

INITIAL STUDY

for the

SPRECKLES SANITARY SEWER FORCE MAIN SUPPLEMENT
&
PUMP STATION REHABILITATION PROJECT

City File No. PP11-104

CITY OF SAN JOSE, CALIFORNIA

March 2012

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

File No. and Project Name/Description:

File No. PP11-104. Spreckles Sanitary Sewer Force Main Supplement & Pump Station Rehabilitation Project for the rehabilitation of the Spreckles Pump Station and installation of a supplemental sanitary sewer force main between the pump station and the Water Pollution Control Plant to provide reliable wastewater service for the Alviso community. The first segment of the new 10-inch diameter force main (Line A) will extend approximately one mile from the Spreckles Pump Station to the WPCP, within the rights-of-way of Spreckles Avenue, Grand Boulevard, and Los Esteros Road. The second portion of the force main (Line B) will connect to the end of Line A on Los Esteros Road and extend southeast onto the WPCP property for approximately 1,500 – 2,000 linear feet to connect to a pumping station. Two possible Line B pipeline alignments are under consideration, as shown on the project site plan. (Council District 4).

California State Law requires the City of San José to conduct environmental review for all pending projects. Environmental review examines the nature and extent of any potentially significant adverse effects on the environment that could occur if a project is approved and implemented. Based on an initial study, the Director of Planning, Building & Code Enforcement, pursuant to the provisions of Title 21 of the San José Municipal Code, has concluded that the project described above will not have a significant effect on the environment. The project location does not contain a listed toxic site. Pursuant to the conclusions of the Initial Study, the Director of Planning, Building & Code Enforcement has prepared a draft Mitigated Negative Declaration for this project.

The purpose of this notice is inform the public of the opportunity for public review and comments on the draft Mitigated Negative Declaration. The public review period for this draft Mitigated Negative Declaration begins on **March 26, 2012**, and ends on **April 24, 2012**. A public hearing to adopt the Mitigated Negative Declaration has not been scheduled as of the date of this notice. Adoption of a Negative Declaration does not constitute approval of the proposed project. The decision to approve or deny the project described above will be made separately as required by City Ordinance

The draft Mitigated Negative Declaration, initial study, and reference documents are available for review under the above file number 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, City Hall, 200 East Santa Clara Street, San José CA 95113-1905. The documents are also available at the Dr. Martin Luther King, Jr. Main Library, 150 E. San Fernando St, San José, CA 95112, at the Alviso Branch Library, 5050 N. First Street, San Jose, 95002, and online at <http://www.sanjoseca.gov/planning/eir/MND.asp>.

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

Joseph Horwedel, Director
Planning, Building and Code Enforcement


Deputy

Circulated on: March 23, 2012

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: Spreckles Sanitary Sewer Force Main Supplement & Pump Station Rehabilitation Project

PROJECT FILE NUMBER: PP11-104

PROJECT DESCRIPTION: Rehabilitation of the Spreckles Pump Station and installation of a supplemental sanitary sewer force main between the pump station and the Water Pollution Control Plant to provide reliable wastewater service for the Alviso community. The first segment of the new 10-inch diameter force main (Line A) will extend approximately one mile from the Spreckles Pump Station to the WPCP, within the rights-of-way of Spreckles Avenue, Grand Boulevard, and Los Esteros Road. The second portion of the force main (Line B) will connect to the end of Line A on Los Esteros Road and extend southeast onto the WPCP property for approximately 1,500 – 2,000 linear feet to connect to a pumping station. Two possible Line B pipeline alignments are under consideration, as shown on the project site plan.

PROJECT LOCATION & ASSESSORS PARCEL NO.: The project site is located at the Spreckles Pump Station on the west side of Spreckles Avenue, north of State Street in Alviso; the supplemental force main alignment extends from the pump station to the San Jose/Santa Clara Water Pollution Control Plant (WPCP), within the public right-of-way along Spreckles Avenue, Grand Boulevard, and Los Esteros Road. From Los Esteros Road, the force main will extend south onto the WPCP property approximately 1,500 to 2,000 linear feet, to connect to the existing Emergency Basin Overflow Structure (EBOS). The project is located within the public right-of-way and on Assessor Parcel Numbers (APNs) 015-30-098, 015-31-024, 015-31-044, 015-14-005, 015-14-006, and 015-14-018.

COUNCIL DISTRICT: 4

APPLICANT CONTACT INFORMATION: City of San Jose, Department of Public Works, Transportation and Hydraulics Services Division, 200 East Santa Clara Street, Tower 5, San Jose, CA 95113 (Rajani Nair, Engineer II; Phone:(408) 535-8306)

FINDING:

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

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

- I. **AESTHETICS.** The project will not have a significant impact on aesthetics or visual resources, therefore no mitigation is required.
- II. **AGRICULTURE AND FOREST RESOURCES.** The project will not have a significant impact on agriculture or forest resources, therefore no mitigation is required.
- III. **AIR QUALITY.** The project will incorporate all standard BMP measures during construction and will not have a significant air quality impact, therefore no mitigation is required.
- IV. **BIOLOGICAL RESOURCES.** The project could have potentially significant impacts on biological resources, sensitive habitats and wetlands. Mitigation measures are identified below that will reduce these potential impacts to a less-than-significant level.
 1. For both Lines A and B, prior to construction activities the project proponent shall retain a qualified biologist to conduct an Employee Education Program for the construction crew. The biologist shall meet with the construction crew at the project site at the onset of construction to educate the construction crew on the following:
 - a) Review of the project boundaries;
 - b) Special-status species that may be present, their habitat, and proper identification;
 - c) Specific mitigation measures that will be incorporated into the construction effort including the installation of exclusionary fencing along coastal salt marsh to prevent impacts to coastal salt marsh special-status species,
 - d) General provisions and protections afforded by all relevant regulatory agencies; and
 - e) Proper procedures if a special status animal is encountered within the project site.

This mitigation measure applies to all special-status species and sensitive habitats as described in the preceding impact section.
 2. For Line B, the project proponent shall retain a qualified biologist to conduct preconstruction surveys to locate active breeding or wintering burrowing owls no more than 30 days prior to the start of construction. If ground disturbing activities are delayed or suspended for more than 30 days after the preconstruction survey, the site shall be resurveyed. The survey shall conform to the CDFG 1995 Staff Report protocol. If no burrowing owls are found, no further mitigation is required. If burrowing owls are found, impact avoidance shall occur and if avoidance is not possible, then mitigation measures shall be implemented as described below.

- a) Complete impact avoidance shall be pursued to the extent possible by compliance with the following provisions:

Breeding Season. If active nests are found, then no ground-disturbing activities will be permitted within 250 feet of an active burrow during the breeding season (February 1 to August 31).

Winter Season. If active burrows are found during winter months (September 1 through January 31), ground disturbing activities can proceed no closer than 160 feet from active burrows.

Avoidance also requires that a minimum of 6.5 acres of foraging habitat be permanently reserved contiguous with occupied burrow sites for each pair of breeding burrowing owls (with or without dependent young) or single unpaired resident bird.

- b) If active nests or burrows are found that cannot be avoided, the following mitigation measures would apply:

On-Site. On-site passive relocation shall be implemented if the above avoidance measures cannot be met. Passive relocation is defined as encouraging owls to move from occupied burrows to alternate natural or artificial burrows that are beyond 160 feet from the impact zone, and that are within or contiguous to a minimum of 6.5 acres of foraging habitat for each pair of relocated owls. The land utilized for relocation shall be acquired and permanently protected at a location acceptable to the CDFG. Existing unsuitable burrows shall be enhanced (enlarged or cleared of debris) or new burrows created (by installing artificial burrows) at a ratio of 2:1 on the protected lands site. Relocation of owls shall only be implemented during the non-breeding season. A time period of at least one or more weeks is necessary to accomplish the passive relocation methods, and allow the owls to move and acclimate to alternative burrows.

Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by the CDFG verified through non-invasive methods that either: 1) the birds have not begun egg-laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

The project proponent shall provide funding for long-term management and monitoring of the protected lands. The monitoring plan shall include success criteria, remedial measures, and an annual report to the CDFG and the Director of the City of San Jose Planning, Building and Code Enforcement.

Off-site. If the project will reduce suitable habitat on-site below the threshold level of 6.5 acres per relocated pair or single bird, the habitat shall be replaced off-site. Off-site habitat must be suitable burrowing owl habitat, as defined in the Burrowing

Owl Survey Protocol, and the site approved by the CDFG. Land shall be purchased and/or placed in a conservation easement in perpetuity and managed to maintain suitable habitat. The land shall be funded by the project proponent for long-term management and monitoring of the protected lands. The monitoring plan shall include success criteria, remedial measures, and an annual report to the CDFG and the Director of Planning, Building and Code Enforcement of the City of San Jose. Off-site mitigation shall use one of the following ratios:

- Replacement of occupied habitat with occupied habitat: 1.5 times 6.5 (9.75) acres per pair or single bird.
- Replacement of occupied habitat contiguous to currently occupied habitat: 2 times 6.5 (13.0) acres per pair or single bird.
- Replacement of occupied habitat with suitable occupied habitat: 3 times 6.5 (19.5) acres per pair or single bird.

This mitigation measure applies specifically to burrowing owls, as described in the preceding impact section.

3. For both Lines A and B, if construction of the project occurs during the typical avian nesting season (February 1 – September 30), the project proponent shall retain a qualified biologist to conduct focused preconstruction surveys for nesting birds no more than 14 days prior to initiation of construction activities in areas that may provide suitable nesting habitat within 300 feet of construction activities. If active nests are found, a suitable construction buffer shall be established by the qualified biologist (typically 300 feet) and no work shall occur within that buffer until September 30. Alternatively, a qualified biologist can conduct weekly nest checks to gauge nestling/fledgling status, and construction may proceed once fledglings have dispersed from the nest provided written concurrence is obtained from CDFG. No active nest shall be impacted or removed. For activities that occur outside of the nesting season (generally October 1 through February 1), preconstruction surveys are not required. This mitigation measure applies to all nesting birds within or immediately adjacent to the project site; including those listed in the preceding impact section.
4. Pre-construction surveys conducted for burrowing owls should also be used to determine the presence or absence of badgers within the annual grasslands located within the project site. In the unlikely event that an active badger den is identified during pre-construction surveys within or immediately adjacent to the construction envelope, a construction-free buffer of up to 300 feet or a suitable distance specified by the resource agencies (i.e., CDFG) should be established around the den. Because badgers are known to use multiple burrows in a breeding burrow complex, a biological monitor should be present onsite during construction activities to ensure the buffer is adequate to avoid direct impact to individuals or nest abandonment. The onsite monitor would be necessary until it is determined that young are of an independent age and construction activities would not harm individual badgers. Once it has been determined that badgers have vacated the site, the burrows could be collapsed or excavated, and ground disturbance could proceed. Because potential impacts to badger habitat would be temporary in nature, no offsite mitigation is warranted for loss of habitat for the

badger. This mitigation measure applies specifically to badgers, as described in the preceding impact section.

5. For both Lines A and B, prior to any construction activities the project proponent shall install orange cyclone fencing and silt fencing upslope from wetland boundaries to ensure that dirt or other material does not enter wetland or salt marsh areas. This fencing shall be inspected and repaired as necessary through the duration of the project construction to maintain proper function. These measures will ensure that construction activities do not impact any wetland features surrounding the limits of construction. This mitigation measure applies to sensitive habitats including coastal salt marsh and wetlands, as described in the preceding impact section.
6. For Line A, prior to any construction activities, the project proponent shall install orange cyclone fencing and silt fencing on the border of any project area adjacent to coastal salt marsh habitat. This fencing shall be inspected and repaired as necessary through the duration of the project construction to maintain proper function. The measures will ensure that construction activities do not impact coastal salt marsh habitat or any special-status species, including salt marsh harvest mouse, salt marsh wandering shrew and salt marsh common yellowthroat, which occur within coastal salt marsh habitat.
7. For Line A, no equipment shall be operated within Alviso Slough, nor shall any construction activities be conducted in Alviso Slough. This mitigation measure applies to sensitive habitat including wetlands and coastal salt marsh, as described in the preceding impact section.
8. For both Lines A and B, temporary soil stockpiles shall be located so they do not drain directly into waterways. Stockpiles shall be covered to prevent erosion toward the slough. This mitigation measure applies to sensitive habitat including wetlands and coastal salt marsh, as described in the preceding impact section.
9. For both Lines A and B, the project proponent shall comply with water pollution protection provisions and conditions established by all regulatory agencies with jurisdiction over the project. These measures will include, but may not be limited to, the following:
 - a) Provide a 'boring plan' to a relevant agencies that includes:
 - 1) A sketch of the construction site, equipment staging areas, approximate location of drill entry and exit points and the approximate location of access roads in relation to the surrounding area.
 - 2) Proposed depth of bore and a statement of streambed condition that supports the depth of the bore.
 - 3) Approximate length of bores.
 - 4) Type and size of boring equipment to be used.
 - 5) Estimated time to complete bore.

- 6) List of lubricants and horizontal directional drilling (HDD) additives to be used.
 - 7) Name of operator's agents and cell phone numbers.
- b) Design, pre-plan, and direct the trenchless crossings in such a way as to minimize the risk of spills of all types. The contractor shall provide a contingency plan, in the event of the release of drilling lubricants through fractures in the slough or bank ("frac-outs"). In substrates where frac-outs are likely to occur, the project contractor shall operate in a manner that will reduce risk, such as using lower pressure and greater boring depths.
- c) Prepare and implement a frac-out contingency plan to minimize potential for frac-out during directional drilling and describe BMPs for dealing with a frac-out, should one occur. Prevention and clean-up plans should include:
- 1) Name(s) and phone numbers of biological monitor(s), third-party monitors, and crew supervisor(s).
 - 2) Site-specific resources of concern (if applicable, include factors such as possible presence of sensitive species).
 - 3) Monitoring protocols (including biological monitoring and frac-out monitoring).
 - 4) Containment and clean up-plan (include staging location of vacuum trucks and equipment, equipment list, necessary hose lengths, special measures needed for steep topography, etc. at each location).
- d) In case of a frac-out into a sensitive aquatic resource, the project proponent shall cease operations immediately and request a consultation with all relevant agencies. If frac-out or spill is in an upland area without sensitive resources and the frac-out can be contained, the City may continue work. The City's biological monitor shall provide on-site training for the work crews to ensure protection of all slough zones. The contractor will provide continuous monitoring of the HDD boring operation to ensure adequate protection controls have been installed. All field personnel will be briefed in their responsibility for timely reporting of frac-out releases to the monitor on site.

This mitigation measure applies to sensitive habitat including wetlands and coastal salt marsh, as described in the preceding impact section.

- V. **CULTURAL RESOURCES.** There is some potential that excavation for the project could uncover buried archaeological resources. This impact will be reduced to a less-than-significant level with the standard measures listed below.

As a part of the development permit approval, the project will conform to the following standards:

1. Should evidence of prehistoric cultural resources be discovered during construction, work within 50 feet of the find shall be stopped to allow adequate time for evaluation and

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

If it appears that earthmoving activities will affect a resource potentially eligible for the inclusion on the California Register of Historic Resources (CRHR), a plan for the evaluation of the resource to demonstrate significance shall be submitted to the Director of PBCE for approval. If testing, normally limited hand excavation, demonstrates CRHR eligibility, a plan for mitigation of impacts to the resource shall be submitted and approved by the Director of PBCE before construction before construction-related earthmoving is allowed to recommence inside the zone designated as archaeologically sensitive.

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

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

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

VIII. HAZARDS AND HAZARDOUS MATERIALS. The project may result in significant impacts associated with the presence and release of hazardous materials on the project site during construction. Mitigation measures identified below will reduce these impacts to a less-than-significant level.

1. Prior to initiation of earthwork activities, the project proponent shall sample for asbestos at locations of planned earthwork in the South Bay Asbestos Area. Sampling and construction activities within the SBAA shall be coordinated with the San Jose Environmental Services Division and the U.S. EPA. In addition, the project proponent

shall perform soil and ground water sampling and analytical testing along the planned force main alignment at selected locations to evaluate fill, ground water, and soil quality and aid in establishing appropriate soil and ground water management procedures.

2. Based on the soil and ground water data obtained in mitigation (#10) above, the project proponent shall prepare a Site Management Plan (SMP). The SMP will establish protocols/guidelines for the contractor to follow and will include the following components: identifying appropriate health and safety measures while working in contaminated/non-contaminated areas; soil reuse and/or landfill disposal options for excavated trench spoils; handling of contaminated trench spoils; ground water management options if trench dewatering is required; and agency notification requirements. A Health and Safety Plan (HASP) will be attached to the SMP to establish health and safety protocols for personnel. The SMP shall be subject to the review and approval of the California EPA and City of San Jose Environmental Service Division.

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

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

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

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

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

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

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

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

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

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE. 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 mitigation is required.

PUBLIC REVIEW PERIOD

Before 5:00 p.m. on **April 24, 2012**, any person may:

1. Review the Draft Mitigated Negative Declaration (MND) as an informational document only;
or
2. Submit written comments regarding the information, analysis, and mitigation measures in the Draft MND. Before the MND is adopted, Planning staff will prepare written responses to any comments, and revise the Draft MND, if necessary, to reflect any concerns raised during the public review period. All written comments will be included as part of the Final MND.

