APPENDIX B

INITIAL STUDY

BASEBALL STADIUM IN THE DIRIDON/ARENA AREA PROJECT INITIAL STUDY

LSA

November 2005

BASEBALL STADIUM IN THE DIRIDON/ARENA AREA PROJECT INITIAL STUDY

Submitted to:

City of San Jose
Redevelopment Agency
200 East Santa Clara Street, 14th Floor
San Jose, CA 95113

Prepared by:

LSA Associates, Inc.
2215 Fifth Street
Berkeley, CA 94710
510.540.7331

LSA

November 2005

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INITIAL STUDY

1. Project Title:

Baseball Stadium in the Diridon/Arena Area Project

2. Lead Agency Name and Address:

City of San José
Redevelopment Agency Department of Planning, Building and Code Enforcement
200 East Santa Clara Street, 3rd Floor
San José, California 95113

3. Lead Agency Contact Person and Phone Number:

Akoni Danielsen, Principal Planner
City of San José
Department of Planning, Building and Code Enforcement
(408) 535-7823

4. Project Location:

The project site is located within the City of San José, in Santa Clara County. Figure 1 shows the project's regional location.

The project site extends from West San Fernando Street south to approximately 300 feet south of Park Avenue. The site extends from Los Gatos Creek west to the rail road tracks. Figure 2 shows the location of project parcels in a local context.

Site Addresses: 510, 530, and 630 W. San Fernando Street; 115, 150, 150A, and 170 S. Autumn Street; 595 and 645 Park Avenue; and 102, 105, 114, 140, 145, 150, 245, and 255 S. Montgomery Street

APNs: 259-48-011, -012, -013, -052, -053, -057, -060, -071, and -073; 261-35-002, -003, -006, -007, -010, -014, and -027; and 261-37-025

5. Project Sponsor's Name and Address:

Dennis Korabiak, Redevelopment Program Manager
City of San José
Redevelopment Agency
200 East Santa Clara Street, 14th Floor
San José, California 95113

(408) 535-8500

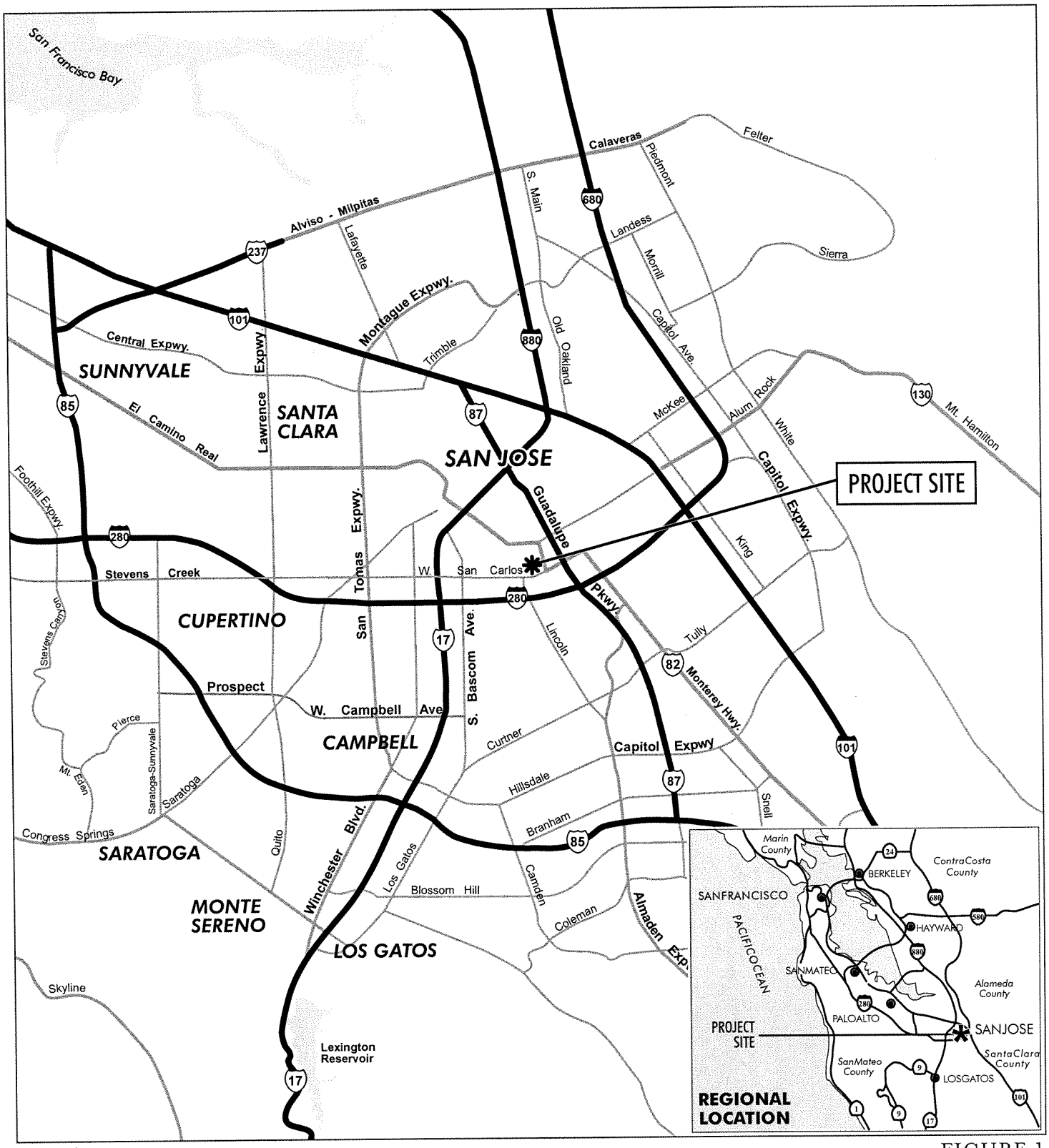

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FIGURE 1

Baseball Stadium in the Diridon/Arena Area

Regional Location Map

N

0 3
MILES

SOURCE: LSA ASSOCIATES, INC., 2002.

