INITIAL STUDY Environmental Checklist and Evaluation for the County of Santa Clara

File Number:	PLN22-117	Date: December 21, 2023
Project Type:	Three-Lot Tentative Subdivision Map	APN(s): 830-05-062
Project Location / Address:	11520 Murphy Avenue, San Martin, CA 95046	GP Designation: Rural Residential
Owner's Name:	Juan Contreras	Zoning: RR-5Ac-sr
Applicant's Name:	Gary Carnes	Urban Service Area: N/A
Project Description	n	

The proposed project is three-lot subdivision of a 15.2-gross-acre parcel into three lots (Parcels 1, Parcel 2, and Parcel 3) of approximately 5 acres each. The subject property takes access from Murphy Avenue in the rural, unincorporated community of San Martin, adjacent to State Route 101 (Figure 1 – Location and Vicinity Map). The project site is surrounded by a mixture of agricultural, single-family residential and commercial equestrian land uses. Figure 2 shows the tentative subdivision map. Grading of the project site would involve approximately 90 cubic yards of cut to establish a cul-de-sac and a private road to access to each Parcels 2 & 3. An existing single-family residence (built prior to 1953- when the County began issuing building permits in the agricultural areas), leach field, accessory structure, water tank, well, and driveway are located on Parcel 2 and are proposed to remain. No tree removal is proposed.

Once the property is subdivided, Parcels 1 and 3 could be individual developed with a single-family residence, an accessory dwelling unit (ADU), and a junior accessory dwelling unit (JADU). Future home development would be served by a shared well and individual onsite septic systems. No construction of residences is proposed as a part of this subdivision. A feasible location for future residence and associated site improvements are shown on Figure 3.

Environmental Setting and Surrounding Land Uses

The subject property is located in the unincorporated community of San Martin. The parcel is currently used as a single-family residence and is relatively flat with an overall slope of less than 1%. Llagas Creek is located to the south of Parcel 3. The creek is located entirely within property owned by the Santa Clara Valley Water District. No serpentine soils or serpentine rock outcrops are located on the subject property. The project site is in the Santa Clara Valley Habitat Plan (HCP) Area and is designated as *Area 3: Rural Development Not Covered*. According to mapping of the HCP, the project site habitat land cover consists of *Grain, Row-crop, Hay and Pasture, disked / Short-term Fallowed* and *California Annual Grassland*. Due to the lack of development in any sensitive landcovers (as designated by the HCP), the project is not covered by the HCP. The property is not located in a County or State geohazard zone, with the exception of the County Liquefaction Hazard Zone. It is located in Special Flood Hazard Area Zone AH, which is an area with a 1% annual chance of shallow flooding, usually in the form of a pond, with an average depth ranging from 1 to 3 feet, according to U.S. Federal Emergency Management Agency. The surrounding land uses are agricultural and single-family homes; all of which are zoned Rural Residential.

Other agencies sent a copy of this document:

Santa Clara Valley Water District

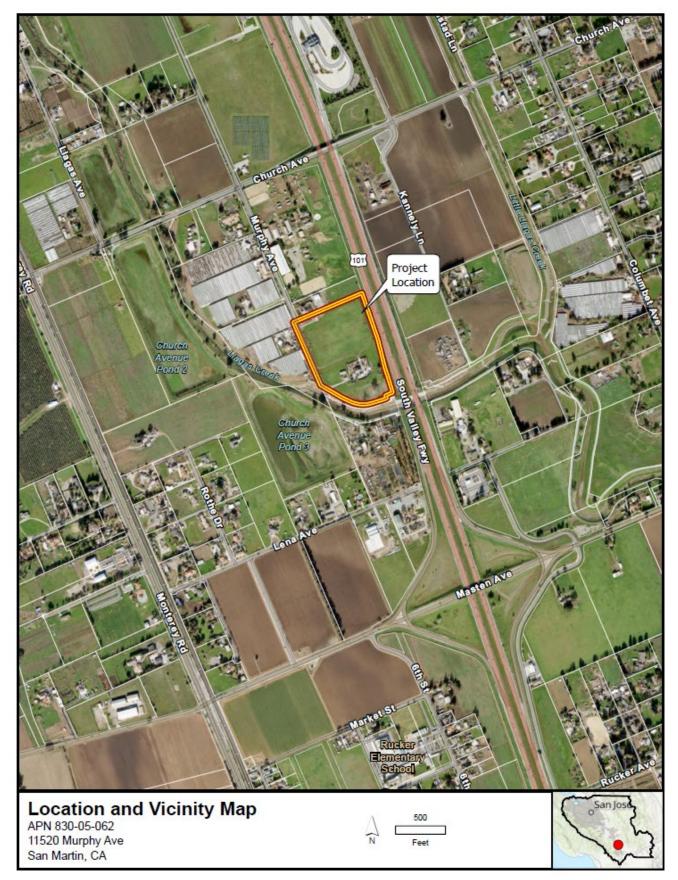


Figure 1 – Location and Vicinity Map

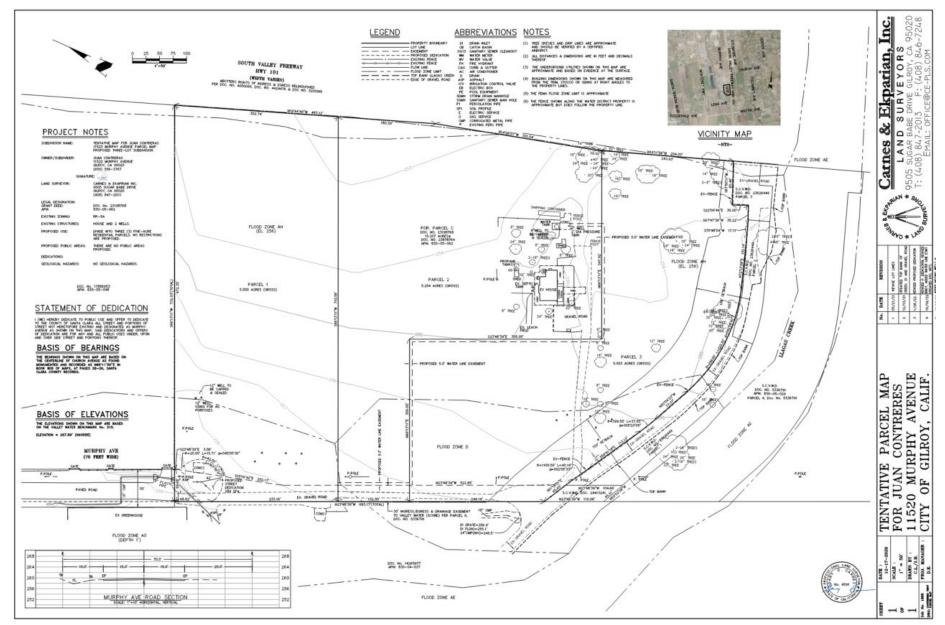


Figure 2 – Vesting Tentative Map

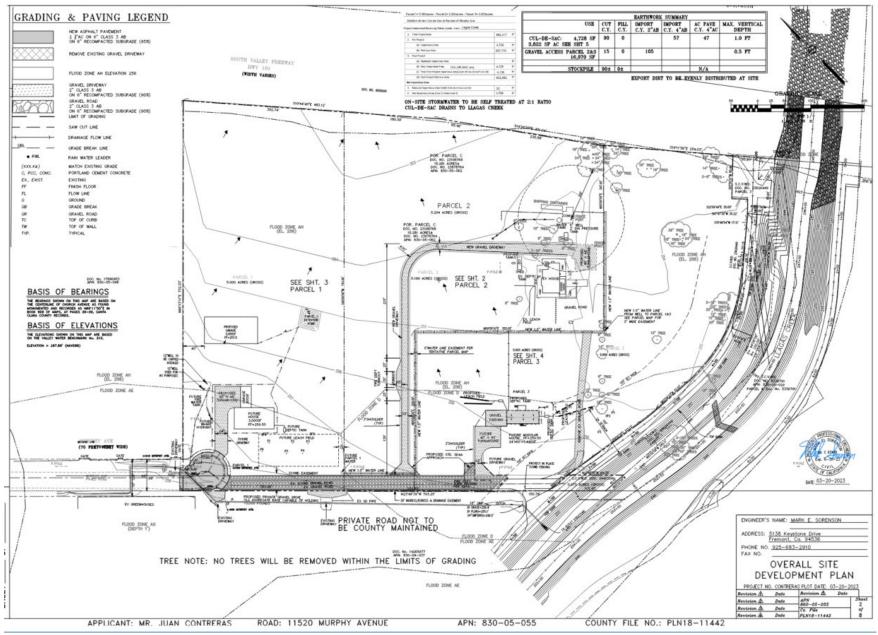


Figure 3 – Development Feasibility Site Plan

ENVIRONMENTAL FACTORS The proposed project could potenti	S POTENTIALLY AFFECTED ally result in one or more environme	ntal effects in the following areas:
Aesthetics	Agriculture / Forest Resourc	es 🗌 Air Quality
Biological Resource	Cultural Resources	Energy
Geology/Soils	Greenhouse Gas Emissions	Hazards & Hazardous Materials
Hydrology / Water Quality	Land Use / Planning	Mineral Resources
Noise	Population / Housing	Public Services
Recreation	Transportation	Tribal Cultural Resources
Utilities / Service Systems	☐ Wildfire	Mandatory Findings of Significance
DETERMINATION: (To be complet	ed by the Lead Agency)	
On the basis of this initial evaluation:		
I find that the proposed project CC DECLARATION will be prepared.	OULD NOT have a significant effect on t	the environment, and a NEGATIVE
		the environment, there will not be a by or agreed to by the project proponent. A
significant effects (a) have been analyz applicable standards, and (b) have been	zed adequately in an earlier EIR or NEG n avoided or mitigated pursuant to that e	
I find that the proposed project MA IMPACT REPORT is required.	AY have a significant effect on the envir	conment, and an ENVIRONMENTAL
mitigated" impact on the environment, pursuant to applicable legal standards,		
<u>Joanna Wilk</u> Signature	<u>D</u>	becember 22, 2022 Date
Joanna Wilk	_	
Printed name		or
	5	

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 CHECKLIST AND DISCUSSION OF IMPACTS

Α.	A. AESTHETICS					
					IMPA	СТ
Re	cept as provided in Public sources Code section 21099, uld the project:	<u>Potentially</u> <u>Significant</u> <u>Impact</u>	<u>Less Than</u> <u>Significant</u> <u>with</u> <u>Mitigation</u> <u>Incorporated</u>	<u>Less Than</u> <u>Significant</u> <u>Impact</u>	<u>No Impact</u>	Source
a)	Have a substantial adverse effect on a scenic vista?			\boxtimes		2,3,4, 6,17f
b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, along a designated scenic highway?					3, 6,7 17f
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?					2,3
d)	Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?					3,4

SETTING:

The project site is in a rural area in the unincorporated community of San Martin, located south of Church Avenue, between Monterey Road and Highway 101, at the end of Murphy Avenue, on it's eastern side. Murphy Avenue is not a State- or County-designated scenic road. Highway 101 (located adjacent to the eastern side of the property) is a County-designated scenic road.

DISCUSSION:

a & b) Less than significant- The eastern side of the property is boarded by Highway 101 which is a scenic road. As such, the property is zoned rural residential with a 5-acre minimum lot size in a scenic road combining district. The county zoning ordinance requires that any new development within 100 feet of the highway obtain a Design Review permit which encourages quality design to mitigate potential adverse visual impacts of development. The Design Review procedure most commonly provides for review and conditioning to assure quality development in areas deemed visually sensitive. The proposed subdivision does not result in any new development within the 100-foot scenic road setback area. Additionally, if any new development were to occur in the future, it would have to adhere to the Design Review requirements which mitigate adverse visual impacts. As such, items a & b above are less than significant.

c & d) No Impact - Future development of the property with two single family residences would not obstruct any views from public roadways, given that the height of structures is limited by the Zoning

Ordinance to 35 feet. The project site is not located near natural scenic resources (e.g., rock outcroppings, historic buildings, or trees having scenic value), though the project is located adjacent to the designated scenic road, Highway 101, however, as noted, the project development area would not be located within 100 feet of the Highway. The future development would blend into the existing surrounding rural residential development and therefore would not substantially degrade the existing visual character or quality of public views of the site and its surroundings.

