 21

*NRHP Status Code _____

*Resource Name or # (Assigned by recorder) 1126 Barnes Lane

B1. Historic Name: N/A

B2. Common Name: N/A

B3. Original Use: Residence B4. Present Use: Residence

*B5. Architectural Style: Craftsman Bungalow

*B6. Construction History: (Construction date, alterations, and date of alterations)
Based upon County of Santa Clara Assessor's records, the residence at 1126 Barnes Lane was constructed in 1932. However, historic aerial photography of the area indicates that no structures were present on the property as of 1956. The house is clearly visible in aerial photography from 1965 onwards. Physical examination and stylistic details indicate that the residence is much older, likely originally constructed circa the 1920's. Therefore, it appears that the home was moved to the property sometime between 1956 and 1965. Historic appraiser's property record forms are not on file with the Santa Clara County Assessor's office; a placeholder form indicates that these records have been lost. In addition to the movement of the residence to the subject property, several modifications have been made to the structure including the replacement of the original foundation, as well as additions to the front and rear of the home, re-roofing, and removal and replacement of original interior fixtures.

*B7. Moved? No Yes Unknown Date: 1956-1965 Original Location: unknown

*B8. Related Features:
Also present on the property is a detached garage. This roof of this structure is front gabled and of shallow pitch, surfaced with corrugated metal sheeting. The exterior walls are surfaced in a variety of vertical horizontal siding, varying in thickness. A shed roof addition has been added to the northeast façade of this building.

B9a. Architect: Unknown b. Builder: Unknown

*B10. Significance: Theme Architecture & Shelter Area San Jose, CA

Period of Significance Inter-War (1918-1945) Property Type Private Residential Applicable Criteria N/A
The property at 1126 Barnes Lane in San Jose was originally part of Rancho San Vicente, granted to Jose de Los Reyes Berryessa on August 1, 1842. By 1876 the subject property made up a portion of the 5360.48 acre property of the Quicksilver Mining Company, which ran the New Almaden Mines (Thompson & West Atlas of Santa Clara County, CA 1876). The subject property was still in the hands of the mining company in 1890 (Official map of Santa Clara County, 1890). By the early 1920's the subject property made up a portion of the 20 acre property of Mr. Marco Rigazzi. On May 31, 1923 Rigazzi sold the property to Mr. John Althape (Book 414 of Official Records, Page 17).

See Continuation Sheet, Page 4

B11. Additional Resource Attributes: (List attributes and codes) HP04- Detached Garage

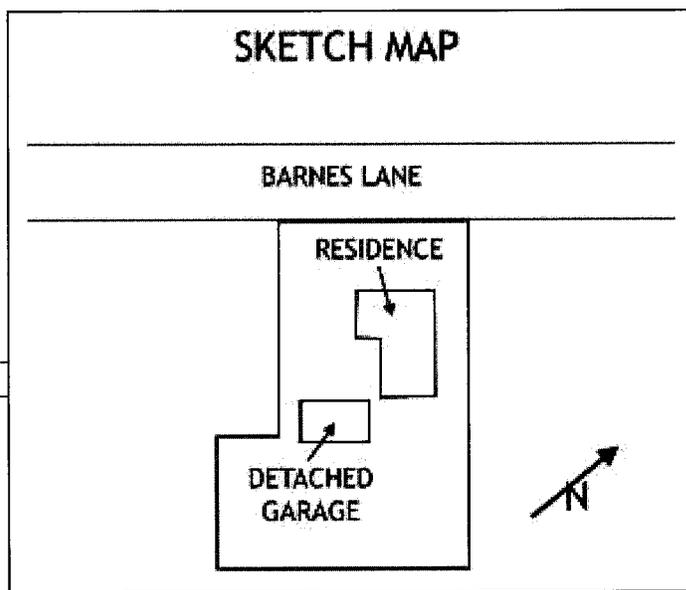
*B12. References:
See Continuation Sheet, Page 8

B13. Remarks:

*B14. Evaluator: Robert R. Cartier

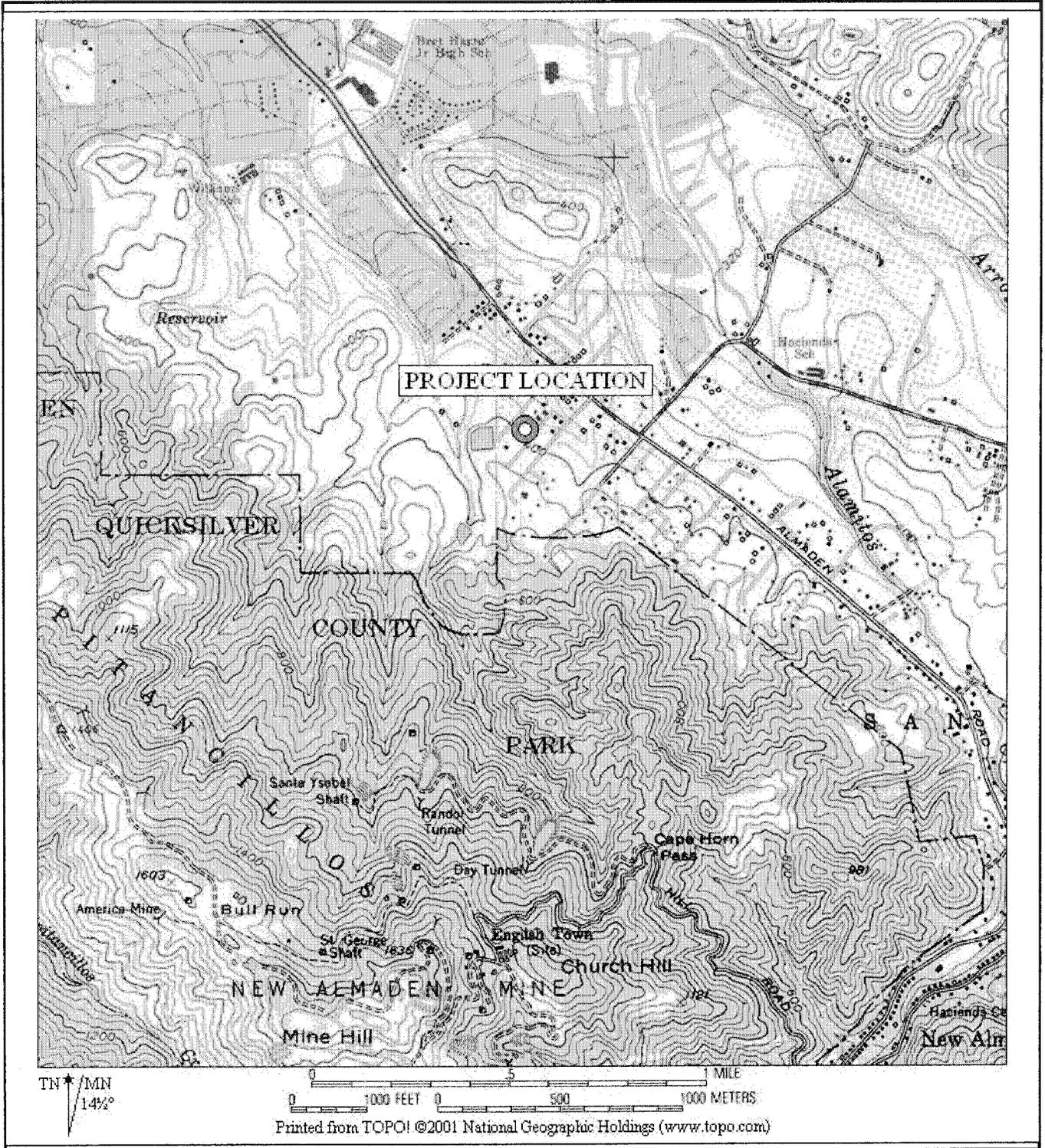
*Date of Evaluation: 9/7/11

(This space reserved for official comments.)



LOCATION MAP

Page 3 of 21 Resource Name or # (Assigned by recorder) 1126 Barnes Lane
*Map Name: Santa Teresa Hills, CA *Scale: 7.5 Minute *Date of Map: 1978



Continued from P3a:

Two major additions have been made to the structure, one towards the front of the residence along the southwest façade, and a large rear addition. Exterior siding appears consistent in both the original and added portions of the home, however fenestration is varied. The original structure is characterized by wooden framed multi-paned windows consistent with the Craftsman Bungalow style. A single wooden framed multi-paned window is present at the rear of the front addition, while modern French doors provide front access. The rear addition appears to be of more recent construction, and fenestration consists of aluminum framed windows throughout. The foundation of the residence consists of a poured concrete perimeter footing, with thick posts and concrete piers in the interior, and appears to date from the movement of the residence to the current subject area, between 1956 and 1965. Two large holes have been broken into the concrete foundation along the northeast façade of the home.

The interior of the residence is in fair to poor condition, and somewhat altered from its original form. The interior walls are surfaced with plaster and lathe in the original portion of the home; in some areas the plaster has come loose, exposing the lathe beneath. All interior fixtures, including counters and countertops, cabinets, appliances, toilet and shower appear to be non-original.

Continued from B10:

The property remained in Althape's possession until his death. On January 22 of 1948, the property was sold by his estate to Lewis and Eleanor Stotesberry, and Mary Martin (Book 1453 of Official Records, Page 505). Ten acres of the property were split off that year, and granted to Mary Martin, with the subject property remaining in the hands of the Stotesberrys (Book 1453 of Official Records, Page 506).

On December 7, 1948 the property (now consisting of approximately 8.009 acres) was sold to Edward and Eudora Barnes (Book 1714 of Official Records, Page 576). The Barnes' split the property in three parts, and on September 22, 1950 the approximately 2.5 acre parcel of the property which contains the subject property was sold to Joseph and Janet Gunther (Book 2063 of Official Records, Page 215). The property was sold again on July 26, 1955, to John and Ethel La Fontaine (Book 3237 of Official Records, Page 535). On February 14, 1963 the property was granted to Jess and Ann Sillas (Book 5929 of Official Records, Page 736). Based upon historic aerial photography, the residence was moved onto the subject property between 1956 and 1965, during the ownership of either the La Fontaine's or the Sillas'. The property remained with the Sillas' for over 30 years; however on November, 17, 1994 the property was sold to Douglas and Evie Lynn Turk (Book N672 of Official Records, Page 1277). On June 13, 1996 the property was sold to Steve E. Lenheim, the current owner (Book P384 of Official Records, Page 1528).

California Register of Historic Resources Criteria

A cultural resource is considered "significant" if it qualifies as eligible for listing in the California Register of Historic Resources (CRHR). Properties that are eligible for listing in the CRHR must meet one or more of the following criteria:

1. Association with events that have made a significant contribution to the broad patterns of local or regional history or the cultural heritage of California or the United States;
2. Association with the lives of persons important to local, California, or national history;
3. Embodying the distinctive characteristics of a type, period, region, or method of construction, or representing the work of a master, or possessing high artistic values; or
4. Has yielded, or has the potential to yield, information important to the prehistory or history of the local area, California, or the nation.

A property may be automatically listed in the CRHR if it is formally determined eligible for the National Register of Historic Places. Properties that are formally determined eligible for the NRHP are those that are designated as such through one of the federal preservation programs administered by the California Office of Historic Preservation (i.e., the National Register, Tax Certification, and Section 106 review of federal undertakings). The CRHR interprets the integrity of a cultural resource based upon its physical authenticity. An historic cultural resource must retain its historic character or appearance and thus be recognizable as an historic resource. Integrity is evaluated by examining the subject's location, design, setting, materials, workmanship, feeling, and association. If the subject has retained these qualities, it may be said to have integrity. It is possible that a cultural resource may not retain sufficient integrity to be listed in the National Register of Historic Places yet still be eligible for listing in the CRHR. If a cultural resource retains the potential to convey significant historical/scientific data, it may be said to retain sufficient integrity for potential listing in the CRHR.

The structure at 1126 Barnes Lane is not currently listed on the California Register of Historical Resources. In addition, the structure does not appear to qualify as potentially eligible under any of the criteria listed above. The home is not associated with any known significant historical events, thus it does not appear to qualify as potentially eligible under criterion 1. No historically significant persons appear to have been associated with the property, thus it does not appear to qualify as potentially eligible under criterion 2. Although the home at 1126 Barnes Lane is an example of the Craftsman Bungalow style, is not an exceptional, unusual, or even good example of this style. Furthermore, the movement of the structure onto the subject property between 1956 and 1965 as well as the alterations to the house constitute a loss of historic and architectural integrity. Thus it does not appear to qualify as potentially eligible under criterion 3. In addition, the home does not appear to have the potential to yield significant historical information, and thus does not appear eligible under criterion 4.

National Register Criteria

The National Register of Historic Places was first established in 1966, with major revisions in 1976. The register is set forth in 36 CFR 60 which establishes the responsibilities of the State Historic Preservation Officers (SHPO), standards for their staffs and review boards, and describes the statewide survey and planning process for historic preservation. Within this regulation guidelines are set forth concerning the National Register of Historic Places (36 CFR 60.6). In addition, further regulations are found in 36 CFR 63-66, 800, and Bulletin 15 which define procedures for determination of eligibility, identification of historic properties, recovery, reporting, and protection procedures. The National Register of Historic Places was established to recognize resources associated with the accomplishments of all peoples who have contributed to the country's history and heritage. Guidelines were designed for Federal and State agencies in nominating cultural resources to the National Register. These guidelines are based upon integrity and significance of the resource. Integrity applies to specific items such as location, design, setting, materials, workmanship, feeling, and association. Quality of significance in American history, architecture, archaeology, engineering and culture is present in resources that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and meet at least one of the following criteria:

- A. That are associated with events that have made a significant contribution to broad patterns of our history;
- B. That are associated with the lives of persons significant in our past;
- C. That embody distinctive characteristics of type, period, or method of construction, or that represent the work of master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction;
- D. That have yielded, or are likely to yield, information important in prehistory or history.

Integrity is defined in Bulletin 15: How to Apply the National Register Criteria for Evaluation, (U.S. Department of the Interior, National Park Service 1982) as:

the authenticity of a property's historic identity, evidenced by the survival of physical characteristics that existed during the property's historic or prehistoric period. If a property retains the physical characteristics it possessed in the past then it has the capacity to convey association with historical patterns or persons, architectural or engineering design and technology, or information about a culture or peoples.

There are also seven aspects of integrity which are used. These aspects are:

- 1. location
- 2. design
- 3. setting
- 4. materials
- 5. workmanship
- 6. feeling
- 7. association

The structure at 1126 Barnes Lane is not currently listed on the National Register of Historic Places. In addition, the property does not appear to be potentially eligible for listing in this register. The home is not associated with significant historic events or persons, thus it does not appear to be potentially eligible for listing under criteria A or B. Although built in the Craftsman Bungalow style, it is not a particularly exceptional or unusual example of this style, thus the structure does not appear to qualify as eligible for the NRHP under criterion C. The property does not appear to be likely to yield information important in prehistory or history, thus it does not appear to qualify as potentially eligible under criterion D. In addition, the structure is lacking in integrity, having been moved onto the property between 1956 and 1965, and undergone major additions since its original construction.

San Jose Historic Resources Inventory Criteria

The City of San Jose's Historic Preservation Ordinance defines structures of historical value based on any of the following factors:

1. Identification or association with persons, eras or events that have contributed to local, regional, state, or national history, heritage, or culture in a distinctive, significant, or important way;
2. Identification as, or association with, a distinctive, significant or important work or vestige:
 - a. Of an architectural style, design or method of construction;
 - b. Of a master architect, builder, artist, or craftsman;
 - c. Of high artistic merit;
 - d. The totality of which comprises a distinctive, significant, or important work or vestige whose component parts may lack the same attributes;
 - e. That has yielded or is substantially likely to yield information of value about history, architecture, engineering, culture, or aesthetics, or that provides for existing and future generations an example of the physical surroundings in which past generations lived or worked; or
 - f. That the construction materials or engineering methods used in the proposed landmark are unusual or significant or uniquely effective.
3. The factor of age alone does not necessarily confer a special historical, architectural, cultural aesthetic, or engineering significance, value or interest upon a structure or site, but it may have such effect if a more distinctive, significant or important example thereof no longer exists.

The City of San Jose Historic Resource inventory Hierarchy of Significance

Evaluation Tally Sheet Total	Category of Significance
67-134	Candidate City Landmark
33-66	Structure of merit
33-66	Contributing Structure
0-32	Non-Contributing Structure
0-32	Non-Significant Structure

The structure at 1126 Barnes Lane is not currently listed on the San Jose Historic Resource Inventory, in addition it does not appear to be potentially eligible for listing in this register. The property received a score of 16.25 points on the City of San Jose Historic Evaluation Form, identifying it as a Non-Significant Structure.

CONTINUATION SHEET

Page 8 of 21 *Resource Name or # (Assigned by recorder) 1126 Barnes Lane
*Recorded by Archaeological Resource Management Date 9/7/11 x Continuation Update

Continued from B12:

Arbuckle, C.
1985 *Clyde Arbuckle's History of San Jose*. San Jose: Smith and McKay.

Assessor's Office, County of Santa Clara
2011 Record search of assessed value and associated taxes for the property at
1126 Barnes Lane

Calloway, S. and E. Cromley
1996 *The Elements of Style: A Practical Encyclopedia of Interior Architectural
Details from 1485 to the Present, Revised Edition*. New York: Simon
& Schuster.

City Directories
1881- Record search of City Directories on file at the California Room, Dr. Martin
1979 Luther King, Jr. Main Library, San Jose Public Library, San Jose,
California.

Douglas, J.
1993 *Historical Footnotes of Santa Clara Valley*. San Jose: San Jose Historical Museum Association.

Loomis, P.
1982 *Signposts*. San Jose: San Jose Historical Museum Association.
1985 *Signposts II*. San Jose: San Jose Historical Museum Association.

McAlester, Virginia and Lee McAlester
1997 *A Field Guide to American Houses*. Alfred A. Knopf, New York

Payne, S.
1987 *Santa Clara County: Harvest of Change*. Northridge, California: Windsor Publications.

Recorder's Office, County of Santa Clara
2011 Record search of recorded information for the property at 1126 Barnes Lane.

Thompson & West
1876 *Historical Atlas of Santa-Clara County, California*. San Francisco: Thompson & West.

US Department of the Interior
1990 The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic
Buildings

US Department of the Interior
1982 Bulletin 15 - "How to Apply the National Register Criteria for Evaluation."

Whiffen, Marcus
1992 *American Architecture since 1780, Revised Edition*. The MIT Press, Cambridge Mass.



Photo 1: View of the front façade of residence at 1126 Barnes Lane.



Photo 2: View of the front porch area at 1126 Barnes Lane.

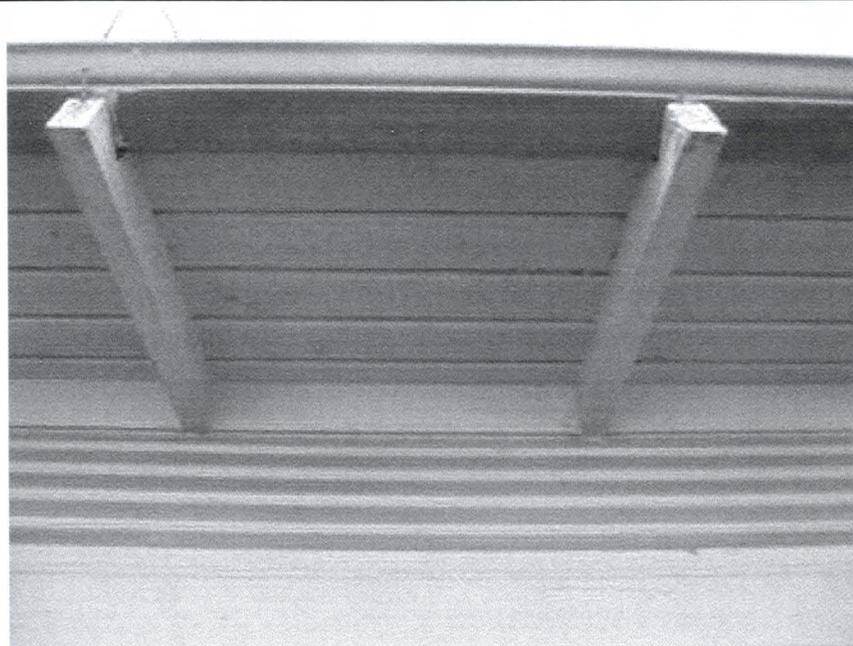


Photo 2: Detail of the open eaves with exposed rafters.