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LSA

FIGURE 2

PROJECT SITE

0 800 1600
FEET

Baseball Stadium in the Diridon/Arena Area
Project Site Location

SOURCE: CALIFORNIA STATE AUTOMOBILE ASSN., 2005; LSA ASSOCIATES, INC., 2005

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6. General Plan Designation:

Properties in the project site are designated as *Transit Oriented Mixed Use*, *General Commercial*, *Public/Quasi-Public* and *Public Park Open Space* in the San José General Plan.

7. Zoning:

Properties in the project site are zoned Light Industrial (LI) and Commercial General (CG).

8. Description of Project:

The following provides a description of the project site's existing conditions and setting, objectives of the proposed project, and a brief description of the proposed project.

Existing Conditions and Setting

The project site consists of approximately 17 acres, and is located in the City of San José, along the western edge of the Greater Downtown Area.

The project site is comprised of varying land uses including commercial, light industrial, and office uses. Existing businesses located throughout the developed project site include: Stephens Meat Products (now vacant), Patty's Inn sports bar, Amtrak offices, Arc Gas Products, SBC installation and repair facilities, Pacific Blue Trading (a garden store), a PG&E substation, the former KNTV television studios, a securities business, an office building, the San Jose Fire Department Training Center, and associated surface parking lots. Buildings in the project site generally range from one- to three-stories. The Fire Training Center also includes a seven-story live fire training tower. Trees and landscaping associated with individual land uses are scattered throughout the site.

Proposed Project

The City of San José Redevelopment Agency is considering the development of a major league baseball stadium, a parking structure and a future development site. Figure 3 shows a preliminary schematic drawing for the project, referred to as a site location study. The Redevelopment Agency is in the process of hiring an architect to further develop the project; this Initial Study is based on preliminary, conceptual information from the Redevelopment Agency.

The project would reconfigure the 17 existing parcels into three new parcels in order to develop an approximately 1.5 million square-foot baseball stadium. Maximum capacity of the stadium would be 45,000 patrons. The stadium, including all scoreboards and lighting structures, would have a maximum height of 200 feet.

As part of the proposed project, a 420,000 square foot, five-story parking structure is proposed south of the stadium, south of Park Avenue. A pedestrian bridge crossing Park Avenue would connect the

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FIGURE 3

N

0 150 300
FEET

Baseball Stadium in the Diridon/Arena Area
Site Location Study

SOURCE: CITY OF SAN JOSE, REDEVELOPMENT AGENCY, 11/14/2005

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stadium and parking structure. Access to the parking structure would be provided from Park Avenue and South Autumn Street. The parking structure would provide approximately 1,200 parking spaces.

An approximately 37,500 square foot future development site, located adjacent to the parking structure, at the southwest corner of Park Avenue and South Autumn Street, is included as part of the proposed project and may include commercial uses associated with the baseball stadium. Development on this site would not exceed 200 feet in height.

The stadium would be located along the western edge of the Greater Downtown Area of the City and, as such, would be accessible via public transportation. Existing transit service within the greater downtown area is provided by the Valley Transportation Authority (VTA), which provides bus, shuttle, and light rail services within Santa Clara County. The San José Diridon Station is located one block north of the project site and is served by Caltrain, the Altamont Commuter Express/Capital Corridor (ACE), Amtrak, and by future BART and high-speed rail service. Two light rail stations are also located within the immediate vicinity of the project site.

The proposed project would include demolition of existing structures on the site, abandonment of South Montgomery Street between West San Fernando Street and Park Avenue, and the realignment of South Autumn Street to the east.

In order for a baseball stadium to be developed, an EIR would first have to be completed and found complete by the City Council. If the Council decided it wished to proceed with further work on a stadium development, a ballot measure approving a stadium concept would have to be placed on the ballot for approval by the San Jose electorate. If the ballot measure was approved, only then could development of the stadium including negotiations with a major league team, design, and construction of the facility proceed.

9. Surrounding Land Uses and Setting:

Land uses surrounding the project site include the following:

- **North.** The project site is bounded to the north by commercial, light industrial and transportation related uses including light rail lines and the San José Diridon Station. The HP Pavilion and associated parking areas are located further to the north. Beyond the HP Pavilion are industrial and commercial uses.
- **South.** Land uses to the south of the project site consist largely of industrial and commercial uses. Los Gatos Creek also runs through this area (south of the project site, south of Park Avenue and west of Bird Avenue). Across Interstate 280 (I-280), further south of the site, land uses give way to medium density residential uses.
- **East.** Los Gatos Creek is located east of and adjacent to the project site. Further to the east, across the creek, land uses consist predominantly of low- to medium-density residential uses, mixed with some general commercial uses. State Route 87 (SR 87) is located farther east of the project site and separates the Diridon area from the existing downtown business area.
- **West.** The project site is bordered by facilities connected to the San José Diridon Station and the associated Caltrain/ACE/Amtrak rail lines. The Cahill Park townhomes are currently being con-

structed further to the west of the rail line where other medium density residential uses and some commercial uses are located.