Joseph Horwedel, Director
Planning, Building and Code Enforcement

Circulation period, from March 26, 2012 to April 24, 2012



Deputy

Revised 5-6-11 jam

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- B. Special Status Species
- C. Plant List
- D. Wetland Delineation
- E. Phase I Assessment
- F. Air Quality Modeling Results

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Chapter 1. Background Information

PROJECT DATA

1. **Project Title:** Spreckles Sanitary Sewer Force Main Supplement & Pump Station Rehabilitation Project
2. **Lead Agency Name and Address:** City of San Jose Planning, Building and Code Enforcement, 200 E. Santa Clara Street, San Jose, CA 95113 Contact: Janis Moore (408) 535-7895 Janis.Moore@sanjoseca.gov
3. **Project Proponent:** City of San Jose Public Works Department, 200 East Santa Clara Street, 5th Floor, San Jose, CA 95113 Contact: Rajani Nair (408) 535-8306 Rajani.Nair@sanjoseca.gov
4. **Project Location:** Spreckles Pump Station on Spreckles Avenue north of State Street in Alviso; supplemental force main alignment extending from the pump station to the San Jose/Santa Clara Water Pollution Control Plant (WPCP) along Spreckles Avenue, Grand Boulevard, and Los Esteros Road. From Los Esteros Road, the force main will extend south onto the WPCP property.
5. **Project Description:** Rehabilitation of the Spreckles Pump Station and installation of a supplemental sanitary sewer force main between the pump station and WPCP to provide reliable wastewater service for the Alviso community.

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Chapter 2. Project Description

PROJECT LOCATION

The project is located near and within the San Jose/Santa Clara Water Pollution Control Plant (WPCP) near the Alviso community in the City of San Jose, in north Santa Clara County. The Spreckles Pump Station is located on Spreckles Avenue, just north of State Street. The proposed force main would be constructed in two separate segments. The first segment (Line A) would be constructed within the right-of-way of Spreckles Avenue, Grand Boulevard, and Los Esteros Road, from Spreckles Pump Station to the WPCP (refer to Figures 1 and 2). The second segment (Line B) would extend from the end of the first segment (Line A) in Los Esteros Road along one of two alternative pipeline alignments that extend southeast onto the WPCP property for approximately 1,500 - 2,000 linear feet. The project is located on Assessor Parcel Numbers (APNs) 015-30-098, 015-31-024, 015-31-044, 015-14-005, 015-14-006, and 015-14-018.

Line A would be constructed concurrently with the Spreckles pump station improvements. Timing for construction of the future Line B pipeline, along one of two possible alignments, has not been determined.

PROJECT BACKGROUND

The WPCP, located at 700 Los Esteros Road, is co-owned by the cities of San Jose and Santa Clara and lies on about 2,600 acres. The WPCP contains facilities to provide tertiary treatment and disinfection of wastewater for a 300-square mile area encompassing San Jose, Santa Clara, Milpitas, Campbell, Cupertino, Los Gatos, Saratoga, and Monte Sereno.

The former Alviso wastewater treatment plant was decommissioned by the City of San Jose in the late 1970s. This facility was subsequently converted into a transmission pump station with a direct discharge through a 10- inch force main to the WPCP. The pump station was later replaced by the Spreckles Pump Station in the early 1990s. Since this conversion, no major updates or renovations have been performed on this facility. The Spreckles Pump Station and force main are the only means to convey wastewater from the Alviso neighborhood to the WPCP. Any pump station or force main failures would lead to a direct interruption in service for the Alviso community. The City has indicated that it is more cost effective to rehabilitate the pump station and install a supplemental force main than to rehabilitate the existing pipeline.

PROJECT DESCRIPTION

The project plans (HDR, Inc., 2011) are provided in Appendix A of this Initial Study. The project proposes to rehabilitate the Spreckles Pump Station and install a supplemental sanitary sewer force main from the pump station to the WPCP. The facilities will be operated by the WPCP. The project includes rehabilitation of the existing pump station to improve reliability through the installation of new mechanical and electrical equipment and the construction of a new force main. The first segment of the new 10-inch diameter force main (Line A) will extend approximately one mile from the Spreckles Pump Station to the WPCP, within the right-of-ways for Spreckles Avenue, Grand Boulevard, and Los Esteros Road. The second portion of the force main (Line B) will connect to the end of Line A on Los Esteros Road and extend southeast onto the WPCP property for approximately 1,500 – 2,000 linear feet.

Two possible Line B pipeline alignments are under consideration (see Figure 2A). Both connections begin at the northwestern end of the WPCP at Los Esteros Road and connect to the WPCP at a pumping station located at the southwestern end of the WPCP. The eastern alignment runs through the western

edge of the WPCP, through vacant land, and back through the developed WPCP north of the emergency basin. The western alignment extends through vacant land around the southern edge of the WPCP and the existing emergency basin before connecting to the existing junction structure called the Emergency Basin Overflow Structure (EBOS).

Line A would be constructed concurrently with the Spreckles pump station improvements. Timing for selection of an alternative and construction of the future Line B pipeline has not been determined.

Spreckles Pump Station Rehabilitation

The site plan for the pump station rehabilitation is presented in Figure 2B. The Spreckles Pump Station is located on approximately one acre. When the Alviso wastewater treatment plant was converted into the pump station, a former clarifier was abandoned in-place. The partially buried clarifier, operations/administration building, and an elevated wet well pump station would remain on the pump station site. The clarifier would remain as-is with no modifications. The remainder of the site is used for storage of materials and equipment. The wet well pump station currently consists of two submersible pumps, electrical equipment to control the pumps, and other instrumentation. A small portion of the site between the access gate and administration building is paved, and the rest of the property contains gravel. Additional paving would be installed around the pump station for improved access. The existing stairway to the elevated wet well also would be repaired and a new concrete landing constructed. Additionally, the access gate from Spreckles Avenue would be expanded with a new double leaf swing gate. Expanding the access would require that the entire existing brick wall on either side be removed. New lighting to illuminate the pumps and elevated wet well area will be installed. These lights will be on 24 hours a day to prevent vandalism.

Planned mechanical system upgrades include installation of two submersible pumps within the existing wet well, along with ancillary piping, valves and flow meters. Some of the existing vaults containing valves and meters also would be removed and/or replaced. One “pig” launching station would be provided at the pump station, dedicated to the proposed force main. Upgrades to electrical, telephone, motor control and lighting systems also are planned. An existing generator and automatic transfer switch would be replaced by a trailer-mounted, diesel engine pump. In addition, a new outlet and manual transfer switch would be provided as part of the switchboard to allow a trailer-mounted generator to be brought to the site in case of power outages.

Force Main Supplemental Line

The existing force main is a 10-inch diameter asbestos cement (AC) pipe, approximately one mile long. The City generally refers to this pipeline as either the Spreckles force main or the Alviso line. Figure 2A shows the general alignment of the first segment of the supplemental force main as it would exit Spreckles Pump Station onto Spreckles Avenue and bear to the southeast. The first segment of the proposed force main (Line A) would continue on Spreckles Avenue approximately 1,600 linear feet to the intersection of Spreckles Avenue and Grand Boulevard. The new force main would extend east on Grand Boulevard for approximately 200 linear feet and cross beneath the 48-inch diameter corrugated metal pipe culvert for Alviso Slough (Pond A16). Line A would then follow Los Esteros Road to the east for approximately 3,880 linear feet to the WPCP, including a crossing of the Union Pacific Railroad (UPRR) tracks. Line A would terminate prior to entering the WPCP (near Gate LE-9) and would be constructed completely within the City’s public right-of-way.

The location of the force main is presented in Figure 2A. Line A would be installed along Spreckles Avenue on the north side of the road between an existing 18-inch VCP gravity sewer line and the existing 10-inch asbestos cement (AC) force main. Along Grand Boulevard, the new force main would be located

in the easterly shoulder of the road to avoid existing utilities and overhead power lines where it will cross Alviso Slough. Between Grand Boulevard and Los Esteros Road, the force main would be aligned near the middle of the westbound lane. The UPRR railroad tracks cross this portion of Los Esteros Road approximately 950 feet east of Grand Boulevard. Along the portion of Los Esteros Road that forms the northern border of the WPCP, the new force main alignment would follow the edge of the pavement on the south side of the road, terminating at Gate LE-9.

The first segment of the new 10-inch diameter high density polyethylene (HDPE) force main would be installed by open trench construction with a minimum cover depth of three feet. When in conflict with other existing utilities, the force main profile would be adjusted to maintain a minimum vertical clearance of one foot. The pipeline profile would be deepened in specific reaches to avoid placing the force main in unsuitable soils or to cross below Alviso Slough and the UPRR line (see discussion below).

Trenchless methods are proposed at the slough on Grand Boulevard and the UPRR crossing on Los Esteros Road. Either pilot-tube microtunneling or pipe ramming would be used to cross the Alviso Slough at Grand Avenue. The crossing of the railroad tracks would also be by pilot-tube microtunneling or pipe ramming. Pipe installed using trenchless methods generally has a deeper cover depth. Surface restoration would involve pavement replacement within public roadways and grading of non-vegetated areas in the shoulder of the roads.

Trenchless construction would require launching and receiving pits. The launching (or jacking) pits would be approximately 12 feet long by eight feet wide; receiving pits would be about six feet long by six feet wide. The locations of the pits are generally shown on the project plans (see Appendix A). At the launching pits, excavation would be required to reach the tunnel depth. Staging areas would be required for each tunneling location. These pits would be in place for approximately one month. The pits would be protected by K-rails on all sides exposed to traffic and fencing would be installed to maintain safe work conditions and prevent access to the excavation areas during non-work hours.

The second future segment of the force main (Line B) would consist of an extension of Line A and will extend from the termination of Line A to the existing Emergency Basin Overflow Structure (EBOS) on the WPCP property. Two alternate Line B alignments are being considered. The two possible Line B alignments extend to the north or to the south of the emergency overflow basin, as shown in Figure 2A. The City of San Jose Public Works Department will be responsible for the selection of an alternative for the future Line B alignment; however, the timing of this selection is not known at this time. It is included in this analysis since it is an anticipated component of the overall project.

PROJECT SCHEDULE

Construction of the pump station rehabilitation and force main (Line A) is expected to occur during a 12-month period beginning in May/June 2012. The schedule for alternative selection and construction of the future Line B within the WPCP property is not known at this time.

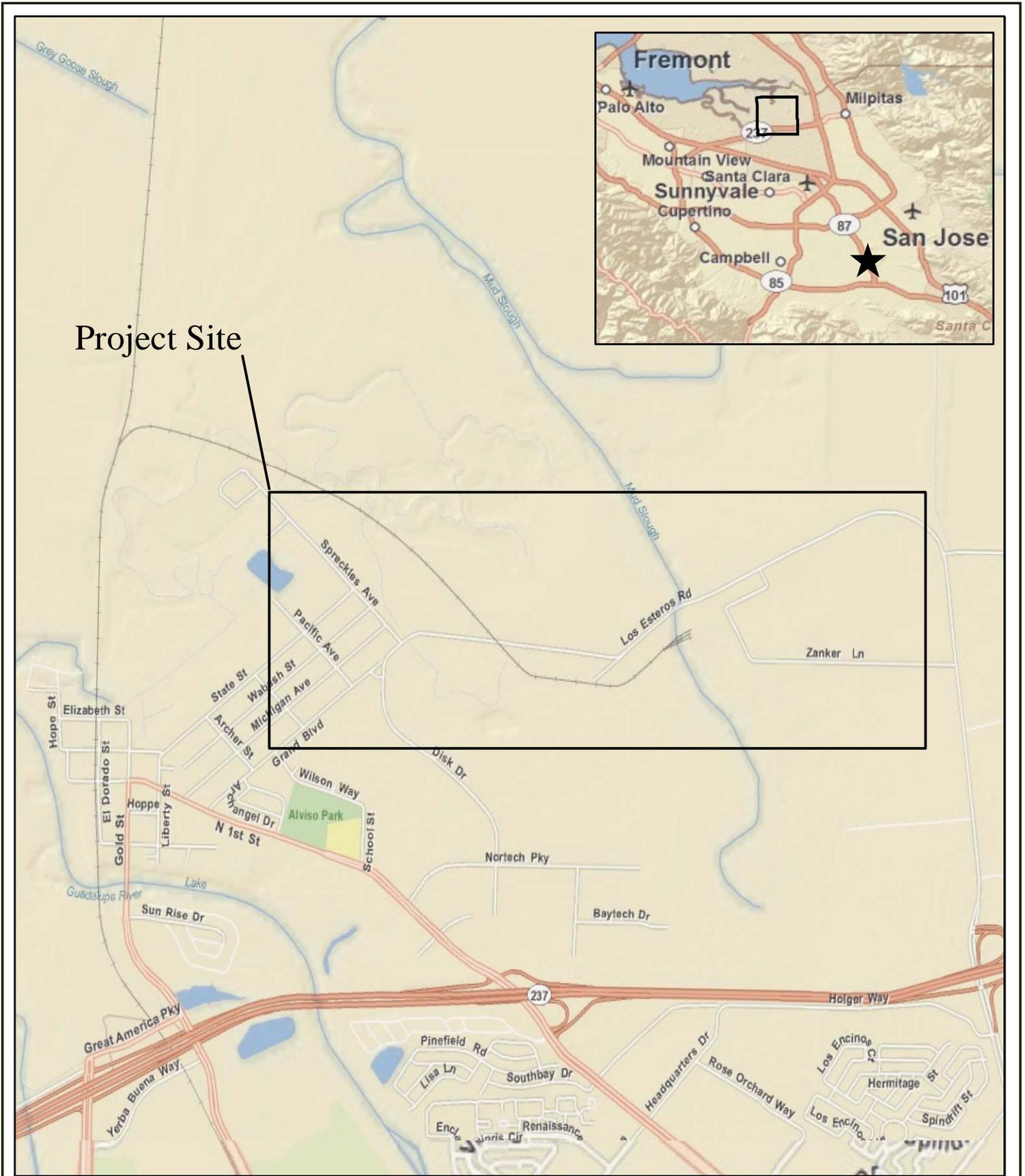
PROJECT OBJECTIVES

The objectives of the project are to 1) provide a reliable and redundant sanitary sewer service for Spreckles force main that serves the Alviso community of San Jose; and 2) update the existing Spreckles Pump Station in compliance with the 2008 National Electrical Code and improve the reliability of the mechanical equipment of the pump station.

PROJECT APPROVALS

The project will require the following approvals:

- City of San Jose – Environmental Clearance, Grading Permit, Encroachment Permit
- RWQCB – NPDES Permit, Dewatering Permit