Photo 4: View of the front addition at 1126 Barnes Lane



Photo 5: View of the front addition from the southwest.



Photo 6: View of the southwest façade at 1126 Barnes Lane.

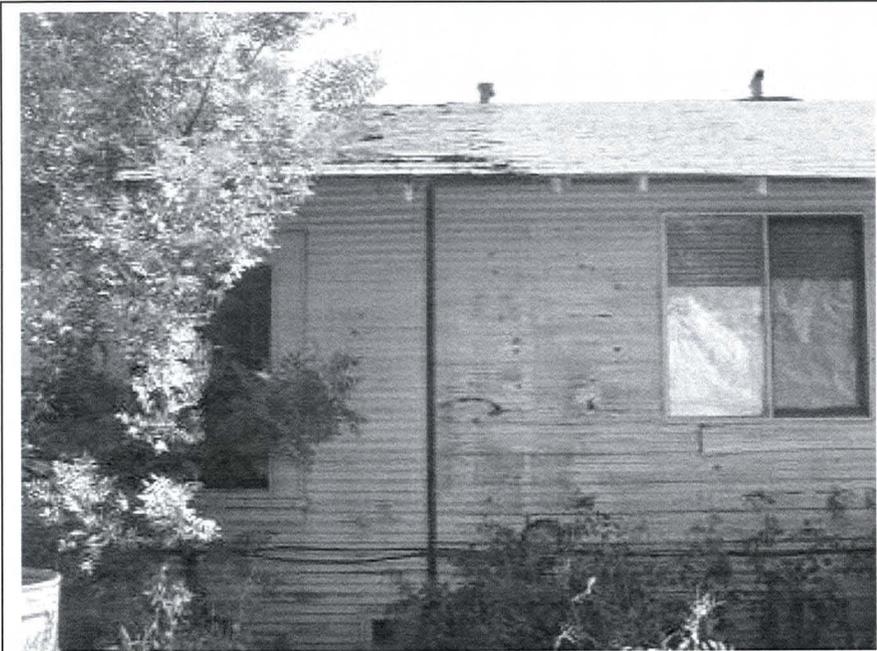


Photo 7: Detail showing junction of the original structure and rear addition.



Photo 8: Oblique view of a portion of the rear façade.



Photo 9: Oblique view of the northeast façade.

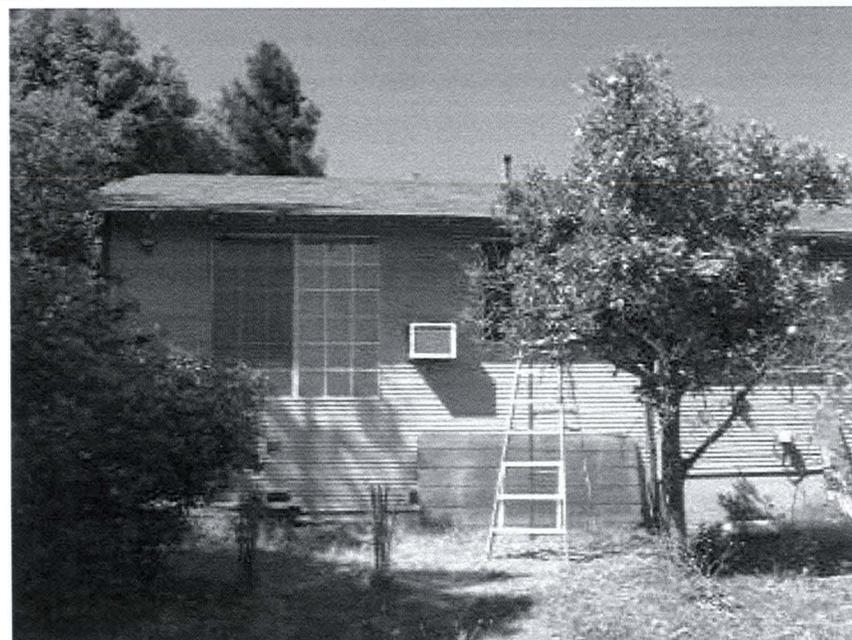


Photo 10: View of the rear (addition) portion of the northeast façade.



Photo 11: View of the front section of the northeast façade. .



Photo 12: Detail of holes broken into the concrete foundation.



Photo 13: Interior view of the front and dining rooms.



Photo 14: View of recessed cabinet in the dining room.



Photo 15: View of the kitchen.

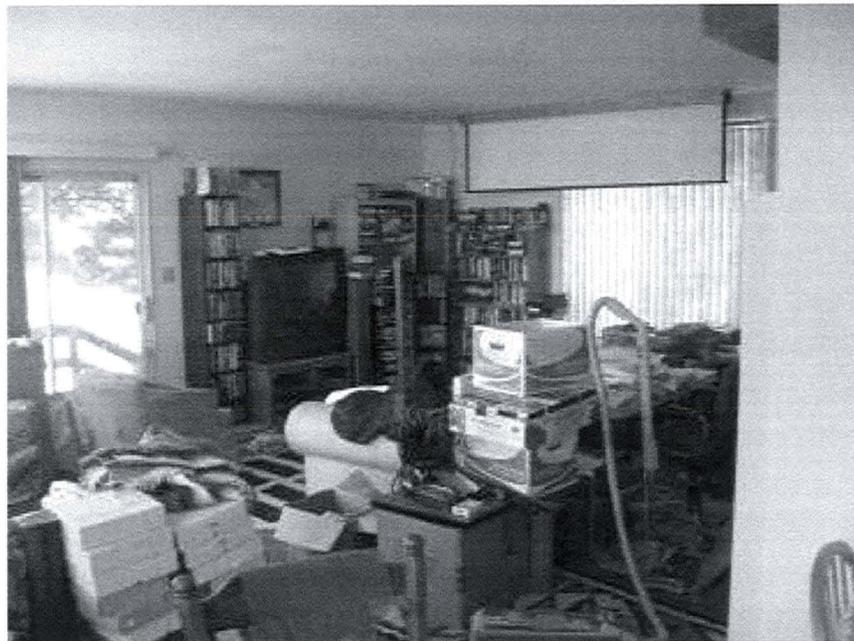


Photo 16: View of the family room in rear addition.

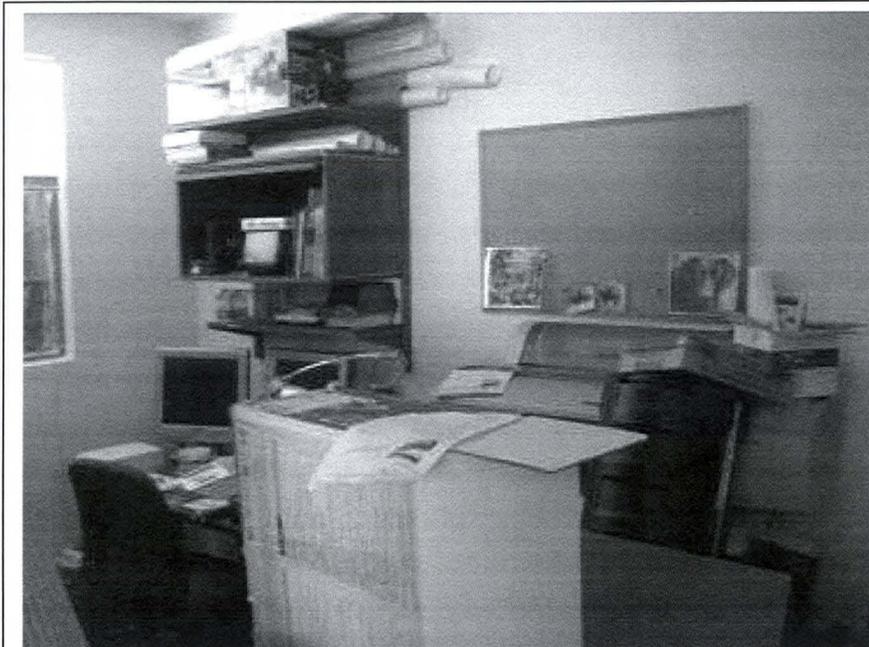


Photo 17: View of a bedroom, converted for office use.

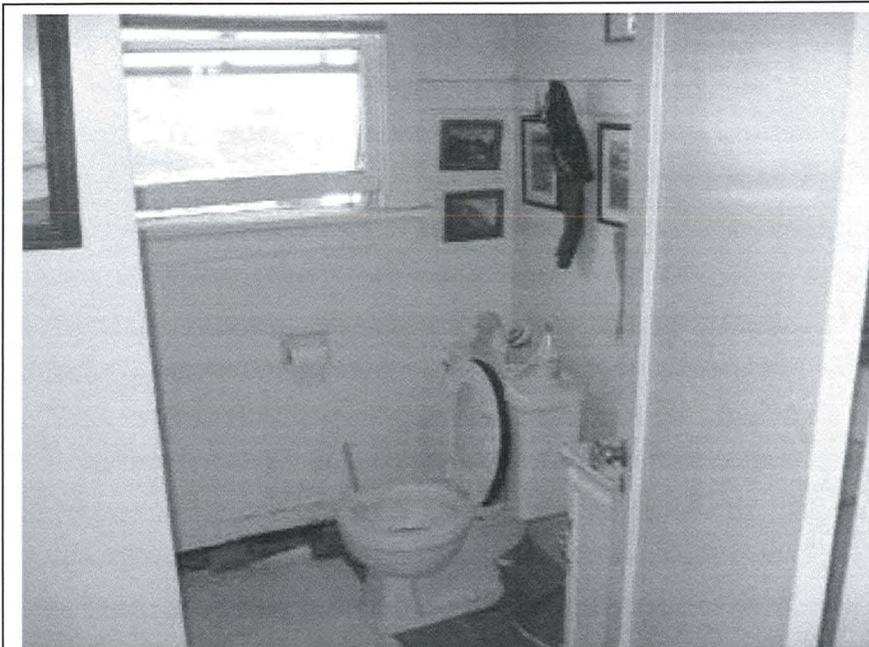


Photo 18: View of the bathroom.

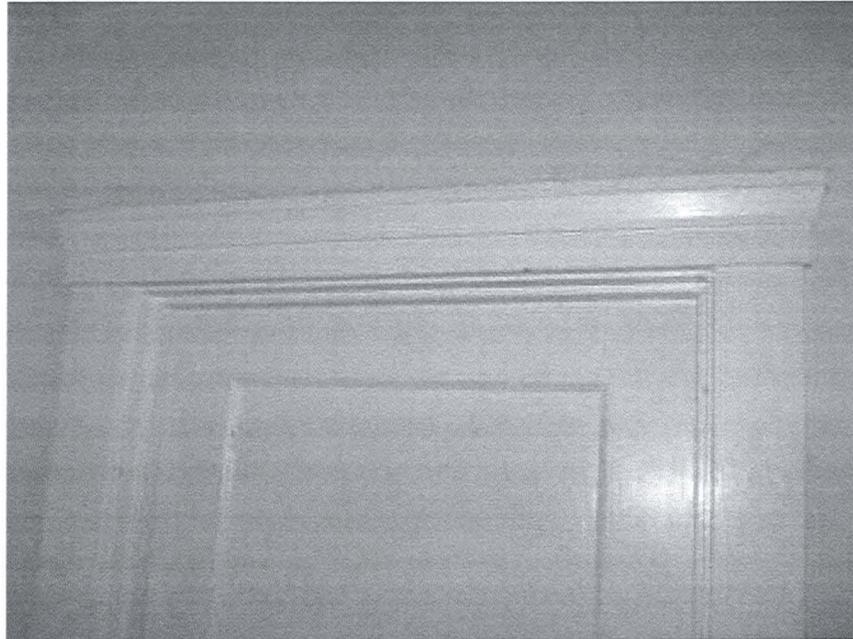


Photo 19: Detail of door molding in the entry room.



Photo 20: Detail of exposed lathe in the ceiling of the dining room.

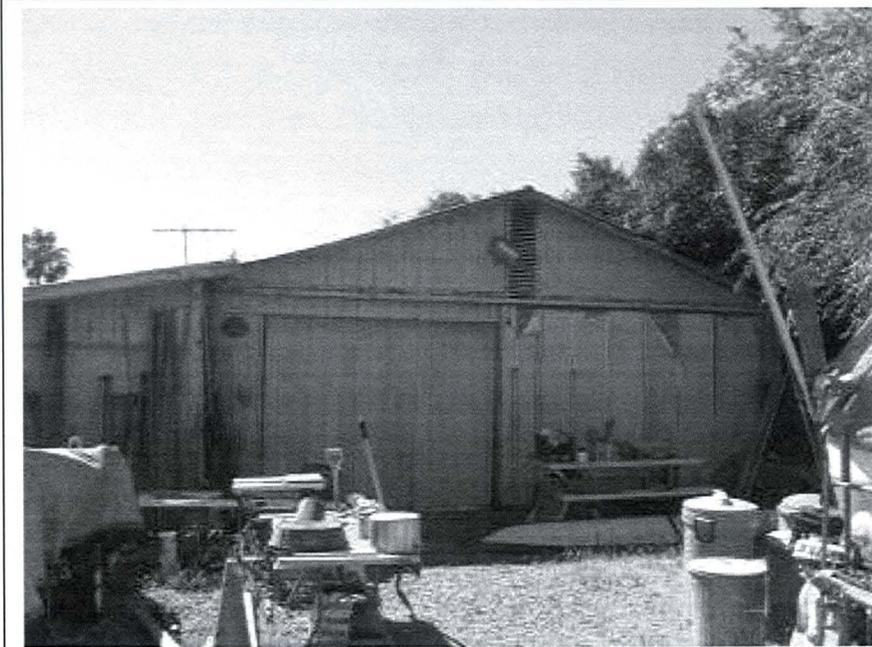


Photo 21: View of the front façade of the detached garage.



Photo 22: View of entry to the addition to the detached garage.



Photo 23: Interior view of the detached garage.



Photo 24: Interior view of rafters and roofing in the detached garage.



Photo 25: View looking southwest up Barnes Lane from 1126 Barnes

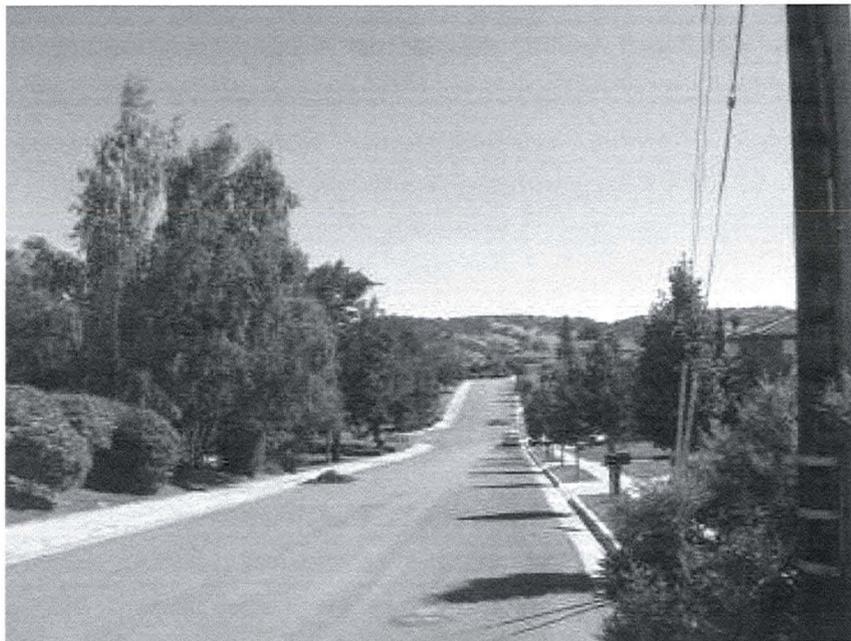
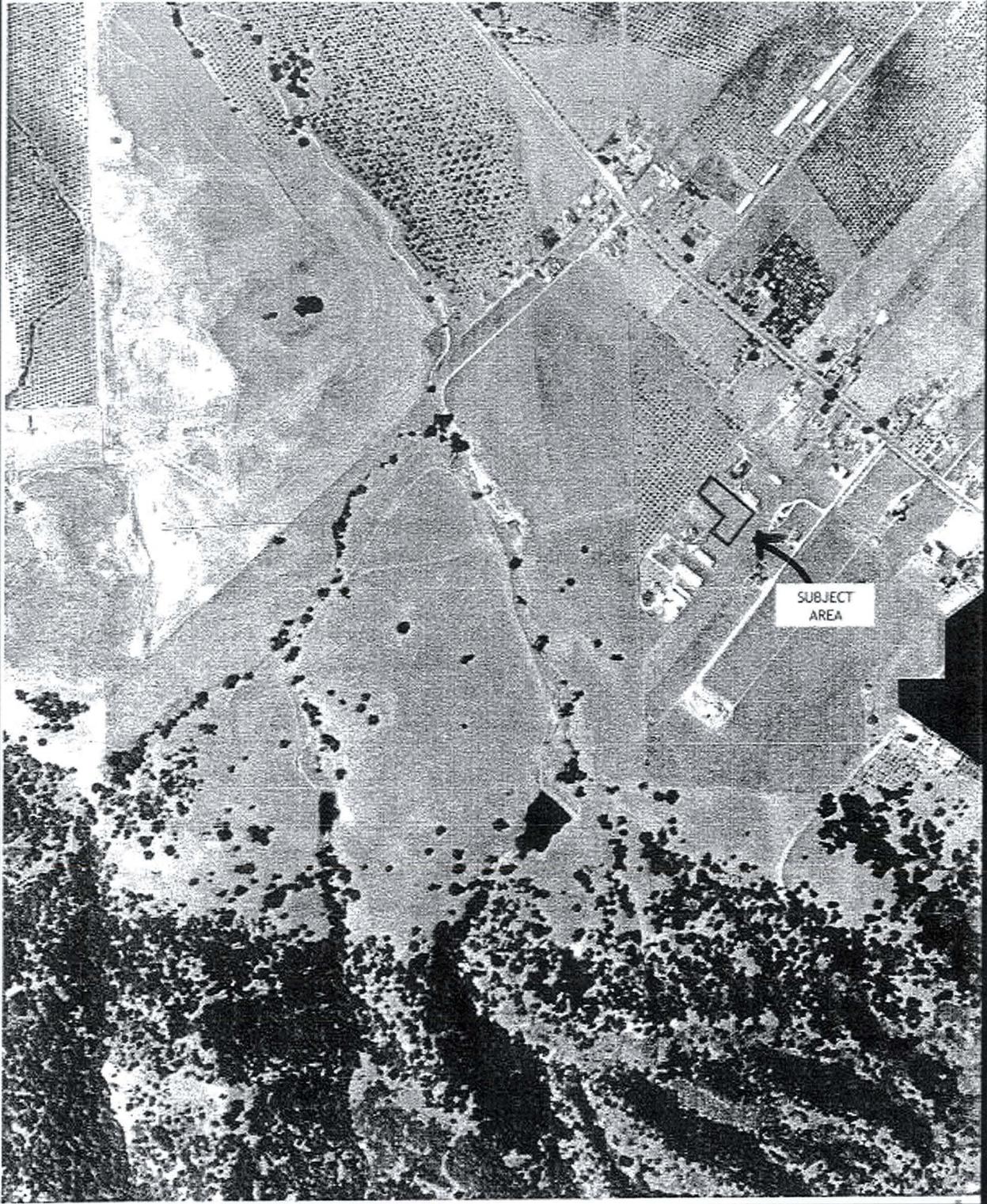
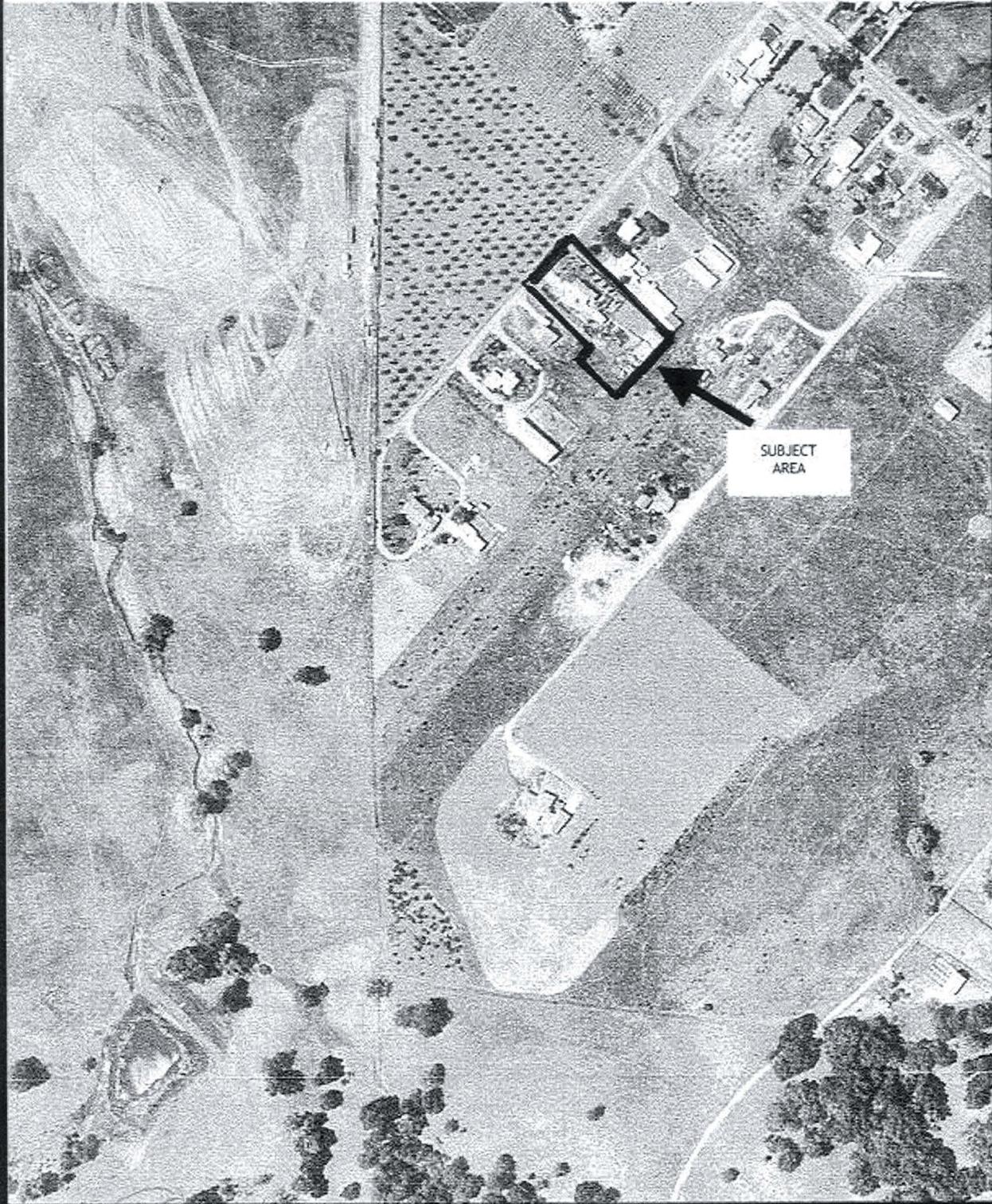