10. Agencies whose approval is required:

- City of San José
- Valley Transportation Agency
- Bay Area Regional Water Quality Control Board
- Santa Clara Valley Water District
- Santa Clara County Airport Land Use Commission
- California Public Utilities Commission
- Bay Area Air Quality Management District
- California Department of Transportation
- Federal Aviation Administration

Environmental Factors Potentially Affected:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- ■ Aesthetics
- ■ Biological Resources
- ■ Hazards & Hazardous Materials
- ❒ Mineral Resources
- ■ Public Services
- ■ Utilities/Service Systems
- ❒ Agricultural Resources
- ■ Cultural Resources
- ■ Hydrology/Water Quality
- ■ Noise
- ■ Recreation
- ■ Mandatory Findings of Significance
- ■ Air Quality
- ■ Geology/Soils
- ■ Land Use/Planning
- ■ Population/Housing
- ■ Transportation/Traffic

Determination. (To be completed by the Lead Agency.)

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	Date
Printed Name	For

ENVIRONMENTAL CHECKLIST

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
I. AESTHETICS. Would the project:				
a) Have a substantial adverse effect on a scenic vista?	■	❒	❒	❒
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?	■	❒	❒	❒
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	■	❒	❒	❒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	■	❒	❒	❒

a) Have a substantial adverse effect on a scenic vista?

The City of San Jose has a number of scenic resources including designated scenic corridors as shown in the Scenic Routes and Trails Diagram of the General Plan. The EIR will evaluate visual and aesthetic issues, including project visibility from key public viewpoints, scenic vistas, and highways. Potentially significant impacts will be identified and mitigation measures will be recommended as appropriate.

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway?

Refer to Section I.a. The EIR will evaluate this potential issue.

c) Substantially degrade the existing visual character or quality of the site and its surroundings?

The City of San José has a number of scenic resources including designated scenic corridors as shown in the Scenic Routes and Trails Diagram of the General Plan. The EIR will evaluate visual and aesthetic issues, including project visibility from key public view points. The proposed project would change the existing visual character of the site from a mix of uses, architectural styles, and one- to three-story buildings, to a baseball facility. The EIR will evaluate the project's compatibility with the existing scale and architectural character of the surrounding vicinity, potential view blockage, and consistency with public plans and policies regarding visual/urban design quality. Potential conflicts with views of and from key public viewpoints such as the historic San Jose Diridon Station and San Jose Water Company building will also be evaluated. Potentially significant impacts will be identified and mitigation measures will be recommended as appropriate.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Operation of the baseball stadium for nighttime ball games and other activities would introduce field and scoreboard lighting in the area, which could disrupt surrounding land uses, habitat in/around Los Gatos Creek, aircraft operations at the Norman Y. Mineta San Jose International Airport, and Lick Observatory. The EIR will qualitatively analyze the potential adverse effects of three forms of unwanted light: *spill light* (light which is emitted from the facility which falls outside its boundaries); *obtrusive light* (spill light which is considered annoying, discomforting or distracting to nearby land uses, including airport flights); and *glare* (light that is discomforting or impairs the vision of those who experience it). The EIR will analyze potential unwanted light impacts on Los Gatos Creek, Norman Y. Mineta San Jose International Airport and the Lick Observatory. Mitigation measures will be recommended in the EIR, as appropriate.

In addition, the EIR will evaluate the project's potential to cast new shade and shadow onto adjacent or nearby land uses or natural resources. Shadow analysis of the proposed project will be undertaken based on computer modeling of the structure's massing. Shadows for three times of day will be shown at four times of the year. Potentially significant shade and shadow impacts on open spaces will be identified, including those on the vegetative and aquatic habitats associated with Los Gatos Creek. Mitigation measures will be recommended in the EIR, as appropriate.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
II. AGRICULTURAL 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 Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to a non-agricultural use?	☐	☐	☐	■
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	■
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?	☐	☐	☐	■

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 a non-agricultural use?

The project site is located within a highly developed urban area. The project site is classified as "Urban Built-up Land" by the State Department of Conservation and is designated as Mixed Use, General Commercial, Public/Quasi-Public and Public Park Open Space in the General Plan. There are no agricultural uses on the site; therefore, implementation of the proposed project would not convert agricultural land to non-agricultural uses.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

The project site is not zoned for agricultural uses and is not subject to a Williamson Act contract.

c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?

Implementation of the proposed project would not result in the extension of infrastructure into an undeveloped area or other physical changes that would result in the conversion of farmland to non-agricultural uses.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
III. 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?	■	☐	☐	☐
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	■	☐	☐	☐
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)?	■	☐	☐	☐
d) Expose sensitive receptors to substantial pollutant concentrations?	■	☐	☐	☐

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Create objectionable odors affecting a substantial number of people?	■	❐	❐	❐

a) Conflict with or obstruct implementation of the applicable air quality plan?

The EIR will evaluate air quality issues specific to San José and Bay Area Air Quality Management District (BAAQMD) air quality planning programs and requirements. An analysis of the proposed project's consistency with the current Clean Air Plan (CAP) requirements and any other applicable policies will also be included. The EIR will identify potential impacts resulting from vehicle emissions from stadium traffic and operations and recommend mitigation measures as appropriate.

b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

The proposed project may result in air quality impacts due to vehicle trips generated by the project. The EIR will analyze potential air quality impacts resulting from operation of the project, including associated vehicular trips, and will evaluate pollutant emissions and potential carbon monoxide hot spots. Mitigation measures will be recommended as appropriate.