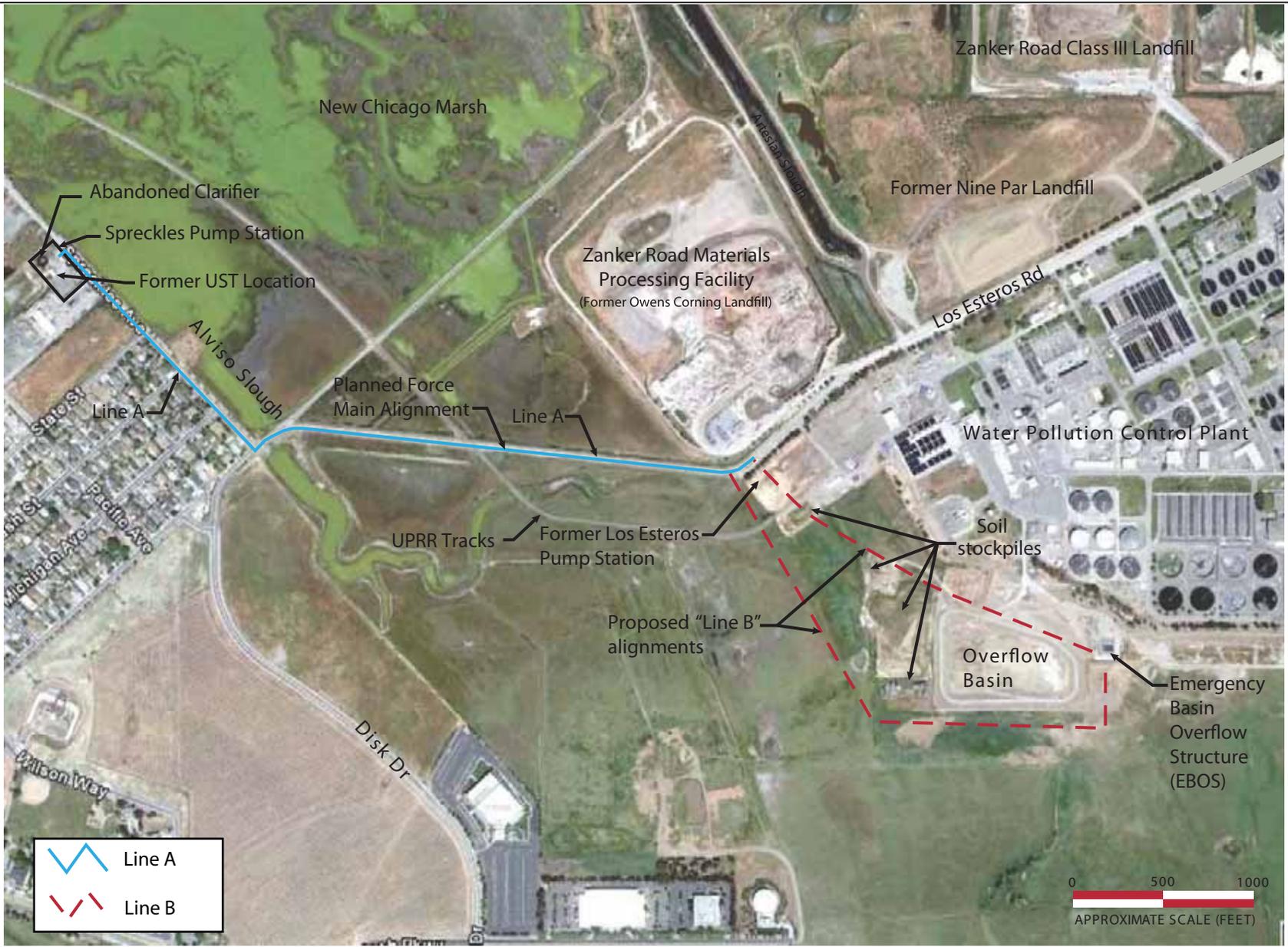


Project Site



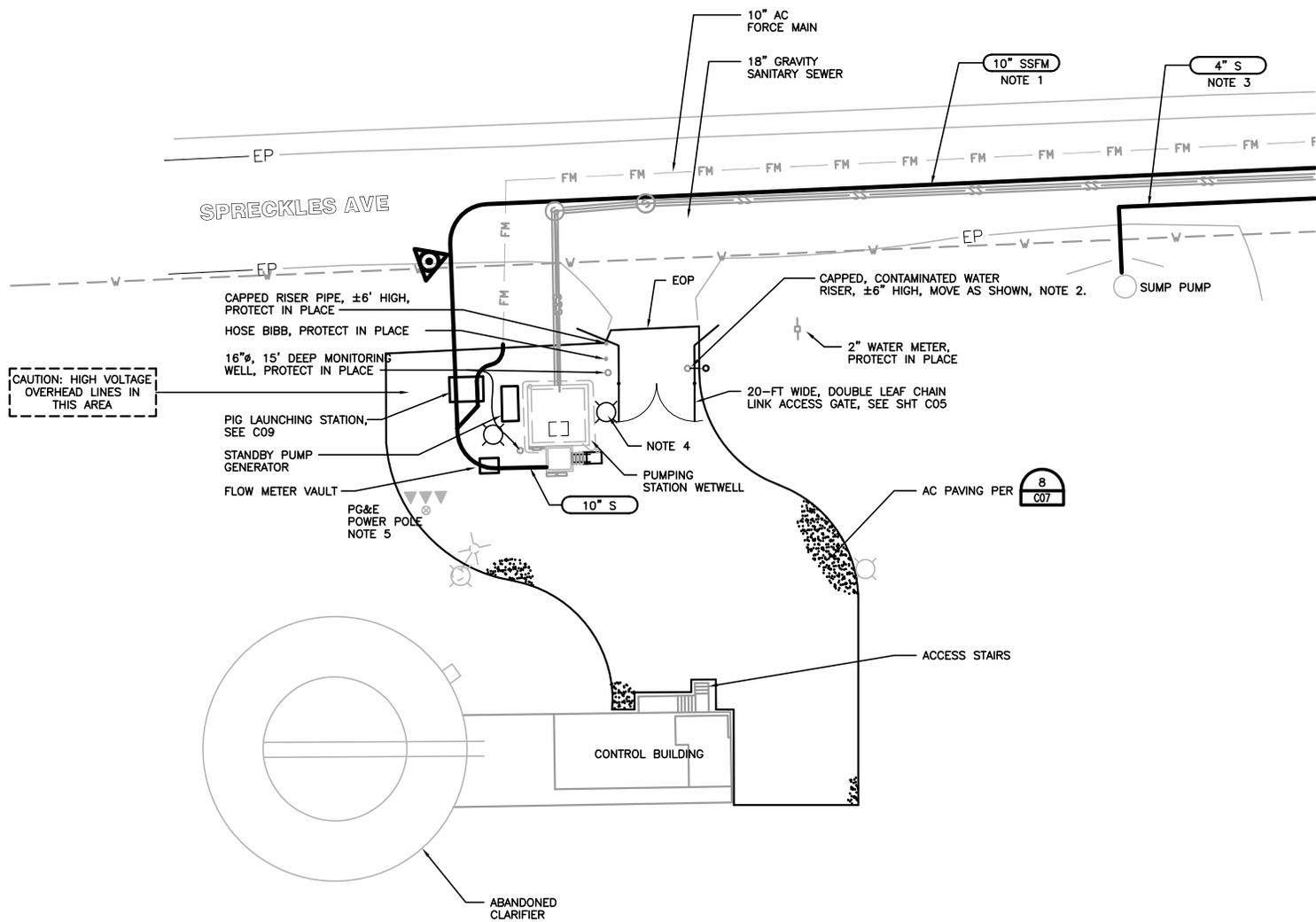
Location Map

Figure
1



Project Site Plan

Figure
2A



- NOTES:**
1. SEE SHEET P01 THROUGH P06 FOR NEW FORCE MAIN PLAN AND PROFILE.
 2. RISER TO BE MOVED AS SHOWN. ADDITIONAL UNDERGROUND PIPING REQUIRED TO MOVE SERVICE. MATERIAL TO MATCH EXISTING.
 3. 4-INCH SUMP PUMP DISCHARGE TO CONNECT TO SD MH #1247 AT INTERSECTION WITH STATE STREET. SEE SHEET P01 FOR CONTINUATION.
 4. INSTALL LIGHT ADJACENT TO WET WELL AND AVOID CONFLICT WITH GATE MOTION.
 5. SLOPE PAVING AWAY FROM POWER POLE TO PREVENT PONDING.

Source: HDR, 2011



Pump Station Site Plan

Figure
2B



Photo 1. Spreckles Avenue pump station looking southwest.



Photo 2. Alviso Slough crossing Los Esteros Road looking north.



Photo 3. Alviso Slough crossing Los Esteros Road looking south.



Photo 4. WPCP property and Line B connection facing southeast.

Site Photos

Figure
3A



Photo 5. Force main alignment along Spreckles Avenue adjacent to Alviso neighborhood.



Photo 6. Force main alignment along Los Esteros Road from Alviso Slough crossing looking east.



Photo 7. Grassland adjacent to WPCP.



Photo 8. Location of Line B connection to force main alignment along Los Esteros Road looking east.

Site Photos

Figure
3B

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Chapter 3. Environmental Evaluation

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

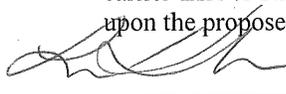
The environmental factors identified below are discussed within Chapter 3. Environmental Setting and Impacts. Sources used for analysis of environmental effects are cited in parenthesis after each discussion, and are listed in Chapter 4 References.

- | | | |
|-----------------------------------------------------------------|------------------------------------------------------------------------|------------------------------------------------------------|
| <input checked="" type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Agricultural Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Geology/Soils |
| <input checked="" type="checkbox"/> Hazards/Hazardous Materials | <input checked="" type="checkbox"/> Hydrology/Water Quality | <input checked="" type="checkbox"/> Land Use/Planning |
| <input checked="" type="checkbox"/> Mineral Resources | <input checked="" type="checkbox"/> Noise | <input checked="" type="checkbox"/> Population/Housing |
| <input checked="" type="checkbox"/> Public Services | <input checked="" type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Transportation/Traffic |
| <input checked="" type="checkbox"/> Utilities/Service Systems | <input checked="" type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.



Signature

Leianne Humble
Printed Name

3/22/12
date

Denise Duffy & Associates, Inc.
for

EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on project-specific screening analysis).

2. All answers must take into account the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.

4. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).

5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

- a) Earlier Analysis Used. Identify and state where they are available for review.
- b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
- c) Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures, which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.

9. The explanation of each issue should identify:

- a) The significance criteria or threshold, if any, used to evaluate each question; and
- b) The mitigation measure identified, if any, to reduce the impact to less than significance.

ENVIRONMENTAL SETTING AND IMPACTS

The following section describes the environmental setting and identifies the environmental impacts anticipated from implementation of the proposed project. The criteria provided in the CEQA environmental checklist was used to identify potentially significant environmental impacts associated with the project. Sources used for the environmental analysis are cited in the checklist and listed in Chapter 4 of this Initial Study.

A. AESTHETICS

Setting

The visual/aesthetic character of the project site is that of a wastewater pump station, paved roads (Spreckles Avenue, Grand Boulevard, and Los Esteros), adjacent wetlands, and developed and undeveloped portions of the WPCP property. The surrounding landscape includes single family homes along Spreckles Avenue, marshland, roadside vegetation, open space, and public facilities associated with the WPCP. Photos of the project site and alignment are presented in Figure 3.

Impacts

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
1. AESTHETICS. Would the project:					
a) Have a substantial adverse effect on a scenic vista?				X	1, 2
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?				X	1, 2
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				X	1, 2
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?				X	1, 2
e) Increase the amount of shade in public or private open space on adjacent sites?				X	1, 2

Explanation

- a) **No Impact.** The project site is not located within any City or state-designated scenic routes. Rehabilitation of the pump station will improve the appearance of this facility; all other structures (i.e., pipelines) will be placed underground and, as such, will not adversely affect any scenic vistas.
- b) **No Impact.** The proposed pump station rehabilitation and pipeline installation will not adversely impact any scenic resources, including trees, rock outcroppings, and historic buildings.

- c) **No Impact.** The proposed pump station rehabilitation and pipeline installation will not alter the visual character of the site, since the pump station will be improved and the pipeline alignment will generally be restored to its existing condition after construction.
- d) **No Impact.** Outdoor lighting for the pump station would be provided with a post light near the gate, one near the metering vault, and one on the south end of the building. Post lights would be low-pressure sodium on 20-foot poles supported by concrete bases. All exterior lighting would be controlled by an on-off-auto switch and a time clock; the lights will be continuously illuminated in order to prevent vandalism.

The project site is located adjacent to habitat utilized by special-status species (i.e., coast salt marsh). The lighting scheme would be designed to protect the marsh areas from harmful exposure to light by shielding light sources and directing them downward and away from the sensitive habitat east of the project. These measures would ensure that project-related spillover of light would not substantially increase light within adjacent sensitive habitat over current levels. All exterior lighting will conform to the standards of the City's Outdoor Lighting Policy (City Council Policy 4-3) and the City's Riparian Corridor Policy regarding lighting adjacent to wetlands.

- e) **No Impact.** The proposed improvements will not significantly increase shade.

B. AGRICULTURAL AND FOREST RESOURCES

Setting

In California, agricultural land is given consideration under CEQA. According to Public Resources Code §21060.1, "agricultural land" is identified as prime farmland, farmland of statewide importance, or unique farmland, as defined by the U.S. Department of Agriculture land inventory and monitoring criteria, as modified for California. CEQA also requires consideration of impacts on lands that are under Williamson Act contracts. The project area is identified as "urban/built-up land" and "other land" on the Santa Clara County Important Farmlands Map.

CEQA requires the evaluation of forest and timber resources where they are present. The project site is located in an urban area that has been historically used for residential, public right-of-way, and industrial uses. The site does not contain any forest land as defined in Public Resources Code section 12220(g), timberland as defined by Public Resources Code section 4526, or property zoned for Timberland Production as defined by Government Code section 51104(g).

Impacts and Mitigation

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Source(s)
<p>2. AGRICULTURAL AND FOREST RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</p>					
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	3
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X	2
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X	2
d) Result in the loss of forest land or conversion of forest land to non-forest uses?				X	2
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	2

Explanation

- a) **No Impact.** The project site is designated as urban or other land on the Important Farmlands Map for Santa Clara County and does not contain any prime farmland, unique farmland, or farmland of statewide importance. The project is located within the public right-of-way or on City lands and will not affect agricultural land.
- b) **No Impact.** The project site is not zoned for agricultural use and does not contain lands under Williamson Act contract; therefore no conflicts with agricultural uses will occur.
- c) **No Impact.** No other changes to the environment will occur from the proposed improvements that will result in conversion of farmland to non-agricultural uses.
- d) **No Impact.** The project would not impact forest resources since the site does not contain any forest land as defined in Public Resources Code section 12220(g)), timberland as defined by Public Resources Code section 4526, or property zoned for Timberland Production as defined by Government Code section 51104(g).
- e) **No Impact.** As per the discussion above, the proposed wastewater improvements will not involve changes in the existing environment which, due to their location or nature, could result in conversion of farmland or agricultural land, since none are present on the subject property.

C. AIR QUALITY

Setting

The project is located within the San Francisco Bay Area Air Basin. The Bay Area Air Quality Management District (BAAQMD) is the local agency authorized to regulate stationary air quality sources in the Bay Area. The Federal Clean Air Act and the California Clean Air Act mandate the control and reduction of specific air pollutants. Under these Acts, the U.S. Environmental Protection Agency and the California Air Resources Board have established ambient air quality standards for specific "criteria" pollutants, designed to protect public health and welfare. Primary criteria pollutants include carbon monoxide (CO), reactive organic gases (ROG), nitrogen oxides (NO_x), particulate matter (PM₁₀), sulfur dioxide (SO₂), and lead (Pb). Secondary criteria pollutants include ozone (O₃), and fine particulate matter.

The BAAQMD defines sensitive receptors as facilities where sensitive population groups are located, including residences, schools, childcare centers, convalescent homes, and medical facilities. Sensitive receptors within the project area are limited to existing residences located along Spreckles Avenue.

Impacts

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:					
a) Conflict with or obstruct implementation of the applicable air quality plan?				X	1, 4
b) Violate any air quality standard or contribute to an existing or projected air quality violation?			X		1, 4
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?				X	1, 4
d) Expose sensitive receptors to substantial pollutant concentrations?			X		1, 4
e) Create objectionable odors affecting a substantial number of people?				X	1, 4

Explanation

- a) **No Impact.** The proposed improvements to the wastewater system are essentially replacement measures and do not expand services. The project will not obstruct implementation of an air quality plan.
- b) **Less-than-Significant Impact.** Short-term air pollution emissions will be generated by the project during construction activities, especially excavation for the proposed pipeline and temporary bypass pumping of the pump station. Construction activities of the project would

result in emissions of particulate matter (including PM₁₀, and PM_{2.5}) from fugitive dust associated with grading and excavation activities. Construction equipment and associated heavy-duty truck traffic generates diesel exhaust, which is a known Toxic Air Contaminant and contains PM₁₀, and PM_{2.5}. Diesel exhaust poses both a health and nuisance impact to nearby receptors. Diesel exhaust is also a substantial source of NOx emissions that affect regional ozone levels. These construction activities would occur near sensitive receptors along Spreckles Avenue, but would have a short duration thus avoiding potential risks to sensitive receptors. The BAAQMD CEQA Guidelines require that all projects incorporate basic construction mitigation measures as set forth below.

The project does not meet the BAAQMD’s construction screening criteria without quantitative analysis. Specifically, the project is expected to include overlapping phases and potential import and export of more than 10,000 cubic yards of material. Therefore, Urbemis 2007 modeling (v.9.2.4) was completed to demonstrate that the project would not exceed relevant construction-related criteria air pollutant and precursor thresholds (see Appendix F). The modeled worst-case daily emissions (in pounds per day) during construction are presented in Table 1. As shown in Table 1, the construction emissions from the project would be below the relevant BAAQMD construction-period thresholds.

Pollutant	ROG	NOx	PM₁₀ Dust	PM₁₀ Exhaust	PM_{2.5} Dust	PM_{2.5} Exhaust	CO₂
Emissions (lbs/day)	7	39	306	3	64	3	4,458
BAAQMD Construction Threshold (lbs/day)	54	54	Implement BMPs (Note 2)	82	Implement BMPs (Note 2)	54	None
Note 1: Modeling assumed paving, export and import of cut and fill, and trenching would all occur on the worst-case day. Additional assumptions are found on the attached pages.							
Note 2: Assumes that the BAAQMD’s Basic Construction Mitigation Measures will be implemented.							

The project proponent and/or contractor will implement the following standard construction measures recommended for all proposed projects in accordance with BAAQMD requirements:

- 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 the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.

- All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
 - A publicly visible sign shall be posted at the site with the telephone number and person to contact at the Lead Agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.
- c) **No Impact.** The proposed project will not generate substantial new vehicle trips or otherwise result in long-term air quality impacts that would contribute to a cumulatively considerable increase of any air pollutant. The project includes a new trailer-mounted, diesel engine temporary pump for use on an emergency basis. The generator will be tested every 2-3 months for an hour. This short-term use would not result in emissions that exceed BAAQMD standards or otherwise require further analysis.
- d) **Less-than-Significant Impact.** See b) above.
- e) **No Impact.** The pump station rehabilitation and pipeline installation will not create any new sources of odor.

