4.18 Utilities and Service Systems

This section identifies and evaluates issues related to Utilities and Service Systems the context of the Project and alternatives. It identifies public utility and service providers and systems in the Project Area, describes the regulatory setting, presents the criteria used to evaluate the significance of impacts on identified resources as a result of implementing the Project and alternatives, and analyzes potential impacts on these services and systems.

4.18.1 Setting

4.18.1.1 Regional and Local Setting

Section 2.2, *Project Location*, provides general information about the Project's regional and local setting. This Section 4.18.1 provides setting information specific to utilities and service systems in and in the vicinity of the Project Area.

Water

The San Jose Water Company (SJWC) provides water service to the Project Area. In 2007, the Applicant purchased approximately 103.5 million gallons of water from the SJWC for use in the Project Area; Rock Plant use consumed approximately 69 million gallons of purchased water, and other Quarry uses consumed approximately 34.5 million gallons (Howell, 2011). The SJWC purchases its water from the Santa Clara Valley Water District (SCVWD), the County's principal water wholesaler. SCVWD provides water to 13 water retailers in the County, and manages 10 local surface reservoirs, 3 groundwater sub-basins, and 3 water treatment plants. SCVWD also imports water from the Central Valley Project and the State Water Project.

In addition to purchased water, an additional approximately 18 million gallons of water is pumped annually from the Quarry pit for dust control purposes. The surface mining operation uses up to seven 12,000-gallon water trucks per day, depending on the level of operations.

Wastewater

The Project Area is not connected to a municipal wastewater conveyance system for sewage disposal. The Quarry office has a septic system, and portable toilets with hand-wash stations are located throughout the Project Area. United Disposal regularly empties the portable toilets stationed in the Project Area. Use of these facilities does not generate substantial amounts of wastewater.

Storm Water

No municipal storm water facilities are used by the current surface mining operation. Storm water runoff in the Project Area is conveyed to numerous detention basins to remove sediment and debris prior to discharge. As shown in Table 2-12 in Chapter 2, *Project Description*, there are 26 existing sedimentation basins (or "ponds") on the site, 21 of which are within the Project Area.

Each is described in the facility's Storm Water Pollution Prevention Plan (URS, 2010). Storm water runoff is discussed in Section 4.10, *Hydrology*.

Solid Waste Generation and Disposal

Recology South Bay currently provides solid waste pickup service to unincorporated areas surrounding Cupertino, including the Project Area. Solid waste generated in unincorporated areas of the County is sent to several different landfills. In 2007, unincorporated Santa Clara County disposed of 54,419 tons of solid waste (CalRecycle, 2011a). This was down from 76,341 tons in 2000. There were 21 disposal facilities used by unincorporated Santa Clara County in 2009, of which four received 90 percent of the waste stream (CalRecycle, 2011b). The John Smith Road Class III Landfill (San Benito County) received 26,877 tons of this waste, followed by the Johnson Canyon Sanitary Landfill (Monterey County) with 12,935 tons, the Crazy Horse Sanitary Landfill (Monterey County) with 8,675 tons, and the Newby Island Sanitary Landfill (City of San Jose) with 7,873 tons. The John Smith Road landfill has 77 percent of its capacity remaining, and an estimated closure date of 2024. The Johnson Canyon Sanitary Landfill has 50 percent of its capacity remaining, and an estimated closure date of 2040. The Newby Island landfill has 36 percent of its capacity remaining, and an estimated closure date of 2025. The Crazy Horse Sanitary Landfill is closing (CalRecycle, 2011c).

4.18.1.2 Regulatory Setting

State of California

Assembly Bill 939 and Senate Bill 1016

The California Integrated Waste Management Act of 1989, or Assembly Bill (AB) 939, established the California Integrated Waste Management Board (CIWMB), required the implementation of integrated waste management plans and also mandated that local jurisdictions divert at least 50 percent of all solid waste generated (from 1990 levels), beginning January 1, 2000, and divert at least 75 percent by 2010. In 2006, Senate Bill (SB) 1016 updated the requirements. The new per capita disposal and goal measurement system moves the emphasis from an estimated diversion measurement number to using an actual disposal measurement number as a factor, along with evaluating program implementation efforts. These two factors will help determine each jurisdiction's progress toward achieving its Integrated Waste Management Act (AB 939) diversion goals. The 50 percent diversion requirement is now measured in terms of per-capita disposal expressed as pounds per person per day. In 2010, the CIWMB was abolished, and its administrative functions transferred to the new California Department of Resources Recycling and Recovery (CalRecycle), within the Natural Resources Agency.

