

INITIAL STUDY

Environmental Checklist and Evaluation for the County of Santa Clara

File Number:	PLN20-018	Date: 3/31/2022
Project Type:	Minor subdivision	APN(s): 898-54-004
Project Location / Address:	14800 Pacheco Pass Highway, Hollister	GP Designation: Ranchlands
Owner's Name:	Ranea Limited Partnership	Zoning: AR-sr/AR-sr-d
Applicant's Name:	Gloria Ballard/MH Engineering	Urban Service Area: None
Project Description		
<p>Proposed three lot subdivision of a 432-acre parcel located on the south side of Pacheco Pass Highway, opposite from Bell Station. The subdivision will create three lots of 20, 20, and 29.63 acres in size respectively, with one remainder parcel of 372.23 acres in size. The three lots to be created are generally clustered in the northern portion of the property, fronting Pacheco Pass Highway. These lots will obtain access from a new common access road to be built to County Fire Marshal and California Department of Forestry access road standards (24-foot roadbed). This road will be located along the alignment of the Pacheco Pass water conduit and will connect with an existing access road that intersects with Pacheco Pass Highway (Highway 152) opposite Bell Station. Approximate grading quantities associated with subdivision improvements consists of 5,458 cubic yards of cut and 4,032 cubic yards of fill. No improvements are proposed on the remainder parcel.</p>		
Environmental Setting and Surrounding Land Uses		
<p>The 432-acre parcel is located on the south side of Pacheco Pass Highway (State Route 152), in the southeastern corner of Santa Clara County. The project site has frontage on Pacheco Pass Highway but obtains road access from a common private road which provides access to approximately six parcels and intersects with Pacheco Pass Highway across from Bell Station, a historic road stop. The project site is relatively steep (average slope of approximately 29.6%), and generally characterized by oak woodlands and non-native grasslands covering rolling hillsides. The most prominent natural feature on the project site is Lover's Leap, a dramatic mountainous rock outcropping located in the northeast portion of the property that is easily seen and recognized from Pacheco Pass Highway. Pacheco Creek is located along the northern border of the property, adjacent and roughly parallel to Pacheco Pass Highway. The Pacheco Conduit, a large pipeline which provides water supply from the San Luis Reservoir (in Merced County) to the Santa Clara Valley, bisects the site along the hillside facing Pacheco Pass Highway. There are several stock ponds and ranch roads in various locations on the project site. Surrounding properties generally consist of large properties used for grazing and (very low density) residential development, some of which are encumbered by Williamson Act contracts.</p>		
Other agencies sent a copy of this document:		
<p>California Department of Fish & Wildlife, Regional Water Quality Control Board, U.S. Fish & Wildlife Service, Santa Clara Valley Water District</p>		