D. BIOLOGICAL RESOURCES

Setting

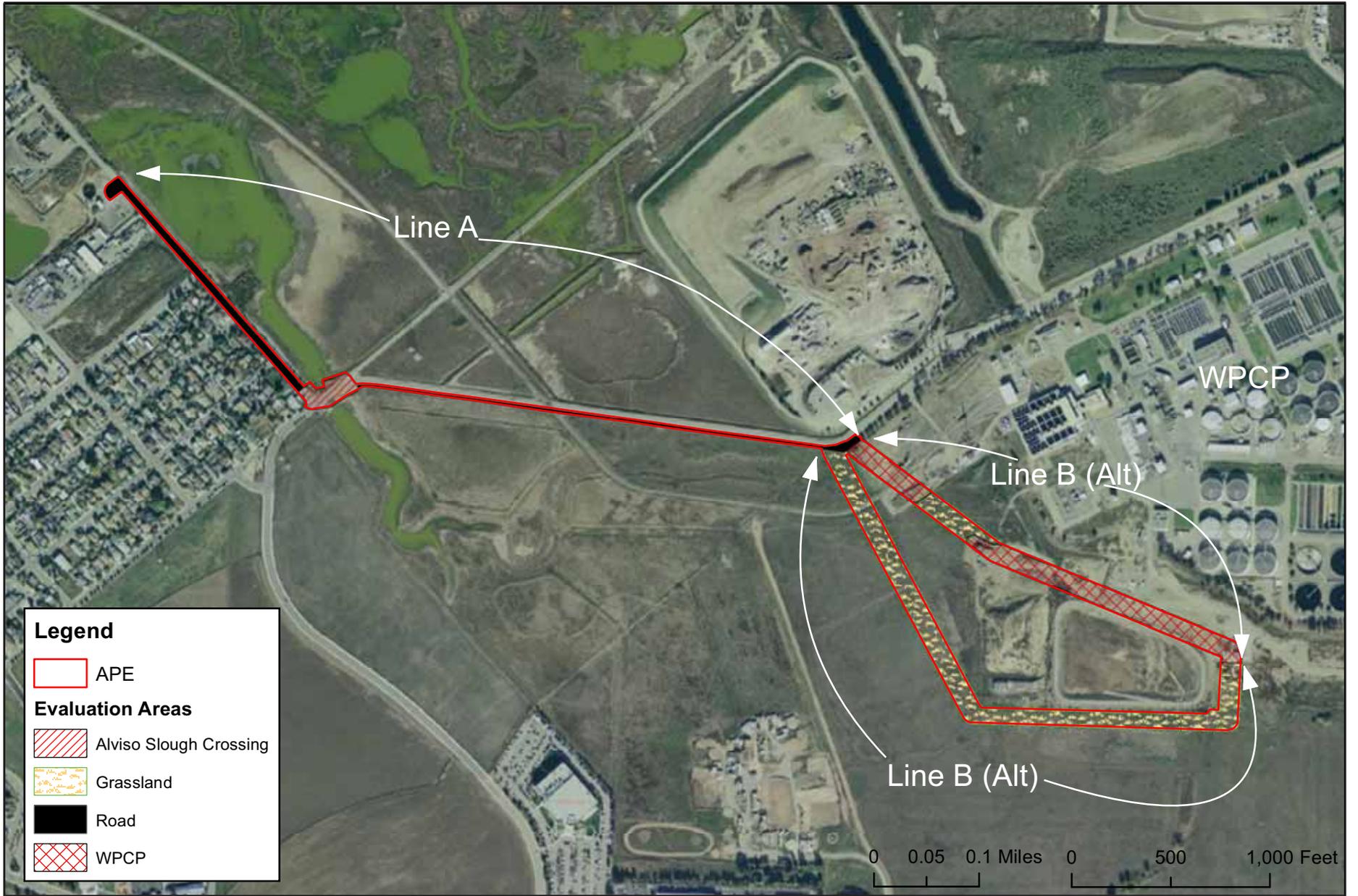
A biological assessment was conducted for the proposed project by Denise Duffy & Associates, Inc. (DD&A). This assessment consisted of field visits, identification of site habitats, evaluation of the potential for sensitive biotic resources, and evaluation of project impacts. Field visits were conducted by DD&A biologists on May 6 and 12, 2011. The surveys assessed the environmental conditions of the site and its surroundings. Additionally, DD&A biologists evaluated the general habitat features and environmental constraints on the site and local vicinity to provide a basis for recommendations to minimize and avoid impacts. Habitats within the project site were characterized in the field to assess the potential project-related impacts to special-status plant and/or wildlife species and sensitive habitats. This work included preparation of a wetland delineation for the project, contained in Appendix D.

Site Habitats

The project was segmented into four distinct evaluation areas, as shown in Figure 4. They are as follows: 1) Road, 2) Grassland, 3) WPCP, and 4) Alviso Slough Crossing. The habitat types are classified within each evaluation area in the discussion below.

Road

The evaluation area includes Grand Boulevard, Los Esteros Road, Spreckles Avenue pavements, all road shoulders and the entrance to the Spreckles Pump Station where the first segment of the new force main (Line A) would be constructed. The road evaluation area is dominated by disturbed/developed habitat. This habitat type does not provide habitat for any special-status plant or wildlife species. No special-status plant or wildlife species are expected to occur within this evaluation area.



Biological Evaluation Areas

Figure

4

Grassland

The project includes a future extension of the force main southeast onto the WPCP property (Line B), from Los Esteros Road to the existing emergency basin overflow structure (EBOS) on the WPCP property. Two possible connections are under consideration, extending either north of, or to south of, the emergency basin connected to the EBOS. The evaluation area includes all areas within a 100 foot buffer of the potential Line B alignments, outside the fenced area of the WPCP. The grassland evaluation area is dominated by two habitat types: annual grassland and wetland. These habitat types are described below.

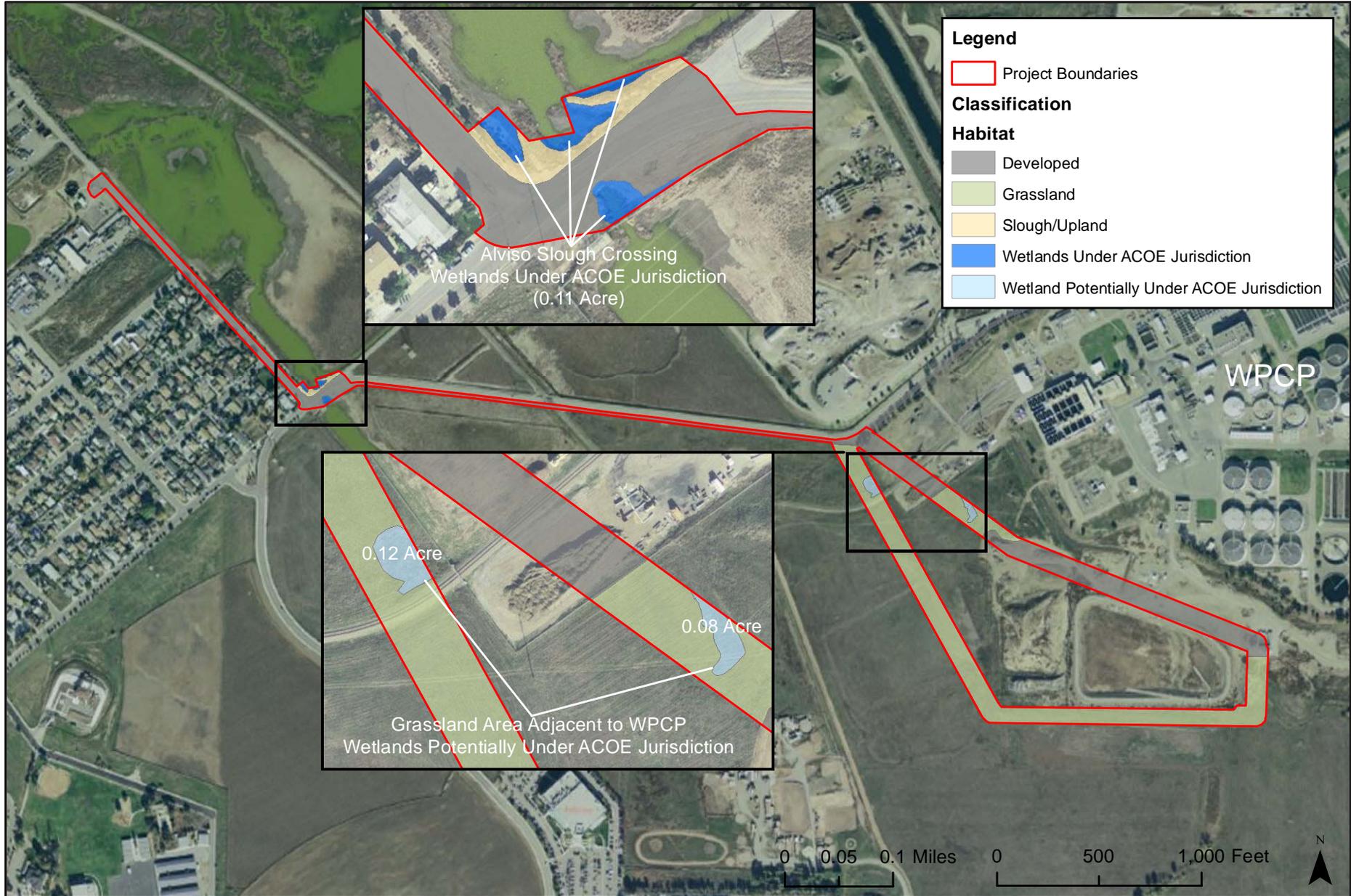
Annual Grassland. The annual grassland habitat type is dominated by wild oat (*Avena fatua*), seaside barley (*Hordeum marinum*) and alkali mallow (*Malvella leprosa*). Other non-dominant plant species include rip-gut brome (*Bromus diandrus*), black medic (*Medicago lupulina*), Italian thistle (*Carduus pycnocephalus*) and Italian rye grass (*Lolium multiflorum*). Several raptor species, including white-tailed kite (*Elanus leucurus*), red-tailed hawk (*Buteo jamaicensis*), Cooper's hawk (*Accipiter cooperii*) and northern harrier (*Circus cyaneus*), utilize annual grasslands as foraging habitat. Burrowing owls (*Athene cunicularia*) have been observed nesting in the annual grasslands adjacent to the evaluation area. No special-status plant species were identified within this habitat.

Wetland. There are three distinct wetland features within the entire Project area; the first is located south of Los Esteros Road, adjacent to the railroad tracks; the second is located west of the WPCP and east of the railroad tracks; and the third is located where the Alviso Slough crosses Los Esteros Road (refer to Figure 5 and Appendix D). Typical vegetation and soil conditions at each wetland feature are discussed below.

The wetland feature located south of Los Esteros Road, adjacent to the railroad tracks is dominated by pale spike-rush (*Eleocharis macrostachya*); non-dominant plant species include seaside barley, woodland geranium (*Geranium molle*), and curly dock (*Rumex crispus*). The wetland feature is approximately 0.12 acre and consists of one soil type; Embarcadero silty clay loam. Embarcadero silty clay loam is classified as a hydric soil. No special-status plant or wildlife species are expected to occur within this habitat.

The wetland feature located west of the WPCP and east of the railroad tracks is dominated by curly dock and Italian rye grass; non-dominant plants species include seaside barley, flat-face downingia (*Downingia pulchella*), and purple loosestrife (*Lythrum salicaria*). The wetland feature is approximately 0.08 acre and consists of one soil type; Embarcadero silty clay loam. Embarcadero silty clay loam is classified as a hydric soil. No special-status plant or wildlife species are expected to occur within this habitat.

The wetland feature where the Alviso Slough crosses Los Esteros Road is discussed in detail below, as part of the Alviso Slough Crossing evaluation area.



Wetland Location Map

Figure

5

WPCP

The evaluation area includes a 100 foot buffer of the alignment of the eastern most Line B connection to the WPCP, within the fence line of the WPCP. The WPCP evaluation area is dominated by disturbed/developed habitat. The disturbed/developed habitat within the WPCP evaluation area is mostly bare ground with a few non-native invasive plants species, including bur clover (*Medicago polymorpha*) and cheese weed (*Malva parviflora*). The area provides some marginal habitat for California ground squirrels (*Otospermophilus beecheyi*) as evidenced by the small burrows throughout the property. According to WPCP personnel, burrowing owls have been observed adjacent to the evaluation area, within the overflow basin in the southeast corner of the WPCP. No special-status plant species were identified within this evaluation area.

Alviso Slough Crossing

The evaluation area consists of the Alviso Slough where it crosses Grand Boulevard. The Alviso Slough Crossing evaluation area is dominated by two habitat types: disturbed/developed and coastal salt marsh. These habitat types are described below.

Disturbed/Developed. The disturbed/developed habitat within the Alviso Slough Crossing evaluation area is dominated by bare ground and non-native invasive plants species, including rip-gut brome, fennel (*Foeniculum vulgare*) and rattail fescue (*Vulpia myruos*). This habitat type does not provide habitat for any special-status plant or animal species.

Coastal Salt Marsh. The coastal salt marsh habitat is also classified as a wetland feature as described above. The coastal salt marsh within the Alviso Slough Crossing evaluation area is dominated by pickleweed (*Salicornia virginica*) and salt grass (*Distichlis spicata*). Other non-dominant plant species include Italian rye grass and alkali heath (*Frankenia salina*). The wetland feature is approximately 0.11 acre that consists of two soil types; Embarcadero silty clay loam and Novato clay. Both Embarcadero silty clay loam and Novato clay are hydric soils. Coastal salt marsh provides habitat for several special-status animal species including California clapper rail (*Rallus longirostris obsoletus*), California black rail (*Laterallus jamaicensis coturniculus*), salt marsh wandering shrew (*Sorex vagrans halicoetes*) and salt marsh harvest mouse (*Reithrodontomys raviventris*). A wide variety of bird species utilize coastal salt marsh habitat for nesting and foraging including, but not limited to, black-necked stilts (*Himantopus mexicanus*), American avocets (*Recurvirostra americana*), marsh wrens (*Cistothorus palustris*), and yellow warblers (*Dendroica petechia*). No special-status plant species were observed within this habitat during the field reconnaissance.

Sensitive Habitats

Sensitive habitats include riparian corridors, wetlands, areas of high biological diversity, areas supporting rare or special-status wildlife habitat, and unusual or regionally restricted habitat types. Habitat types considered sensitive include those listed on the California Natural Diversity Database (CNDDDB) working list of high priority and rare natural communities, those that are critical habitat in accordance with the Endangered Species Act (ESA), and those that are defined as Environmentally Sensitive Habitat Areas (ESHA) under the California Coastal Act.

Section 404 of the Clean Water Act established a program to regulate the discharge of dredged or fill material into “navigable waters of the United States.” The Rivers and Harbors Act of 1899 defined navigable waters of the United States as “those waters that are subject to the ebb and flow of the tides

and/or are presently used, or have been used in the past, may be susceptible to use to transport interstate or foreign commerce." The Clean Water Act built on this definition and defined waters of the United States to include tributaries to navigable waters, interstate wetlands, wetlands which could affect interstate or foreign commerce, and wetlands adjacent to other waters of the United States. The program is jointly administered by the U.S. Army Corps of Engineers (Corps) and the Environmental Protection Agency (EPA). The Corps is responsible for the day-to-day administration and permit review, and EPA provides program oversight.

Wetlands are also considered sensitive habitat by the California Department of Fish and Game (CDFG). The CDFG has not officially adopted regulations or statutes pertaining to wetlands. However, Fish and Game Code charges the CDFG with executing Streambed Alteration Agreements. Fish and Game Code pertains to the protection of water quality but does not charge CDFG with additional permitting responsibilities. As designated a Trustee and/or Responsible Agency per CEQA §15386 and §15381, CDFG reviews and comments on documents produced by the lead agencies.

The project site and adjacent areas were evaluated for the presence of sensitive habitats, including wetlands (*Spreckles Force Main Project Administrative Draft Delineation of Jurisdictional Wetlands and Waters under the Section 404 of the Clean Water Act*, DD&A, 2011, see Appendix D). Wetlands were observed and documented within the limits of the project site through the Corps process of wetland delineation based on the following sources: *The Field Guide for Wetland Delineation: 1987 Corps of Engineers Manual* (Wetland Training Institute, 2002) and *Interim Regional Supplement to the Corps of Engineers Wetland Delineation Manual: Arid West Region* (U.S. Army Corps of Engineers, 2006). As mentioned above, there are two jurisdictional wetland features within the Grassland evaluation area, measuring approximately 0.2 acres. Additionally, approximately 0.12 acres of the project site within the Alviso Slough Crossing evaluation area is jurisdictional wetland. This area is also coastal salt marsh, a habitat type classified as sensitive by the CDFG. Mitigation is identified below to ensure that these sensitive habitats surrounding the project are not impacted by any planned construction activities.

Special-Status Species

Special-status species are those plants and animals that have been formally listed or proposed for listing as endangered or threatened, or are candidates for such listing under the ESA or the California Endangered Species Act (CESA). Plants identified on the California Native Plant Society (CNPS) Lists 1A and 1B are also treated as special-status species. In addition, CDFG "species of special concern" are considered special status species. All raptor nests are protected by CDFG Code, and all migratory birds are protected by the Federal Migratory Bird Treaty Act. Impacts to these species are typically considered significant under CEQA.

Special-Status Plant Species

A list of special-status plant species known or which have the potential to occur in the vicinity of the project, along with their legal status, habitat requirements, and brief statement of the likelihood to occur, is presented in Appendix B. The species presented in this list were developed using the CNDDDB data for several USGS quadrangles (Calaveras Reservoir, Cupertino, La Costa Valley, Milpitas, Mountain View, Newark, Niles, San Jose East and San Jose West), as well as consultation with the City of San Jose.

All plants observed within the project area were identified to species or intraspecific taxon necessary to exclude them as special-status species. A complete list of the plants found within the project area is presented in Appendix C. No special-status plant species were observed within the project area during the site visit. Therefore, no special-status plants are expected to occur on the project site.

Special-Status Wildlife Species

A list of special-status wildlife species known or which have the potential to occur in the vicinity of the project, along with their legal status, habitat requirements, and brief statement of the likelihood to occur, is presented in Appendix B. The species presented in this list were developed using the CNDDDB data for the USGS quadrangles mentioned above, as well as advice from the City of San Jose.