New sources of light and glare would be limited to future residential development. However, given the limited nature of residential outdoor lighting (e.g., illumination of pathways and doors) and the fact that source of light would be similar to that of other single-family residences in the vicinity, the proposed project would not create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. As such, the project has no impact on items c & d listed above.

MITIGATION:

No mitigation is 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.

					IMP	ACT
wo	OULD THE PROJECT:	Potentially Significant Impact	<u>Less Than</u> <u>Significant</u> <u>with</u> <u>Mitigation</u> <u>Incorporated</u>	<u>Less Than</u> <u>Significant</u> <u>Impact</u>	<u>No</u> Impact	Source
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?					3,23,24,26
b)	Conflict with existing zoning for agricultural use?				\boxtimes	9,21a
c)	Conflict with an existing Williamson Act Contract or the County's Williamson Act Ordinance (Section C13 of County Ordinance Code)?					

В.	B. AGRICULTURE / FOREST RESOURCES							
Cali an c incl Dep Ass	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.							
					IMP	ACT		
wo	ULD THE PROJECT:	Potentially Significant Impact	<u>Less Than</u> <u>Significant</u> <u>with</u> <u>Mitigation</u> Incorporated	<u>Less Than</u> <u>Significant</u> <u>Impact</u>	<u>No</u> Impact	Source		
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))?					1, 28		
e)	Result in the loss of forest land or conversion of forest land to non-forest use?				\boxtimes	17m, 17t, 32, 33		
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?					17m, 17t, 17q, 17r, 23, 24, 25, 26, 32, 33		

The 15.2-gross-acre lot is zoned RR-5Ac-sr, which is a base zoning of Rural Residential (RR) and a lot-size combining district of 5 acres (-5Ac). Soil on the subject property is composed of Zamora clay loam (0 to 2 percent slopes), which is alluvium derived from sedimentary rock.

The entire site is designated as *Farmland of Local Importance* in the California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) database. Surrounding properties are designated as *Other Land and Unique Farmland* in the FMMP database. The parcel is not under a Williamson Act Contract and contains no land classified as forest.

The subject property is in the unincorporated community of San Martin. The parcel is not actively farmed. Surrounding uses consist of single-family residential and agricultural and are zoned RR.

DISCUSSION:

a, b, c, d, e & f) No Impact - The subject property is not zoned Agriculture, nor are the surrounding properties, and therefore the proposed project does not conflict with existing zoning for agricultural uses. The property is not encumbered by a Williamson Act contract, or within a forestland/timberland area, and therefore the proposed development would not conflict with County Williamson Act Guidelines, the County's Williamson Act Ordinance, or existing zoning for forestland or timberland

areas. No trees are proposed for removal, and the property is not within a forestland area, and therefore the proposed development does not result in the loss of forest land.

The property does consist of 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.

The project is a three-lot subdivision. No residential development is proposed with this subdivision. Future development permitted by right, if proposed, may be up to two single-family residences, two ADUs, and two JADUs (one of each per lot). Residential uses, including single family homes and ADUs, are considered compatible with agricultural use and permitted uses in the Rural Residential district. The project site and surrounding properties are zoned RR and developed for residential uses; therefore, future residential development would not involve substantial changes to the existing agricultural environment. As such, the project has no impact on items a through f listed above.

MITIGATION:

No mitigation required.

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.

					IMPA	АСТ
wo	OULD THE PROJECT:	Potentially Significant Impact	<u>Less Than</u> <u>Significant</u> <u>with</u> <u>Mitigation</u> <u>Incorporated</u>	<u>Less Than</u> <u>Significant</u> <u>Impact</u>	<u>No</u> Impact	Source
a)	Conflict with or obstruct implementation of the applicable air quality plan?			\boxtimes		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?					5,29, 30
c)	Expose sensitive receptors to substantial pollutant concentrations?					5,29, 30
d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?					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).

DISCUSSION:

a, **b**, **c** & **d**) Less Than Significant. The subject property is located on Murphy Avenue in the unincorporated community of San Martin. The closest freeway or expressway is Highway 101, which is adjacent to the east of the project site. The operational criteria pollutant screening size for single-family residential projects established by BAAQMD is 325 dwelling units. Future potential development of two single family residences, driveways, and possibly two ADUs and two JADUs would involve grading and construction activities. Operations would generate emissions from vehicle trips. However, emissions generated from construction and operation of future development would be well below the BAAQMD's screening size level of 325 dwelling units for operational-related emissions (oxides of nitrogen) and 114 dwelling units for construction-related emissions (reactive organic gases) from residential land uses. Dust emissions would be controlled through standard Best Management Practices (BMPs) dust control measures. The proposed residential development would not generate significant concentrations of pollutants that sensitive receptors would be exposed to, nor would it result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. As such, the project has less than significant impacts on items a through d listed above.

MITIGATION:

D.	BIOLOGICAL RESOURCES							
		IMPACT						
wo	OULD THE PROJECT:	Potentially Significant Impact	<u>Less Than</u> <u>Significant</u> <u>with</u> <u>Mitigation</u> Incorporated	<u>Less Than</u> <u>Significant</u> <u>Impact</u>	<u>No</u> 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?					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?					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?					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?					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?					1,7, 17b, 17o		
f)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?					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?					3,4, 171		

The project site is located on the east side of Murphy Avenue, at the end of the road, between Monterey Road and Highway 101. The site is bounded by rural residential development to the north, agricultural lands to the east and Llagas Creek to the south.

The project site is in the Santa Clara Valley Habitat Plan (HCP) Area and is designated as *Area 3: Rural Development Not Covered*. According to mapping of the HCP, the project site habitat land cover consists of *Grain, Row-crop, Hay and Pasture, disked / Short-term Fallowed* and *California Annual Grassland*. Due to the lack of development in any sensitive landcovers (as designated by the HCP), the project is not covered by the HCP.

According to the County's GIS mapping, there are no species listed under the California Natural Diversity Database on or adjacent to the subject property. No known 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 are mapped on the subject property.

County of Santa Clara Tree Preservation Ordinance, Division C16 regulates tree removal on private land. This ordinance provides protection to certain trees that are 12-inches or greater in diameter. No tree removal is proposed with this project.