Surface Mining and Reclamation Act Reclamation Standards

The reclamation of mined lands within the state must be implemented in conformance with the standards set forth in the regulations implementing the SMARA (14 Cal. Code Regs. §§3700-3713). Two of these standards relate to waste management.

Relating to the removal of buildings, structures, and other equipment, §3709 requires all equipment, supplies, and other materials to be stored in designated areas shown in an approved reclamation plan; all waste to be disposed of in accordance with state and local health and safety ordinances; and all buildings, structures, and equipment to be dismantled and removed prior to final mine closure except those buildings, structures, and equipment that are approved in the reclamation plan as necessary for the end use.

Relating to mine waste management, §3712 requires mine waste disposal units to be reclaimed in conformance with the State Water Resources Control Board's mine waste disposal regulations (27 Cal. Code Regs. §§22470-22510). Under §22510, new and existing mining units must be closed so that they do not pose a threat to water quality.

Section 2.8 of the Project Description summarizes how the Project addresses these standards.

Regional

Regional Water Quality Control Board

The San Francisco Bay Regional Water Quality Control Board (RWQCB) regulates the discharge of municipal waste water into the San Francisco Bay. The three sewage treatment plants that serve all of the urban communities in Santa Clara County include: the San Jose / Santa Clara Water Pollution Control Plant (WPCP), the Palo Alto Regional Water Quality Control Plant, and the Sunnyvale WPCP. Treated effluent from these South Bay municipal dischargers is discharged to shallow sloughs contiguous with the Bay, south of the Dumbarton Bridge (RWQCB, 2011). The Project would not contribute waste water to the municipal wastewater system.

County of Santa Clara

General Plan

Water supply and solid waste management issues are discussed in the Resource Conservation Chapter of the County General Plan, and wastewater disposal is discussed in the Health and Safety Chapter. Although the related strategies and policies apply Countywide, they are not directly applicable to the Project.

In 2010, the County of Santa Clara Board of Supervisors adopted the Water Conservation in Landscaping Ordinance, which implements Assembly Bill 1881: The California Water Conservation in Landscaping Act. The purpose of the ordinance is to reduce water waste in Santa Clara County by promoting the use of region-appropriate plants that require minimal supplemental irrigation, and by establishing standards for irrigation efficiency. However, the ordinance does not apply to "Surface mine reclamation projects that do not require a permanent irrigation system" (Santa Clara County Code B33-2(b)(4)). Because the Project would not require a permanent irrigation system, the ordinance does not apply to the Project.

4.18.2 Baseline

The baseline for purposes of analyzing potential impacts to utilities and service systems is June 2007. The actual demand for utilities and services, as described above, represents the best available information about baseline conditions in 2007, when the County received the Applicant's first reclamation plan amendment application. Although waste disposal facilities described above are from 2009, the Quarry would have used similar disposal facilities in 2007.

4.18.3 Significance Criteria

Consistent with the County of Santa Clara Environmental Checklist and Appendix G of the CEQA Guidelines, the Project would have a significant impact related to utilities if it would:

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

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

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects;

d) Require new or expanded entitlements in order to have sufficient water supplies available to serve the project;

e) Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments;

f) Not be able to be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs; or

g) Be in non-compliance with federal, state, and local statutes and regulations related to solid waste.

4.18.4 Discussion of Criteria with No Impacts Related to Utilities and Service Systems

As explained below, the Project would have no impact related to significance criteria a), b), d), e), and g). Potential impacts related to the remaining criteria are analyzed in Section 4.18.5, *Impacts and Mitigation Measures*.

a) The Project would not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.

No wastewater service is available in the Project Area, and the Project does not propose to extend such service into the Project Area. Existing wastewater needs are handled by a septic system and portable toilets. Because the Project would not be served by a municipal wastewater service

provider, it would have no impact on wastewater treatment facilities regulated by the RWQCB. The Project would cause no impact related to criterion a).

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b) The Project would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

As discussed above, there would be no change to existing wastewater treatment in the Project Area during construction, and a reduction in wastewater generation during operation and maintenance of the Project. Wastewater currently generated in the Project Area from Quarry office use is disposed into a septic system located near the Quarry offices. Portable toilets with hand-wash stations are located strategically throughout the Quarry. With implementation of the Project, the septic system would be removed and reclaimed in compliance with all legal requirements. Therefore, no new or expanded wastewater treatment facilities would be constructed to serve Project-related demand.