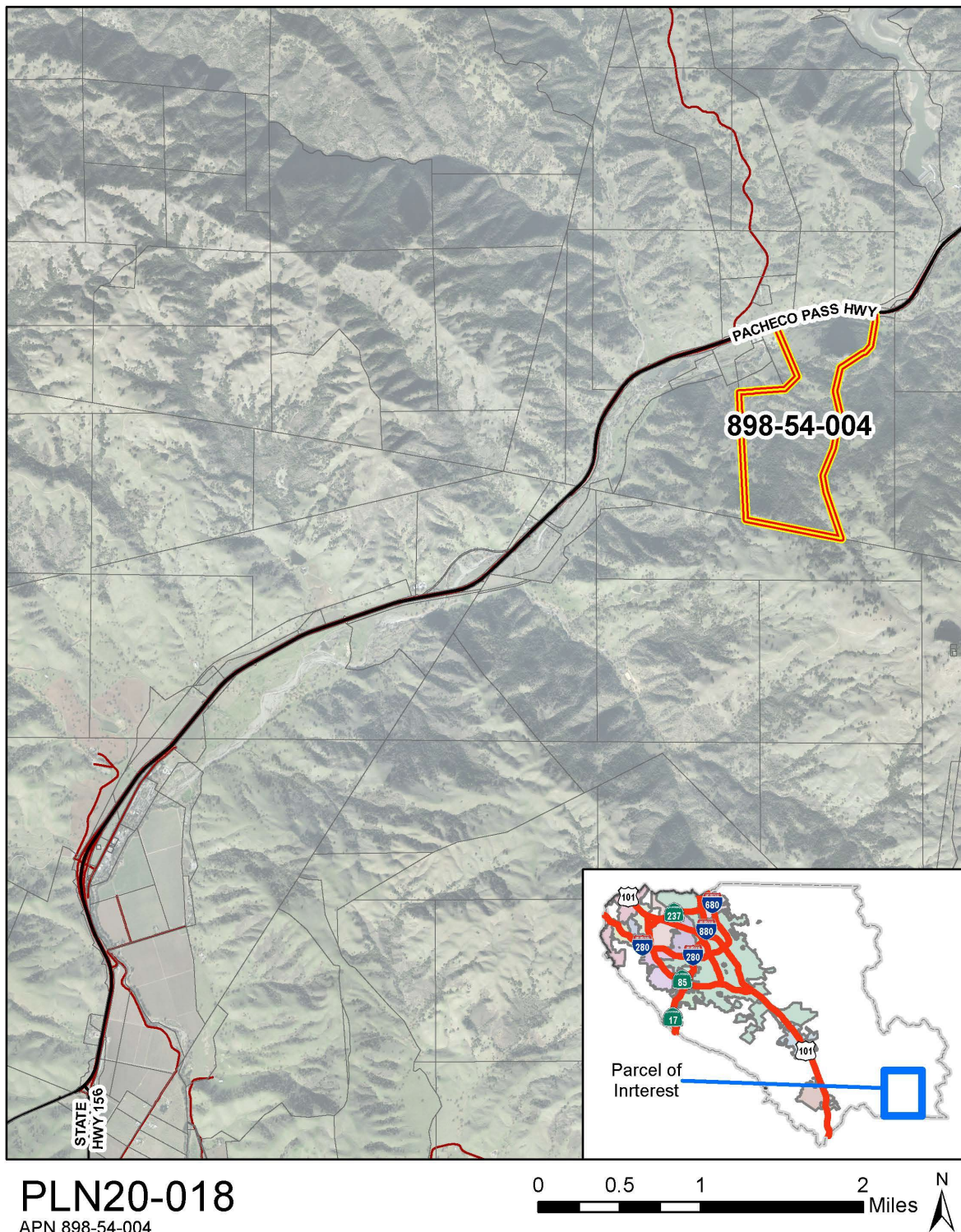


Figure 1 - Location Map

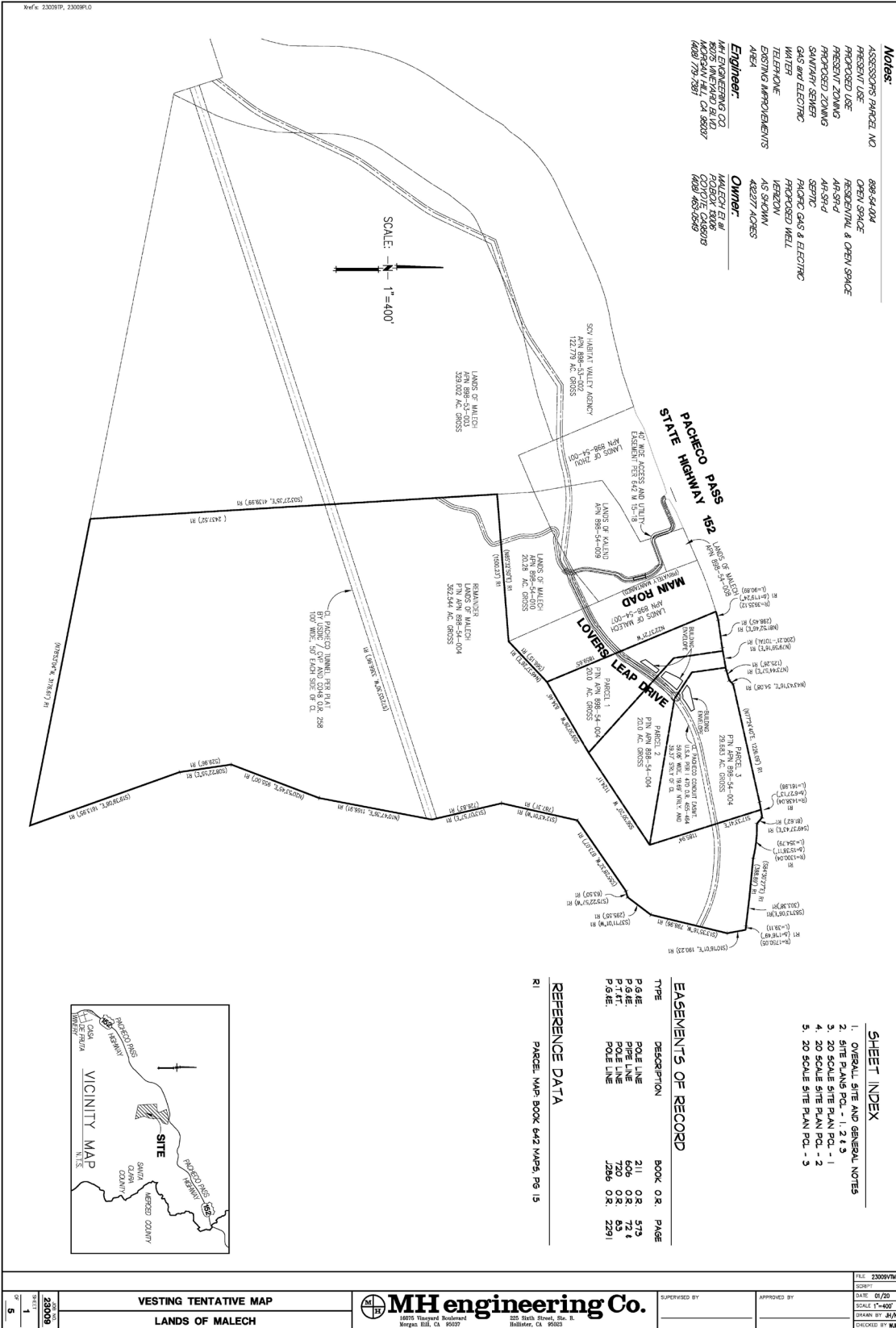


Figure 2 – Tentative Map

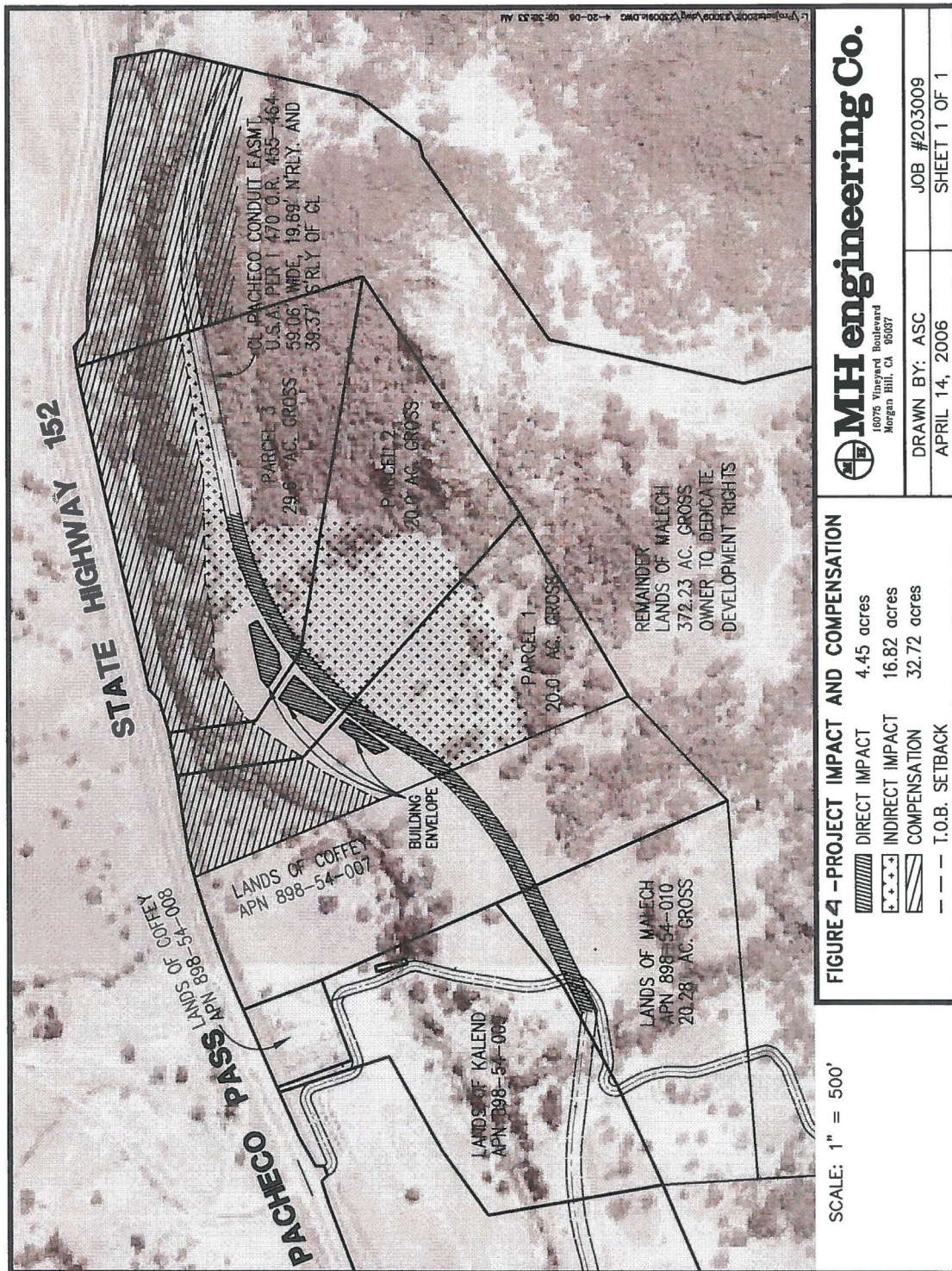


Figure 3 – Project Impact and Compensation

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

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The proposed project could potentially result in one or more environmental effects in the following areas:

- | | | |
|---|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture / Forest Resources | <input type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resource | <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology/Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials |
| <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

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

DocuSigned by:

Robert Salisbury

C140DEC1E718456

Signature

Robert Salisbury

Printed name

4/6/2022

Date

For

ENVIRONMENTAL CHECKLIST AND DISCUSSION OF IMPACTS

A. AESTHETICS					
		IMPACT			
Except as provided in Public Resources Code section 21099, would the project:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, along a designated scenic highway?		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

SETTING:

The subject property has a General Plan land use designation of Agricultural Ranchlands and is zoned AR/AR-d. It is located on Pacheco Pass Highway (State Route 152) in the southeastern corner of Santa Clara County. Pacheco Pass Highway is designated as a scenic route under the County Zoning Ordinance. In addition, this section of State Route 152 (from San Felipe Road to the Merced County line) has been classified by the California Department of Transportation as eligible for designation as a State Scenic Highway. Along State Route 152, the Pacheco Pass corridor (between the Santa Clara Valley and Central Valley) within is characterized by continuous uninterrupted views of the surrounding oak woodlands and open grasslands among rolling hillsides. With the exception of the commercial development at Casa de Fruita, the existing building at Bell Station, and some residential improvements on properties adjacent to this subject property, the lands visible from Highway 152 are undeveloped.

DISCUSSION:

a-d) Less than significant impact. The northern portion of the 432-acre project site is visible from Highway 152. As viewed from the highway, the visible portion of the site consists of an oak woodland studded hillside which rises above the road. Views of the project site are dominated by the presence of Lovers Leap, a dramatic rock outcropping that stands above the highway and surrounding rolling hills. This peak is characterized by an open rock knob, (greenstone) partially covered with shrubs and oak trees along its base. This rock outcropping can be viewed from up to 2.5 miles when traveling east along Highway 152.

The subdivision will result in the creation of three lots on lands facing Highway 152. In accordance with mitigation required for potential impacts to biological resources (see Biological Resources Section), each of these three lots will contain 1-to-2-acre building envelopes. In order to ascertain the potential visibility of these building sites from Highway 152, Planning Staff conducted GIS analysis to

determine where the three building sites would be the most visible. This was conducted by simulating a 35-foot building at each building site and then analyzing its relative visibility with respect to Highway 152. This analysis shows that all three of the building sites for each parcel will be visible from Highway 152 and it is estimated that these buildings sites will be visible for a period up to 10 to 20 seconds (depending on vehicle speed) from motorists driving along Highway 152. The building sites will be most visible from motorists traveling eastward towards Merced County (from Santa Clara County), as views will be generally directed towards the site in following the alignment of the highway as it proceeds from north to west as it passes by the project site. While the building sites will be visible to motorists heading westward along the Highway (towards Santa Clara County), views will more likely be focused away from the project site, following the highway as it continues west and south.

No development (other than required access improvements) is proposed as part of this project and therefore the nature and characteristics of future residential development on each of the three proposed non-remainder parcels is unknown at this time. The project site is located within a highway corridor which has high scenic value and contains a dramatic natural feature (Lovers Leap) onsite, which by itself is a prominent visual resource, and any future residential development on the designated building sites has the potential to degrade existing scenic views and the character of the natural setting. However, due to the -d Design Review Combining District that covers the portion of the subject property where the three non-remainder parcels are located, there is a discretionary process in place under existing County Ordinances which will provide oversight of any future development. This required Design Review approval mandates evaluation of the specific design and location of any future development and allows for conditioning of the project to reduce impacts. This includes potential design changes to reduce massing and visibility, vegetative screening requirements, limitations on proposed colors and materials, and limitations on visible lighting. This mandatory Design Review process will ensure that aesthetics impacts are less than significant.

MITIGATION: None required.