Jurisdictional waters include waters of the United States subject to the regulatory authority of the U.S. Army Corps of Engineers (USACE) and waters of the State of California subject to the regulatory authority of the California Department of Fish and Wildlife (CDFW) and the California Regional Water Quality Control Board (RWQCB).

DISCUSSION:

a, **b**, **c**, **d**, **e**, **f** & **g**) No Impact – The subject parcel does not have any known mapped Oak Woodland area and thus would not impact any oak woodland habitat. Additionally, the project does not conflict with the HCP as there are no covered species or landcovers on the property. County of Santa Clara Tree Preservation Ordinance, Division C16 regulates tree removal on private land. No tree removal is proposed with this project. Jurisdictional waters of the U.S. and state are absent from the project site. Therefore, the project will have no impact on jurisdictional waters.

According to the County's GIS mapping, there are no species listed under the California Natural Diversity Database on or adjacent to the subject property. No known 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 are mapped on the subject property.

The site occurs to the south of identified regional east-west movement corridors through the Coyote Valley area of south San Jose. Additionally, due to the property's location adjacent to Highway 101, it is unlikely that the subject site functions as a movement corridor.

As such, the proposed project will have no impact on items a through g above.

MITIGATION:

No mitigation required.

					IMP	ACT
wo	ULD THE PROJECT:	Potentially Significant Impact	<u>Less Than</u> <u>Significant</u> <u>with</u> <u>Mitigation</u> Incorporated	<u>Less Than</u> <u>Significant</u> <u>Impact</u>	<u>No</u> Impact	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?					3, 16, 19, 41, 42
b)	Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the CEQA Guidelines?					3, 19, 41, 42
c)	Disturb any human remains including, those interred outside of formal cemeteries?			\boxtimes		3, 19, 41, 42

SETTING:

The project is a three-lot subdivision. Upon approval of the project, the frontage improvements and future development of the site will require grading and ground disturbance. Total grading quantities for the proposed development are 90 cubic yards of cut and no fill. The project site contains an existing single-family residence, leach fields, and accessory structures that are proposed to remain.

DISCUSSION:

a) No Impact. The project site contains an existing single-family residence, leach fields, and accessory structures that are proposed to remain. The California Public Resources code defines a historical resource as a resource that has been listed or is eligible for listing on the California Historical Register of Historical Resources, a resource included in a local register of historical resources, or a resource identified as significant in a historical survey meeting the requirements of the Public Resources Code. Neither the subject property nor the existing structures located on the parcel are listed in or eligible for listing in the California Register of Historical resources or the County of Santa Clara Historic Resources Inventory. Thus, the parcel is not historical resource pursuant to Section 15064.5 of the CEQA Guidelines.

b and c) Less Than Significant. Upon approval of the project, the frontage improvements and future development of the site would include ground disturbance and grading activity which has the potential for uncovering previously unknown cultural resources. The project is required by County ordinance (No. B6-18) to immediately notify the County Corner if human skeletal remains are encountered. Furthermore, the County Corner is required to contact the California Native American Heritage

Commission if any human skeletal remains are determined to be of Native American origin per subdivision (c) of section 7050.5 of the Health and Safety and the County Coordinator of Indian affairs. The County standard conditions of approval offer additional protections as these provisions are included in the conditions of approval for projects to ensure that any potential archeological and cultural resources on site are not adversely impacted by the project. The standard condition reads as followed:

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.

MITIGATION:

No mitigation required.

F.	ENERGY					
					IMP	ACT
w	OULD THE PROJECT:	Potentially Significant Impact	<u>Less Than</u> <u>Significant</u> <u>with</u> <u>Mitigation</u> Incorporated	<u>Less Than</u> <u>Significant</u> <u>Impact</u>	<u>No</u> Impact	Source
a)	Result in potentially significant environmental impact do to wasteful, inefficient, or unnecessary construction of energy resources during project consumption or operation?					3, 5
b)	Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			\boxtimes		5

SETTING:

The proposed three-lot minor subdivision does not include any construction and as such does not propose to consume any energy resources that would potentially be inefficient or unnecessary. However, if approved, it is reasonable to anticipate the project may result in the future construction of two new single-family residences, accessory dwelling units, and associated site improvements.

California Code of Regulations, Title 24, Part 6, is California's Energy Efficiency Standards for Residential and Non-Residential Buildings. Title 24 was established by CEC in 1978 in response to a legislative mandate to create uniform building codes to reduce California's energy consumption and provide energy efficiency standards for residential and non-residential buildings.

DISCUSSION:

a & b) Less Than Significant. The project would increase electricity and natural gas consumption at the site relative to existing conditions. The project would be required to meet the California Code of Regulations Title 24 standards for building energy efficiency. Construction energy consumption would be temporary and would not require additional capacity or increased peak or base period demands for electricity or other forms of energy. The project would not result in wasteful, inefficient, or unnecessary consumption of energy.

MITIGATION:

G.	GEOLOGY AND SOILS	-				
					IMP	АСТ
wo	OULD THE PROJECT:	Potentially Significant Impact	<u>Less Than</u> <u>Significant</u> <u>with</u> <u>Mitigation</u> Incorporated	<u>Less Than</u> <u>Significant</u> <u>Impact</u>	<u>No</u> Impact	Source
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.					6, 17c, 43
	ii) Strong seismic ground shaking?				\boxtimes	6, 17c
	iii) Seismic-related ground failure, including liquefaction?			\boxtimes		6, 17c, 17n, 18b
	iv) Landslides				\boxtimes	6, 17L, 11, 8b
b)	Result in substantial soil erosion or the loss of topsoil?				\boxtimes	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?					2, 3, 17c, 23, 24, 42
d)	Be located on expansive soil, as defined in the report, <i>Soils of</i> <i>Santa Clara County</i> , creating substantial direct or indirect risks to life or property?					14,23, 24,
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?					3,6, 23,24,
f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?					2,3,4,41,42

The topography of the parcel and the surrounding area is flat. The property is not located in the County's Landslide Hazard Area or adjacent to any earthquake fault zones. The site is located within the County's Liquefaction Hazard Area.