As discussed in Impact 4.18-2, the Project would require a temporary increase in water purchased from SJWC during construction, for dust-suppression. Phase 2 would require an increase in purchased water of approximately 3.5 million gallons per year, for 5 years. However, this additional water demand would be temporary in nature and would not generate wastewater that would require treatment or disposal. As such, no new or expanded water treatment facilities would be constructed to serve Project-related demand, and no significant environmental effects could result relating to the construction of new or expansion of existing water or wastewater treatment facilities. The Project would cause no impact related to criterion b).

Stormwater treatment facilities are discussed below under criterion e), and in Section 4.10, *Hydrology and Water Quality*.

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d) The Project would not require new or expanded entitlements in order to have sufficient water supplies available to serve the Project.

At no point during its implementation or maintenance would the Project require new or expanded entitlements in order to have sufficient water supplies available to serve the Project. The water demand during Phase 1 would be the same as baseline conditions. During Phase 2, the Project could demand an increase of approximately 3.5 million gallons of water above baseline conditions from SJWC during the five years of Phase 2 (Hungerford, 2011; Ashworth Leininger Group, 2011). However, SJWC has indicated that this increase in water would be available from its sources (SJWC, 2011). During Phase 3, water demand would diminish greatly in the Project Area because most of the heavy earthmoving work would have ended and the Rock Plant and quarrying operations would have ceased. Based on the preliminary results of test plots at the site, it is not expected that temporary irrigation would be necessary to help establish trees and shrubs. Even if water were determined to be required to provide temporary irrigation, the amount required could be

accommodated by existing entitlements. In any event, water purchases from SJWC would decline substantially during Phase 3 relative to existing conditions as operations in the Project Area wind down. Following completion of reclamation activities and the establishment of vegetation, no water supplies would be needed. Therefore, the Project would cause no impact related to criterion d).

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e) The Project would not result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

The Project would not be served by a municipal wastewater treatment provider. 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. These additional employees would temporarily increase the use of portable toilets in the Project Area. However, such an increase would generate a relatively small volume of wastewater for a limited time, which could be accommodated by United Disposal. Therefore, the Project would not affect a wastewater treatment provider's capacity to serve its existing commitments. The Project would cause no impact related to criterion e).

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g) The Project would comply with federal, state, and local statutes and regulations related to solid waste.

The Applicant would adhere to all applicable laws and regulations pertaining to solid waste disposal, including the SMARA performance standards. All buildings, structures, and other equipment within the Project Area that are not determined necessary in the approved RPA for future open space use would be dismantled and removed before the proposed reclamation is complete. Demolition debris generated by reclamation activities would be sent to a recycling facility certified to divert greater than 50 percent of solid waste from landfills. Given the substantial value of materials and equipment to be removed from the Project Area, the percentage of materials to be recycled or salvaged would likely be considerably higher. Consequently, the Project would cause no impact related to criterion f).

4.18.5 Impacts and Mitigation Measures

c) Would the Project require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

New stormwater drainage facilities including 4 sedimentation ponds (ponds 40A, 40B, 40C, and 40I, described in **Table 4.18-1**) and other improvements such as catch basins, ditches, and down drains would be constructed in the Project Area. Construction of ponds 40A through 40C would occur pursuant to the grading and contouring of the Quarry pit and WMSA, respectively. Pond 40I would be constructed as part of the reclamation of the Rock Plant and Surge Pile during

TABLE 4.18-1
PROPOSED PONDS IN THE PROJECT AREA

Basin	Proposed Location	Description
40A	Quarry pit final floor (990 foot elevation)	*Basin floor length*: 86-feet *Basin floor width*: 43-feet *Storage volume*: 22,892 cubic feet (cf) *Minimum outlet pipe*: 72-inch HDPE *Minimum depth*: 10-feet This sedimentation/de-siltation pond would release flows to PCRA Subarea 6 via pipes installed under the access road. The outfall pipe would release to engineered grouted rip-rap pads, which would dissipate the outflow energy.
40B	WMSA south slope	*Basin floor length*: 36-feet *Basin floor width*: 18-feet *Storage volume*: 3,722 cf *Minimum outlet pipe*: 42-inch HDPE *Minimum depth*: 10-feet This sedimentation/de-siltation pond would be installed at the conclusion of Phase 2 when the WMSA has been excavated to its final contours. Would include an impervious lining (concrete or other approved material) to prevent infiltration from affecting adjacent slopes. Would release flows to existing drainages located in the PCRA. Outlets would extend to the bottom of the slope. Outfall pipes would release to engineered grouted rip-rap pads to be installed within the existing drainages to dissipate outflow energy, protect the ravines from erosion, and direct the outflow to the existing rock drainage to minimize the potential for erosion.
40C	WMSA south slope	*Basin floor length*: 44-feet *Basin floor width*: 22-feet *Storage volume*: 5,852 cf *Minimum outlet pipe*: 48-inch HDPE *Minimum depth*: 10-feet This sedimentation/de-siltation pond would be installed at the conclusion of Phase 2 when the WMSA has been excavated to its final contours. Would include an impervious lining (concrete or other approved material) to prevent infiltration from affecting adjacent slopes. Would release flows to existing drainages located in the PCRA. Outlets would extend to the bottom of the slope and the outfall pipes would release to engineered grouted rip-rap pads to be installed within the existing drainages, which would dissipate the outflow energy, provide an armored blanket to protect the ravines from erosion, and direct the outflow to the existing rock drainage to minimize the potential for erosion
40I	South of the Surge Pile.	*Basin floor length*: 8-feet *Basin floor width*: 16-feet *Storage volume*: 350 cf *Minimum outlet pipe*: 18-inch HDPE *Minimum depth*: 5-feet