B. AGRICULTURE / FOREST RESOURCES					
In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.					
WOULD THE PROJECT:	IMPACT				Source
	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,23,24,26
b) Conflict with existing zoning for agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	9,21a
c) Conflict with an existing Williamson Act Contract or the County's Williamson Act Ordinance (Section C13 of County Ordinance Code)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

B. AGRICULTURE / FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.

WOULD THE PROJECT:	IMPACT				Source
	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
d) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 28
e) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	32
f) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

SETTING:

The subject 432-acre property is not subject to a Williamson Act contract and is designated by the State Farmland Mapping and Monitoring Program as *grazing land* and consists of non-native grasslands with scattered stands of oak. The subject property has a General Plan land use designation of Agricultural Ranchlands and is zoned AR-sr/AR-sr-d. No Prime Farmland, Unique Farmland, or Farmland of Statewide Importance is located on the project site, and there is no designated timberland or forest land on the project site.

DISCUSSION:

a-b, f) Less Than Significant Impact. The project site is rated by the State Farmland Mapping and Monitoring Program as *grazing land*. As a result, the proposed subdivision, including potential development of the three non-remainder parcels, would not convert 10 or more acres of classified prime farmland to non-agricultural use. Single family residential development, subject to minimum lot size requirements, are allowed in agricultural ranchlands zoned properties. Therefore, the proposed project would not conflict with existing zoning for agricultural use or involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.

c-e) No Impact. The subject property is not under a Williamson Act contract. The project site contains oak woodland; however, this is not considered timberland, and the property is not zoned as forest land.

Therefore, approval and recordation of the Tentative Map would not result in the loss of forest land or conversion of forest land to non-forest use.

MITIGATION: None.

C. AIR QUALITY					
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.					
	IMPACT				
WOULD THE PROJECT:	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	Source
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5,29, 30
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5,29, 30
c) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5,29, 30
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5, 29, 30

SETTING:

The proposed project is located within the San Francisco Bay Area Air Quality Management District (BAAQMD), which regulates air pollutants, including those that may be generated by construction and operation of development projects. These so-called criteria pollutants include reactive organic gases, carbon monoxide, nitrogen dioxide, and particulate matter (PM). BAAQMD also regulates toxic air contaminants (fine particulate matter), long-term exposure to which is linked with respiratory conditions and increased risk of cancer. Major sources of toxic air contaminants in the Bay Area include major automobile and truck transportation corridors (e.g., freeways and expressways) and stationary sources (e.g., factories, refineries, power plants). The operational criteria pollutant screening size for single-family residential projects established by BAAQMD is 325 dwelling units and construction emissions impacts are considered less than significant for projects of 114 dwelling units or less.

The subject property is located directly adjacent to Highway 152 (Pacheco Pass Highway). The subject property is not located within the Bay Area Air Quality Management District (BAAQMD) Air Hazard (Cancer; PM2.5) area.

DISCUSSION:

a-d) Less than Significant Impact. No development is proposed as part of this project; however, the proposed subdivision facilitates future development of single-family residences on the three non-

remainder lots. This potential future development would involve grading and construction activities, and fugitive dust would be created during the construction of the proposed structures and site improvements. These dust emissions would be controlled through standard Best Management Practices (BMPs) control measures that would be a condition of the project. As noted above, for single-family residential uses, construction emissions impacts are less than significant for projects of 114 dwelling units or less. Emissions generated from nine residences (three residences per lot - 1 SFR, 1 ADU and 1 JADU) would be well below both operational and construction emissions screening thresholds. In addition, future residential development of the three non-remainder lots would not expose sensitive receptors to substantial pollutant concentrations or involve criteria pollutants emissions.

MITIGATION:

None.

D. BIOLOGICAL RESOURCES					
	IMPACT				
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 7, 17b, 17o
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3,7, 8a, 17b, 17e, 22d, 22e, 33
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3, 7, 17n, 33
d) Have a substantial adverse effect on oak woodland habitat as defined by Oak Woodlands Conservation Law (conversion/loss of oak woodlands) – Public Resource Code 21083.4?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 3, 31, 32
e) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,7, 17b, 17o
f) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	32
g) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3,4, 17i

SETTING:

As explained in the project description, the project site is an undeveloped 432-acre parcel of property located within the Pacheco Pass corridor of southeastern Santa Clara County. The property is undeveloped and currently contains several types of natural habitat, consisting of annual grassland,

oak-bay woodland, and riparian woodland. Pacheco Creek passes through and along the northern border of the site. There are several stock ponds located within the remainder parcel and a large pond located 1/8 mile west of the property. The proposed project will result in the creation of three residential parcels of 20, 20, and 29.6 acres in size on the northern border of the property, facing Highway 152 and Pacheco Creek. Subdivision improvements include the construction of a common access road, which will follow the existing Pacheco Pass Conduit and terminate in a cul-de-sac on parcel 3. Three proposed building sites are shown on each of the parcels, all located just north of the common access road, and above Pacheco Creek. Due to previous major excavation and construction to install the Pacheco Conduit water line, the habitat within the road alignment has been disturbed and can be considered Ruderal habitat. While the property overall contains substantial tree cover associated with onsite oak woodlands, there are no trees located within the proposed road alignment and building sites which will be impacted by the subdivision improvements. According to the biology report, there are no U.S. Army Corps of Engineers jurisdictional wetlands or California Department of Fish & Game jurisdictional drainages which will be impacted by the proposed road or building site improvements. Access to the site is provided from an existing bridge over Pacheco Creek that currently meets County access standards and thus will not require any improvements.

A tentative map for the proposed 3-lot subdivision was previously approved by Santa Clara County. That prior application included a biology report and the prior approval included mitigation measures to reduce potential impacts to special status plant and animal species to a less than significant level. Subsequent to the original tentative map approval, the Applicant obtained natural resource agency permits and a building permit to construct a bridge that crosses a Pacheco Creek tributary. However, in 2017, the County of Santa Clara adopted the Santa Clara County Habitat Conservation Plan (HCP), which is a mitigation bank for most special status plant and animal species. Although the resource agency permits are still valid and work has been performed pursuant to conditions prescribed by them, HCP conditions have been applied to this subdivision and will govern all future subdivision improvement and residential development.

A review of the California Natural Diversity Database shows that several "special status" wildlife and plant species are known to occur in the region and general vicinity of the project site. This includes sightings of the San Joaquin Kit Fox, California Red-legged Frog, California Tiger Salamander, Foothill Yellow-legged Frog, Western Pond Turtle, Hall's Bush Mallow (plant species) and several other bird species. The HCP landcovers on the property are: Central California Sycamore Alluvial Woodland, Mixed Riparian Forest and Woodland, California Annual Grassland, Rock Outcrop, Serpentine Rock Outcrop / Barrens and Mixed Serpentine Chaparral.

DISCUSSION:

a-g) In order to evaluate for the potential of these species to occur on the project site and the potential for any possible impacts resulting from the proposed project, a habitat and wildlife assessment was prepared. This consisted of a biological assessment for wildlife species and habitat by RCL Ecology (Biological Assessment, Lands of Malech) dated July 2004, and a supplemental addendum (Biological Resources Report) also prepared by RCL Ecology, dated August 2005, and subsequently revised in April 2006. The Biological studies report (RCL Ecology) evaluated the project site for existing natural habitat types and the potential for special status species to use the site for breeding and foraging habitat as well as a migration corridor. As described in the report, reconnaissance level field surveys were conducted twice in May 2004, and in spring 2005. The assessment concludes that there are at least four Federally listed wildlife and plant species that are present or have the potential to inhabit the project site. This includes the California Red Legged Frog (Listed as Threatened by the US Fish & Wildlife Service), the California Tiger Salamander (also listed as threatened by USFW) and the. San Joaquin

kitfox (listed as Endangered by USFW and Threatened by the California Department of Fish & Game), and the Santa Clara Valley Dudleya, a plant species listed as endangered by the USFW). Several other wildlife and plant species of special concern were presumed to be present on the project site, in association with habitat found in Pacheco Creek, Lovers Leap, or within identified areas containing serpentine soils. These species include the Southwestern Pond Turtle, Prairie Falcon, and several plant species.

While the San Joaquin Kit Fox was not observed onsite, the biological assessment concludes that the grassland and oak savanna habitat onsite provides appropriate habitat. The kit fox has been sighted in various areas within the Pacheco Pass corridor and the project site may be included within a larger migration corridor, connecting the San Luis population (to the east) with those in Hollister Valley. The California Red Legged frog was observed within an off-site pond less than one mile west of the project site. The report concludes that the frogs also likely occur within the riparian corridor for Pacheco Creek, used as dispersal / foraging habitat. The stock pond located 1/8 mile west of the proposed residential lots and improvements was reported to contain numerous bullfrogs and was stocked with bass, which likely would preclude the presence of Red Legged Frogs due to predation. Surveys at the on and off-site ponds failed to detect the California Tiger Salamander, and closest known occurrence is over 5 miles away from the project site. However, as potential breeding and upland (aestivation) habitat exists on site, it is assumed that this species may be present. During plant surveys, the Santa Clara Valley Dudleya was found to occur within serpentine outcrops on portions of Parcels two and three. These areas are located outside of the areas proposed for residential development. Several other special plant species found in association with Serpentine soils were also identified in these areas.

