INITIAL STUDY

Environmental Checklist and Evaluation for the County of Santa Clara

File Number:	PLN23-009	**Date:** January 29, 2025
Project Type:	Use Permit, Architectural and Site Approval, and Grading Approval	**APN(s):** 678-13-012
Project Location / Address:	Piercy Road, San Jose	**GP Designation:** Hillsides
Owner's Name:	Southridge Baptist Church	**Zoning:** HS-d1
Applicant's Name:	Amanda Musy-Verdel	**Urban Service Area:** None

Project Description

The application is for the approval of a Use Permit (UP), Architecture and Site Approval (ASA), and Grading Approval for the development of religious institution. The applicant, Southridge Baptist Church, is proposing a two-story church building for religious use with a multi-purpose building for worship and ancillary activities. The proposed use will include regular Sunday worship gatherings with classes for children ages 0-12 grades during Sunday worship services along with community events such as Christmas tree giveaways, backpack giveaways, trick or treat festivities and Easter celebrations.

The project consists of an 8,894 square foot (s.f.) church building and an approximately 12,100 square feet multi-purpose building, parking lot with 174 parking spaces, open courtyard, driveway, new landscaping, and on-site improvements including detention basin, new septic system and effluent collection lines. Total development will consist of 3.49 acres of a 5.84-acre site. Total estimated grading quantities for all improvements is approximately 13,960 cubic yards of cut and 5,660 cubic yards of fill (Refer to Figure 2 – Site Plan).

The project site is a 5.84-acre parcel located on Piercy Road (APN:678-13-012) (Refer to Figure 1).

Environmental Setting and Surrounding Land Uses

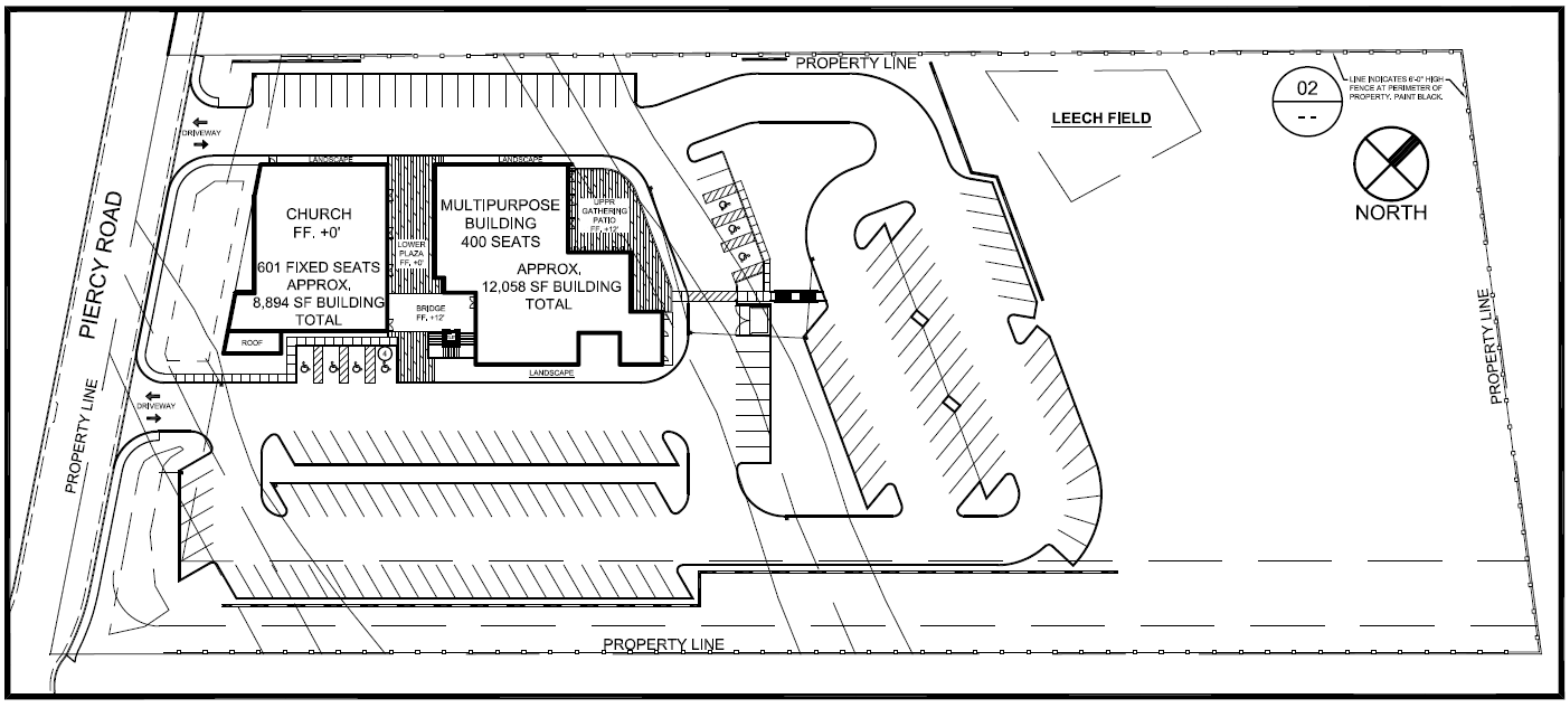
The subject property is in a rural area of the unincorporated Santa Clara County, outside of the Urban Service Area, in the southern part of San Jose (Refer to Figure 1 – Location and Vicinity Map). The site is accessed from Piercy Road, approximately 0.90 miles south of Silver Creek Valley Road in San Jose. The site is surrounded by residential homes to the east, southeast and northwest. South of the site, across Piercy Road is the City of San Jose boundary and the future home of an industrial project of approximately 216,000 square feet. (San Jose File Nos. H22-035 and ER22-219) (APN: 678-08-045 and APN: 678-08-055).

The project site is relatively flat within the southern portion but gently slopes upward as the site continues northeast and most of the site consists of California annual grasslands. The site is currently undeveloped except for a portion of the now abandoned concrete-lined channel of the Evergreen Canal that aligns north to south through the center of the site. The property is located within the coverage area of the Santa Clara Valley Habitat Plan (SCVHP), with a California Annual Grassland land cover designation for purposes of the SCVHP. The property is not under a Williamson Act contract.

Other agencies sent a copy of this document:
Valley Water District Santa Clara Valley Habitat Agency

Figure 1 - Location Map

Figure 2
Site Plan



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:

☐ **Aesthetics**	☐ **Agriculture / Forest Resources**	☒ **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 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.

Signature

January 29, 2024
Date

Lara Tran, Senior Planner
Printed Name

Department of Planning and Development, Santa Clara County

ENVIRONMENTAL CHECKLIST AND DISCUSSION OF IMPACTS

A. AESTHETICS	IMPACT				SOURCE
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?	☐	☐	☒	☐	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 located south of the City of San Jose, east of Highway 101, and currently accessed from Piercy Road. The property is zoned HS-d1 for Hillside with a "-d" Design Review combining district overlay. The 5.8-acre property has an average slope of 17% which slopes east from Piercy Road and surrounded by rural residential development (southeast), and a vacant lot approved for an industrial building west of the site on Piercy Road. The site is bounded east by open space and rangelands with a residence.

The site has an approximately 120-foot-long dry ephemeral swale/erosional feature within the northwestern portion of the site within the Rural Residential land cover. California annual grassland land cover. All adjacent lots have the same Rural Residential landcover as the subject lot with the same dry vegetation. An abandoned concrete-lined canal formerly known as the Evergreen Canal aligns north and south through the center of the site.

The subject property is not located within a scenic vista recognized by the Santa Clara County General Plan or the Santa Clara County Zoning Ordinance. The subject property has a General Plan designation of Hillsides (HS) with a Design Review (-d_1) combining district overlay which was established by the County in the 1980s specifically to "designate certain visually and environmentally sensitive areas as requiring design review, with the intention of mitigating adverse visual impacts of development and encouraging quality design" (Zoning Ord., § 3.20.010).

The property is accessed by Piercy Road which is not a County maintained or scenic road. Proposed structures are situated approximately 60 feet from Piercy Road, separated by a proposed detention basin. Figure 3 below provides a rendering of the church structure as it would be viewed from Piercy Road. According to the application, the roofing material will be brown with exterior colors of textured pearl with masonry wall finishes. Architectural accents will be of wood cement board and brown colored stone veneer. Retaining walls, proposed along the side entries and portions of the parking lot, will be of textured pearl. The proposed palette of these materials structures was chosen to blend in with the natural colors normally found along the hillsides.

Figure 3
Rendering of the Church building from Piercy Road

No tree removal is proposed as part of this project.

Lighting
A preliminary photometric plan dated March 3, 2023, was prepared by JVC Architects to assess the lighting for the proposed project. Plans indicate lighting is proposed to be situated beneath the roof eaves of the church building and multi-purpose buildings in wall mounted fixtures that will direct lighting downwards. The proposed parking will be lit with pole lighting along the perimeter but will be conditioned to be full cut off so that there is no direct spillover of light or glare onto neighboring properties.

Landscaping
Conceptual landscape plans were prepared by Segura Associates dated March 1, 2023, and provide landscaping with a combination of shrubs, groundcover and trees. The perimeter of the parking lot will be planted with drought tolerant shrubs and ground cover with a mixture of shade trees to screen the perimeter retaining walls. Interior parking stalls will contain trees within the parking bays. Small drought tolerant trees are proposed along the exterior areas of the two buildings. **Figure 4** provides conceptual details of the landscaping proposed.

Figure 4
Proposed Landscaping Plans

DISCUSSION:

a, c, d) Less Than Significant Impact – The proposed project consists of a religious institution which consists of two buildings totaling approximately 21,000 sf. The project site is accessed from Piercy Road, which is not designated as a scenic road, however the site is within a Design Review combining district. The property is surrounded by vacant lands to the northeast and southwest with a single-family residence subdivision to the immediate south. According to Geographic Informational System (GIS) imagery the structures will be situated outside of the low to medium visibility area which starts approximately 240 feet from Piercy Road, and not within an area that is expected to be visible from the valley floor. Once construction is completed, the project site will consist of approximately 52% of landscaping which will provide screening from various vantage points such as neighboring properties. As, the project is consistent with the surrounding visual character and would not substantially degrade the visual setting of the area.

The project will include lighting along the church building and multi-purpose buildings and within the parking lot area. A preliminary photometric plan prepared by JVC Architects dated March 3, 2023, indicates lighting will not spill over the property line. Full cut-off lighting proposed along the structures will ensure no direct offsite spill of light or glare will occur to obscure nighttime views in the area. A standard condition of approval will be required to ensure final lighting plans must be provided prior to issuance of building permits to ensure that lighting proposed will adhere to the Zoning Ordinance requirements.

MITIGATION: None required.

b) No Impact – The project site is not located on a designated scenic highway. No rock outcroppings or historic buildings are located along Piercy Road. As a result, there will be no impact to scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, along a designated scenic highway.

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.

	IMPACT				
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No 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 Natural Resources Agency, to non-agricultural use?	☐	☐	☐	☒	3, 23, 24, 26
b) Conflict with existing zoning for agricultural use?	☐	☐	☐	☒	9, 21a
c) Conflict with an existing Williamson Act Contract or the County's Williamson Act Ordinance (Section C13 of County Ordinance Code)?	☐	☐	☐	☒	1, 28
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, 17, 32
e) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒	17, 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?	☐	☐	☐	☒	3, 4, 17, 26

SETTING: The subject property is in an area with a General Plan designation of Hillsides. According to GIS maps using data from the U.S. Department of Agriculture, the project site does not contain prime farmland. Adjacent properties to the south, north and east are not actively utilizing the land as agricultural. The project site is not located within a forest or timberland area. The project site is currently vacant and has not been historically used for agricultural cultivation.

DISCUSSION:

a, b, c, d, e, f) No Impact – The subject property is 5.8-acre in size. The site is currently vacant and surrounded by open space and residentially developed parcels. According to the Department of Conservation Farmland Mapping system, the site is listed as grazing land which is defined as land on which the existing vegetation is suited to the grazing of livestock. Aerial views of the site indicate the property has been vacant and not used for grazing. Parcels adjacent to the property are not participating in agricultural activities nor do historical aerials appear to indicate farming operations from the prior 25 years. The property is not encumbered by a Williamson Act contract, and therefore the proposed development would not conflict with County Williamson Act Guidelines or the County's Williamson Act Ordinance, nor result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance.

The County's existing zoning for this property is Hillsides with a Scenic Road Combining District (HS-d1) which allows development of a religious institution subject to a use permit. No protected trees are proposed for removal, and the property is not within a forestland area, and therefore the proposed development will not result in the loss of forest land.

MITIGATION: None 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.

	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☒	☐	☐	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: As noted previously, the project consists of a 5.84-acre site will be developed leaving 1.75-acres to remain in open space. The proposed use will include regular Sunday worship gatherings with classes for children age 0 through 12th grade during Sunday worship services along with community events such as Christmas tree giveaways, backpack giveaway, trick or treat festivities and Easter celebration. Surrounding land uses immediately adjacent to the site are single-family homes and open space. Piercy Park is the closest park to the site, and it is situated 300 feet east of the property. A report dated March 27, 2024, was prepared by FirstCarbon Solutions to assess the air quality impacts of the proposed project. Total development would consist of approximately 21,000 sf. of structures.

The proposed project is located within the San Francisco Bay Area Air Quality Management District (BAAQMD), which regulates air pollutants, including those generated by construction and operation

of development projects. These 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.