No special-status wildlife species were observed within the project area during the site visit. Several special-status species have the potential to occur on the project site or immediate vicinity. These species include the Alameda song sparrow (*Melospiza melodia pusillula*), American badger (*Taxidea taxus*), burrowing owl, California black rail, California clapper rail, northern harrier, red-tailed hawk (*Buteo jamaicensis*), red-shouldered hawk (*Buteo lineatus*), salt marsh harvest mouse, salt marsh wandering shrew, salt marsh common yellowthroat (*Geothlypis trichas sinuosa*), Swainson's hawk (*Buteo swainsoni*), and white-tailed kite (*Elanus leucurus*). A discussion of each of these special-status wildlife species and their likelihood to occur on the project site is presented below. Mitigation has been provided below to ensure that these special-status wildlife species are not impacted by any planned construction activities.

Alameda Song Sparrow. The Alameda song sparrow is a CDFG species of special concern. The Alameda song sparrow is a small brown-streaked songbird. This species inhabits tidal salt marshes that have an appropriate configuration of vegetation, water, and exposed ground. Vegetation is required for nesting sites, song perches, and concealment from predators. In particular, the height of the vegetation may be limiting for song sparrows because tides may flood low-lying nests. The dominant plants of tidal salt marshes in San Francisco Bay are cord grass in low elevations of the marsh, pickleweed on slightly higher ground, and gumplant even higher along slough edges.

The CNDDDB reports 11 occurrences of the Alameda song sparrow within the nine quadrangles reviewed. The closest known occurrence is approximately one kilometer north (0.6 miles) of the project site. Coastal salt marsh, which provides nesting and foraging habitat for this species, exists adjacent to the project site. This species may traverse the project site when traveling from one area of coastal salt marsh to another; however, the potential for this species to occur on the project site is considered low because project activities will be excluded from coastal salt marsh habitat.

American Badger. The American badger is a CDFG species of special concern. Badgers occupy a diversity of habitats within California. The principal requirements seem to be sufficient food, friable soils, and relatively open, uncultivated grounds. Grasslands, savannas, and mountain meadows near timberline are preferred. Badgers feed primarily on burrowing rodents, such as gophers, squirrels, mice, and kangaroo rats, as well as some insects and reptiles. Badgers also break open bee hives to eat both the brood and honey. This species is active all year long and is nocturnal and diurnal. Mating occurs in summer and early fall and two to five young are born in burrows dug in relatively dry, often sandy soil, usually with sparse over-story cover.

The CNDDDB does not report an occurrence of the American badger within the nine quadrangles reviewed. The closest known occurrence is approximately 17 kilometers (10.6 miles) west of the project site. The annual grassland habitat, which provides breeding and foraging habitat for this species, exists within the project site. The American badger prefers friable soils in open uncultivated grounds. Although the annual grassland habitat within the project site is relatively open and uncultivated, the soils are not relatively friable. The potential for this species to occur on the project site is considered low because the soils within the project site are not ideal for this species.

Burrowing Owl. The burrowing owl is a CDFG species of special concern. Burrowing owls are a year-round resident of open, dry grassland and desert habitats, and grass, forb and open shrub stages of pinyon-juniper and ponderosa pine habitats. In general, burrowing owls frequent open grasslands and shrublands with perches and burrows. Burrowing owls use rodent burrows (often California ground squirrel) for roosting and nesting cover. These burrows are often lined with excrement, pellets, debris, grass, and feathers. Pipes, culverts, and nest boxes may be substituted for burrows in areas where burrows are not available. Breeding occurs from February 1 through August 31, with the peak occurring in April and May. This species is semi-colonial and is probably the most gregarious owl in North America. Burrowing owls eat mostly insects, but small mammals, reptiles, birds, and carrion are also taken. This species usually hunts from a perch and hovers, hawks, dives, and hops after prey on the ground. Conversion of grassland to agriculture, poisoning of ground squirrels, and other forms of habitat destruction have led to the reduction in their numbers in the recent decades.

The CNDDDB reports 63 occurrences of burrowing owls within the nine quadrangles reviewed. The closest known occurrence is located on the southern end of the WPCP property adjacent to an overflow basin. Burrowing owls have been documented within the WPCP property during the previous breeding season and within the grassland south of Los Esteros Road in 2009. In addition, there is a burrowing owl mitigation area located adjacent to the project site (refer to Figure 6). The mitigation site includes the grassland area south of the Alviso Slough Crossing and Los Esteros Road, bordering the existing railway to the east. The mitigation site is not within the project boundaries, however the mitigation area will need to be surveyed as it is likely within the standard no-disturbance buffer for nesting burrowing owls. The annual grassland habitat within the project area provides nesting and foraging habitat for burrowing owls. Therefore, there is a high potential for burrowing owl to occur within the project site.

California Clapper Rail. The California clapper rail is federally and state listed as Endangered. It is characterized by its hen-like appearance, a long, slightly downward-curving bill, olive-brown upper parts, a cinnamon-buff colored breast, dark flanks crossed by white bars and white undertail coverts which are often exposed when the bird is agitated. Rails typically nest in the upper-middle tidal marsh plain or high tidal marsh zones, not upland habitat transition zones bordering tidal marsh. The breeding period of the California clapper rail is prolonged. Pair bonding and nest building are generally initiated by mid-February. Nesting may begin as early as late February or early March, and extend through July in the South Bay. In the South Bay, most nests are located in gumplant (*Grindelia sp.*) and pickleweed (*Sarcocornia sp.*), with platforms constructed from cordgrass (*Spartina sp.*) and pickleweed.

The CNDDDB reports 12 occurrences of California clapper rails within the nine quadrangles reviewed. The closest known occurrence is approximately 2.4 kilometers (1.5 miles) north of the project site. Coastal salt marsh, which provides nesting and foraging habitat for this species, exists adjacent to the project site. This species may traverse the project site when traveling from one area of coastal salt marsh to another; the project does not propose to impact coastal salt marsh therefore, the potential for this species to occur on the project site is considered low.

California Black Rail. The California black rail is state listed as Threatened. The California black rail is a small, secretive, marsh-associated species. They are black to gray in color with a small black bill, sides and back speckled with white, and a nape of deep chestnut brown. California black rails inhabit saltwater, brackish, and freshwater marshes. A highly secretive and rarely observed bird, there appears to be a preference in coastal areas for tidal salt marshes dominated by dense pickleweed with an open structure below. This provides a dense canopy for protective cover while providing nesting habitat and accessibility below the canopy.



Existing Burrowing Owl Mitigation Area

Figure

6

The CNDDDB reports five occurrences of California black rails within the nine quadrangles reviewed. The closest known occurrence is approximately 13 kilometers (8.1 miles) northwest of the project site. Coastal salt marsh, which provides nesting and foraging habitat for this species, exists adjacent to the project site. This species may traverse the project site when traveling from one area of coastal salt marsh to another; the project does not propose to impact coastal salt marsh therefore, the potential for this species to occur on the project site is considered low.

Northern Harrier. The northern harrier is a CDFG species of special concern that occurs from annual grasslands up to lodgepole pine and alpine meadow habitats. This species frequents meadows, grasslands, open rangelands, desert sinks, fresh and saltwater emergent wetlands. Northern harriers are seldom in wooded areas. In general, this species uses flat or hummocky open areas of tall, dense grasses, moist or dry shrubs, and edges for nesting, cover, and feeding. This is a ground nesting species, with the nest generally consisting of a large mound of sticks on wet areas, or a smaller cup of grasses on dry sites. Breeding occurs between April and September with peak activity occurring between June and July. Northern harriers compete with red-tailed and red-shouldered hawks for prey, which consists of small mammals, birds, reptiles, and amphibians. Destruction of wetland habitat, native grassland and moist meadows and burning and plowing of nesting areas during early stages of the breeding cycle are major reasons for the decline of this species.

The CNDDDB reports five occurrences of northern harriers within the nine quadrangles reviewed. The closest known occurrence is approximately 7.5 kilometers (4.7 miles) northwest of the project site. The grassland, which provides nesting and foraging habitat for this species, exists adjacent to and within the project site. There are known occurrences within or in the immediate vicinity of the project site and the annual grassland habitat provides suitable breeding and foraging habitat for this species; therefore, there is a moderate potential for this species to occur on the project site.

Red-Tailed Hawk. The red-tailed hawk is not a listed species but its nests are under the protection of CDFG code and are therefore afforded protection under CEQA. This species frequents open country, woodlands, prairie groves, mountains, plains, farmlands, and roadsides. Mammals make up the bulk of most red-tailed hawk meals. This species also eats birds, including pheasants, bobwhite, starlings, and blackbirds; as well as snakes and carrion. Nests are tall piles of dry sticks up to 6.5 feet high and three feet across. The inner cup is lined with bark strips, fresh foliage, and dry vegetation. Red-tailed hawks typically put their nests in the crowns of tall trees where they have a commanding view of the landscape. They may also nest on a cliff ledge or on artificial structures such as window ledges and billboard platforms.

The CNDDDB does not list occurrences of the red-tailed hawks as they are a common resident in California. The annual grassland habitat within the project site provides foraging habitat for red-tailed hawks. The project site does not provide nesting/breeding habitat for this species. Since the project site doesn't provide breeding habitat for this species and it is not likely that an active nest would occur, the potential for this species to occur on the project site is considered low.

Red-Shouldered Hawk. The red-shouldered hawk is not a listed species but its nests are under the protection of CDFG code and are therefore afforded protection under CEQA. This species frequents forests with open understory, especially bottomland hardwoods, riparian areas, and flooded swamps. Mammals, birds, reptiles, amphibians and crayfish make up the bulk of most red-shouldered hawk meals. Nests are typically a large bowl of sticks, dried leaves, strips of bark, Spanish moss, lichens, and live conifer twigs, lined with fine bark, mosses, lichens, and conifer twigs. Nests are typically placed in main crotch of tree, often near water.

The CNDDDB does not list occurrences of the red-shouldered hawks as they are a common resident in California. The annual grassland habitat within the project site provides foraging habitat for red-shouldered hawks. The project site does not provide nesting/breeding habitat for this species. Since the project site doesn't provide breeding habitat for this species and it is not likely that an active nest would occur, the potential for this species to occur on the project site is considered low.

Salt Marsh Common Yellowthroat. The Salt marsh common yellowthroat is a CDFG species of special concern. This species is a resident of the San Francisco Bay region, in fresh and saltwater marshes. The salt marsh common yellowthroat requires thick, continuous cover down to the water surface for foraging with tall grasses, tule patches and willows for nesting. Salt marsh common yellowthroats build open-cup nests that are well concealed, typically near the ground in grasses, herbaceous vegetation, cattails, tules, and some shrubs. The year-round diet of this species consists of insects and spiders.

The CNDDDB reports 15 occurrences of salt marsh common yellowthroat within the nine quadrangles reviewed. The closest known occurrence is approximately 1.5 kilometers (0.9 miles) west of the project site. The coastal salt marsh habitat adjacent to the project site provides habitat for the salt marsh common yellowthroat. Proposed construction activities are confined to the roadways and disturbed areas adjacent to the coastal salt marsh habitat. This species is known to inhabit the coastal salt marsh habitat adjacent to the project site and therefore there is a high potential for this species to occur.

Salt Marsh Harvest Mouse. The salt marsh harvest mouse is federally and state listed as Endangered. The salt marsh harvest mouse is generally restricted to saline or subsaline marsh habitats around the San Francisco Bay Estuary, and is found in mixed saline/brackish areas in the Suisun Bay area. The basic habitat of the salt marsh harvest mouse is pickleweed-dominated vegetation. Other highly important habitat considerations include high tide/flood refugia of emergent gumplant (both at the upper edge of the marsh and within mature marshes, even at the highest high tides), seasonal use of terrestrial grassland, exploitation of suboptimal habitats, and habitat selection in brackish marsh vegetation where pickleweed is a relatively minor component, as often is the case in Suisun Bay marshes. The salt marsh harvest mouse breeds from March to November.

The CNDDDB reports 36 occurrences of salt marsh harvest mouse within the nine quadrangles reviewed. The closest known occurrence is adjacent to the project site, north of Los Esteros Road in an area referred to as New Chicago Marsh. The pickleweed dominated coastal salt marsh habitat adjacent to the project site provides habitat for the salt marsh harvest mouse. Proposed construction activities are confined to the roadways and disturbed areas adjacent to the coastal salt marsh habitat. This species may traverse the project site when traveling from one area of coastal salt marsh to another; however, the potential for this species to occur on the project site is considered low.

Salt Marsh Wandering Shrew. The salt marsh wandering shrew is a CDFG species of special concern. The salt marsh wandering shrew is a small to medium sized (dark shrew, sooty seal brown to black above with a relatively long unicolored tail, dark brown ventrum, and moderately large high-domed skull. Salt marsh wandering shrews inhabit a narrow band of pickleweed marsh which is inundated daily by tidal waters. Salt marsh wandering shrews are most frequent in salt marshes that provide dense cover, an abundant source of invertebrates for food, suitable nesting and resting sites, and continuous ground moisture. Suitable middle marsh habitat frequented by this taxon is usually inundated only by high tides and is characterized by 30-60 cm high pickleweed with driftwood and other debris resting directly on the vegetation. The surface debris provides nesting and resting sites and foraging habitat during dry periods. The high salt marsh (2.4 to 2.7 meters in elevation) provides refuge for shrews during extremely high tides. The low marsh, dominated by cordgrass and subjected to daily tidal floods, is used by this taxon as foraging habitat only during low tides.

The CNDDDB reports four occurrences of salt marsh wandering shrew within the nine quadrangles reviewed. The closest known occurrence is adjacent to the project site, north of Los Esteros Road in an area referred to as New Chicago Marsh (see Figure 2A). The pickleweed dominated coastal salt marsh habitat adjacent to the project site provides habitat for the salt marsh wandering shrew. Proposed construction activities are confined to the roadways and disturbed areas adjacent to the coastal salt marsh habitat. This species may traverse the project site when traveling from one area of coastal salt marsh to another; however, the potential for this species to occur on the project site is considered low.

Swainson's Hawk. The Swainson's hawk is listed as Threatened by the state. This medium-sized hawk forages in open grasslands, or alfalfa or grain fields that support rodent populations. The Swainson's hawk breeds in grasslands with scattered trees, juniper-sage flats, riparian areas, savannahs and agricultural or ranch lands. During the breeding season the Swainson's hawk diet consists of small mammals, birds and reptiles. Outside of the breeding season the diet is dominated by insects, especially grasshoppers and dragonflies. Swainson's hawks nest in trees with nests made of a mass of sticks lined with leafy twigs, grass, green weeds and wool.

The CNDDDB does not report an occurrence of Swainson's hawk within the nine quadrangles reviewed. However, the grassland habitat adjacent to and within the project site provides foraging habitat for the Swainson's hawk and they are known within Santa Clara County. Nesting habitat exists adjacent to the project site. Since the project site provides foraging habitat for this species and there is potential breeding habitat adjacent to the project site, the potential for this species to occur on the project site is considered moderate.

White-Tailed Kite. The white-tailed kite is a CDFG fully protected species. This raptor species is a fairly common to uncommon, year-long resident in coastal and valley lowlands. This species generally utilizes herbaceous lowlands with variable tree growth and an associated high population density of voles. Nests are made of loosely piled sticks and twigs and lined with grass, straw, or rootlets. Nests are generally placed near the top of a dense oak, willow, or other tree stands (usually 20-100 feet above ground), and are often located near an open foraging area. Breeding occurs from February to October with peak activity occurring from May to August. This species preys mainly on voles and other small mammals, but also takes birds, insects, reptiles, and amphibians. Foraging occurs in undisturbed open grasslands, meadows, farmlands, and emergent wetlands.

The CNDDDB reports six occurrences of white-tailed kite within the nine quadrangles reviewed. The closest known occurrence is adjacent to the project site, south of the WPCP. The grassland habitat adjacent to and within the project site provides foraging habitat for the white-tailed kite. Nesting habitat does not exist on the project site. Since the project site doesn't provide breeding habitat for this species and it is not likely that an active nest would occur, the potential for this species to occur on the project site is considered low.

Habitat Conservation Plans

The Santa Clara Valley Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) is currently being prepared for the Santa Clara Valley. The HCP/NCCP is a regional partnership between six local partners (Santa Clara County, Santa Clara Valley Transportation Authority, Santa Clara Valley Water District, and the Cities of San Jose, Gilroy and Morgan Hill) and two wildlife agencies (California Department of Fish and Game and U.S. Fish and Wildlife Service). An administrative draft version of the HCP/NCCP is currently available for review; the HCP/NCCP process is anticipated to be completed late in 2012. The HCP/NCCP will address listed species and species that are likely to become listed during the plan's 50-year permit term. Species of concern include, but are not limited to, the California tiger salamander, California red-legged frog, Western burrowing owl, Bay checkerspot butterfly, and a number

of species endemic to serpentine grassland and scrub. The project site is located outside of the HCP/NCCP boundary.

Impacts

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
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			1, 2, 5
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X			1, 2, 5
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		X			1, 2, 5
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X	1, 2, 5
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X	2, 5
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	2, 5

Explanation

- a) **Less-than-Significant Impact with Mitigation.** No special-status plant species were observed during the biological assessment and field visits conducted for the project site and none are expected to occur. Several special-status wildlife species have the potential to occur onsite or in the immediate vicinity of the project, including the following: Alameda song sparrow, American badger, burrowing owl, California black rail, California clapper rail, northern harrier, red-tailed hawk, red-shouldered hawk, salt marsh harvest mouse, salt marsh wandering shrew, salt marsh common yellowthroat, Swainson’s hawk, and white-tailed kite. Construction activities including vegetation removal, grading, trenching and drilling within all areas of the project may potentially result in impacts to nesting avian species protected by CDFG Code, State and Federal ESA, and the Migratory Bird Treaty Act.