Based on BAAQMD Guidelines, construction emissions (including those from demolition) will not be quantified, however, they will be discussed qualitatively in the EIR. Standard dust suppression measures will be identified and mitigation measures will be recommended as appropriate.

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)?

The volume of trips generated by the project, together with trips from other proposed and foreseeable projects in the area, could contribute to a significant cumulative air quality impact for criteria pollutants and, therefore, may conflict with or obstruct implementation of the applicable air quality plan. The EIR will evaluate the project's cumulative air quality impacts and recommend mitigation measures as appropriate.

d) Expose sensitive receptors to substantial pollutant concentrations?

Demolition, site preparation, and construction of the proposed project could expose sensitive receptors to substantial pollutant concentrations. The EIR will address the project's local and regional impacts on sensitive land uses. Mitigation measures will be recommended as appropriate.

e) Create objectionable odors affecting a substantial number of people?

Operation of the proposed project could create objectionable odors due to potential restaurant and food court uses during project operation. The EIR will address the project's potential odor impacts of these uses and recommend mitigation measures as appropriate.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. 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?	■	❒	❒	❒
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?	■	❒	❒	❒
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?	■	❒	❒	❒
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?	■	❒	❒	❒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	■	❒	❒	❒
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?	■	❒	❒	❒

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, poli-

cies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

The project site itself is generally highly disturbed, and is developed with commercial and light-industrial land uses. Although the site itself appears to have little biological value, Los Gatos Creek is located adjacent to the project site to the east and to the south. Proposed realignment of South Autumn Street would bring the existing street within approximately 50 feet of this urban creek. The proposed parking structure's access driveway would be located within 50 feet of the creek where it day-lights south of Park Avenue. The EIR will identify threatened or endangered plants and animals and other special-status species that may occur on the site or in the project vicinity. Potential impacts may involve nesting raptors, bats, or steelhead. Mitigation measures will be recommended as appropriate.

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?

The Los Gatos Creek is one of the few urban streams in Santa Clara Valley which remains relatively intact. It is both a riparian corridor for plants and wildlife and is part of the system of water resources within Santa Clara County. The EIR will evaluate the potential effects of the project on increased sun, shade, and light and glare on creek habitats and associated species. Impacts will be identified and mitigation measures will be recommended as appropriate.

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?

There are no federally protected wetlands within or adjacent to the project site. However, the EIR will evaluate any potential impacts to Los Gatos Creek through direct removal, filling, hydrological interruption, or other means. Mitigation measures will be recommended as appropriate.

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?

Project demolition, construction, and operation could interfere with native resident, migratory fish, and wildlife movement opportunities, or impede the use of native wildlife nursery sites, specifically within Los Gatos Creek. The EIR will include the results of biological field reconnaissance and will evaluate any potential impacts associated with movement opportunities and corridors and native wildlife nursery sites as applicable to CEQA. Mitigation measures will be recommended as appropriate.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The City of San José Tree Removal Controls Ordinance establishes regulations for the preservation of all trees having a trunk measuring 56 inches or more in circumference (18 inches in diameter) at the height of 24 inches above natural grade slope. The ordinance protects both native and non-native tree species on private property. However, the Ordinance is not applicable to City projects, but rather the

disposition of trees will be considered by the City Council as it considers the design of the project. Any existing trees or biological resources that may exist on the site would be removed as part of demolition activities. Removal of any trees or other biological resources will be evaluated in the EIR, with the ultimate project decision to be made by the City Council. Mitigation measures will be recommended as appropriate.

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?

The proposed project would not conflict with the provisions of any adopted Habitat Conservation Plan. The City and other partner jurisdictions are preparing a Santa Clara Valley Habitat Conservation Plan, anticipated for adoption in 2009. The proposed project will be treated as an interim project while the HCP is in preparation, with referral to the resource agencies to coordinate the review of potential impacts to special status species that are the subject of the HCP. The EIR will also evaluate any potential conflicts with the City of San Jose Los Gatos Creek Master Plan and Riparian Corridor Study, and identify potential impacts. Mitigation measures will be recommended as appropriate.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	■	❒	❒	❒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	■	❒	❒	❒
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	■	❒	❒	❒
d) Disturb any human remains, including those interred outside of formal cemeteries?	■	❒	❒	❒

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

The project site is highly disturbed and is developed with commercial and light-industrial land uses; however, historic, cultural, and paleontological archival and field studies will be conducted for the EIR in accordance with CEQA, the California Register of Historical Resources, and the cultural resources requirements of the City of San José. The adjacent Diridon Station is included in the National Register of Historic Places. The EIR will identify potential historic and cultural resources in the area and evaluate potential impacts to historic and cultural resources resulting from development of the proposed project. Mitigation measures will be recommended as appropriate.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

The subject site is mapped as an archaeologically-sensitive area on the City's GIS, and therefore, the EIR will evaluate this potential issue.

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The paleontological study will be conducted in accordance with CEQA and the Society for Vertebrate Paleontology Guidelines. The study will determine if fossil resources are likely to occur in or adjacent to the project area. The EIR will evaluate potential impacts to paleontological resources resulting from implementation of the proposed project and recommend mitigation measures as appropriate.

d) Disturb any human remains, including those interred outside of formal cemeteries?