As of January 2024, Santa Clara County is designated as a nonattainment area for the State PM10 (i.e., respirable particulate matter with an aerodynamic diameter of 10 micrometers or less) standard and unclassified for the national PM10 standard. The County is designated as nonattainment under State standards (BAAQMD 2017), for PM2.5 (i.e., respirable particulate matter with an aerodynamic diameter of 2.5 micrometers or less) but not under Federal standards. The County experiences many exceedances of the PM2.5 standard each winter, due to high population density, wood smoke, industrial emissions, freeway traffic, and poor wintertime air circulation caused by extensive hills to the east and west that trap pollutants and block wind flow out of the region. In addition, Santa Clara County is in nonattainment for ozone, a respiratory irritant and an oxidant that increases susceptibility to respiratory infections and can cause substantial damage to vegetation and other materials. Elevated ozone concentrations result in reduced lung function, particularly during vigorous physical activity. Figure 5 provides a summary of Santa Clara County's attainment and nonattainment status.

Figure 5
Santa Clara County Air Quality

Pollutant	State Status	National Status
Ozone	Nonattainment	Nonattainment
CO	Attainment	Attainment
NO_2	Attainment	Attainment
SO_2	Attainment	Attainment
PM_{10}	Nonattainment	Unclassified
$PM_{2.5}$	Nonattainment	Unclassified/Nonattainment
Sulfates	Attainment	N/A
Hydrogen Sulfates	Unclassified	N/A
Visibility-reducing Particles	Unclassified	N/A
Lead	N/A	Attainment

Notes:
CO = carbon monoxide
NO_2 = nitrogen dioxide
PM_{10} = particulate matter less than 10 microns in diameter
$PM_{2.5}$ = particulate matter less than 2.5 microns in diameter
SO_2 = sulfur dioxide

Source: Bay Area Air Quality Management District (BAAQMD). 2017. Air Quality Standards and Attainment Status. January. Website: http://www.baaqmd.gov/research-and-data/air-quality-standards-and-attainment-status. Accessed February 6, 2024.

Construction
Construction emissions can vary substantially from day to day, depending on the level of activity, the specific type of operation, and prevailing weather conditions. Construction emissions result from onsite and off-site activities. On-site emissions principally consist of exhaust emissions from the activity levels of heavy-duty construction equipment, motor vehicle operation, and fugitive dust (mainly PM10) from disturbed soil. Construction activities for activities occurring on the 5.84-acre

proposed project site would consist of site preparation, grading, building construction, paving, and architectural coating of the building interior and exterior.

Regulatory Framework

Federal
At the federal level, the United States Environmental Protection Agency (EPA) is responsible for overseeing implementation of the Clean Air Act and its subsequent amendments. The federal Clean Air Act requires the EPA to set national ambient air quality standards for the six common criteria pollutants including PM, O3, CO, SOx, NOx, and lead. The EPA and the California state regulatory agency, and the California Air Resources Board (CARB), have adopted ambient air quality standards establishing permissible levels of these pollutants to protect public health and the climate.

State
CARB is the state agency that regulates mobile sources throughout the state and oversees implementation of the state air quality laws and regulations, including the California Clean Air Act. The Bay Area Air Quality Management District (BAAQMD) seeks to improve air quality conditions in Santa Clara County through a comprehensive program of planning, regulation, enforcement, technical innovation, and promotion of the understanding of air quality issues.

BAAQMD's most recently adopted plan is the Bay Area 2017 Clean Air Plan (2017 CAP). The 2017 CAP focuses on two related BAAQMD goals: protecting public health and protecting the climate. To protect public health, the 2017 CAP describes how BAAQMD will continue its progress toward attaining state and federal air quality standards and eliminating health risk disparities from exposure to air pollution among Bay Area communities. To protect the climate, the 2017 CAP includes control measures designed to reduce emissions of methane and other super-greenhouse gases (GHGs) that are potent climate pollutants in the near-term, and to decrease emissions of carbon dioxide by reducing fossil fuel combustion.

Local Climate
The California Energy Commission (CEC) updates the California Building Energy Efficiency Standards every three years, in alignment with the California Code of Regulations. Title 24 Parts 6 and 11 of the California Building Energy Efficiency Standards and the California Green Building Standards Code (CALGreen) seek to improve energy efficiency and combat climate change. The 2019 CAL Green standards include substantial changes intended to increase the energy efficiency of buildings.

DISCUSSION:

a) Less Than Significant With Mitigation Incorporated – The BAAQMD 2017 Clean Air Plan is a regional effort to reduce air pollution in the Air Basin. A consistency determination with the Air Quality Management Plan (AQMP) plays an important role in local agency project review by linking local planning and individual projects to the 2017 Clean Air Plan. It also provides the local agency with ongoing information as to whether they are contributing to the clean air goals in the 2017 Clean Air Plan. The regional population, housing, and employment projections developed by the Association of Bay Area Governments (ABAG) are based on cities' and counties' general plan land use designations. These projections form the foundation for the emissions inventory of the 2017 Clean Air Plan. Demographic trends such as employment and population growth were estimated in ABAG's Plan Bay Area 2040 based on local general plan land use patterns, which the BAAQMD utilized in part to

inform the emissions inventory and projections contained in the 2017 Clean Air Plan. As a result, the ABAG regional population, housing, and employment estimates for this project site would be reasonably accounted for because the proposed project is consistent with these General Plan land use designations. However, during construction there will be grading and movement of equipment which will result in fugitive dust. With the implementation of construction management practices to reduce particulate matter, the impact will be less than significant. **(See AIR – MIT 1)**

MITITGATION:

BAAQMD Best Management Practices

AIR – MIT 1: The following dust control measures, as recommended by the BAAQMD, shall be included in the design of the proposed project and implemented during construction:

- All exposed non-paved surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and access roads) shall be watered at least two times per day and/or non-toxic soil stabilizers shall be applied to exposed non-paved surfaces.
- All haul trucks transporting soil, sand, or other loose material off-site shall be covered and/or shall maintain at least 2 feet of freeboard.
- All visible mud or dirt tracked out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
- All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes, as required by the California Airborne Toxics Control Measure (ACTM) Title 13, Section 2485 of California Code of Regulations. Clear signage regarding idling restrictions shall be provided for construction workers at all access points.
- All construction equipment shall be maintained and properly tuned in accordance with the manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.
- The prime construction contractor shall post a publicly visible sign with the telephone number and person to contact regarding dust complaints. The construction contractor shall take corrective action within 48 hours. The BAAQMD's and the County of Santa Clara's phone numbers shall also be visible to ensure compliance with applicable regulations.

b) Less Than Significant Impact - No single project would be sufficient in size, by itself, to result in nonattainment of regional air quality standards. Instead, a project's emissions may be individually limited, but cumulatively considerable when evaluated in combination with past, present, and future development projects. Potential localized and regional impacts would result in exceedances of State or Federal standards for Nitrogen Oxide (NOX), particulate matter (PM10 and PM2.5), or Carbon monoxide (CO). NOX emissions are of concern because of potential health impacts from exposure to NOX emissions during both construction and operation and as a precursor in the formation of airborne ozone. PM10 and PM2.5 are of concern during construction because of the potential to emit exhaust emissions from the operation of off-road construction equipment and fugitive dust during earth-

disturbing activities (construction fugitive dust). CO emissions are of concern during project operation because operational CO hotspots are related to increases in on-road vehicle congestion and potential health effects. According to Section 15064(h)(4) of the CEQA Guidelines, the existence of significant cumulative impacts caused by other projects alone does not constitute substantial evidence that the project's incremental effects would be cumulatively considerable. Rather, the determination of cumulative air quality impacts for construction and operational emissions is based on whether the project would result in regional emissions that exceed the BAAQMD regional thresholds of significance for construction and operations on a project level. Therefore, a project that would not exceed the BAAQMD thresholds of significance on the project level also would not be considered to result in a cumulatively considerable contribution to these regional air quality impacts.

Construction activities such as grading, excavation, and travel on unpaved surfaces would generate dust and lead to elevated concentrations of PM10 and PM2.5. The operation of construction equipment results in exhaust emissions which include ROG and NOX. In the FirstCarbon Solutions report for the project, CalEEMod Version 2022.1.1 was used to estimate the proposed project's construction emissions. CalEEMod provides a consistent platform for estimating construction and operational emissions from various land use projects and is the model recommended by the BAAQMD for estimating project emissions for construction and operations. Estimated construction emissions are compared with the applicable thresholds of significance established by the BAAQMD to assess ROG, NOX, exhaust PM10, and exhaust PM2.5 construction emissions to determine significance for this impact. The analysis found that the proposed project's construction emissions would not exceed any of the applicable significance thresholds – dust was omitted but is mitigated for under (a) above. Therefore, with the implementation of measures to address construction related dust, the proposed project would not result in a considerable net increase of any criteria pollutant for which the project region is nonattainment during construction.

MITIGATION: None required.

c) Less Than Significant With Mitigation Incorporated- The proposed project could expose sensitive receptors to elevated pollutant concentrations if it causes or contributes significantly to elevated localized pollutant concentration levels. The closest sensitive receptors include a pocket of single-family homes located approximately 30 feet from the proposed project site boundary. During construction and operation, the proposed project would result in emissions of several Toxic Air Contaminants (TACs) that could potentially impact nearby sensitive receptors. The BAAQMD has defined health risk significance thresholds. These thresholds are represented as a cancer risk to the public and a non-cancer hazard from exposures to TACs. The FirstCarbon Solutions report conducted modeling and found that long-term operation of the church building would not generate or expose sensitive receptors to substantial amounts of TAC emissions as the main source of emissions would be vehicle exhaust from passenger vehicles.

A community HRA was conducted in accordance with BAAQMD recommendations. The cumulative health risk values were determined by adding the health risk values from refined modeling of the proposed project to the screening-level health risk values from each individual stationary and mobile source within a 1,000-foot radius of the site. The HRA concluded that the main source of a cumulative community health risk within 1,000 feet of the project site are the existing mobile sources. Using the BAAQMD stationary source tool, no permitted stationary sources were identified within 1,000 feet of the site or the Maximum Incremental Reactivity (MIR). The analysis results presented in **Table 1** below, indicates the proposed project impacts would not exceed the BAAQMD thresholds of

significance and would be less than significant with mitigation for construction related activities. (**MIT – AIR 2**)

Table 1
Summary of Construction Health Risks at the Maximally Impacted Sensitive Receptor

Source	Source Type	Distance from MIR[1] (feet)	Cancer Risk (per million)	Chronic HI	$PM_{2.5}$ Concentration ($\mu g/m^3$)
Project Source					
Unmitigated Construction	Construction	—	28.83	0.0277	0.17794
Mitigated Construction	Construction	—	7.72	0.0074	0.08058
Existing Stationary Sources (BAAQMD Facility Number)[2]					
None identified on BAAQMD Stationary Source Screening Map.					
Freeways/Highways/Roadways					
Highway 101 and Silicon Valley Boulevard		—	1.0514	0.003913	0.033535
Rail					
Air Basin Railways		—	0.00939	2.52E-06	1.19E-05
Cumulative Health Risks					
Cumulative Maximum with Project Construction (Unmitigated)			29.89083	0.031615	0.211487
Cumulative Maximum with Project Construction (Mitigated)			8.780828	0.011315	0.114127
BAAQMD's Cumulative Thresholds of Significance			**100**	**10**	**0.8**
Threshold Exceeded in Any Scenario?			**No**	**No**	**No**

Notes:
MIR = Maximally Impacted Sensitive Receptor BAAQMD = Bay Area Air Quality Management District
$\mu g/m^3$ = micrograms per cubic meter HI = hazard index
DPM = diesel particulate matter $PM_{2.5}$ = particulate matter, including dust, 2.5 micrometers or less in diameter
ND = No Data
[1] The MIR above represents the residential MIR located at 609216 m Easting, 4123573 m Northing
[2] Assumes emissions remain constant with time.
ND = no data available
Sources: Appendix B and Appendix C.

MITIGATION:

Reduction of DPM and PM 2.5

AIR – MIT 2: The following measure shall be implemented during all construction activities to reduce potential exposure of diesel particulate matter (DPM) and PM2.5 emissions to nearby sensitive receptors:

- Prior to the issuance of any demolition, grading or building permits (whichever occurs earliest), the project applicant and/or construction contractor shall prepare a construction operations plan that, during construction activities, requires all off-road

equipment with engines greater than 50 horsepower shall meet either EPA or CARB Tier IV off-road emission standards.

- The construction contractor shall maintain records documenting compliance with this requirement, including equipment lists. Off-road equipment descriptions and information shall include but are not limited to equipment type, equipment manufacturer, equipment identification number, engine model year, engine certification (Tier rating), horsepower, and engine serial number. The project applicant and/or construction contractor shall submit the construction operations plan and records of compliance to the County of Santa Clara Department of Planning and Development.

d) Less Than Significant Impact - Odor impacts on residential areas and other sensitive receptors, such as hospitals, daycare centers, schools, etc. warrant the closest scrutiny, but consideration should also be given to other land uses where people may congregate, such as recreational facilities, worksites, and commercial areas. The impact of an odor is dependent on interacting factors such as frequency (how often), intensity (strength), duration (in time), offensiveness (unpleasantness), location, and sensory perception. While offensive odors rarely cause any physical harm, they still can be very unpleasant, leading to considerable distress and often generating citizen complaints to local governments and regulatory agencies.

Construction-Related Odors
Potential sources that may emit odors during construction activities include exhaust from diesel construction equipment. However, because of the temporary nature of these emissions, the intermittent nature of construction activities, and the highly diffusive properties of diesel PM exhaust, nearby receptors would not be affected by diesel exhaust odors associated with project construction. Odors from these sources would be localized and generally confined to the immediate area surrounding the proposed project site. The proposed project would utilize typical construction techniques, and the odors would be typical of most construction sites and temporary in nature.

