

4.15 Public Services

This section discusses public services provided in the vicinity of the Project Area and the Project's potential specifically to affect fire protection, police protection, and schools. Analysis of park-related public services is presented in Section 4.16, *Recreation*.

4.15.1 Setting

4.15.1.1 Regional and Local Setting

Section 2.2, *Project Location*, provides general information about the Project's regional and local setting. This Section 4.15.1 provides setting information specific to public services.

Fire Protection

The Santa Clara County Fire Department (SCCFD) is a California Fire Protection District serving unincorporated areas within the County and the communities of Campbell, Cupertino, Los Altos, Los Altos Hills, Los Gatos, Monte Sereno, Morgan Hill, and Saratoga (SCCFD, 2011a). In 2008, SCCFD had over 265 employees, 40 volunteer firefighters, 16 fire stations, 5 other support facilities, and more than 100 vehicles to cover approximately 100 square miles and a population of over 210,000. By 2010, SCCFD expanded to over 285 employees, and 17 fire stations cover a population of over 246,000. In 2010, it responded to a total of 18,007 emergencies, 1,701 (9.45 percent) of which were fires (SCCFD, 2011b).

Monta Vista Station, at 22620 Stevens Creek Boulevard, is the designated first responder for the Project Area (Young, 2011). This station acquires and distributes weather information provided by Remote Automated Weather Stations, which provide the data used to determine the level of wildfire risk. In 2008 (and currently), the station housed one engine, two paramedic units, and a battalion rig. The Cupertino Station is located at 20215 Stevens Creek Boulevard in Cupertino and would be the secondary responder to the Project Area. In 2008, the station was equipped with one truck, one engine and one patrol rig. Currently the Cupertino station houses one ladder truck, one engine company, one patrol truck, and a California Office of Emergency Services (OES) engine for department use that is on agreement to respond where needed when called upon by the state.

The Project Area is located within a designated State Responsibility Area (SRA),¹ for which the Santa Clara Unit of the California Department of Forestry and Fire Protection (CalFIRE) primarily is responsible for addressing wildfires (CalFIRE, 2007). Santa Clara Unit's Battalion Three (Los Gatos) provides service for the Project Area. It is staffed with one battalion chief, seven permanent and two seasonal (May through October) fire captains, two fire pilots, two seasonal fire apparatus engineers, and 25 seasonal volunteers. Equipment for Battalion Three

¹ Section 4102 of the Public Resources Code defines "State Responsibility Areas" as those areas of the state for which the State has the financial responsibility of preventing and suppressing fires. Under Public Resources Code §§4125 and 4126, these areas roughly correspond to vegetated lands that have watershed value. Lands in incorporated cities or owned by the federal government are excluded.

includes one utility, two fire engines, one helicopter, and one helicopter service unit (CalFIRE, 2008). The CalFIRE station nearest the Project Area is the Stevens Creek Station (13326 Stevens Canyon Road in Cupertino). This same station would provide first response in the case of a wildfire. Under a mutual aid agreement, it also would support SCCFD in response to a structural fire at the site (Bell, 2011). The CalFIRE station of second response, as well as equipment, would depend on the nature of the emergency and/or the extent of the wildland fire. Potential wildfire hazards are addressed in Section 4.9, *Hazards and Hazardous Materials*.

Police Protection

The Santa Clara County Office of the Sheriff (SCCOS) provides law enforcement services to Cupertino, Los Altos Hills, Saratoga, and unincorporated areas of the County, including the Project Area. In 2008, SCCOS was comprised of 586 sworn police officers and 223 non-sworn civilian staff; currently SCCOS comprises 1,429 sworn and 312 non-sworn personnel for a service population of approximately 197,000 (SCCOS, 2011). The Department's law enforcement services are divided into three major bureaus: Field Operations, Support Services, and Administrative Services. The West Valley Division, based at the Westside Sheriff's Substation at 1601 S. De Anza Boulevard in Cupertino, provides law enforcement patrol services in the vicinity of the site.

From January 2008 through June 2010, there were 17 calls for service to the vicinity of the site, of which the vast majority were unfounded calls to 911. Other calls were for trespassing, animal or adult disturbance, suspicious circumstances, theft, and follow-ups on felonies (Calderone, 2010). The department maintains response time goals for within the City of Cupertino of 5 minutes for Priority 1 calls (life-threatening in nature), 9 minutes for Priority 2 calls (response necessary, but not life-threatening), and 20 minutes for Priority 3 calls (immediate response not necessary, but provided when available). Although the site is outside of Cupertino, SCCOS strives to meet these response time goals for the site as well. Response time for Sheriff's deputies to the site area were 3.9 minutes for Priority 1 calls, 5.9 minutes for Priority 2 calls, and 9.7 minutes for Priority 3 calls (Calderone, 2010).