Photo 26: View looking northeast up Barnes Lane from 1126 Barnes

1956 AERIAL PHOTOGRAPH OF THE SUBJECT AREA



1965 AERIAL PHOTOGRAPH OF THE SUBJECT AREA



1126 Barnes Lane Evaluation Form

A. VISUAL QUALITY/DESIGN

1. EXTERIOR
Quality of form, composition, detailing, and ornament in part of originality, artistic merit, craftsmanship, sensitivity to surroundings and overall visual quality. G - Good
2. STYLE
Significance as an example of a particular architectural style, type, or convention. G - Good example
3. DESIGNER
 - a. Designed or built by an architect, engineer, builder, artist, or other designer who has made significant contribution to the community, state, or nation. FP - Designer unknown

OR

- b. Significance as an example of vernacular architecture.
4. CONSTRUCTION
Significance as example of a particular structural material, surface material, or method of construction. FP - Of no particular interest
5. SUPPORTIVE ELEMENTS
Fences, walls, out-buildings, trees, landscaping, and other secondary elements which are accessory to the feature being evaluated and are supportive of, or enhance the features notable qualities; also stores, institutions, and other tenants located within buildings. G – Supportive elements, but none are especially fine or unusual

B. HISTORY/ASSOCIATION

6. PERSON/ORGANIZATION
Associated with the life or activities of a person, group, organization, or institution that has made a significant contribution to the community, state, or nation. FP - No known connection
7. EVENT
Associated with an event that has made a significant contribution to the community, state, or nation. FP - No known connections with event of importance
8. PATTERNS
Associated with and effectively illustrative of broad patterns of cultural, social, political economic, or industrial history, or of the development of the City, or of distinct geographic regions, or ethnic groups of particular well-defined era. FP - No known connections with patterns of importance

9. AGE
Of particular age in relationship of the periods of development of buildings in the area.

G - Built between May 1906 and 1945 (Constructed circa the 1920's, moved to the property between 1956-1965)

C. ENVIRONMENTAL/CONTEXT

10. CONTINUITY
Contributes to the visual, historic, or other environmental continuity or character of the street area.

FP – Not located in and area of primary or secondary importance

11. SETTING
Setting and/or landscaping contributes to the continuity or character of the street, neighborhood, or area.

G - Compatible with the dominant character of the area

12. FAMILIARITY
Prominence or familiarity within the neighborhood, city, or region.

FP - Not particularly conspicuous or familiar

D. INTEGRITY

13. CONDITION
Extent to which the feature has experienced deterioration.

G - Exhibits considerable surface wear

14. EXTERIOR ALTERATIONS
Degree of alteration done to important exterior materials and design features.

G – Overall character changed but recognizable

15. STRUCTURAL REMOVALS
Extent to which wings, stories, roofs, and other important large scale structural components have been removed

E - No important structural removals

16. SITE
Relation of features to its original site and neighborhood.

FP – Has been relocated to a new site in a different neighborhood

E. REVERSIBILITY

17. EXTERIOR
Extent to which integrity losses (see Criteria 13-16) can be reversed, and ease or difficulty of making such corrections.

G – Not easily reversible

HISTORIC EVALUATION SHEET

HISTORIC RESOURCE NAME: 1126 Barnes Lane

A. VISUAL QUALITY/DESIGN

- 1. EXTERIOR _____ E VG G FP
- 2. STYLE _____ E VG G FP
- 3. DESIGNER _____ E VG G FP
- 4. CONSTRUCTION _____ E VG G FP
- 5. SUPPORTIVE ELEMENTS _____ E VG G FP

B. HISTORY/ASSOCIATION

- 6. PERSON/ORGANIZATION _____ E VG G FP
- 7. EVENT _____ E VG G FP
- 8. PATTERNS _____ E VG G FP
- 9. AGE _____ E VG G FP

C. ENVIRONMENTAL/CONTEXT

- 10. CONTINUITY _____ E VG G FP
- 11. SETTING _____ E VG G FP
- 12. FAMILIARITY _____ E VG G FP

D. INTEGRITY

- 13. CONDITION _____ E VG G FP
- 14. EXTERIOR ALTERATIONS _____ E VG G FP
- 15. STRUCTURAL REMOVALS _____ E VG G FP
- 16. SITE _____ E VG G FP

E. REVERSIBILITY

- 17. EXTERIOR _____ E VG G FP

REVIEWED BY: Robert Cartier DATE: September 7, 2011

EVALUATION TALLY SHEET

PART I

		VALUE				
A.	<u>VISUAL QUALITY/DESIGN</u>	<u>E</u>	<u>VG</u>	<u>G</u>	<u>FP</u>	
	1. EXTERIOR	16	12	6	0	<u>6</u>
	2. STYLE	10	8	4	0	<u>4</u>
	3. DESIGNER	6	4	2	0	<u>0</u>
	4. CONSTRUCTION	10	8	4	0	<u>0</u>
	5. SUPPORTIVE ELEMENTS	8	6	3	0	<u>3</u>
						<u>SUBTOTAL: 13</u>
B.	<u>HISTORY/ASSOCIATION</u>	<u>E</u>	<u>VG</u>	<u>G</u>	<u>FP</u>	
	6. PERSON/ORGANIZATION	20	15	7	0	<u>0</u>
	7. EVENT	20	15	7	0	<u>0</u>
	8. PATTERNS	12	9	5	0	<u>0</u>
	9. AGE	8	6	3	0	<u>3</u>
						<u>SUBTOTAL: 3</u>
C.	<u>ENVIRONMENTAL/CONTEXT</u>	<u>E</u>	<u>VG</u>	<u>G</u>	<u>FP</u>	
	10. CONTINUITY	8	6	3	0	<u>0</u>
	11. SETTING	6	4	2	0	<u>2</u>
	12. FAMILIARITY	10	8	4	0	<u>0</u>
						<u>SUBTOTAL: 2</u>
						<u>"A" & "C" SUBTOTAL: 15</u>
						<u>"B" SUBTOTAL: 3</u>
						<u>PRELIMINARY TOTAL: 18</u>
						(Sum of A, B, and C)

EVALUATION TALLY SHEET

Part II

VALUE

D. INTEGRITY

	<u>E</u>	<u>VG</u>	<u>G</u>	<u>FP</u>	
13. CONDITION	--	.03	.05	.10	$\frac{.05}{* \text{ from A, B, C Subtotals}} \times * 18 = \underline{.9}$
14. EXTERIOR ALTERATIONS	--	.05	.10	.20	$\frac{.10}{* \text{ from A and C Subtotals}} \times * 15 = \underline{1.5}$
	--	.03	.05	.10	$\frac{.05}{* \text{ from B Subtotal}} \times * 3 = \underline{.15}$
15. STRUCTURAL REMOVALS	--	.20	.30	.40	$\frac{---}{* \text{ from A and C Subtotals}} \times * 15 = \underline{0}$
	--	.10	.20	.40	$\frac{--}{* \text{ from B Subtotal}} \times * 3 = \underline{0}$
16. SITE	--	.10	.20	.40	$\frac{.40}{* \text{ from B Subtotal}} \times * 3 = \underline{1.2}$

INTEGRITY DEDUCTIONS SUBTOTAL: 3.75

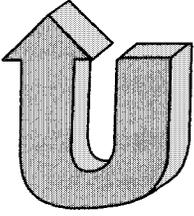
ADJUSTED SUBTOTAL: 18 - 3.75 = 14.25
(Preliminary Total minus Integrity Deductions)

VALUE

E. REVERSIBILITY

	<u>E</u>	<u>VG</u>	<u>G</u>	<u>FP</u>	
17. EXTERIOR	3	3	2	2	<u>2</u>

ADJUSTED TOTAL : 16.25



UPP GEOTECHNOLOGY, INC.

Engineering Geology • Geotechnical Engineering

September 1, 2011
Project No. 3444.1L1
Serial No. 16090

Dr. Fred Egelston
22170 Alamos Road
San Jose, CA 95125

**SUBJECT: RECONNAISSANCE GEOLOGIC STUDY LETTER
PROPOSED FOUR-LOT SUBDIVISION
EGELSTON PROPERTY
1126 BARNES LANE
SAN JOSE, CALIFORNIA**

Dear Dr. Egelston:

INTRODUCTION

As you requested, we have performed a reconnaissance geologic study of your property located at 1126 Barnes Lane in San Jose, California. The purpose of this study was to provide you with our professional opinion of the future site performance, based upon our evaluation of the surficial site conditions and past site history, and our general familiarity with the area. This study has been conducted in accordance with generally accepted engineering geology principles and practices; and in accordance with the scope and conditions presented in our Confirming Agreement dated August 15, 2011 (Serial No. 16078). We make no other warranty, either expressed or implied.

Our opinions are preliminary, and are based upon our level of education in engineering geology and previous experience in California and the San Jose area. We believe that our findings are reasonable, based upon the limited information that could be collected within the scope of services provided. A more detailed study could result in substantial modifications of these preliminary conclusions. In addition, another consultant with a different background in training and experience could form different opinions about the site.

SCOPE OF SERVICES

As the basis for this study, we have reviewed geologic maps and aerial photographs of the site and vicinity. In addition, we have consulted with your realtor, Mr. Mike Gill. We understand that you are planning to subdivide the property into four separate parcels for later development. On August 23, 2011, our Project Geologist conducted a reconnaissance of the site and vicinity and observed the condition of the site, in the area of the residence and surrounding vicinity. A more detailed study that would normally include site mapping; subsurface exploration and testing; laboratory testing; and engineering analyses of the collected data were beyond the scope of this study.

We have prepared this report as a product of our service for the exclusive use of Dr. Egelston for the proposed development of the subject property. Other parties may not use this report for other purposes without prior written authorization from Upp Geotechnology, Inc.

GEOLOGY AND SEISMICITY

The subject property lies on the gently rolling terrain along the foothills north of a low ridge west of the Alamitos Creek. The low ridge is part of the foothills of the Santa Cruz Mountains, a northwest-trending range within the California Coast Range geomorphic province (see Figure 1, Site Location Map).

According to the Preliminary Geologic Maps of the San Jose 30 Minute by 60 Minute Quadrangle (Wentworth et al., 1999), the area of the subject property may be underlain at depth by the Santa Clara formation and Melange (see Figure 2, Regional Geologic Map). The Santa Clara formation can be generally described as of Pliocene to Pleistocene age (approximately 10,000 years to 5.3 million years old), and is made up of unsorted fluvial boulders, gravel and pebble deposits, and sandstone and siltstone. The Melange bedrock may be described as of upper Cretaceous age (approximately 65.5 to 99.6 million years old), and is made up of various blocks of different rock types in a matrix of sheared argillite. The originally flat lying sedimentary bedrock has been uplifted, tilted, and folded by the mountain-building processes that formed the Santa Cruz Mountains.

Geologists and seismologists recognize the greater San Francisco Bay Area as one of the most active seismic regions in the United States. The three major faults that pass through the Bay Area in a northwest direction have produced approximately 12 earthquakes per century strong enough to cause structural damage. The faults causing such earthquakes are part of the San Andreas fault system, a major rift in the earth's crust that extends for at least 700 miles along the California Coast, and includes the San Andreas, Hayward, and Calaveras fault zones.

The nearest trace of the active San Andreas fault is located approximately 7 miles southwest of the site. In addition, the property is located approximately 2 miles northeast of the mapped trace of the potentially active Berrocal fault. The Hayward and Calaveras faults are approximately 8 ¼ miles and 10 ¼ miles northeast of the site, respectively. The site is not within a fault rupture hazard zone as defined by Santa Clara County or the State of California.

The U.S. Geological Survey (2008) estimates that by 2038 there is 31% probability of a magnitude 6.7 or greater earthquake occurring on the Hayward fault; 21% on the San Andreas fault; and 63% on any one of the active faults in the San Francisco region. The magnitude of an earthquake is a measure of the amount of energy released during a seismic event, as determined by seismographic measurements.

The intensity of an earthquake differs from the magnitude, in that intensity is a measure of the effects of an earthquake rather than a measure of the energy released. These effects can vary considerably, based on the earthquake magnitude, distance from the earthquake's epicenter, and site geology. Because of the site's proximity to the San Andreas and other active faults and the site's geology, maximum anticipated ground shaking intensities, given a large earthquake on the fault in the site vicinity, are characterized as strong and approximately equal to a Modified Mercalli intensity of VI to VII (Borcherdt, et. al., 1975). A Modified Mercalli intensity of VII typically could cause negligible damage to buildings of very good design and construction, slight to moderate damage to well-built ordinary structures, and considerable damage in poorly built or designed structures (Yanev, 1974), (see Table I, Modified Mercalli Scale of Earthquake Intensities). Strong ground shaking equal to a Modified Mercalli intensity of VI was felt at the site during the October 17, 1989 Loma Prieta Earthquake (Stover, et al., 1990).

The site is outside the earthquake-induced landslide and liquefaction hazard zones defined by the California Geological Survey (see Figure 3, Regional Seismic Hazard Zones Map). An area of potential landslide hazard has been identified approximately 400 feet southwest of the subject site (see Figure 3). However, the area is located on an opposite-facing slope adjacent to a tributary of the Alamos Creek. A landslide on this slope will not affect the site.

SITE DESCRIPTION

The subject property is located on a gently sloping area southwest of Alamos Creek. The property is bounded to the southwest and northeast by developed residential areas, to the northwest by Barnes Lane, and to the southeast by Macias Court. The property is accessed by an unpaved driveway connecting Barnes Lane to a detached garage at the right side of the residence (all directions are referred from the road looking towards the residence). Another unpaved driveway connects Barnes Lane to the vacant area at the rear of the property that is being used as an enclosure for horses. The residence is a single story structure located in the central portion of the property on a level pad. A porch is attached to the front of the residence. Grass-covered lawn is at the front of the residence.

During our site reconnaissance, we observed the conditions of the existing residence and the surrounding roadway pavement and sidewalks. The home was constructed in the 1920's. We observed no evidence of distress on the foundation of the home or on the surrounding road pavements, sidewalks, and hardscapes. Minor cracks were observed on the paint and interior walls of the house, that may be attributed to the age of the home.

FINDINGS

Based upon the results of our study, it is our opinion that, from an engineering geologic perspective, the subject property may be developed as planned, provided that the improvements are designed and

Egelston - Reconnaissance Geologic Study Letter
September 1, 2011
Page 4 of 4 (Serial No. 16090)

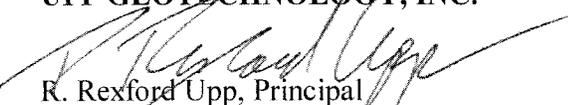
constructed in accordance with generally accepted soil and foundation engineering principles and practices. In our opinion, the primary constraint to the proposed development is the site's seismic setting. Because of the proximity of the nearby San Andreas fault and the potentially active Berrocal fault, you should anticipate that the subject property and associated improvements may be subjected to strong ground shaking from a major earthquake on at least one of the nearby active faults during the design life of future improvements.

Our reconnaissance and review of geologic maps also shows that no known active or potentially active faults transect the area of the property. During an earthquake, therefore, it is our opinion that the danger from fault offset through the site is negligible.

The site is not located within a landslide hazard zone, and our study revealed no evidence of recent landsliding on the property.