Operational-Related Odors
The proposed project's operations would not produce any offensive odor emitting end uses such as coffee roasting, composting, feed lots, refining, sewage treatment, or solid waste management and therefore would not be considered an odor generator. Considering the low intensity of potential odor emissions, the project's operational activities would not expose receptors to objectionable odor emissions. Therefore, impacts related to other emissions such as odor, adversely affecting a substantial number of people will be less than significant.

MITIGATION: None required.

D. BIOLOGICAL RESOURCES					
	IMPACT				**SOURCE**
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
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	☐	☒	☐	☐	1, 7, 17b, 17o

D. BIOLOGICAL RESOURCES					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
California Department of Fish and Game or U.S. Fish and Wildlife Service?					
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, 32
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, 34
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, 33
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, 32
f) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☒	☐	32, 33
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, 17l

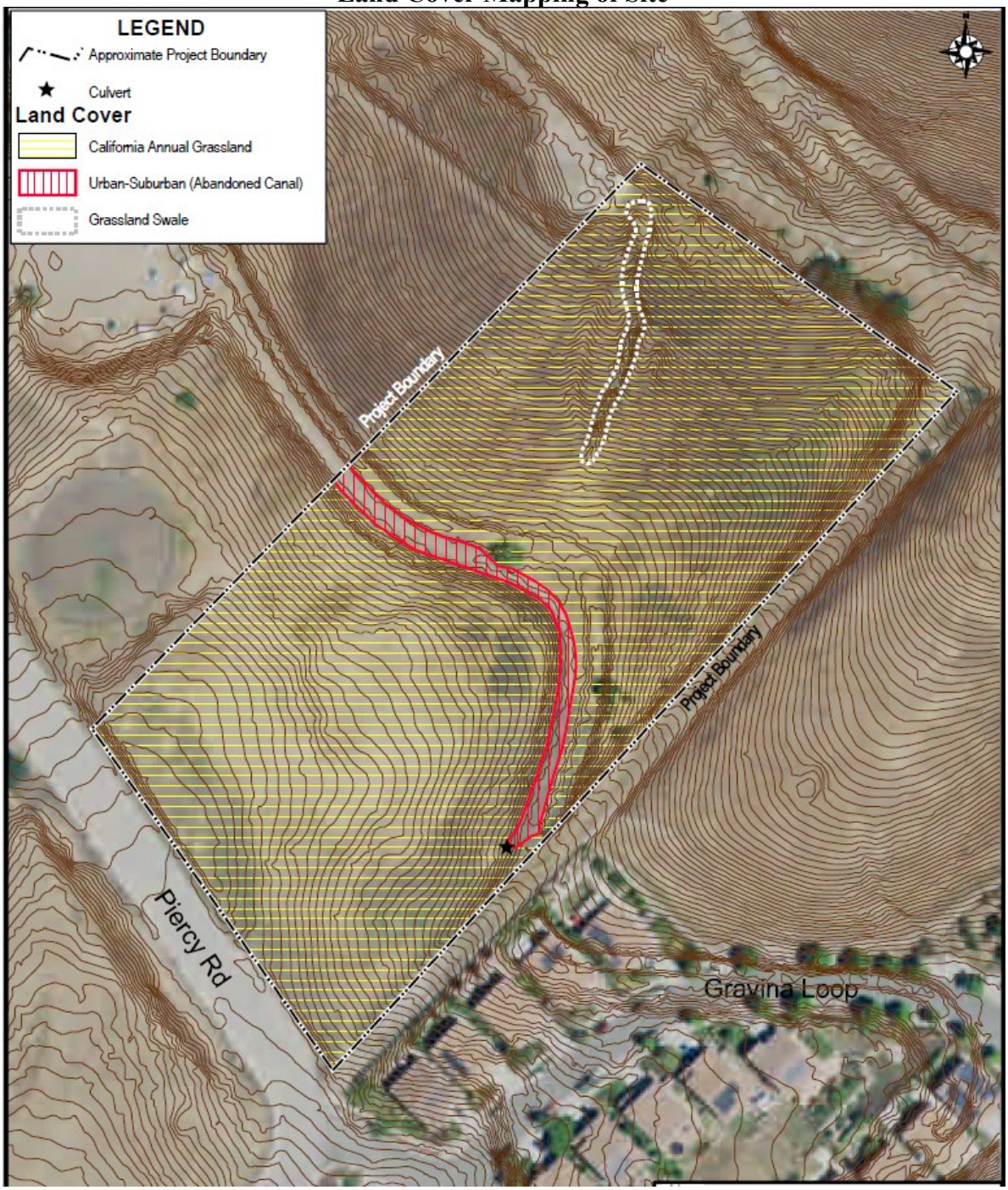
SETTING: The project site occurs at the southeastern edge of the more developed environs of the City of San Jose, at the base of foothills of the Mount Hamilton Range. The site is bounded to the east by open space/rangelands; to the south by open space/rangelands and single-family residential development; to the west by Piercy Road; and to the north by rural development. Riparian habitats associated with Coyote Creek occur within approximately 0.25 miles, to the west of the project site. Serpentine rock outcrop habitat occurs just off-site to the east. A biological report was prepared by Live Oak Associates Inc. dated October 31, 2022, and January 17, 2024, to assess any potential biological impacts the project may have.

Much of the site supports California annual grasslands dominated by a dense cover of wild oat (Avena sp.) and non-native forbs such as Italian thistle (Carduus pycnocephalus). Except for a few narrow-leaf milkweed plants (Asclepias fascicularis), all the annual vegetation within this land cover had completely withered during the biological survey and most of the site had been mowed except for the steep, fenced area in the northern portion of the site and a swale in the northwestern portion of the site. The only woody vegetation observed on the site included a few coyote brush shrubs (Baccharis pilularis) and a blue elderberry shrub (Sambucus cerulea).

While serpentine outcrops do occur off the site to the east, the small sliver of serpentine soils in the northeast corner of this site hosts only a dense growth of wild oats and other annual grasses and forbs. This area does not contain serpentine habitat due to the lack of native plant species, along with the dense vegetation of annual grasses that outcompete serpentine endemic species. Thus, special

status plants that may be found on serpentine soils are absent from the site. An approximately 120-foot-long dry ephemeral swale/erosional feature occurs within the northwestern portion of the site within the California annual grassland land cover. This feature contains no evidence of an Ordinary High Water (OHW) mark on opposing banks. Vegetation within this feature was undifferentiated from that of the surrounding grasslands. This feature has no above ground connection to any other hydrological feature downstream. Because this feature is ephemeral and lacks any hydrologic connection to any other downstream water, this feature does not meet the definition of a Category 2 stream under the Santa Clara Valley Habitat Plan (SCVHP) and is therefore considered a part of California Annual Grassland land cover, which comprises much of the project site. The only other land cover occurring on the site is considered Urban-Suburban land cover because it is comprised of a concrete-lined and abandoned reach of the Evergreen Canal (0.14 ac). Refer to the Land Cover Mapping, **Figure 6** below.

Figure 6
Land Cover Mapping of Site



Regulatory Framework

Federal

Endangered Species Act

The Endangered Species Act establishes protections for fish, wildlife, and plants that are listed as threatened or endangered. This act provides for adding species to and removing them from the list of threatened and endangered species, and for preparing and implementing plans for their recovery. It also

provides for interagency cooperation to avoid take of listed species and for issuing permits for otherwise prohibited activities and provides for cooperation with States, including authorization of financial assistance and implements the provisions of the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES).[1]

Migratory Bird Act

The Migratory Bird Treaty Act (MBTA) prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the Department of Interior U.S. Fish and Wildlife Service. The MBTA is intended to ensure the sustainability of populations of all protected migratory bird species.[2]

State

California Endangered Species Act

The California Endangered Species Act (CESA) is a California environmental law administered by the California Department of Fish and Wildlife (CDFW) that conserves and protects plant and animal species at risk of extinction. Plant and animal species may be designated threatened or endangered under CESA after a formal listing process by the California Fish and Game Commission.[3]

Pursuant to the California Endangered Species Act (CESA), Section 2081 of the California Fish and Game Code, an Incidental Take Permit from CDFW is required for projects that could result in the "take" of a state-listed Threatened or Endangered species. Take is defined under CESA as an activity that would directly or indirectly kill an individual of a species. Take is further defined in Section 86 of the California Fish and Game Code as to ″hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill″. If a proposed project would result in the take of a state-listed species, then a CDFW Incidental Take Permit, including the preparation of a species conservation plan, would be required.

California Fish and Game Code Sections 3505, 3503.5, and 3800 of the California Fish and Game Code prohibit the take, possession, or destruction of birds, including their nests or eggs. Birds of prey (the orders Falconiformes and Strigiformes) are specifically protected under Section 3503.5 of the California Fish and Game Code. This section of the Code establishes that it is unlawful to take, possess, or destroy any birds of prey or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this Code. Disturbance that causes nest abandonment and/or loss of reproductive effort, such as construction during the bird nesting season, is considered take by the CDFW.

Local

Santa Clara Valley Habitat Plan

The Santa Clara Valley Habitat Plan/Natural Community Conservation Plan (SCVHP) covers approximately 520,000 acres, or approximately 62 percent, of Santa Clara County. The SCVHP was

1 Endangered Species Act. https://www.fws.gov/law/endangered-species-act
2 Migratory Bird Species Act. https://www.fws.gov/law/migratory-bird-treaty-act-1918
3 California Department of Fish and Wildlife. Threatened and Endangered Species Threatened and Endangered Species (ca.gov), accessed February 6, 2023

developed and adopted through a partnership between Santa Clara County, the Cities of San José, Morgan Hill, and Gilroy, the Santa Clara Valley Water District (Valley Water), and the Santa Clara Valley Transportation Authority (VTA). The SCVHP was approved by the U.S. Fish and Wildlife Service (USFWS), and CDFW and serves as the basis for the federal and state incidental take permits. The SCVHP is intended to promote the recovery of endangered species and enhance ecological diversity and function, while accommodating planned growth in southern Santa Clara County. The Santa Clara Valley Habitat Agency is responsible for implementing the SCVHP.[4] The SCVHP is a document that meets federal Endangered Species Act (ESA) and CESA requirements and enables local agencies to allow projects and activities to occur in endangered species' habitats. In exchange, those projects and activities must incorporate HCP-prescribed measures to avoid, minimize, or compensate for adverse effects on natural communities and endangered species.

Santa Clara County General Plan

The Santa Clara County General Plan's Resource Conservation policies include the following for managing resources:

- C-RC-1-natural and heritage resources shall be protected and conserved for their ecological, functional, economic, aesthetic, and recreational values.
- C-RC-27-habitat types and biodiversity within Santa Clara County and the region should be maintained and enhanced for their ecological, functional, aesthetic, and recreational importance.
- CR-RC-33-linkages and corridors between habitat areas should be provided to allow for migration and otherwise compensate for the effects of habitat fragmentation (Santa Clara County).

Protected Tree Ordinance

The County of Santa Clara Tree Preservation and Removal Ordinance, Division C16 of the County Ordinance Code, regulates tree removal on private land. This ordinance provides protection to certain defined "Heritage" trees and all trees regardless of species that are 12-inches or greater in diameter at a height of 4.5 feet above ground level within areas zoned Hillsides, with a combining zoning district of Design Review, or within the Los Gatos Hillside Specific Plan.

DISCUSSION:

a) Less Than Significant Impact With Mitigation Incorporated - The proposed project includes the construction of 2 buildings and associated improvements including a large parking lot. To assess the impacts of this development on biological resources, a Biological Evaluation was prepared by Live Oak Associates Inc. and this evaluation found that the proposed project would not result in impacts to any special status plant species as special status plant species are absent from the site. The project is not expected to result in significant impacts to most special status animals except for western burrowing owls, American badgers, and ground-nesting special status birds. Mitigation measures including pre-construction surveys for burrowing owls, American badgers, and for special status and non-special status ground-nesting birds have been identified to lessen any potential impacts to these species to a less-than-significant level, as discussed in more detail below. According to the biological

4 Santa Clara Valley Habitat Agency. https://scv-habitatagency.org/ accessed February 7, 2023

evaluation, for several special status species, the site provides no breeding habitat, but the species may forage over or move through the site from time to time. The project is not expected to have any impact on the foraging species which include the white-tailed kite (Elanus leucurus), northern harrier (Circus hudsonius), Swainson's hawk (Buteo swainsoni), golden eagle (Aquila chrysaetos), Towsend's big-eared bat (Corynorhinus townsendii), and pallid bat (Antrozous pallidus), as the project will not result in any significant impacts on foraging or movement habitat for these species.

Western Burrowing owl (Athene cunicularia)
There are several occurrences of burrowing owls documented in the site's vicinity to the north, northeast, southeast and south within a three-mile radius and the site provides potential breeding, roosting and foraging habitat for this species. Should they be present on the site during project-related ground disturbance, individual owls could be harmed or killed. By implementing the following preconstruction surveys as detailed in SCVHP Condition 15 and incorporated herein as mitigation measures BIO-MIT 1 through BIO-MIT 6, potential impacts to individual owls will be reduced to a less-than-significant level.

American Badger
The site provides potential denning habitat for the American badger, and should they be present on the site during ground disturbance, such that activities cold result in harm or mortality to individual badgers which would be considered significant. With the implementation of mitigation measures BIO-MIT 7 through BIO-MIT 10 below, these potential impacts would be less than significant.