SOURCES: Chang, 2011 (Sheet 2); EnviroMINE, 2011a

reclamation Phase 3. The proposed ponds would be installed temporarily (Chang, 2011), maintained until areas of disturbance are revegetated sufficiently to allow for self-sustained erosion control, and then would be reclaimed. Natural reclamation would occur over a period of years, meaning that they would be allowed to accumulate sediment, and revegetation would occur. Pond 40A would be actively revegetated with wetlands vegetation to serve as eventual wetland habitat as described in the Revegetation Plan (WRA, 2011).

Typical down drains would be semi-circular in shape, 3 feet wide and 1.5 feet deep, with a concrete lining, grouted riprap, or an approved equivalent (Chang, 2011, Sheet 2). Ditches could be unlined.

Impact 4.18-1: The Project would require and result in the construction of new storm water drainage facilities, the construction of which could cause environmental effects. *(Less than Significant Impact)*

Construction of the proposed stormwater drainage facilities would be accomplished during the dry season in previously-disturbed areas, away from sensitive environmental areas. The construction of sedimentation basins would involve the use of backhoes and excavators to excavate stockpiled material and, in the case of Ponds 40B and 40C, the installation of a concrete or other impervious lining. The construction of ditches and other conveyance facilities would require loaders and backhoes or excavators and could (but may not) be lined. No limestone materials would be used for basins, ditches, or other stormwater drainage facilities (SES, 2011; Chang, 2011, Sheet 2). All construction activities associated with the new drainage facilities would be in accordance with the provisions of an industrial stormwater permit and the SWPPP's construction-related best management practices. The proposed new drainage features would be an integral part of the proposed Reclamation Plan, for which the potential environmental effects from construction and implementation are identified and analyzed in this EIR. Further, the purpose of the proposed new drainage features is to reduce or avoid impacts from surface water runoff, and thus their construction would reduce the potential for environmental harm. Accordingly, the Project would cause a less than significant impact related to criterion c).

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f) Would the Project not be able to be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs?

This criterion relates to non-hazardous solid waste. For setting information and impacts pertaining to hazardous waste, see Section 4.9, *Hazards and Hazardous Materials*.

Impact 4.18-2: The Project may not be able to be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs. *(Less than Significant Impact)*

Similar to existing operations, employees working at the Quarry would generate minor amounts of trash that would require disposal. This waste would be regularly collected and transported to area landfills. 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. Although this staff increase would slightly increase the quantity of material generated by this waste stream, the increase would be small enough that it could be accommodated by area landfills.

Reclamation activities would involve removal of structures at the Rock Plant, including conveyors, crushers, screens, wash plants, scales and miscellaneous structures. Demolished

equipment would be taken to Valley Recycling Center in San Jose, a facility certified by the City of San Jose for recovery/recycling. Facilities certified under the Construction and Demolition Debris Deposit (CDDD) program have been audited by the City to verify that at least 50 percent of the material accepted is diverted from burial in landfills (City of San Jose Environmental Services, 2011). Salvageable equipment such as screens, crushers, wash plant, scales and moveable trailers would be relocated to an equipment salvage dealer for resale. Other components such as steel, electrical panels and conveyor belting are also considered to have substantial value (EnviroMINE Inc., 2011b). Based on these considerations, most of the equipment identified to be removed would likely be salvaged rather than disposed of in a landfill.