Yours very truly,

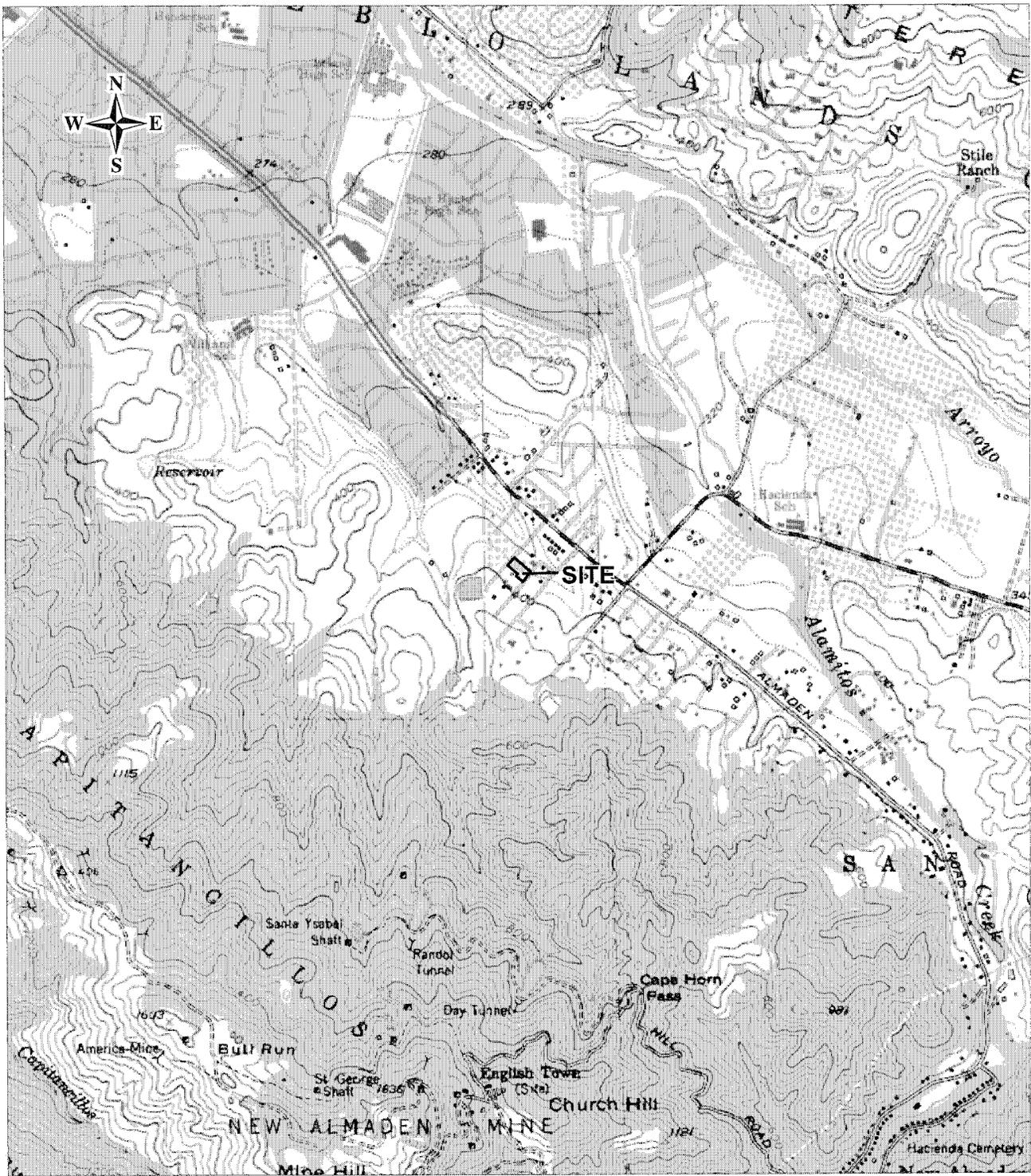
UPP GEOTECHNOLOGY, INC.


R. Rexford Upp, Principal
Certified Engineering Geologist 1083

THIS DOCUMENT HAS BEEN
DIGITALLY SIGNED. CONTACT
UGI FOR WET SIGNATURE.

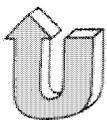
Copies: Addressee (via e-mail to drfreddds@aol.com)
Mr. Mike Gill (via e-mail to mike@eaglehomegroup.com)
Mr. Gill Garcia (via e-mail to ggarcia@garciateague.com)
Mr. Gary Carnes (via e-mail to office@carnesandassociates.net)

Attachments: Figure 1, Site Location Map
Figure 2, Regional Geologic Map
Figure 3, Regional Seismic Hazard Zone Map
Figure 4, Partial Site Plan
Table 1, Modified Mercalli Scale of Earthquake Intensities



Base: USGS Topographic Map; HORIZONS TECHNOLOGY, INC.; 1997

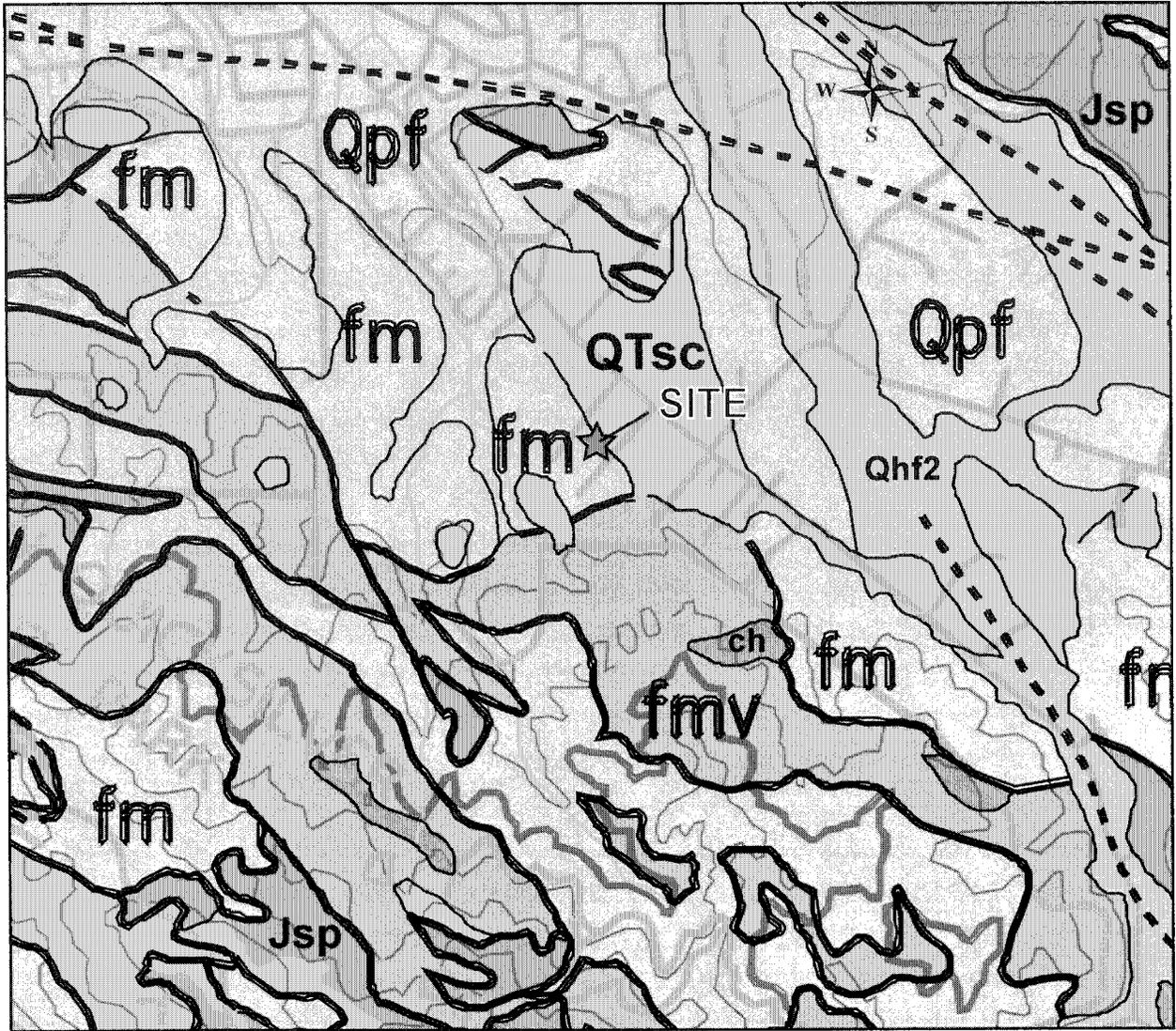
SITE LOCATION MAP



UPP GEOTECHNOLOGY, INC.
Engineering Geology • Geotechnical Engineering

EGLSTON PROPERTY
1126 Barnes Lane
San Jose, California

DRAFTED/APPROVED	SCALE	PROJECT NO.	DATE	Figure 1
PIP/CR	1" = 2,000'	3444.1L1	September 2011	



EXPLANATION

- | | | | |
|------|--|--|---------------------------|
| Qhf2 | - Older alluvial fan deposits (Holocene) | | Geologic contact |
| Qpf | - Alluvial fan deposits (Upper Pleistocene) | | Fault |
| QTsc | - Santa Clara formation (Pliocene and Pleistocene) | | dotted where approximate |
| Tts | - Temblor sandstone (Oligocene and middle Miocene) | | Strike and dip |
| fm | - Melange (Upper Cretaceous) | | Overturned strike and dip |
| ch | - Chert blocks (Upper Cretaceous) | | |
| Jsp | - Serpentinized ultramafic rocks (Jurassic) | | |
| fmv | - Basaltic volcanic rocks (Lower Jurassic) | | |

BASE: Preliminary Geologic Map of the San Jose 30 x 60-Minute Quadrangle, California; WENTWORTH, ET AL.; 1999.

REGIONAL GEOLOGIC MAP



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Engineering Geology • Geotechnical Engineering

EGELSTON PROPERTY
1126 Barnes Lane
San Jose, California

DRAFTED/REVIEWED

SCALE

PROJECT NO.

DATE

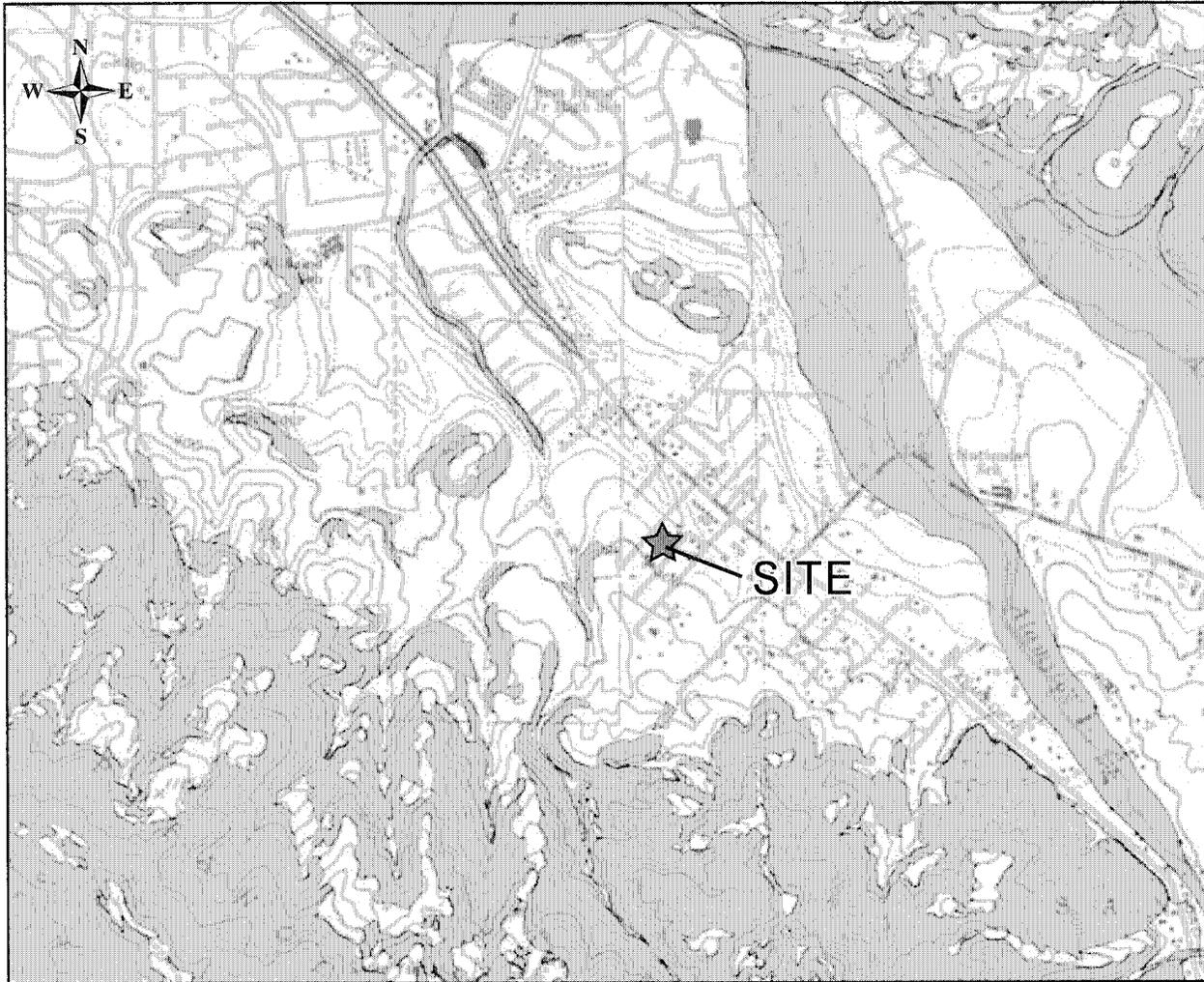
PIP/RU

1" = 2,000'

3444.1L1

September 2011

Figure 2

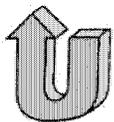


EXPLANATION

-  - **Earthquake-Induced Landslides;** Areas where previous occurrence of landslide movement, or local topographic, geological, geotechnical, and subsurface water conditions indicate a potential for permanent ground displacements.
-  - **Liquefaction;** Areas where historic occurrence of liquefaction, or local topographic, geological, geotechnical, and subsurface water conditions indicate a potential for permanent ground displacements.

BASE: Seismic Hazards Zones, Santa Teresa Hills Quadrangle; California Geologic Survey; 8-14-03.

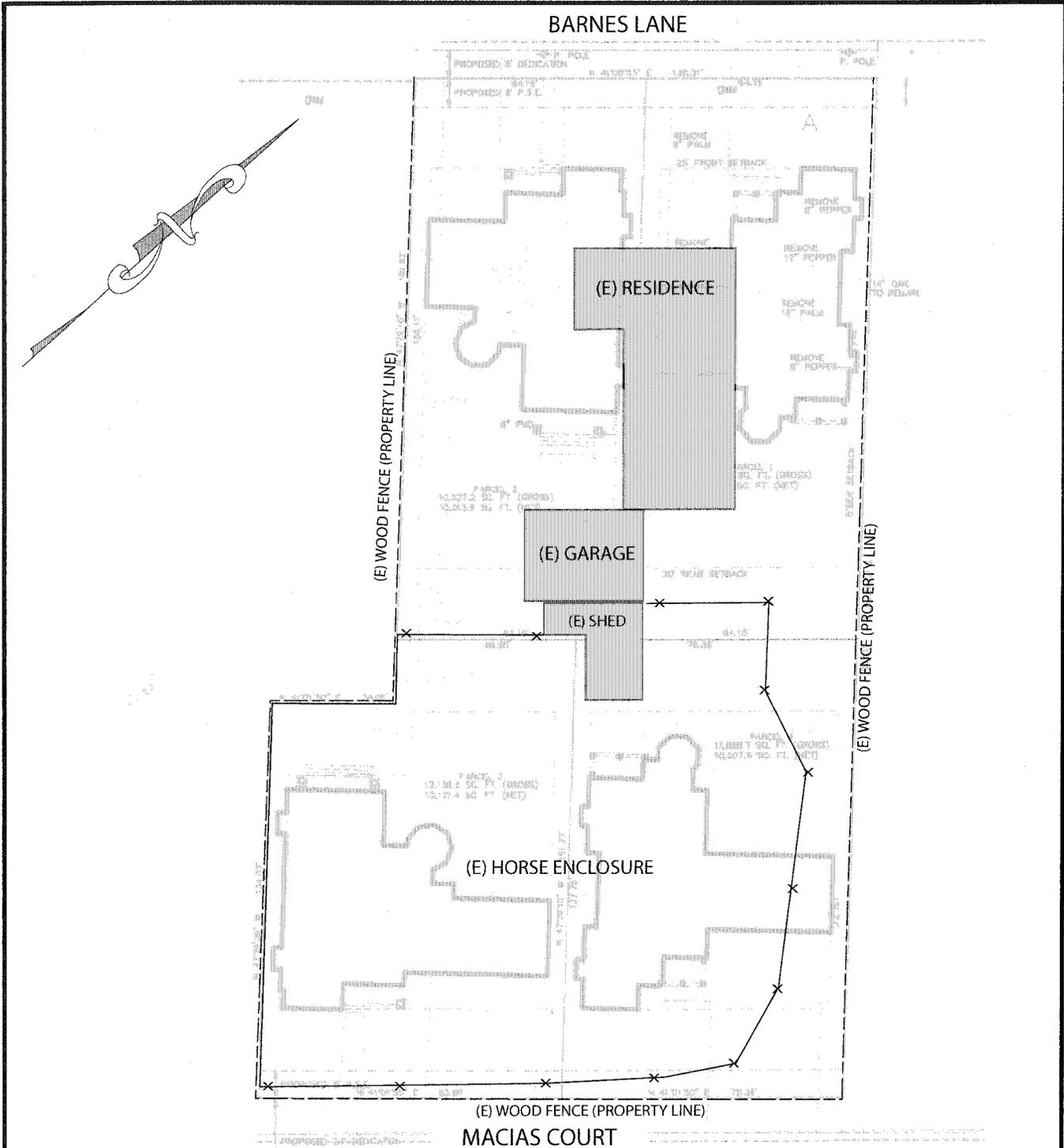
REGIONAL SEISMIC HAZARD ZONES MAP



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EGELSTON PROPERTY
1126 Barnes Lane
San Jose, California

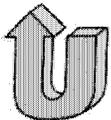
DRAFTED/REVIEWED	SCALE	PROJECT NO.	DATE	Figure 3
PIP/RU	1" = 2,000'	3444.1L1	September 2011	



NOTE: This plan is a conceptual illustration of observed geotechnical and geologic features and should not be used for any other purpose.

BASE: Untitled Site Plan supplied by Mr. Mike Gill; undated.

PARTIAL SITE PLAN



UPP GEOTECHNOLOGY, INC.

