

VI. CUMULATIVE IMPACTS

A. INTRODUCTION

Cumulative impacts, as defined by CEQA, consist of two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts. The individual effects may be changes resulting from a single project or a number of separate projects. Cumulative impacts may result from individually minor, but collectively significant projects taking place over a period of time. Section 15130 of the *CEQA Guidelines* states that an EIR should discuss cumulative impacts “when the project’s incremental effect is cumulatively considerable, as defined in section 15065(c).” The discussion does not need to be as detailed as is necessary for project impacts, but is to be “guided by the standards of practicality and reasonableness”. The purpose of the cumulative analysis is to allow decision makers to better understand the potential impacts which might result from approval of past, present, and reasonably foreseeable future projects, in conjunction with the proposed project.

Therefore, CEQA requires that the impacts of implementing the proposed *Strategy 2000* be analyzed in conjunction with other related past, current and probable future projects whose impacts might compound or interrelate with those of the project. The *CEQA Guidelines* recommend that the cumulative analysis rely on either a list of pending projects, or the projections contained in an adopted General Plan, or a thoughtful combination of these two approaches.

The discussion below address two aspects of cumulative impacts: 1) would the effects of all of the pending development listed result in a cumulatively significant impact on the resources in question? and, whether that cumulative impact is likely to be significant; and 2) would the contributions to that impact from the project which is the subject of this EIR, implementation of *Strategy 2000* constitute a cumulatively considerable contribution to those cumulative impacts?

B. LIST OF CUMULATIVE PROJECTS

The proposed actions that must occur to implement the proposed project, *Strategy 2000*, include amendments to the City’s adopted General Plan, both text amendments and changes in the Land Use/Transportation Diagram. There are no specific individual development projects currently proposed for the lands covered by this EIR, although the EIR does provide both program level and project level review for those subject areas where information is available and/or can be deduced. Because the project includes amendments to the City’s General Plan, the method that was used to prepare this Cumulative Impact analysis combines elements of both the “list” method and the adopted General Plan method.

The City of San José is currently considering six major long-term projects that propose development and/or intensified redevelopment on approximately 10,175 acres, as well as 14 other General Plan amendments that cover approximately 340 acres. The cumulative projects are summarized in Table V-1 and the locations of the cumulative projects are shown on Figures V1 to V3. When compared to

Figure VI-1: Location of Cumulative Projects – North San José Vicinity

8x11

Figure VI-2: Location of Cumulative Projects – South San José Vicinity

8x11

Figure VI-3: Location of Cumulative Projects – Coyote Valley Specific Plan Area

8x11

Table VI-1: List of Cumulative Projects

Project # (see figures)	Project Name/Location	Project Size (acres)	Description
1	North San José Development Policies	3,900	Allow for net increase of 68,000 jobs/24,700 du's
2	Downtown San José/Strategy 2000	1,920	Allow for 45,000 jobs, 10,000 du's, 2,500 hotel rooms.
3	Hitachi (Cottle Road) (GP04-02-01)	332	Continue office/R&D, add 2,930 du's & commercial.
4	iStar (Cottle Road) (GP03-02-05)	79	Allow for office/R&D and commercial/retail.
5	Evergreen Smart Growth Strategy	544	Net decrease of 10,383 jobs; net increase of 7,000 du's.
6	Coyote Valley Specific Plan	3,400	Plan for 25,000 du's and 50,000 jobs.
7	Marburg Way at U.S. 101 (GP03-03-16)	3	Δ industrial to residential
8	N. First St. at Route 237 (GP03-04-02)	35	Δ industrial to residential
9	Berryessa Rd., east of Jackson (GP03-04-07)	2	> residential density
10	Berryessa Rd., west of UPRR (GP03-04-08)	13	Δ industrial to residential
11	N. First St. at Liberty St. (GP04-04-02)	19	V industrial to residential
12	N. Capitol Ave. at Autumnvale (GP04-04-04)	4	Δ industrial to residential
13	Murphy Ave., east of Oakland (GP04-04-08)	4	Δ industrial to indust./comm.
14	Tully Rd. at S. 10 th St. (GP02-07-03)	14	Δ public to mixed use
15	Lewis Rd., east of Garden (GP03-07-06)	6	Δ industrial to residential
16	Story Rd. at McLaughlin Ave. (GP04-07-02)	1	Δ industrial to commercial
17	Blossom Hill Rd. at Blossom (GP03-10-02)	14	> residential density
18	Bailey Ave. (GP04-10-01)	222	proposed cemetery
19	Los Gatos Rd. at Warwick (GP04-09-01)	1	> residential density
20	White Rd., south of Westgrove (GP04-08-01)	1	Δ residential to office
	Modifications to Transportation LOS Policy	n/a	citywide

Source: City of San José, 2005.

buildout under the approved San José General Plan, approval and buildout of all of the cumulative projects would result in a net increase of approximately 102,000 jobs and 45,000 dwelling units.

For the purposes of this EIR, the cumulative analysis is based on buildout of the San José General Plan in combination with all pending applications to change the City's General Plan. It also addresses the cumulative impacts associated with two large planning efforts currently in the early stages of the planning process, the Evergreen Smart Growth Strategy and the Coyote Valley Specific Plan. The specific land uses and intensity of these two projects are still being determined through on-going public processes that include considerable opportunity for input from the general public, task force members and the San José City Council. The description of these projects included within this EIR is intended to represent a feasible "worst-case" scenario for those projects in terms of their ability to contribute toward cumulative environmental impacts. The information included here should not be interpreted to presuppose future public processes including City Council actions on any of the cumulative projects listed.

The six largest projects included in the cumulative scenario are described below.

1. Strategy 2000: San José Greater Downtown Strategy for Development (hereafter Strategy 2000)

This is the proposed project that is the subject of this EIR. *Strategy 2000* is a long-term plan for development in the greater Downtown area, which occupies approximately three square miles and extends beyond San José's traditional Downtown center to be generally bounded by Diridon Station to the west, Taylor Street to the north, San José State University to the east, and Interstate 280 to the south (refer to Figure VI-1). Development anticipated to occur during the next 10-year period, includes the following: 8,000,000 to 10,000,000 square feet of office space; 8,000 to 10,000 residential dwelling units; 900,000 to 1,200,000 square feet of retail space; and 2,000 to 2,500 guest rooms in four to five hotel projects.

2. North San José Development Policies Project

The proposed North San José Development Policies Project covers the Rincon de los Esteros Redevelopment Area in North San José, a 3,900-acre area located generally south of State Route 237 (SR 237), east of the Guadalupe River, north and northwest of Interstate 880 (I-880), and west of Coyote Creek (refer to Figure VI-1).

The project would allow for the development of approximately 26.7 million square feet of new industrial/office/R&D building space in the Rincon area beyond current entitlements. Full implementation of proposed policy changes in the industrial "Core Area," located on both sides of North First Street between Montague Expressway and U.S. 101, would ultimately allow an overall average floor area ratio¹ (FAR) of 1.2, which represents 20 million net square feet of additional development potential. The remaining 6.7 million square feet represents full buildout of the project area outside the core area under the existing FAR cap policy of 0.35 (FAR of 0.40 allowed on land within 2,000 feet of LRT stations). This amount of total new development would allow for approximately 68,000 new employees. In addition, up to 24,700 new dwelling units would be allowed in Rincon, at average densities of either 55 or 90 dwelling units per acre (DU/AC) depending upon their location. This development would accommodate a population increase of approximately 56,563 persons.

3. Hitachi Project

The 332-acre Hitachi project site is bounded generally by Monterey Highway and the Union Pacific Railroad tracks to the north/northeast, Manassas Road (a private street) to the east/southeast, SR 85 to the south, and Cottle Road to the west (refer to Figure VI-2).

The project proposes a General Plan amendment and Planned Development rezoning to allow Hitachi to consolidate their existing 3.6 million square feet of industrial and office operations on the 178-acre "central core" of the site, and to construct a mixed-use, transit-oriented development consisting of up to 2,930 residential units and 460,000 square feet of commercial uses around the perimeter of the site.

¹ "Floor area ratio" is the relationship between the total floor area in a building or buildings, and the total surface area of the parcel on which the building or buildings are located. A two-story building with 43,560 square feet of floor area on a 1-acre property (an acre having 43,560 square feet) would have an FAR of 1.0.

4. iStar Project

The 78.5-acre project site is bounded by Great Oaks Boulevard to the north, Tucson Way to the east, SR 85 to the east and south, and Manassas Road to the west (refer to Figure VI-2). The site is comprised of undeveloped, vacant land. The project proposes a General Plan amendment and Planned Development zoning that will allow the development of up to 1.0 million square feet of R&D/office and up to 450,000 square feet of commercial/retail uses on the project site.

5. Evergreen Smart Growth Strategy Project

The Evergreen Smart Growth Strategy is a community based planning effort to develop a vision to guide future development in the Evergreen area. The Evergreen area is defined as the land within San José's Urban Service Area (USA) boundary, south of Story Road, east of US 101 and north of Yerba Buena Road. The planning effort consists of various actions which, when considered together, would provide a comprehensive vision and framework for future development within the Evergreen area of the City of San José. These potential actions include changes in General Plan land use designations and rezoning on approximately 544 acres of land in Evergreen; formation of a Community Facilities District (CFD), which would provide a mechanism for the funding of various transportation and community improvement projects in Evergreen; adoption of a revised Evergreen Development Policy; and adoption of design guidelines for future development in Evergreen. The 544-acre area is comprised of four separate project sites that are generally referred to as the Evergreen Smart Growth Strategy Opportunity Sites.

The effort involves a considerable number of community outreach activities including regular public meetings by a Task Force comprised of community representatives from the Evergreen area. This Task Force is currently in the process of developing recommendations for each of the above mentioned potential actions, including specific recommendations for modification to the existing Evergreen Development Policy and future land use on each of the four Opportunity Sites.

Because the Evergreen Smart Growth Strategy effort has not yet been completed and the Task Force has not yet arrived at their particular recommendations, the proposed land uses and development intensity have not been determined. The assumptions about the Evergreen planning project that are reflected in this cumulative impacts analysis are therefore still very preliminary and are limited to only the information available at the time this EIR was circulated.

The current Evergreen Development Policy includes a cap on the total number of residential units that can be developed within the Evergreen area. The possible modification of the Evergreen Development Policy that is under consideration would tie added capacity for additional residential units to provision of regional infrastructure improvements and new community amenities such as parks, sports facilities and community centers. A significant portion of the new residential unit capacity would be allocated to the four Opportunity Sites. General Plan and zoning changes would also be necessary on each of these sites in order for such residential development to take place. The proposed Community Facilities District, applied to the four Opportunity Sites, would provide a funding mechanism for all or a portion of the new improvements and amenities.

While the recommended or proposed land use and development intensity for the Evergreen Smart Growth Strategy has not yet been determined, it is anticipated that adoption of a revised Evergreen Development Policy and subsequent General Plan amendments could eventually result in the conver-

sion of existing non-residential lands for residential use, including 322 acres currently designated for Campus Industrial use. This analysis assumes an increase of 7,000 dwelling units and a decrease of 10,383 jobs and the addition of approximately 650 commercial/service jobs (associated with regional and local-serving commercial uses), on approximately 544 acres within Evergreen.

6. Coyote Valley Specific Plan Project

The Coyote Valley Specific Plan (CVSP) is a community-based effort to develop a long-range specific plan to guide the development of the Coyote Valley area over the next 25-30 years. The Coyote Valley Specific Plan area consists of 7,000 acres of mostly undeveloped land in the southern reaches of the City of San José. It is divided into three sub-areas: North, Mid (or Central) and South. The North and Mid Coyote Valley areas are within the City's Urban Growth Boundary (UGB). Mid Coyote Valley is located outside the City's Urban Service Area (USA) boundary. South Coyote Valley is located outside both the UGB and USA.

The City's overall stated vision for Coyote is a unique, vibrant, mixed-use, transit-oriented and pedestrian-friendly community for the North and Mid Coyote Valley areas (3,400 acres). The South Coyote Valley area (3,600 acres) is intended to be a permanent, non-urban buffer between the cities of San José and Morgan Hill, consistent with its current designation as the Coyote Greenbelt. The Specific Plan will require amendments to the General Plan, and are anticipated to include Design Guidelines, Zoning and a Financing, Phasing and Implementation Plan.

The City Council has approved a document entitled Vision and Expected Outcomes for the project, which states that the Plan should include a minimum of 50,000 industry-driving jobs and 25,000 housing units (at least 20 percent of which would be affordable) and should provide for a variety of housing types, schools, parks, commercial centers, job centers, and other community services. The land use plan should be sensitive to the environment and the land uses well connected through a rich network of open spaces, trails, bicycle paths, roads and transit. The urban design approach to the CVSP is based on the guiding principles of "smart growth" and the related goal of preventing the continuation of "urban sprawl" that has typified urban growth in much of the broader region.

The Plan is expected to be considered by the City Council in March 2006.

C. ANALYSIS OF CUMULATIVE IMPACTS

1. Cumulative Land Use Impacts

Approval of the proposals under consideration (see list of cumulative projects above) would result in substantial development/redevelopment of over 10,000 acres of land within the City of San José, including approximately 4,500 acres of vacant/undeveloped land. General Plan amendments, rezonings, and (in some circumstances) annexations would be required to allow the anticipated development. Most of the sites are located within developed, urban areas; however, the Coyote Valley and the eastern edge of Evergreen are largely undeveloped and agricultural.

a. Thresholds of Significance. Consistent with the thresholds used by the City in evaluating project-specific land use impacts, this analysis examines whether development of the cumulative projects on the list could result in the following types of land use impacts:

- Land use conflicts from placing incompatible land uses in proximity to each other. This can occur when industrial uses are constructed in an area of primarily residential development and vice versa, or when residential uses are constructed in proximity to freeways, railroad alignments, or airports. These land use conflicts can include: Long-term and short-term (construction-related) noise and dust generation; hazardous materials use and/or contamination; and traffic intrusion/spillover.
- Loss of agricultural lands, including prime farmlands;
- Population and housing growth that is inconsistent with the General Plan; and
- Loss of open space.

b. Land Use Compatibility. In terms of the cumulative analysis, land use compatibility can be divided into short-term and long-term impacts. Short-term impacts occur during construction and primarily affect existing sensitive land uses, such as hospitals, schools, and residential development near the construction sites. These impacts include the noise and dust generated by grading and excavation activities and the use of heavy machinery, and the use of hazardous materials such as solvents. These specific impacts are discussed in greater detail in the Noise, Air Quality, and Hazardous Materials subsections of this cumulative discussion.

Locating residential and industrial areas in close proximity to each other creates the potential for long-term conflicts between the two land uses. A residential population is more sensitive to what would otherwise be sources of annoyance or nuisance to a workplace population. Residences are more likely to include sensitive populations, including children, the elderly, and the chronically ill. Residents frequently object to nighttime noise from loading docks, truck traffic and heavy equipment, outdoor lighting, truck traffic spillover into residential neighborhoods, and the use, storage, and transport of hazardous materials. These activities may be considered unacceptable to nearby residents, even if the businesses are not located immediately adjacent to the residences. These adverse land use impacts can range from minor irritations and nuisances to potentially significant effects on human health and safety.

Complaints from residents may cause restrictions to be placed on industrial businesses that are near the residential development and could limit the types of businesses that are acceptable at these sites.

These restrictions can lead to the devaluation of property and economic losses by limiting the uses of the affected industrial properties. For example, industrial uses might be restricted from using outdoor areas, such as loading docks and parking areas in the evening or nighttime hours. While such economic effects do not equate to environmental impacts, they may be considered as a measure of significance of the degree of conflict created between land uses, and eventually would degrade the viability of the industrial land use.

The projects included in the cumulative analysis would all be required to implement General Plan policies and to conform to residential and industrial design guidelines that are intended to minimize land use conflicts. The General Plan land use designation of Heavy Industrial is intended to protect businesses having characteristics that make them incompatible with residential and other sensitive land uses. Conformance with the City's adopted Residential Design Guidelines would require that future residential development recognize the presence of potentially incompatible land uses and that the site design be appropriate for such conditions.