Western Burrowing Owl

BIO – MIT 1: Prior to any ground disturbance related to SCVHP-covered activities, a qualified biologist will conduct preconstruction surveys in all suitable habitat areas as identified during habitat surveys. The purpose of the preconstruction survey is to document the presence or absence of burrowing owls on the project site, particularly in areas within 250 feet of construction activity.

To maximize the likelihood of detecting owls, the preconstruction survey will last a minimum of three hours. The survey will begin 1 hour before sunrise and continue until 2 hours after sunrise (3 hours total) or begin 2 hours before sunset and continue until 1 hour after sunset. Additional time may be required for large project sites. A minimum of two surveys will be conducted (if owls are detected on the first survey, a second survey is not needed). All owls observed will be counted and their location will be mapped.

Surveys will conclude no more than 2 calendar days prior to construction. Therefore, the project proponent must begin surveys no more than 4 days prior to construction (2 days of surveying plus up to 2 days between surveys and construction). To avoid last minute changes in schedule or contracting that may occur if burrowing owls are found, the project proponent may also conduct a preliminary survey up to 14 days before construction. This preliminary survey may count as the first of the two required surveys as long as the second survey concludes no more than 2 calendar days in advance of construction.

BIO - MIT 2: Avoidance Measures During Construction Breeding Season.
If evidence of western burrowing owls is found during the breeding season (February 1–August 31), the project proponent will avoid all nest sites that could

be disturbed by project construction during the remainder of the breeding season or while the nest is occupied by adults or young (occupation includes individuals or family groups foraging on or near the site following fledging). Avoidance will include establishment of a 250-foot non-disturbance buffer zone around nests. Construction may occur outside of the 250-foot non-disturbance buffer zone. Construction may occur inside of the 250-foot non-disturbance buffer during the breeding season if:

- The nest is not disturbed, and
- The project proponent develops an avoidance, minimization, and monitoring plan that will be reviewed by the Habitat Agency and the Wildlife Agencies prior to project construction based on the following criteria.
- The Habitat Agency and the Wildlife Agencies approve of the avoidance and minimization plan provided by the project applicant.
- A qualified biologist monitors the owls for at least 3 days prior to construction to determine baseline nesting and foraging behavior (i.e., behavior without construction).
- The same qualified biologist monitors the owls during construction and finds no change in owl nesting and foraging behavior in response to construction activities.
- If there is any change in owl nesting and foraging behavior as a result of construction activities, these activities will cease within the 250-foot buffer. Construction cannot resume within the 250-foot buffer until the adults and juveniles from the occupied burrows have moved out of the project site.
- If monitoring indicates that the nest is abandoned prior to the end of nesting season and the burrow is no longer in use by owls, the non- disturbance buffer zone may be removed. The biologist will excavate the burrow to prevent reoccupation after receiving approval from the Wildlife Agencies.

The Habitat Agency and the Wildlife Agencies have 21 calendar days to respond to a request from the project proponent to review the proposed construction monitoring plan. If these parties do not respond within 21 calendar days, it will be presumed that they concur with the proposal and work can commence.

BIO - MIT 3: **Non-Breeding Season**

During the non-breeding season (September 1–January 31), the project proponent will establish a 250-foot non-disturbance buffer around occupied burrows as determined by a qualified biologist. Construction activities outside of this 250-foot buffer are allowed. Construction activities within the non-disturbance buffer are allowed if the following criteria are met to prevent owls from abandoning important overwintering sites.

- A qualified biologist monitors the owls for at least 3 days prior to construction to determine baseline foraging behavior (i.e., behavior without construction).
- The same qualified biologist monitors the owls during construction and finds no change in owl foraging behavior in response to construction activities.
- If there is any change in owl nesting and foraging behavior because of construction activities, these activities will cease within the 250-foot buffer.

- If the owls are gone for at least one week, the project proponent may request approval from the Habitat Agency that a qualified biologist excavate usable burrows to prevent owls from re-occupying the site. After all usable burrows are excavated, the buffer zone will be removed, and construction may continue. Monitoring must continue as described above for the non-breeding season as long as the burrow remains active.

Monitoring must continue as described above for the non-breeding season as long as the burrow remains active.

BIO - MIT 4: **Construction Monitoring**

Based on the avoidance, minimization, and monitoring plan developed (as required under Step 4), during construction, the non-disturbance buffer zones will be established and maintained if applicable. A qualified biologist will monitor the site consistent with the requirements described above to ensure that buffers are enforced, and owls are not disturbed. The biological monitor will also conduct training of construction personnel on the avoidance procedures, buffer zones, and protocols if a burrowing owl flies into an active construction zone.

BIO – MIT 5: **Passive Relocation**

Passive relocation would not be allowed under the Habitat Plan until the positive growth trend described in Section 5.4.6 of the Habitat Plan is achieved. Once this occurs, passive owl relocation may be allowed, with the approval of the Wildlife Agencies, on project sites in the non-breeding season (September 1–January 31) if the other measures described in this condition do not allow work to continue. Passive relocation would only be proposed if the burrow needed to be removed, or had the potential of collapsing (e.g., from construction activities), because of the covered activity.

If passive relocation is eventually allowed, a qualified biologist can passively exclude birds from their burrows during non-breeding season only by installing one-way doors in burrow entrances. These doors will be in place for 48 hours to ensure owls have left the burrow, and then the biologist will excavate the burrow to prevent reoccupation. Burrows will be excavated using hand tools.

During excavation an escape route will be maintained at all times. This may include inserting an artificial structure into the burrow to avoid having the overburden collapse into the burrow and trapping owls inside. Other methods of passive relocation, based on best available science, may be approved by the Wildlife Agencies during Habitat Plan implementation.

BIO – MIT 6: **Exceptions to Passive Relocation Prohibition**

Due to the relatively low numbers of burrowing owls in the study area, it is not expected that the prohibition of passive relocation will result in project delays. However, it is possible that a covered activity could not proceed due to avoidance measures for burrowing owl in this condition if owls continually persist on a site where avoidance is not feasible. In such cases, a project proponent may apply for an exception based on the following process. For this

condition, the term exception means an allowance to conduct passive relocation of burrowing owls during the non-breeding season only when this activity is not otherwise allowed. This exception process is necessary to allow reasonable use and development of a property based on the variety of constraints and factors that may affect the property. In situations where exceptions are granted, other portions of this condition may still apply. Exceptions will be used in a minority of cases with special circumstances that limit or restrict the ability of a landowner to fully apply the condition.

Exceptions may be requested through the standard application process described in Section 6.8, or through a separate request process. Private applicants must apply for a passive relocation exception through their local jurisdiction. Project proponents must develop and submit with the request for exception a passive relocation plan. The passive relocation plan must document the following:

- Owls have occupied the site for a full year without relocating voluntarily. Surveys documenting presence must be completed by a qualified biologist and results must be provided in a written report. The report should confirm that one or more individuals (i.e., unique owl[s]) were monitored for a year and that the owl(s) had used the site for a full year.
- The proposed process for relocation, including schedule for the proposed passive relocation and name of the qualified biologist.
- The local jurisdiction, the Habitat Agency, and the Wildlife Agencies will meet to discuss the proposed passive relocation plan. Exceptions will be considered based on, but not limited to, the following factors:
- The parcel is equal to or less than 3 acres and is more than 1,000 feet from other suitable nesting or foraging habitat such that it is unlikely the site can sustain burrowing owls into the future.
- If the site has historically been used for nesting (within the last 3 years).
- If the site is a target for a burrowing owl temporary or permanent management agreement.

As part of the review process, the Habitat Agency and Wildlife Agencies will consider the implications of an exception on the burrowing owl population and progress toward the biological goals and objective of the Habitat Plan. A passive relocation exception will not be granted if the Habitat Agency and Wildlife Agencies determine that such an exception, as mitigated, would preclude implementation of the conservation strategy of the Habitat Plan or conflict with other applicable requirements of the Habitat Plan and local policies. The local jurisdiction or the Habitat Agency must make written findings that document these considerations and the rationale for the exception.

Additional mitigation may be required as part of an approval to implement passive relocation that is otherwise prohibited by the Habitat Plan. The need for and form of additional mitigation will be determined and approved by the Habitat Agency and Wildlife Agencies. Additional mitigation could include payment of additional fees, or contribution of occupied lands to the Reserve System. Applicable fees may be imposed by the local jurisdiction for processing

exception requests. Mitigation will be proportional to the impact occurring as a result of a specific eviction and will fully mitigate such evictions.

The above mitigation measures for burrowing owls will reduce any potential impacts to a less than significant level.

American Badger

BIO – MIT 7: **Pre-construction Surveys**

During the preconstruction surveys for other species, a qualified biologist shall also determine the presence or absence of badgers prior to the start of construction. If badgers are found to be absent, no other mitigations for the protection of badgers shall be warranted.

BIO – MIT 8: **Avoidance and Monitoring**

If an active badger den is identified during pre-construction surveys within or immediately adjacent to an area subject to construction, a construction-free buffer of up to 300 feet shall be established around the den. Once the biologist has determined that badger has vacated the burrow, the burrow can be collapsed or excavated and ground disturbance can proceed. Should the burrow be determined to be a natal or reproductive den, and because badgers are known to use multiple burrows in a breeding burrow complex, a biological monitor shall be present onsite during construction activities in the vicinity of the burrows to ensure the buffer is adequate to avoid direct impact to individuals or natal/reproductive den abandonment. The monitor will be required to be present until it is determined that young are of an independent age and construction activities would not harm individual badgers.

BIO – MIT 9: **Tailgate Training**

All workers on the project shall attend a tailgate training that includes a description of the species, a summary of its biology, and minimization measures and instructions on what to do if an American badger is observed.

BIO – MIT 10: **Nesting Raptors and Other Nesting Migratory Birds Potential Impact.**

Suitable nesting habitat is absent on the site for tree-nesting raptors and tree-nesting migratory birds. However, the site does provide potential nesting habitat for several special status and non-special status bird species that are known to nest on the ground in grassland habitats. This includes special status birds such as the short-eared owl and grasshopper sparrow; and non-special status birds such as western meadowlarks (Sturnella neglecta). Should any birds nest on the site during project construction activities, including ground disturbance and vegetation removal, such activities could result in nest abandonment and in harm or mortality to unfledged young. This would be considered a potentially significant impact of the project as well as a violation of state and federal laws. Mitigation measures provided below would reduce any potentially significant impacts to a less-than-significant level.

To the extent possible, any project-related ground disturbance or vegetation removal activities should occur outside of the bird breeding season, i.e. during the period from September 1st through January 31st.

Project-related activities that occur during the bird breeding season, i.e. during the period from February 1st through August 31st, could be constrained in the vicinity of any active nests. If tree removal or ground disturbance activities are scheduled to commence during the breeding season, pre-construction nesting bird surveys will be conducted by a qualified biologist to identify possible nesting activity no more than 15 days prior to such activities. A construction-free buffer of suitable dimensions as determined by a qualified biologist must be established around any active raptor or migratory bird nest for the duration of the project, or until it has been determined that the young have fledged and are foraging independently from their parents.

b) Less Than Significant Impact – According to the biological evaluation, the site does not contain any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations. Coyote Creek is located off-site, approximately 0.25 miles west of the property. The site is currently undeveloped except for a portion of the now abandoned concreted channel of the Evergreen Canal that aligns north to south through the center of the site. As such, the project will have a less than significant impact on any riparian habitat. With the imposition of mitigation Measures BIO-MIT 1 through BIO-MIT 10, the project will also have a less than significant impact on other sensitive natural habitats.

MITIGATION: See BIO-MIT 1 through BIO-MIT 10, above.

c) Less Than Significant Impact – An approximately 120-foot-long dry ephemeral swale/erosional feature occurs within the northwestern portion of the site within the California annual grassland land cover. This feature was completely dry and there was no evidence that it had carried any water in a long time as there was no evidence of an Ordinary High Water (OHW) mark on opposing banks. Vegetation within this feature was undifferentiated from that of the surrounding grasslands, and this feature has no above ground connection to any other hydrological feature downstream. Because this feature is ephemeral and lacks any hydrologic connection to any other downstream water, this feature does not meet the definition of a Category 2 stream under the SCVHP, and it also does not appear to be a feature that would be regulated by the California Department of Fish and Wildlife (CDFW), Regional Water Quality Control Board (RWQCB) or U.S. Army Corps of Engineers (USACE). Wetlands and ponds are not present on the project site, therefore impacts on state of federally protected wetlands will be less than significant.

MITIGATION: None required.

d) No impact –The project site does not contain any oak woodlands. Therefore, the project will not have a substantial adverse effect on oak woodland habitat as defined by Oak Woodlands Conservation Law.

MITIGATION: None required.

e) Less Than Significant Impact – According to the biological evaluation, Google Earth imagery was reviewed dating back to the early 2000's to look for any signs of wetland signatures on the site and none were identified. As indicated above, an approximately 120-foot-long dry ephemeral swale/erosional feature occurs within the northwestern portion of the site within the California annual grassland land cover. The canal is no longer in use and is infilled with soil in most areas. Due to the

lack of hydrological features, the project will not interfere with the movement of any migratory fish or nursery sites.

The site occurs several miles to the north of identified regionally important fish or wildlife movement corridors through the Coyote Valley area of south San Jose. The site is situated at the eastern edge of residential development which borders the site to the south. Due to the dense development south of the site, the site would not function as a regionally important movement corridor and any wildlife occurring on the site would likely do so as part of their regular, local movements. Development of the site would not result in a significant impact on wildlife movement since migratory corridors will remain available to the north and east of the site. Therefore, the project will have a less than significant impact to any nursery site or wildlife corridors.