Other special status species which were evaluated for possible presence on the project site included the Foothill yellow-legged frog, Western Pond Turtle, Prairie Falcon, Burrowing Owl, California Horned Lark, and several other bird and plant species. The assessment concludes that the Western Pond Turtle may be present within Pacheco Creek and the grassland habitat onsite may provide habitat for the Burrowing Owl and the California Horned Lark, although presence of the former species is unlikely. Lovers Leap likely provides nesting habitat for the Prairie Falcon and several other raptor bird species. Several additional special status plant species associated with serpentine or chaparral habitat, including the Oakland star-tulip and Serpentine bedstraw, were found to be present within serpentine and chaparral habitat found on Parcel 3 near the base of Lovers Leap.

In summary, this Initial Study concludes that the project site provides habitat for the California Red Legged Frog (breeding / upland), California Tiger Salamander (breeding / foraging), San Joaquin Kit Fox, Santa Clara Valley Dudleya, Western Pond Turtle and several special status species birds and plants from both a biological survey and HCP analysis.

The proposed road and building sites are clustered at the extreme northern portion of the 432-acre project site and generally located within an area which has previously been disturbed. However, due to the presumed presence of numerous Special status species within the Pacheco Pass corridor and Pacheco Creek, implementation of the subdivision will still likely result in potentially significant impacts to biological resources as follows:

- Possible loss of habitat and disruption of migration corridors for the San Joaquin Kit Fox, California Tiger Salamander (Upland Habitat) and California Red Legged Frog (Upland Habitat).

- Possible direct "take" of Joaquin Kit Fox, California Tiger Salamander, and California Red Legged Frogs, and California Tiger Salamander during construction of the access road and residence improvements.
- Possible indirect impacts on Pacheco Creek and its associated riparian corridor from future residential development, which would also impact any special status species using the creek for breeding / foraging habitat.
- Possible direct "take" of special status bird species (Burrowing Owl, Horned Lark) which may use the onsite grasslands for breeding during construction of the road and residential improvements.
- Although unlikely, future onsite improvements outside the building site areas could impact the Lover's Leap outcropping (which likely provides important breeding habitat for several raptor species), and areas contain Santa Clara Valley Dudleya and other special status species plants.

MITIGATION:

For possible significant impacts to habitat migration corridors for the San Joaquin Kit Fox, California Tiger Salamander (Upland Habitat) and California Red Legged Frog (Upland Habitat) and possible significant indirect impacts to Pacheco Creek and its riparian corridor shall be as follows:

- All residential development on each of the lots shall take place in the approximate location of the building envelopes shown on the Tentative Map. In accordance with General Plan policy R-RC 37, these building envelopes shall be setback a minimum of 150 feet from the high bank of Pacheco Creek, as shown on Sheet 2 of the Tentative Map. Residential development shall be defined as including all residences, residential accessory structures and associated landscaped (lawns) or hard scape (patios, retaining walls) areas but shall not include septic systems or wells.
- Prior to recordation of the final map, a plan shall be submitted showing 1 to 2-acre building envelopes in each of these areas on all three parcels. Language shall be included on the final map referencing these areas. Any future residential development proposed to occur outside of these building envelopes shall require Building Site Approval from the Planning Office and further environmental review.
- An open space and conservation easement shall be dedicated over Pacheco Creek and its associated riparian corridor on Parcels 1, 2, and 3, in general conformance with the delineated area shown in Figure 3 of the Initial Study.
- An outdoor lighting plan shall be submitted for review and approval by the Planning Office for residential development on each lot prior to the issuance of building permits. The objective of this plan shall be to restrict outdoor lighting to within 100 feet of structures. All outdoor lighting shall use full cut-off lighting fixtures, and shall not be allowed to emit glare towards Pacheco Creek.

Mitigation for potentially significant impacts to the Santa Clara Valley Dudleya and nesting habitat in Lovers Leap shall be as follows:

- Prior to recordation of the Final Map, a qualified biologist shall conduct plant surveys (in accordance with USFW adopted protocols) over the two areas known to contain Santa Clara Valley Dudleya to determine the extent of on-site populations. The biologist shall submit a map for approval to the Planning Office showing delineation of these areas. An open space and conservation easement shall be dedicated over the areas containing Santa Clara Valley Dudleya and any portions of Lovers Leap located within Parcels 2 and 3.

Mitigation for possible direct "take" of Joaquin Kit Fox, California Tiger Salamander, and California Red Legged Frogs, and California Tiger Salamander during construction of the access road and each individual residence shall be as follows:

- Preconstruction surveys for the San Joaquin Kit Fox shall be done by a qualified biologist within 30 days of the start of construction for the access road and for each single-family residence. The study area shall be done in accordance with adopted U.S. Fish & Wildlife protocols. Prior to recordation of the final map and issuance of any building permits for single family houses, a copy of a contract with a qualified biologist (to conduct surveys) shall be submitted to the Planning Office for approval. Results of the surveys with a summary report shall be submitted from the biologist to the Planning Office for approval prior to release of the bond or final inspection.
- Preconstruction surveys for California Red Legged Frogs and California Tiger Salamanders shall be conducted in accordance with USFW protocols prior to the start of construction for both the access road and the individual residences. These surveys shall be done by a qualified biologist. Under direction of the biologist, measures such as a worker awareness program, exclusionary fencing, and daily monitoring of construction areas shall be employed to prevent "take" of these species during construction. If any species are encountered during the surveys, species relocation shall occur per USFW protocols. Prior to recordation of the final map and issuance of any building permits for single family houses, a copy of a contract with a qualified biologist (to conduct surveys) which includes a scope of work showing how the above measures shall be employed during construction, shall be submitted to the Planning Office for approval. Results of the surveys with a summary report shall be submitted from the biologist to the Planning Office for approval prior to release of the bond or final inspection.

Mitigation for possible direct "take" of special status bird species (Burrowing Owl, Horned Lark) and their nests due to construction within onsite grasslands during for the access road and individual residences.

- A qualified biologist shall conduct pre-construction surveys for burrowing owls and horned larks no more than 30 days prior to commencement of project activities. If these bird species are observed within the project area or areas adjacent to it during the breeding season (February 1 to August 31), a 250-foot buffer zone shall be established around the occupied burrow(s) and construction delayed in that buffer zone until all young have fledged and are able to feed on their own, as determined by monitoring surveys conducted by a qualified biologist. Breeding burrowing owls and horned larks and their young should not be relocated if burrowing owls and larks are observed within the project area or areas adjacent to it during the non-breeding season (September to January), a 50 meter/160-foot buffer zone shall be established around the occupied burrow(s) or nest and construction delayed in that buffer zone until the owls / larks have vacated, as determined by monitoring conducted by a qualified

biologist. If this is not practical, a Memorandum of Understanding (MOU) from the California Department of Fish and Wildlife shall be obtained to allow passive relocation. Prior to recordation of the final map and issuance of any building permits for single family houses, a copy of a contract with a qualified biologist (to conduct surveys) shall be submitted to the Planning Office for approval. Results of the surveys with a summary report shall be submitted from the biologist to the Planning Office for approval prior to release of bond or final inspection.

The adherence to the mitigation measures outlined above, and the Habitat Plan related conditions of approval as listed below will reduce all possible biological impacts to a **less than significant level**.

SANTA CLARA VALLEY HABITAT CONSERVATION PLAN CONDITIONS.

The HCP conditions will be applicable to all work not covered and conditioned previously by natural resources agency permits, included all future subdivision improvements and single-family residential development.

Final Parcel Map

1. Development of parcels shall be subject to the Santa Clara Valley Habitat Plan coverage and applicable fees at the time development applications for each parcel are submitted to the County. **Prior to recordation of the Final Parcel Map**, a note shall be placed on the signature sheet that states, "Development of parcels shall comply with the Santa Clara Valley Habitat Conservation Plan."

Habitat Plan Application for Private Projects

3. **Prior to issuance of any grading/drainage or building permit**, submit a completed Habitat Plan Application for Private Projects ("Application") with all required submittal materials, including all required wildlife and plant surveys, exhibits (as described in the Application for Private Projects), and required staff review fee to the Planning Office for review and verification. The required site plan shall show the project development, including a delineation of the permanent and temporary development buffer areas.
 - *Permanent development area* is defined as all land that will have permanent improvements (required on and off-site road improvements, driveways, buildings/structures, landscaping, etc.), plus a 50-foot buffer surrounding these areas.
 - *Temporary development area* is defined as land that will be temporarily affected during development (construction laydown areas, subsurface utilities, septic system, etc.) that will be restored within one year of completing construction, plus a 10-foot buffer surrounding these areas.

Land Cover Verification

4. **Prior to issuance of any grading/drainage or building permit**, provide a field verified land cover verification report and land cover mapping by a qualified biologist, that includes the following:

- a. Land cover mapping that clearly delineates the verified land cover, proposed development (footprint of improvements, on and off-site roads improvements, bridges, driveways, impervious surfaces, subsurface utilities), and area of temporary and permanent impacts (with applicable buffers)
- b. Area calculations of land cover permanently and temporarily impacted by the project, consistent with Table 1 in the Application for Private Projects.