The project site is an archeologically sensitive area, however it is highly disturbed and it is unlikely that any unknown past burial grounds are present at the site. The EIR will recommend standard mitigation measures that address potential impacts to human remains, should any be discovered during site preparation.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
VI. 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 known 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.	■	❒	❒	❒
ii) Strong seismic ground shaking?	■	❒	❒	❒
iii) Seismic-related ground failure, including liquefaction?	■	❒	❒	❒
iv) Landslides?	❒	❒	❒	■
b) Result in substantial soil erosion or the loss of topsoil?	■	❒	❒	❒

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	■	☐	☐	☐
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?	■	☐	☐	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☐	☐	☐	■

a) *Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: i) Rupture of a known 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; ii)Strong seismic ground shaking; iii)Seismic-related ground failure, including liquefaction; iv)Landslides?*

The Uniform Building Code designates San José and the entire South Bay in Seismic Activity Zone 4, the category reserved for the most seismically active areas. The project site is located near the seismically active Hayward and Calaveras fault systems. A significant seismic event on one of the several active faults within the region may result in direct and/or indirect impacts to the completed project. The EIR will use site-specific and regional geotechnical and geologic information to evaluate potential impacts of seismic groundshaking on the proposed project. Mitigation measures will be recommended as appropriate, to reduce impacts to acceptable levels.

The project site is not located in an area typically subject to landsliding, and the development of a baseball stadium in this relatively flat area would not expose people or structures to potential adverse effects due to landsliding.

b) *Result in substantial soil erosion or the loss of topsoil?*

Because the project site is already developed, it is unlikely that substantial erosion or loss of topsoil will occur from development of the proposed project. However, the EIR will evaluate geologic conditions and the geotechnical suitability of site soils for the proposed development using Natural Resource Conservation Service mapping and geotechnical investigations conducted at the project site. Mitigation measures will be recommended as appropriate, to reduce impacts to acceptable levels.

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?*

The proposed project would require grading and subsurface foundation excavation to prepare the site for construction and problematic soil conditions may be encountered. The EIR will evaluate geologic conditions and the geotechnical suitability of site soils for the proposed project using Natural Resource Conservation Service mapping and geotechnical investigations conducted at the project site. Mitigation measures will be recommended as appropriate, to reduce impacts to acceptable levels.

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?*

As described in Section VI.b and VI.c, above, the EIR will evaluate geologic conditions and the geotechnical suitability of site soils for the proposed project using Natural Resource Conservation Service mapping and geotechnical investigations conducted at the project site. The potential for the project to create substantial risks to life or property as a result of unstable soils will be discussed and mitigation measures will be recommended as appropriate, to reduce impacts to acceptable levels.

e) *Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?*

The proposed project would connect to the City's existing sewer system and, therefore, would have no impact on alternative wastewater systems.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
VII. 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?	■	❒	❒	❒
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?	■	❒	❒	❒
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	❒	❒	❒	■

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	■	☐	☐	☐
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?	■	☐	☐	☐
f) For a project located within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	☐	☐	☐	■
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	■	☐
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?	☐	☐	☐	■

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Development of the project site would require the use of hazardous materials present in fuels, lubricants, and building materials, although potential amounts are not anticipated to pose a significant risk to the public. However, the potential use of pyrotechnics or other such hazardous materials during events at the site could pose a significant hazard to the public during project operation. The EIR will evaluate any potential impacts regarding the routine use, transport, or disposal of hazardous materials and recommend mitigation measures as appropriate.

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?

Historical releases of hazardous materials at or near the project site could expose construction workers to hazardous materials during project development, and, if present, hazardous materials in soils and groundwater could potentially affect future workers and patrons of the project. Available environmental investigation reports for the site will be reviewed and field reconnaissance at the project site will be conducted to identify any evidence of hazardous materials releases at or adjacent to the site. The EIR will evaluate the potential impacts of the proposed project to human health and the environ-

ment in terms of the existing regulatory framework for hazardous materials, highlighting those regulations and programs that may apply to the proposed project. Mitigation measures will be recommended as appropriate, to reduce impacts to acceptable levels.

c) *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

There are no schools located within 0.25 miles of the project site. Additionally, potential handling of hazardous materials at the site are not anticipated to pose a significant risk to the public.

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?*

Several surrounding sites, including the San Jose Arena (HP Pavilion), are included on lists compiled pursuant to Government Code Section 65962.5. The EIR will evaluate this potential issues, as discussed in Section VII-b.

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?*

The proposed project site is located within the Airport Land Use Commission (ALUC) referral boundary for the Norman Y. Mineta San José International Airport. Project building heights will be required to comply with the standards and notification requirements of Federal Aviation Regulations, Part 77. The proposed project may be submitted to the ALUC for an official determination of consistency with height limitations and aviation easements as they relate to the project site. The EIR will discuss potential impacts related to the airport referral boundary in terms of public safety. Mitigation measures will be recommended as appropriate.

f) *For a project located within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?*

The project site is not located within the vicinity of a private airstrip. The proposed project would not result in a safety hazard related to a private airstrip for people residing or working in the project area.

g) *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

The proposed project involves the redevelopment of an existing commercial and light-industrial area to baseball stadium uses. Proposed baseball-related uses at the site would result in an increase in the number of persons frequenting the project site and area. The proposed project would also result in the abandonment of South Montgomery Street, south of West San Fernando Street and the realignment of South Autumn Street. The change in land use and new buildings will be required to conform to City standards to ensure that emergency services, response, and evacuation on and off the project site are consistent and coordinated with Citywide emergency response or evacuation plans. Therefore, the

proposed project is not anticipated to impair implementation of or physically interfere with the City's emergency response or evacuation plans.