Engineering Geology • Geotechnical Engineering

EGELSTON PROPERTY
1126 Barnes Lane
San Jose, California

DRAFTED/REVIEWED	SCALE	PROJECT NO.	DATE	Figure 4
PIP/RU	1" = 40'	3444.1L1	September 2011	

TABLE I

MODIFIED MERCALLI SCALE OF EARTHQUAKE INTENSITIES

- I. Not felt by people, except under especially favorable circumstances.
- II. Felt only by persons at rest on the upper floors of buildings. Some suspended objects may swing.
- III. Felt by some people who are indoors, but it may not be recognized as an earthquake. The vibration is similar to that caused by the passing of light trucks. Hanging objects swing.
- IV. Felt by many people who are indoors, by a few outdoors. At night some people are awakened. Dishes, windows and doors are disturbed; walls make creaking sounds; stationary cars rock noticeably. The sensation is like a heavy object striking a building; the vibration is similar to that caused by the passing of heavy trucks.
- V. Felt indoors by practically everyone, outdoors by most people. The direction and duration of the shock can be estimated by people outdoors. At night, sleepers are awakened and some run out of buildings. Liquids are disturbed and sometimes spilled. Small, unstable objects and some furnishings are shifted or upset. Doors close or open.
- VI. Felt by everyone, and many people are frightened and run outdoors. Walking is difficult. Small church and school bells ring. Windows, dishes, and glassware are broken; liquids spill; books and other standing objects fall; pictures are knocked from walls; furniture is moved or overturned. Poorly built buildings may be damaged, and weak plaster will crack.
- VII. Causes general alarm. Standing upright is very difficult. Persons driving cars also notice the shaking. Damage is negligible in buildings of very good design and construction, slight to moderate in well-built ordinary structures, considerable in poorly built or designed structures. Some chimneys are broken; interiors and furnishings experience considerable damage; architectural ornaments fall. Small slides occur along sand or gravel banks of water channels; concrete irrigation ditches are damaged. Waves form in the water and it becomes muddied.
- VIII. General fright and near panic. The steering of cars is difficult. Damage is slight in specially designed earthquake-resistant structures, considerable in well-built ordinary buildings. Poorly built or designed buildings experience partial collapses. Numerous chimneys fall; the walls of frame buildings are damaged; interiors experience heavy damage. Frame houses that are not properly bolted down may move on their foundations. Decayed pilings are broken off. Tress are damaged. Cracks appear in wet ground and on steep slopes. Changes in the flow or temperature of springs and wells are noted.
- IX. Panic is general. Interior damage is considerable in specially designed earthquake-resistant structures. Well-built ordinary buildings suffer severe damage, with partial collapses; frame structures thrown out of plumb or shifted off of their foundations. Unreinforced masonry buildings collapse. The ground cracks conspicuously and some underground pipes are broken. Reservoirs are damaged seriously.
- X. Most masonry and many frame structures are destroyed. Specially designed earthquake-resistant structures may suffer serious damage. Some well-built bridges are destroyed, and dams, dikes and embankments are seriously damaged. Large landslides are triggered by the shock. Water is thrown onto the banks of canals, rivers and lakes. Sand and mud are shifted horizontally on beaches and flat land. Rails are bent slightly. Many buried pipes and conduits are broken.
- XI. Few, if any, masonry structures remain standing. Other structures are severely damaged. Broad fissures, slumps and slides develop in soft or wet soils. Underground pipe lines and conduits are put completely out of service. Rails are severely bent.
- XII. Damage is total, with practically all works of construction severely damaged or destroyed. Waves are observed on ground surfaces, and all soft or wet soils are greatly disturbed. Heavy objects are thrown into the air, and large rock masses are displaced.

November 17, 2011

Fred Egelston
122170 Alamos Road
San Jose, CA 95120

Dear Mr. Egelston:

**SUBJECT: CERTIFICATE OF GEOLOGIC HAZARD CLEARANCE (CONDITIONAL)
PROPOSED 4 LOT SFD SUBDIVISION DEVELOPMENT
1126 BARNES LANE, APN 583-11-126
PROJECT NO. 11-029460-GC (3-11834)**

In response to your application, this serves as a Certificate of Geologic Hazard Clearance to construct a 4 lot single family detached residential development on the subject site. The following report and plan submitted in support of your application have been reviewed and accepted:

1. *"Reconnaissance Geologic Study Letter, Proposed Four-Lot Subdivision, Egelston Property, 1126 Barnes Lane, San Jose California,"* by Upp Geotechnology, Inc., September 1, 2011.
2. *"Grading and Drainage Plan, 4-Lot Minor Land Division, 1126 Barnes Lane, APN: 583-11-126, San Jose, CA"* by RI Engineering, Inc., September 2011, Sheets C-1 through C-6.

Conditions of Clearance

Approval of this Geologic Hazard Clearance is contingent upon the following conditions:

1. A design-level geologic/seismic hazard evaluation and geotechnical engineering investigation report must be submitted to, and approved by the City Geologist prior to PD permit issuance. The report must include, but not be limited to, site geologic mapping, subsurface exploration and laboratory testing of samples obtained from the site, and present design-level geotechnical recommendations for house and retaining wall foundations, earthwork, drainage and other geotechnical aspects of the project. The report must be signed by both a Certified Engineering Geologist and Registered Geotechnical Engineer.
2. All recommendations of the project geotechnical and geologic reports and geotechnical consultant must be followed. All geotechnical constraints and methods of geologic hazard mitigation identified in your reports must be implemented in the development.
3. This Clearance applies only to the project specified in References 1 and 2 above. Any changes to the geotechnical or civil engineering consultants, reports or plans of record or the project design, location, use, or concept must be reviewed by the City's Engineering Geologist. Significant changes will require a new Geologic Hazard Clearance.

4. All earthwork, foundation installation, drainage improvements, geologic hazard mitigation measures and related facilities must be inspected by project Engineering Geologist and Geotechnical Engineer during each phase of site grading and construction, and documented by submission to the City of final geotechnical and geologic reports.
5. If any unanticipated hazardous geologic or subsurface conditions are encountered during the grading, or if there are any modifications in the grading or geologic hazard mitigation measures, the City's Engineering Geologist must be immediately notified. In such an event, a supplemental geologic/geotechnical investigation must be performed and submitted to the City for review and approval prior to progressing further with the project.

NOTE: Failure to comply with the above conditions shall render this Certificate null and void. Non-compliance shall constitute a violation of the San Jose Municipal Code and may result in penalties as described in Sections 1.08.010 and 015 of the Municipal Code including, but not limited to: 1) suspension or revocation of any development permits obtained with this Certificate, and 2) withholding of final acceptance and release of any surety bonds deposited for the project.

LIMITATIONS

As stated in Section 17.10.400 of the San Jose Municipal Code, this Certificate of Geologic Hazard Clearance is not a determination that the site is free of geologic hazards. This Geologic Hazard Clearance is based on the geologic information provided and the proposed geologic hazard mitigation measures. On the basis of this information, it is the opinion of the Director of Public Works that the geologic hazards can be mitigated to an acceptable degree and/or that the risk from potential geologic hazards associated with the site is acceptable for the proposed project. However, the City reserves the right to revoke this Clearance at any time, if it becomes apparent that there are geologic hazards present which have not, or cannot be adequately mitigated.

The function of the City is limited to a review of the consultants' conclusions and recommendations relative to the use of acceptable geological and geotechnical practices. The City has not directed, or in any way undertaken an independent investigation of this site. Therefore, the City of San Jose relies entirely upon the data and conclusions provided by the geological and geotechnical professionals who assume all liability for any damage resulting from their failure to obtain sufficient data, and misrepresentations or misinterpretations of the data submitted. This clearance does not pertain to assessment or mitigation of environmental hazards such as the presence of toxic substances or hazardous waste on the site.

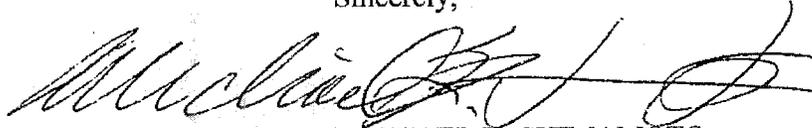
This Certificate of Geologic Hazard Clearance is for the exclusive use of the applicant (addressee) only and is non-transferable to a second party unless it has been demonstrated to the satisfaction of the Director of Public Works that: 1) all rights to the grading plans, reports and professionals of record referenced in this Clearance have been secured/retained by the second party by contract, 2) all Conditions of Clearance will be met, and, 3) it has been established that the second party accepts full responsibility for implementing the Conditions of Clearance.

Fred Egelston
Date: November 17, 2011
Subject: 1126 Barnes Lane
Page 3 of 3

The issuance of a Geologic Hazard Clearance does not authorize the applicant to develop or begin construction. The applicant must obtain all of the necessary site development permits such as planning, grading and building permits, before development can take place. This Clearance expires three years from the date of issuance.

If you have any questions, please contact me at (408) 535-7646.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael K. Shimamoto", written in a cursive style.

MICHAEL K. SHIMAMOTO
Engineering Geologist
Development Services Division

**"PHASE I"
PRELIMINARY ENVIRONMENTAL SITE ASSESSMENT
1126 BARNES LANE
APN 583-11-126
SANTA JOSE, CALIFORNIA 95120**

E-207-01-831

September 12, 2011

Prepared by

**HOEXTER CONSULTING, INC.
734 Torrey Court
Palo Alto, California 94303**

(650) 494-2505 (ph) (650) 494-2515 (fax)

Geology / Engineering Geology / Environmental Studies

HOEXTER CONSULTING, INC.
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david@hoexterconsulting.com

September 12, 2011

E-207-01-831
HCEntvPhl:BarnesLn1126SJPhIRpt

Fred Egelston, DDS
c/o Mike Gill
Eagle Financial Group
1975 Hamilton Avenue, Suite 25
San Jose, California 95125

RE: "PHASE I" PRELIMINARY ENVIRONMENTAL SITE ASSESSMENT
1126 BARNES LANE
APN 583-11-126
SANTA JOSE, CALIFORNIA 95120

Ladies and Gentlemen:

Enclosed is our Phase I preliminary environmental assessment report for the property located at 1126 Barnes Lane in San Jose, California. The report provides a description of our investigation and our conclusions regarding site environmental conditions. The investigation was conducted in conformance with ASTM E 1527-05, "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process". This investigation has been conducted at the request of Gil Garcia, AIA, of Garcia Teague Architecture & Interiors, on behalf of the property purchasers.

There are no significant identified issues or concerns which would impede the proposed residential property use.

We appreciate the opportunity to provide services to you on this project and trust this report meets your needs at this time. If you have any questions, or require additional information, please do not hesitate to call.

Very truly yours,

HOEXTER CONSULTING, INC.



David F. Hoexter, Principal Geologist (PG/CEG/REA)

**"PHASE I" PRELIMINARY
ENVIRONMENTAL SITE ASSESSMENT**
1126 BARNES LANE
APN 583-11-126
SANTA JOSE, CALIFORNIA 95120

For Proposed Purchase of Property
and Possible Subdivision

To

Fred Egelston, DDS
c/o Mike Gill
Eagle Financial Group
1975 Hamilton Avenue, Suite 25
San Jose, California 95125

E-207-01-831

September 12, 2011



David F. Hoexter

David F. Hoexter, PG/CEG/REA
Principal Investigator

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- 6 - EDR Overview Map
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Photographs

- A - Front of residence, view southeast from Barnes Lane.
- B - Primary entrance to property, view from Barnes Lane.
- C - Vehicle and equipment storage adjacent to south side of residence and front of garage.
- D - Behind garage, view southeast.
- E - Horse coral, view north.
- F - Horse coral, view west toward back of garage.
- G - North side of residence, view west.
- H - Paint storage in shed.
- I - Barnes Lane, view northeast.
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- A - David F. Hoexter Qualifications
- B - EDR Report Executive Summary Sheets and Maps
- C - Government Records Searched (EDR)
- D - Aerial Photographs
- E - Topographic and Sanborn Maps
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"PHASE I"
PRELIMINARY ENVIRONMENTAL SITE ASSESSMENT
1126 BARNES LANE
APN 583-11-126
SANTA JOSE, CALIFORNIA 95120

1.0 INTRODUCTION

This report presents the results of a preliminary environmental site assessment ("Phase I" Investigation) of the above-referenced project. The project is located at 1126 Barnes Lane, in the city of San Jose, Santa Clara County, California. One primary building, a residence, occupies the site, located within one assessor's parcel. Following are specifics of the subject parcel:

Investigated Parcels

Street Address	APN	Comment	Size (Acres)
1126 Barnes Lane	583-11-126	Existing residence and related structures	1.05
		TOTAL	1.05

The legal description is presented in the Preliminary Report by Old Republic Title Company, completed in January 2011 (see References). The report was ordered by Steve Lenheim of Campbell Mortgage Company.

The study area is shown on the Location Map, Vicinity Topographic Map, and Parcel Map, Figures 1 through 3, respectively. Figure 4 is a Site Plan showing the existing buildings and properties. Figures 5A and 5B are recent aerial photographs of the site (near and far views); Figures 6 and 7 locate sites of potential environmental concern provided by EDR Inc. (20011a), obtained from various regulatory agency data bases. Photographs A through J present views of the site from differing directions and locations. In addition, sequential aerial photographs and USGS maps are presented in Appendices D and E, respectively.

The purpose of this investigation has been to discover, if possible, conditions or activities on or near the site which could indicate the presence of hazardous materials in the shallow soil or ground water at the site. We understand that the buyer may erect a new residence and/or subdivide the property into a total of four lots for additional residences.

This report has been prepared at the request of Gil Garcia, AIA, of Garcia Teague Architecture & Interiors, and Mike Gill, of Eagle Financial Group. We initially discussed the proposed project and scope of investigation with Mr. Garcia. This investigation has been conducted under an agreement with Fred Egelston, DDS, potential purchaser of the property. Based on our discussions with the current property owners, there is no available previous site assessment of the property.

This investigation was performed in general conformance with the scope, requirements and limitations of American Society of Testing Materials (ASTM) Practice E-1527-05, "Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment

Process". Exceptions, if any, to this practice are described in appropriate sections of this report. This investigation is also in general conformance with the November 1, 2005 US EPA "40 CFR Part 312 - Standards and Practices for All Appropriate Inquiries (AAI)", Final Rule. Our conclusions and recommendations, including evidence of environmental conditions, are presented in Section 9 of this report.

2.0 SCOPE OF WORK

Our investigation consisted of the following:

- Review of available aerial photography dating from 1939 (13 individual or stereo images and six subsequent Google Earth images). Review of an 1876 historical atlas and of available USGS topographic maps dating from 1919. Review of business and telephone directories dating from 1922. A preliminary title report prepared in 2011, as well as additional documents related to the site and vicinity, were also reviewed.
- Reconnaissance of the site and surrounding area, conducted August 24, 2011.
- Review of a computer data base of reported sites in the vicinity, prepared by Environmental Data Resources, Inc (EDR).
- Discussions with individuals familiar with the site; review of available applicable public and regulatory agency publications and files.
- Evaluation of environmental conditions.
- Preparation of this report.

The research focused on present and past site and near-vicinity conditions and activities which could indicate the potential presence of hazardous materials in the on-site soil or ground water. Persons and agency representatives contacted, articles, documents and data reviewed, and a list of aerial photographs interpreted during this investigation, are presented at the end of this report.

Information was provided by and documents reviewed in offices of or on web sites maintained by the City of San Jose Department of Planning, Building & Code Enforcement; County of Santa Clara; and the California EnviroStor and GeoTracker web sites. Various individuals (see References) provided information on ownership, previous site activities, and other information relevant to this investigation. No contact was aware of any environmental liens encumbering the property (and none were identified by EDR).

This investigation did not include an evaluation of the presence of wetlands; asbestos-, lead- or PCB-bearing building materials; lead in drinking water; or radon gas at the site.

Research, site reconnaissance and report preparation were conducted by David F. Hoexter, Registered Environmental Assessor (REA) and Professional Geologist (PG) / Certified Engineering Geologist (CEG) in the State of California. A summary of Mr. Hoexter's qualifications to conduct/supervise this investigation is provided as Appendix A.

3.0 SITE DESCRIPTION / OWNERSHIP / UTILITY SERVICE

3.1 Description

The site is approximately rectangular, comprising 45,088 square feet (1.05 acres) (Figures 2 through 5). It consists of one assessor's parcel, is relatively flat although gently sloping down to the northeast, and is at an elevation of approximately 380 feet above sea level (estimated from USGS topographic map). The ground surface declines 13 feet from the southwest to the northeast property line. It is located in a residential area of single family homes, between Barnes Lane, where it fronts, and Macias Court. The site is currently occupied by two primary and additional minor secondary structures: a single story wood-framed residence; a detached wood-framed garage; and various sheds related to enclosures for horses (two horses were present at the time of our reconnaissance).

The property is bordered by and accessed from Barnes Lane to the northwest, and residences on the opposite side of Barnes Lane; a residence, 1122 Barnes Lane to the northeast; Macias Court and an open field to the southeast; and a residence, 1130 (?) Barnes Lane, on the southwest. It is located on gently sloping hills, with Alamos Creek draining the southern end of Almaden Valley, to the northeast.

Precipitation to the site is intercepted by the existing building roofs and discharged to the ground surface. Discharge from the site appears to be primarily to a storm drain inlet box on the downslope side of the property (see Section 4.3).

Based on the Old Republic Title Company Preliminary Report (2011), there are no easements across the property, excepting utility easements for telephone, gas and electricity, located along Barnes Lane.

3.2 Current and Previous Ownership

Based on the Old Olympic Title Company Preliminary Report (2011), property ownership is as follows.

Lot	Street Address	Ownership
N/A	1244 Apollo Way	Steve E. Lenheim, a single man

Refer to the title report for detailed ownership descriptions.

3.3 FEMA Flood Zone, City Zoning, Property Use

According to EDR (2011a), the site is not located within either 100 or 500 year flood zones. The General Plan designation is Very Low Density Residential (2.0 dwelling units/acre) (San Jose Department of Planning, Building & Code Enforcement, 2011a). The site is currently zoned R-1-2 (Single Family Residential) (San Jose Department of Planning, Building & Code Enforcement, 2011b).

The property is occupied by one primary structure, a single family residence, a detached garage, parking, and minor appurtenant structures.

3.4 Utilities

The following utility services apply to the property:

- Gas and Electric: Pacific Gas and Electric Company (PG&E).
- Sanitary: City of San Jose
- Water: San Jose Water Company

4.0 GEOLOGIC AND HYDROLOGIC SETTING

4.1 Geologic Setting

The site is located in the San Francisco Bay region, which is bounded by mountain ranges of the California Coast Ranges geomorphic province. The region has undergone a complex geologic history of sedimentation, volcanic activity, folding, faulting, uplift and erosion. The site is located in an area of low hills adjacent to the northeastern margin of the Central Santa Cruz Mountains. We have briefly reviewed our local experience and geologic literature pertinent to the general site area. Based on Wentworth, Blake, McLaughlin, and Graymer (1999) and McLaughlin, R.J, J.C. Clark, E.E. Brabb, E.J. Heley, and C.J. Colon, 2001, the site is located on undifferentiated Franciscan Melange rocks, with floodplain deposits (further identified as Santa Clara Formation by Wentworth, et al, 1999), downslope to the northeast. The Franciscan Melange consists of serpentinite, chert, sandstone, greenstone and other rock types enclosed in a sheared matrix of claystone and shale.

4.2 Shallow Ground Water Conditions

We were not able to identify any reliable nearby ground water data. Based on our experience, ground water would flow would follow the topography, that is down to the northeast, and would likely be present at depths of at least 25 or more feet. Any produced ground water in wells would be from fracture permeability in the underlying bedrock.

4.3 Surface Hydrology

There are no drainages within the property. Precipitation runoff appears to be primarily by sheet flow to a drain / drop inlet located along the northeast property line, which is presumably (not verified) connected to storm drains underlying adjacent streets. The 1954 aerial photograph shows two shallow drainage / runoff rills draining from the adjacent upslope property down to the northeast. An ephemeral drainage was formerly located approximately 230 feet downslope, flowing northwest and draining the near site vicinity. This drainage is currently overlain by Queensbridge Way. The nearest permanent water course is Alamos Creek, approximately 2,500 feet northeast.

4.4 Wells

There are no indications of either ground water monitoring or production wells on the property (present or past). No wells were observed, and there are no records of wells in the regulatory record.

EDR (20011a) provides results of searches of three water well databases, and indicated that there were 3 (registered) wells within 1.0 mile of the site), all at lower elevations than the site. One well is approximately 1/4 mile west-northwest; two are approximately 3/4 miles east-northeast. None of the wells would impact or be impacted by the subject site.

5.0 SITE HISTORY

5.1 Introduction

The following site history is based on our interpretation of historical aerial photographs (commencing 1939); various maps (commencing 1876); various documents and records; and on interviews with individuals familiar with the site and vicinity. Specific sources of information are documented in the References section of this report. Air photos and topographic as well as Sanborn maps supplied by EDR are included in Appendices D and E. Relevant businesses and residences are listed in Table 1, Summary of Business Directory Research.