Fees

5. **Prior to issuance of any grading/drainage or building permit**, all Santa Clara Valley Habitat Agency (SCVHA) fees must be paid. Land cover fees are paid based on the land cover, as verified by a qualified biologist, and development area associated with the project. *Temporary development fees* are based on the amount of time the land is disturbed during construction, plus one year after completing construction, and cannot exceed a combined total of 2 years. ***All temporary development that exceeds 2 years from the onset of construction will be subject to permanent impact fees.***

This project is subject to the following Habitat Plan fees:

- a. Land Cover Fee Zone A – Ranchlands and Natural Lands.
- b. Serpentine Mitigation Fee.
- c. Wetland Mitigation Fee: Central California Sycamore Woodland.
- c. Wetland Mitigation Fee: Stream.
- c. Nitrogen Deposition Fee – New Single-Family Residence.

Habitat Plan Conditions of Approval

6. **Prior to issuance of grading/drainage or building permits**, *all future development* is subject to the following Conditions of Approval and described in more detail within Chapter 6 of the Santa Clara Valley Habitat Plan.
 - Condition 1: Avoid Direct Impacts on Legally Protected Plant and Wildlife Species.
 - Condition 3: Maintain Hydrologic Conditions and Protect Water Quality.
 - Condition 4: Avoidance and Minimization for In-Stream Projects.
 - Condition 7: Rural Development.
 - Condition 11: Stream and Riparian Setbacks.
 - Condition 12: Wetland and Pond Avoidance and Minimization.
 - Condition 13: Serpentine and Associated Covered Species Avoidance and Minimization.
 - Condition 14: Valley Oak and Blue Oak Woodland Avoidance and Minimization.
 - Condition 16: Least Bell's Vireo.
 - Condition 17: Tricolored Blackbird.
 - Condition 18: San Joaquin Kit Fox.
 - Condition 19: Plant Salvage when Impacts are Unavoidable.
 - Condition 20: Avoid and Minimize Impacts to Covered Plant Occurrences.

8. **Prior to issuance of grading/drainage or building permits**, incorporate the Habitat Plan Conditions of Approval (Exhibit A) into the improvement/grading and building plans.

Work already performed under natural resource agency permits and conditions will sufficiently mitigate for any impacts to special status plants and animals. If the subdivision is approved, the HCP conditions and comments will sufficiently mitigate for future impacts from subdivision improvements and residential development.

E. CULTURAL RESOURCES					
	IMPACT				
WOULD THE PROJECT:	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	Source
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5 of the CEQA Guidelines, or the County's Historic Preservation Ordinance (Division C17 of County Ordinance Code) – including relocation, alterations or demolition of historic resources?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 16, 19, 40, 41
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the CEQA Guidelines?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 19, 40, 41
c) Disturb any human remains including, those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	3, 19, 40, 41

SETTING:

The project area is located adjacent to Highway 152 in Pacheco Pass near Bell Station, Santa Clara County, California. The subject property consists of undeveloped, open land with scattered oaks, bounded by similar parcels. The project area lies in the Mexican era land grant of San Luis Gonzaga within Township 10 South, Range 6 East, Mt. Diablo Base, and Meridian. Pacheco Pass has long been used as a prehistoric and historic travel corridor. Bell's Station, which was established as a toll station in the mid 19th century, is located directly adjacent and north of the project site. One significant prehistoric site (SCL-725) is located adjacent to the access road leading to the project site. A few other recognized sites (SCL-724) are located in the general vicinity but not immediately adjacent to the project site.

DISCUSSION:

a-b) No Impact. The subject property is currently undeveloped and is not currently listed on local, State, or Federal historic inventories. A cultural resources evaluation prepared by Archeological Resource Service (A Cultural Resource Evaluation of the Malech Subdivision), dated March 16, 2005, included a search and review of known cultural resources near the project site and a reconnaissance survey. As discussed in the report, the reconnaissance survey of the proposed road alignment and future building sites did not show the presence of any on-site cultural resources. Additionally, there are no cultural resources listed in the County Historic Resources Database on the subject property or surrounding area. Therefore, the proposed project would have no impact on historic, paleontological, or unique geologic resources.

c) Less Than Significant with Mitigation Incorporated. A cultural resources evaluation was prepared by Archeological Resource Service (A Cultural Resource Evaluation of the Malech Subdivision), dated March 16, 2005. The cultural resource evaluation included a search and review of known cultural resources near the project site and a reconnaissance survey. As discussed in the report, a reconnaissance survey of the proposed road alignment and building sites did not show the presence of any on-site cultural resources. The report concludes that there is a low likelihood of encountering archeological resources in the proposed building envelopes. However, due to the presence of SCL-725, the report recommends that archeological monitoring occur during construction activities associated with improvement of the access road, to ensure that no potentially adverse impacts occur.

MITIGATION: A qualified archeologist shall monitor construction activities (grading and other earth disturbing operations) during improvement of the access road for the subdivision. A copy of a contract with the qualified consultant (for monitoring) shall be submitted to the Planning Office for approval prior to recordation of the final map and a summary report (of monitoring activities) shall be submitted to the Planning Office for approval prior to release of the bond for subdivision improvements.

The following control measure shall be adhered to in accordance with State and Local laws:

In the event that human skeletal remains are encountered, the applicant is required by County Ordinance No. B6-18 to immediately notify the County Coroner. Upon determination by the County Coroner that the remains are Native American, the coroner shall contact the California Native American Heritage Commission, pursuant to subdivision (c) of section 7050.5 of the Health and Safety Code and the County Coordinator of Indian affairs. No further disturbance of the site may be made except as authorized by the County Coordinator of Indian Affairs in accordance with the provisions of state law and this chapter. If artifacts are found on the site a qualified archaeologist shall be contacted along with the County Planning Office. No further disturbance of the artifacts may be made except as authorized by the County Planning Office.

F. ENERGY					
	IMPACT				
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
a) Result in potentially significant environmental impact do to wasteful, inefficient, or unnecessary construction of energy resources during project consumption or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 5
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5

SETTING:

The project site is located in a rural area of unincorporated Santa Clara County.

DISCUSSION:

a-b) Less Than Significant Impact. The proposed project is the subdivision of a single parcel into three parcels and one remainder parcel. Residential development of the three non-remainder parcels is not proposed as part of this project but could occur in the future. This development would be subject to CALGreen Requirements (Part 11, Title 24 of the California Building Code) designed to improve energy efficiency. Therefore, the project would not result in potentially significant environmental impact do to wasteful, inefficient, or unnecessary construction of energy resources during project consumption or operation or conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

MITIGATION:

None required.

G. GEOLOGY AND SOILS					
WOULD THE PROJECT:	IMPACT				Source
	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:					
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6, 17c, 43
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6, 17c
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6, 17c, 17n, 18b
iv) Landslides	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6, 17L, 118b
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	6, 14, 23, 24
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 3, 17c, 23, 24, 42
d) Be located on expansive soil, as defined in the report, <i>Soils of Santa Clara County</i> , creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	14,23, 24,

G. GEOLOGY AND SOILS					
	IMPACT				
WOULD THE PROJECT:	<u>Potentially Significant Impact</u>	<u>Less Than Significant with Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	Source
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3,6, 23,24,
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2,3,4,40,41

SETTING:

The Santa Clara County Seismic Stability maps identify the subject property as being within County Landslide Hazard and Liquefaction Zones.

DISCUSSION:

a-f) Less Than Significant Impact. The proposed project is a three-lot subdivision of an undeveloped parcel. No residential development is proposed as part of the subdivision project, however, future residential development of each of the three non-remainder parcels is a reasonably foreseeable outcome. The on-site investigation found no evidence of slope instability, and the report concluded that the potential for earthquake-induced landsliding to affect the building site is low. The investigation also determined that the project site is located in an area where the potential for liquefaction is very low. The report concluded that the primary hazard would be seismic ground shaking and the presence of expansive soils which could cause damage to the foundation. It recommends that the foundation of a future residence should be designed for seismic shaking, including horizontal and vertical accelerations, and the presence of expansive soils as required by the California Building Code. Future construction of a residence would require a Plan Review Letter that confirms compliance with recommendations presented in the approved report. Compliance with this condition would ensure the construction would not create or increase the risk of damage to be caused by a geologic hazard. Erosion control measures would be reviewed through the drainage permit application prior to construction. Therefore, the proposed project would not result in substantial soil erosion or the loss of topsoil.

The County Department of Environmental Health has reviewed soil and percolation tests submitted by the applicant and determined that a septic system is feasible in the area identified for a future residence. No paleontological resources have been identified on the site.

MITIGATION:

None required.

H. GREENHOUSE GAS EMISSIONS

		IMPACT				
WOULD THE PROJECT:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5,29, 30
b)	Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	5,29, 30

SETTING:

Given the overwhelming scope of global climate change, it is not anticipated that a single development project would have an individually discernible effect on global climate change. It is more appropriate to conclude that the greenhouse gas emissions generated by a proposed project would combine with emissions across the state, nation, and globe to cumulatively contribute to global climate change. The primary GHG associated with a development project is carbon dioxide, which is directly generated by fuel combustion (vehicle trips, use of natural gas for buildings) and indirectly generated by use of electricity.