MITIGATION: None required.

f - g) Less Than Significant Impact - The project site consists primarily of California Annual Grassland land cover (5.32 acres) and the only other land cover occurring on the site is Urban-Suburban comprised of a concrete-lined and abandoned reach of the Evergreen Canal (0.14 acres). The project site is located within the Habitat Plan permit area Fee Zone B (agricultural and valley floor lands). As required by mitigation measures BIO-MIT 1 through BIO-MIT 10, pre-construction surveys would be conducted for the western burrowing owl and American badger to ensure compliance with the Habitat Conservation Plan and permit fees would be required prior to issuance of either grading or building permits. As a result, the project would comply with all requirements of the Habitat Plan and any impacts related to conflicts with local ordinances or adopted plans related to tree removal of species protection would be considered less than significant.

The site contains sparse trees however there will be no tree removal and the project will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

MITIGATION: None required.

E. 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 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?	☐	☐	☐	☒	3, 19, 41, 42

SETTING: The proposed project consists of the construction of a new church and multi-purpose building along with paved parking areas and other improvements on a 5.84-acre site. This project will involve grading, trenching, and other earth moving activities. An archaeological report was prepared by Archaeological Resource Management dated May 23, 2023, to assess any potential archaeological impacts of the project. No cultural materials, prehistoric or historic, were noted during surface reconnaissance.

DISCUSSION:

a-c) No Impact – A review of available materials provided no evidence of historic or archaeologic resources on site. Archival research revealed that there are no recorded cultural resources located on the project site or within half a mile of the study area. No cultural materials, prehistoric or historic, were noted during surface reconnaissance. Given the results of the archaeological report, the project site does not contain any archaeological resources, nor will the proposed project have any impact upon the known archaeological resources of the area. As such, further archaeological investigation is not warranted. However, County standard conditions of approval have been applied to the project that offer additional protections in the event a concentration of artifacts or human remains are unexpectedly encountered during earth disturbing activities. These conditions are as follows:

- If archaeological resources or human skeletal remains are discovered during construction, work shall immediately stop, and the County Coroner's Office notified. Upon determination that the remains are Native American, no further disturbance of the site may be made except as authorized by the County Coordinator of Indian Affairs, in accordance with state law and Chapter B6-18 of the County Ordinance Code.

MITIGATION: None required

F. ENERGY					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
a) Result in potentially significant environmental impact due 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?	☐	☐	☐	☒	5

SETTING: The proposed project includes construction of a religious institution and multi-purpose building. An energy analysis was conducted by First Carbon Solutions dated March 27, 2024. All new structures will require building permits that are subject to the California Building Code and its associated energy usage regulations.

California Building Energy Efficiency Standards (Title 24)

The 2019 California Building Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6), commonly referred to as "Title 24," became effective on January 1, 2020. Title 24 requires the design of buildings to conserve energy. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. Under 2019 Title 24 standards, nonresidential buildings would use about 30 percent less energy, mainly due to lighting upgrades, when compared to those constructed under 2016 Title 24 standards.

California Green Building Standards (CALGreen)

The CALGreen Code (California Code of Regulations, Title 24, Part 11), is a statewide mandatory construction code that was developed and adopted by the California Building Standards Commission and the California Department of Housing and Community Development. CALGreen standards require new residential and commercial buildings to comply with mandatory measures under five topical areas: planning and design; energy efficiency; water efficiency and conservation; material conservation and resource efficiency; and environmental quality. CALGreen also provides voluntary tiers and measures that local governments may adopt which encourage or require additional measures in the five green building topics. The most recent update to the CALGreen Code was adopted in 2019 and went into effect on January 1, 2020. CALGreen requires new buildings to reduce water consumption by 20 percent, divert 50 percent of construction waste from landfills, and install low pollutant-emitting materials.

DISCUSSION:

a-b) No Impact – The project involves the development and operation of two structures for the operation of a religious institution which is expected to utilize energy resources, such as gas, electricity and water, during construction or during its use as a religious institution. When building permits are applied for, the project would be required to comply with 2019 Title 24 and CALGreen standards pertaining to building energy efficiency. Compliance with 2019, Title 24 standards and 2019

CALGreen Code would ensure the project incorporates energy-efficient windows, insulation, lighting, and ventilation systems, as well as low flow fixtures.

MITIGATION: None required.

G. GEOLOGY AND SOILS					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
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, 42, 43, 44
ii) Strong seismic ground shaking?	☐	☐	☒	☐	6, 17c, 42, 43
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐	6, 17c, 17n, 42, 43
iv) Landslides	☐	☐	☒	☐	6, 17j, 42, 43
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐	6, 10, 23, 24, 42
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, 42, 43
d) Be located on expansive soil, as defined in the report, *Soils of Santa Clara County*, creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐	14, 23, 24, 42, 43
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, 42, 43
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☐	☒	☐	4, 6, 40, 41

SETTING: The property is in the site is in the area where the western foothills of the Diablo Range merge with the margins of the Santa Clara Valley within the southwestern part of San Jose along the margin between the Santa Clara Valley and the adjacent foothills of the Mt. Hamilton Range. A geological and geotechnical report was prepared for the project by Quantum Geotechnical Inc., dated May 5, 2023. The proposed project consists of developing the site for the construction of a new church building and associated improvements.

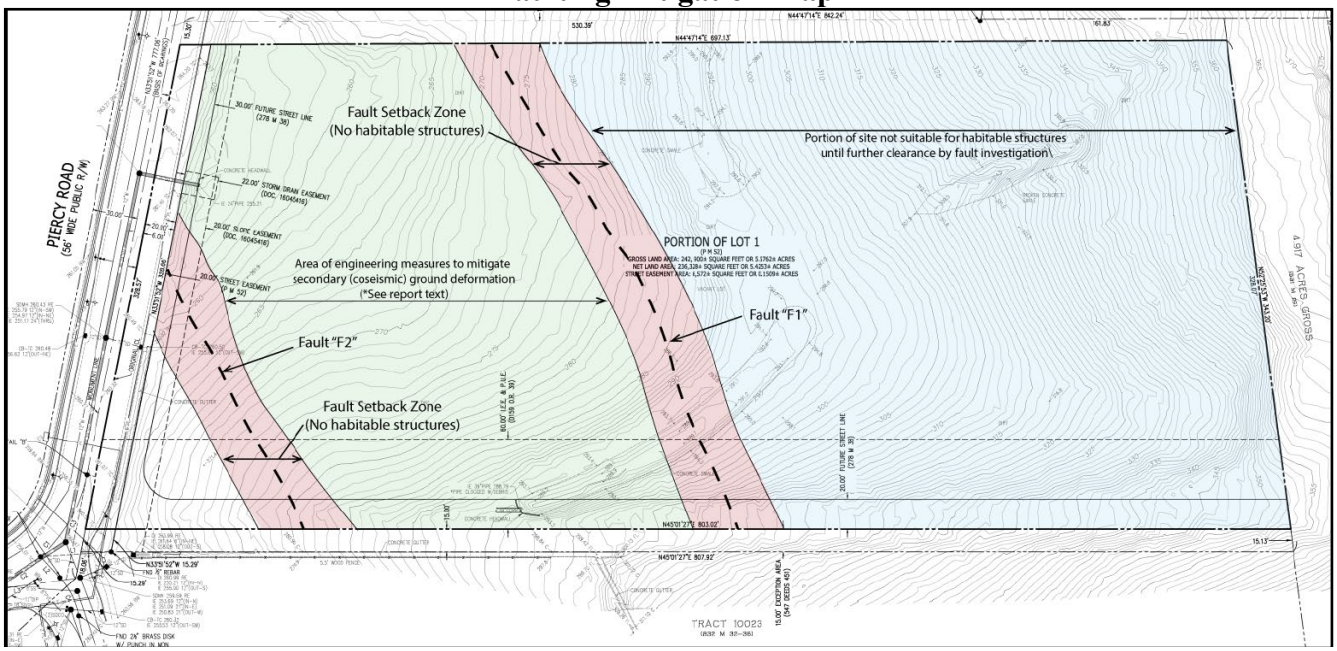
The Piercy Fault and two unnamed faults cross the subject site; the next closest fault is the Hayward (Southeast-Evergreen) which is 2.1 miles from the subject site. The property lies within a Santa Clara County Landslide Hazard Zone, and the State Seismic Hazard Map for the San Jose East Quadrangle (CGS, 2002) indicates that the entirety of the site is located outside of the state-regulatory zone for liquefaction hazards. The Association of Bay Area Governments shows the site within an area designated as having very low liquefaction susceptibility. Published geologic maps covering the area have not depicted any suspected landslides at or immediately adjacent to the site and surface reconnaissance did not reveal any topographic or geomorphic features that would suggest that this is a landslide deposit.

Lateral spread is a type of ground failure associated with movement of an overlying surficial soil mass along a zone of soil that fails or loses strength primarily associated within a liquefiable sediment caused by an earthquake event. The geological report found that there is a very low potential for the occurrence of liquefaction for the site, and accordingly the potential for lateral spreading is also very low. The site is not located within a flood hazard zone. The geotechnical report found that the site is suitable for the construction of the proposed church and multi-purpose building. The geotechnical report made a few recommendations related to correcting the erosion gully in the northern portion of the site, uphill of the development area. The project plans include filling of the area to prevent future additional erosion and surface drainage issues per the recommendations in the geologic/geotechnical report.

DISCUSSION:

a-f) Less Than Significant - The fault investigation report by Quantum Geotechnical, Inc., dated November 16, 2021, identified two potentially active fault splays of the Piercy fault zone and established building setback zones through the upper (northeastern) portion of the site ranging between 15 to 20 feet wide (Refer to **Figure 5**). These secondary faults (designated in this investigation as F1 and F2) were identified within the southwestern half of the site in the general location of the church. The geologist recommended that habitable structures adhere to a building setback from both fault features. Non-habitable improvements planned within the upper (northeastern) half of the property can also experience damage in a future co-seismic rupture event along the Piercy Fault. To reduce any potential impacts to the development because of a fault rupture, the proposed project will adhere to the recommendations contained in the Quantum Geotechnical, Inc geologic and geotechnical reports. Additionally, the project has been designed according to recommendations of the geotechnical/geological report by Quantum Geotechnical, Inc. dated May 5, 2023. A plan review letter prepared by the geotechnical consultant confirming that their recommendations were incorporated into the design plans will also be required prior to issuance of a building permit. During construction, observation and testing by the geotechnical consultant will be required. Upon completion of construction, a construction observation letter prepared by the geotechnical consultant will be required prior to issuance of a final building permit. Prior to issuance of any building or grading permits, the applicant shall provide evidence that the recommendations in the geological report are adhered to. The project has been designed according to the geotechnical/geological repor

Figure 5
Faulting Mitigation Map



The State Seismic Hazard Map for the San Jose East Quadrangle (CGS, 2002) indicates that the entirety of the site is located outside of the state-regulatory zone for liquefaction hazards. The Association of Bay Area Governments shows the site within an area designated as having very low liquefaction susceptibility. A pronounced gully, known as the former Evergreen Canal, is located through the central portion of the property. This gully measures approximately 150 feet long, 30 feet wide, and 12 feet in depth, with depth varying greatly along the linear axis of the gully. According to the approved engineering plans, the gully shall be filled to prevent any future additional erosion and surface drainage issues. The erosion gully will be excavated to remove all disturbed and loose material, exposing a stiff non-yielding base and sides. Due to the depth of the gully and generally confined area, the side slopes of the excavated gully be inclined at 1:1 (horizontal to vertical) to allow for proper benching during filling.

At the northern corner of the property, there exists a road that directs a significant amount of uncontrolled surface water runoff onto the subject site, that created the erosion gully. The uncontrolled surface water be collected and conveyed by a storm drainpipe connected to the storm drain system for the development. A storm drainpipe will be bedded, shaded, and backfilled with native soil, in place of granular bedding and shading, which acts as a conveyance of subsurface water and lead to potential piping and additional erosion. The drainage system is designed by the civil engineer

Lateral spread is a type of ground failure associated with movement of an overlying surficial soil mass along a zone of soil that fails or loses strength primarily associated within a liquefiable sediment caused by an earthquake event. Because there is a very low potential for the occurrence of liquefaction for the site, the potential for lateral spreading is also very low. According to the Quantum Geotechnical, Inc report, the site is not located within a state-designated or county-designated regulatory zone for liquefaction hazards and published geologic maps do not depict any suspected landslides at or adjacent to the site. The soil type is not unstable, nor is it a type that would become unstable as a result of the project. Given the topography of the site, the development will not potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse. Percolation tests were provided to and reviewed by County Department of Environmental Health

(DEH). DEH staff have determined that the soils can support a septic system which meets County requirements.

A plan review letter prepared by Quantum Geotechnical, Inc confirming that their recommendations were incorporated into the design plans will also be required prior to issuance of a building permit. During construction, observation and testing by the geotechnical consultant will be required. Upon completion of construction, a construction observation letter prepared by the geotechnical consultant will be required prior to issuance of a final building permit. Implementation of these measures will reduce the potential impact of expansive soils on the project to a less than significant level.

MITIGATION: None required.

H. GREENHOUSE GAS EMMISSIONS					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact	
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

SETTING: 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. A Greenhouse Emissions report was prepared by First Carbon Solutions dated March 27, 2024, to assess the GHG impacts of the project.