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?

The proposed project site is located in an urban area of San José and there are no large tracts of open space uses within the vicinity of the project site. Therefore, the proposed project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. HYDROLOGY AND WATER QUALITY. Would the project:				
a) Violate any water quality standards or waste discharge requirements?	■	☐	☐	☐
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	■	☐	☐	☐
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?	■	☐	☐	☐
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 which would result in flooding on- or off-site?	■	☐	☐	☐
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	■	☐	☐	☐
f) Otherwise substantially degrade water quality?	■	☐	☐	☐

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	☐	☐	☐	■
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	■	☐	☐	☐
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding of as a result of the failure of a levee or dam?	☐	☐	■	☐
j) Inundation by seiche, tsunami, or mudflow?	☐	☐	☐	■

a) Violate any water quality standards or waste discharge requirements?

Grading and excavation of the project site would disturb current surface cover and expose soils to potential erosion and off-site sedimentation. In addition, the completed project, if not properly designed and constructed, would be expected to introduce new sources of water quality degradation, including urban pollutants and/or landscaping-related pollutants. These pollutants may be introduced to creeks and the storm sewer which eventually drain to the Bay. The project would be subject to recent revisions to the National Pollutant Discharge Elimination System (NPDES) stormwater permit, including Provision C.3, which specifies requirements to treat about 85 percent of runoff from new development and significant redevelopment projects.

The EIR will describe existing water quality conditions as well as the regional and site-specific hydrologic and storm drainage conditions for the vicinity of the project site. Existing flooding and storm water regulations will also be described. The EIR will evaluate the project's compliance with federal, State, and local plans, laws, and regulations, including the current NPDES stormwater management requirements. Significant impacts will be identified and mitigation measures will be recommended as appropriate.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

Implementation of the proposed project would result in changes in the amount and locations of impervious surfaces on the project site, which could change groundwater recharge characteristics. The EIR will evaluate potential impacts to the groundwater system and recommend mitigation measures as appropriate.

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?

No streams or rivers run through the project site, however Los Gatos Creek is located adjacent to the project site to the east and south, and drainage to the creek could be impacted by the proposed project. Development of the proposed project would result in changes in the amount and locations of impervious surfaces on the project site, which could change groundwater recharge characteristics. Existing drainage features may be inadequate to handle the increased volume, resulting in erosion or localized flooding. A qualitative analysis of the vicinity drainage systems will be conducted, the results of which will be evaluated in the EIR. Mitigation measures will be recommended as appropriate.

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 which would result in flooding on- or off-site?

Refer to Section VIII.c.

e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Refer to Sections VIII.a. and VIII.c. The EIR will evaluate this potential issue.

f) Otherwise substantially degrade water quality?

Refer to Section VIII.a. The EIR will evaluate this potential issue.

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?

The project does not propose to include any housing components, no housing would be placed within a 100-year flood hazard as a result of the proposed project.

h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

The project site boundary is located adjacent to the Los Gatos Creek 100-year flood zone as mapped by FEMA. Realignment of South Autumn Street and construction of the parking structure's access driveway will bring the project boundary closer to the flood area to the east and to the south. As such, the EIR will discuss potential impacts of the project on flood flows from Los Gatos Creek. Mitigation measures will be recommended as appropriate.

i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding of as a result of the failure of a levee or dam?

The proposed project site would be impacted if one or more of the several dams in the vicinity were to fail catastrophically. Catastrophic structural dam failure can be caused by an earthquake or overflow.

Dams in the area include Lexington, Leroy Anderson, and Cherry Flat Dam in Alum Rock Park. Each of these dams is under the jurisdiction of the California Department of Water Resources, Division of Safety of Dams (DWR). Existing dams under DWR's jurisdiction are periodically inspected to assure that they are adequately maintained and to direct the owner to correct any identified deficiencies. Regular inspections and required maintenance of the dams substantially reduce the potential for catastrophic failure. Therefore, since the possibility of catastrophic dam failure in the area is considered remote, this would be a less than significant impact.

j) Inundation by seiche, tsunami, or mudflow?

The proposed project is not located within a zone at risk for potential seiche, tsunami, or mudflow hazards.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?	■	❒	❒	❒
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?	■	❒	❒	❒
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	■	❒	❒	❒

a) Physically divide an established community?

The project site is located on the western edge of the Downtown Core Area in San José. A number of land uses exist within the project vicinity, as is typical for an urban downtown area. Development within the core area should respect the scale, character, and goals of the surrounding neighborhoods. The proposed project would occupy a large portion of land within the core area and would have a maximum height of 200 feet, including scoreboards and lighting structures. While construction and operation of the stadium would not divide an established community in the way that a freeway or rail corridor would, the proposed project's compatibility with surrounding land uses and General Plan and other applicable development plan policies will be discussed in the EIR. Mitigation measures will be recommended as appropriate.

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?