5.2 History Time Line

- 1876 No development or structures in vicinity. Site is located on N-S narrow extension of land apparently owned by the Quicksilver Mining Company. Mining activity located within hills to south, with no activity in site vicinity. Source: Thompson & West.
- 1919 Site is open land, use unclear due to scale of map; no buildings or activities shown in immediate site vicinity, which is sparsely developed. Almaden Road to northeast at approximate current location. Source: USGS New Almaden 15' Quad.
- 1926 Purported construction of small residence on site (per owner); not confirmed by review of historical maps and aerial photographs (see 1963 entry, below).
- 1939 Site vicinity rural, with orchards or vineyards and open grazing fields. Near vicinity including site exhibits rectangular lots primarily open fields with orchard/vineyard immediately to north. Nearest buildings along Almaden Road. No buildings, fill, ground disturbance, at site or adjacent to site. Source: EDR/Fairchild photograph.
- 1947 Site is open land with no structures, similar to 1919, with orchard/vineyard shown on north. Vicinity remains sparsely developed. Map shows locations of some New Almaden Mining District mines approximately one mile to south. Source: USGS Los Gatos 15' Quad.
- 1948 Similar to 1947 description above, no buildings immediate vicinity or on or adjacent to property; no fill or ground disturbance; orchard/vineyard immediately to north. No orchard or vineyard on site. Source: EDR/USGS photograph.
- 1953 Barnes Lane shown as gravel/dirt road (new since 1948), with approximately eight structures near road, but no structures shown on subject site. Four structures shown on adjacent properties to NE and additional structures further SW (upslope of site) along Barnes Lane. Numerous additional structures constructed in vicinity, particularly along Almaden Road. Orchard or vineyard shown north of site but not on or adjacent to site. Source: USGS Santa Teresa Hills 15' Quad.
- 1954 Site is open, appears to be close-planted on square grid pattern (young vineyard?), with minimal surface soil disturbance based on presence of two shallow erosion rills parallel to ground surface gradient. Residence and associated buildings present on property to NE; no buildings on adjacent property to SW. Source: PAS photograph.
- 1956 Similar to 1954 except no indication of grid pattern planting. No structures on property, no fill, ground disturbance, etc.. Source: EDR/Aero photograph.
- 1963 Orchard/vineyard across street to N. *Subject residence and garage present (constructed or moved to site after 1956)*, with small trees along NE property line indicating recent planting; some surface ground disturbance but no sheds or minor structures or equipment along SE (rear) property line. (Source: USGS Photo Library).
- 1965 Subject property developed with residence at location of existing residence, associated garage, and sheds/small buildings along SE property line. Some undefined equipment or

- vehicles present as well. New residence on property immediately to southwest. Source: USGS Photo Library and EDR/Cartwright photographs.
- 1968 Site residence and one shed along SE property line are present; orchard/vineyard to north. Various structures along road. Newly present reservoir NW of Barnes Lane termination. Source: USGS Santa Teresa Hills 7.5' Quad.
- 1971 Similar to previous, with continued slow regional development (primarily scattered residences and associated buildings). Source: PAS photograph.
- 1974 Similar to previous, with continued slow regional development. Two sheds SE property corner; tree growth around residence. Open portions of subject site are clear of debris or other. Source: EDR/USGS photograph.
- 1978 Small-scale image, appears similar to previous. Source: PAS photograph.
- 1980 Similar to previous 1978 image. Considerable residential development (subdivisions) to north replacing orchards/vineyards. USGS Santa Teresa Hills 7.5' Quad.
- 1981 Site similar to previous. Low excavated cut along SW property line, evident today. Orchard/vineyard across Barnes Lane to N abandoned with initial grading of roads for incipient subdivision. Additional subdivisions to N and E. Source: USGS Photo Library.
- 1982 Site similar to 1981. Roads within new subdivision to N and S have been paved. Source: EDR/USGS photograph.
- 1992 Site similar to 1982; residence, garage and shed in SE corner are present. Completed construction of nearby subdivisions to N and S. Residence directly across street to NW is present (constructed between 1982-1992). Source: PAS photograph.
- 1993 Continued vicinity development. Small sheds in southern half of site. Site Source: EDR/USGS photograph.
- 1995 Property purchased by current owner. Source: interview, S. Lenheim.
- 1996 Property purchased by current owner. Source: Archaeological Resource Management (ARM), (2011).
- 1998 Site similar, with residence, garage, minor sheds near garage; SE area of site is open ground. Source: Google Earth.
- 2003 New residence on property to SW is constructed. Subject site similar to previous. Source: Google Earth.
- 2004 Properties immediately to northeast have been cleared in preparation for subdivision construction. Subject site similar to previous. Source: Google Earth.
- 2005 Immediate lot to NE vacant; two new residences under construction further NE along Barnes Lane. Subject site similar to previous. Source: Google Earth.
- 2006 Resident: Steve Lenheim. Source: Haines Co, Inc. directory in EDR report.
- 2008 Residences along common eastern property line completed and occupied. Subject site similar to previous. Source: Google Earth.
- 2011 Subject site similar to previous. Source: Google Earth.

Note: see References for abbreviations of aerial photograph sources.

5.3 History Summary

5.3.1 Early History

The site vicinity was originally inhabited by Native Americans. California was ruled by Spain and then Mexico during the 18th and first half of the 19th centuries. Portions of the state were divided among various land grants; the site was located within the Rancho De Los Capitancillos grant, established 1842 (possibly the adjacent Rancho San Vicinity, to the east). The New Almaden Quicksilver Mining District, located in the hills immediately south and west of the site, was discovered in the first half of the 19th century, and quickly developed into a primary source of mercury for the California Gold Rush from 1848 and for the United States. The site was apparently part of the property owned by the Quicksilver Mining Company by 1876 (Archaeological Resource Management (ARM), 2011), although based on our review of photos and maps, there was no mining activity near the site.

The earliest available maps for the site vicinity (1876 and 1919) indicate that the site is located south of the developed area of San Jose. By 1876 the vicinity is divided into properties ranging from approximately 100 acres to over 5,000 acres, with Almaden Road, located within the valley flatlands northeast of the site, providing access to both the north and south. Two railroad lines operated by Southern Pacific are present in the valley by 1919, but the vicinity is entirely rural, with few structures.

5.3.2 Early Development

The site vicinity was gradually developed over the first decades of the 20th century. Development is primarily along Almaden Road and on the flatter areas of the valley. Barnes Lane does not appear on the 1948 imagery; the site is open grassland, although clearly divided into rectangular “lots” or areas, advancing southwest from Almaden Road. A vineyard or orchard dating from at least 1939 is located immediately northwest of the site.

5.3.3 Subsequent Period

Barnes Lane is constructed between 1948 and 1953, accompanied by construction of residences and appurtenant structures. Based on the History Time Line (above), the subject residence was in place on the property after 1956 and prior to 1963. Note: the residence appears to be older than approximately 1960, and may have been moved from another location; according to the current owner, Steve Lenheim, and to the ARM (2011) report, the residence was constructed in 1926 (Lenheim) or 1932 (ARM report, based on County records). The area continued to develop in the 1960s and 1970s, primarily with the construction of individual residences, and with construction of residential subdivisions advancing south from San Jose to the sit vicinity by 1978.

5.3.4 Recent Years

Residential subdivisions are constructed or are under construction to the north, east and south by 1982. The properties immediately to the northeast have been cleared of the previous detached residences by 2004, with construction initiated the following year.

5.4 Additional Information

Based on the Section 5 (above) information sources and our air photo interpretation, there are no definitive indications from the historic research of surficial spills or of the disposal of refuse or hazardous waste materials in the near site vicinity. Agricultural use on the site (brief) and in the vicinity, as well as UST removal and other environmental concerns related

to nearby properties to the northeast, and information from the site reconnaissance and regulatory agency review, are discussed below.

Detailed information on site history, ownership, and the current residence are included in the ARM (2011) report.

6.0 SITE RECONNAISSANCE / OBSERVED ENVIRONMENTAL CONDITIONS

6.1 Introduction

Our direct evaluation of site environmental conditions consisted of site reconnaissance (see Scope of Work). We traversed the site several times and walked around the perimeter of the property (where accessible), as well as observing building interiors where accessible. We also walked and drove around the immediate site vicinity. We were accompanied for our site visit by the owner, Steve Lenheim.

6.2 Site Reconnaissance Observations

6.2.1 General

Pertinent features are shown on Figures 4, 5A, and 5B. Figure 4 is annotated with and Photographs A through J show many of the features described below. The site is currently occupied by one primary building, a residence, and a secondary building, a detached garage.

6.2.2 Site Observations

The front of the property (along Barnes Lane) is occupied by driveways and vegetation. A single family residence occupies the center of the site. We walked around the residence and nearby detached garage exterior and within both building interiors. There were no indications of the storage of hazardous materials, other than small quantities typical of household use. Various boats, other vehicles, idle machinery, and miscellaneous materials were parked or sat at various locations in the driveway areas. There were no indications of hazardous materials.

We noted the storage of paint containers in a shed located along the western property line (see Figure 4). Most of the containers were of relatively recent vintage, and thus lead- and solvent-free, and there were no indications of leakage or other release.

The rear approximately one-third of the property is occupied by corrals and sheds for horses. The ground surface is essentially exposed, with sparse vegetation. There were no obvious areas of distressed vegetation (other than by lack of water), which might indicate the disposal of hazardous materials.

We saw no indications of storage or disposal of hazardous materials, other than noted above.

There were no indications of wells on the property.

There were no visual indications of a fuel oil tank (for heating of the residence, in the absence of either propane or of natural gas). Mr. Lenheim stated that a septic tank and leach field had been present up to the late 1990s, but he was not aware of any other underground features.

6.2.3 Site Conclusions

We observed the property for additional indications of environmental concern, such as dumping of fill or waste, areas of impaired vegetation, ground surface staining, production or monitoring wells, underground storage tanks, industrial use, pits, lagoons, etc. There were no indications of any of these or other conditions, other than indicated above, which might suggest environmental impairment. There were no indications of a septic system on the property, although one was purportedly in use prior to 2000. There were no indications of hazardous materials storage, other than as noted above.

6.3 Surrounding Area Observations

We observed the immediate adjacent properties, and the surrounding several blocks, where accessible. Most of the surrounding neighborhood is residential. The two adjacent residences are or relatively recent construction. There were no indications of monitoring wells on nearby properties. We observed the surrounding area for indications of conditions which could impact the subject site. The results of our research of the neighborhood sites and other relevant businesses are summarized on Table 2 and in Sections 7.4 and 8 of this report.

6.4 Overall Reconnaissance Conclusions

Thus, based on our reconnaissance, there are no indications of current land use on the site or adjacent properties which might result in environmental impairment directly to the site. More distant sites which might impact the subject site are discussed in Sections 7.4 and 7.5.

7.0 REGIONAL ENVIRONMENTAL CONDITIONS

7.1 Introduction

We utilized a data base provided by Environmental Data Resources, Inc. (EDR) (Report Inquiry No. 3151374.2s (dated August 19, 2011), which summarizes available documents published by the United States Environmental Protection Agency, California Environmental Protection Agency, Office of Planning and Research, Regional Water Quality Control Board, as well as additional federal, state and local agencies, to identify sites with an indication of hazardous materials presence or release. Copies of the EDR report summary sheets and maps are attached to this report as Appendix B. Regulatory agency files pertaining to reported releases, remedial activities, permits, hazardous materials treatment, storage and disposal, etc. were then reviewed. Relevant documents from agency files and other sources are included in Appendix F. The databases and search distances conform to or exceed the standard record sources identified in ASTM Practice E-1527-05.

7.2 Data Base

Data bases and the distance searched by EDR are listed in the EDR Executive Summary (Appendix B) and Government Records Search (Appendix C). The investigation indicates that there are four (4) identified site references within the distances specified by ASTM and searched by EDR. Some of these sites comprise multiple listings (more than one listing for a given property or business). Close scrutiny of the EDR maps identifying site locations indicates that most of the sites are relatively accurately located. In addition, there are 29 “orphan” site listings which are not located on the EDR map. Based on the report descriptions, identified addresses (where available), and our reconnaissance, none of the orphan sites are germane to this investigation and most are located at significantly greater distances than the ASTM-specified search distances.

There are no proposed, listed or delisted Federal NPL (“Superfund”) sites; or State AWP or RESPONSE or landfills. There are numerous sites from other data bases at various distances from the subject site.

We evaluated selected sites which, upon evaluation of the EDR report, appeared to have a potential impact to the subject site. We reviewed on-line file information on various sites. On-line information sources included the California EnviroStor and GeoTracker web sites.

The status of those nearby sites with potential influence to the subject site listed on the various data sources is presented in Table 2 and the following discussions. The site identification numbers are keyed to Figures 6 and 7, EDR Overview Map and EDR Detail Map, respectively, which locate the listed properties in relation to the subject site. Note that more than one site may be listed with the same location reference. Note that some locations on the EDR maps may be slightly inaccurate, but this does not impact the following discussions or our conclusions and recommendations.

7.3 Subject Site

- **1126 Barnes Lane, San Jose, CA:** the subject site is not listed in the various data bases (EDR, 2011a).

7.4 Listed Sites

Table 2, following the text of this report, provides information on nearby sites documented by EDR (2011a). The table summarizes all nearby sites; at greater distances, only those sites

listed by EDR which we deem to be of potential impact to the subject site are discussed. We present our conclusions related to the potential for each site to impact the subject site. Sites with a potential to impact the subject site are discussed below. Sites with no potential or unlikely to impact the subject site are discussed in Table 2, only.

- **Almaden Feed (EDR report Site 1):** The site is approximately 1,275 feet down gradient of the subject site. A gasoline release occurred from three former USTs. The USTs were removed. Subsurface investigation indicated that the release was localized and very old; minor residual soil and ground water contamination were deemed to be not significant and not a threat to beneficial use of water. The regulatory agency closed the site with no requirement for further investigation, cleanup, or monitoring.
- **Almaden Quicksilver County Park (EDR report Site 2):** Active mining at this location has ceased. Residual soil contamination remains, resulting in mercury contamination of soil and fish within waterways draining the site. Although the subject site is down gradient of Quicksilver County Park, it is not located within or adjacent to a drainage (creek or stream) flowing from the park. There are no indications to our knowledge of elevated mercury contamination to soils in the vicinity with settings similar to the subject site.
- **Additional Listed Sites:** One additional site is listed in the EDR report and is summarized on Table 2, but in our opinion is not of concern to the subject site.

7.5 Additional Nearby (unlisted) Sites

- **Additional Unlisted Sites:** No additional (unlisted) sites with definitive potential to impact the subject site were observed during our site reconnaissance and research. A Phase I and Phase II Environmental Site Assessment of the adjacent properties to the northeast, between the site and Almaden Road, was conducted by Toxichem (2003). The various properties included in the adjacent site are all down-gradient of the subject site. The report identified one underground storage tank (UST) which probably contained gasoline; a buried drum used to store oil; postulated soil contamination (and therefore testing for pesticides, petroleum hydrocarbons, and metals, including mercury, was conducted); and localized fill. The UST was removed, with no indications of residual soil or ground water contamination. The buried drum was removed, with excavation of a small volume of contaminated soil. Elevated DDT and lead were identified at one location each. The fill was assessed and determined not to be of environmental concern. In summary, there were no indications of widespread pesticide, metals, or other contamination on the properties, and the minor local occurrences would not be of concern to the 1126 Barnes Lane site. The nearby site has subsequently been developed with residences.

8.0 DISCUSSION

Based on our review of aerial photographs, maps, regulatory data base, our site reconnaissance, interviews and other information on land utilization, the subject site appears to be currently essentially free of significant environmental impediments. Two aspects of past land use or practices could be considered to be of potential concern and are discussed below.

Isolated rural residences may utilize fuel oil for heating purposes. The possible presence of a fuel UST must be considered. However, in our experience, installation of a fuel oil tank at a residence placed on the property in the 1950s would be unlikely, the more likely heating energy source being propane. In addition, there were no indications of fuel oil USTs associated with older residences to the northeast investigated by Toxicchem Management Systems, Inc. (2003) in its Phase I and II Environmental Site Assessment. There are no indications of a fuel UST on the property, and in our opinion, one is unlikely to have been or to be currently present.

A faint square grid pattern on a single 1954 aerial photograph suggests that an orchard or more likely vineyard occupied the site for a relatively brief period. There are no indications of this feature in 1948 or 1956. The use of chlorinated or metal- based pesticides and herbicides must be considered. However, the site appears to have been used for this purpose for no more than eight years. Furthermore, subsequent construction of various buildings on the site, storage of equipment, and, in the rear half of the property, the significant movement of horses over the following decades would have completely mixed and ameliorated any possible effect of pesticide or herbicide spraying. Sampling of soil for agricultural chemicals was conducted on the adjacent parcels to the northeast (Toxicchem Management Systems, Inc, 2003). For the most part, the results were negligible, although it must be noted that the agricultural usage on the adjacent properties was not the same as on the subject site. In our opinion, the likelihood of the presence of agricultural chemicals on the subject site at concentrations which would be a detriment to the environment or to human health is remote.

There are no indications of current storage or dumping of significant quantities of hazardous materials on the property. We observed storage of small quantities of stored paint in an outside shed. There were no indications of a release of materials at this or other locations. We observed the presence of sheds (in addition to the residence and garage) and of equipment on historical aerial photographs. There are no indications that the sheds or equipment stored or discharged hazardous materials.

The property is connected to the public sanitary system. There are no indications of the presence of a septic system on the property, although one was reportedly present in the past. In our experience, residential septic systems are seldom identified as the source of soil or ground water contamination.

There are no identified release sites in the near site vicinity, or others further distant, which are likely to have impacted the subject site.

This investigation did not include an evaluation of the presence or determination of wetlands, asbestos- (except as noted above), lead- , or PCB-bearing building materials, or radon gas¹ at the site.

¹ We do note, without comment on the data quality or applicability, that the referenced EDR report indicates that there are 28 documented radon-tested sites in area code 95120 on a California Radon database, with all of the 28 sites less than 4 pCi/L radon. In addition, there are data from one (1) site in

9.0 CONCLUSIONS AND RECOMMENDATIONS

This Phase I Environmental Site Assessment was conducted to evaluate whether past or current usage of the site or of near-vicinity sites may have adversely impacted the soil or ground water quality of the property located at 1126 Barnes Lane, San Jose, California. At this time, to our knowledge, there are no pending environmental (soil or ground water contamination or hazardous materials-related) actions placed by a regulatory agency upon the site.

We have performed this assessment in conformance with the scope and limitations of ASTM Practice E 1527 (2005). Any exceptions to, or deletions from, this practice are described in Section 10.0 of this report. This assessment has revealed no evidence or indication of recognized environmental conditions in connection with the property except for the following:

- There is currently no evidence of the presence of a fuel oil UST, and no indication that one was ever present at the site. In our opinion, further evaluation is not justified.
- In our opinion, the brief use of the property as an orchard or vineyard is unlikely to have resulted in residual presence of agricultural chemicals at concentrations which would be a detriment to the environment or to human health.

area code 95120 on a Federal Radon database; data are reported for the first floor living area only, with an average radon activity level of <0.700 pCi/L. According to the EDR report, Santa Clara County is in US EPA Radon Zone 2, with indoor average radon levels between 2 and 4 pCi/L.

10.0 ADDITIONAL REPORT ELEMENTS

10.1 Data Gaps

In our opinion, there are no significant data gaps.

10.2 Environmental Liens

There are no indications of environmental liens against the property.

10.3 Purchase Price

10.3.1 General Considerations

ASTM E1527-05 Section 6.5 requires the User (in this case, the property purchaser) to “consider the relationship of the purchase price of the property to the fair market value of the property if the property was not affected by hazardous substances or petroleum products”. Therefore, the User should evaluate this price in light of the former and current land use and risk of environmental degradation and possible future associated costs.