Regulatory Framework

California Building Energy Efficiency Standards

The 2019 Building Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6), commonly referred to as "Title 24," became effective on January 1, 2020. Title 24 requires the design of buildings to conserve energy. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. Under 2019 Title 24 standards, nonresidential buildings would use about 30 percent less energy (mainly due to lighting upgrades) when compared to 2016 Title 24 standards. The standards require installation of energy efficient windows, insulation, lighting, ventilation systems, and other features that reduce energy consumption in homes and businesses.

California Green Building Standards (CALGreen) and the CALGreen Code (California Code of Regulations, Title 24, Part 11), is a statewide mandatory construction code that was developed and adopted by the California Building Standards Commission and the California Department of Housing and Community Development. CALGreen standards require new residential and commercial buildings to comply with mandatory measures under five topical areas: planning and design; energy efficiency; water efficiency and conservation; material conservation and resource efficiency; and environmental quality.

The Bay Area Air Quality Management District (BAAQMD) adopted GHG emissions thresholds of significance to assist in the review of projects under CEQA. These thresholds were created to provide the level at which the BAAQMD has determined that GHG emissions would cause significant environmental impacts. The GHG emissions thresholds identified by BAAQMD are shown below in Table 2.

Table 2
BAAQMD CEQA Significance Thresholds

Criteria Air Pollutant	Construction Thresholds	Operational Thresholds	
	Average Daily Emissions (lbs./day)	Average Daily Emissions (lbs./day)	Annual Average Emissions (tons/year)
ROG	54	54	10
NO_x	54	54	10
PM_{10}	82 (Exhaust)	82	15
$PM_{2.5}$	54 (Exhaust)	54	10
CO	Not Applicable	9.0 ppm (8-hour average) or 20.0 ppm (1-hour average)	
Fugitive Dust	Construction Dust Ordinance or other Best Management Practices	None	
Health Risks and Hazards	**Single Sources Within 1,000-foot Zone of Influence**	**Combined Sources (Cumulative from all sources within 1000-foot zone of influence)**	
Excess Cancer Risk	10 per one million	100 per one million	
Hazard Index	1.0	10.0	
Incremental annual $PM_{2.5}$	0.3 µg/m^3	0.8 µg/m^3	
Note: ROG = reactive organic gases, NOx = nitrogen oxides, PM_{10} = course particulate matter or particulates with an aerodynamic diameter of 10 micrometers (µm) or less, $PM_{2.5}$ = fine particulate matter or particulates with an aerodynamic diameter of 2.5µm or less.			

Source: Bay Area Air Quality Management District, 2017

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 vehicle miles traveled (VMT) as the recommended metric for determining the significance of transportation impacts on GHGs. The California 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 County, as lead agency for this project, also has discretion to choose the most appropriate methodology to evaluate VMT.

DISCUSSION:

a, b) Less Than Significant with Mitigation Incorporated –According to the Traffic Analysis report prepared by Jeff Waller Consulting, the proposed development is projected to add 159 AM net peak-hour trips and 139 PM net peak-hour trips. Both construction and operational activities have the potential to generate GHG emissions. The proposed project would generate direct GHG emissions during construction activities such as site grading, operation of construction equipment, operation of on-site heavy-duty construction vehicles, hauling of materials to and from the project site, asphalt paving, and construction worker vehicle trips. Construction activities would vary over the duration of the proposed project's construction. Long-term, directly emitted operational GHGs would result from project-generated vehicular traffic, and operation of any landscaping equipment. Indirect GHG emissions would be generated through off-site production of electrical power over the life of the proposed project, the energy required to convey water to and wastewater from the proposed project

site, the emissions associated with the hauling and disposal of solid waste from the proposed project site, and any fugitive refrigerants from air conditioning or refrigerators.

Construction
The proposed project would emit GHG emissions during construction from the off-road equipment, worker vehicles, vendor trucks, and haul trucks. Table 2 includes detailed construction assumptions used in estimating the construction GHG emissions. BAAQMD does not presently provide a construction-related GHG generation threshold but recommends that construction-generated GHGs be quantified and disclosed. The proposed project would generate approximately 392 MT CO2e during construction from the off-road equipment, worker vehicles, vendor trucks, and haul trucks. Anticipation for construction to last approximately 18 months, according to the Greenhouse Emissions report prepared by First Carbon Solutions dated March 27, 2024.

As vehicle and equipment fuel efficiencies and emission control standards continue to incrementally improve with each year, project construction emissions are likely to decrease nominally from what is estimated in Table 2, should the construction schedule move to later years.

Operational
Operational or long-term emissions occur over the life of the proposed project. Sources of emissions include motor vehicles and trucks, the emissions associated with energy usage and water usage, waste generation, and emissions from area sources such as landscaping activities. BAAQMD's 2022 CEQA Air Quality Guidelines provide recommended significance thresholds for GHGs for land use development projects and plans. The new thresholds state that if a project would contribute its "fair share" of what will be required to achieve California's long-term climate goal of carbon neutrality by 2045, then a reviewing agency can find that the impact will not be significant because the project will help to solve the problem of global climate change[5]. The Air District recommends that lead agencies use the project's design elements as the threshold of significance for evaluating land use projects under the "fair share" approach discussed above. The County currently does not have an adopted Qualified Greenhouse Gas Reduction Strategy. Therefore, the proposed project is evaluated against the design elements in Criterion A show in **Table 3** below.

Table 2
Proposed Project Construction GHG Emissions

Construction Year	Total GHG Emissions (MT CO_2e per year)
2025	238
2026	154
Total Construction Emissions	**392**
Emissions Amortized Over 30 Years[1]	**13**

Notes:
GHG = greenhouse gas
MT CO_2e = metric tons carbon dioxide equivalent
Totals may not appear to sum exactly due to rounding.
[1] Construction GHG emissions are amortized over the 30-year lifetime of the project.
Source: Appendix B.

5 CEQA Thresholds for Evaluating the Significance of Climate Impacts; Bay Area Air Quality Management District California Environmental Quality Act Air Quality Guidelines (baaqmd.gov), accessed June 3, 2024

Table 3
Land Use thresholds for "Fair Share"

Thresholds for Land Use Projects (Must Include A or B)
A. Projects must include, at a minimum, the following project design elements: 1. Buildings a. The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development). b. The project will not result in any wasteful, inefficient, or unnecessary energy usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines. 2. Transportation a. Achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target, reflecting the recommendations provided in the Governor's Office of Planning and Research's Technical Advisory on Evaluating Transportation Impacts in CEQA: i. Residential projects: 15 percent below the existing VMT per capita ii. Office projects: 15 percent below the existing VMT per employee iii. Retail projects: no net increase in existing VMT b. Achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.
B. Be consistent with a local GHG reduction strategy that meets the criteria under State CEQA Guidelines Section 15183.5(b).

All-electric design (Design element A.1.a, BAAQMD thresholds)
The proposed project is all-electric and does not include natural gas appliances or plumbing. Therefore, the project is consistent with this design element.

Energy efficiency (Design element A.1.b, BAAQMD thresholds)
As demonstrated in Section 6.2.4, Energy, the proposed project would not result in any wasteful, inefficient, or unnecessary energy usage; therefore, the proposed project is consistent with this design element.

VMT impact (Design element A.2.a, BAAQMD thresholds)
The proposed project is estimated to generate 625 – 1,300 trips on a Sunday (the peak day of usage). According to a preliminary analysis prepared by Hexagon Transportation Consultants, Inc. as referenced in the *Air Quality, Greenhouse Gas Emissions, and Energy Analysis Report* prepared by FirstCarbon Solutions, assuming a vehicle occupancy rate of 2.4 persons/vehicle, the proposed project would generate 625 daily trips on a Sunday[6]. The 625 daily trips would be equivalent to trips generated by 11,500-square feet of retail space and would fall under the category of the local serving use that has negligible VMT impacts[7,8] Even under the worst-case scenario of 1,300 trips, the proposed project would still fall below the square footage equivalent of a >50,000-square-foot local serving retail use.

6 First Carbon Solutions Report; (375 attendees/2.4) * 2 (inbound/outbound) *2 services = 625 daily trips;
7 First Carbon Solutions Report; Local serving retail use is generally considered to be retail uses that are less than 50,000 square feet;
8 Governor's Office of Planning and Research (OPR). 2018. Technical Advisory on Evaluating Transporting Impacts in CEQA. April 2023. Website: https://opr.ca.gov/docs/20180416-743_Technical_Advisory_4.16.18.pdf. Accessed March 18, 2024.

Furthermore, the City of San José (which is adjacent to the proposed project and would receive most of the inbound and outbound trips generated by the proposed project which is in unincorporated Santa Clara County) considers retail space less than 100,000 square feet to be local serving and exempt from VMT analysis. As such, it is anticipated that vehicle trips generated by the proposed project are minimal/exempt from analysis, and therefore the proposed project's VMT impact is consistent with the third design element.

Tier 2 EV Charging Infrastructure (Design element A.2.b, BAAQMD thresholds)
The County currently does not have requirements for the inclusion of EV supply equipment for new development. The last design element relates to implementation of CALGreen Tier 2 level of EV charging infrastructure, which is beyond the mandatory CALGreen requirement of EV charging spaces. The proposed project would meet the CALGreen mandatory level of EV charging spaces only. Therefore, implementation of mitigation measure GHG-MIT 1 would be required to ensure that the proposed project would provide CALGreen Tier 2 EV parking levels and be consistent with the last design element (after mitigation).

With implementation of GHG-MIT 1, the proposed project would satisfy all four design elements as outlined in the BAAQMD GHG threshold Criterion A.

GHG Emissions reduction
GHG – MIT 1: **Design Elements to Reduce GHG**

> Prior to issuance of building permits, the project applicant shall provide documentation (e.g., site plan) to the County of Santa Clara Department of Planning and Development to demonstrate project compliance with electric vehicle (EV) off-street parking requirements in the most recently adopted version of CALGreen Tier 2.

MITIGATION: Refer to **GHG - MIT 1**.

I. HAZARDS & HAZARDOUS MATERIALS					
		IMPACT			SOURCE
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?	☐	☐	☐	☒	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?	☐	☐	☐	☒	47
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?	☐	☐	☐	☒	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?	☐	☒	☐	☐	4, 17g

SETTING: Total development would consist of 3.49 acres of a 5.84-acre site for a religious institution. According to the Phase I Environmental Assessment report prepared by Cameron-Cole dated February 20, 2024, the site is not a hazardous site. The project site is not listed on the County of Santa Clara Hazardous Waste and Substance Sites List, and it is not located in the County Airport Land Use plan area. The closest airport, Reid Hillview Airport, is located approximately 5.62 miles north of the project site.

No hazardous substances or petroleum products were identified in relation to the current use of the property. The project does not involve the transport of any hazardous materials. During the site reconnaissance, a moderate amount of solid waste was observed during the site reconnaissance. A small amount of litter typical of areas near roadways was identified near the southwestern boundary along Piercy Road.

The project site is in the Wildland Urban Interface Fire Area (WUI) and along Piercy Road is within the Moderate Fire Hazard Severity Zone (MFSZ).

Regulatory Framework

Local

County Hazardous Materials Business Plan (HMBP) program is to protect both human and environmental health from adverse effects because of the storage or possible release of those materials. This is done primarily by documenting significant amounts of hazardous materials so that emergency responders can effectively protect the public.

The Airport Land Use Plan was adopted in order to protect the public from the adverse effects of aircraft noise, to ensure that people and facilities are not concentrated in areas susceptible to aircraft accidents, and to ensure that no structures or activities adversely affect navigable airspace. The closest airport is the San Martin Airport.

State

California Environmental Protection Agency
The California Environmental Protection Agency (CalEPA) is tasked with protecting and enhancing the environment, to ensure public health, environmental quality, and economic viability. CalEPA oversees the development, implementation and enforcement of environmental laws that regulate air, water and soil quality, pesticide use and waste recycling and reduction. CalEPA consists of several departments which carry out the agency's mission and include the California Air Resources Board (CARB), the Department of Pesticide Regulation (DPR), the Department of Resources Recycling and Recovery (CalRecycle), the Department of Toxic Substances Control (DTSC), the Office of Environmental Health Hazard Assessment (OEHHA), and the State Water Resources Control Board (SWRCB).[9] Specifically, DTSC carries out CalEPA's mission by compiling and updating the Cortese List which includes a list of several types of hazardous material gathered by various agencies.

Wildland Urban Interface
The California Department of Forestry and Fire Protection (CAL FIRE) is required by law to map areas of significant fire hazards based on fuels, terrain, weather, and other relevant factors. The Fire Hazard Severity Zone maps were developed using a science-based and field-tested computer model that assigns a hazard score based on the factors that influence fire likelihood and fire behavior.

DISCUSSION:

a - f) No Impact – The project consists of development of two structures and a parking lot over a 5.84-acre site. The project does not include the transportation, or release of any hazardous materials.

The closest school is Ledesma Elementary School, which is approximately 0.62 miles south of the subject property. No hazardous materials are expected to be emitted from the project and the site is located beyond the one-quarter mile from schools.

9 California Environmental Protection Agency. About Us | CalEPA Accessed February 8, 2023.

The project site is not designated as hazardous under County Code Section 65962.5. The property is outside of the County Airport Land Use plan area and would not create excessive noise for people residing or working in the project area due to proximity to an airport.

The project would not change the local roadway circulation pattern, access, or otherwise physically interfere with local emergency response plans. Access to the project site is from an existing public road. The development plans have been reviewed and conditionally approved by the County Fire Marshal's Office.

MITIGATION: None required.