In addition, construction activities adjacent to the coastal salt marsh habitat of Alviso Slough (Alviso Slough crossing and road evaluation areas) may result in impacts to salt marsh harvest mouse and salt marsh wandering shrew habitat. Mitigation is identified below under “**Mitigation Measures**” to reduce these potential impacts to a less-than-significant level.

- b) **Less-than-Significant Impact with Mitigation.** Areas associated with the project are surrounded by and/or include wetland features and/or coastal salt marsh. Construction activities including vegetation removal, grading, trenching and directional drilling associated with pipeline installation within the Alviso Slough Crossing, Road evaluation area, and Grassland evaluation area may result in impacts to these sensitive habitats. Mitigation measures are identified below to reduce these impacts to a less-than-significant level.
- c) **Less-than-Significant Impact with Mitigation.** The project includes the construction of a new force main that will intersect Los Esteros Road where it meets Grand Boulevard. The Alviso Slough intersects Los Esteros Road near the same location. The Alviso Slough is considered a jurisdictional wetland. The project proponent will install this section of the force main utilizing directional drilling to avoid impacts to the Slough. The locations of wetlands on the project site are presented in the wetland delineation contained in Appendix D of this Initial Study.

The project includes a future pipeline connection to the WPCP, referred to as Line B. Two alternate alignments are under consideration. Both Line B alignments lie adjacent to jurisdictional wetland features. Construction activities including grading and trenching associated with the force main installation may result in impacts to these jurisdictional wetlands. Mitigation measures are identified below to reduce these impacts to a less-than-significant level.
- d) **No Impact.** No native resident or migratory wildlife corridors or nursery sites were identified within the project site. The project, therefore, is not expected to impact or 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.
- e) **No Impact.** The proposed project does not conflict with any local policies or ordinances protecting biological resources. The project will avoid existing trees and will not require limbing or tree removal.
- f) **No Impact.** The Santa Clara Valley HCP/NCCP area lies primarily within southern Santa Clara County and includes all of the City of San Jose except for the Baylands. The project is located within the Baylands, which are outside of the Habitat Plan area, and will not conflict with, nor require conformance with, the HCP.

Mitigation Measures

- 1. For both Lines A and B, prior to construction activities the project proponent shall retain a qualified biologist to conduct an Employee Education Program for the construction crew. The biologist shall meet with the construction crew at the project site at the onset of construction to educate the construction crew on the following:
 - a) Review of the project boundaries;
 - b) Special-status species that may be present, their habitat, and proper identification;
 - c) Specific mitigation measures that will be incorporated into the construction effort including the installation of exclusionary fencing along coastal salt marsh to prevent impacts to coastal salt marsh special-status species,

- d) General provisions and protections afforded by all relevant regulatory agencies; and
- e) Proper procedures if a special status animal is encountered within the project site.

This mitigation measure applies to all special-status species and sensitive habitats as described in the preceding impact section.

2. For Line B, the project proponent shall retain a qualified biologist to conduct preconstruction surveys to locate active breeding or wintering burrowing owls no more than 30 days prior to the start of construction. If ground disturbing activities are delayed or suspended for more than 30 days after the preconstruction survey, the site shall be resurveyed. The survey shall conform to the CDFG 1995 Staff Report protocol. If no burrowing owls are found, no further mitigation is required. If burrowing owls are found, impact avoidance shall occur and if avoidance is not possible, then mitigation measures shall be implemented as described below.
- a) Complete impact avoidance shall be pursued to the extent possible by compliance with the following provisions:

Breeding Season. If active nests are found, then no ground-disturbing activities will be permitted within 250 feet of an active burrow during the breeding season (February 1 to August 31).

Winter Season. If active burrows are found during winter months (September 1 through January 31), ground disturbing activities can proceed no closer than 160 feet from active burrows.

Avoidance also requires that a minimum of 6.5 acres of foraging habitat be permanently reserved contiguous with occupied burrow sites for each pair of breeding burrowing owls (with or without dependent young) or single unpaired resident bird.

- b) If active nests or burrows are found that cannot be avoided, the following mitigation measures would apply:

On-Site. On-site passive relocation shall be implemented if the above avoidance measures cannot be met. Passive relocation is defined as encouraging owls to move from occupied burrows to alternate natural or artificial burrows that are beyond 160 feet from the impact zone, and that are within or contiguous to a minimum of 6.5 acres of foraging habitat for each pair of relocated owls. The land utilized for relocation shall be acquired and permanently protected at a location acceptable to the CDFG. Existing unsuitable burrows shall be enhanced (enlarged or cleared of debris) or new burrows created (by installing artificial burrows) at a ratio of 2:1 on the protected lands site. Relocation of owls shall only be implemented during the non-breeding season. A time period of at least one or more weeks is necessary to accomplish the passive relocation methods, and allow the owls to move and acclimate to alternative burrows.

Occupied burrows shall not be disturbed during the nesting season (February 1 through August 31) unless a qualified biologist approved by the CDFG verified through non-invasive methods that either: 1) the birds have not begun egg-laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

The project proponent shall provide funding for long-term management and monitoring of the protected lands. The monitoring plan shall include success criteria, remedial measures, and an annual report to the CDFG and the Director of the City of San Jose Planning, Building and Code Enforcement.

Off-site. If the project will reduce suitable habitat on-site below the threshold level of 6.5 acres per relocated pair or single bird, the habitat shall be replaced off-site. Off-site habitat must be suitable burrowing owl habitat, as defined in the Burrowing Owl Survey Protocol, and the site approved by the CDFG. Land shall be purchased and/or placed in a conservation easement in perpetuity and managed to maintain suitable habitat. The land shall be funded by the project proponent for long-term management and monitoring of the protected lands. The monitoring plan shall include success criteria, remedial measures, and an annual report to the CDFG and the Director of Planning, Building and Code Enforcement of the City of San Jose. Off-site mitigation shall use one of the following ratios:

- Replacement of occupied habitat with occupied habitat: 1.5 times 6.5 (9.75) acres per pair or single bird.
- Replacement of occupied habitat contiguous to currently occupied habitat: 2 times 6.5 (13.0) acres per pair or single bird.
- Replacement of occupied habitat with suitable occupied habitat: 3 times 6.5 (19.5) acres per pair or single bird.

This mitigation measure applies specifically to burrowing owls, as described in the preceding impact section.

3. For both Lines A and B, if construction of the project occurs during the typical avian nesting season (February 1 – September 30), the project proponent shall retain a qualified biologist to conduct focused preconstruction surveys for nesting birds no more than 14 days prior to initiation of construction activities in areas that may provide suitable nesting habitat within 300 feet of construction activities. If active nests are found, a suitable construction buffer shall be established by the qualified biologist (typically 300 feet) and no work shall occur within that buffer until September 30. Alternatively, a qualified biologist can conduct weekly nest checks to gauge nestling/fledgling status, and construction may proceed once fledglings have dispersed from the nest provided written concurrence is obtained from CDFG. No active nest shall be impacted or removed. For activities that occur outside of the nesting season (generally October 1 through February 1), preconstruction surveys are not required. This mitigation measure applies to all nesting birds within or immediately adjacent to the project site; including those listed in the preceding impact section.
4. Pre-construction surveys conducted for burrowing owls should also be used to determine the presence or absence of badgers within the annual grasslands located within the project site. In the unlikely event that an active badger den is identified during pre-construction surveys within or immediately adjacent to the construction envelope, a construction-free buffer of up to 300 feet or a suitable distance specified by the resource agencies (i.e., CDFG) should be established around the den. Because badgers are known to use multiple burrows in a breeding burrow complex, a biological monitor should be present onsite during construction activities to ensure the buffer is adequate to avoid direct impact to individuals or nest abandonment. The onsite monitor would be necessary until it is determined that young are of an independent age and construction activities would not harm individual badgers. Once it has been determined that badgers have vacated the site, the burrows could be collapsed or excavated, and ground disturbance could proceed. Because

potential impacts to badger habitat would be temporary in nature, no offsite mitigation is warranted for loss of habitat for the badger. This mitigation measure applies specifically to badgers, as described in the preceding impact section.

5. For both Lines A and B, prior to any construction activities the project proponent shall install orange cyclone fencing and silt fencing upslope from wetland boundaries to ensure that dirt or other material does not enter wetland or salt marsh areas. This fencing shall be inspected and repaired as necessary through the duration of the project construction to maintain proper function. These measures will ensure that construction activities do not impact any wetland features surrounding the limits of construction. This mitigation measure applies to sensitive habitats including coastal salt marsh and wetlands, as described in the preceding impact section.
6. For Line A, prior to any construction activities, the project proponent shall install orange cyclone fencing and silt fencing on the border of any project area adjacent to coastal salt marsh habitat. This fencing shall be inspected and repaired as necessary through the duration of the project construction to maintain proper function. The measures will ensure that construction activities do not impact coastal salt marsh habitat or any special-status species, including salt marsh harvest mouse, salt marsh wandering shrew and salt marsh common yellowthroat, which occur within coastal salt marsh habitat.
7. For Line A, no equipment shall be operated within Alviso Slough, nor shall any construction activities be conducted in Alviso Slough. This mitigation measure applies to sensitive habitat including wetlands and coastal salt marsh, as described in the preceding impact section.
8. For both Lines A and B, temporary soil stockpiles shall be located so they do not drain directly into waterways. Stockpiles shall be covered to prevent erosion toward the slough. This mitigation measure applies to sensitive habitat including wetlands and coastal salt marsh, as described in the preceding impact section.
9. For both Lines A and B, the project proponent shall comply with water pollution protection provisions and conditions established by all regulatory agencies with jurisdiction over the project. These measures will include, but may not be limited to, the following:
 - a) Provide a 'boring plan' to a relevant agencies that includes:
 - 1) A sketch of the construction site, equipment staging areas, approximate location of drill entry and exit points and the approximate location of access roads in relation to the surrounding area.
 - 2) Proposed depth of bore and a statement of streambed condition that supports the depth of the bore.
 - 3) Approximate length of bores.
 - 4) Type and size of boring equipment to be used.
 - 5) Estimated time to complete bore.
 - 6) List of lubricants and horizontal directional drilling (HDD) additives to be used.
 - 7) Name of operator's agents and cell phone numbers.
 - b) Design, pre-plan, and direct the trenchless crossings in such a way as to minimize the risk of spills of all types. The contractor shall provide a contingency plan, in the event of the release of drilling lubricants through fractures in the slough or bank ("frac-outs"). In substrates where frac-outs are likely to occur, the project contractor shall operate in a manner that will reduce risk, such as using lower pressure and greater boring depths.

- c) Prepare and implement a frac-out contingency plan to minimize potential for frac-out during directional drilling and describe BMPs for dealing with a frac-out, should one occur. Prevention and clean-up plans should include:
- 1) Name(s) and phone numbers of biological monitor(s), third-party monitors, and crew supervisor(s).
 - 2) Site-specific resources of concern (if applicable, include factors such as possible presence of sensitive species).
 - 3) Monitoring protocols (including biological monitoring and frac-out monitoring).
 - 4) Containment and clean up-plan (include staging location of vacuum trucks and equipment, equipment list, necessary hose lengths, special measures needed for steep topography, etc. at each location).
- d) In case of a frac-out into a sensitive aquatic resource, the project proponent shall cease operations immediately and request a consultation with all relevant agencies. If frac-out or spill is in an upland area without sensitive resources and the frac-out can be contained, the City may continue work. The City's biological monitor shall provide on-site training for the work crews to ensure protection of all slough zones. The contractor will provide continuous monitoring of the HDD boring operation to ensure adequate protection controls have been installed. All field personnel will be briefed in their responsibility for timely reporting of frac-out releases to the monitor on site.

This mitigation measure applies to sensitive habitat including wetlands and coastal salt marsh, as described in the preceding impact section.

E. CULTURAL RESOURCES

Setting

A Cultural Resources Study for the project was prepared by Holman & Associates (June 2011). This study included a site survey and archaeological literature review. This report is on-file with the City Department of Planning, Building and Code Enforcement.

An archival search of the Northwest Information Center (NWIC) at Sonoma State University was conducted in April 2011. Results of the records search indicate that there are no recorded historic and/or prehistoric archaeological sites within the project boundaries. One prehistoric site is located approximately ¼ mile from the site. Two formal surveys have been conducted of the project right-of-way, both with negative findings (i.e., no resources were found).

A visual inspection of the project site was conducted for the project property by Holman & Associates on April 28, 2011. No evidence of historic or prehistoric cultural materials was encountered. The cultural resources report thus concludes that the project area has a low potential for containing buried cultural resources.

Impacts

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
5. CULTURAL RESOURCES. Would the project:					
a) Cause a substantial adverse change in the significance of a historical resource as defined in CEQA 15064.5?				X	6
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA 15064.5?			X		6
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X	1
d) Disturb any human remains, including those interred outside of formal cemeteries?			X		1

Explanation

- a) **No Impact.** The project site and alignment do not contain any historic structures.
- b) **Less-than-Significant Impact.** The project area has been disturbed and based on recent and past investigations the potential for archaeological resources appears low. Although unlikely, there is some potential that excavation for the project could uncover buried archaeological resources. This impact will be reduced to a less-than-significant level with the standard measures listed below.
- c) **No Impact.** The project will not impact any known paleontological resources. See also b) above.
- d) **Less-than-Significant Impact.** Though unlikely, human remains could be encountered during excavation activities. Standard measures are identified below to avoid impacts associated with disturbance to human remains.

As a part of the development permit approval, the project will conform to the following standards:

- Should evidence of prehistoric cultural resources be discovered during construction, work within 50 feet of the find shall be stopped to allow adequate time for evaluation and mitigation by a qualified professional archaeologist. If evidence of any archaeological, cultural, and/or historical deposits is found, hand excavation and/or mechanical excavation shall proceed to evaluate the deposits for determination of significance as defined by CEQA guidelines. The archaeologist shall submit reports, to the satisfaction of the City's Environmental Principal Planner, describing the testing program and subsequent results. These reports shall identify any program mitigation that the developer shall complete in order to mitigate archaeological impacts (including resource recovery and/or avoidance testing and analysis, removal, reburial, and duration of archaeological resources).

If it appears that earthmoving activities will affect a resource potentially eligible for the inclusion on the California Register of Historic Resources (CRHR), a plan for the evaluation of the resource to demonstrate significance shall be submitted to the Director of PBCE for

approval. If testing, normally limited hand excavation, demonstrates CRHR eligibility, a plan for mitigation of impacts to the resource shall be submitted and approved by the Director of PBCE before construction-related earthmoving is allowed to recommence inside the zone designated as archaeologically sensitive.

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

F. GEOLOGY AND SOILS

Setting

The site’s elevation is about five feet above mean sea level; topography in the vicinity of the site slopes gently to the northwest towards the San Francisco Bay. The native near-surface soils in the area consist of Holocene-age clayey, salt-affected floodplain and Bay Mud deposits. Based on mapping by the Natural Resources Conservation Service and U.S. Soil Conservation Service, soils in the project area consist of 1) Aquic Bay Mud substratum along the north end of Spreckles Avenue, and 2) Embarcadero/Alviso silty clay loam on the remainder of the site. Soil sampling and testing were completed as part of the project by GeoEngineers (2010). This testing confirmed the above findings but found that soils along Spreckles Avenue are not as soft as expected.

The project site is located within the seismically active San Francisco Bay Area. Active fault systems within the project region include the San Andreas, the Calaveras, and the Hayward. The site, however, is not located on any active faults.

Impacts

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
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:					
i) Rupture of a know earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?				X	1, 2

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
ii) Strong seismic ground shaking?			X		1, 2
iii) Seismic-related ground failure, including liquefaction?			X		1, 2
iv) Landslides?				X	1, 2
b) Result in substantial soil erosion or the loss of topsoil?			X		1, 2
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X	1, 2
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X	1, 2
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				X	1, 2

Explanation

- ai) **No Impact.** Surface rupture occurs along lines of previous faulting. The project site is not located on any faults and is not subject to rupture. In addition, the project is not mapped within an Alquist-Priolo Earthquake Fault Zone.
- aii) **Less-than-Significant Impact.** Due to its location in a seismically active region, the proposed pipeline may be subject to strong seismic ground shaking during its design life in the event of a major earthquake on any of the region’s active faults. Seismic impacts will be minimized by using standard engineering and construction techniques in compliance with the requirements of the California and Uniform Building Codes for Seismic Zone 4.
- aiii) **Less-than-Significant Impact.** As described above, the project site may be subject to strong ground shaking in the event of a major earthquake. Impacts associated with these hazards will be minimized by using standard engineering and construction techniques in compliance with the requirements of the California and Uniform Building Codes for Seismic Zone 4.
- aiv) **No Impact.** The project area has no appreciable vertical relief and will not be subject to landsliding.
- b) **Less-than-Significant Impact.** Development of the project will require grading of approximately 5,144 cubic yards of cut and 4,499 cubic yards of fill. This will include excavation for trenching. The project proposes to install the pipeline by open trench construction with a minimum cover depth of three feet. When in conflict with other existing utilities, the force main profile would be adjusted to maintain a minimum vertical clearance of one foot. The pipeline profile would be deepened in specific reaches to avoid placing the force main in unsuitable soils.