Implementation of setbacks, buffers, appropriate site design and building orientation, and/or sound-proofing will be considered during the site and architectural review process (either as Site Development Permits or as Planned Development Permits) on a project-by-project basis. Similarly, future development and/or redevelopment of industrial sites would be reviewed for consistency with the City's adopted Industrial Design Guidelines. Project-specific construction dust control measures during construction would be implemented at each site in accordance with the City's Grading and Zoning Ordinances and BAAQMD requirements. Construction-related noise impacts would also be mitigated on a project-by-project basis depending upon distances to sensitive receptors and construction methods. It is anticipated that Construction Noise Management Plans will be implemented for most projects.

Development in accordance with the City's General Plan, Zoning and Grading Ordinances, and adopted design guidelines will reduce the likelihood that the projects considered in this cumulative scenario would result in a significant cumulative land use compatibility impact. While the proposed *Strategy 2000*, which is the subject of this EIR, will itself have project specific land use impacts, for the reasons described above, the proposed project would not contribute towards a significant cumulative land use compatibility impact. **(Less Than Significant Cumulative Impact)**

c. Land Use Impacts from Increased Traffic. Cumulative traffic from the Downtown and North San José development will contribute to the cumulatively significant levels of congestion on the gateway streets between the two areas. Traffic on Third, Fourth, Tenth and Eleventh Streets, and on Hedding, Taylor, and Julian Streets will be cumulatively significant, as will the levels of congestion. Both primary (traffic congestion and noise) and secondary effects such as dust, litter, odors, and access difficulties will increase significantly as a result of the combined traffic. Because of the quantity of traffic and the presence of the grid street system, the quantity of cut-through traffic into the adjacent residential neighborhoods will also increase. **(Significant Cumulative Impact)**

d. Loss of Agricultural Lands. The proposed project would not result in the loss of prime agricultural land and therefore would not contribute to a cumulatively significant loss of prime agricultural land. **(No Cumulative Impact)**

e. Population and Housing. Historically, San José has had a shortage of jobs compared to the number of employed residents living in the City, commonly referred to as a jobs/housing imbalance. A jobs/housing imbalance, especially when there is a relative deficit of jobs, can be a source of adverse impacts because it results in longer commutes as City residents travel to other locales for employment. This same imbalance can result in financial hardships for a city due to the costs associated with providing services to residential land uses in relation to revenue generated.

In recent years, consistent with the major strategies and objectives of San José's adopted General Plan, the City has been attempting to correct this imbalance. Table VI-2 provides an overview of the historic and projected number of households, jobs, employed residents, and population in San José. Table VI-3 provides a breakdown of projected jobs and households in San José under buildout of the General Plan, both with and without the cumulative projects.

The data in Table VI-2 can be summarized as follows:

- The City's historic jobs/housing imbalance has been decreasing, as planned.

- When compared to existing (2004) conditions, buildout under the approved General Plan will increase the number of jobs and households in San José by 119,400 (26 percent) and 65,000 (22 percent), respectively.
- When compared to existing (2004) conditions, buildout assuming approval and construction of the cumulative projects would increase the number of jobs and households in San José by 221,400 (48 percent) and 109,600 (37 percent), respectively.
- When compared to buildout under the approved General Plan, approval and construction of the cumulative projects would increase the number of jobs and households in San José by 102,000 (17 percent) and 44,600 (12 percent), respectively.
- The overall jobs/housing ratio under future buildout conditions will remain essentially unchanged if the City were to approve all of the cumulative projects.

Thus, while approval of the cumulative projects would substantially increase the number of both households and jobs in San José, the increase would not adversely impact the projected balance between jobs and housing that is identified in the approved General Plan. **(Less Than Significant Cumulative Impact)**

f. Loss of Open Space. The City's adopted General Plan identifies an appropriate balance of property planned for development within the urban growth boundary, and other lands designated for permanent open space, both inside and outside of the Urban Growth Boundary. Most of the cumulative projects considered herein are located on properties that are within urban, highly developed areas of San José and are already designated for urban uses in the City's General Plan. Although the Mid-Coyote Valley Urban Reserve area is not within the City's current Urban Service Area boundary, it has been designated for development in the General Plan since 1984. With the exception of the proposed cemetery project (GP04-10-01, project #18 on Figure 29), none of the cumulative project sites are designated as permanent open space in the General Plan. The cumulative projects, therefore, would not result in a cumulative loss of lands previously designated for Open Space use. **(Less Than Significant Cumulative Impact)**

The above discussion notwithstanding, the development of the vacant lands resulting from approval and implementation of all of the projects on the cumulative list will result in the loss of approximately 4,600 (vacant +114 acre Pleasant Hills Golf Course) acres of visual open space within the City. This development will constitute a change in the visual character of the individual properties and an incremental change for the City as a whole. As vacant land within the City is developed, open spaces are lost. Implementation of the projects in the list of cumulative projects would result in the substantial loss of visual open space, as described below.

g. Visual and Aesthetic Impacts. Several of the major projects being evaluated in San José would result in visual/aesthetic impacts because, to varying degrees, proposed development would block existing views of the scenic hillsides and mountains that ring three sides of the Santa Clara Valley. Such views are important since they essentially define the "sense of place" that is associated with living and working in a valley.

Table VI-2: Economic and Demographic Data for San José

	1980	1990	2000	2004	Projected Buildout	
					Existing General Plan	With Cumulative Projects
Jobs	231,700	313,400	432,500	465,000	584,400	686,400
Households	231,400	263,300	291,400	295,000	360,000	404,600
Population	679,700	808,400	930,700	944,000	1,152,000	1,294,700
Employed Residents	338,400	427,800	470,000	442,500	540,000	606,900
Persons per Household	2.9	3.1	3.2	3.2	3.2	3.2
Employed Residents per Household	1.5	1.6	1.6	1.5	1.5	1.5
Jobs per Employed Resident	0.68	0.73	0.92	1.05	1.08	1.13

Notes: Historic data are from ABAG and are for the San José Sphere of Influence, an area slightly larger than the incorporated area of the City.
In this table, “households” is used to represent “dwelling units”. In reality, the two numbers are almost identical.
Data for jobs, population, employed residents, and households are rounded to the nearest hundred.

Sources: ABAG (Projections ‘96 & Projections 2005), City of San José.

Table VI-3: Breakdown of Projected Jobs and Housing in San José

	Jobs	Households/DU’s
Existing (2004)	465,000	295,000
Unbuilt Entitlement (includes 20,000 jobs in Coyote Valley)	52,000	0
Vacant Land Capacity under Existing General Plan (excluding Coyote Valley)	37,400	40,000
Coyote Valley (untitled, but in Existing General Plan)	30,000	25,000
Subtotal: Buildout under Existing General Plan	584,400	360,000
Effect of Major Cumulative Projects		
North San José	+ 68,000	+ 24,700
Hitachi	+ 575	+ 2,930
iStar	- 1,156	---
Downtown San José	+ 45,000	+ 10,000
Evergreen Smart Growth	- 10,383	+ 7,000
Subtotal (rounded):	+ 102,000	+ 44,600
Total: Buildout under Cumulative Scenario	686,400	404,600

Source: City of San José, 2005.

For example, while not significant by itself, new multi-story buildings associated with the proposed intensification of development in North and Downtown San José will obscure views from various vantage points from both within and adjacent to the project areas themselves.

In Evergreen and Coyote Valley, each of the proposed developments will convert large areas of open space, which is a scenic resource, to a developed environment.

For each project, visual and aesthetic effects would be lessened by implementing various mitigation measures. Such measures include incorporating parks and open space areas into specific plan and/or site designs, the use of aesthetically-pleasing architectural features in building designs, and the installation of landscaping. In the case of *Strategy 2000*, these potential impacts would all be mitiga-

ble to less-than-significant levels. However, the substantial combined visual impacts of these significant projects cannot, however, be mitigated to a less-than-significant level by these measures.

Each project's visual and aesthetic impacts would contribute to such impacts on a Citywide basis. Coupled with the substantial development of the greater San José area that has occurred in recent decades, the projects under consideration will result in the following:

- A cumulatively significant loss of open space in San José, estimated to be in the range of 2,000 to 3,000 acres; and
- A cumulatively significant loss of unobstructed views of the scenic hillsides and mountains that form the perimeter of the Santa Clara Valley.

There are no feasible measures that could reduce this significant cumulative visual and aesthetic impact to a less-than-significant level. **(Significant Cumulative Impact)**

The above discussion and conclusion notwithstanding, it is important to note that none of the development under consideration in the list of cumulative projects would occur on lands that are designated as permanent open space, other than the proposed cemetery which would not result in a substantial loss of open space.² All of the proposed development will occur on lands that are either already developed or are designated in the current General Plan for future development. Open space areas designated in the General Plan to remain as rural/open space (e.g., neighborhood and regional parks, the eastern foothills, the baylands, and the South Coyote Greenbelt) would not be reduced by any of the projects that are under consideration in this cumulative analysis.

Conclusion. Implementation of the proposed *Strategy 2000* project, in combination with all of the cumulative projects currently proposed, would contribute to the following significant cumulative land use impacts:

- A cumulatively significant loss of visual open space in San José, estimated to be in the range of 2,000 to 3,000 acres; and
- A cumulatively significant loss of unobstructed views of the scenic hillsides and mountains that form the perimeter of the Santa Clara Valley.
- Secondary effects of the cumulative traffic from the Downtown and North San José development, such as dust, litter, odors, and access difficulties, will increase significantly on segments of North Tenth and Eleventh Streets and on Julian, Taylor and Hedding Streets. Because of the quantity of traffic and the presence of the grid street system, the quantity of cut-through traffic into the adjacent residential neighborhoods, and the land use impacts from that traffic on residential neighborhoods, will also be significant. **(Significant Cumulative Impacts)**

2. Cumulative Transportation and Circulation Impacts

a. Cumulative Traffic Impacts. Consistent with the City of San José's practice for all General Plan land use amendments, a cumulative impacts analysis was done using the TRANPLAN computer model. The model and the methodology used in evaluating the model output are both discussed in

² The City's adopted *General Plan* identifies substantial areas of San José's Sphere of Influence as permanent open space for a variety of reasons, including the need to protect the quality of life for all of the people who live and work in the City.

Section V.B. of this EIR, and the detailed results of the cumulative analysis model run is included in Appendix B (Volume II of the Technical Appendices).

b. Thresholds of Significance. For the purposes of this cumulative analysis and consistent with the thresholds used by the City in evaluating cumulative transportation impacts from General Plan amendments, if one or more of these thresholds is exceeded, the proposed General Plan amendments would have cumulatively significant adverse impacts. Depending on the circumstances of each individual amendment, including size and location, the cumulative analysis may conclude that one or more individually proposed amendments would contribute substantially to significant cumulative impacts, or that none of the individually proposed amendments would make a more meaningful contribution to the cumulative impacts than any other.

A cumulative transportation impact is considered significant if the addition of traffic generated by the combined amendments causes any of the following to occur:

- Peak direction volumes across, into, or out of any of the three special subareas increases by the percentage shown:

Subarea	% change
North San José	0.20%
Evergreen	0.10%
South San José	0.20%

or

- Total vehicle miles traveled (VMT) and vehicle hours traveled (VHT) both increase by 0.20 percent for all roadways in the San José Sphere of Influence; or
- A roadway link that operates at an acceptable LOS of D or better under baseline conditions would fall to LOS E or F; or
- The peak direction volume of LOS E/F links increases by 1.50 percent or more on any of the congested link sets analyzed for each proposed land use amendment.

c. Cumulative TRANLPLAN Analysis.

(1) Screenline Analysis. On any roadway system, there are areas through which major travel is made, most notably commute trips. In San José, the major commute is made between job sites in the north and west areas of the City and the County, and the residential areas in the east and south areas of the City. Also of interest is the travel corridor through which commuters from the East Bay travel to get to and from job sites in North San José, Santa Clara, and Sunnyvale. Travel between these areas takes place in “travel corridors”, usually defined by a freeway or a major arterial, and made up of the freeway and several parallel roadway facilities.

Screenlines for the cumulative analysis are based on the boundaries of the three City of San José special subareas: North San José, Evergreen, and South San José. Changes in peak direction volumes crossing the identified boundaries are used to determine the effects of the combined land use changes. The results of the screenline analysis are summarized in Table VI-4, which identifies the volume changes across each threshold, and the percentage change this represents. The thresholds of significance for changes in volume are also identified in the table.

The combined impact of all of the General Plan amendments, should they all be approved and fully implemented within the current General Plan horizon, would be significant adverse cumulative increases in traffic volumes across all three special subarea screenlines. This would be a significant impact. **(Significant Cumulative Impact)**

Table VI-4: Cumulative Screenline Impacts

Screenline Location	Volume Change	Percentage Change (Thresholds)
North San José	14,797	49.37% (0.20%)
Evergreen	3,402	16.71% (0.10%)
South San José	4,013	17.50% (0.20%)

(2) VMT and VHT Analysis. The analysis prepared for the Cumulative General Plan scenario compared changes in VMT and VHT between the currently approved General Plan and the General Plan with all proposed amendments, for all of the roadways throughout the City’s Sphere of Influence. The analysis found that the combined effect of all proposed amendments to the General Plan Land Use Transportation Diagram would result in an increase of 129,916 vehicle miles traveled in the PM peak hour, a change of 8.33 percent. For vehicle hours traveled, the analysis found a change of 5,606 hours in the PM peak hour, which is a change of 13.70 percent.

The threshold of significance identifies changes of 0.20 percent for both VMT and VHT as a significant impact. Full implementation of all of the currently proposed General Plan amendments during the General Plan horizon would result in significant increases in VMT and VHT within the City’s Sphere of Influence. This would be a significant impact. **(Significant Cumulative Impact)**

(3) LOS E/F Link Analysis. This analysis is similar to that done for the project impacts, as described in Section V.B. of this EIR. The cumulative impact analysis, however, looks at the combined effects of all of the proposed General Plan amendments, including network changes, on all of the link sets identified for all of the individual amendments. For this cumulative scenario, 69 links were found to operate at LOS E or F in the adopted General Plan base case. The impacted links (*i.e.*, those that would experience a significant impact) can be grouped into 16 link sets. The cumulative impacts from implementation of all of the proposed amendments during the current General Plan horizon would cause an additional five additional links to operate at LOS E or F, and the increases in peak direction link volumes would exceed the threshold of significance (*i.e.*, 1.5 percent or more) on 14 of the 16 impacted link sets.

While each of the link sets in the previous table is identified by one or more General Plan amendment file number, the volumes and percentage increases in this table represent the cumulative condition, not the impacts of just that individual project. The file number refers to one or more pending General Plan amendments for whose impact analysis the same link set was used.

The information summarized in Table VI-5 indicates that approval and full implementation of all of the General Plan amendments proposed, within the current General Plan horizon, would result in significant increases in peak hour congestion in the current peak travel direction. Approval and implementation of all of the proposed amendments to the General Plan Land Use/Transportation Diagram would result in significant increases in congested link sets near several of the individual proposed General Plan amendments. Impacts would include significant increases in peak hour volumes in the prevailing peak hour directions on 14 roadway link sets, and a degradation to LOS E or F on five additional roadway links. This would be a significant impact. **(Significant Cumulative Impact)**

Table VI-5: LOS E/F Link Volume Analysis Cumulative Conditions

GP02-07-03a South of I-280		GP04-04-06e South of US 101	
1	SR 87	1	Lafayette St
2	Vine St	2	De La Cruz Blvd
3	First St	3	SR 87
4	Second St	4	First St
5	Tenth St	5	Fourth St
6	US 101	% chg	97.91%
7	King Rd	GP04-04-06f West of I-680	
% chg	65.10%	1	Calaveras Blvd
GP02-07-03b North of Hamilton		2	Yosemite
1	SR 87	3	Montague Exp
2	Monterey Hwy	4	Capitol Ave
3	McLaughlin Ave	5	Trade Zone Blvd
4	US 101	6	Hostetter Rd
5	King Rd	% chg	39.18%
% chg	49.96%	GP04-04-06g East of I-680	
GP03-02-05a South of Capitol		1	Calaveras Blvd
1	Almaden Exp	2	Yosemite
2	Pearl Ave	3	Landess Ave
3	SR 87	4	Capitol Ave
% chg	11.08%	5	Berryessa Rd
GP03-02-05b South of SR 85		% chg	3.35%
1	Almaden Exp	GP04-04-06h South of Naglee/ Jackson	
2	Santa Teresa Blvd	1	I-880
3	Cottle Rd	2	Bascom Ave
% chg	-8.29%	3	The Alameda
GP03-02-05c		4	Coleman Ave
1	Silver Creek Valley Rd	5	SR 87
2	Silicon Valley Blvd	6	First St
% chg	-3.65%	7	Fourth St
GP03-02-05d/GP04-02-01d East of Monterey Hwy		8	Thirteenth St
1	Blossom Hill Rd	9	US 101
% chg	3.74%	% chg	70.66%
GP04-04-06a South of Naglee/Taylor		GP04-04-06i South of US 101	
1	The Alameda	1	SR 237
2	Coleman Ave	2	Mathilda Ave
3	SR 87	3	Lawrence Exp
4	First St	4	San Tomas Exp
% chg	37.71%	5	Lafayette St
GP04-04-06b South of I-880		6	De La Cruz Blvd
1	The Alameda	7	SR 87
2	Coleman Ave	8	First ST
3	SR 87	9	Fourth St
4	First ST	% chg	104.79%
5	Fourth St	GP04-04-06j East of I-880	
% chg	61.93%	1	Calaveras Blvd
GP04-04-06c North of I-880		2	Great Mall Pkwy
1	The Alameda	3	Montague Exp
2	Coleman Ave	4	Charcot
3	SR 87	5	Brokaw Rd

4	First St	6	US 101
5	Fourth St	% chg	67.76%
% chg	75.03%		
GP04-04-06d North of US 101/I-880			
1	SR 87		
2	First St		
3	Fourth St		
4	US 101		
5	Old Bayshore		
6	I-880		
% chg	66.94%		

d. Cumulative Effects on Designated and Exempt Intersections. The City’s General Plan has for many years exempted all 58 intersections in the Downtown Core Area from conformance with the General Plan and adopted Council policies on traffic level of service. This was done for reasons described in the General Plan, including the unique nature of the Downtown Core and the unusually high degree of transit access available there. While all 58 intersections are exempt from meeting the standard of LOS D, most of the intersections operate at better than LOS D now and, based on the most recent analyses completed by the City, will continue to operate at LOS D in the future.