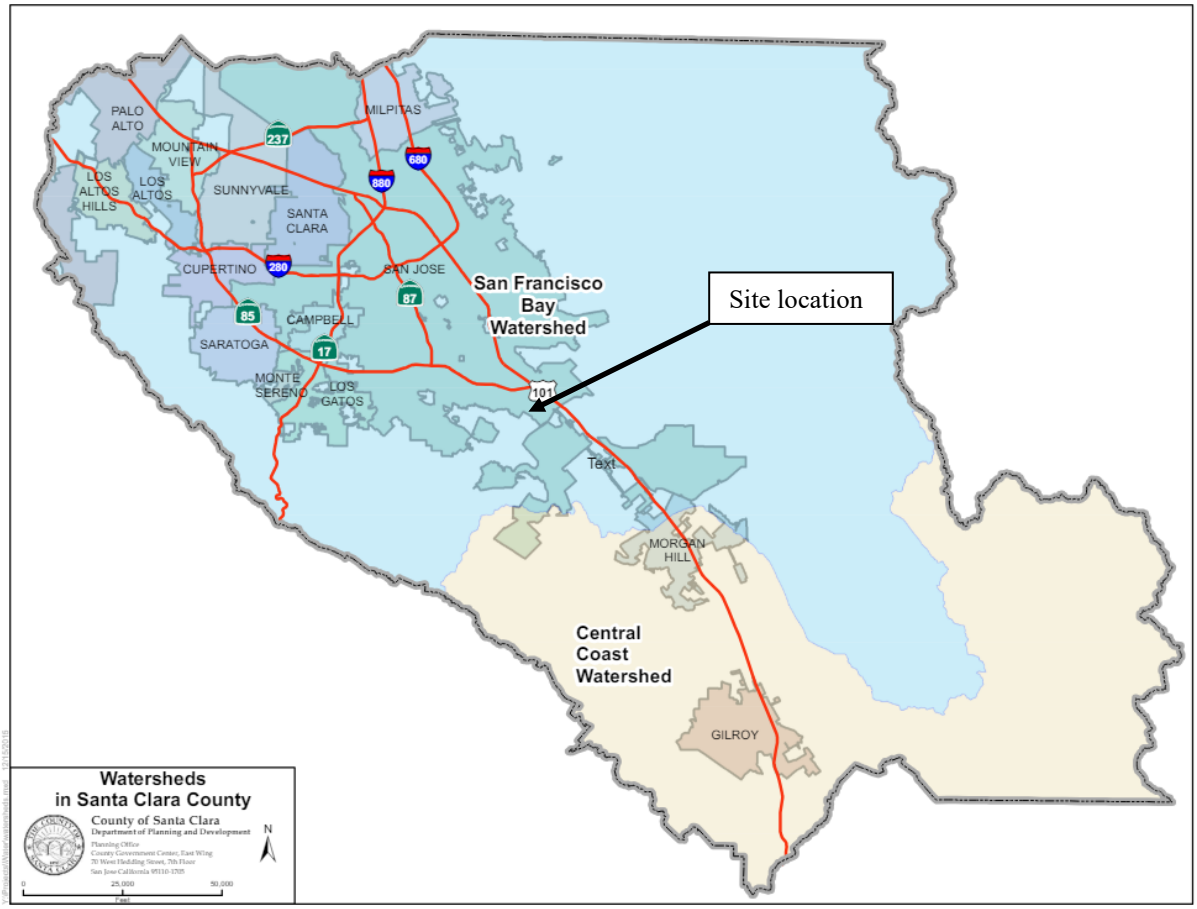
g) Less Than Significant With Mitigation Incorporated – The project site is located in the Wildland Urban Interface Fire Area (WUI) and along Piercy Road is within the Moderate Fire Hazard Severity Zone (MFSZ). The proposed development has been reviewed by State of California Fire Marshal's Office and Santa Clara County Fire Marshal. A Wildfire Protection Plan was prepared by Wildland Resources Management dated April 2024 and found the entirety of the Southridge Church project site is classified as falling within a High Fire Hazard Severity Zone and within a State Responsibility Area due to the grassy fuels dominating the property and its immediate vicinity. Under existing conditions, there is a relatively low likelihood of ignition on the Southridge Church property itself due to the low level of human activity. However, risk of ignition on nearby properties is higher given the site's proximity to adjacent roadways and residential land uses. Adjacent risk of ignition comes from activities associated with residential dwellings and occupants, including the use of vehicles, construction, use of mechanical mowers, barbecues, and generators. Because PG&E is increasingly shutting off power during high fire hazard conditions, the risk of wildfire ignition from generator use may become more common in the future. Roadside ignitions on Piercy Road, Tennant Avenue, or especially Hellyer Avenue/Basking Ridge Avenue are the most probable sources of ignition. Mitigation measures have been applied to the project to ensure that vegetation is maintained, separation is placed between any flammable vegetation and structures as well as appropriate evacuation measures are in place in the event of a fire. With these measures, the project will have a less than significant impact on loss, injury, or death as a result of a wildfire.

MITIGATION: Refer to **WF – MIT 1 through WF – MIT 9** under Section T. Wildfire, below**.**

J. HYDROLOGY AND WATER QUALITY					
	IMPACT				SOURCE
Would the project:	Potentially 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?	☐	☐	☒	☐	34, 35, 36, 37, 38, 39
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	☐	☐	☒	☐	3, 17p
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	☐	☐	☒	☐	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?	☐	☐	☒	☐	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

SETTING: The proposed development is not located within a FEMA Flood Zone. The proposed development consists of new impervious surface of 10,579 square feet as shown on the Preliminary Grading Plans prepared by Hanna-Brunetti dated September 2023, primarily due to the footprint of the proposed structure, driveway improvements, and sidewalk improvements. The property is accessed via Piercy Road. The subject property is within the San Francisco Bay Watershed, which is regulated by the San Francisco Bay Regional Water Quality Control Board.

Figure 4
County Stormwater Watershed Map



Source: Stormwater Management watershed map, https://plandev.sccgov.org/policies-programs/stormwater-management-program

The domestic and emergency water for fire suppression will be provided by Great Oaks Water Company. Wastewater will be collected by an on-site septic system.

DISCUSSION:

a) Less Than Significant Impact – The proposed project is not in a flood zone and does not include the use of pollutants or hazardous materials. Therefore, it is unlikely that pollutants from construction would be released due to flooding. 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. The project is subject to design conformance with the County of Santa Clara Stormwater Management Guidance Manual and the Santa Clara Valley Urban Runoff Pollution Prevention Program, as well as standards set by the San Francisco Regional Water Quality Control Board. The project was reviewed by the County Department of Planning and Development's Land Development Engineering division for compliance with the National Pollutant Discharge Elimination System (NPDES) regulations for both construction and after construction and no conflicts were found to exist.

The project would be served by a site septic system along with an onsite wastewater treatment system (OWTS). The system will consist of a primary and secondary drainage field zones consisting of a

3,000-gallon primary septic chamber. The OWTS feasibility for the project has been reviewed and approved by the Department of Environmental Health ensuring that the proposed OWTS could be designed and sized to meet all applicable water quality standards, soil requirements, and groundwater standards. Therefore, the proposed project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality.

MITIGATION: None required.

b) Less Than Significant Impact – Approximately 60 percent of the site will be developed, specifically 6.5 percent in buildings leaving the remainder in landscaping. Given the small amount of the site that would be developed with impervious surfaces, it is not likely that the proposed project would not substantially interfere with groundwater recharge. As such, the proposed project would not interfere substantially with groundwater recharge and would not impede Valley Water's sustainable groundwater management of the subbasin.

MITIGATION: None required.

c-i through c-iv) Less Than Significant Impact - 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 to avoid erosion on- and off-site that could violate water quality standards during construction and operation and requires all stormwater run-off 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: None required.

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. Additionally, the property is not located within a FEMA flood zone. 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.

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?	☐	☐	☐	☒	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

SETTING: The subject property is vacant and is characterized by predominantly annual grasslands and is bounded to the east by open space/rangelands; to the south by open space/rangelands and single-family home residential development; to the west by Piercy Road; and to the north by rural development. Access to the site is from Piercy Road within the City of San Jose. Across from Piercy Road is the City of San Jose boundary and future home to an industrial project of approximately 216,000 sf. (APN: 678-08-045 & -055). (City of San Jose File Nos. H22-035 and ER22-219).

The County's General Plan for Hillsides is geared to preserve mountainous lands and foothills unsuitable and/or unplanned for urban development to support and enhance rural character, protect and promote wise management of natural resources, avoid risks associated with natural hazards, and protect the quality of reservoir watersheds critical to the region's water supply. Allowable uses include agriculture and grazing, mineral extraction, parks and low-density recreational uses and facilities, land in its natural state, wildlife refuges, very low-density residential development, and commercial, industrial, or institutional uses which require remote, rural settings and support the study or appreciation of the natural environment. A religious institution is allowed subject to attaining a Use Permit and Architectural and Site Approval within the Hillside zoning designation.

DISCUSSION:

a & b) No Impact – The proposed development is adjacent to single family residential development, however the closest structure will be situated over 100 feet from the nearest residence. Perimeter landscaping will also be planted between the site and the subject property further buffering this proposed use and the residential homes to the south of the site. Neighboring residential properties are not as densely developed and are already buffered by open space. The proposed project will not disrupt any existing resource conservation or recreational uses or operations. The site would predominantly be used on Sundays and is an allowed use under the General Plan in this area. Siting the project as close to the public road as possible reduces the amount of grading. The project complies with all setbacks requirements in the County Zoning Ordinance. As such, the project will 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.

MITIGATION: None required.

L. MINERAL RESOURCES					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
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?	☐	☐	☐	☒	1, 2, 3, 6, 8a, 44, 45
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

SETTING: According to the Mineral Land Classification for Construction Aggregate Resources in the Monterey Bay Production-Consumption Region: California Geological Survey, Special Report 251, the project site is located within Mineral Resource Zone 3 (MRZ-3). MRZ-3 is defined as an area containing known or inferred construction aggregate resources of undetermined mineral resource significance. Mineral classifications are based solely on geologic and economic factors without regard to ownership and land use. Favorable geologic units for construction aggregate must meet marketability and demand.

The project site is vacant and is not include utilized for mining. No known valuable mineral resources are located on the subject property, which are delineated on a local general plan, specific plan, or other land use plan.

DISCUSSION:

a & b) No Impact –The proposed use of the property as a religious institution will not 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 or 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.

MITIGATION: None required.

M. NOISE					
	IMPACT				SOURCE
WOULD THE PROJECT:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
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, 49
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☐	☒	☐	13, 49
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: Noise studies were prepared by Saxelby Acoustics dated December 14, 2022, and January 17, 2024, for the project (Saxelby Noise Study). Total development would consist of development of 3.49 acres of a 5.84-acre site for the development of a religious institution comprising approximately 21,000 sf. of structures. Noise from the project site will be increased due to increased traffic, use of the patio event area for activities, and the breezeway/lower plaza area where individuals can converse after services. Although the project is located within the unincorporated area of Santa Clara County, nearby existing noise sensitive receptors are located within the boundaries of the City of San Jose. Therefore, the noise regulations for the City of San Jose were applied when completing the noise assessment. The project site is not near an airport (approximately 5.9 miles south of Reid-Hillview Airport), therefore it does not require referral to the Airport Land Use Committee.

To quantify the existing ambient noise environment in the project vicinity, Saxelby Acoustics conducted continuous (24-hr.) noise level measurements at two locations on the project site and took short-term noise level measurements at one location. Noise measurement locations are shown on **Figure 5**.

Table 5: Noise Monitoring Locations

According to the Saxelby Noise Study, existing background noise is largely attributed to traffic from Highway 101 and Piercy Avenue. The primary transportation noise sources at the sensitive receptors in the project vicinity are Highway 101 and Piercy Avenue.

Table 3: Summary of Existing Background Noise Measurement Data

Location	Date	L_{dn}	Daytime L_{eq}	Daytime L_{50}	Daytime L_{max}	Nighttime L_{eq}	Nighttime L_{50}	Nighttime L_{max}
LT-1: 70 ft. to CL of Piercy Rd.	11/2/2022	59	53	52	66	53	51	62
	11/3/2022	57	53	51	68	50	49	61
LT-2: 620 ft. to CL of Piercy Rd.	11/2/2022	61	56	55	72	55	53	70
	11/3/2022	59	56	52	75	52	51	63
ST-1: 50 ft. to CL of Piercy Rd.	11/2/2022	N/A	55	48	73	N/A	N/A	N/A

Notes:

- *All values shown in dBA*
- *Daytime hours: 7:00 a.m. to 10:00 p.m.*
- *Nighttime Hours: 10:00 p.m. to 7:00 a.m.*
- *Source: Saxelby Acoustics, 2022.*

Existing noise levels at sensitive receptors were calculated to be up to 61.4 dBA Ldn. Project related traffic noise increases could result in noise levels of up to 61.6 dBA Ldn, resulting in an increaseof up to 0.2 dBA Ldn at nearby sensitive receptors. This difference is not noticeable to the human ear and therefore would not cause a significant environmental effect.

Regulatory Framework

City of San Jose Noise standards
Noise and vibration Policy EC-1.1 specifies the standard for interior noise levels in residences, hotels, motels, residential care facilities and hospitals is 45 dBA DNL. EC-1.1 also indicates residential and most institutional land uses are considered "Normally Acceptable" for exterior noise levels up to 60 dBA DNL. This exterior noise level also provides "usable outdoor activity areas" for new multi-family and single-family residences.

Noise and vibration policy EC-1.2 specifies the City considers significant noise impacts to occur if a project would:

- Cause the DNL at noise sensitive receptors to increase by five dBA DNL or more where the noise levels would remain "Normally Acceptable:" or
- Cause the DNL at noise sensitive receptors to increase by three dBA DNL or more where noise levels would equal or exceed the "Normally Unacceptable" noise level.