Nonetheless, to be conservative, this analysis assumes that all equipment would be placed in a landfill. As discussed above under Setting, at least 20 landfills receive solid waste from unincorporated areas of Santa Clara County. Among the facilities that receive approximately 90 percent of the waste stream generated within the County, substantial capacity remains: for the John Smith Road Landfill, approximately 77 percent of its 4,625,827 cubic yard permitted capacity remains (CalRecycle, 2011e); for the Johnson Canyon Sanitary Landfill, approximately 50 percent of its 13,834,328 cubic yard permitted capacity remains (CalRecycle, 2011d); and for the Newby Island Landfill, approximately 36 percent of its 50,800,000 cubic yard permitted capacity remains (CalRecycle, 2011f). Of these facilities, the Johnson Canyon Sanitary Landfill is not slated to close until 2040. Assuming that all of the materials to be disposed of under the Project would be disposed of during Phase 3 of the Project (2026-2030), the Johnson Canyon Sanitary Landfill would have sufficient capacity to serve Project needs. Therefore, the Project would cause a less than significant impact related to solid waste disposal capacity.

4.18.6 Alternatives

4.18.6.1 Alternative 1: Complete Backfill Alternative

Reclamation, maintenance, and monitoring-related impacts for Alternative 1 would be similar to those identified for the Project, which were determined to be no impact or less than significant, requiring no mitigation. Implementation of Alternative 1 would involve similar construction methods as those described for the Project. As such, the demands placed on local water, wastewater, storm drainage, and solid waste service providers as a result of this alternative would be identical to the Project. No part of reclamation, maintenance, or monitoring of this alternative would use water or generate wastewater or solid waste in amounts exceeding the capacity of local facilities serving the area. Like the Project, Alternative 1 would not exceed wastewater treatment requirements, require or result in the construction of new water or wastewater treatment facilities, require new or expanded water entitlements, result in a determination by the wastewater treatment provider that it has inadequate capacity to serve the alternative project's needs, or be out of compliance with any statute and regulation related to solid waste (No Impact). Impacts regarding construction of new or expanded storm water drainage facilities and landfill disposal capacity would be less than significant with no mitigation required. Therefore, Alternative 1 would result in no impact to utility services regarding criteria a), b), d), e), and g) (No Impact), and less-than-significant impacts

regarding criteria c) and f). Overall, implementation of Alternative 1 would cause comparable impacts related to Utilities and Service Systems as those that would be caused by the Project.

4.18.6.2 Alternative 2: Central Materials Storage Area Alternative

Reclamation, maintenance, and monitoring-related impacts for Alternative 2 would be similar to those identified for the Project, which were determined to be no impact or less than significant, requiring no mitigation. Implementation of Alternative 2 would involve similar construction methods as those described for the Project. As such, the demands placed on local water, wastewater, storm drainage, and solid waste service providers as a result of this alternative would be identical to the Project. No part of this alternative would use water or generate wastewater or solid waste in amounts exceeding the capacity of local facilities serving the area. Like the Project, Alternative 2 would not exceed wastewater treatment requirements, require or result in the construction of new water or wastewater treatment facilities, require new or expanded water entitlements, result in a determination by the wastewater treatment provider that it has inadequate capacity to serve the alternative project's needs, or be out of compliance with any statute and regulation related to solid waste (No Impact). Impacts regarding construction of new or expanded storm water drainage facilities and landfill disposal capacity would be less than significant with no mitigation required. Therefore, Alternative 2 would result in no impact to utility services regarding criteria a), b), d), e), and g) (No Impact), and less-than-significant impacts regarding criteria c) and f). Overall, implementation of Alternative 2 would cause comparable impacts related to Utilities and Service Systems as those that would be caused by the Project.

4.18.6.3 No Project Alternative

Reclamation, maintenance, and monitoring-related impacts for the No Project Alternative would be the same as those identified for the Project (no impact or less than significant, requiring no mitigation), but 7 years later. Construction of the No Project Alternative would involve the same construction methods as those described for the Project. As such, the demands placed on local water, wastewater, storm drainage, and solid waste service providers as a result of this alternative would be identical to the Project. No part of construction or maintenance of this alternative would use water or generate wastewater or solid waste in amounts exceeding the capacity of local facilities serving the area. Like the Project, the No Project Alternative would not exceed wastewater treatment requirements, require or result in the construction of new water or wastewater treatment facilities, require new or expanded water entitlements, result in a determination by the wastewater treatment provider that it has inadequate capacity to serve the alternative project's needs, or be out of compliance with any statute and regulation related to solid waste (No Impact). Impacts regarding construction of new or expanded storm water drainage facilities and landfill disposal capacity would be less than significant with no mitigation required. Therefore, the No Project Alternative would result in no impact to utility services regarding criteria a), b), d), e), and g) (No Impact), and less-than-significant impacts regarding criteria c) and f). Overall, implementation of Alternative 1 would cause the same impacts related to Utilities and Service Systems as would be caused by the Project.

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