Strategy 2000 proposes an expanded boundary for the area, including the new City Hall site. The City is proposing to exempt the 16 intersections in the Core expansion area from the LOS policies, consistent with the status of the current Downtown Core Area intersections. Due to their location and function as access to the Downtown Core Area, and the perceived need to protect adjacent residential neighborhoods from the effects of expanding these intersections, the City is also proposing to designate 11 intersections as “Gateways” to the Downtown Core Area. These gateway intersections would be exempted from the LOS policies in the same manner as intersections within the Downtown Core.

As described below, the City is also proposing modifications to the Council’s adopted Transportation Level of Service Policy, and has circulated an EIR that addresses the impacts of the proposed changes. Part of the proposed modifications is the creation of a List of Protected Intersections. Intersections on that list will be allowed to fall below LOS D, and new development projects will not be required to expand the intersections’ capacity. To qualify for that list, intersections must be at infill locations and within either transit corridors or other special planning areas. The list initially proposed for Council consideration contains 13 intersections.

If all of the proposed policy changes and projects that are currently proposed are approved as they are proposed, the effect would be to allow up to 158 intersections to operate under constraints that are different than the City’s adopted citywide LOS policy for at least the near term.

The categories of intersections that would not be subject to the citywide LOS standard and Policies include the following:

Downtown Intersections Exempt From LOS	
Downtown Core Area	58 intersections [exempt since 1980's]
Expanded Downtown Core Area	16 intersections
Downtown Gateways	11 intersections
Total Downtown Core	85 intersections
List of Protected Intersections	
LOS Policy Modifications	13 intersections [creates new List of Protected Intersections]
Additional intersections to add to List of Protected Intersections	4 intersections
Total Protected	17 intersections
North San José Area Development Policy	
Intersections within North San José	56 intersections [most were previously subject to North San José Area Development Policy]

The cumulative effect of approving all of these pending projects and policy modifications could be to allow up to 158 intersections fall below LOS D. Those intersections in North San José would only be exempt for the lifetime of the Area Development Policy, and most are not predicted to operate below LOS D. This is an increase of 100 intersections over the number currently exempt from the LOS Policy, although most of the intersections in North San José are already and have been for many years subject to a lower standard under the current Area Development Policy.

Conclusion. The project which is the subject of this EIR will contribute substantially to the identified significant cumulative impacts that include increasing congestion across the three special subarea screenlines, significant increases to VMT and VHT within the City's Sphere of Influence, and significant increases in peak hour congestion on already congested roadway links and the degradation of additional roadway links. **(Significant Cumulative Impacts)**

3. Cumulative Air Quality Impacts

a. Clean Air Plan. In order to satisfy the requirements of both State and Federal legislation, the Bay Area Air Quality Management District prepared a Clean Air Plan (CAP) that is based on quantified analysis. This analysis includes an estimate of the amount of air pollution that will be generated by various sources, especially vehicular traffic. The estimates of traffic are based on the General Plans for all of the jurisdictions within the district's air shed.

The CAP also identifies what measures will be implemented to reduce the pollution to levels that are consistent with the state and federal laws during the mandatory time frames (*i.e.*, by the designated target date). The mitigations include upgraded engines and fuels, along with the planning policies required to be in cities' general plans to achieve CAP conformance.

As discussed in Section V.C. of this EIR, BAAQMD identifies thresholds of significance to be used in evaluating the likely air quality impacts from proposed general plan amendments. If a project is consistent with the population projections in the version of the General Plan that was used to prepare

the CAP, then it can be assumed that the project will not result in long term air quality impacts that cannot be mitigated through implementation of the mitigation measures that are in the CAP and in the General Plan.

If growth in population is greater than assumed in the CAP emission inventory, then population-based emissions also are likely to be greater than assumed in the CAP and the analysis done for the CAP is not relevant. Consequently, attainment of the State air quality standards could be delayed, the project is inconsistent with air quality planning for the region, and will have a significant air quality impact.

b. Thresholds of Significance. Consistent with the thresholds used by BAAQMD for determining whether a general plan or any amendment to a general plan is consistent with the adopted Clean Air Plan (CAP) or could result in a significant air quality impact, this analysis evaluated whether the cumulative projects on the list would be consistent with either of the following:

- The population growth allowed by the local plan would exceed the values included in the current CAP, and the rate of increase in VMT for the jurisdiction is equal to or lower than the rate of increase in population; and/or
- The local plan demonstrates reasonable efforts to implement the Transportation Control Measures (TCMs) listed in the BAAQMD Guidelines.

c. Cumulative Air Quality Impacts. The combined projects that are evaluated in this cumulative impact analysis would change the City's adopted General Plan by increasing the population allowed by the plan by adding approximately 43,300 dwelling units and increasing the number of jobs planned in the City by approximately 102,000. As discussed elsewhere in this EIR, much of the existing traffic congestion in Santa Clara County and the region is the result of the concentration of jobs in northwestern Santa Clara County and the existence of substantial quantities of housing in the eastern and southeastern areas of the County. Air pollution in the region is primarily the result of vehicular traffic, so land use planning that increases the length and number of vehicle trips and the amount of traffic congestion would add to air pollution; land use planning that reduces numbers of trips and/or trip lengths, and/or that reduces existing congestion, would reduce air pollution.

Many of the new dwelling units and many of the new employment uses included in this cumulative scenario are proposed on infill sites, meaning locations that are within the existing built urban area and are served by existing infrastructure. Further, consistent with the objectives of the CAP and the City's General Plan, each of the major projects being considered under the cumulative scenario is, to varying degrees, intensifying development along existing and planned rail transit corridors. Downtown is served by LRT and CalTrain, and is proposed to be served by the planned extension of BART. North San José is served by the Guadalupe, Tasman, and Capitol LRT lines. One of the Evergreen development sites is located adjacent to the planned Capitol Corridor LRT extension. The Hitachi and iStar sites are adjacent to two LRT stations and a CalTrain station. A CalTrain station is planned for Coyote Valley.

Some of the projects are proposed as redevelopment, the replacement of existing urban uses with newer, more intensive urban development. This is particularly true of the intensified development

proposed for North San José and on the Hitachi property. The iStar site is immediately adjacent to Hitachi and is at an infill location, but is vacant and therefore not a redevelopment opportunity.³

Depending on the numbers and specific location (including access to transit and proximity to employment), placing housing in the northern parts of the County will create fewer and shorter peak hour commute trips and less resultant air pollution. Similarly, locating jobs in the southern part of the County will generally create shorter commute trips. There would still be increased traffic with any new development, but to the extent that new housing is located proximate to both jobs and support uses (such as commercial development), the new traffic and air pollution created, especially peak hour traffic, is less than would be the case otherwise.

Downtown San José and North San José propose a substantial increase in the number of jobs planned in those areas, respectively, as well as an increase in the number of dwelling units near those jobs. The proposed land use designations also allow support commercial development for both the employment and residential uses. The location of these complementary land uses will generate substantially less traffic and air pollution than would occur if the uses were located at separate locations, but there will still be some increased peak hour traffic and increased air pollution that will occur.

The proposal to place substantial new housing and mixed commercial uses on the Hitachi property would locate housing near the existing and planned employment of the Edenvale Redevelopment Area, but the traffic from that new residential development will contribute to the peak travel direction in the region and will increase both peak hour congestion and air pollution.

The proposed addition of new dwelling units in Evergreen to replace the previously planned industrial uses in that area, will significantly exacerbate existing patterns of congestion in Santa Clara County, both adding residential trips to peak directions and removing the possibility of future jobs that could reduce peak traffic, and contributing to traffic-generated air pollution.

The addition of substantial quantities of housing in mid-Coyote Valley, while proximate to the planned jobs in the same area, will also contribute significant quantities of new residential traffic to existing peak traffic movements and the generation of regional air pollution.

The proposed General Plan amendment for the iStar property will introduce a substantial amount of commercial development on land previously designated for primary employment uses. The employment represented by these commercial uses would not contribute to the primary peak hour movements, but will generate increases in traffic overall, and will contribute incrementally to peak hour congestion and associated air pollution.

The City's adopted General Plan includes all of the Transportation Control Measures identified in the BAAQMD Guidelines that can be implemented by a local government.

The cumulative effect of implementing all of the proposed projects, should they be approved, would be to substantially increase the population of the City of San José beyond the numbers projected in the Clean Air Plan. As discussed in the Cumulative Traffic section of this EIR, there would be sub-

³ Both Hitachi and iStar are within the Edenvale Redevelopment Area. The term "redevelopment" in this context means only the replacement of existing development with new construction.

stantial increases in traffic congestion and in VMT and VHT in San José's Sphere of Influence. While the effect of increasing the population within San José's Sphere of Influence would be to increase the air pollution generated in the Bay Area, it should be kept in mind that housing the County work force within the County is ultimately more beneficial than encouraging residential development at more distant locations, particularly through the development of agricultural land in San Benito, Santa Cruz, and Monterey Counties and in the San Joaquin Valley. Nevertheless, the effect of implementing all of these projects would be a lack of conformance with the Clean Air Plan and a cumulatively significant increase in air pollution. **(Significant Cumulative Impact)**

Conclusion. The proposed project which is the subject of this EIR would add 10,000 new dwelling units, 45,000 additional jobs, and 2,500 hotel rooms to the holding capacity of the City's General Plan. Both the housing and the jobs will be relatively close to each and to an existing network of transit and roadway systems. Nevertheless, the addition of this much additional development would not be consistent with the assumptions of the Clean Air Plan, which will result in a significant impact on regional air quality in the Bay Area. **(Significant Cumulative Impact)**

4. Cumulative Noise Impacts

As described at the beginning of this chapter, the cumulative project sites are located throughout the urbanized area of San José. The existing noise environment of the Greater San José area is defined by typical urban activities with transportation activities being the single greatest contributor to overall noise. Transportation noise sources include vehicular noise along freeways and arterial streets, rail noise from trains and light rail, and aircraft noise. Noise from aircraft overflights associated with the Mineta San José International Airport affects a large area, extending both to the north and to the south of the airport. The affected area extends from the airport to the south over Downtown San José and to the north over both north San José and portions of the City of Santa Clara. Noise from aircraft overflights associated with Reid-Hillview Airport affects a much smaller area, generally limited to portions of Evergreen.

Noise levels along freeways, expressways, arterials and other streets result from a combination of traffic volumes, speed of the vehicles, and type of vehicles (*i.e.*, percentage of heavy trucks). These variables have differing effects upon sound levels; for example, sound levels may actually be lower with higher volumes of traffic if the traffic is moving slowly in heavily congested conditions. A 26 percent increase in traffic volume will increase sound levels by one decibel if the speed remains constant. An increase of three decibels or greater is required to be perceived by the human ear; traffic volumes on a given roadway must double to cause a three decibel increase in noise levels, assuming speeds remain constant.

The cumulative projects being considered in San José will result in the types of noise-related impacts described below.

a. Impacts to Cumulative Projects from Ambient Noise Levels. At various locations, it is proposed that noise-sensitive land uses (*e.g.*, residences, schools, etc.) would be constructed on sites where existing noise levels exceed the noise/land use compatibility guidelines in San José's General Plan. Such locations are typically those adjacent to railroads or LRT lines, arterials, expressways, and freeways, beneath or near aircraft flight paths, as well as in the Downtown Core Area.

Where noise-sensitive uses are proposed at locations with elevated ambient noise levels, such impacts are typically mitigated through the use of noise-reducing building materials (*e.g.*, noise-rated windows, insulation, etc.) and through site design (*e.g.*, setbacks, soundwalls, placing outdoor use areas in areas that are shielded from roadway noise, etc.). The City's adopted Residential Design Guidelines and existing General Plan policies require that the need for specific mitigation measures be identified during the design review process. The design and inclusion of the mitigation measures for attached residential uses is also verified in conformance with state law prior to issuance of building permits.

Existing laws and policies will ensure that interior noise levels meet relevant standards. For infill sites in areas such as the Downtown, North San José, Hitachi and iStar properties, the existing and anticipated noise levels from traffic and aircraft will make achieving exterior noise standards difficult. General Plan policies require that residential development only be located in high noise locations if outdoor activity areas can be protected, consistent with relevant standards. **(Less Than Significant Cumulative Impact)**

b. Impacts to Nearby Uses from Cumulative Project Traffic. Traffic associated with cumulative development, which is projected to be roughly 1.5 million daily trips, will increase noise along many roadways in the greater San José area. Given the high existing traffic volumes, the noise increase resulting from dispersal of these trips would not be significant along roadways where existing volumes are high (*e.g.*, freeways, expressways, and most existing arterials).

The noise increase associated with increased traffic trips on the roadways would, however, be significant at locations where 1) new roadways would be constructed, or 2) roadway widening would move traffic closer to adjacent receptors, or 3) traffic volumes would substantially increase in relation to existing volumes. Examples of locations where roadways will be constructed or widened include Autumn Street in Downtown, Zanker Road in north San José, Yerba Buena Road/Murillo Avenue and White Road in Evergreen, and Coyote Valley Parkway and Bailey Avenue/McKean Road in Coyote Valley and Almaden Valley. Examples of locations where increases in traffic volumes will significantly increase noise include segments of North First Street, River Oaks Parkway, Coleman Avenue, North 11th Street, North Tenth Street, Taylor Street, and Julian Street. **(Significant Cumulative Impact)**

c. Impacts from Increased Aircraft Operations Resulting from Cumulative Projects. Aircraft-generated noise is primarily a result of the number of aircraft operations (takeoffs and landings) and how loud the aircraft are. The new "stage three" aircraft account for significant reductions in sound levels. As a result of quieter aircraft, future sound levels are expected to remain similar to the existing conditions even though a large increase in the number of aircraft operations is forecast. There are normal cyclical fluctuations in the number of aircraft operations related to fuel costs, airfare prices and other events that result in corresponding fluctuations in airport noise levels.

The net effect of the population and jobs increase under the cumulative scenario upon aircraft operations at Mineta San José International Airport will be less than the normal cyclical fluctuations in aircraft operations, and therefore, the cumulative noise impacts associated with Mineta San José International Airport would not be significant. For the same reasons, the cumulative noise impacts associated with aircraft operations at Reid-Hillview Airport are not expected to be significant. **(Less Than Significant Cumulative Impact)**

d. Cumulative Construction Noise. The construction of these cumulative projects would result in short-term noise and disturbance at various locations throughout the City. There are factors that both exacerbate and mitigate the significance of cumulative construction noise. Factors that tend to spread out and diffuse the effects of construction noise include the following: 1) these cumulative project sites are scattered throughout the City; 2) their schedules for construction are different and are likely to occur over the timeframe of the next 25± years; 3) construction noise mitigation measures are typically included as part of each project, especially major development and public projects; and 4) all construction projects are temporary; even with multiple projects, the area of greatest impact changes and the types of noise wax and wane as construction proceeds.