10.3.2 Purchase Price Conclusion

We discussed the proposed sale price with Mike Gill of Eagle Financial Group. Mr. Gill stated that the sale price was reasonable for the current land use as well as potential for subdivision of the property into four lots.

10.4 Environmental Professional Statement

I declare that, to the best of my professional knowledge and belief, I meet the definition of Environmental Professional as defined in §312.10 of 40 CFR 312. I have the specific qualifications based on education, training and experience to assess a property of the nature, history and setting of the subject property. I have developed and performed the all appropriate inquiries in conformance with the standards and practices set forth in 40 CFR 312.

11.0 LIMITATIONS

This report has been conducted for the express use only of Fred Egelston, DDS, and his consultants. The conclusions and recommendations herein may not be valid for other (third) parties unless reviewed and verified in writing by Hoexter Consulting, Inc.

Our services have been performed in accordance with generally accepted engineering geologic and environmental principles and practices within the area at the time of our investigation. No other warranty, either expressed or implied as to the professional advice provided, is made.

The scope of work for this investigation is designed to evaluate the potential for environmental problems at the site. It should be recognized that some limitations are inherent in the evaluation of subsurface conditions, particularly without direct subsurface investigation, and that certain conditions may not be detected. The analysis and conclusions contained in this report are based on the site conditions as they existed and were observed at the time of our reconnaissance, discussions with governmental agents, owners or others familiar with the site or vicinity, review of documents, and our review and interpretation of readily available maps and reports prepared by others. Changes in the information or the data gained from these sources or in the proposed land use or development plans could result in changes in our conclusions and recommendations. If such changes do occur, we should be advised so that we can review our report in light of those changes. In addition, site conditions can change rapidly due to natural occurrences or human intervention. Thus, this investigation cannot provide a guarantee that all possible on-site contamination will be discovered.

ENCLOSURES

REFERENCES

REFERENCES

Aerial Photographs

Description	Date	Scale	Comment
EDR/F	1939	1:6,660	Single, b/w
EDR/USGS	1948	1:7,860	Single, b/w
PAS	1954	1:9,600	Single, b/w
USGS/MP	1963	1:20,000	Stereo, b/w
EDR/C	1965	1:3,996	Single, b/w
USGS/MP SCL-13-207/208	1965 (May 17)	1:12,000	Stereo, b/w
PAS: AV-1006-16-27/28	1971 (Oct. 12)	1:12,000	Stereo, b/w
EDR/USGS-U	1974	1:6,600	Single, b/w
PAS: AV-1497-08-12	1978 (May 08)	1:33,500	Single, b/w
USGS/MP: GS VEZR-3-65/66	1981 (Feb. 22)	1:24,000	Stereo, b/w
USGS/U	1982	1:8,280	Single, b/w
PAS: SCL-AV-4230-0130-86/87	1992 (July 22)	1:12,000	Stereo, b/w
EDR/USGS	1993	1:7,992	Single, b/w
Google Earth	1998 (Aug. 26)	N/A	Single, color
Google Earth	2003 (Nov. 20)	N/A	Single, color
Google Earth	2004 (Oct. 05)	N/A	Single, color
Google Earth	2005 (Dec. 30)	N/A	Single, color
Google Earth	2008 (Sept. 29)	N/A	Single, color
Google Earth	2011 (May 11)	N/A	Single, color

Air photo notes:

A	Aero
b/w	Black and white
col	Color
Cart	Cartwright
CS	Clyde Sunderland
EDR	Photo supplied by EDR Inc. (source not indicated)
E	Exxon
F	Fairchild Aerial Photography Collection, Whittier College, Whittier, CA
JA	Jack Ammann
N	NASA
PAS	Pacific Aerial Surveys, Oakland, California
SC	Air Photo and Map Library, University of California, Santa Cruz, CA
TS	TerraServer (Microsoft) web site.
USGS/U	United States Geological Survey, unknown location
USGS/MP	United States Geological Survey Library, Menlo Park, CA
WAC	WAC Corporation, Eugene, OR
WSA	(unknown source)

Topographic and Other Maps

Thompson & West, 1876, "Historical Atlas Map of Santa Clara County, California" (reprinted 1973 by Smith & McKay Printing Company, San Jose, California).

	Date	Scale
USGS New Almaden 15' Quadrangle	1919	1:62,500
USGS Los Gatos 15' Quadrangle	1947	1:50,000
USGS Santa Teresa Hills 7.5' Quadrangle	1953	1:24,000
USGS Santa Teresa Hills 7.5' Quadrangle	1953/68 (photorevised)	1:24,000
USGS Santa Teresa Hills 7.5' Quadrangle	1953/80 (photorevised)	1:24,000

Note: no Sanborn coverage for the site vicinity

Directories

Year	Source	Year	Source	Year	Source	Year	Source
1922	P	1946	P	1968	P	1996	PB
1925	P	1950	P	1970	P	2000	H
1926	P	1955	P	1974	P	2001	H
1930	P	1957	PT/P	1975	PT	2006	H
1931	P	1960	P	1978	P		
1935	P	1962	P	1980	PT		
1936	P	1963	PT	1982	PT		
1940	P	1964	P	1985	PB		
1942	P	1965	P	1986	PB		
1945	P	1966	P	1991	PB		

Directory notes:

AT: AT&T Yellow Pages
 C: Coast Directory Company
 Ha: Willis Hall Directory, Burlingame Publishing Co.
 H: Haines Criss-Cross Directory, Haines & Co, etc.
 P: R. L. Polk & Co. Publishers (City Directory)
 PB/PT: Pacific Bell / Pacific Telephone

Personal Communication

Gil Garcia, Garcia Teague Architects and Interiors
 Mike Gill, Eagle Financial Group
 Steve Lenheim (owner)

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....., 2011e, 1126 Barnes Lane, San Jose, California 95120, EDR Environmental Lien Search Report, Report Inquiry 3151374.7, report dated August 22, 2011.

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TABLES

Table 1 – Summary of Business Directory Search

Address	Year	Business/Resident
Subject Site		
1126 Barnes Lane (subject site)	1922 – 2001 2006	No listings Steve Lenheim
Adjacent or Nearby Properties		
1100 – 1141 Barnes Lane (all listed sites on Barnes Lane)	1986, 2006	Various residences
1122 Barnes Lane (adjacent to northeast)	1922 - 2006	No listings
1130 Barnes Lane (adjacent to southwest)	1922 - 2006	No listings
Vicinity		
Various addresses	1922 - 2006	Various residential addresses Various business addresses, all too distant to be of concern to subject site

Table 2 – Nearby Sites / Database Search

Database ID (1)	Business/Residence (2)	Site Address; Location Relative to Subject Site (3)	Database Listing(s) (5)	A: Information on Site B: Conclusions of Impact to Subject Site
1	Almaden Feed	19450 Almaden, 1,275' E lateral gradient.	Hist Cortese, LUST, Hist LUST.	A: Gasoline release, case closed. B: No impact to subject site due to location distance and case closure.
2	Almaden Quicksilver County Park	No address listed, site encompasses large area > 2,000' from subject site.	CA Bond Exp. Plan	A: Formally active mercury mining district, now a park. Mercury present in soil within park; soil erosion has resulted in mercury contamination of soil and fish within waterways draining site. B: No listed occurrences of contamination to residential properties in site vicinity; therefore impact to subject site unlikely.
A3	Almaden Research Center	650 Harry Road, 4,875' NE.	Hist UST, CHMIRS, ENVIROSTOR, HWP.	A: Solvent storage; possible corrective action. B: Almaden Research Center is distant and not in same drainage as subject site; no impact to subject site.
A4	IBM Almaden Research Center	650 Harry Road, 4,875' NE.	RCRA-TSDF, CORRATCS, RCRA-LQG, AST, MANIFEST.	A: Large quantity generator treats, stores, disposes of hazardous wastes including metals, solvents. Apparent minor violations, resolved. B: Distance, apparent absence of significant release, and location in a different drainage preclude impact to subject site.
Orphan Sites	29 Sites	Various	Various	A: N/A. B: Distance and nature of occurrences preclude impact to subject site.

Notes on following page

Notes

- 1 - Per EDR report
- 2 - All locations in San Jose, California
- 3 - Distances approximate and rounded off to nearest 25 foot increment; up/lateral/down ground water gradient based on regional gradient
- 4 - CA FID UST list last updated 12/28/98, and is therefore out of date. Many “active” files are no longer active, i.e. USTs removed although listed on the database.
- 5 - Abbreviations/database information (not an all-inclusive listing of data base sources; see Appendix C for complete listing of databases):

Active UST: Active underground storage tank listing

AB UST: Above ground storage tank listing

AST: above-ground petroleum storage tanks

BAAQMD: San Francisco Bay Area Air Quality Management District

CAFID UST: SWRCB listing of active and inactive UST locations

CA WDS: Sites which have been issued waste discharge requirements

CERCLIS: potential NPL sites

CERCLIS-NFRAP: sites removed from CERCLIS

CHMIRS: CA Office of Emergency Services listing of accidental hazardous materials release incidents

Chlorinated solvents: e.g. TCE, PCE, vinyl chloride

CDL: Clandestine drug labs

CLEANER: database of cleaners maintained by EDR; includes both “wet” and “dry” cleaners

CORRACTS: hazardous waste handlers with RCRA corrective action activity

Cortese: listing of various sites by SWRCB (LUST), Integrated Waste Board, and DTSC; no longer updated

DEED: DTSC deed restriction listing

CLEANER: database of drycleaners maintained by EDR

DTSC: California Department of Toxic Substances Control

EMI: Air emissions inventory data listing, maintained by the California Air Resources Board

ENVIROSTOR: California DTSC Site Mitigation and Brownfields Reuse Program database

ERNS: Emergency response listing (Emergency Response Notification System)

FINDS: other pertinent environmental activities listing (US EPA Facility Index System)

FTTS: US EPA tracking of pesticide enforcement actions and compliance activities

FTTS Inspect: inspection of FTTS listed site

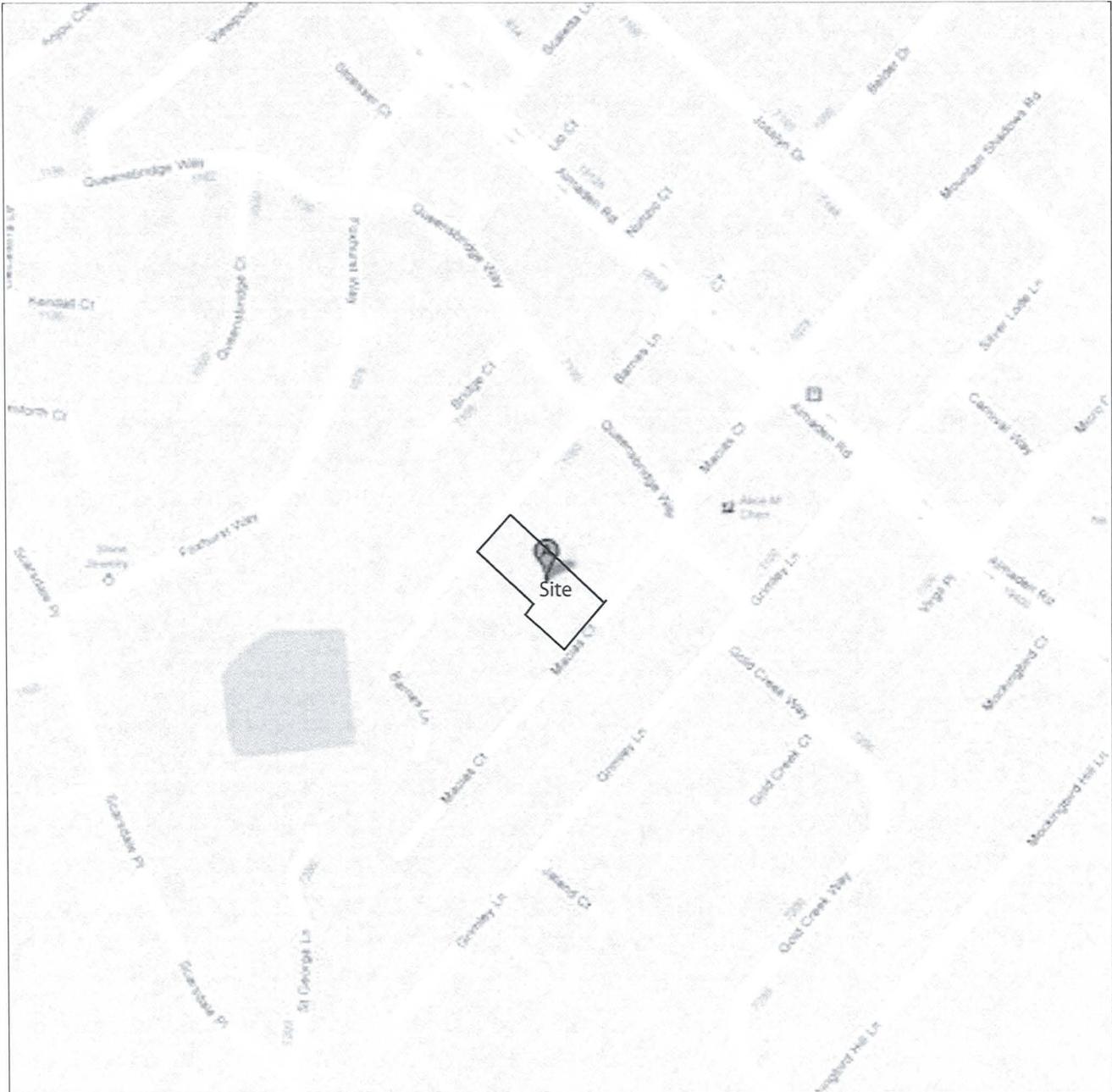
HAZNET: Listing of hazardous waste shipping manifests

Hist AUTO STA: database of historic auto service stations maintained by EDR

Hist CLEANER: database of historic drycleaners maintained by EDR; includes both “wet” and “dry” cleaners

Hist FTTS: More complete listing of FTTS, although maintained only through 10/06.
Hist UST: Listing of USTs formerly at site
HMIRS: US DOT listing of hazardous materials release incidents
HVOC: halogenated volatile organic compounds
Hydrocarbon solvents: e.g. benzene, hexane, Stoddard
LIENS: California environmental liens listing
LUST: leaking underground fuel storage tank listing (RWQCB)
MANIFEST:
NPL: US EPA National Priority List (Superfund)
Oxygenated solvents: e.g. acetone, butanol.
RCRA: USEPA program documenting sites which generate, transport, store, treat and/or dispose of hazardous waste
RCRA LQG: RCRA Large Quantity Generator of hazardous materials/waste listing
RCRA NG: Former RCRA Generator
RCRA SQG: RCRA Small Quantity Generator of hazardous materials/waste listing
RCRA TSDF: EPA RCRA sites which transport, treat, dispose of hazardous waste
RESPONSE: California equivalent NPL sites (DTSC)
RWQCB: California Regional Water Quality Control Board
SLIC: RWQCB (specific to region) spills, leaks, investigations, cleanups listing
SMCoBI: San Mateo County Business Inventory listing: Haz. Mat. Business Plans, Haz. Waste Generator, USTs
SWEEPS: listing of USTs, no longer maintained
SWF/LF (SWIS): active, closed and inactive landfills
SWRCB: California State Water Resource Control Board
USEPA: U.S. Environmental Protection Agency
UST: underground storage tank
WRCB: California Water Resources Control Board
WMUDS/SWAT: CA WRCB Waste Management Unit database (solid waste)

FIGURES AND PHOTOGRAPHS



Source: Google Maps. No scale

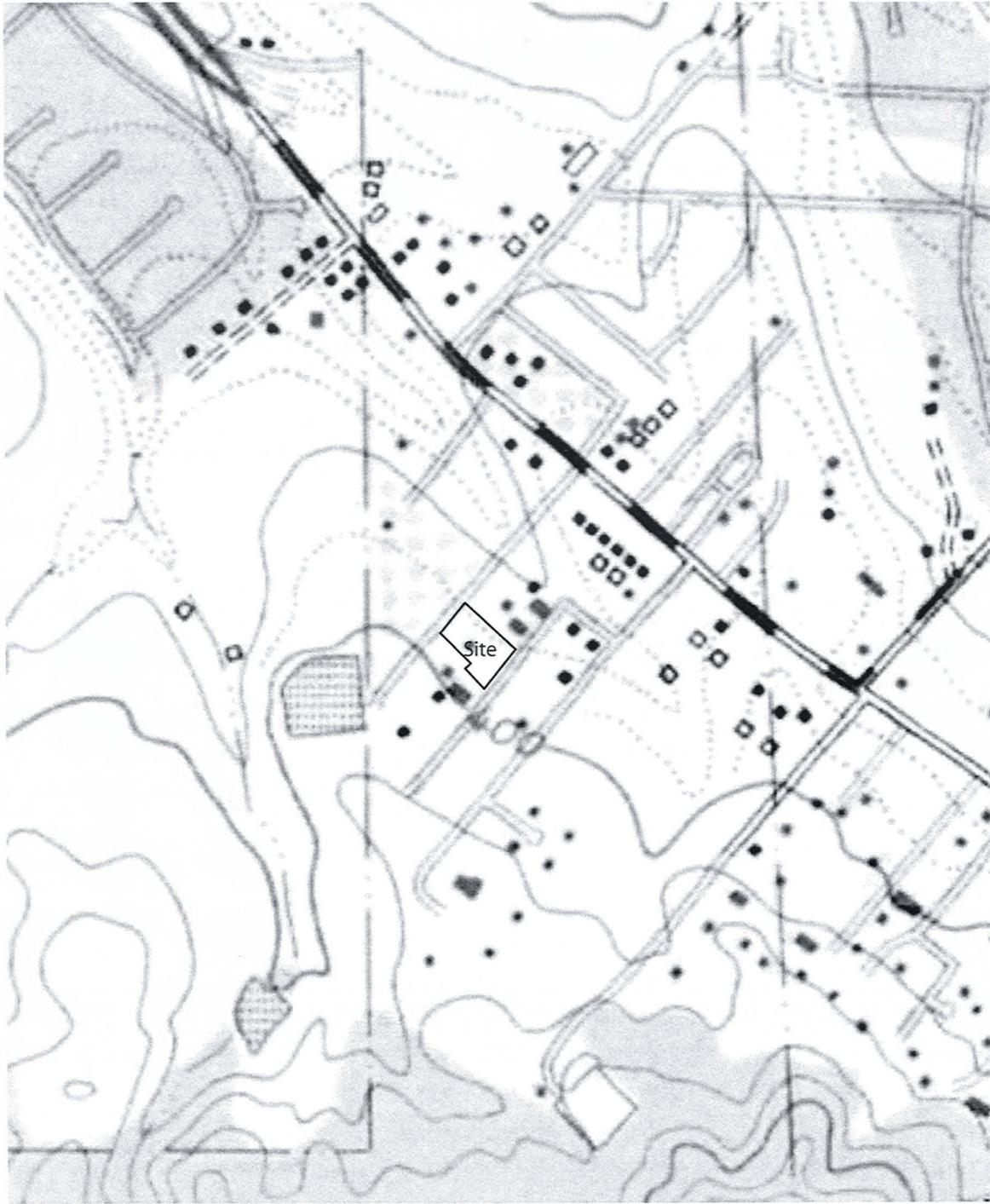


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LOCATION MAP

1126 Barnes Lane
 San Jose, California

Project No.	Date	Figure 1
E-207-01-831	September, 2011	



Source: USGS Santa Teresa Hills 7.5' Quadrangle, 1953 Photorevised 1980. No scale.