The EIR will evaluate potential conflicts with applicable land use plans, policies, and regulations. Recommendations to eliminate potential policy conflicts will be provided if warranted. However, pursuant to *CEQA Guidelines* Section 15126.2 (a), which only requires the identification of *physical* environmental impacts, policy conflicts in and of themselves are not considered environmental impacts.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

The proposed project site is located in an urbanized area that is not governed by a habitat conservation plan. The City and other partner jurisdictions are preparing a Santa Clara Valley Habitat Conservation Plan, anticipated for adoption in 2009. The proposed project will be treated as an interim project while the HCP is in preparation, with referral to the resource agencies to coordinate the review of potential impacts to special status species that are the subject of the HCP. However, the project's consistency with the Santa Clara County Los Gatos Creek Master Plan will be discussed in the EIR. Mitigation measures will be recommended as appropriate.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
X. 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?	☐	☐	☐	■
b) 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?	☐	☐	☐	■
c) Result in the inefficient use of energy resources?	■	☐	☐	☐

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?

As noted in the San José General Plan, mineral resources are known to exist in and near the Santa Clara Valley. These resources include cement, sand, gravel, crushed rock, clay and limestone. No known mineral resources or mineral extraction facilities are present at the project site. As a result, implementation of the proposed project would not result in the loss of availability of a known mineral resource.

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?

Refer to Section X.a.

c) Result in the inefficient use of energy resources?

Development of the proposed project would result in more intensive uses at the project site than those under existing conditions, and would contribute to increased energy demand. The EIR will qualitatively evaluate potential impacts associated with increased energy demand due to the project and recommend mitigation measures as appropriate.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XI. 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?	■	❒	❒	❒
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	■	❒	❒	❒
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	■	❒	❒	❒
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	■	❒	❒	❒
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	■	❒	❒	❒
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?	❒	❒	❒	■

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?

The proposed project may result in increased noise levels due to site demolition, project construction (including pile driving), traffic generated by the project, and project operation including crowd

cheers/applause and amplified speech and music. A technical noise analysis will be prepared for the proposed project that will identify the potential impacts to off-site sensitive land uses in the vicinity of the project. The conclusions of this analysis will be incorporated into the EIR which will evaluate short-term demolition and construction, project operation, and cumulative noise impacts. Mitigation measures will be recommended as appropriate.

b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?

The project site is adjacent to multiple rail lines which may expose stadium patrons to ground borne vibration. Proposed baseball stadium uses at the site would require regular truck travel to and from the project site for delivery purposes; however delivery trucks associated with this type of development would not lead to excessive ground borne vibration. The EIR will evaluate the exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels.

c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Refer to Section XI.a. The EIR will evaluate this potential issue.

d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Refer to Section XI.a. The EIR will evaluate this potential issue.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

The proposed project site is located within the ALUC referral boundary for the Norman Y. Mineta San José International Airport. The EIR will evaluate the project's consistency with the ALUC Land Use Plan for Areas Surrounding Santa Clara Valley Airports with regard to airport noise-related impacts. Potential noise impacts will be identified and mitigation measures will be recommended as appropriate.

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?

The proposed project is not located within the vicinity of a private air strip.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. 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)?	■	☐	☐	☐
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	☐	☐	■	☐
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	☐	☐	■	☐

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)?

The proposed project would not create new housing units, but would however contribute to increased job growth within the region. The EIR will discuss the potential socioeconomic impacts of project-generated jobs, to the extent that they will directly or indirectly result in physical changes to the environment. Mitigation measures will be recommended as appropriate.

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

The proposed project would involve the removal of one existing single-family home. This removal of one home would not require the construction of replacement housing elsewhere. However, the EIR will discuss the impacts related to the removal of this residence.

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

Refer to Section XII.b.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. PUBLIC SERVICES.				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?	■	☐	☐	☐
Police protection?	■	☐	☐	☐
Schools?	☐	☐	☐	■
Parks?	■	☐	☐	☐
Other public facilities?	☐	☐	☐	■

a) *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: Fire protection, police protection, schools, parks, other public facilities?*

The proposed project would be located on a developed site that is already served by public service systems. However, development that would occur under the proposed project may result in an increase in demand for fire and police protection services at a level comparable to current service needs of the San Jose Arena. The EIR will evaluate potential impacts associated with these services.

The proposed project does not include residential development; therefore, new demand for public school facilities anticipated. Existing and planned parks and trails located in the immediate vicinity of the project may be used at a greater intensity as a result of the project as stadium patrons are drawn to the area. The EIR will analyze the potential impacts of the projects on these facilities. See Section XIV, Recreation, for a discussion of area parks. An additional potentially significant impact the EIR will evaluate is the loss of parkland planned on the Fire Training site on the south side of Park Ave, where the parking garage and commercial development opportunity site are planned. The Fire Training Center site is shown in the Midtown Specific Plan as a future park site.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV. RECREATION.				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	■	❐	❐	❐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	■	❐	❐	❐

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

There are a number of public parks located within the vicinity of the proposed project site. Existing and planned parks and trails located in the immediate vicinity of the project may be used at a greater intensity as a result of the project. The EIR will analyze the potential impacts of the projects on these facilities.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

Development of the proposed stadium would include associated public plazas. The EIR will evaluate potential physical impacts of recreational facilities associated with the proposed project. Mitigation measures will be recommended as appropriate.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XV. 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 (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	■	❐	❐	❐
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency or designated roads or highways?	■	❐	❐	❐