Conversely, a substantial amount of construction will need to occur in order to implement the development and redevelopment that is proposed, and due to the presence of many of these sites (particularly Downtown, North San José, Hitachi, iStar, and Evergreen) in or adjacent to existing neighborhoods and businesses, there will be a great deal of disturbance occurring over a long period of time very near existing residences and businesses. Such construction will include major upgrades to public infrastructure such as roadways, bridges, utility lines, etc. It is possible that construction may be ongoing in some areas for years, with the effects of construction noise from demolition, grading, power tools, heavy truck traffic, piledriving, etc., creating impacts on some neighborhoods for extended and/or repeated periods of time. Nevertheless, *Strategy 2000* generated construction noise impacts could all be mitigated (as described in Chapter V, Noise, pp. 185-187) to less-than-significant levels and their cumulative contribution would not be considerable. **(Less Than Significant Cumulative Impact)**

Conclusions. Based on the above discussion, it is concluded that cumulative long-term noise impacts would be significant and unavoidable. Approval of all of the cumulative projects would result in a substantial increase in ambient noise levels, or expose people to noise levels in excess of established City or state standards. **(Significant Cumulative Impacts)**

5. Cumulative Shade and Shadow Impacts

While the proposed *Strategy 2000* project would lead to significant shade and shadow impacts on three specific public parks, these impacts would be highly localized and not related to potential similar effects in other major projects. Furthermore, these impacts would be mitigated to less-than-significant levels by measures set forth in Chapter 5.E.

6. Cumulative Vegetation and Wildlife Impacts

Approval and implementation of the cumulative projects listed in Table VI-1 would directly affect development on over 10,000 acres of land of the City of San José. The cumulative project sites are shown on Figures VI-1 to VI-3. Of the overall cumulative development area, approximately 4,500 acres are currently undeveloped; that is, they are either in agricultural production, fallow, vacant lots, or are in a natural state and provide a higher level of biological habitat than urbanized property. Approximately 115 acres of the 4,500 undeveloped acres are currently a golf course.

Impacts to biological resources will result from the cumulative development of virtually all vacant land within the City limits that is not specifically designated for an open space use.

In addition to the cumulative projects listed in Table VI-1, another project/activity that should be noted in this discussion of cumulative biological resource impacts is the Santa Clara Valley Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP). The City of San José, County of Santa Clara, Santa Clara Valley Transportation Authority (VTA), and Santa Clara Valley Water District (SCVWD) have initiated a collaborative process to prepare and implement a county-wide HCP/NCCP. These Local Partners, in partnership with the U.S. Fish and Wildlife Service (USFWS), California Department of Fish and Game (CDFG), National Oceanic and Atmospheric Administration (NOAA Fisheries) and other resource agencies and stakeholder groups will develop a long-range plan in specified areas of the county where land development activities and the continued survival of endangered, threatened, or other species of concern are in conflict. The goal of this plan is to provide the means for conservation of these species, thereby contributing to their recovery while, at the same time, allowing for compatible and appropriate development to occur. At this time, the complete list of projects ("covered activities") to be covered by the HCP/NCCP is not known. The SCVWD may use the HCP to cover on-going flood control maintenance activities in various waterways. No large-scale water storage or flood control projects are being considered at this time. The HCP may also include consideration of the VTA's Highway 152/156 interchange improvements project. City of San José projects would generally include various public and private activities to implement the San José 2020 General Plan.

a. Thresholds of Significance. Consistent with the thresholds used by the City in evaluating project-specific biological impacts, a cumulative impact to biological resources is considered significant if the proposed project, in conjunction with other pending projects, would have a substantial adverse effect, either directly or through habitat modification, on any special status species or sensitive biological habitat.

b. Cumulative Impacts to Sensitive Plant and Animal Species. Sensitive plant and animal species (other than riparian plant and wildlife species, described below) are not known to occupy the North San José Development Policies project area, the Downtown Strategy Plan area, the Evergreen Smart Growth project area, the Hitachi or iStar project areas, or 13 of the 14 other General Plan amendment sites comprising the cumulative project list (Table VI-1).

Serpentine grassland habitat, California tiger salamander (CTS), and Bay checkerspot butterflies could fact impacts from buildout of select cumulative projects. However, other projects on the cumulative list (including *Strategy 2000*) would not contribute to these impacts, and these project-specific impacts are not considered to result in a significant cumulative impact. Indirect impacts are discussed below. **(Less Than Significant Cumulative Impact)**

(1) Cumulative Impacts to Burrowing Owl and Its Habitat. Development of the cumulative projects will result in the loss of native and non-native grassland habitat and active and fallow agricultural land throughout the City, some of which is either occupied or potential burrowing owl breeding and foraging habitat. Development of the cumulative projects would result in the loss of a total of approximately 765 acres of burrowing owl habitat, including the North San José Development Policies Project (650 acres), Evergreen Smart Growth Strategy (80 acres), and GP03-04-02 (Site 8 on Figure 28 = 35 acres). In addition, potential habitat exists and Burrowing Owls may be found within the CVSP and iStar project areas, and on approximately 100 acres of the Hitachi project site. However, it is not expected that the Downtown area includes Burrowing Owl habitat, and the project's

contribution to this cumulative impact is not considerable. **(Less Than Significant Cumulative Impact)**

(2) Cumulative Impacts to Wetlands and Riparian Habitat. Wetlands provide critical habitat for a variety of endangered plant and animal species. They also serve a fundamental role in mitigating urban runoff by filtering out pollution before it runs into the ocean and streams and by buffering rising waters due to floods or high tides.

Riparian areas in central California support rich and diverse wildlife habitat, including breeding, nesting and foraging habitat for endangered and more common animal and bird species. Riparian corridors that connect natural areas such as the baylands and the hillsides surrounding Santa Clara County are also wildlife corridors.

Potential impacts to wetlands and riparian habitat from the cumulative projects include direct impacts and indirect impacts, as described below.

Direct Impacts. Direct impacts fill or remove wetland habitat, and typically occur from filling of wetlands to create more developable area, and construction of bridges, stormwater outfalls, and other infrastructure improvements, or in the case of CVSP proposals to create new habitat with enhanced functions and values

Buildout of the CVSP is estimated to result in permanent impacts to approximately 90 acres of wetland and riparian habitat through the realignment of Fisher Creek, filling of individual development sites, and construction of bridges and storm drain outfalls. With the exception of the CVSP project, development of the cumulative projects may require construction of bridges, storm drain outfalls, or other infrastructure that may result in minor filling of wetlands; but no other major filling of wetlands is anticipated to result from the cumulative projects.

Direct impacts to wetlands are regulated by law, as each project complies with a host of federal, state and regional permit requirements, including requirements of the U.S. Army Corps of Engineers, California Department of Fish and Game, and the Regional Water Quality Control Boards (RWQCBs). Each of these permitting authorities requires mitigation for the loss of wetland habitat. Mitigation for filling of wetlands typically requires provision of replacement wetland habitat at between a 1:1 (mitigation acreage: impact acreage) to a 3:1 ratio, depending upon the habitat value of the lost wetland acreage. RWQCB also requires mitigation, based upon the stream length impacted by a project. Mitigation is generally provided on-site or the project is redesigned to avoid impacts.

For sites with wetland habitat, compliance with permitting requirements and implementation of mitigation measures, such as those described above, would be required on a project-by-project basis to avoid or reduce wetlands impacts to a less than significant level. Therefore, the projects considered in this cumulative scenario would not result in a significant cumulative direct impact to wetlands and riparian habitat, and the proposed project would not contribute towards a significant cumulative impact. **(Less Than Significant Cumulative Impact)**

Indirect Impacts. The use of these habitats is adversely affected by the close proximity of human activity and the placement of structures. The quality of the riparian habitat and type of structures or activities adjacent to it determines the overall effect on wildlife use. In general, the greater

the amount of human activity and the closer that activity occurs to riparian areas, the greater the potential for negative impacts to wildlife use.

Indirect impacts can result from siting urban development too close to wetlands or a riparian corridor, where human activity creates light, noise, or other disturbances (*e.g.*, introduction of predatory domestic pets or people into the creek or wetland) that disturb animals or birds such that their breeding or nesting is adversely affected.

It is generally desirable, therefore, to minimize human activities adjacent to riparian habitats. This need to reduce human use has led to the development of the setback or buffer concept along riparian areas as an attempt to reduce impacts to riparian areas. While empirical evidence exists to support the concept that wildlife values of the riparian corridor can be compromised by adjacent human activity, little empirical data presently exists for the establishment of a precise setback area.

Nevertheless, riparian setbacks of up to 100 feet are often recommended by CDFG as appropriate for streams with high quality riparian habitat. These setbacks are typically measured from either the top of the bank or the outer edge of riparian vegetation, whichever is greater. In addition, the City's Riparian Corridor Policy Study indicates that "development adjacent to riparian habitats should be set back 100 feet from the outside edge of the riparian habitat (or top of bank), whichever is greater."

Many of the cumulative projects include large setback buffers that will avoid and/or reduce impacts to riparian habitat and the wildlife that uses such habitat. The North San José Development Policies Project EIR assumes that future development will observe riparian setbacks of at least 100 feet along the Guadalupe River and Coyote Creek, within which minimal human use and disturbance will be allowed. Any development proposal that encroaches within the 100-foot riparian setback will require additional CEQA review. Similarly, the Evergreen Smart Growth Strategy EIR assumes that future development adjacent to Evergreen Creek and Fowler Creek will observe a riparian setback consistent with the Riparian Corridor Policy.

The City's Riparian Corridor Policy and Guadalupe River Park Design Guidelines will guide the provision of setbacks for any *Strategy 2000* redevelopment along the Guadalupe River or its tributaries, as well as future development allowed by the remaining General Plan amendments included in this cumulative analysis. Through conformance with the Riparian Corridor Policy, these projects would not result in significant impacts to riparian habitat.

As described above, if the cumulative projects conform to the City's Riparian Corridor Policy and Guadalupe River Park Design Guidelines, then cumulative indirect impacts to wetland and riparian habitat can be avoided or reduced to less than significant levels. **(Less Than Significant Cumulative Impact)**

Impacts to Trees. The City of San José promotes the health, safety, and welfare of the City, by regulating the removal of ordinance trees on private property. Ordinance-size trees are defined as trees over 56 inches in circumference at a height of 24 inches above natural grade.⁴ The removal of mature trees detracts from the scenic beauty of the City; reduces the biological diversity of species living within the City's Urban Service Area; causes erosion of topsoil and degradation of water quality in the creeks and Bay; creates flood hazards; increases the risk of landslides; reduces property

⁴ City of San José Civil Code (13.32.020).

values; increases the cost of construction and maintenance of drainage systems through the increased flow and diversion of surface waters; and eliminates one of the prime oxygen producers and prime air purification systems in this area.⁵ City also recognizes Heritage Trees if they meet certain age, size, species or historic criterion.

Development of the cumulative projects will result in the loss of thousands of mature trees, including native trees, orchard trees, and landscape trees. The loss of a large number of these trees would be a significant impact. Individually significant trees, whose loss could not be mitigated by replacement planting, may be required to be moved. Most of the major projects analyzed in this cumulative evaluation would have significant tree impacts. However, the contribution to this impact from the development proposed by *Strategy 2000* would be less than other areas because it contains fewer native species. The project's contribution to this potential impact would not be cumulatively considerable. **(Less Than Significant Cumulative Impact)**

(3) Potential Disturbance to Active Raptor Nests and Occupied Owl Burrows from Project Construction. Raptors (*e.g.*, eagles, hawks, and owls) and their nests are protected under both federal and state regulations. The federal Migratory Bird Treaty Act (16 U.S.C., Sec. 703, Supp. I, 1989) prohibits killing, possessing, or trading in migratory birds, except in accordance with regulations prescribed by the Secretary of the Interior. This act encompasses whole birds, parts of birds, and bird nests and eggs. Birds of prey are protected in California under Fish and Game Code section 3503.5 (1992). Construction disturbance during the breeding season could result in the incidental loss of fertile eggs or nestlings, or otherwise lead to nest abandonment. Disturbance that causes nest abandonment and/or loss of reproductive effort is considered a "taking" by the CDFG. Furthermore, the destruction of occupied Burrowing Owl burrows is also considered a taking. Any loss of fertile eggs, nesting raptors, any activities resulting in nest abandonment, or the destruction of occupied Burrowing Owl burrows would constitute a significant impact. This significance criteria would apply to White-tailed Kites, Cooper's Hawks, Red-Shouldered Hawks, Red-Tailed Hawks, Burrowing Owls, and other birds of prey, many of which are known to nest within the cumulative projects' areas. Construction activities such as tree removal and site grading that disturb a nesting raptor on a specific site or immediately adjacent to the specific site would constitute a significant impact.

Raptors are known to nest in mature trees and sometimes on buildings. Mature trees are present on developed and vacant properties on many of the cumulative project sites. Since development and redevelopment at the levels of intensity proposed by the cumulative development projects will leave very little of these sites in a natural state, it is likely that a number of trees harboring raptors and their nests will be removed. The magnitude of this impact would vary on a project-by-project basis, dependent on the number of trees present on the various sites. Redevelopment as envisioned by *Strategy 2000* would not present a cumulatively considerable risk to raptors. **(Less Than Significant Cumulative Impact)**

(4) Indirect Cumulative Impacts. Steelhead rainbow trout is an anadromous form of rainbow trout that is federally listed as a threatened species. Steelhead are known to occur in the CVSP project area, spawning and spending their first years in Coyote Creek. Steelhead are also known to be present in the Guadalupe River and spawn in Los Gatos Creek. Fall-run Chinook salmon is an anadromous species that is listed as a federal candidate species. Chinook have regularly spawned in the

⁵ City of San José Civil Codes (Prior code Section 8930; Ordinance 13.32.010).

Guadalupe River watershed. Any of the cumulative projects that would affect Coyote Creek, the Guadalupe River, or their tributaries could impact these sensitive fish species, either through direct disturbance or through erosion and sedimentation of the stream channels during construction. Each of the cumulative projects will be required to comply with the City of San José Grading Ordinance, the NPDES General Construction Activity Storm Water Permit to minimize and control construction and post-construction runoff and contamination of the runoff, and the 100-foot setback requirements of the City's Riparian Corridor Policy Study. Through adherence with these programs, as well as other specific mitigation measures such as those recommended in this EIR for *Strategy 2000* development, the cumulative projects would not result in significant cumulative impacts to anadromous fish species.

In addition, there are regional planning efforts in progress to address the effects of cumulative development on fisheries. As an example, the SCVWD (with City participation) is preparing a low effect HCP for Guadalupe River, Stevens Creek, and Coyote Creek fish habitat management plan for below Anderson Dam and other watersheds. This process is known as the "Fisheries and Aquatic Habitat Collaborative Effort". **(Less Than Significant Cumulative Impact)**

The USFWS has indicated concerns regarding the potential for nitrogen deposition from air pollution associated with overall development of urbanized areas to affect plant composition in serpentine grasslands and the bay checkerspot butterfly in the south Santa Clara County area. At this time, actual studies or information specifically related to the City projects, in terms of nitrogen deposition are not available. Further, there is no definitive scientific basis for concluding that projected nitrogen dioxide emissions from specific (or cumulative) projects in San José would impact listed species, such as the bay checkerspot butterfly, that are dependent on native plants found growing on serpentine substrates. For these reasons, a discussion of this potential cumulative impact would be speculative and is not included in this analysis. **(Less Than Significant Cumulative Impact)**

Conclusions. Potential cumulative impacts related to biological resources would not be affected to a considerable extent by the proposed project. **(Less Than Significant Cumulative Impacts)**

7. Cumulative Cultural Resource Impacts

a. Thresholds of Significance. Consistent with the thresholds used by the City in evaluating project-specific cultural resource impacts and with the definitions in CEQA, a significant cumulative impact to cultural resources would occur if approval of two or more of the cumulative projects would cause a substantial adverse change in the significance of historic resource or archaeological resources, as defined in Section 15064.5 of the *CEQA Guidelines*, or disturb any human remains, including those interred outside of formal cemeteries.

b. Archaeological Resources. The entire San José area has a potential for containing subsurface prehistoric and historic archaeological resources, particularly near the channels of the Guadalupe River, Coyote Creek, and their tributaries. While approximately 25 percent of the cumulative project area has already undergone some type of development, impacts to subsurface cultural resources could still occur during ground disturbing and excavation for future development of vacant sites as well as during redevelopment of urban sites.