DISCUSSION:

a- i, iii, & iv, b, c, d, e, & f) No Impact – County GIS does not identify any faults located near the project area. As such, the proposed project will not directly or indirectly cause potential substantial adverse effects due to the 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. Additionally, the property is not within a Santa Clara County landslide hazard zone and therefore the proposed project does not directly or indirectly cause potential substantial adverse effects due to landslides. As such, there is no impact.

a-ii) Less Than Significant Impact – Portions of the property are within County Liquefaction Hazard Zones. A liquefaction analysis prepared by C2Earth (in report dated 4-18-2022) revealed "*a negligible risk of liquefaction on proposed Parcels 1 and 2, and a potential for liquefaction of a layer of alluvial sandy silt between 31.75 and 35,5 feet below ground surface on Parcel 3 which ... may undergo a cumulative dynamic settlement on the order of 1/2 inch." However, C2Earth judges "... the potential for surface manifestations, such as dynamic ground settlement or bearing capacity failure, to occur on Parcel 3 to be negligible. All three parcels may be subdivided as planned, without liquefaction mitigation measures." Therefore, the County geologist had no further comment or requirements regarding the proposed subdivision and any future development on the parcels. As such, the project has a less than significant impact on item a-ii listed above.*

MITIGATION:

Η.	H. GREENHOUSE GAS EMISSIONS						
					IMPA	АСТ	
wo	OULD THE PROJECT:	Potentially Significant Impact	<u>Less Than</u> <u>Significant</u> <u>with</u> <u>Mitigation</u> <u>Incorporated</u>	<u>Less Than</u> <u>Significant</u> <u>Impact</u>	<u>No</u> Impact	Source	
a)	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?					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?					5,29, 30	

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 green house gas (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. Future development of two single family residences, two ADUs, two JADUs and associated site improvements would involve grading and construction activities. The future residential development for the project will have minimal GHG impacts and would involve GHG emissions through the operations of construction equipment and from worker/builder supply vehicles, which typically use fossil-based fuels for operation. Vehicle trips related to excavation, grading, and construction periods, and would not result in a permanent increase in GHG emissions. Furthermore, emissions generated from construction and operation of the residences would be well below the BAAQMD's screening size level of 56 dwelling units for both operational- and construction related GHG emissions. Therefore, the proposed project would not generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment or conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

The future operations of the residences, ADUs, and JADUs would consume electricity; however, the amount would be minimal as the construction of the residences is required to comply with the Cal Green mandatory green building code requirements for new residential construction, and therefore would not make a cumulatively considerable contribution to the effect of GHG emissions on the environment. The projects future operations would generate emissions from the projected vehicle trips and as detailed in the Transportation section of this document, however, the construction and operations of the proposed single-family residences would result in a daily trip rate of 9.57 per the

Institute of Transportation Engineers (ITE).¹ This would be below the screening level of 24 daily trips, resulting in the proposed project not conflicting with CEQA Guidelines Section 15064.3, subdivision (b). As such, the project future operations would generate insignificant GHG from vehicle trips.

MITIGATION:

¹ITE Trip Generation, 10th Edition, 2018.

I.	HAZARDS & HAZARDOUS MAT	ERIALS				
					IMF	PACT
wo	OULD THE PROJECT:	Potentially Significant Impact	<u>Less Than</u> <u>Significant</u> <u>with</u> <u>Mitigation</u> <u>Incorporated</u>	<u>Less Than</u> <u>Significant</u> <u>Impact</u>	<u>No</u> Impact	Source
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?					1, 3, 4, 5
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?					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?					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?					47, 48
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?					3, 22a
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?					5, 49
g)	Expose people or structures either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?				\boxtimes	4, 17g

The project site is located in a rural residential area of south Santa Clara County in the unincorporated community of San Martin. It is not located within a quarter mile of a school or within the Wildland Urban Interface. San Martin Airport is located approximately one-half mile north from the project site.

DISCUSSION:\

a, b, c, d, e, f & g) No Impact. The project is a three-lot residential subdivision. Therefore, it would not involve transport of hazardous materials or foreseeable risk of accident conditions that could release hazardous materials into the environment. The project site is not located within ¹/₄ of a school. The site is located within two miles of a public airport. However, the project would not result in a safety hazard, or excessive noise for people residing or working in the project area. The project site would use as access Murphy Avenue, which is not part of an adopted emergency response plan or emergency evacuation plan. The site is not within the Wildland Urban Interface and therefore would not expose people or structures either directly or indirectly to a significant risk of loss, injury or death involving wildland fires.

MITIGATION:

J.	HYDROLOGY AND WATER QUALITY					
					IMPAC	Г
Wo	uld the project:	Potentiall ¥ Significan t Impact	<u>Less Than</u> <u>Significant</u> <u>With</u> <u>Mitigation</u> Incorporated	<u>Less Than</u> <u>Significant</u> <u>Impact</u>	<u>No Impact</u>	SOURCE
a)	Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			\boxtimes		17b, 35, 36, 37
b)	Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?					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:					3, 17n,
i)	Result in substantial erosion or siltation on- or off-site			\boxtimes		3 , 17p
II)	Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;			\boxtimes		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					1, 3, 5
IV)	Impede or redirect flood flows?			\boxtimes		3, 17p, 18b, 18d
d)	In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?					3, 18b, 18d
e)	Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?					2, 3, 4, 17p

A portion of the property located in Federal Emergency Management Agency (FEMA) AH Zone. Llagas Creek is located to the south of proposed Parcel 3. The proposed project is a three-lot subdivision. Once the property is subdivided, Parcel 1 and Parcel 3 could be developed with a singlefamily residence, ADU and a JADU (Parcel 2 has an existing single-family residence that is proposed to remain). The domestic and emergency water would be provided by an existing onsite well located on Parcel 2.

DISCUSSION:

d, & e) No Impact. The project site is not located in tsunami, or seiche zones. The proposed project does not include the use of pollutants or hazardous materials. Therefore, it is unlikely that pollutants from construction would be released due to flooding. Therefore, the project will not have any impact to hazardous materials or conflict or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

a, b & c) Less than Significant impact. Future development would require two on-site wastewater treatment systems (OWST). The OSWT feasibility for proposed Parcel 1, 2, & 3 have been reviewed and approved by the Department of Environmental Health ensuring that the future proposed OWST could be designed and sized to meet all applicable water quality standards, soil requirements, and groundwater standards. Therefore, the proposed project does not substantially degrade surface or ground water quality, substantially decrease groundwater supplies, or interfere substantially with groundwater recharge.