Site disturbance activities may result in a temporary increase in erosion; however, the project proponent will be required to conform to all legal requirements for avoiding erosion and sedimentation to protect water quality. This includes preparation of a Storm Water Pollution Protection Plan and use of Best Management Practices. Force main work will also be planned during the dry weather season. Installation of the pipeline beneath Alviso Slough and the UPRR tracks along Los Esteros Road will be conducted using trenchless methods. None of these activities are expected to result in substantial soil erosion or the loss of topsoil. Refer also to the discussion in **I. Hydrology and Water Quality** of this Initial Study.

- c) **No Impact.** The project site is not subject to landslide, lateral spreading, subsidence, or collapse.
- d) **No Impact.** The project is not located in area of mapped expansive soils.
- e) **No Impact.** The project does not include any septic systems.

G. GREENHOUSE GAS EMISSIONS

Setting

Various gases in the earth’s atmosphere, classified as atmospheric greenhouse gases (GHGs), play a critical role in determining the earth’s surface temperature. Solar radiation enters the atmosphere from space and a portion of the radiation is absorbed by the earth’s surface. The earth emits this radiation back toward space, but the properties of the radiation change from high-frequency solar radiation to lower-frequency infrared radiation. Greenhouse gases, which are transparent to solar radiation, are effective in absorbing infrared radiation. As a result, the radiation that otherwise would have escaped back into space is retained, resulting in a warming of the atmosphere known as the greenhouse effect. Among the prominent GHGs contributing to the greenhouse effect, or climate change, are carbon dioxide (CO₂), methane (CH₄), ozone (O₃), water vapor, nitrous oxide (N₂O), and chlorofluorocarbons (CFCs). Human-caused emissions of these GHGs in excess of natural ambient concentrations are responsible for enhancing the greenhouse effect. In California, the transportation sector is the largest emitter of GHGs.

Impacts

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Source(s)
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	1, 4
b) Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X	1, 4

Explanation

- a) **Less-than-Significant Impact.** Given that the project is essentially a repair and replacement project with no expansion in services, it would not generate substantial GHG emissions. The City has recently adopted a GHG Strategy in conjunction with the Envision San Jose 2040 General

Plan update that includes policies and measures to reduce GHG emissions. Adoption of a GHG Strategy provides environmental clearance for GHG impacts of proposed development per the BAAQMD CEQA Guidelines and CEQA Guidelines Section 15183.5. The project is consistent with the Envision San Jose 2040 General Plan and GHG Strategy; therefore, it would have a less-than-significant impact for GHG emissions.

- b) **Less-than-Significant Impact.** As described above, the project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

H. HAZARDS AND HAZARDOUS MATERIALS

Setting

The following discussion is based on a Screening Level Phase I Environmental Site Assessment performed for the project by Cornerstone Earth Group (August 2011) in order to determine the potential for onsite contamination. This report is contained in Appendix E.

The Phase I Assessment included the following tasks: 1) review of local agency files, 2) examination of historic aerials and maps of the area, 3) a regulatory database search, 4) survey of the site and immediate project area, and 5) interviews with past owners and operators. Results of the Phase I Assessment indicate that hazardous material spill incidents have been reported within the project boundaries and at several nearby off-site facilities. Several adjacent landfill properties were also identified. The potential for these releases and landfill materials to have impacted onsite soil or ground water quality was evaluated in the Phase I Assessment based on the type and status of the reported incidents and landfills, the location of the reported incidents and landfills in relation to the site, and the assumed direction of ground water flow. A summary of these conditions is presented in Table 2 below.

Facility Name and Address	Relation to Site	Comments
South Bay Asbestos Area (SBAA)	Onsite	Identified on the National Priority List (NPL) among other databases. During the 1950s, several landfills in the Alviso area accepted wastes from an asbestos cement pipe manufacturing facility. This waste was later used for raising the grade of various areas and for constructing a ring-levee, resulting in asbestos contamination throughout the Alviso area. The Spreckles Pump station and Spreckles Avenue are shown to be within the boundaries of the SBAA.
Spreckles Pump Station 3288 Spreckles Avenue	Onsite	Identified as a leaking underground storage tank (LUST) property. The case status is listed as closed.
City of San Jose WPCP 700 Los Esteros Road	Onsite and Adjacent	Listed on several databases indicating the use and storage of hazardous materials. Listed twice on the LUST database for two separate contamination cases; both cases are indicated to be closed (one in 1985 and the other in 1990). Also listed on the spill, leaks, investigation and cleanup (SLIC) database as an open case under Regional Water Quality Board (RWQCB) oversight.
Former Nine Par Solid Waste Disposal	Adjacent (north)	Identified as a solid waste disposal facility.

Facility Name and Address	Relation to Site	Comments
Zanker Materials Processing Facility (Former Owens Corning Landfill) 675 Los Esteros Road	Adjacent (north)	Identified as a solid waste disposal facility and listed on the Envirostor database. In September 1985, a Preliminary Assessment (PA) determined that hazardous wastes such as metals and solvents may have been disposed in the landfill including furnace refractory, brick, slag, chromium dust, methylene chloride, waste adhesives, paint, solvent and diacetone alcohol, and epoxy resin. The RWQCB required installation of a leachate collection and removal system.

The project site was visually surveyed as part of the Phase I Assessment. The Spreckles Pump Station parcel contains pump station consisting of a concrete vaulted wet well structure and associated mechanical and electrical equipment. Facilities formerly constructed as part of the Alviso wastewater treatment plant were also present including an operations/administration building and clarifier. The clarifier is no longer in use and will remain as-is. A diesel powered emergency generator was observed within the southeastern portion of the building and an above ground, 1,000-gallon diesel fuel storage tank was observed within an exterior fenced enclosure on the southeast side of the building. Minor oil staining of the concrete floor slab below the generator was observed; however, no evidence of significant spills from the diesel storage tank or generator was readily apparent. A small area between the access gate and administration building was paved with asphalt. The remainder of the parcel is covered in gravel and used for storage of construction materials. Three pole-mounted electrical transformers were observed near the clarifier; however, no evidence of transformer oil leakage was readily apparent.

The proposed force main alignment between the Spreckles Pump Station parcel and the WPCP consists of public right-of-way along Spreckles Avenue, Grand Boulevard, and Los Esteros Road. The planned pipeline alignment crosses a corrugated metal pipe of Alviso Slough (for Pond A16) and the UPRR tracks. As shown on Figure 2A, the two alternate force main alignments extend from Los Esteros Road to the existing EBOS on the WPCP property. These alignment locations were observed to enter the western side of the WPCP property and extend to the southeast, crossing railroad tracks and traversing undeveloped land; the Line B alignment would travel either north or south of the existing emergency overflow basin within the WPCP property. Several stockpiles of soil were observed to the west and northwest of the overflow basin. Some of these stockpiles appeared to overlie the more westerly of the two alignments. One of the stockpiles was observed to be partially covered by black plastic. The WPCP indicated that the stockpiled soil likely was from the Wet Weather Reliability Improvements Project implemented between 2003 – 2006 and possibly other construction projects at the plant. The soil stockpile covered by plastic is suspected to be diesel impacted soil.

Based on the results of the aerial and file review, the Spreckles Pump Station parcel and the northern portion of Spreckles Avenue were historically marshland. The former Alviso wastewater treatment plant appears to have been constructed on the parcel during the early 1960s. The plant was decommissioned by the City in the late 1970s and converted into a transmission pump station called the Spreckles Pump Station to discharge wastewater to the WPCP. The pump station had a dry pit well that was later replaced by a submersible wet well in the early 1990s. The current roadways along the planned force main alignment (except for the northern portion of Spreckles Avenue) appear to have been present since at least the 1930s.

The area of the future Line B alignments within the WPCP appear to have been used historically for agricultural purposes. The location where the two alternate pipeline alignments enter the WPCP property

from Los Esteros Road was formerly occupied by the Los Esteros Pump Station, which appears to have been abandoned in-place after removal of near surface features during the 1980s.

Impacts

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
7. 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		1, 2
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			7
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ mile of an existing or proposed school?				X	7
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			7
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X	1, 2
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X	1
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X	1
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X	1

Explanation

- a) **Less-than-Significant Impact.** The project does not involve the routine transport, use, or disposal of hazardous materials, with the exception of the trailer-mounted diesel engine standby pump. Standard measures will be applied to assure the security of the pump.
- b) **Less-than-Significant Impact with Mitigation.** The Spreckles Pump Station parcel and Spreckles Avenue are within the boundaries of the SBAA. Within this area, asbestos has been reported in fill soil and road base material. For areas within the SBAA where earthwork activities are planned, the San Jose Environmental Services Department (ESD) typically requires soil sampling to evaluate if asbestos is present.

Based on the past agricultural use of the project area, there is a potential for near surface soil to have been impacted by agricultural chemicals that may have been applied to crops in the normal course of farming operations. The Line A force main alignment crosses railroad tracks along Los Esteros Road. Various chemicals have been historically used for dust suppression and weed control along rail lines. In addition, fill appears to have been historically imported to the Spreckles Pump Station parcel and possibly other areas along the force main alignment to raise low lying land elevations. The source and quality of the fill are unknown.

The future Line B alignments also cross railroad tracks. Several stockpiles of soil were observed to the west and northwest of the emergency overflow basin at the WPCP, and some of these stockpiles appear to overlie the more northerly of the two Line B alignments. The quality of soil within these piles is not known; one of the piles is partially covered by black plastic and suspected to contain diesel impacted soil encountered during construction projects at the WPCP.

Diesel fuel leaks have been reported at the WPCP. Two Leaking Underground Storage Tank (LUST) cases appear to have been closed; however, the WPCP is also listed as an open Spill, Leaks, Investigation and Cleanup (SLIC) case under RWQCB oversight. The open case is associated with diesel fuel encountered near the filtration treatment building during construction of the South Bay Water Recycling Project. Additional areas of diesel impacted soil and ground water, including visible free product, have been identified near the sludge digesters and near the 210,000-gallon diesel above-ground storage tanks. Based on the documents reviewed, the extent of diesel impacted soil and ground water at the WPCP does not appear well-defined. The identified spill/leak locations are not immediately adjacent to the Line B alignment locations; however, there is a potential that diesel impacted soil or ground water could be encountered during excavation activities for the Line B pipeline near the EBOS.

Ground water samples collected on the southern portion of the adjacent former Nine Par landfill property in 2011 (along Los Esteros Road, down-gradient of the WPCP) detected TPH at up to 710 µg/L. The source of the TPH could be the landfill or alternatively the up-gradient WPCP. Regardless, the data suggests that ground water below Los Esteros Road near the former Nine Par landfill, WPCP, and potentially the former Owens Corning landfill could be impacted. During December 2010 sampling event at the former Owens Corning landfill, VOCs were not detected in the ground water sample collected from the one monitoring well installed near Los Esteros Road.

A diesel fuel UST also was removed from the onsite Spreckles Pump Station property in 1995. The UST is shown to have been located on the southeast side of the onsite operations building (at the location of the current above-ground storage tank. Although the LUST case has been closed by the Santa Clara Valley Water District (SCVWD), residual petroleum hydrocarbon concentrations could be present near the location of the former UST. If encountered, impacted materials must be appropriately handled and disposed in accordance with all regulatory requirements.

Based on the agricultural, commercial, and industrial history of the immediate site vicinity, buried structures (including the abandoned Los Esteros Pump Station), wells, burn areas, debris, or impacted soil and/or ground water may be encountered during excavation activities. If encountered, these materials may require special handling and disposal. To limit construction delays, the Phase I Assessment recommends preparation of a Site Management Plan to establish management practices for handling these materials/structures, if encountered.

Based on the discussion above, the project may result in significant impacts associated with the presence and release of hazardous materials on the project site during construction. Mitigation is identified below to reduce these impacts to a less-than-significant level.

Mitigation Measures

10. Prior to initiation of earthwork activities, the project proponent shall sample for asbestos at locations of planned earthwork in the SBAA. Sampling and construction activities within the SBAA shall be coordinated with the San Jose Environmental Services Division and the U.S. EPA. In addition, the project proponent shall perform soil and ground water sampling and analytical testing along the planned force main alignment at selected locations to evaluate fill, ground water, and soil quality and aid in establishing appropriate soil and ground water management procedures.
 11. Based on the soil and ground water data obtained in mitigation (#10) above, the project proponent shall prepare a Site Management Plan (SMP). The SMP will establish protocols/guidelines for the contractor to follow and will include the following components: identifying appropriate health and safety measures while working in contaminated/non-contaminated areas; soil reuse and/or landfill disposal options for excavated trench spoils; handling of contaminated trench spoils; ground water management options if trench dewatering is required; and agency notification requirements. A Health and Safety Plan (HASP) will be attached to the SMP to establish health and safety protocols for personnel. The SMP shall be subject to the review and approval of the California EPA and City of San Jose Environmental Service Division.
- c) **No Impact.** The project is located more than ¼ mile from the nearest school (George Mayne Elementary). As described above, the proposed improvements would not result in the release of hazardous materials with implementation of the SMP, to be included in the contract specifications and documents.
- d) **Less-than-Significant Impact with Mitigation.** Refer to discussion b) above.
- e)-f) **No Impact.** The project site is not located within two miles of any airports and the proposed improvements will not otherwise create a safety hazard for people in the project area.
- g) **No Impact.** The proposed pump station rehabilitation and pipeline(s) will not interfere with any emergency response or evacuation plans.
- h) **No Impact.** The project would not expose people or structures to risk from wildland fires.

I. HYDROLOGY AND WATER QUALITY

Setting

The major waterways in the project area include the Guadalupe River to the southwest and Coyote Creek to the northeast. The San Francisco Bay is located just north of the project area. Drainages and water features in the immediate project vicinity include 1) an existing drainage ditch that runs parallel to Spreckles Avenue adjacent to the slough, 2) a slough in a 48-inch diameter culvert on Grand Boulevard, and 3) drainage ditches that follow both sides of Los Esteros Road near the boundary fences. Trees and riparian vegetation do not occur along these waterways. The Line B alignments are located near wetland

areas on the WPCP property, as described in section **D. Biological Resources** of this document and the wetland delineation contained in Appendix D.

The project site is located at an elevation of approximately five feet above sea level and is designated as Zone AE in the Federal Emergency Agency's Flood Insurance Rate Map (FIRM). This zone is defined as areas within the 100-year floodplain with elevations determined. The project will not expose people to flooding, since no habitable structures are proposed. The project would involve only the rehabilitation of a pump station and installation of underground wastewater mains.

The discharge of stormwater from the City's municipal storm sewer system is regulated primarily under the federal Clean Water Act (CWA). Under the CWA, and issued by the State Water Resources Control Board (SWRCB), the National Pollution Discharge Elimination System (NPDES) Construction General Permit regulates stormwater runoff from construction sites. Any construction or demolition activity, including linear underground projects, that results in land disturbance of equal to or greater than one acre must comply with the Construction General Permit. The Construction General Permit specifies minimum construction site Best Management Practices, and implements a risk-based permitting approach that also requires more stringent effluent monitoring and reporting requirements for projects representing a high risk to water quality. Projects subject to the Construction General Permit must file a Notice of Intent (NOI) with the SWRCB and develop, implement, and maintain a Storm Water Pollution Prevention Plan (SWPPP) to control the discharge of stormwater pollutants including sediments associated with construction activities.

The CWA also requires the City of San Jose to operate under a Municipal Stormwater NPDES Permit for the discharge of stormwater from urbanized areas to surface waters via the City's stormwater collection system. On October 14, 2009, the Regional Water Quality Control Board (RWQCB) adopted the San Francisco Bay Regional Municipal Stormwater NPDES Permit (Municipal Regional Permit) for 76 Bay Area municipalities, including San Jose. The Municipal Regional Permit mandates the City of San Jose to use its planning and development review authority to require that stormwater management measures such as Site Design, Pollutant source Control and Treatment measures are included in new and redevelopment projects to minimize and properly treat stormwater runoff.

Provision C.3 (New Development and Redevelopment) of the Municipal Regional Permit requires all new and redevelopment projects that create or replace 10,000 square feet or more of impervious surface and Special Land Use Categories that create or replace 5,000 square feet or more of impervious surface to 1) incorporate site design and source control measures and numerically-sized Low Impact Development (LID) stormwater treatment measures, and 2) ensure that stormwater treatment measures are properly installed, operated, and maintained. The Municipal Regional Permit also requires development projects to incorporate measures to control hydromodification impacts where such hydromodification is likely to cause increased erosion, silt pollutant generation, or other adverse impacts to local rivers and creeks. Development projects that create and/or replace one acre or more of impervious surface and are located in a subwatershed or catchment area that is less than 65% impervious must manage increases in runoff flow and volume so that post-project runoff shall not exceed estimated pre-project increases and durations.

The City of San Jose has developed policies that implement Provision C.3, consistent with the Municipal Regional Permit. The City's Post-Construction Urban Runoff Management Policy (6-29) establishes specific requirements to minimize and treat stormwater runoff from new and redevelopment projects. The City's Post-Construction Hydromodification Management Policy (8-14) establishes an implementation framework for incorporating measures to control hydromodification impacts from development projects. The proposed project is not subject to Policy 6-29 or 8-14 because it is not a Regulated Project under Provision C.3 of the Municipal Regional Permit.