The *Strategy 2000* area contains the Guadalupe River and is considered to have a moderate-to-high likelihood of containing prehistoric archaeological deposits, as well as a high likelihood of containing

historic archaeological deposits. The Downtown Area as a whole also has a high likelihood of prehistoric and historic archaeological resources.

The North San José Development Policy Project area is bordered by the Guadalupe River and Coyote Creek. Eighteen prehistoric archaeological sites, one isolated prehistoric find, two reported but unrecorded prehistoric resources and two Native American ethnographic villages/settlements are known to be present in the that area. Prehistoric archaeological resources within and adjacent to Rincon are generally classified as midden sites formed through extensive and intensive human occupation which modified the natural soil. Native American burials are often present in these deposits. These sites include former mounds now straddling the Guadalupe River as well as sites covered with up to four feet of sediments. There are also several unrecorded locations of reburied skeletal remains.

There are no recorded archeological sites or reported cultural resources located within or adjacent to the Hitachi or iStar project sites. No known prehistoric, ethnographic or contemporary Native American resources, including sacred places and traditional use areas, have been identified in or adjacent to either project site. Research, surveys, and subsurface investigation of the Evergreen project area has also failed to identify subsurface resources on those development sites.

Prehistoric archaeological sites have been recorded within the northern and mid-Coyote Valley areas, which contains Coyote and Fisher Creeks. These recorded sites include pre-historic and American Period (post-1850) archaeological resources, some of which have been found to be eligible for inclusion on the National Register of Historic Places (NRHP) and California Register of Historic Resources (CRHR). Native American resources include a former major village site and other habitation locations.

Nine of the 14 cumulative General Plan amendment sites are located near the Guadalupe River, Coyote Creek, or their tributaries – Canoas, Miguelita, Ross, Thompson and Upper Penitencia Creeks. These sites have a moderate to high potential for subsurface archaeological resources.

When an archaeological resource is listed in, or eligible to be listed in, the CRHR, Public Resources Code 210874.1 requires that any substantial adverse effect to that resource be considered a significant environmental effect. Public Resources Code 21083.2(g) defines a unique archaeological resource to be an archaeological artifact, object, or site, about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it meets any of the following criteria:

- Contains information needed to answer important scientific research questions and there is a demonstrated public interest in that information, or
- Has a special and particular quality such as being the oldest of a type or the best available example of its type, or
- Is directly associated with a scientifically recognized important prehistoric or historic event or person.

If prehistoric or historic archaeological sites are encountered during any of the cumulative project's construction and proper mitigating procedures are not implemented, a significant impact to the resource will result.

The City of San José General Plan's *Goals and Policies for Archaeological and Cultural Resources* recognizes the irreplaceable nature of cultural resources and requires that preservation should be a key consideration in the development review process. Each of the cumulative projects will include the City's standard mitigation measures for reporting and evaluating cultural resources, in the event such resources are found during project construction.

Reporting and evaluation requirements would be in accordance with current archaeological standards (e.g., Archaeological Resource Management Reports: Recommended Contents and Format, California Office of Historic Preservation, Preservation Planning Bulletin 4(a); any internal City of San José reporting standards for cultural resources reports including Guidelines for Historic Reports) and evaluation criteria (e.g., NRHP, CRHR, City of San José Historic Resources Inventory guidelines).

In light of the above-described policies of the City of San José for mitigation of archaeological resource impacts, it is concluded that the cumulative development will not result in a cumulatively significant impact to archaeological resources. **(Less Than Significant Cumulative Impact)**

c. Historic Resources. As San José has grown and evolved over the last 50 years, many of the residential and industrial neighborhoods have been divided, reduced and replaced by business development, roadway construction, and development of multi-family residences. This continual development in San José has resulted in the loss or relocation of many historic structures, both residential and commercial/industrial. The cumulative loss of historic structures is of great consequence. The overall historical context of San José is degraded every time a historic structure, regardless of use, is lost or incongruously relocated.

General Plan and adopted Council policies on historic resources strongly encourage the protection and adaptive reuse of significant historic structures. Because these policies provide for protection of the resources, and would characterize loss of significant historic structures as a significant impact, the programmatic analysis in the Downtown Strategy Plan EIR and the environmental review for the 14 General Plan amendments included in the cumulative projects list assumes that any structures that are found to be historic resources, as defined by *CEQA Guidelines* §15064.5(a), will be preserved or otherwise protected from demolition and any substantial adverse change in their historic significance. Proposals to alter such structures must include a thorough and comprehensive evaluation of the historic significance of the structure and the economic and structural feasibility of preservation and/or adaptive reuse. If no such properties that meet the definition of historical resources were identified, then no further review related to historic resources would be necessary prior to the implementation of the *Strategy 2000* and General Plan Amendment projects. If properties meeting this definition are identified, the City shall ensure that the project plans follow the *Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings* (Secretary's Standards). Pursuant to *CEQA Guidelines* §15064.5(b)(3), if the project plans conform to the Secretary's Standards, then potential impacts to historical resources will be considered less-than-significant and/or exempt from environmental review.

Since the North San José Development Policies Project, Evergreen Smart Growth Strategy, Downtown Strategy Plan and 14 General Plan Amendment projects do not identify impacts to historic resources, any future development that proposes removal or substantial adverse change in the historic significance of such resources would require preparation of another EIR.

In addition to the cumulative projects described in Table VI-1, there are two developments proposed in the Downtown Core and Midtown areas of the City that would result in significant unavoidable impacts to historic resources. The proposed KB Home Monte Vista Residential project would demolish Del Monte Plant #3, one of seven remaining historic cannery sites in the City. Del Monte Plant #3 is listed on the City's Historic Inventory and has been found to meet the criteria for listing in the NRHP under Criterion A, as a contributing structures to a non-contiguous historic district pertaining to the food processing and canning industries of the Santa Clara Valley. A section of the complex also appears to meet the criteria for listing on the NRHP under Criterion C (Architecture) and appears to be eligible for City Landmark status. The proposed 47 Notre Dame Residential project would demolish the former Palomar Ballroom, that is considered eligible for both the NRHP and CRHR, based on its social significance to the Chicano/Latino community in San José and is a candidate city landmark.

Five of the 22 cumulative projects would result in a significant impact to historic resources. The resources that would be affected by these projects are generally distinct. They are geographically separated and do not represent the same type of development. Two of the projects may result in impacts to resources representing the same period in the City's history). While the individual impacts would not combine to create a cumulative impact of greater severity upon any one historic period or type of resource, the cumulative loss of historic structures would be significant.

The combined impacts to historic resources as a result of full implementation of the proposed projects would result in a cumulatively significant loss of historic resources. *Strategy 2000* would contribute to that cumulatively significant impact. **(Significant Cumulative Impact)**

8. Cumulative Geology Impacts

a. Thresholds of Significance. Consistent with the thresholds used by the City in evaluating project-specific geologic and soils impacts, this analysis examines whether development of the cumulative projects on the list could expose substantial numbers of people or structures to risk from seismic-related or geologic hazards, or would result in a substantial quantity of erosion or siltation.

b. Seismic Hazards. The San Francisco Bay Area is one of the most seismically active regions in the United States. San José is located near the San Andreas Fault Zone (SAFZ), a complex of active faults forming the boundary between the North American and Pacific lithospheric plates. Movement of the plates relative to one another results in the accumulation of strain along the faults, which is released during earthquakes. Numerous moderate to strong historic earthquakes have been generated in northern California by the SAFZ. The level of active seismicity results in classification of the area of seismic risk Zone 4 (the highest risk category) in the California Building Code. The SAFZ includes numerous active faults found by the California Division of Mines and Geology under the Alquist-Priolo Earthquake Faults Act to be "active" (i.e., to have evidence of fault rupture in the last 11,000 years).

Many faults exist in the southern San Francisco Bay Area and some of them are capable of producing ground motions that would affect the proposed new developments. The closest large regional faults are the Hayward, Calaveras, and San Andreas Faults.

San José could potentially experience a relatively high degree of ground shaking due to a large earthquake on a major active regional fault. Because of the proximity of these faults, any ground shaking, ground failure, or liquefaction due to an earthquake could cause damage to structures. The Association of Bay Area Governments (ABAG) predicts there is a 67 percent probability that one or more major earthquakes will occur in the San Francisco Bay Area within the next 30 years. Ground shaking could damage buildings, parking lots, and utilities.

c. Soil Shrink/Swell Hazards. Soils underlying much of San José have moderate to high shrink/swell potential. This condition occurs when expansive soils undergo alternate cycles of wetting (swelling) and drying (shrinking). During these cycles, the volume of the soil changes significantly. In addition, non-uniformly compacted imported fill that has potentially been placed in the area could experience significant differential settlements under new building loads. Structural damage, warping, and cracking of roads and sidewalks, and rupture of utility lines may occur if the potential expansive soils and the nature of the imported fill are not considered during design and construction of improvements.

In locations underlain by expansive soils and/or non-engineered fill, the designers of proposed building foundations and improvements (including sidewalks, roads, and utilities) must consider these conditions in foundation designs. The design-level geotechnical investigations prepared for new development will include measures to ensure that potential damage related to expansive soils and non-uniformly compacted fill are minimized. Options to address these conditions may range from removal of the problematic soils and replacement, as needed, with properly conditioned and compacted fill, to design and construction improvements to withstand the forces exerted during the expected shrink-swell cycles and settlements.

d. Program Mitigation. All structures in the Bay Area and their occupants are at risk of damage or injury from ground shaking in the event of an earthquake. The amount of ground shaking would depend on the magnitude of the earthquake, the distance from the epicenter, and the type of earth materials in between. Very strong to violent ground shaking will occur in the project area during expected earthquakes on the San Andreas, Hayward and other regional faults. This level of seismic shaking could cause extensive structural and non-structural damage in buildings throughout San José.

Due to the risks associated with exposure to geologic hazards, all future development at any location in San José, would be subject to General Plan policies, including the following:

- *Soils and Geologic Conditions Policy #1* states that the City should require soils and geologic review of development proposals to assess such hazards as potential seismic hazards, surface ruptures, liquefaction, landsliding, mudsliding, erosion and sedimentation in order to determine if these hazards can be adequately mitigated.
- *Soils and Geologic Conditions Policy #2* states the City should not locate public improvements and utilities in areas with identified soils and/or geologic hazards to avoid any extraordinary maintenance and operating expenses. When the location of public improvements and utilities in such areas cannot be avoided, effective mitigation measures should be implemented.
- *Soils and Geologic Conditions Policy #5* states the Development Review process should consider the potential for any extraordinary expenditures of public resources to provide emergency services in the event of a manmade or natural disaster.

- Soils and Geologic Conditions Policy #6 states that development in areas subject to soils and geologic hazards should incorporate adequate mitigation measures.
- Soils and Geologic Conditions Policy #8 states that development proposed within areas of potential geologic hazards should not be endangered by, nor contribute to, the hazardous conditions on the site or on adjoining properties.
- Earthquake Policy #1 states that the City should require that all new buildings be designed and constructed to resist stresses produced by earthquakes.
- Earthquake Policy #3 states that the City should only approve new development in areas of identified seismic hazard if such hazard can be appropriately mitigated.
- Earthquake Policy #4 states the location of public utilities and facilities, in areas where seismic activity could produce liquefaction should only be allowed if adequate mitigation measures can be incorporated in to the project.
- Earthquake Policy #5 states that the City should continue to require geotechnical studies for development proposals; such studies should determine the actual extent of seismic hazards, optimum location for structures, the advisability of special structural requirements, and the feasibility and desirability of a proposed facility in a specified location.
- Earthquake Policy #7 states land uses in close proximity to water retention levees or dams should be restricted unless such facilities have been determined to incorporate adequate seismic stability.

e. Standard Construction Requirements. New construction proposed by the cumulative projects would be designed and constructed in conformance with the Uniform Building Code guidelines for Seismic Zone 4 to avoid or minimize potential damage from seismic shaking and seismic-related hazards, including liquefaction, on the various project sites. Therefore, potential impacts associated with future exposure to the proposed projects would be reduced or avoided by conformance to the standards specified in the Uniform Building Code for Seismic Zone 4 and with the recommendations of the structural analysis required for future development proposed on liquefaction-susceptible soils. For this reason, the projects would not be subject to significant impacts from seismic-related hazards.

It is acknowledged that seismic hazards cannot be completely eliminated even with site-specific geotechnical investigation and advanced building practices. However, exposure to seismic hazards is a generally accepted part of living in the San Francisco Bay Area and therefore the mitigation measures described above reduce the potential cumulative hazards associated with seismic activity to a less-than-significant level. **(Less Than Significant Cumulative Impact)**

f. Cumulative Geologic Impacts. Development of the proposed cumulative projects would not be affected by slope instability or volcanic hazards. The projects would not be expected to contribute to regional subsidence or long-term erosion hazards. Implementation of mitigation and avoidance measures, such as those described above, would be required on a project-by-project basis to avoid or reduce geologic hazards impacts associated with seismic ground shaking or shrink/swell soils to a less-than-significant level. Therefore, the projects considered in this cumulative scenario would not result in a significant cumulative geologic hazards impact and the proposed project would not contribute towards a significant cumulative impact.

Implementation of the project in combination with other cumulative development would increase the number of residents and employees exposed to regional seismic risks in the seismically active San Francisco Bay Area, but no other impact related to geology, soils or seismicity would result. No additional mitigation measures, beyond those identified for the proposed project (see Section V.H, Geology) would be necessary. **(Less Than Significant Cumulative Impact)**

9. Cumulative Hydrology and Water Quality Impacts

Approval of the proposals under consideration (see list of cumulative projects in Table VI-1) would result in substantial development/redevelopment of thousands of acres of land within the City of San José.

a. Thresholds of Significance. Consistent with the thresholds used by the City in evaluating project-specific hydrologic and water quality impacts, this analysis examines whether development of the cumulative projects on the list could result in the following types of impacts:

- Exposure of people and property to the effects of flooding at locations where project sites are within floodplains;
- Increases in the volume of stormwater runoff such that the capacities of the storm drainage system and/or local waterways are exceeded; and
- Degradation of surface water quality, resulting from the effects of high stormwater discharges (e.g., erosion of streambanks) and non-point-source pollutants that are common constituents of urban stormwater runoff.

b. Context of Analysis. In recent years, various federal, state, and local laws have been enacted for the purpose of minimizing the risks associated with flooding, as well as for the purpose of improving/maintaining the quality of surface waters. Such legislation includes, but is not limited to, the National Flood Insurance Program, the federal Clean Water Act, the California Porter-Cologne Water Quality Control Act, and the San José Floodplain Management Ordinance.

As a direct result of such legislation, development projects in San José are now required to undertake steps to avoid, minimize, and/or mitigate flooding and water quality impacts. These steps can include 1) modifying site designs to reduce impervious surfaces; 2) constructing on-site stormwater detention facilities; 3) constructing off-site improvements to stormwater and flood control facilities; 4) maintaining open areas to preclude the blockage of flood flows; 5) constructing finished floors of buildings above base flood elevations; and 6) incorporating Best Management Practices (BMPs) into the construction and post-construction phases of development. In addition, these requirements are now applied to projects that seek to redevelop areas that were previously urbanized, the result of which optimally is a reduction in impervious surfaces on such sites.

c. Conclusion. In view of the applicability of ordinances, laws and regulations that would avoid the occurrence of significant hydrological and water quality impacts, it is concluded that cumulative hydrology and water quality impacts will not be significant. **(Less Than Significant Cumulative Impact)**

10. Cumulative Hazards Impacts

Most of the projects included in this cumulative analysis are proposed on properties that were previously developed with industrial or agricultural uses. It is likely that hazardous materials may have been stored and used on, and/or transported to and from some of these properties as part of industrial or agricultural activities on the sites. These hazardous materials (such as gasoline, oil, propane, and various chemicals used in manufacturing and agriculture) may have been stored on these sites in above-ground or underground tanks. Storage tanks can leak, often resulting in soil and/or groundwater contamination. If groundwater is affected, it can impact properties downgradient of the spill. The use of pesticides and fertilizers on agricultural properties can result in widespread residual soil contamination, sometimes in concentrations that exceed regulatory thresholds.