Grading of the site for future development may slightly alter on-site drainage patterns. In addition, future development of the structures, and driveways would add impervious surfaces to the project site. The County requires erosion control standards be incorporated into project design in order to avoid erosion on- and off-site that could violate water quality standards during construction. The site is flat, and all stormwater run-off would be required to be retained on site. Therefore, site development would not substantially alter the existing drainage pattern of the site or area, increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite, or 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.

MITIGATION:

K.	K. LAND USE								
			IMPACT						
wo	OULD THE PROJECT:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	<u>Less Than</u> <u>Significant</u> <u>Impact</u>	<u>No Impact</u>	SOURCE			
a)	Physically divide an established community?				\boxtimes	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?					8a, 9, 18a			

The parcel is designated in the General Plan as Rural Residential and is zoned RR-5Ac. Surrounding uses include a mixture of rural residences, agricultural uses, undeveloped parcels, and a commercial equestrian use.

DISCUSSION:

a & b) No impact. The project meets the allowable density of development for the Rural Residential general plan designation (R-LU 58) and minimum lot size and density requirements for the RR-5Ac zoning district (Zoning Ordinance Sections 2.20.040 and 3.10.030). The project will create three lots of 5 gross acres (Parcel 1, Parcel 2 and Parcel 3), resulting in a density of 0.2 dwelling unit/acre. The project would subdivide for future construction of two residences, which are allowed uses in this zoning. This use would not physically divide an established community or conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

MITIGATION:

L. MINERAL RESOURCES							
		ІМРАСТ					
WOULD THE PROJECT:	Potentially <u>Significant</u> <u>Impact</u>	Significant With Significant No SOURCE					
 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? 			\boxtimes		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?					1, 2, 3, 6, 8a		

The project site is located within a Mineral Resource Zone (MRZ-3), which is classified as an area that has an unknown significance of mineral deposits.

DISCUSSION:

a & b) Less Than Significant. The project is located on MRZ-3, which is an area that has an unknown significance of mineral deposits. The project could restrict access to potential mineral resources on the project site; however, given the relatively small size of the site, the lack of mineral mining operations within the unincorporated area of San Martin, the character of the established development and land uses (residential, agricultural, commercial) in the area, and the fact that it is not considered a locally important mineral resource recovery site as designated by the Santa Clara County General Plan (Santa Clara County 1994b), a substantial loss of mineral resources would not occur. Therefore, the project would not result in the loss of availability of a known mineral resource that would be of regional or statewide value.

MITIGATION:

No mitigation is required.

Μ.	NOISE							
		IMPACTS						
wo	OULD THE PROJECT RESULT IN:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	<u>Less Than</u> <u>Significant</u> <u>Impact</u>	<u>No</u> Impact	SOURCE		
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?					8a, 13, 22a, 46		
b)	Generation of excessive ground borne vibration or ground borne noise levels?			\boxtimes		13, 46		
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 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?					1, 5, 22a		

SETTING:

The project site is located in an area of rural residential and agricultural uses east of State Route 101and one-half mile south of South County Airport. A single-family residence is located to the north of the subject property, approximately 150 feet from the future proposed development sites. The County noise ordinance restricts construction-related noise near single-family residential areas to 60 dBA for mobile equipment operated Monday through Saturday from 7:00 AM to 7:00 PM.

DISCUSSION:

a, b & c) Less Than Significant. A temporary noise increase during construction would be generated by grading for subdivision improvements and future construction of residential buildings and driveways. However, noise from operating equipment would not exceed the 60 DBA ordinance limit for mobile equipment. Occupancy of the two residences would not be a significant new source of noise. Therefore, the proposed project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards. Future construction of the two residences would not involve use of equipment that would cause ground borne vibration or ground borne noise levels.

MITIGATION:

No mitigation required.

N. POPULATION AND HOUSING								
	IMPACT							
WOULD THE PROJECT:	<u>Potentially</u> <u>Significant</u> <u>Impact</u>	<u>Less Than</u> <u>Significant</u> <u>With Mitigation</u> <u>Incorporated</u>	<u>Less Than</u> <u>Significant</u> <u>Impact</u>	<u>No</u> Impact	SOURCE			
 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)? 					1, 3, 4			
b) Displace substantial numbers of existing housing or people, necessitating the construction of replacement housing elsewhere?					1, 2, 3, 4			

SETTING:

The project site is located in an area of rural residential uses.

DISCUSSION:

a & b) No Impact - The project would involve a three lot subdivision that maintains an existing single-family residence, and the future construction of two single residences. The project would not change the density upon which the General Plan's population projections were based. Therefore, it would not induce substantial unplanned population growth in an area. No extension of roads or infrastructure is proposed as part of this project.

MITIGATION:

O. PUBLIC SERVICES							
		ІМРАСТ					
WOULD THE PROJECT:	<u>Potentially</u> <u>Significant</u> <u>Impact</u>	Less Than Significant With Mitigation Incorporated	<u>Less Than</u> <u>Significant</u> Impact	<u>No Impact</u>	SOURCE		
 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? ii) Police Protection? iii) School facilities? iv) Parks? v) Other public facilities? 					1, 3, 5 1, 3, 5 1, 3, 5 1, 3, 5, 17h 1, 3, 5		

The project site is located in the unincorporated community of San Martin. Fire protection is provided by the South Santa Clara County Fire District. The Santa Clara County Sheriff's Office provides police protection service. The project site is located within the Morgan Hill Unified School District. It is served by the San Martin/Gwinn Elementary School (located at 100 North St.), Britton Middle School (located at 80 W. Central Ave.), and Live Oak High School (located at 1505 East Main Ave).

DISCUSSION:

a) Less Than Significant. The future increase of two residences as part of the proposed subdivision, would not result in substantial adverse physical impacts to the public facilities that would provide services in this area. Any new square footage will have to pay the school impact fees.

MITIGATION:

P. RECREATION								
		IMPACT						
WOULD THE PROJECT:	<u>Potentially</u> <u>Significant</u> <u>Impact</u>	<u>Less Than</u> <u>Significant</u> <u>With</u> <u>Mitigation</u> Incorporated	<u>Less Than</u> <u>Significant</u> <u>Impact</u>	<u>No Impact</u>	SOURCE			
 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? 					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?					1, 3, 4, 5			

The Santa Clara County Parks and Recreation Department operates and maintains several parks and recreational facilities in unincorporated Santa Clara County.