DISCUSSION:

a-b) Less Than Significant Impact. The proposed project is the subdivision of an undeveloped parcel into three residential lots and one remainder lot. Grading is proposed for drainage and access improvements; no residential development is proposed as part of the project. However, future residential development of each of the three non-remainder parcels is a reasonably foreseeable outcome of the subdivision. Emissions generated from three single-family residences would be well below the BAAQMD operational-related GHG emissions screening level for residential land uses; therefore, the project would not make a cumulatively considerable contribution to the effect of GHG emissions on the environment.

MITIGATION:

None required.

I. HAZARDS & HAZARDOUS MATERIALS						
		IMPACT				
WOULD THE PROJECT:		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 4, 5

I. HAZARDS & HAZARDOUS MATERIALS					
	IMPACT				
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	Source
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 3, 5
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 1/4 mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	46
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	47
e) For a project located within an airport land use plan referral area or, where such a plan has not been adopted, within two miles of a public airport or public use airport, or in the vicinity of a private airstrip, would the project result in a safety hazard, or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 22a
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	5, 48
g) Expose people or structures either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	4, 17g

SETTING:

The project site is not identified as having hazardous materials pursuant to Government Code Section 65962.5. The nearest school is Gilroy Early College Academy in Gilroy, which is approximately 15-miles from the project site. The project site is located within the Cal Fire State Responsibility area, with Cal Fire SRA Hazard Class ratings of High (96.8%), Moderate (3.2%). The project site is not located within an airport land use referral area. The nearest airport is located in San Martin, approximately 16 miles away.

DISCUSSION:

a-f) No Impact. The project will not include the use of hazardous materials and the project site is not known to contain hazardous materials. Implementation of the project will not interfere with an emergency response plan or any public or private airports.

g) Less than significant impact. The subject property is located within the Wildland Urban Interface (WUI), a designation which indicates that the property is more likely to experience wildfires. However, existing State Fire and Building Codes specify certain design and material standards which are required for any structure within the designated WUI areas.

The property is located within the Santa Clara County Central Fire Protection District and in the State Responsibility Area. At the time of site development, the applicant shall meet all requirements of the County Fire Marshal's Office and the Building Code requirements for fire protection and fire prevention within the WUI, which may include, but is not limited to, providing on-site fire flow, a fire hydrant, an automatic fire sprinkler system, and appropriate driveway turnouts and turnarounds for firefighting equipment. The proposed access driveway would conform to all requirements of the Fire Marshal's Office for emergency vehicle access. Fire protection water would be provided by on-site water tanks fed by on-site wells.

Adherence to these WUI design and material requirements ensures that the proposed residence, and any future development on the proposed parcels, will not expose people or structures to a significant risk of loss, injury or death involving wildland fires. Hence, this impact would be less than significant.

MITIGATION:

None Required.

J. HYDROLOGY AND WATER QUALITY					
Would the project:	IMPACT				SOURCE
	Potential ✓ Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	34, 36
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 4
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 17n,
i) Result in substantial erosion or siltation on- or off-site	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 17p
II) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 5, 36, 21a
III) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 5
IV) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 17p, 18b, 18d
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3, 18b, 18d
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	2, 3, 4, 17p

SETTING:

The subject property contains several stock ponds, and Pacheco Creek runs along the northern boundary of the property. The large majority (95.6%) of the property is located in FEMA Flood Zone D (Area of Undetermined Flood Hazard); a tiny portion (4.6%) is located within FEMA Flood Zone A, which is a designated 100-year flood zone. The subject property is not located in an area of high levels

of nitrates in well water, being located outside of the Llagas Sub-basin and Coyote Valley, the two areas of the County with known elevated Nitrate levels in groundwater. The proposed development would result in approximately 76,863 square feet of new impervious surface, primarily due to access roads and driveways.

DISCUSSION:

a-e) Less than significant impact. No improvements are proposed within or near Pacheco Creek and proposed building envelopes are located outside of the 100-year flood plain. Preliminary review by the Department of Environmental Health determined that septic systems can be developed with no potential for impacts to groundwater. When development of each parcel is proposed, the County Department of Environmental Health (DEH) will require submittal of fully engineered septic systems for review and approval, ensuring conformance with all County Septic Ordinance requirements. The project will be conditioned to ensure Best Management Practices will be required during construction to minimize erosion. In addition, the project and all associated improvements have been reviewed and conditioned by County Land Development Engineering, ensuring that drainage improvements have been designed and sized adequately to deal with the increase in run-off and changes to drainage off-site, and ensuring that no stormwater would be displaced from the property.

MITIGATION:

None Required.

K. LAND USE					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	2, 4
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	8a, 9, 18a

SETTING:

Surrounding properties are mostly undeveloped properties of similar size. A few nearby properties have single family residential uses. The subject property's general plan designation is Agricultural Ranchlands, and zoning is AR-sr.

DISCUSSION:

- a) **No Impact.** The proposed three-lot subdivision would not divide an established community.
- b) **Less Than Significant Impact.** The proposed parcel map meets the minimum lot size requirement for the zoning district, and single family residential is an allowed use. The proposed subdivision, grading, and potential development of future residences would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of

avoiding or mitigating an environmental effect. Environmental effects of the proposed project are evaluated in other sections of this document.

MITIGATION:

None Required.

L. MINERAL RESOURCES						
		IMPACT				SOURCE
WOULD THE PROJECT:		Potentially Significant Impact	<u>Less Than Significant With Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3, 6, 44
b)	Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 2, 3, 6, 8a

SETTING:

The project site is located in a rural area with mostly vacant or agricultural parcels located nearby. It is not located an area identified as having locally important mineral resources.

DISCUSSION:

a-b) **No Impact.** The project site is not located in an area of known mineral resources. Development of future residences would not result in a loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan.

MITIGATION:

None required.

M. NOISE					
	IMPACTS				SOURCE
WOULD THE PROJECT RESULT IN:	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	8a, 13, 22a, 45
b) Generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	13, 45
c) For a project located within the vicinity of a private airstrip or an airport land use plan referral area or, where such a plan has not been adopted, within two	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 5, 22a

miles of a public airport, public use airport, or private airstrip, would the project expose people residing or working in the project area to excessive noise levels?

SETTING:

The project site is located in a rural area with mostly vacant or agricultural parcels located nearby. It is not located within an airport land use referral area. The nearest airport is located in San Martin, approximately 16 miles away.

DISCUSSION:

a-b) Less Than Significant Impact. Development of future residences would not generate permanent noise levels that exceed existing ambient noise levels or standards of the Santa Clara County Noise Ordinance. The noise levels created during grading and construction could create a temporary disturbance to neighboring properties. The project would be required to conform to the County Noise Ordinance (Section BII-I92), which sets maximum exterior noise levels for land use categories. Compliance with these specifications would ensure that the neighboring properties are not adversely affected. The impact would be less than significant.

c) No Impact. The project is not located within the vicinity of a private airstrip or public airport. Hence, there would be no impact.

MITIGATION:

None required.

N. POPULATION AND HOUSING					
	IMPACT				SOURCE
WOULD THE PROJECT:	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 3, 4
b) Displace substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 4

SETTING:

The project site is located in a rural residential area of Santa Clara County, the population of which was estimated to be 1,928,000 in 2019, which includes 15 cities and unincorporated areas. The population of the unincorporated areas is approximately 96,000.

DISCUSSION:

a-b) Less Than Significant Impact. Development of future single-family residences with an allowed accessory dwelling unit would not induce substantial population growth or displace existing housing or people as defined under CEQA.

MITIGATION:

None required.

O. PUBLIC SERVICES					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	<u>Less Than Significant With Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
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 following public services:					
i) Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 5
ii) Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 5
iii) School facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 5
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 5, 17h
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 5

SETTING:

The project site is located in a rural residential area, outside of the urban service area of the City of Morgan Hill. Fire protection would be provided by Cal Fire. Police protection is provided by the Santa Clara County Sheriff's Office. The nearest school is Gilroy Early College Academy in Gilroy, which is approximately 15 miles from the project site. Several parks are located in Gilroy to the west.

DISCUSSION:

a) Less Than Significant Impact. The proposed project is three-lot subdivision. No development is proposed as part of the subdivision, but future residential development of each lot is a reasonably foreseeable outcome. Available public services would not require expansion or alteration that result in substantial adverse physical impacts in order to service three additional single-family residences.

MITIGATION:

None required.

P. RECREATION		
	IMPACT	SOURCE

WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 2, 4, 5, 17h
b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5

SETTING:

Several parks are located in the City of Gilroy west of the project site. Pacheco State Park is located approximately three (3) miles to the east of the project site; Henry Coe State Park is located approximately six (3) miles to the west.

DISCUSSION:

a-b) Less Than Significant Impact. The proposed project is three-lot subdivision. No development is proposed as part of the subdivision, but future residential development of each lot is a reasonably foreseeable outcome. The construction of three additional residence would not increase use of recreation facilities to the extent that substantial physical deterioration would occur or require the construction or expansion of new recreational facilities that might have an adverse physical effect on the environment.