The California Highway Patrol (CHP) provides law enforcement along all state routes within California, including U.S. Interstate 280 and State Route 85, which are in the vicinity of the site. CHP also assists local governments during emergencies when requested. The CHP maintains local offices in San Jose.

Schools

The site lies within the boundaries of the Cupertino Union School District (CUSD) and Fremont Union High School District (FUHSD) (CUSD, 2005b; FUHSD, 2005; City of Cupertino, 2008). Both districts are at or near capacity, and both districts are in the process of modernization and expansion of their facilities.

In 2007, CUSD served over 16,500 students in the City of Cupertino and surrounding municipalities and unincorporated areas through 20 elementary and K-8 schools and five middle schools; in the 2009–2010 school year, CUSD served approximately 18,010 students (Great

Schools, 2007; Ed-Data, 2011a). The nearest elementary school to the site is Stevens Creek Elementary School, at 10300 Ainsworth Drive in Cupertino. Generally, in the vicinity of the site, students living north of Stevens Creek Boulevard attend Cupertino Middle School at 1650 South Bernardo Avenue in Sunnyvale, and students living south of the boulevard attend Kennedy Middle School at 821 Bubb Road in Cupertino (CUSD, 2005a).

In 2007, FUHSD served over 10,200 students in Cupertino, Sunnyvale, San Jose, and the surrounding areas through five high schools, an educational services center, and an adult and community education center; in the 2009-2010 school year, FUHSD served approximately 10,285 students (Ed-Data, 2011b). Students living in the vicinity of the site attend Monta Vista High School, at 21840 McClellan Road in Cupertino, which had a student population of 2,530 students in 2007, and 2,523 during the 2009-2010 school year (FUHSD, 2011).

Parks

For a description of park facilities in the vicinity of the Project Area see Section 4.16, *Recreation*.

Other Public Facilities

There are no libraries, hospitals, or other public facilities within 1 mile of the Project Area.

4.15.1.2 Regulatory Setting

County of Santa Clara

General Plan

Natural hazards, including extreme fire hazards, are addressed in the Health and Safety chapter of the County General Plan. Among other things, the General Plan's strategies and policies relate to inventorying and monitoring hazards and conditions; minimizing the residential population within high hazard areas; and designing, locating and regulating development so as to avoid or reduce hazard risks to acceptable levels. The following strategy and policies would be applicable to the Project:

Policy R-HS 7: Areas of significant natural hazards, especially high or extreme fire hazard, shall be designated in the County's General Plan as Resource Conservation Areas, with generally low development densities in order to minimize public exposure to risks associated with natural hazards and limit unplanned public costs to maintain and repair public infrastructure.

Strategy #3: Design, Locate and Regulate Development to Avoid or Withstand Hazards.

Policy R-HS 9: Development in rural unincorporated areas affected by natural hazards should be designed, located, and otherwise regulated to avoid or reduce associated risks to an acceptable level:

1. In areas of highest potential hazard, such as floodways, active landslides, fault traces, and airport safety zones, no new habitable structures shall be allowed.

2. In other areas of lesser hazards, there shall be no major structures for involuntary occupancy, such as schools, hospitals, correctional facilities or convalescent centers.

Policy R-HS 10: In all hazard areas, projects shall be designed and conditioned to avoid placement of structures and improvements where they would:

- a. be directly jeopardized by hazards;
- b. increase the hazard potential; and/or,
- c. increase risks to neighboring properties.

Policy R-HS 11: Proposals for General Plan amendments, zone changes, use permits, variances, building site approvals, and all land development applications subject to environmental assessment shall be reviewed for the presence of hazardous conditions, utilizing the best, most up-to-date information available. If a development proposal would require a major investment or addition to public infrastructure in areas subject to high hazards, objective estimates of the probable public costs of maintaining and repairing the infrastructure should be provided to decision-makers.

Policy R-HS 12: Proposals shall be conditioned as necessary to conform with County General Plan policies on public safety. Projects which cannot be conditioned to avoid hazards shall be conditioned to reduce the risks associated with natural hazards to an acceptable level or shall be denied.

Policy R-HS 13: Where needed to adequately assess the hazards of a proposal, the County shall require on-site investigations and analysis by certified professionals.

Policy R-HS 19: In areas of high potential for activation of landslides, there shall be no avoidable alteration of the land or hydrology which is likely to increase the hazard potential, including:

- a. saturation due to drainage or septic systems;
- b. removal of vegetative cover; and
- c. steepening of slopes or undercutting the base of a slope.

Policy R-HS 20: Lands where soils are in a continually saturated condition should not be used for structural purposes or filled with heavy earth fills due to their inherently weak and unstable nature. Uses requiring septic systems in such areas should not be allowed.

Policy R-HS 21: Proposals involving potential geologic or seismic hazards shall be referred to the County Geologist for review and recommendations.

Implementation of the Project would be consistent with these policies and strategy.