DISCUSSION:

a & b) No Impact. The future increase of two residences as part of the proposed subdivision would not result in substantial adverse physical impacts to the recreation facilities in the area or require construction or expansion of such facilities.

MITIGATION:

Q.	TRANSPORTATION								
			IMPACT						
wo	DULD THE PROJECT:	<u>Potentiall</u> ⊻ <u>Significan</u> <u>t Impact</u>	<u>Less Than</u> <u>Significant</u> <u>With</u> <u>Mitigation</u> Incorporated	<u>Less Than</u> <u>Significant</u> <u>Impact</u>	<u>No Impact</u>	SOURCE			
a)	Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?					1, 4, 5, 6, 7, 49, 52			
b)	Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?			\boxtimes		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)?					3, 5, 6,7, 52			
d)	Result in inadequate emergency access?			\boxtimes		1, 3, 5, 49, 52			

The project site is accessed from Murphy Avenue and approximately 1.5 miles south of East San Martin Avenue in the unincorporated area of San Martin. The project site is located adjacent to State HWY 101 with access to the HWY approximately 1.9 miles away via Masten Avenue.

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 multimodal 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 LOS 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, subdivision (b), establishes criteria for evaluating a project's transportation impacts under CEQA. The lead agency has discretion to choose the most appropriate methodology to evaluate VMT.

DISCUSSION:

a, b, c & d) Less Than Significant. The Office of Planning and Research's Technical Advisory on Evaluating Transportation Impacts in CEQA² recommends a method for screening out small projects that would be presumed to have less-than-significant VMT impacts. The method uses a daily trip rate as a screening level threshold based on the Class 1 and 3 Categorical Exemptions (Sections 15301 and

²Office of Planning and Research. December 2018. Technical Advisory on Evaluating Transportation Impacts in CEQA.

15303 of the CEQA Guidelines). For rural areas, this daily trip rate screening level would be 24.³ The project is a three-lot residential subdivision in a rural area. However, approval would only enable two new single-family residence. The daily trip rate for a single-family residence provided by the Institute of Transportation Engineers (ITE) is 9.57.⁴ This would be below the screening level of 24. Therefore, the proposed project would not conflict with CEQA Guidelines Section 15064.3, subdivision (b).

As part of development of the proposed subdivision, each new parcel would have a 12 to 24-foot-wide driveway connecting with Murphy, as shown on Figure 3. The County's Zoning Ordinance [4.20.050(B)(1) would restrict fence height to 3 feet within 20 feet of the right-of-way. In addition, the required setback for accessory structures would be 75 feet from Murphy Avenue. With these restrictions and given that Murphy Avenue is a straight road that is lightly traveled, the proposed development would not substantially increase hazards due to a geometric design feature. The subdivision and driveway design has also been reviewed by the Fire Marshal's Office and provides adequate emergency access to both lots.

MITIGATION:

³According to OPR's analysis, typical project types for which trip generation increases relatively linearly with building footprint (i.e., general office building, single tenant office building, office park, and business park) generate or attract an additional 110-124 trips per 10,000 square feet. Therefore, absent substantial evidence otherwise, it is reasonable to conclude that the addition of 110 or fewer trips could be considered not to lead to a significant impact. However, the 10,000 square feet, which would yield a trip rate of 24, which is the rate that would be considered not to lead to a significant VMT impact.

⁴ITE Trip Generation, 10th Edition, 2018.

R. TRIBAL CULTURAL RESOURCES					
				IMPACT	
WOULD THE PROJECT:	<u>Potentially</u> <u>Significant</u> <u>Impact</u>	Less Than Significant With Mitigation Incorporated	<u>Less Than</u> <u>Significant</u> <u>Impact</u>	<u>No Impact</u>	SOURCE
 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: 					
 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 					41, 42
 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. 					41, 42

Under an update to CEQA through state legislation known 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. The subject property does not contain any known Tribal Cultural Resources that are eligible or listed 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).

DISCUSSION:

a) Less Than Significant. The County sent notifications to the Muwekma Ohlone Tribe and Tamien Tribes on November 21, 2023. Neither tribe requested consultation regarding the proposed project. Hence, there is no evidence to indicate the presence of a tribal cultural resource listed or eligible for listing in the California Register of Historical Resources, or of significance pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. Therefore, the proposed project would not

cause a substantial adverse change in the significance of a tribal cultural resource, and no mitigation measures would be necessary.

MITIGATION:

No mitigation is required.

					IMPACT	
WOULD THE PROJECT:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	<u>Less Than</u> <u>Significant</u> <u>Impact</u>	<u>No Impact</u>	SOURCE
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?					3,6,7
b)	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years					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?					1, 3,6,7
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?					1, 3, 5,6
e)	Be in non-compliance with federal, state, and local management and reduction statutes and regulations related to solid waste?					3,5, 6

SETTING:

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

DISCUSSION:

a, b, c, d & e) Less Than Significant. Electricity and gas would be provided by PG&E. Future residences would each have an on-site wastewater treatment system. Water would be supplied by an existing well. Stormwater would be retained on site. Therefore, no expansion of utilities would be required. Construction wastes associated with future construction of new residences would be minor and would not exceed the capacity of existing solid waste disposal facilities.

MITIGATION:

Т.	WILDFIRE					
					IMPACT	-
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	<u>Less Than</u> <u>Significant</u> <u>Impact</u>	<u>No Impact</u>	SOURCE
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?			\boxtimes		1, 2, 3, 6, 49, 54
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?					1, 2, 3, 6,8a, 17g, 54
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?					1, 2, 4, 5, 17g, 17h, 54
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?					1, 3, 4, 5, 17i, 54

The project site is located in a flat area primarily developed with agricultural and rural residential uses. Project access would be from Murphy Avenue.

DISCUSSION:

a, b, c & d) Less Than Significant. The proposed project is a three-lot subdivision and future development of two new residences. Access to Murphy Avenue would not substantially impair an adopted emergency response plan or emergency evacuation plan. The project site is in an area of low risk of wildfire. Project development would not require installation or maintenance of other infrastructure that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. In addition, because the project is located in a flat area of low fire risk, development would not 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.