In addition, development/redevelopment of some of the sites would require demolition of existing buildings that may contain asbestos-containing materials (ACMs) and/or lead paint. Demolition of these structures could expose construction workers or other persons in the vicinity to harmful levels of asbestos or lead. Similarly, some of the properties may be located on asbestos-containing serpentine rock soils or fill (which is the case on the Hitachi property). When this rock, which is naturally-occurring, is disturbed during construction and grading activities, there is a potential for release of asbestos fibers, which could also affect construction workers and/or persons residing downwind.

Consistent with the thresholds used by the City for hazardous materials impacts, the above-described conditions, which are present on most project sites to varying degrees, constitute potentially significant environmental impacts since they can lead to the exposure of residents and/or workers to substances that have been shown to adversely affect health.

Due to the risks associated with exposure to hazardous materials, for each of the projects that are under consideration, various mitigation measures will be implemented as a condition of development. Measures would include incorporating the requirements of various existing local, state, and federal laws, regulations, and agencies such as the State Department of Toxic Substances (DTSC) and Cal/OSHA, during all phases of project construction. Depending upon the extent of the chemical release, contaminated soils could be excavated and transported to appropriate landfills, or treated on-site. If groundwater is affected, remediation and on-going groundwater sampling both on the site and on surrounding downgradient properties could be warranted. Finally, determining the extent of asbestos and lead paint contamination would also be required prior to building demolition and site grading and, if present, such substances would be handled and disposed of in a manner that minimizes human exposure.

For sites with hazardous materials contamination, implementation of mitigation and avoidance measures, such as those described above, would be required on a project-by-project basis to avoid or reduce hazardous materials impacts to a less than significant level. Therefore, the projects considered in this cumulative scenario would not result in individual significant unmitigated cumulative hazardous materials impacts and the proposed project would not contribute towards a significant cumulative impact. **(Less Than Significant Cumulative Impact)**

11. Cumulative Utilities Impacts

Approval and full implementation of the cumulative projects listed in Table VI-1, in conjunction with the buildout of the City's current General Plan, would result in the construction of large amounts of

new industrial, commercial and residential development. Each of these uses would have different potential impacts upon the City's utility and service systems. Utility and service providers maintain long term projections for demand for their services within the City based on the City's General Plan, and in many cases have developed strategies to meet the anticipated demand levels. Typically the timeframe for their demand/supply analysis is comparable to the timeframes of projects addressed here.

In the case of the Coyote Valley Specific Plan (CVSP) project, the amount of development in the proposed project is already in the City's General Plan and may have been anticipated by utility providers. Because the Mid-Coyote area is not within the City's Urban Service Area (USA), however, the urbanization in the Coyote Valley Urban Reserve has not been planned within the current General Plan horizon. Implementation of the CVSP would require an expansion of the USA boundaries. In the cases of the Evergreen and iStar projects, the proposed development would likely have similar or lesser demand upon the utility and service systems than the land uses currently shown in the City's General Plan for those respective sites. The North San José project would increase development beyond that allowed under the adopted General Plan.

a. Threshold of Significance. For the purposes of this EIR, a cumulative impact to utility and service system resources is considered significant if the proposed project, in conjunction with other pending projects would:

- Exceed the current or feasible future capability of the relevant utility or service system.

b. Cumulative Impacts to Sanitary Sewer/Wastewater Treatment Facilities. The City's sanitary sewer/wastewater treatment system has two distinct components: 1) a network of sewer mains/pipes that conveys effluent from its source to a treatment plant, and 2) the water pollution control plant that treats the effluent, including a system of mains/pipes that recycles a portion of the treated wastewater for non-potable uses (e.g., irrigation of landscaping, agricultural irrigation, dust suppression during construction, etc.).

(1) Sanitary Sewer System. The City of San José has adopted a level of service (LOS) policy for design of sanitary sewer mains. The levels of service range from "A" to "F," with LOS A defined as unrestricted flow and LOS F defined as being inadequate to convey existing sewer flow. To meet the City's guidelines, new developments must meet LOS D or above. LOS D is defined as restricted sewage flow during peak flow conditions.

Apart from the Coyote Valley, the City of San José currently has wastewater collection infrastructure in place in all of the cumulative project areas. Generally this consists of varying levels of local connectors, laterals that range from six to eight inches in diameter, and sewer mains ranging in size from 10 to 30 inches. The network primarily relies upon gravity flow, supplemented by sewer lift stations and force mains at specific locations. The City is responsible for maintenance of the entire system.

The cumulative projects, as well as future development allowed under the adopted General Plan, will contribute wastewater to the existing system. As part of each project's approval process, the City will require appropriate upgrades and extensions to the existing system. The largest expansion of the sanitary sewer system would occur in the Coyote Valley. In addition, through its Capital Improvement Program, the City undertakes upgrades to the existing system, consistent with its policy objective of maintaining LOS D in the City's sanitary sewer mains.

(2) **Water Pollution Control Plant (WPCP).** San José's WPCP, which is located at the northerly end of the City, provides wastewater treatment for the Cities of San José, Santa Clara, and Milpitas, as well as five other sanitary districts in Santa Clara County. The WPCP has an existing capacity to treat 167 million gallons per day (mgd) of effluent. Of this total amount, the capacity allocated to San José is roughly 106 mgd.

In 1998, the WPCP was treating an average of 142 mgd (dry weather peak), of which 94 mgd was from San José. In 2000, the WPCP was treating an average of 135 mgd. In 2002 and 2004, the plant was treating an average of 118 mgd and 117 mgd, respectively. San José's portion of the 117 mgd is approximately 73 mgd. The decline in discharge from 142 mgd to 117 mgd can be attributed, at least in part, to a decline in manufacturing uses in Santa Clara County, a general decline in industrial activity, and continuing implementation of water conservation measures through new construction. At least part of the reduction in activity is due to the economic conditions which resulted in high vacancy rates in the industrial areas of Santa Clara County.

For the reasons discussed previously in Section V.M of this EIR, while the capacity of the WPCP is 167 mgd, the amount of treated wastewater that can be discharged to San Francisco Bay is limited to 120 mgd (dry weather peak). This limitation has led to the development of programs to reduce the volume of wastewater generated at the source, as well as a system that recycles some of the wastewater for non-potable uses.

The recycling of wastewater occurs through the South Bay Water Recycling (SBWR) program. The SBWR system includes over 100 miles of pipes that convey treated wastewater to portions of San José, Santa Clara, and Milpitas. The SBWR program is currently recycling approximately 17 mgd of treated wastewater to over 450 customers in the three cities.

Cumulative implementation of the major planning projects identified in this document is conservatively projected to result in a total net increase in sewer/wastewater discharge of approximately 21 mgd. Factoring in buildout of the City's current General Plan raises the projected increase in discharge by 12 mgd to a total increase of 33 mgd. This estimate does not reflect possible advances in water conservation, expanded use of recycled water or other measures that could reduce the total potential impact upon sewer and wastewater facilities. Additionally, the discharge assumed for buildout of the City's General Plan does not account for off setting reductions in discharge as existing uses are displaced by future development.

The estimated total increase in wastewater discharge from buildout in San José (including the cumulative projects) of 33 mgd could be treated by WPCP only if the existing flow from San José of 73 mgd does not increase. This statement is based on the fact that an increase of 33 mgd would not cause San José to go above its current WPCP treatment allocation of 106 mgd. If however, due to the re-occupancy of currently vacant buildings, discharge levels return to those that occurred in 2000, there would be insufficient capacity at the existing WPCP to treat the additional volume of wastewater. In any case, the 33 mgd increase in wastewater would cause the discharge from the WPCP to the Bay to exceed the 120 mgd limitation. Exceeding the treatment capacity of the WPCP could result in significant impacts to the physical environment and to human health and safety. Neither this scenario nor a situation in which the flow cap restriction of 120 mgd would be allowed to occur, based on the requirements of Chapter 15.12 of the Municipal Code (see discussion below).

In order to accommodate treatment of all of this sewage, the WPCP may need to be expanded or satellite facilities might need to be built. Any proposal to increase WPCP capacity would require separate CEQA review and would be subject to a separate permitting process. There is at present no specific proposal to expand WPCP capacity, and to identify at this time the location or the impacts of doing so would be speculative.

The City may pursue several strategies to address demand upon the WPCP. Programs to reduce water usage will also reduce sewer/wastewater discharge, which reduce the demand for treatment capacity. The City has in recent years successfully reduced discharge to the WPCP through the ongoing implementation of water conservation programs and programs to reduce sewage generation.

Increased use of recycled water will reduce the amount of discharge from the WPCP to the Bay. All of the major projects considered in this cumulative analysis are located adjacent to existing SBWR pipelines (Downtown, North San José, and Evergreen) or adjacent to planned extensions of the SBWR pipelines (Coyote Valley, Hitachi and iStar), providing extensive opportunities for additional use of recycled water, including the possibility of double plumbing (interior uses) for recycled water use in new buildings. Active implementation of aggressive strategies to facilitate use of recycled water could reduce the actual amount of discharge from the WPCP to the Bay to acceptable levels. Under the worst case conditions used for this analysis, the City would need to increase use of recycled water by approximately 33 mgd in order to remain under the 120 mgd dry weather flow trigger.

While the impacts from increased flow to the WPCP could be significant, this impact is avoidable through increased use of recycled water, expansion of WPCP treatment capacity, and/or limitations on new development such that full buildout of the cumulative projects could not occur until capacity is available. The City may choose to not approve some of the proposed cumulative development assumed in this analysis, or development could be delayed until a later date.

Ultimately, the capacity of the WPCP to treat sewage and discharge effluent is a potential infrastructure capacity issue that could constrain full implementation of the cumulative projects, but the capacity constraint would not result in an environmental impact since the City of San José would not entitle development that would exceed the 120 mgd flow trigger discharge to impact the Bay. Every land use permit issued by the City of San José includes this standard permit condition:

Sewage Treatment Demand. Chapter 15.12 of Title 15 of the San José Municipal Code requires that all land development approvals and applications for such approvals in the City of San José shall provide notice to the applicant for, or recipient of, such approval that no vested right to a Building Permit shall accrue as the result of the granting of such approval when and if the City Manager makes a determination that the cumulative sewage treatment demand of the Water Pollution Control Plant represented by approved land uses in the area served by said Plant will cause the total sewage treatment demand to meet or exceed the capacity of Water Pollution Control Plant to treat such sewage adequately and within the discharge standards imposed on the City by the State of California Regional Water Quality Control Board for the San Francisco Bay Region. Substantive conditions designed to decrease sanitary sewage associated with any land use approval may be imposed by the approval authority.

As noted above, unless the City is able to substantially increase the use of recycled water, the proposed amount of development, including buildout of the current General Plan, could cause the WPCP to exceed the discharge flow limit. The City will not however issue any entitlement for development beyond the WPCP capacity including the flow trigger cap or other WPCP capacity limitations. The City will continue to monitor WPCP capacity, pursue strategies for reducing water usage and discharge to the WPCP, and increase the use of recycled water. The proposed increased level of development in North San José would increase the amount of sewage sent to the WPCP for treatment, but would not contribute to a cumulatively significant impact. **(Less Than Significant Cumulative Impact)**

c. Cumulative Impacts to Water Service. The City of San José has three water service providers (retailers) who each serve different regions of the City that would be affected by the cumulative impacts addressed here. The San José Water Company serves the Downtown and a portion of the North San José area. The San José Municipal Water System serves the remainder of North San José and the Evergreen area. The Great Oaks Water Company serves the Hitachi and iStar properties. The water service provider for Coyote Valley has not yet been determined. The water systems for each of these retailers are independent of each another although they all potentially draw upon groundwater and surface water resources administered by the Santa Clara Valley Water District (SCVWD).

Based on a conservative estimate of the likely water demand for the pending projects under consideration and buildout of the City's current General Plan, the projected cumulative increase in demand is approximately 39 mgd. The water retailers draw upon various sources for their water supply, including local groundwater and surface water supplies and importation of water from outside of San José's jurisdiction. While some growth in imported water supply is expected (and currently under negotiation), the predominant source of additional water supply is local groundwater. The SCVWD is in the process of modeling their long term ability to provide ground water to the three retailers, but their preliminary analysis suggests that they have adequate capacity to address the cumulative demand of the projects under consideration here.

The San José Municipal Water System has identified the need to construct some additional facilities as part of their conveyance system to serve some of the cumulative projects. Additional facility improvements may be necessary for the other suppliers or for the San José Municipal Water System in other parts of the City, but these have not yet been identified. Such improvements will be identified and implemented as development occurs as part of the entitlement review process. Some facilities may also be constructed by the providers themselves through their typical business operations.

Based upon the information available at this time, it appears that the existing sources and infrastructure for water supply are adequate to address the cumulative increase in demand due to the projects under consideration. The proposed increased level of development in North San José would increase water demand, but would not contribute to a cumulatively significant impact.

Approval and implementation of all of the cumulative projects as proposed would increase demand for water supply, but would not result in significant cumulative environmental impacts as a result of exceeding the identified water supply. **(Less Than Significant Cumulative Impact)**

d. Cumulative Impacts to Storm Drainage. The City of San José owns and maintains the existing public storm drainage system throughout the City's Urban Service Area. The underground drain-

age system is composed of storm lines which range in size from 12 inches to 144 inches in diameter. Flows from individual sites and surface streets are conveyed by gravity flow to storm laterals and storm mains. In most cases drainage to the Guadalupe River, Coyote Creek or other tributary streams is by gravity flow through the system or by direct outflow, but in some areas water is pumped from storm mains into the stream system.

The City's standard is to provide adequate storm drainage to convey up to a 10 year storm event. In some areas of the City, notably including the North San José area, the current storm drainage system does not provide this capacity. The City maintains a long term plan to build out the storm drainage system to meet the 10 year standard throughout the City.

The cumulative projects analyzed in this section include both redevelopment and/or intensification of existing areas (e.g. Downtown, North San José) or new development on largely vacant sites (e.g. Evergreen, Coyote Valley), as well as a number of smaller infill project sites. While intensification of already developed areas will likely result in minimal increases in storm water amounts which can be largely accommodated by the existing storm drainage network, development in new areas will require the construction of new storm drainage systems.

Downtown San José is fully developed, except for small vacant lots that are mostly paved. As referenced earlier, North San José will include expansion and improvement of the existing storm system as new development occur under the proposed plans for intensification. In the case of the Evergreen and Coyote Valley projects, the large scale and master planning approaches underway allow for the comprehensive design, funding, and construction of storm water facilities as needed to serve the new development. Evergreen and Coyote Valley are also subject to the most stringent requirements of the City to minimize storm water runoff, consistent with policies implemented by the Regional Water Quality Control Board. As a result of compliance with these policies, these projects are not expected to result in any significant impacts upon the nearby stream systems or from exceeding the capacity of downstream storm drainage systems.

Development allowed under the proposed projects would in some cases generate stormwater flows in excess of the capacity of existing stormwater collection systems. Construction of the planned storm water collection systems in conjunction with planned development and consistent with RWQCB policies, would not result in new significant environmental impacts. **(Less Than Significant Cumulative Impact)**

e. Cumulative Impacts to Electricity and Natural Gas. Pacific Gas & Electric (PG&E) supplies electricity and natural gas to the City of San José. Distribution of electric power is accomplished primarily through underground systems extending from various high voltage transmission lines in the area. Natural gas is distributed through a series of gas distribution lines located within street right of ways. Electric and gas utilities are available in the vicinity of the respective project areas and can be extended onto developments in the project areas. PG&E has projected that planned development of the Coyote Valley will require construction of an additional electric distribution substation to provide adequate power. Additional substations may also need to be constructed in other parts of San José to serve new development.

See also the discussion of Cumulative Energy Impacts below.

Development allowed under the proposed project would not result in any identified significant impact related to the provision of electricity and natural gas. Construction of planned electric distribution substations would not result in new significant environmental impacts substantially greater or different than the individual developments they are built to serve. **(Less Than Significant Cumulative Impact)**

f. Cumulative Impacts to Solid Waste Systems. Commercial solid waste collection in San José is provided by a number of non exclusive service providers and the waste may be disposed of at any of the four privately owned landfills in San José. Collection of residential waste occurs under exclusive franchise agreements between the City and two service providers, Norcal of San José and Green Team. According to the Source Reduction and Recycling Element of the General Plan prepared for the City of San José and the County wide Integrated Waste Management Plan, there is sufficient land-fill capacity for Santa Clara County's projected needs for at least 30 more years.