MITIGATION:

None required.

Q. TRANSPORTATION					
WOULD THE PROJECT:	IMPACT				SOURCE
	YES		NO		
	Potential v Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 4, 5, 6, 7, 49, 52
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)? ₁	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	6, 49, 50, 52
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	3, 5, 6, 7, 52
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1, 3, 5, 48, 52

SETTING:

The project is a three-lot residential subdivision in the unincorporated County near Hollister. Access to the project site is via Pacheco Pass Highway, with the nearest major intersection at the Pacheco Pass split, approximately eleven miles to the Southwest. No development of the three residential parcels is proposed as part of this project, but residential development of these parcels is a reasonably foreseeable outcome.

Vehicle Miles Traveled (VMT)

Senate Bill 743 (SB 743), which became effective September 2013, initiated reforms to the CEQA Guidelines to establish new criteria for determining the significance of transportation impacts that “promote the reduction of GHG emissions, the development of multi-modal transportation networks, and a diversity of land uses.” Specifically, SB 743 directed the Governor’s Office of Planning and Research to update the CEQA Guidelines to replace automobile delay—as described solely by Level of Service or similar measures of vehicular capacity or traffic congestion—with VMT as the recommended metric for determining the significance of transportation impacts.

The Office of Planning and Research has updated the CEQA Guidelines for this purpose by adding a new section 15064.3 to the Guidelines, which became effective statewide July 1, 2020. CEQA Guidelines section 15064.3(a) defines VMT as the amount and distance of automobile travel attributable to a project. CEQA Guidelines section 15064.3, subdivision (b), establishes criteria for evaluating a project’s transportation impacts under CEQA. CEQA Guidelines § 15064.3(b)(1) states that for land use projects, VMT exceeding an applicable threshold of significance may indicate a significant impact. As noted above, a lead agency has the discretion to choose the most appropriate methodology to evaluate VMT, including whether to express the change in absolute terms, per capita, per household, or any other measure. For purposes of establishing VMT thresholds, the County has chosen to treat unincorporated areas inside USAs and unincorporated areas outside of the USAs (rural areas) as separate regions. The County has also established that the average VMT for rural unincorporated County is 32 VMT per capita. Rural projects that generate

DISCUSSION:

a-d) The project is a 3-lot residential subdivision in rural unincorporated Santa Clara County. The project would generate 31.8 ADT, which is above the screening threshold. However, simply exceeding the 24 ADT threshold does not necessarily mean that a project will have a significant impact. The VTA regional travel demand model computes an average VMT per capita of 32.2 for residential uses in rural areas in the unincorporated County. As per California Air Resources Board (CARB) 2017 Climate Change Scoping Plan, 15% reduction in light-duty VMT will be needed for the State to achieve its greenhouse gas reduction goals. Therefore a per capita VMT reduction threshold of 15% would be 27.4 VMT/capita for a new 3-lot subdivision in rural unincorporated County. Utilizing the VTA VMT tool [<https://vmttool.vta.org/>] the project would result in 32 VMT/capita. This is above the 15% reduction threshold. Due to its location in rural Santa Clara County, significantly far away from transit and other amenities, Travel Demand Management strategies to reduce VMTs are not feasible for the project. However, the per capita VMT for the project does not exceed the existing per capita VMT for rural county, and the cumulative increase in VMT for the County resulting from this project is negligible (less than .1 % of the total unincorporated county Home-based VMT). Therefore, the impact is less than significant.

MITIGATION:

None required.

R. TRIBAL CULTURAL RESOURCES					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:					
i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	

SETTING:

Under an update to CEQA through state legislation know as AB 52, lead agencies must consult with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of a proposed project, if so requested by the tribe. Section 21084.2 of the Public Resources Code also specifies that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment.

DISCUSSION:

a) Less Than Significant. No tribe has requested that the County notify it when development applications in the unincorporated areas of the County are submitted and undergo CEQA review, which is the required precursor for consultation under AB 52. There are no resources listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources on the project site or in the vicinity. Mitigation measures are included under Section E, “Cultural Resources” that require archaeological monitoring due to potential for archaeological resources; and appropriate response if human remains or other potential archaeological resources are uncovered during project construction. Therefore, impacts related to the implementation of the project would be less than significant with respect to Tribal Cultural Resources.

MITIGATION:

None required.

S. UTILITIES AND SERVICE SYSTEMS					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3,6,70
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 6,24b
c) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3,6,70
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1, 3, 5,6
e) Be in non-compliance with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3,5, 6

SETTING:

The project site is located within PG&E's service area. The project site has no access to public water or wastewater utilities.

DISCUSSION:

a-e) Less Than Significant Impact. Potential future residences would require on-site wastewater treatment systems and new wells; electricity and would be provided by PG&E. The County Department of Environmental Health has reviewed soil and percolation tests submitted by the applicant and determined that a septic system is feasible in the areas identified for future residences. Stormwater would be retained on site. Therefore, no expansion of utilities would be required. Construction wastes associated with demolition of the existing residence and construction of a new residence would be minor and would not exceed the capacity of existing solid waste disposal facilities.

MITIGATION:

None required.

T. WILDFIRE		
	IMPACT	SOURCE

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	<u>Potentially Significant Impact</u>	<u>Less Than Significant With Mitigation Incorporated</u>	<u>Less Than Significant Impact</u>	<u>No Impact</u>	
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 6, 44
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 3, 6,8a
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 2, 4, 5, 17h
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1, 3, 4, 5

SETTING:

The project site is located within the Cal Fire State Responsibility area, with Cal Fire SRA Hazard Class ratings of High (96.8%), Moderate (3.2%). The project site is not located within an airport land use referral area.

DISCUSSION:

a-d) Less Than Significant Impact. The proposed project is the subdivision of a parcel that contains an existing residence with potential for a future residence on the undeveloped parcel (Parcel A). No changes are proposed to the existing public right-of-way on Shafer Avenue, and development of a future residence would not affect use of the public right-of-way that may be used for emergency response. As shown on Figure 3, a feasible location for a residence is shown in the southwest portion of Parcel A, which is relatively flat land that is partially developed and used for grazing. Because the project site is in a Cal Fire State Responsibility Area, future construction of a residence would be subject to wildland building codes (CBC Chapter 7A), including requirements for defensible space and fire-resistant construction. These requirements would ensure that the project would not exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

MITIGATION:

None required.

U. MANDATORY FINDING OF SIGNIFICANCE						
	IMPACT					SOURCE
WOULD THE PROJECT:	YES		NO			
	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact		

a)	Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1 to 52
b)	Have impacts that are individually limited, but cumulatively considerable ("Cumulatively considerable" means that the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1 to 52
c)	Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1 to 52

DISCUSSION:

a) **Less Than Significant Impact.** As discussed in the Biological Resources section, impacts of the proposed project on special status species or habitat would either be less than significant or would be reduced to a less-than-significant level through incorporation of mitigation measures. The proposed project would not have the potential to substantially reduce the habitat of any fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number of, or restrict the range of, a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

b) **No Impact.** No past, current, or probable future projects were identified in the project vicinity that, when added to project-related impacts, would result in cumulatively considerable impacts. No cumulatively considerable impacts would occur with development of the proposed project. As discussed in the analyses provided in this Initial Study, project impacts were found to be less than significant. The incremental effects of the proposed project are not cumulatively significant when viewed in context of the past, current, and/or probable future projects. No cumulative impacts would occur.

c) **No Impact.** The proposed project is a 3-lot subdivision of an undeveloped parcel; no development other than access infrastructure is proposed as part of this project. As described in the environmental topic sections of this Initial Study, the proposed project would not have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly.