Impacts

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
8. HYDROLOGY AND WATER QUALITY. Would the project:					
a) Violate any water quality standards or waste discharge requirements?				X	1, 2
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 ground water table level (for example, the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X	1, 2
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site.			X		1, 2
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?				X	1, 2
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?			X		1, 2
f) Otherwise substantially degrade water quality?				X	1, 2
g) Place housing within a 100-year flood-hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X	1, 2
h) Place within a 100-year flood-hazard area structures, which would impede or redirect flood flows?				X	1, 2
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X	1, 2
j) Inundation by seiche, tsunamis, or mudflow?				X	1, 2

Explanation

- a) **No Impact.** The proposed improvements will comply with the WPCP's Discharge Permit.
- b) **No Impact.** The proposed improvements will not deplete or otherwise affect groundwater supplies or recharge.
- c) **Less-than-Significant Impact.** The rehabilitation of the pump station and installation of an underground pipeline will not modify the existing drainage pattern on the sites. Trenching for the proposed pipeline and other areas of grading have the potential to result in a temporary increase in erosion affecting the quality of storm water runoff during construction activities (refer also to **F. Geology** above). Trenching and other grading activities will disturb approximately 1.2 acres

of land. Thus, it appears to be subject to the Construction General Permit and will conform to the requirements of the permit. Prior to the commencement of any clearing, grading, or excavation, the project will comply with the SWRCB's NPDES Construction General Permit to the satisfaction of the Director of Public Works, as follows:

1. The applicant shall 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
2. The applicant shall file a Notice of Intent (NOI) with the SWRCB.

After construction, the project area will be restored to its original condition. The project includes Best Management Practices to avoid impacts from erosion and sedimentation on adjacent wetlands. In addition, the project will implement the standard measures below to further reduce impacts to water quality.

As a part of the development permit approval, the project will conform to the following standards:

- The project shall incorporate Best Management Practices (BMPs) into the project to control the discharge of storm water pollutants including sediments associated with construction activities. The project proposes to install silt fencing along both sides of the west berm of the outfall channel. Examples of other BMPs are contained in the publication Blueprint for a Clean Bay (see partial list below).
 - The project shall 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:
 1. Restriction of grading to the dry season (April 15 through October 15) or meet City requirements for grading during the rainy season.
 2. Utilize on-site sediment control BMPs to retain sediment on the project site;
 3. Utilize stabilized construction entrances and/or wash racks;
 4. Implement damp street sweeping;
 5. Provide temporary cover of disturbed surfaces to help control erosion during construction;
 6. Provide permanent cover to stabilize the disturbed surfaces after construction has been completed.
- d) **Less-than-Significant Impact.** The Spreckles Pump Station site is covered by mostly gravel with some pavement. Additional paving would be installed around the pump station for access. All site paving would direct drainage into the City's existing drainage system. The existing impervious surface at the pump station will increase from about 3,468 to 8,017 square feet with the project. This represents an increase of only five percent and will not result in substantially greater runoff flows. The construction of the force main will not increase the amount of impervious surfaces along its alignment upon restoration of the surface. In addition, the project would not result in an increase in flood potential, since it would not substantially increase peak runoff flows.

- e) **Less-than-Significant Impact.** The project will not create or contribute runoff that will exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.
- f) **No Impact.** The project will not substantially degrade water quality, as described in c) above.
- g) **No Impact.** The project does not propose the development of any housing.
- h) **No Impact.** The project consists of an underground pipeline and pump station rehabilitation, and will not place significant new structures in the flood zone that will impede or redirect flood flows.
- i) **No Impact.** The project will not expose people or structures to a significant risk of loss, injury or death involving flooding as a result of the failure of a levee or dam.
- j) **No Impact.** The project site is not located in an area subject to significant seiche, tsunami, or mudflow risk.

J. LAND USE

Setting

The project is located near and within the WPCP in the Alviso community of the City of San Jose. The proposed force main alignment extends from the Spreckles Pump Station on Spreckles Avenue, just north of State Street, to the WPCP. The Line A pipeline would be constructed within the right-of-way of Spreckles Avenue, Grand Boulevard, and Los Esteros Road, then southeast onto the WPCP property (Line A). The project also includes a future pipeline (Line B) that would extend from the termination of the Line A pipeline in Los Esteros Road southeast onto the WPCP property for approximately 1,500 - 2,000 linear feet.

The Spreckles Pump Station is already developed with a pump station and appurtenant structures. This site is surrounded by vacant parcels and commercial businesses. Single family residential uses line the west side of Spreckles Avenue between State Street and Grand Boulevard. The pipeline alignment (Line A) crosses Alviso Slough and the UPRR tracks along Los Esteros Road. The project area consists primarily of vacant property and marshlands. Within the WPCP, the two Line B alignments extend primarily through grassland and developed WPCP property. The Zanker Road Materials Processing Facility (formerly the Owens Corning Landfill) and the former Nine Par Landfill are located to the north across Los Esteros Road from the WPCP.

Impacts

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
9. LAND USE AND PLANNING. Would the project:					
a) Physically divide an established community?				X	1, 2

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X	1, 3
c) Conflict with any applicable Habitat Conservation Plan or Natural Community Conservation Plan?				X	1

Explanation

- a) **No Impact.** Rehabilitation of the existing pump station facility and installation of underground pipelines will not physically divide an established community.
- b) **No Impact.** The project is consistent with the City’s General Plan policies to provide and improve wastewater services in the City. The project will not conflict with any applicable land use plan, policy, or regulation.
- c) **No Impact.** The project is located outside the boundaries of the Santa Clara Valley Habitat Conservation Plan/Natural Community Conservation Plan. Therefore, the project will not conflict with this Plan. Refer to **D. Biological Resources** of this Initial Study for further discussion.

K. MINERAL RESOURCES

Setting

Under the Surface Mining and Reclamation Act of 1975 (SMARA), the State Mining and Geology Board has designated only the Communications Hill Area of San Jose as containing mineral deposits of regional significance for aggregate (Sector EE). There are no mineral resources in the project area. Neither the State Geologist nor the State Mining and Geology Board has classified any other areas in San Jose as containing mineral deposits that are of statewide significance or for which the significance requires further evaluation. Other than the Communications Hill area cited above, San Jose does not have mineral deposits subject to SMARA. The project site is outside of the Communications Hill area.

Impacts

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
10. 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	1

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X	1

Explanation

a-b) **No Impact.** The project site is located outside the Communications Hill area, the only area in San Jose containing mineral deposits subject to SMARA; therefore, the project will not result in a significant impact from the loss of availability of a known mineral resource.

L. NOISE AND VIBRATION

Setting

The City’s General Plan Noise Element sets forth specific goals and policies for land use planning to avoid impacts to sensitive noise receptors, such as residences, schools, hospitals, etc. Sensitive receptors in the project area consist of existing residences located along Spreckles Avenue between State Street and Grand Boulevard, which are adjacent to a portion of the proposed force main alignment.

The Noise Element identifies noise standards for various land uses. Noise is measured in decibels (dB) and typically characterized using the A-weighted sound level or dBA. This scale gives greater weight to those frequencies to which the human ear is most sensitive. The City’s noise guidelines are expressed in “day/night noise level” (DNL). The DNL represents the average noise level during a 24-hour period, with a penalty of 10 dBA added to sound occurring between the hours of 10 PM and 7 AM. The General Plan states that the City’s acceptable exterior noise level for residential uses is 55 DNL long term and 60 DNL short term. The acceptable interior noise level for residential uses is 45 DNL.

Impacts

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
11. 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		1, 2
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?				X	1, 2
c) Substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X		1, 2
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X		1, 2
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				X	1, 2

airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?					
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X	1, 2

Explanation

a) **Less-than-Significant Impact.** The Spreckles Pump Station is located approximately 450 feet from the nearest sensitive receptors, the existing residences along State Street. The project includes a new trailer-mounted diesel engine pump for emergency backup. Operation of this pump/generator would result in intermittent noise emissions during limited emergency events and periodic testing. The pump will be housed in a noise controlled enclosure to minimize noise from the pump/generator. Noise levels will not exceed 55 dB DNL at any sensitive receptor/residential property lines. Given the distance to the closest receptors, construction and operation of the pump station is anticipated to have a less-than-significant noise impact. In addition, the proposed force main will be placed underground and will not increase operational noise.

Noise from the construction of the project could impact residential properties in the Spreckles Avenue neighborhood. Noise impacts from construction activities depend on the following factors: 1) noise generated by various pieces of construction equipment; 2) timing and duration of noise generating activities; 3) the distance between construction noise sources and noise sensitive receptors; and 4) existing ambient noise levels.

Typical hourly average construction noise levels would be about 75 to 80 dBA measured at a distance of 100 feet from the site during busy construction periods. Concrete crushing equipment would generate noise levels of approximately 80 to 85 dBA at 50 feet. Such noise levels would be intermittently audible to residences within 1,000 feet of the construction site, especially in the Spreckles Avenue neighborhood. The project will conform to the following standard noise abatement requirements to minimize the effects of construction noise:

- Construction will be limited to the hours of 8:30 a.m. to 4:30 p.m. Monday through Friday for any on-site or off-site work within 500 feet of any residential unit. Construction outside of these hours may be approved through a development permit based on a site-specific construction noise mitigation plan and a finding by the Director of Planning, Building and Code Enforcement that the construction noise mitigation plan is adequate to prevent noise disturbance of affected residential uses.
- The contractor 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 shall be equipped with adequate mufflers and shall be in good mechanical condition to minimize noise created by faulty or poor maintained engines or other components.
- Stationary noise generating equipment will be located as far as possible from sensitive receptors. Staging areas shall be located a minimum of 200 feet from noise sensitive receptors, such as residential uses.
- 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.

- b) **Less-than-Significant Impact.** The project will not utilize any mechanical equipment that generates ground borne vibration or ground borne noise levels. However, there may be some short-term vibration that occurs during construction activities, which may temporarily affect sensitive receptors in the Spreckles Avenue neighborhood.
- c) **Less-than-Significant Impact.** See discussion for a) and b) above. Temporary noise would occur during construction of the project. The project will not result in a substantial permanent increase in ambient noise levels.
- d) **Less-than-Significant Impact.** Construction of the project will result in short-term noise increases in the project vicinity. See discussion for a) and b) above.
- e) **No Impact.** The project is not located within an airport land use plan or near any public airports.
- f) **No Impact.** The project is not located near any private airstrips.

M. POPULATION AND HOUSING

Setting

The project consists of the rehabilitation of a wastewater pump house and installation of a force main to assure reliable service to the Alviso area. The project does not propose development of housing nor does it include an expansion in use or services at the WPCP that would affect population or housing characteristics.

Impacts

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
12. 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	1
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X	1
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X	1

Explanation

- a) **No Impact.** The project consists of installing pipelines, rehabilitating existing facilities, and providing system improvements to assure ongoing wastewater treatment service to Alviso. The project is proposed to provide a reliable and redundant sanitary sewer service for the existing Alviso service area and does not include an expansion in use or services that will directly or indirectly facilitate growth.

b)–c) **No Impact.** The project will not displace any housing or people.

N. PUBLIC SERVICES

Setting

Police protection services are provided to the project site by the San Jose Police Department (SJPD). Fire protection services are provided to the project site by the San Jose Fire Department (SJFD).

Impacts

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
13. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or 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:					
a) Fire protection?				X	1, 2
b) Police protection?				X	1, 2
c) Schools?				X	1
d) Parks?				X	1
e) Other public facilities?				X	1, 2

Explanation

a)–e) **No Impact.** The project consists of installing pipelines, rehabilitating existing facilities, and providing system improvements to assure ongoing wastewater treatment service to Alviso. The increase in maintenance requirements for the improvements will be minimal and conducted as part of the standard operations at the WPCP. The project will not impact fire, police, school, park, or other public services.

O. RECREATION

Setting

The project will not affect any existing recreational facilities.

Impacts

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
14. RECREATION. Would the project:					
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X	1
b) Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?				X	1

Explanation

a)–b) **No Impact.** The proposed project will not increase demands on or otherwise impact recreational facilities.

P. TRANSPORTATION

Setting

The Spreckles Pump Station is located on Spreckles Avenue, just north of State Street. The proposed force main would be constructed within the right-of-way of Spreckles Avenue, Grand Boulevard, and Los Esteros Road to the WPCP. From Los Esteros Road, the pipeline will run southeast onto the WPCP property. In the project area, all roadways where pipelines are proposed for installation are two-lane, two-directional facilities.

Impacts

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
15. TRANSPORTATION/TRAFFIC. Would the project:					
a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (for example, result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?				X	1
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?				X	1
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?				X	1

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
d) Substantially increase hazards due to a design feature (for example, sharp curves or dangerous intersections) or incompatible uses (for example, farm equipment)?			X		1
e) Result in inadequate emergency access?				X	1
f) Result in inadequate parking capacity?				X	1
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (for example, bus turnouts, bicycle racks)?				X	1

Explanation

- a) **No Impact.** Rehabilitation of the Spreckles pump station and installation of pipelines will not generate a substantial amount of vehicle trips and would not result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections that would impact traffic conditions or facilities. See also d) below.
- b) **No Impact.** See a) above.
- c) **No Impact.** The wastewater improvements will not result in any change to air traffic patterns.
- d) **Less-than-Significant Impact.** The proposed force main will be installed within the right-of-way of Spreckles Avenue, Grand Boulevard, and Los Esteros Road. Trenchless construction methods will be utilized to cross Alviso Slough and the UPRR tracks. The proposed force main will not increase traffic hazards due to any design features or incompatible uses. However, construction activities during installation could result in short-term traffic disruptions that will be minimized as described below.

Spreckles Avenue has two lanes with parking lanes on either side. Traffic in this area is primarily local residential and commercial/light industrial traffic. Traffic disruptions will be minimized by maintaining at least one lane of flagger-controlled traffic at all times. A temporary detour via Grand Boulevard to Pacific Avenue would be required during installation of the force main between Grand Boulevard and State Street.

Los Esteros Road has no sidewalk, but does have shoulders on each side of the road. Traffic on Los Esteros Road includes a significant amount of truck traffic traveling to/from the landfill and recycling center. A traffic detour is not available for this stretch of road; however, one lane of traffic would be kept open at all times using flagger control. The open lane would be 12-feet wide, which is large enough to accommodate large trucks that travel through the area.

Trenchless construction would require launching and receiving pits. The launching (or jacking) pits would be approximately 12 feet long by eight feet wide; receiving pits would be about six feet long by six feet wide. The locations of the pits are generally shown on the project plans, on-file with the City of San Jose. At the launching pits, excavation would be required to reach the tunnel depth. Staging areas will be required for each tunneling location. These pits would be in place for approximately one month. Final details for the pits, including precise locations, would be determined by the project contractor. The pits would be protected by K-rails on all sides

exposed to traffic. Fencing would be provided to maintain safe work conditions and prevent access to the excavations during non-work hours. Because the launch pits would be in place during non-work hours when they are unattended, two lanes of traffic would be established and maintained around the work sites when feasible. For locations where two-lane traffic would not be possible (e.g., the railroad crossing), one traffic lane would be kept open at all times, with flaggers onsite to control traffic. Receiving pits can typically be plated over during tunneling and, therefore, would not pose a significant traffic impact.

- e) **No Impact.** The proposed improvements will not affect emergency access.
- f) **No Impact.** The proposed improvements will not generate parking demand.
- g) **No Impact.** The proposed improvements will not conflict with any alternative transportation plans.

Q. UTILITIES AND SERVICE SYSTEMS

Setting

The project is proposed to provide reliable and redundant sanitary sewer service for the Alviso community of San Jose and does not include an expansion in use or services that will impact utilities or service systems.

Impacts

Thresholds per CEQA Checklist

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
16. UTILITIES AND SERVICE SYSTEMS. Would the project:					
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X	1, 2
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction or which could cause significant environmental effects?			X		1, 2
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X	1, 2
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X	1
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X		1
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X	1

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X	1

Explanation

- a) **No Impact.** The project will comply with the WPCP’s Discharge Permit as applicable.
- b) **Less-than-Significant Impact.** The project consists of the rehabilitation of a wastewater pump station and installation of a force main to assure reliable service to the Alviso area. The project does not propose development of housing nor does it include an expansion in use or services at the WPCP. Construction of the proposed improvements has the potential to temporarily impact the environment, specifically for biological resources, as addressed in this Initial Study. Mitigation is provided herein to reduce all temporary construction impacts to less-than-significant levels.
- c) **No Impact.** The project will not result in the construction of new storm water drainage facilities or expansion of existing facilities. BMPs are proposed during construction to avoid temporary impacts to water quality.
- d) **No Impact.** Construction of the project may require some water for dust suppression during construction activities. This is not considered a substantial impact.
- e) **Less-than-Significant Impact.** See a) and c) above.
- f)-g) **No Impact.** The project will not generate substantial solid waste that would adversely affect any landfills.

R. MANDATORY FINDINGS OF SIGNIFICANCE

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
17. MANDATORY FINDINGS OF SIGNIFICANCE. Does the project:					
a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X			1, 2
b) 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 the past projects, the effects of other current projects, and the effects of probable future projects.			X		1, 2

ENVIRONMENTAL IMPACTS	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact	Checklist Source(s)
c) Have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?			X		1

Explanation

- a) **Less-than-Significant Impact with Mitigation.** Based on the analysis provided in this Initial Study, the proposed improvements will not substantially degrade or reduce wildlife species or habitat, impact historic or other cultural resources, or result in hazardous materials impact with the mitigation measures incorporated herein.
- b)-c) **Less-than-Significant Impact.** Based on the analysis provided in this Initial Study, the proposed improvements will not have significant cumulative impacts, nor will it cause substantial adverse effects on humans.

Chapter 4. References

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2. Project Plan and Site Review
3. Important Farmlands Map
4. BAAQMD CEQA Guidelines, 2010
5. Biological Investigation, 2012
6. Cultural Resources Study, 2011
7. Phase I Assessment, 2011
8. San Jose 2020 General Plan