Recycling collection and processing services, including yard waste recycling, are provided to both single family and multi-family residences by Norcal of San José, Green Team, and Green Waste, Inc. Recycling services are available to most businesses from private recyclers. The City of San José Environmental Services Department also offers information and assistance to businesses wishing to recycle, or to expand their recycling activities.

Development allowed under the proposed cumulative projects would not result in an exceedance of system capacity or any other significant impacts to the solid waste system. **(Less Than Significant Cumulative Impact)**

12. Cumulative Energy Impacts

As shown in the list of cumulative projects, there is a substantial amount of development that is being considered for approval in San José. To provide information regarding the magnitude of cumulative energy impacts, the estimated annual energy usage of the largest of these projects is quantified in Table VI-6. To put the data of Table VI-6 into context, the cumulative increase in electricity, 1,433 million kWhr, is equivalent to 8 percent of the total amount of electricity used in Santa Clara County in the year 2000.⁶ Similarly, the cumulative increase in gasoline, 77 million gallons, is equivalent to 9 percent of the total amount of gasoline used in Santa Clara County in 2003.⁷

More important, the California Energy Commission is projecting future shortages of electricity, natural gas, and gasoline during periods of peak demand. In the context of these projected shortages, the increase in energy usage that is shown in Table VI-6 would constitute a significant cumulative energy impact. This conclusion is consistent with the thresholds of significance used for energy impacts, which state that energy usage needs to be evaluated in the context of projected supplies.

⁶ Total electricity usage for year 2000 in Santa Clara County was 17,843 million kWhr. (Source: California Energy Commission, www.energy.ca.gov/electricity/electricity_by_county_2000.html)

⁷ In 2003, Santa Clara County highway gasoline consumption was estimated to be 813,222,000 gallons. (Source: Caltrans, Office of Transportation Economics, 2004)

Table VI-6: Estimated Cumulative Energy Usage

	Natural Gas (cubic feet/year)	Electricity (kWh/year)	Gasoline (gallons/year)
North San José^a 32,000 residences 26,700,000 ft ² office/R&D 622,000 daily trips Subtotal:	1,440 million 774 million 2,214 million	208 million 481 million 689 million	33 million
Downtown San José^a 10,000 residences 10,000,000 ft ² office/R&D 1,200,000 ft ² commercial 196,690 daily trips Subtotal:	450 million 290 million 44 million 784 million	65 million 180 million 16 million 261 million	10 million
Evergreen^a 7,200 residences 75,000 ft ² commercial 60,162 daily trips Subtotal:	324 million 3 million 327 million	47 million 1 million 48 million	3 million
Coyote Valley^a 25,000 residences 12,500,000 ft ² office/R&D 520,489 daily trips Subtotal:	1,125 million 363 million 1,488 million	163 million 225 million 388 million	27 million
Hitachi^{a, b} 2,930 residences 460,000 ft ² commercial 34,488 daily trips Subtotal:	132 million 17 million 149 million	19 million 6 million 25 million	2 million
iStar^a 1,000,000 ft ² office/R&D 450,000 ft ² commercial 29,352 daily trips Subtotal:	29 million 17 million 46 million	18 million 6 million 24 million	2 million
Totals:	5,007 million	1,433 million	77 million

^a Proposed land uses are estimated maximums, based on preliminary information available at the time this EIR was prepared.

^b Project includes 3.6 million ft² of office/r&d uses, but those uses are not included in this table because the Hitachi site presently includes 3.6 million ft² of office/r&d uses.

Source: David J. Powers & Associates, Inc.

There are many measures available to reduce energy consumption in both residences and businesses. Each of the projects being considered will, to varying degrees, incorporate such measures into the design of all new buildings.

It is also important to note that several of the large projects being considered (*e.g.*, Downtown, North San José, Coyote Valley, and Hitachi) would construct residences in the vicinity of job centers. Further, all of the large projects listed in Table VI-1 are, to varying degrees, located along existing or

planned rail corridors (LRT, CalTrain, BART, Altamont Commuter Express). Proximity of jobs to housing and the availability of efficient public transit are important goals of land use planning, as embodied in the policies of San José's General Plan, because they can substantially reduce the adverse effects of automobile usage (i.e., energy consumption, congestion, and air pollution).

One of the cumulative projects, the Evergreen Smart Growth Strategy, would reverse a 1970s decision to designate 367 acres of land in Evergreen for roughly 5 million square feet of *Campus Industrial* uses. The 1970s decision was made for the purpose of locating jobs near the substantial supply of housing in Evergreen. The current proposal would redesignate these lands for housing which would result in longer commutes. From a transportation energy perspective, this would be an adverse impact.

On the basis of the above discussion, including the fact that the extent to which each project will incorporate energy-conserving measures into its design is presently unknown, it is concluded that cumulative energy impacts will be significant and unavoidable. **(Significant Cumulative Impact)**

13. Cumulative Impacts to Public Facilities and Services

Public facilities and services are provided to the community as a whole, usually from a central location or from a defined set of nodes. The resource base for delivery of these services, including the physical service delivery mechanisms, is financed on a community-wide basis, usually from a unified or integrated financial system. The service delivery agency can be a city, county, service or other special district. Usually, new development will create an incremental increase in the demand for these services; the amount of demand will vary widely, depending on both the nature of the development (residential vs. commercial, for instance) and the type of services, as well as on the specific characteristics of the development (such as senior housing vs. family housing).

The cumulative impact of a group of projects, as with a particular project, on public facility services is generally a fiscal impact. By increasing the demand for a type of service, a group of projects could cause an eventual increase in the cost of providing the service (more personnel hours to patrol an area, additional fire equipment needed to service a tall building, etc.). That is a fiscal impact, not an environmental one. CEQA does not require an analysis of fiscal impacts.

CEQA analysis is, however, required if the increased cumulative demand is of sufficient size to trigger the need for a new facility (such as a school or fire station), since the new facility would have a physical impact on the environment. CEQA requires that an EIR then identify and evaluate the physical impacts on the environment that such a facility would have. To reiterate, the impact that must be analyzed in an EIR is the impact that would result from constructing a new public facility (should one be required), not the fiscal impact of a development on the capacity of a public service system.

As described in the introduction to this Cumulative Chapter, the City of San José is currently considering six major long-term projects that propose development and/or intensified redevelopment on approximately 10,175 acres, as well as 14 other General Plan amendments that cover approximately 340 acres. When compared to buildout under the approved San José General Plan, approval and buildout of all of the cumulative projects would result in a net increase of approximately 102,000 jobs and 45,000 dwelling units.

a. Fire and Police Protection. Fire protection for the City is provided by the City of San José Fire Department (SJFD). The SJFD also participates in a mutual aid program with Saratoga, Morgan Hill, Campbell, Milpitas, and Santa Clara. Through this program, should the SJFD need assistance above and beyond what is available within the City, one or more of the mutual aid cities would provide assistance. The SJFD includes 31 fire stations located throughout the City, which house 31 engine companies, eight truck companies, three Urban Search and Rescue (USAR) truck companies, one Hazardous Materials Incident Team (HIT), five Battalion Chiefs, one Paramedic Supervisor, and one Arson Investigator.

Police protection services are provided by the City of San José Police Department (SJPD). Police are dispatched from police headquarters located at 201 West Mission Street. The SJPD consists of 16 districts with 83 beats.

The \$159 million Public Safety Bond Program approved by voters in March 2002 funds capital projects for the Fire and Police Departments and includes: a public safety driver training facility, new and upgraded 911 communications facilities, an improved training center, a new police substation, new fire stations, fire stations to be relocated, new community policing centers, and upgrades to existing fire stations.

These public safety projects are intended to be implemented over the next decade and would be available to serve the population produced by the cumulative group of projects. Increased public safety staffing and purchase of equipment is evaluated by the City during the normal budget process, based on then current conditions.

The new construction that would occur as a result of the cumulative projects includes the redevelopment of older commercial and industrial buildings that may use hazardous materials as well as construction on parcels that are currently vacant. New buildings would replace aging buildings with structures built to current fire code standards.

The net increase in the amount of development that would exist in the City by the cumulative scenario, particularly the increased residential development, will increase calls for fire and police services. As described above, the City is undertaking a capital improvement program that includes the anticipated development of new fire stations, fire stations to be relocated, and upgrades to existing fire stations. However, there is currently no specific proposal to build a new fire station(s) or new or expanded police facilities as a result of the additional demands that would arise from development of the cumulative projects.

Increased demands for service may be offset by expansion of existing stations, including additional staffing. In the event that future development patterns (including the specific location of new development) and/or service demands indicate that a new fire station is needed in a given area of San José, a suitable location for construction of a station would be identified and provided within the project area. Increased demand for services is not necessarily an environmental impact. The environmental impact, if it does occur, generally results from the impacts on the physical environment that result from the physical changes made in order to meet the demand.

Construction of a new fire station or police facility, if required, would require environmental review. Since specific sites for such construction cannot be identified at this time, it cannot be stated conclu-

sively that significant environmental impacts would or would not occur. The construction of a local fire station on land in any of the six major project areas would contribute incrementally to the impacts of development identified for each of the six projects, but is not anticipated by itself to have new or substantially different significant adverse environmental impacts. Further discussion at this time of the impacts that might result from building an additional public safety facility would be speculative.

The following General Plan goals and policies would ensure that police and fire services are maintained at adequate levels and that implementation of the cumulative projects would result in a less-than-significant impact to police and fire services.

- Services and Facilities, Policy 16: For police protection, achieve a response time of six minutes or less for 60 percent of all Priority 1 calls; achieve a response time of eleven minutes or less for 60 percent of all Priority 2 calls.
- Services and Facilities, Policy 17: In reviewing major land use or policy decisions, the City should consider the availability of police and fire protection, parks and recreation, and library services to the affected area as well as the potential impacts of the project on existing service levels. (**Less Than Significant Cumulative Impact**)

b. Parks and Recreation Cumulative Impacts. The City of San José currently manages 3,561 acres of regional, neighborhood and community parkland. The City provides developed park lands, open space, and community facilities to serve its residents. Some recreation facilities available to San José residents are also provided by other public agencies, such as playgrounds and fields on public school sites, County parks, and City trails on Santa Clara Valley Water District lands. Park and recreation facilities vary in size, use, type of service, and provide for neighborhood, citywide, and regional uses.

The City of San José has 160 neighborhood parks, 18 community gardens, and eight regional parks. Amenities can include basketball courts, bar-b-ques, exercise (par) courses, picnic tables, playgrounds, restrooms, soccer fields, softball fields, swimming pools, and tennis courts. In addition to parks, recreational facilities include community centers, trails, and open space preserves.

In November of 2000, the voters of San José overwhelmingly approved passage of two general obligation bond measures. Seventy-five (75) of the 96 Park Bond projects have been delivered to residents of San José as part of the Safe Neighborhood Parks and Recreation Bond.

The City's General Plan has established level of service benchmarks for parks and community centers. The City has a service level objective of 3.5 acres of neighborhood and community serving recreational lands per 1,000 residents, of which a minimum is 1.5 acres of City owned neighborhood, community, or locally serving regional/City-wide park lands and up to 2 acres of school playgrounds, and all of which are located within a reasonable walking distance from the surrounding residences; 7.5 acres of regional/City-wide parkland per 1,000 population; and 500 square feet of community center floor area per 1,000 population.

Assuming 3.2 persons per household, the 44,600 dwelling units proposed by the cumulative projects would result in approximately 142,720 residents and a corresponding cumulative demand for approximately 500 acres of neighborhood serving parks, 1,070 acres of regional parkland, and 71,360 square feet of community center space. The projects proposing higher density residential develop-

ment will produce fewer residents, typically 2.29 for high density housing, than the Citywide average noted above, and so the actual cumulative demand for parkland is likely to be less than described above.

Implementation of the cumulative projects would result in a substantial increase in San José residents. The City has adopted the Parkland Dedication Ordinance (PDO) and Park Impact Ordinance (PIO) that require residential developers to dedicate public parkland or pay in-lieu fees, or both, to offset the demand for neighborhood parkland created by their housing developments. The PIO allows applicants to receive credit towards the parkland dedication requirements for private recreation improvements included as part of the project. Additionally, residential developments are required to provide on-site private and common open space in conformance with City's Residential Land Use Policy 11.

While the increased population associated with the implementation of the cumulative projects would result in increased use of existing parks and trails, such use is not expected to be substantial enough to cause these facilities to deteriorate and no significant adverse physical impact would result. Therefore, while cumulative projects will result in an increase in demand for parks and recreation, they will offset this increased demand through the provision of new and improved parks and open space opportunities. New parks facilities would be developed in the project area concurrent with the proposed residential development. New parks and recreation facilities would contribute incrementally to the impacts of development identified for each of the cumulative projects as a whole, but would not be anticipated to have new or substantially different significant adverse environmental impacts. **(Less Than Significant Cumulative Impact)**

c. Library Service Impacts. The San José Public Library System consists of one main library and 18 branch libraries. The Dr. Martin Luther King Junior Main Library is located on the corner of San Fernando and Fourth Streets, in downtown San José, and the 18 library branches are located throughout the City. In addition to the San José Public Library system, Santa Clara County also has a network of eight libraries within the County's municipalities, as well as a bookmobile. The Alum Rock Library, located at 75 South White Road, is the only County library located in San José.

The San José General Plan benchmarks for library services are 10,000 square feet of library space per 36,000 population, and 18.3 weekly service hours per 10,000 population. In November 2000, the Branch Library Bond Measure was approved to help achieve General Plan library services goals. The measure will provide 212 million dollars over the next ten years for six new and 14 expanded branch libraries.

The additional demand for library service resulting from growth allowed by the cumulative projects will impact individual neighborhood branches in the areas where growth would occur, and the Martin Luther King, Jr. Main Library. As population grows and service demands increase, additional library services would be required. The resources to meet the increased demands could include some or all of the following:

- expanding the physical size of branches and main library;
- adding new branches; enlarging materials collections;
- expanding/redefining collections to accommodate changing technologies;

- increasing staff; and
- providing additional services not currently provided.

Developing the proposed amount of new housing in Downtown, North San José, Evergreen, and Coyote Valley would create a significant new demand that would exceed the resources and service capacity of existing and nearby libraries, and could trigger the need for new libraries in each of the major project areas. The ultimate buildout of these projects is likely, therefore, to include a new branch library or substantial expansion of existing libraries in these areas of San José. Each of the six major projects are planned in geographically distinct areas of the City, and would be served by branch libraries located within their respective project area and not contribute to cumulative impacts on branch libraries in other areas of San José.

The projects include land use designations that allow the location of residential support uses, including libraries. Future development of a library in the six major project areas would require supplemental environmental review. Since specific sites for such construction cannot be identified at this time, it cannot be stated conclusively that significant environmental impacts would or would not occur and so further discussion at this time of the impacts that might result from building a library in these cumulative project areas would be speculative.

The cumulative projects would increase the number of people using library facilities in the City, and may trigger the need for a new library in a particular project area, particularly in North San José, Evergreen and Coyote Valley. In the event that a new library is needed in a given project area, it is assumed that it would be constructed near the planned residential development, at a location suitable for library use. **(Less Than Significant Cumulative Impact)**

d. School Impacts. Santa Clara County has 33 school districts and 345 schools. The cumulative projects are located in areas of San José serviced by eight school districts:

- San José Unified School District
- East Side Union High School District
- Orchard School District
- Santa Clara Unified School District
- Oak Grove School District
- Evergreen School District
- Mount Pleasant School District
- Morgan Hill Unified School District

The purpose of this cumulative analysis is to forecast the combined effect of the cumulative projects on school districts where a school district serves more than one of the cumulative projects.

The San Jose Unified School District would be affected by Downtown development as envisioned by *Strategy 2000*.

The Orchard School District and Santa Clara Unified School District would be impacted by the North San José project. The other cumulative projects would not contribute students to these districts.

The Oak Grove School District would be impacted by the Hitachi project. The other cumulative projects would not contribute students to this district.

The Evergreen School District and the Mount Pleasant School District would be impacted by the Evergreen project. The other cumulative projects would not contribute students to these districts.

The Morgan Hill Unified School District (MHUSD) may accommodate the students generated by the Coyote Valley Specific Plan (CVSP), or potentially a new school district could be formed. The other cumulative projects would not contribute students to the MHUSD or a new school district. Additionally, the students generated by the dwelling units to be built under the CVSP are not anticipated to be accommodated by other Santa Clara County school district(s), so the CVSP is not expected to contribute to a cumulative impact to schools.