Initial Study Source List*

1. Environmental Information Form
https://www.sccgov.org/sites/dpd/DocsForms/Documents/EnvAss_Form.pdf
2. Field Inspection
3. Project Plans
4. Working knowledge of site and conditions
5. Experience with other Projects of This Size and Nature
6. County Expert Sources:
Geologist
<https://www.sccgov.org/sites/dpd/PlansOrdinances/GeoHazards/Pages/Geology.aspx>
Fire Marshal
<https://www.sccgov.org/sites/dpd/AboutUs/Fire/Pages/Fire.aspx>
Roads & Airports
<https://www.sccgov.org/sites/rda/Pages/rda.aspx>
Environmental Health
<https://www.sccgov.org/sites/deh/Pages/deh.aspx>
Land Development Engineering
<https://www.sccgov.org/sites/dpd/AboutUs/LDE/Pages/LDE.aspx>
Parks & Recreation
<https://www.sccgov.org/sites/parks/Pages/Welcome-to-Santa-Clara-County-Parks.aspx>
Zoning Administration,
Comprehensive Planning,
Architectural & Site Approval Committee
Secretary
7. Agency Sources:
Santa Clara Valley Water District
<https://www.valleywater.org/>
Santa Clara Valley Transportation Authority
<http://www.vta.org/>
Midpeninsula Regional Open Space District
<https://openspace.org/>
U.S. Fish & Wildlife Service
<https://www.fws.gov/>
CA Dept. of Fish & Game
<https://www.wildlife.ca.gov/>
Caltrans
<https://dot.ca.gov/>
U.S. Army Corps of Engineers
<https://www.usace.army.mil/>
Regional Water Quality Control Board
<https://www.waterboards.ca.gov/>
Public Works Depts. of individual cities
8. Planning Depts. of individual cities:
Santa Clara County (SCC) General Plan
<https://www.sccgov.org/sites/dpd/PlansOrdinances/GP/Pages/GP.aspx>
The South County Joint Area Plan
https://www.sccgov.org/sites/dpd/DocsForms/Documents/GP_Book_B.pdf
9. SCC Zoning Regulations (Ordinance)
<https://www.sccgov.org/sites/dpd/DocsForms/Documents/ZonOrd.pdf>
10. County Grading Ordinance
https://library.municode.com/ca/santa_clara_county/codes/code_of_ordinances?nodeId=TITCCODELAUS_DIVC12SULADE_CHIIIGRDR#TOPTITLE
11. SCC Guidelines for Architecture and Site Approval
https://www.sccgov.org/sites/dpd/DocsForms/Documents/ASA_Guidelines.pdf
12. SCC Development Guidelines for Design Review
https://www.sccgov.org/sites/dpd/DocsForms/Documents/DR_Guidelines.pdf
13. County Standards and Policies Manual (Vol. I - Land Development)
https://www.sccgov.org/sites/dpd/DocsForms/Documents/StandardsPoliciesManual_Vol1.pdf
14. Table 18-1-B of the Uniform Building Code (expansive soil regulations) [1994 version]
http://digitalassets.lib.berkeley.edu/ubc/UBC_1994_v2.pdf
15. SCC Land Use Database
16. Santa Clara County Heritage Resource (including Trees) Inventory [computer database]
17. GIS Database
 - a. SCC General Plan Land Use, and Zoning
 - b. USFWS Critical Habitat & Riparian Habitat
 - c. Geologic Hazards
 - d. Archaeological Resources
 - e. Water Resources
 - f. Viewshed and Scenic Roads
 - g. Fire Hazard
 - h. Parks, Public Open Space, and Trails
 - i. Heritage Resources - Trees
 - j. Topography, Contours, Average Slope
 - k. Soils
 - l. HCP Data (habitat models, land use coverage etc)
 - m. Air photos
 - n. USGS Topographic
 - o. Dept. of Fish & Game, Natural Diversity Data
 - p. FEMA Flood Zones
 - q. Williamson Act
 - r. Farmland monitoring program
 - s. Traffic Analysis Zones
 - t. Base Map Overlays & Textual Reports (GIS)
18. Paper Maps
 - a. SCC Zoning
 - b. Barclay's Santa Clara County Locaide Street Atlas
 - c. Color Air Photos (MPSI)
 - d. Santa Clara Valley Water District - Maps of Flood Control Facilities & Limits of 1% Flooding

Initial Study Source List*

- e. Soils Overlay Air Photos
- f. "Future Width Line" map set

19. 2019 CEQA Statute Guidelines [Current Edition]
http://resources.ca.gov/ceqa/docs/2019_CEQA_Statutes_and_Guidelines.pdf

Area Specific: San Martin, Stanford, and Other Areas

San Martin

20a. San Martin Integrated Design Guidelines
https://www.sccgov.org/sites/dpd/DocsForms/Documents/SanMartin_DesignGuidelines.pdf

20b. San Martin Water Quality Study

20c. Memorandum of Understanding (MOU) between Santa Clara County & Santa Clara Valley Water District

Stanford

21a. Stanford University General Use Permit (GUP), Community Plan (CP), Mitigation and Monitoring Reporting Program (MMRP) and Environmental Impact Report (EIR)
<https://www.sccgov.org/sites/dpd/Programs/Stanford/Pages/Docs.aspx>

21b. Stanford Protocol and Land Use Policy Agreement
<https://www.sccgov.org/sites/dpd/Programs/Stanford/Pages/Docs.aspx>

Other Areas

22a. South County Airport Comprehensive Land Use Plan and Palo Alto Airport comprehensive Land Use Plan [November 19, 2008]

22b. Los Gatos Hillside Specific Area Plan
https://www.sccgov.org/sites/dpd/DocsForms/Documents/GP_Book_B.pdf

22c. County Lexington Basin Ordinance Relating to Sewage Disposal

22d. User Manual Guidelines & Standards for Land Uses Near Streams: A Manual of Tools, Standards and Procedures to Protect Streams and Streamside Resources in Santa Clara County by Valley Water Resources Protection Collaborative, August 2005 – Revised July 2006.
<https://www.valleywater.org/contractors/doing-business-with-the-district/permits-for-working-on-district-land-or-easement/guidelines-and-standards-for-land-use-near-streams>

22e. Guidelines and Standards for Land Use Near Streams: Streamside Review Area – Summary prepared by Santa Clara County Planning Office, September 2007.

22f. Monterey Highway Use Permit Area
https://www.sccgov.org/sites/dpd/DocsForms/Documents/SanMartin_GeneralPlanInformation.pdf

Soils

23. USDA, SCS, "Soils of Santa Clara County"

24. USDA, SCS, "Soil Survey of Eastern Santa Clara County"

Agricultural Resources/Open Space

25. Right to Farm Ordinance

26. State Dept. of Conservation, "CA Agricultural Land Evaluation and Site Assessment Model"
<https://www.conservation.ca.gov/dlrp/Documents/TOC%20and%20Intro.pdf>

27. Open Space Preservation, Report of the Preservation 2020 Task Force, April 1987 [Chapter IV]

28. Williamson Act Ordinance and Guidelines (current version)
<https://www.sccgov.org/sites/dpd/Programs/WA/Pages/WA.aspx>

Air Quality

29. BAAQMD Clean Air Plan
<http://www.baaqmd.gov/~media/files/planning-and-research/plans/2017-clean-air-plan/attachment-a-proposed-final-cap-vol-1-pdf.pdf?la=en>

30. BAAQMD CEQA Air Quality Guidelines (2017)-
http://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en

31. BAAQMD Annual Summary of Contaminant Excesses & BAAQMD, "Air Quality & Urban Development - Guidelines for Assessing Impacts of Projects & Plans" [current version]

**Biological Resources/
Water Quality & Hydrological Resources/
Utilities & Service Systems"**

32. Site-Specific Biological Report

33. Santa Clara County Tree Preservation Ordinance
https://www.sccgov.org/sites/dpd/DocsForms/Documents/Tree_Ordinance.pdf

Section C16, Santa Clara County Guide to Evaluating Oak Woodlands Impacts
https://www.sccgov.org/sites/dpd/DocsForms/Documents/Oakwoodlands_Guide.pdf

Initial Study Source List*

Santa Clara County Guidelines for Tree Protection and Preservation for Land Use Applications
https://www.sccgov.org/sites/dpd/DocsForms/Documents/Brochure_TreePreservation.pdf

- 33. Clean Water Act, Section 404
<https://www.epa.gov/cwa-404/permit-program-under-cwa-section-404>
- 34. Santa Clara Valley Water District – GIS Data:
<https://www.valleywater.org/learning-center/watersheds-of-santa-clara-valley>
- 35. CA Regional Water Quality Control Board, Water Quality Control Plan, San Francisco Bay Region [1995]
- 36. Santa Clara Valley Water District, Private Well Water Testing Program [12-98]
- 37. SCC Nonpoint Source Pollution Control Program, Urban Runoff Management Plan [1997]
- 38. County Environmental Health / Septic Tank Sewage Disposal System - Bulletin "A"
- 39. County Environmental Health Department Tests and Reports

Archaeological Resources

- 40. Northwest Information Center, Sonoma State University
- 41. Site Specific Archaeological Reconnaissance Report

Geological Resources

- 42. **Site Specific Geologic Report**
- 43. State Department of Mines and Geology, Special Report #42
- 44. State Department of Mines and Geology, Special Report #146

Greenhouse Gas Emissions

- 45. **BAAQMD CEQA Air Quality Guidelines (2017)-
http://www.baagmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en**

Hazards & Hazardous Materials

- 46. Section 21151.4 of California Public Resources Code
- 47. State Department of Toxic Substances, Hazardous Waste and Substances Sites List
- 48. County Office of Emergency Services Emergency Response Plan [1994 version]

Noise

- 49. **County Noise Ordinance
https://www.sccgov.org/sites/cpd/programs/NP/DOcuments/NP_Noise_Ordinance.pdf**

Transportation/Traffic

- 50. Official County Road Book
- 51. **Site-specific Traffic Impact Analysis Report**

Tribal Cultural Resources

- 52. Office of Planning and Research. 2017. Technical Advisory: AB 52 and Tribal Cultural Resources in CEQA

Wildfire

- 53. Office of Planning and Research. 2020. Fire Hazard Planning Technical Advisory

***Items listed in bold are the most important sources and should be referred to during the first review of the project, when they are available. The planner should refer to the other sources for a particular environmental factor if the former indicates a potential environmental impact.**