MITIGATION:

U.	MANDATORY FINDING OF SIGNIF	ICANCE					
					IMPACT		
W	OULD THE PROJECT:		YES		NO		
		Potentially Significant Impact	<u>Less Than</u> Significant <u>With Mitigation</u> Incorporated	<u>Less Than</u> <u>Significant</u> <u>Impact</u>	<u>No Impact</u>		SOURCE
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?					1 to 54	
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)?					1 to 54	
c)	Have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?					1 to 54	

DISCUSSION:

a) **No Impact.** According to the County's GIS mapping, there are no species listed under the California Natural Diversity Database on or adjacent to the subject property. No known 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 are mapped on the subject property. Therefore, the proposed project does not 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 major periods of California history or prehistory. As such the project has no impact on item a listed above.

b) Less Than Significant. 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 three-lot subdivision and future development of two single family residences. 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.

- 1. Environmental Information Form https://www.sccgov.org/sites/dpd/DocsForms/Doc uments/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/PlansOrdinance s/GeoHazards/Pages/Geology.aspx Fire Marshal https://www.sccgov.org/sites/dpd/AboutUs/Fire/P ages/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/P ages/LDE.aspx **Parks & Recreation** https://www.sccgov.org/sites/parks/Pages/Welco me-to-Santa-Clara-County-Parks.aspx Zoning Administration, **Comprehensive Planning**, 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 Santa Clara County Habitat Agency https://www.scv-habitatagency.org
- 8. Planning Depts. of individual cities: Santa Clara County (SCC) General Plan <u>https://www.sccgov.org/sites/dpd/PlansOrdinance</u> <u>s/GP/Pages/GP.aspx</u> The South County Joint Area Plan <u>https://www.sccgov.org/sites/dpd/DocsForms/Doc</u> <u>uments/GP_Book_B.pdf</u>

- 9. SCC Zoning Regulations (Ordinance) https://www.sccgov.org/sites/dpd/DocsForms/Doc uments/ZonOrd.pdf
- 10. County Grading Ordinance <u>https://library.municode.com/ca/santa_clara_coun</u> <u>ty/codes/code_of_ordinances?nodeld=TITCCODE</u> <u>LAUS_DIVC12SULADE_CHIIIGRDR#TOPTITLE</u>
- 11. SCC Guidelines for Architecture and Site Approval <u>https://www.sccgov.org/sites/dpd/DocsForms/Doc</u> <u>uments/ASA_Guidelines.pdf</u>
- 12. SCC Development Guidelines for Design Review https://www.sccgov.org/sites/dpd/DocsForms/Doc uments/DR Guidelines.pdf
- 13. County Standards and Policies Manual (Vol. I -Land Development) <u>https://www.sccgov.org/sites/dpd/DocsForms/Doc</u> <u>uments/StandardsPoliciesManual_Vol1.pdf</u>
- 14. Table 18-1-B of the Uniform Building Code (expansive soil regulations) [1994 version] <u>http://digitalassets.lib.berkeley.edu/ubc/UBC_1994</u> <u>v2.pdf</u>
- 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
- I. 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
- e. Soils Overlay Air Photos
- f. "Future Width Line" map set
- 19. 2023 CEQA Statute Guidelines [Current Edition] https://www.califaep.org/docs/CEQA Handbook 2 023_final.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) Policies, Plans, and Documents - Department of Planning and Development - County of Santa Clara (sccgov.org)

21b. Stanford Protocol and Land Use Policy Agreement

Policies, Plans, and Documents - Department of Planning and Development - County of Santa Clara (sccgov.org)

Other Areas

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

22b. Los Gatos Hillsides Specific Area Plan https://www.sccgov.org/sites/dpd/DocsForms/Docume nts/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/doingbusinesses-with-the-district/permits-for-working-ondistrict-land-or-easement/guidelines-and-standardsfor-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. https://www.sccgov.org/sites/dpd/DocsForms/Docume nts/SanMartin GeneralPlanInformation.pdf

<u>Soils</u>

- 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" <u>https://www.conservation.ca.gov/dlrp/Documents/</u> <u>TOC%20and%20Intro.pdf</u>
- 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/P ages/WA.aspx

Air Quality

- 29. BAAQMD Clean Air Plan <u>http://www.baaqmd.gov/~/media/files/planning-</u> <u>and-research/plans/2017-clean-air-</u> <u>plan/attachment-a -proposed-final-cap-vol-1-</u> <u>pdf.pdf?la=en</u>
- 30. BAAQMD CEQA Air Quality Guidelines (2022)https://www.baaqmd.gov/plans-andclimate/california-environmental-quality-actceqa/updated-ceqa-guidelines
- 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 <u>https://www.sccgov.org/sites/dpd/DocsForms/Doc</u> <u>uments/Tree Ordinance.pdf</u>

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

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

34. Clean Water Act, Section 404

22f. Monterey Highway Use Permit Area

Initial Study Source List*

https://www.epa.gov/cwa-404/permit-programunder-cwa-section-404

- 35. Santa Clara Valley Water District GIS Data: https://www.valleywater.org/learningcenter/watersheds-of-santa-clara-valley
- CA Regional Water Quality Control Board, Water Quality Control Plan, San Francisco Bay Region [1995]
- 37. Santa Clara Valley Water District, Private Well Water Testing Program [12-98]
- 38. SCC Nonpoint Source Pollution Control Program, Urban Runoff Management Plan [1997]
- 39. County Environmental Health / Septic Tank Sewage Disposal System - Bulletin "A"
- 40. County Environmental Health Department Tests and Reports

Archaeological Resources

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

Geological Resources

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

Report #146

<u>Noise</u>

46. County Noise Ordinance <u>https://www.sccgov.org/sites/cpd/programs/NP/D</u> <u>ocuments/NP_Noise_Ordinance.pdf</u>

Hazards & Hazardous Materials

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

Transportation/Traffic

- 50. Transportation Research Board, "Highway Capacity Manual", Special Report 209, 1995.
- SCC Congestion Management Agency, "Monitoring and Conformance report" (Current Edition)
- 52. Official County Road Book
- 53. Site-specific Traffic Impact Analysis Report

Wildfire

54. 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.