The iStar project is located within the service area boundaries of East Side Union and Oak Grove School Districts, but proposes no residential development, and so no students would be generated.

Two of the eight school districts would be impacted by more than one of the cumulative projects. The anticipated cumulative impacts on these school districts are described below.

San José Unified School District. The San José Unified School District (SJUSD) is located in central San José and includes land in the Downtown and North San José project areas. The SJUSD served 32,351 students from Kindergarten to Grade 12 in 2002-2003, and is comprised of 54 schools consisting of 31 elementary schools, seven middle schools, seven high schools, seven continuation schools, one charter school and one alternative school. Within the SJUSD boundary, the North San José project could generate approximately 383 elementary students, 184 middle school students, and 240 high school students. The 10,000 multi-family dwelling units proposed with the Downtown project will generate an estimated 2,000 to 5,000 students, depending upon the unit types and sizes ultimately developed.

The SJUSD is in the process of closing schools through its School Closure and Transition Plan. Due to the presence of surplus schools within the SJUSD, the proposed Downtown and North San José projects may not require construction of new facilities.

East Side Union High School District. The East Side Union High School District (ESUHSD) is located in the eastern portion of San José and includes land in the North San José, Hitachi and Evergreen project areas. The ESUHSD is comprised of 10 high schools, five continuation schools, and four charter schools. During the 2001-2002 school year, the ESUHSD had a total of 24,409 students enrolled in grades 9-12. The North San José project could generate approximately 566 high school students that would attend schools in the ESUHSD. The Hitachi project could generate approximately 586 new high school students. The Evergreen project could generate between 300 and 400 new high school students. None of the other cumulative projects are anticipated to generate students in this school district.

Based on the above-described estimates, the cumulative student generation within this school district by the projects under review is anticipated between 1,450 and 1,550 high school students. The ESUHSD is anticipated to accommodate these additional students by adjusting their school atten-

dance boundaries to enroll project generated high school students at schools within the district that are under capacity, such as Yerba Buena High School, James Lick High School, and Overfelt High School.

Conclusion. The cumulative demands upon urban services are collectively substantial, but would not necessarily constitute a significant impact. Impacts on city services including police protection, fire protection, libraries, parks and recreation can be mitigated to a less-than-significant level by permitting the approval only of development that does not exceed the City's adopted level of service standards. New development approvals are required to comply with general plan services and facilities policies. **(Less Than Significant Cumulative Impacts)**

D. MITIGATION FOR CUMULATIVE IMPACTS

1. Mitigation for Cumulative Land Use Impacts

As discussed in the Land Use Impacts discussion, available mitigations for the land use impacts associated with significant traffic increases, and available mitigation measures to reduce the visual impacts associated with loss of open space are assumed to be in place and/or included in all of the proposed projects. The significant unavoidable land use impacts that would result from approval and implementation of all identified projects are therefore significant and unavoidable. Implementation of *Strategy 2000* will contribute to these cumulative significant impacts both in terms of additional traffic as well as the loss of visual open space. **(Significant Unavoidable Cumulative Impacts)**

2. Mitigation for Cumulative Transportation Impacts

a. Mitigation for Cumulative Traffic Impacts. The data summarized above indicate that the approval and implementation of all of the pending General Plan amendments and major long-term planning projects that were evaluated in this cumulative analysis would result in significant and unavoidable traffic impacts. The scale of the cumulative traffic impacts would be substantial, affecting traffic operations on numerous freeways and local streets throughout much of San José and in neighboring communities.

b. Overview of Traffic Mitigation at the Cumulative Level. Mitigation for cumulative traffic impacts of a widespread nature, such as that described above, requires a comprehensive approach that addresses both "demand" and "capacity".

Demand, defined as the number of vehicles desiring to use the roadway system at a given time, can be greatly affected by a variety of factors, including the following:

Land Use Factors: This consists of planning for growth in a manner that reduces the number and length of single-occupancy vehicle trips. Specific measures include locating employment and retail uses near residential uses, encouraging infill development and discouraging sprawl through tools such as urban growth boundaries (UGBs), and adopting policies that encourage higher density development along transit corridors.

Policy Factors: This consists of adopting policies that provide incentives for commuters to switch from single-occupancy vehicles to alternative forms of transportation. Such measures can include tax benefits for employer-subsidized transit passes, preferential or free parking for

carpools, and designated travel lanes for carpools and buses. In some cases, large developments can be required to fund and operate shuttles that provide connections to nearby public transit systems. Policies that reduce level of service standards for peak hour traffic operations can also reduce demand because the resulting increased congestion becomes a disincentive to solo driving when compared to alternative modes.

Design Factors: This category consists of incorporating features into the design of a project that facilitate the use of alternative transportation. Examples include providing showers and storage lockers at employment centers to facilitate bicycling, constructing transit shelters or other amenities for transit users, and constructing attractive pedestrian facilities such as sidewalks and appropriately lit pathways.

Capacity is defined as the ability of the transportation system to accommodate demand. Increases in capacity can take the form of physical improvements, operational improvements, or both:

Physical improvements can include new/wider highways or other roadways, new interchanges/grade separations, widened intersections, new/extended rail lines, and new/expanded transit centers.

Operational improvements can include the interconnection/coordination of traffic signals, new/expanded bus routes, new rail service on existing lines, and increasing the frequency of transit service.

Depending on the nature and complexity of the improvement, increase in transportation capacity can require participation by governmental agencies at the federal, State, regional, and/or local levels. At the federal level, participation is usually limited to funding. At the State level, participation involves funding and, in the case of Caltrans, implementation of improvements to freeways and state highways. At the regional level (e.g., Metropolitan Transportation Commission), participation involves establishment of priorities for the funding of highway and transit improvements in the San Francisco Bay Area. At the local level, the VTA (acting as the County Congestion Management Agency) sets the goals and priorities for improvements to the Santa Clara County transportation system, as embodied in the *Valley Transportation Plan 2030* (VTP 2030). The City of San José and neighboring cities implement improvements to local roadways and, through the development review/approval process, require new development to fund/implement transportation system improvements.

VTP 2030, which was adopted by the VTA Board of Directors in February 2005, notes that projected growth in Santa Clara County over the next 25 years will be substantially greater than planned increase in roadway capacity. For example, the Plan notes that the projected 36 percent increase in jobs and 27 percent increase in population will far exceed the estimated 5.6 percent increase in freeway capacity from planned projects. The Plan states that “the ability to expand the roadway system to accommodate more vehicles is approaching practical limits.”

Recognizing that increases in highway capacity will be inadequate to accommodate projected growth, VTP 2030 includes major expansions of both rail (e.g., LRT, BART, Caltrain, ACE, and Capitol Corridor) and bus transit systems. The ability of the VTA to construct and operate these expanded systems will depend on a number of factors, not the least of which will be financial viability. A key component of financial viability will center on the degree to which people utilize the transit systems,

instead of driving their cars. To the extent that the significant traffic congestion that is described in this EIR becomes an incentive for persons to utilize public transit, such increased ridership will, in turn, improve the ability of the VTA to implement further improvements over the long term.

It has been the City's practice in the past to rely heavily on conformance with the General Plan Traffic Level of Service Policy and its implementation through adopted Council Policy on Transportation Level of Service to ensure that traffic impacts, especially increased intersection congestion, would be minimized or avoided. Part of this cumulative analysis includes proposed modifications to those policies. Strict adherence to LOS standards at critical infill locations will inhibit the City's ability to approve appropriate higher density infill development within the existing UGB. The City is therefore proposing to relax the LOS standard at a few designated intersections in transit corridors or other special planning areas where higher intensity development and increased reliance on transit and other transportation modes can support the planned development. Additionally, the modifications to the LOS Policy would require new development to implement traffic calming and other improvements to alternative transportation modes, in order to both offset the incremental reduction in intersection capacity and to protect residential neighborhoods from spillover traffic.

c. Specific Cumulative Traffic Mitigation. Given the magnitude of the cumulative traffic impacts that are described above, no feasible mitigation was identified that would reduce the impacts to a less than significant level. This conclusion notwithstanding, it is important to summarize the mitigation/ avoidance measures that are included in the projects under consideration in this cumulative scenario.

1. Consistent with the policies and strategies of the General Plan, all of the projects are infill development within San José's UGB.
2. Consistent with adopted City policies and policies embodied in various regional transportation and clean air plans, each of the six large projects (*i.e.*, Downtown, North San José, Evergreen, Coyote Valley, Hitachi, and iStar) include a proposed intensification of development along existing/planned rail corridors.
3. Four of the six large projects (Downtown, North San José, Coyote Valley, and Hitachi) include new residential land uses proximate to existing/planned job centers.
4. As applicable, each project will include facilities (*e.g.*, showers, bike lockers, transit amenities, pedestrian pathways, etc.) that facilitate use of alternative modes of transportation.
5. The North San José project includes a comprehensive package of roadway improvements (including upgrades to freeway, expressway, and local street facilities), and a financing plan for their funding. The North San José project is also proposing improvements to the transit system.
6. The Downtown *Strategy 2000* project includes a comprehensive package of roadway improvements (including upgrades to US 101, I-280, and SR 87 freeway ramps, and local street facilities such as the new Autumn Street connection and Coleman Avenue widening).
7. The Evergreen project contains a comprehensive package of highway improvements (including upgrades to US 101, White Road, and local intersections), and a financing plan for their funding.

8. The Coyote Valley project will include improvements to interchanges on US 101, new/widened roadways in Coyote Valley, and the widening of Bailey Avenue between Coyote Valley and Almaden Valley. The Coyote Valley project is also envisioned to include a fixed guideway transit system.

These measures will have the effect of reducing cumulative traffic impacts, compared to that which would occur in the absence of such measures. The measures would not, however, be sufficient to reduce impacts to a less than significant level. Given the practical limitations on future roadway expansions, further reductions in cumulative traffic impacts will be largely dependent upon long term changes in the behavior of commuters. Such changes will be necessary in order to reduce the overwhelming dependence on single occupant automobile transportation that is the basis of both the project specific and cumulative traffic impact analyses. This EIR does not assume that such change will occur during the current General Plan horizon.

Changes in commute behavior (*i.e.*, relying less on single occupant automobile transportation) may, over time, reduce the significant traffic congestion identified in this cumulative impacts analysis. Government actions that encourage use of alternative transportation and discourage reliance on single occupant automobiles, consistent with the City's General Plan and the Countywide Congestion Management Plan, are specific actions that also might be taken to reduce the significant traffic impacts. However, a significant reduction in cumulative traffic congestion is unlikely to occur during the current General Plan horizon. **(Significant Unavoidable Cumulative Impact)**

3. Mitigation for Cumulative Air Quality Impacts

The City's adopted General Plan includes all of the Transportation Control Measures identified in the BAAQMD Guidelines that can be implemented by a local government. Goals and objectives for all of the six major projects evaluated in this cumulative section include designing for transit access where such design is feasible. As development is proposed, the City evaluates specific development design for consistency with the General Plan policies.

Strategy 2000 includes improvements to the existing transit system, maintenance and redevelopment of a street system that is compatible with alternative transportation modes (including walking and bicycling), requirements for design that supports alternative transportation, and the basic policy modifications are intended to facilitate the development of mixed uses in closer proximity to one another.

All of these measures are consistent with the BAAQMD Guidelines for reducing long term air quality impacts, and with the provisions of the CAP.

While there are no specific measures identified that would reduce air quality impacts to a less than significant level, the proposed project includes all feasible measures to reduce long term air quality impacts. While the cumulative projects would not be consistent with the population projections in the current CAP, the inclusion of TCMs and design measures to support alternative transportation modes and the provision for improvements to the existing transit system are consistent with CAP policies. The project's contribution to the cumulatively significant air quality impacts will still be significant and unavoidable. **(Significant Unavoidable Cumulative Impact)**

4. Mitigation for Cumulative Noise Impacts

The evaluation reflected above did not identify cumulatively significant noise impacts. No mitigation is required.

5. Mitigation for Shade and Shadow Impacts

The evaluation reflected above did not identify cumulatively significant shade and shadow impacts. No mitigation is required.

6. Mitigation for Cumulative Biological Impacts

The evaluation reflected above did not identify cumulatively significant biological impacts. No mitigation is required.

7. Mitigation for Cumulative Cultural Resource Impacts

While approval and implementation of the proposed project evaluated in this EIR will result in a cumulatively considerable contribution to significant cumulative impacts to cultural resources, no additional mitigation measures are available to address these impacts. (**Significant Unavoidable Cumulative Impact**)

8. Mitigation for Cumulative Geology and Soils Impacts

The evaluation reflected above did not identify cumulatively significant geology and soils impacts. No mitigation is required.

9. Mitigation for Cumulative Hydrology and Water Quality Impacts

The evaluation reflected above did not identify cumulatively significant hydrology or water quality impacts. No mitigation is required.

10. Mitigation for Cumulative Hazardous Materials Impacts

The evaluation reflected above did not identify cumulatively significant hazardous materials impacts. No mitigation is required.

11. Mitigation for Cumulative Utilities Impacts

a. Mitigation for Impacts to WPCP and Sanitary Sewer Collection System. The City of San José will ensure that the development proposed under this cumulative scenario would not cause the WPCP to exceed its capacity or discharge limit, consistent with Chapter 15.12 of the Municipal Code. Programs which the City may use to accomplish could include continued implementation of water conservation measures, substantially increased use of recycled water, and/or expansion of the WPCP capacity.

Unless the City is able to substantially increase the use of recycled water, the proposed amount of development, including build-out of the current General Plan, could cause the WPCP to exceed the discharge flow trigger cap. The City will not however issue entitlement for development beyond the WPCP capacity. Development allowed under the proposed projects would in some cases generate sanitary sewer discharge in excess of the capacity of existing collection systems. Construction of the

planned sanitary sewer collection system to serve individual components of this cumulative impact scenario would not result in new significant environmental impacts different or substantially greater than those of the individual projects. **(Less Than Less Than Significant Impact)**

12. Mitigation for Cumulative Energy Impacts

There are many measures available to reduce energy consumption in both residences and businesses. Each of the projects being considered will, to varying degrees, incorporate such measures into the design of all new buildings. However, given the long term horizon for this project, and the inherent limitations on the City's ability to forecast who the future users might be and what their requirements might include, the City is not proposing at this time to commit to a menu of energy conservation measures. **(Significant Unavoidable Cumulative Impact)**

13. Mitigation for Cumulative Public Facilities and Services Impacts

As discussed above, the cumulative projects would not result in significant cumulative impacts to fire and police protection, parks and recreation facilities and services or library services. No mitigation is, therefore, required.

a. School Impact Mitigation. The City's ability to plan for school facilities is limited by State law in that cities can no longer require the dedication of school sites in conjunction with the planning process. State law (Government Code 65996) specifies that an acceptable method of offsetting a project's effect on the adequacy of school facilities is the payment of a school impact fee prior to issuance of the building permit. In San José, residential development project applicants can either negotiate directly with the affected school districts, or they can make a "presumptive payment" of \$1.93 per square foot for multi-family units. The school district is responsible for implementing the specific methods for mitigating school impacts under the Government Code. The school impact fees and the school districts' methods of implementing measures specified by Government Code 65996 would partially offset the costs of serving project-related increases in student enrollment.

In the event a school district decides construction of a new facility is warranted to accommodate the new students, future development of one or more schools in one of the cumulative project areas would require supplemental environmental review. There are also specific requirements set by the state for constructing a new school that would have to be met. Since a specific site for such construction cannot be identified at this time, it cannot be stated conclusively that significant environmental impacts would or would not occur. The construction of one or more schools on land in a given project area would contribute incrementally to the impacts of development identified for the project as a whole, but is not anticipated by itself to have new or substantially different significant adverse environmental impacts. Further discussion at this time of the impacts that might result from building one or more schools in a given project area would be speculative.

b. School Impacts Conclusion. The SJUSD and the ESUHSD would each experience a cumulative increase in students from two or more proposed projects, but these districts would mitigate their impacts through compliance with state law regarding school mitigation. Future development of one or more schools in the project areas, if deemed necessary by the school districts, would require separate, supplemental environmental review. At the time of future development of a new school or additional facilities, it is assumed that the school facilities would be constructed near the proposed residential development, at a location suitable for school uses.

Development envisioned under *Strategy 2000* would not lead to significant adverse impacts for either of these school districts, and would not contribute to a cumulative significant impact on schools.