Operational Area Emergency Operations Plan

Since the early 1950s, the County Office of Emergency Services (OES) has been the agency responsible for preparation of the County Emergency Plan and all supporting documentation (County of Santa Clara, 1994). OES is vested with the responsibility for coordinating all public and private support agencies to prepare and respond to extraordinary emergencies related to natural and human-caused disasters. Such agencies include law enforcement, fire and rescue,

health, public works, transportation, welfare, and communications Countywide. The County Board of Supervisors approved the *Santa Clara County Operational Area Emergency Operations Plan* on March 18, 2008 (County of Santa Clara, 2008).

4.15.2 Baseline

Potential Project-related impacts to public services are analyzed relative to conditions as they existed in June 2007. As shown in the setting, the public service providers serving the Project Area have not changed since 2007; however, the number of SCCFD and SCCOS staff has expanded since 2007, and there have been minor fluctuations in student populations. In 2007 (and currently) the Project area did not have any residents, and was fenced and gated to prevent unauthorized public access.

4.15.3 Significance Criteria

Consistent with the County's Environmental Checklist and Appendix G of the CEQA Guidelines, the Project would have a significant impact on public services if it would:

- a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services: fire protection, police protection, school facilities, parks, or other public facilities.

4.15.4 Discussion of Criteria with No Public Services Impacts

As explained below, the Project would have no impact related to public services.

- a) **The Project would not result in substantial adverse physical impacts associated with the provision or need for new or physically altered governmental facilities for public services: fire protection, police protection, school facilities, parks or other public facilities.**

Implementation of the Project would not result in the construction of new or expansion of existing government facilities for public services. An average of up to 14 additional employees (49 employees) would be required during Phase 1 activities, and up to three additional employees would be required during Phase 2. No additional employees would be required during Phase 3 activities. Given the small number of additional staff, it is anticipated that the temporary positions would be filled from the local labor pool available in the County, with workers expected to commute to the site rather than move. Because the staff increase would come from the local labor pool, these workers are considered part of the existing demand on fire protection services, police protection, school facilities, parks, and other public facilities such as libraries or medical facilities. Therefore, the Project would not cause an increased demand or need for school facilities, parks, or other public facilities.

The proposed reclamation activities would involve the operation of existing equipment to conduct tasks that are generally similar to existing baseline activities, and so would not cause an increase in demand for fire or police protection services; therefore, there would be no need for new or expanded fire and police facilities.

Operation of the Project could require occasional response for fire protection and medical emergencies or for typical police protection services (e.g., for traffic enforcement, traffic control in the event of vehicular accident, trespassing/vandalism, etc.); however, in light of the substantial similarity between the amount and type of work that would occur under the Project relative to baseline conditions, existing fire and police protection facilities would be adequate to respond to the need for such services.

Reclamation activities would add potential fuel sources for wildfire (i.e., vegetation) while removing potential ignition sources, such as sparks from equipment or vehicles, blasting materials, and the like, which are present as part of baseline conditions. With the Project-related reduction and eventual elimination of employee presence and use of heavy equipment, vehicles, and fuel in the Project Area, the risk of wildfire would be less under the Project than it is under baseline conditions. Reclamation would make the site suitable for a future open space use; however, there is no indication that public access to the Applicant's private property would necessarily be granted. Because the Project would reduce fire hazard potential within the Project Area relative to baseline conditions, the Project would reduce the potential demand for fire response services. The Project would cause no impact related to criterion a).

4.15.5 Impacts and Mitigation Measures

Because implementation of the Project would cause no impact on public services, there are no impacts and no mitigation measures to be discussed in this section.

4.15.6 Alternatives

4.15.6.1 Alternative 1: Complete Backfill Alternative

Reclamation activities associated with Alternative 1 would be similar to the Project. Alternative 1 would require approximately the same number of employees as the Project, and would not induce substantial population growth directly or indirectly. Like the Project, Alternative 1 would not generate a substantial temporary or permanent service population that would result in the need for new or physically altered fire protection, police protection, school, park, or other public service facilities (No Impact).

4.15.6.2 Alternative 2: Central Materials Storage Area Alternative

Reclamation activities associated with Alternative 2 would be similar to the Project. Alternative 2 would require approximately the same number of employees as the Project, and would not induce substantial population growth directly or indirectly. Like the Project, Alternative 2 would not generate a substantial temporary or permanent service population that would result in the need for

new or physically altered fire protection, police protection, school, park, or other public service facilities (No Impact).

4.15.6.3 No Project Alternative

Reclamation activities associated with the No Project Alternative would be the same as the Project, but 7 years later than under the Project. The No Project Alternative would require approximately the same number of employees as the Project, and would not induce substantial population growth directly or indirectly. Like the Project, the No Project Alternative would not generate a substantial temporary or permanent service population that would result in the need for new or physically altered fire protection, police protection, school, park, or other public service facilities (No Impact).

References – Public Services

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