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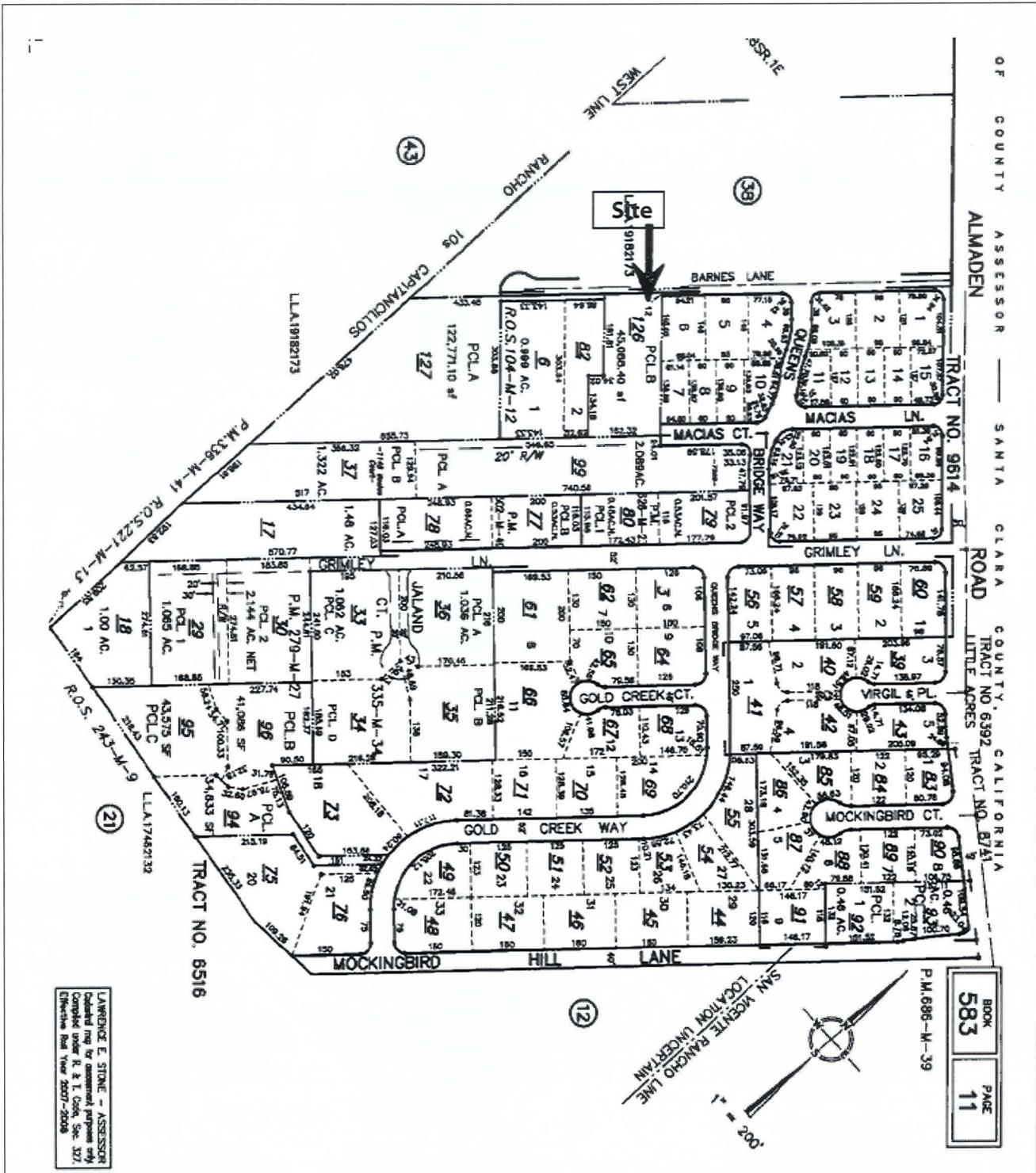
FIGURE TITLE

1126 Barnes Lane
San Jose, California

Project No.
E-207-01-831

Date
September, 2011

Figure **2**

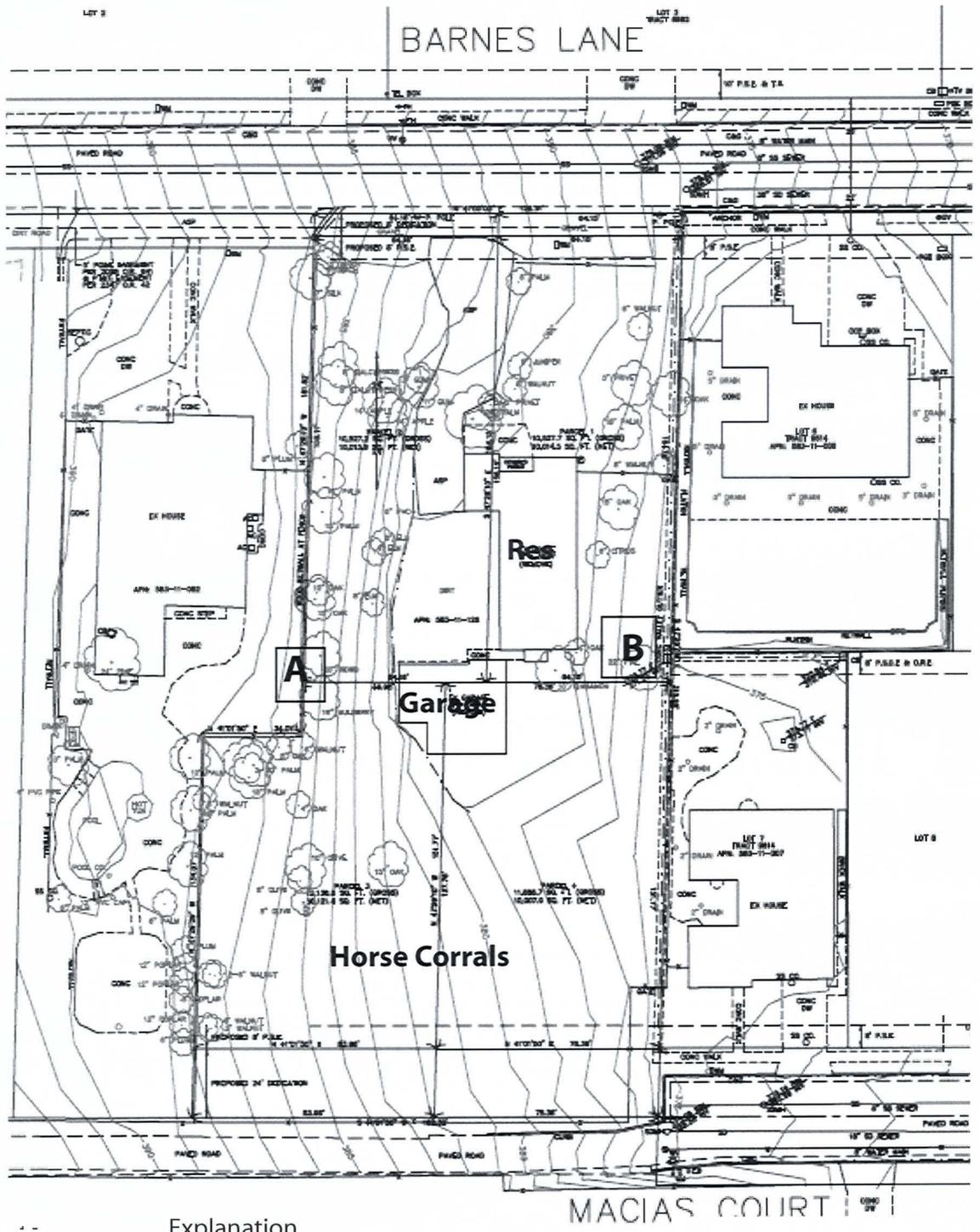


Source: Santa Clara County, CA Assessors Office. No scale (reduced from original).



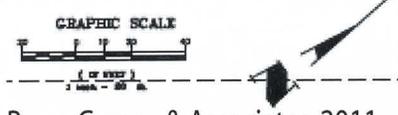
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PARCEL MAP		
1126 Barnes Lane San Jose, California		
Project No.	Date	Figure 3
E-207-01-831	September, 2011	



Explanation

- Loc. A: paint cans stored in shed
- Loc. B: storm drain inlet, approximate location



Base: Carnes & Associates, 2011



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SITE PLAN

1126 Barnes Lane
San Jose, California

Project No.	Date	Figure 4
E-207-01-831	September, 2011	



Source: Google Maps



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SITE VICINITY PHOTO (large scale view)

1126 Barnes Lane
San Jose, California

Project No.
E-207-01-831

Date
September, 2011

Figure **5A**



Source: Google Maps



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SITE VICINITY PHOTO (small scale view)

1126 Barnes Lane
San Jose, California

Project No.
E-207-01-831

Date
September, 2011

Figure **5B**



- ★ Target Property
- ▲ Sites at elevations higher than or equal to the target property
- Sites at elevations lower than the target property
- ▲ Manufactured Gas Plants
- National Priority List Sites
- Dept. Defense Sites
- Indian Reservations (BIA)
- N Oil & Gas pipelines from USGS
- 100-year flood zone
- 500-year flood zone
- National Wetland Inventory
- Areas of Concern



This report includes Interactive Map Layers (click and/or drag map information). The legend includes only those icons for the default map view.

SITE NAME: 1126 Barnes Lane, San Jose, California ADDRESS: 1126 Barnes Lane San Jose CA 95128 LAT/LONG: 37.1988 / 121.8383	CLIENT: Hoexter Consulting CONTACT: David F. Hoexter INQUIRY #: 3151374_2a DATE: August 19, 2011 6:24 pm
---	---

Source: EDR (2011a)

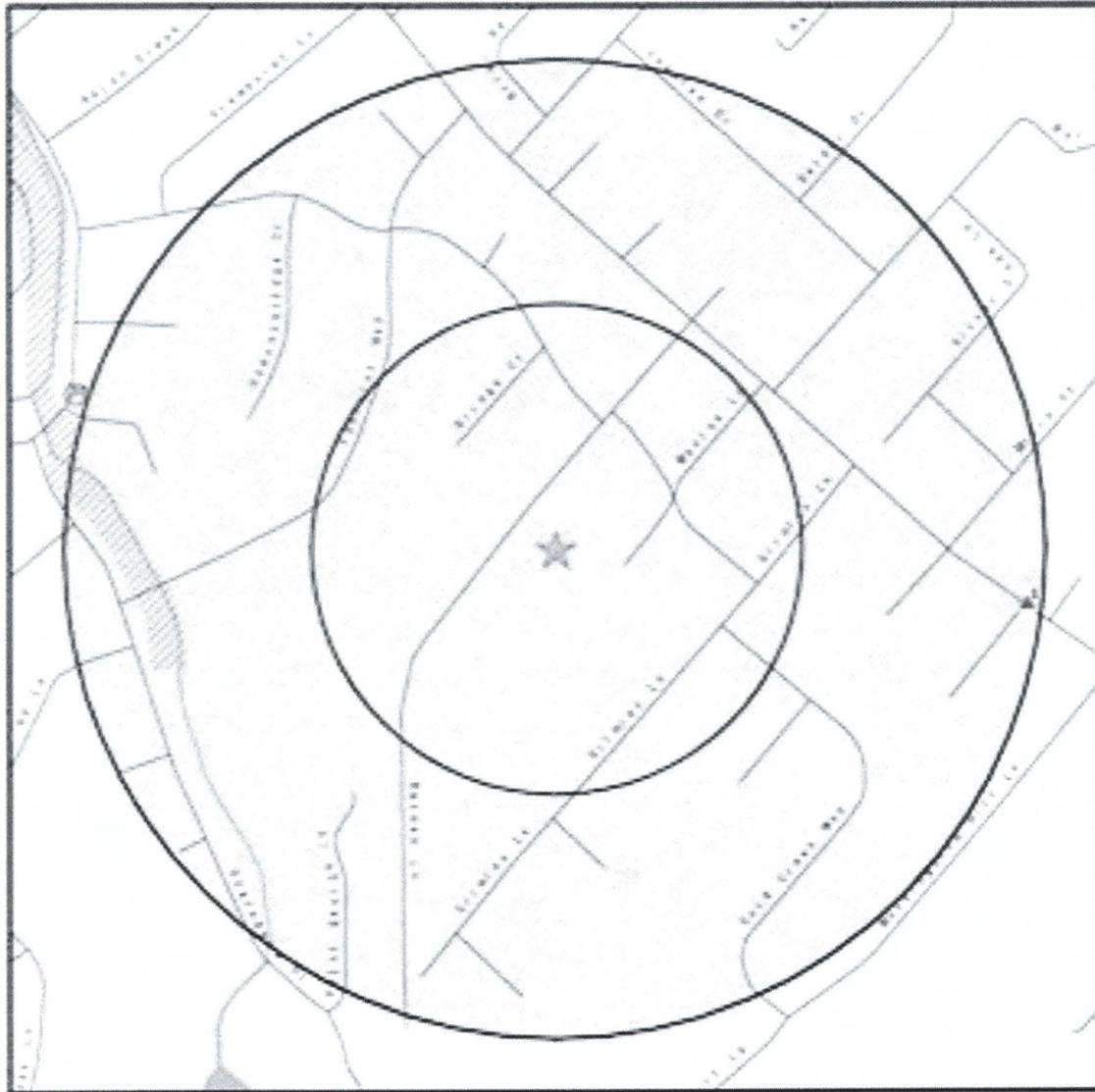


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EDR OVERVIEW MAP

1126 Barnes Lane
 San Jose, California

Project No.	Date	Figure 6
E-207-01-831	September, 2011	



- ★ Target Property
- ▲ Sites at elevations higher than or equal to the target property
- Sites at elevations lower than the target property
- ▲ Manufactured Gas Plants
- ▲ Sensitive Receptors
- National Priority List Sites
- Dept. Defense Sites
- Indian Reservations BIA
- Oil & Gas pipelines from USGS
- 100-year flood zone
- 500-year flood zone
- National Wetland Inventory
- Areas of Concern

This report includes Interactive Map Layer details and/or table map information. The legend includes only those items for the default map view.

Source: EDR (2011a)

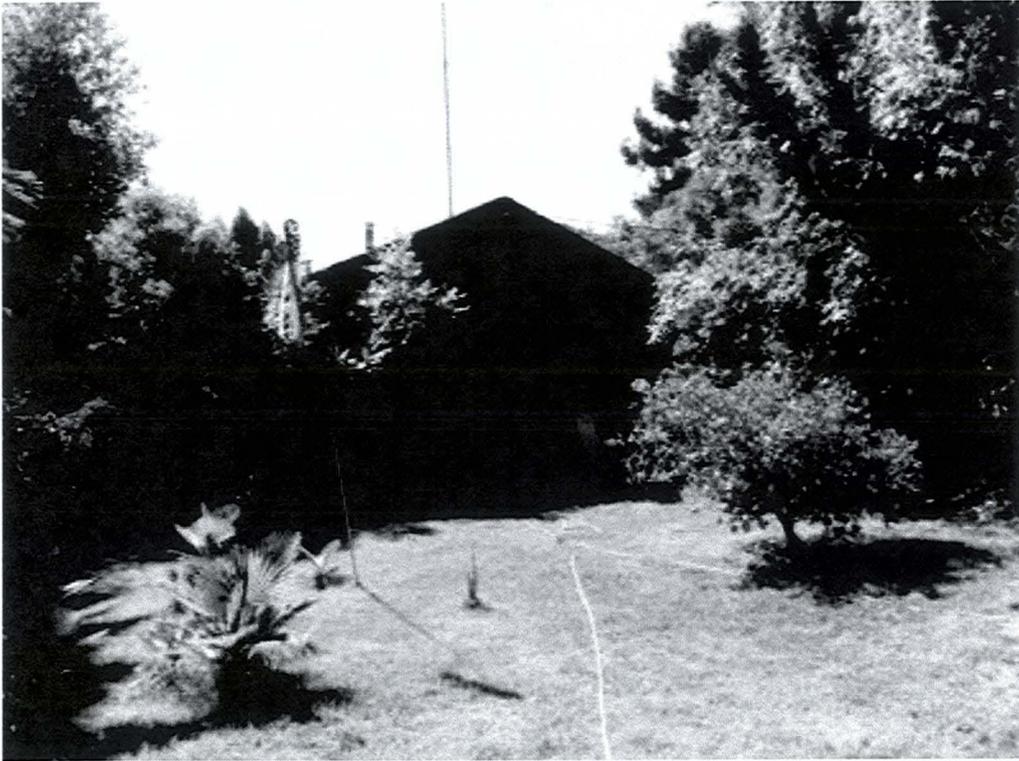


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EDR DETAIL MAP

1126 Barnes Lane
 San Jose, California

Project No.	Date	Figure 7
E-207-01-831	September, 2011	



Photograph A: Front of residence, view southeast from Barnes Lane.



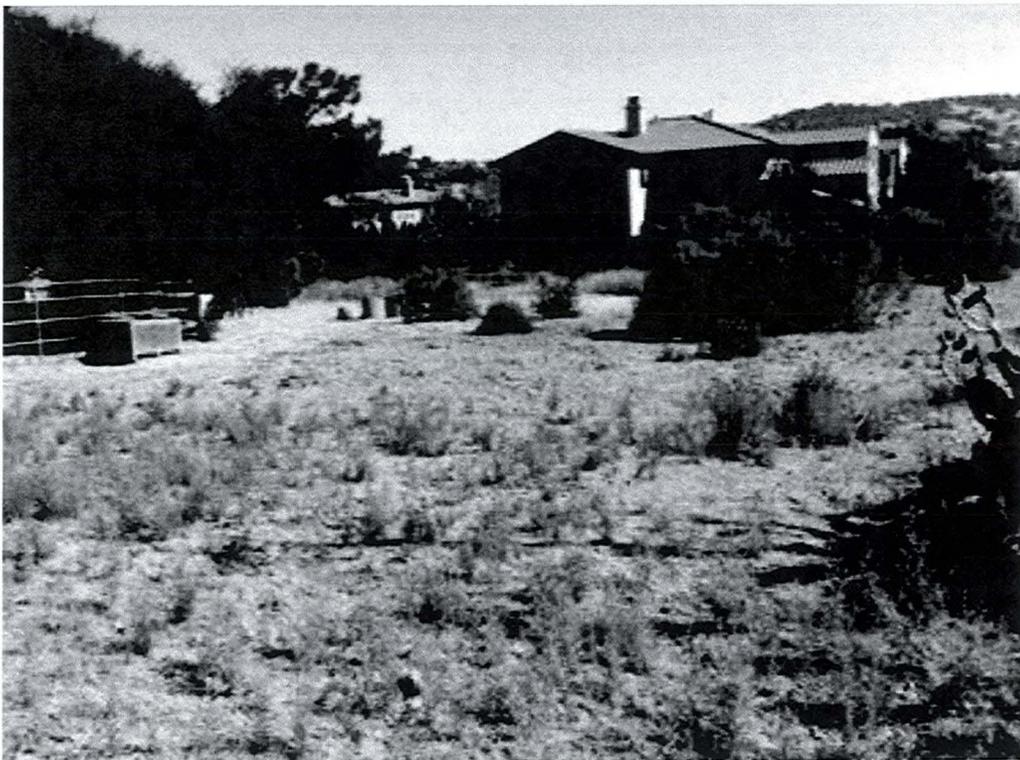
Photograph B: Primary entrance to property, view from Barnes Lane.



Photograph C: Vehicle and equipment storage adjacent to south side of residence and front of garage.



Photograph D: Behind garage, view southeast.



Photograph E: Horse corral, view north.



Photograph F: Horse coral, view west toward back of garage.



Photograph G: North side of residence, view west.



Photograph H: Paint storage in shed.



Photograph I: Barnes Lane, view northeast.



Photograph J: Barnes Lane, view southwest.