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
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?	■	❒	❒	❒
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	■	❒	❒	❒
e) Result in inadequate emergency access?	■	❒	❒	❒
f) Result in inadequate parking capacity?	■	❒	❒	❒
g) Conflict with adopted polices, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	■	❒	❒	❒

a) *Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?*

The proposed project would generate increased vehicle and truck traffic in the area. Potential traffic impacts of the proposed project, as well as cumulative traffic impacts of this and other pending development in the area, will be analyzed in a detailed transportation technical background report. This report will evaluate project traffic including planned roadway improvements in the area for conformance with the City's Transportation Level of Service Policy. Traffic generated by the proposed project will be estimated using applicable vehicular trip generation rates and surveys of other baseball stadiums. Trip estimates will include reductions based on assumptions made as to the use of transit (LRT/bus/ CalTtrain) and pedestrian arrivals. Traffic associated with the existing uses on site will be estimated based on driveway counts, for the occupied buildings and standard trip generation factors for any vacant buildings. Trips due to these existing buildings will be subtracted. The results of the traffic analysis will be included in the EIR and potential impacts of project-related traffic will be identified. Mitigation measures will be recommended as appropriate.

b) *Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency or designated roads or highways?*

The traffic study will analyze individual and cumulative project impacts on the level of service for approximately 50 signalized intersections and 20 freeway segments along I-280, SR 87, I-880 and US 101 within the project vicinity. Based on the results of the traffic analysis the EIR will evaluate the project's potential impacts to established level of service standards at these intersections and freeway segments. Mitigation measures will be recommended as appropriate.

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?

The proposed project site is located within the ALUC referral boundary for the Norman Y. Mineta San José International Airport. Project building heights will be required to comply with the standards and notification requirements of Federal Aviation Regulations, Part 77. The proposed project may be submitted to the ALUC for an official determination of consistency with height limitations and avigation easements as they relate to the project site. The EIR will discuss potential impacts related to the airport referral boundary in terms of air traffic patterns. Mitigation measures will be recommended as appropriate.

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Based on conceptual site plans, it does not appear that the proposed project includes design features that would substantially increase transportation hazards, nor is it expected that the project would result in inadequate emergency access. However, the traffic study that will be prepared for the EIR will generally review design features and issues of on-site circulation. Mitigation measures will be recommended as appropriate.

e) Result in inadequate emergency access?

A major league baseball stadium with a capacity of up to 45,000 attendees would require that substantial design attention be paid to the issue of emergency access by local providers as well as evacuation of the facility in the case of fire, seismic damage, or other accident. The EIR will evaluate this concern, consulting with City emergency service representatives. Mitigation measures will be recommended as appropriate.

f) Result in inadequate parking capacity?

The project would provide approximately 1,200 parking spaces. Estimated parking demand for the proposed project will be compared with anticipated available parking during each of the time periods analyzed in the traffic study. Parking availability with concurrent events at both the proposed project site and HP Pavilion will also be analyzed. An inventory of parking around the proposed project site will be compiled and compared to the demand from the project including proposed parking provided by the project. The EIR will analyze parking supply and demand in conjunction with applicable City zoning and parking regulations. Mitigation measures will be recommended as appropriate.

g) Conflict with adopted polices, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

The EIR will analyze the project's compliance with adopted policies, plans, and programs supporting alternative transportation. Mitigation measures will be recommended as appropriate.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	■	☐	☐	☐
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	■	☐	☐	☐
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?	■	☐	☐	☐
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	■	☐	☐	☐
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?	■	☐	☐	☐
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	■	☐	☐	☐
g) Comply with federal, State, and local statutes and regulations related to solid waste?	■	☐	☐	☐

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

The volume of project wastewater generation should be within RWQCB requirements of 120 million gallons per day (mgd), since current WPCP treatment volume is 100 mgd. However, the EIR will evaluate potential cumulative impacts of the proposed project associated with wastewater treatment requirements, including applicable RWQCB requirements. Mitigation measures will be recommended as appropriate.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

The EIR will evaluate the potential impacts of the proposed project on water and wastewater treatment facility capacities and recommend mitigation measures as appropriate. The proposed project alone is not likely to trigger the need for expansion of the WPCP or construction of a new facility, since adequate capacity exists. See XVI.a., above.

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?

The EIR will evaluate the potential impacts of the proposed project on storm drainage facilities and recommend mitigation measures as appropriate.

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

The EIR will include input from the Santa Clara Valley Water District and evaluate potential impacts on the existing and future water supply. In accordance with SB610 a Water Supply Assessment will be completed for the project by the Santa Clara Valley Water District. Mitigation measures will be recommended as appropriate.

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?

The EIR will include input from the wastewater treatment provider which would serve the proposed project and evaluate potential impacts on wastewater collection and treatment capacity. Mitigation measures will be recommended as appropriate.

f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

The EIR will evaluate the potential impacts of the proposed project on landfill capacity and recommend mitigation measures as appropriate.

g) Comply with federal, State, and local statutes and regulations related to solid waste?

The proposed project's compliance with federal, State, and local statutes and regulations related to solid waste will be evaluated in the EIR and associated impacts will be identified. Mitigation measures will be recommended as appropriate.

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

a) *Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?*

The proposed project could degrade the quality of the environment with respect to plant and animal habitats and historic resources. Additional study is recommended to assess these issues.

b) *Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)*

The proposed project could have impacts that are individually limited, but cumulatively considerable. Additional study is recommended to assess this issue.

c) *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

The proposed project could result in environmental effects which could cause an adverse effect on human beings. Additional study is recommended to assess this issue.

REPORT PREPARERS

LSA Associates, Inc.
2215 Fifth Street
Berkeley, CA 94710

David Clore, AICP, Principal-in-Charge
Shannon Allen, AICP, Project Manager/Senior Planner
Theresa Bravo, Assistant Planner
Susan Smith, Word Processing
Skip Shimmin, Graphics Manager

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