Additionally, the following policy EC-1.3 applies to the proposed project:

- Mitigate noise generation of new nonresidential land uses to 55 dBA DNL at the property line when located adjacent to existing or planned noise sensitive residential and public/quasi-public land uses.

County Noise standards
The County General Plan Noise Element measures noise levels in Day-Night Average Sound Level (DNL), a 24-hour time weighted average, as recommended by the Environmental Protection Agency (EPA) for community noise planning. Noise Compatibility Standards for exterior noise specify three classifications of compatibility between ambient noise levels at the site and various land uses: satisfactory, cautionary, and critical. According to the Noise Element Noise Compatibility Standards for Land Use in Santa Clara County, the satisfactory exterior noise compatibility standard for residential land uses is 55 dB (decibels).

The County Noise Ordinance restricts exterior noise limits, for a cumulative period not to exceed more than 30 minutes in any hour, for one- and two- family residential land uses at 45 dBA between 10:00 p.m. to 7:00 a.m., and 55 dBA between 7:00 a.m. to 10:00 p.m. In addition, specifically prohibited acts include amplified sound, such as musical instruments, radios, and loudspeakers, from 10:00 p.m. to 7:00 a.m., or construction activity during weekdays and Saturdays from 7:00 p.m. to 7:00 a.m., or at any time on Sundays or holidays.

Construction Noise
During the construction of the proposed project, noise from construction activities would temporarily add to the noise environment in the project vicinity. Activities involved in construction would generate maximum noise levels ranging from 76 to 90 dB at a distance of 50 feet. The primary vibration-generating activities associated with the proposed project would occur during construction when activities such as grading, utilities placement, and parking lot construction occur.

Table 4: Construction Equipment Noise

Type of Equipment	Maximum Level, dBA at 50 feet
Auger Drill Rig	84
Backhoe	78
Compactor	83
Compressor (air)	78
Concrete Saw	90
Dozer	82
Dump Truck	76
Excavator	81
Generator	81
Jackhammer	89
Pneumatic Tools	85

Source: Roadway Construction Noise Model User's Guide. Federal Highway Administration. FHWA-HEP-05-054. January 2006.

Vibration

Vibration is like noise in that it involves a source, a transmission path, and a receiver. Vibration consists of an amplitude and frequency and a person's perception to the vibration will depend on their individual sensitivity to vibration. Construction activity can result in varying degrees of ground-borne vibration, depending on the type of soil, equipment, and methods employed. Levels of vibration are measured in velocity and are gauged with the level to which structural damage would occur. The threshold for architectural damage to structures is 0.20 in/sec p.p.v. (peak particle velocity).

During the construction phases of the project, noise from construction activities would add to the noise environment in the immediate project vicinity. As indicated in Table 4, activities involved in construction would generate maximum noise levels ranging from 76 to 90 dBA Lmax at 50 feet. Construction activities would also be temporary in nature and are anticipated to occur during normal daytime working hours. Noise would also be generated during the construction phase by increased truck traffic on area roadways. A project-generated noise source would be truck traffic associated with transport of heavy materials and equipment to and from the construction site. This noise increase would be of short duration and would occur during daytime hours.

Noise from localized point sources (such as construction sites) typically decreases by approximately 6 dBA with each doubling of distance from source to receptor. Given this noise attenuation rate and assuming no noise shielding from either natural or human-made features (e.g., trees, buildings, fences), outdoor receptors within approximately 1,600 feet of construction sites could experience maximum instantaneous noise levels of greater than 60 dBA when on-site construction-related noise levels exceed approximately 90 dBA at the boundary of the construction site.

DISCUSSION:

a) Less Than Significant Impact with Mitigation Incorporated

Ambient Traffic Noise

According to the Saxelby Noise Study, where existing traffic noise levels are greater than 60 dB Ldn and less than 65 dB Ldn, an increase of 3.0 dB Ldn in roadway noise levels will be considered significant. The maximum increase is traffic noise at the nearest sensitive receptor is predicted to be 0.2 dBA; thus, increased noise from traffic is not considered significant.

Operational Noise
The project is predicted to generate noise levels up to 55 dBA, L50 during daytime (7:00 a.m. to 10:00 p.m.) hours at the nearest property line. The maximum noise levels generated by the event patio and on-site vehicle circulation are predicted to be 15 dBA, or less, than the median (L50) values. Based upon the predicted average noise levels of 55 dBA L50, the maximum noise levels will be 70 dBA Lmax at the property line. Therefore, the project would comply with the Santa Clara County noise standard of 55 dBA L50 and 75 dBA Lmax daytime noise standards.

Construction Noise
During the construction phases of the project, noise from construction activities would add to the noise environment in the immediate project vicinity. A project-generated noise source would be truck traffic associated with transport of heavy materials and equipment to and from the construction site. This noise increase would be of short duration and would occur during daytime hours.

Of note, the City of San Jose standards consider construction noise impacts significant if a project located within 500 feet of residential uses or 200 feet of commercial or office use would involve substantial noise generating activities continuing for more than 12 months. The proposed project would require less than 12 months of construction; therefore, this would not apply to the proposed project.

According to the Saxelby Noise Study, during the construction phases of the project, noise from construction activities would add to the noise environment in the immediate project vicinity and construction noise would generate maximum noise levels ranging from 76 to 90 dBA Lmax at 50 feet. Construction activities would also be temporary in nature and are anticipated to occur during normal daytime working hours.

The County Noise Ordinance places limitations on the acceptable hours of construction. During development of the proposed project, construction activities occurring during the more noise-sensitive late evening and nighttime hours (i.e., 10 PM to 7 AM) are prohibited. Additionally, there are several residential uses directly north and east of the project site which may be subject to construction noise. As a result, noise generating construction activities would be considered to have a potentially significant short-term impact, therefore mitigation measure NOI-MIT 1 is will be applied to this project to reduce this impact.

MITIGATION:

Construction Noise
NOI – MIT 1: The following actions shall be applied to use of construction equipment:

- Construction activities (excluding activities that would result in a safety concern to the public or construction workers) shall be limited to between the daytime hours of 7 AM and 7 PM daily.

- Construction equipment shall be properly maintained and equipped with noise-reduction intake and exhaust mufflers and engine shrouds, in accordance with manufacturers' recommendations. Equipment engine shrouds shall be closed during equipment operation.

- When not in use, motorized construction equipment shall not be left idling for more than 5 minutes.

- Stationary equipment (power generators, compressors, etc.) shall be located at the furthest practical distance from nearby noise-sensitive land uses or sufficiently shielded to reduce noise-related impacts.

- The construction contractor shall utilize "quiet" models of air compressors and other stationary noise sources where technology exists.

- Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction activities, to the extent feasible.

- The required construction-related noise mitigation plan shall also specify that haul truck deliveries are to occur within the same range of hours specified for construction equipment.

- The construction contractor shall designate a "noise disturbance coordinator" who will be responsible for responding to any local complaints about construction noise. The disturbance coordinator shall be responsible for determining the cause of the noise complaint (e.g., starting too early, poor muffler, etc.) and instituting reasonable measures as warranted to correct the problem. A telephone number for the disturbance coordinator shall be conspicuously posted at the construction site.

b) Less Than Significant Impact – Construction vibration impacts include human annoyance and building structural damage. Human annoyance occurs when construction vibration rises significantly above the threshold of perception. Building damage can take the form of cosmetic or structural.

Construction vibration levels anticipated for the project are less than the 0.2 in/sec threshold at distances of 26 feet. Sensitive receptors which could be impacted by construction related vibrations, especially vibratory compactors/rollers, are located further than 26 feet from typical construction activities. At distances greater than 26 feet construction vibrations are not predicted to exceed acceptable levels. Additionally, construction activities would be temporary in nature and will occur during normal daytime working hours.

MITIGATION: None required.

c) No Impact - The closest airport, Reid Hillview Airport, is located approximately 5.62 miles north of the project site; therefore, the project would not expose people residing or working in the project area to excessive noise.

MITIGATION: None required.

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

SETTING: Total development would consist of 3.49 acres of a 5.84-acre site for a religious institution. The proposed use will include regular Sunday worship gatherings with classes for children ages 0 through grade12 during Sunday worship services along with community events.

DISCUSSION:

a & b) No Impact – The site will utilize existing roads to the access the site. The development of the religious institution would not directly or indirectly require extensions of roads or other off-site infrastructure. Water supply for the proposed use will be serviced by a public water system, Great Oaks Water Company.

The project will be served by an on-site wastewater system consisting of new sewage collection lines, septic tank, effluent collection lines, wastewater pre-treatment system, with primary and secondary drain fields. There are no other parcels that will use this system, nor will the water connection be shared. The usage of the property will be for visitors and patrons of the facility as allowed by the use permit. The proposed use would not directly or indirectly induce population growth. Nor would the project displace existing housing or people as the site is currently vacant.

MITIGATION: None required.

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

SETTING: The project is in the State Response Area (SRA) with the California Department of Forestry and Fire Protection (Cal Fire) as first responders for fire protection. The property is located within a moderate and high fire hazard severity zone (redesignated as very high in the 2023 maps) with all development being proposed within the moderate zone. Emergency calls would go to the Santa Clara County Sheriff's Office communications. The property is served by Great Oaks Water Company for domestic water and water tanks for domestic water, fire sprinklers, and hydrant. Electric services will be provided by PG&E. No new school facilities or parks would be required as part of this project, since the religious center would accommodate temporary use for their participants.

DISCUSSION:

a. i)-iv) No Impact – The site's use as a religious institution would not substantially increase the need for additional fire or police protection to the area in a manner that would interfere with or require changes to existing public services, nor would it generate demand for other public services, such as schools or parks.

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?	☐	☐	☐	☒	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

SETTING: The site is located in the Hillside zoning district. Surrounding land uses immediately adjacent to the building site are single-family homes and open space. Piercy Park is the closest park to the site, and it is situated 300 feet southeast of the property.

DISCUSSION:

a & b) No Impact – The project consists of a religious institution on a vacant parcel. All of the activities will occur within the parcel of project lot and will not affect existing parks or recreational facilities or create demand for new facilities.

MITIGATION: None required.

Q. TRANSPORTATION					
			IMPACT		SOURCE
WOULD THE PROJECT:	Potentially 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?	☐	☐	☒	☐	1, 4, 5, 6, 7, 50
b) Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?[10]	☐	☐	☒	☐	6, 50, 51, 53
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, 53
d) Result in inadequate emergency access?	☐	☐	☒	☐	1, 3, 5, 48, 50, 51, 53

SETTING: Total development would consist of 3.49 acres of a 5.84-acre site comprising approximately 21,000 sf. of structures. The site is accessed from Piercy Road, approximately 0.9 miles south of Silver Creek Valley Road in San Jose. The site is surrounded by open space with some residential homes. Although there are residential neighborhoods in the vicinity or the project site, the roadways serving those neighborhoods are either loops or have only one access point and do not connect to other major roads in the area. Therefore, traffic from the project would not use those residential roads as through roads.

The Blossom Hill Caltrain Station is located about 2.5-miles from the project site. Class II bike lanes are present along Silver Creek Valley Road, Hellyer Avenue, and Monterey Road. The Class I Coyote Creek Trail can be accessed via multiple trailheads along Silicon Valley Boulevard southwest of the project site. Pedestrian facilities near the project site consist of connected sidewalks along at least one side of all major roadways in the project vicinity. Crosswalks and countdown pedestrian signals are provided at all nearby signalized intersections.

A traffic study was prepared by Jeff Waller Consulting dated January 20, 2023, to assess the project's traffic-related impacts. The report indicated that two church services occur on Sundays each week between 9:30 AM and 11:00 AM. The pastor and other staff would arrive a half-hour earlier than the first service. Additionally, the applicant proposed to have up to 375 parishioners at each Sunday service. Multiple seasonal events would occur on weekends, spanning from weddings to backpack giveaways to Memorial Day food giveaways. These events occur either once per year or once per month, depending on the use. However, as these events occur on weekends, they would not affect the level of service calculations presented above.

The project includes a church with 601 seats and will provide 171 on-site parking spaces including 7 accessible spaces. This complies with the County Zoning Ordinance, which requires that 1 parking space be provided for every 4 seats.

10 The provisions of this section shall apply prospectively as described in section 15007.

Regulatory Framework

State

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 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 section 15064.3(b)(1) states that for land use projects, VMT exceeding an applicable threshold of significance may indicate a significant transportation 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.

DISCUSSION:

Church Activity
As indicated above, church services will occur on Sundays each week. Two services would occur each Sunday starting 9:30 AM and 11:00 AM. Youth classes – for students age 0 through 12th Grade – will also be held during the services. As both activities occur on Sundays, neither would add traffic during the weekday AM or PM peak hours. Multiple seasonal events would occur on weekends, spanning from weddings to backpack giveaways to Memorial Day food giveaways. These events occur either once per year or once per month, depending on the use. However, as these events would occur on weekends, they would not affect the level of service calculations presented above. According to the traffic analysis, use of the multi-purpose building and the church building will operate activities concurrently and no additional patrons will be added.

Events
Weekday activities at the church will include bible study, youth groups, and music team rehearsals. All of these would occur on weekdays from 6:30 – 9:00 PM on a rotating schedule. The church will host other events such as weddings, funerals, holiday giveaways and other religious holidays such as Easter. These events will generally occur on Saturdays or Sundays outside of the church service times.

a) - d) Less Than Significant Impact – Santa Clara Valley Transportation Agency (VTA) has established a process to determine if projects could have a significant impact on vehicle miles traveled (VMT). The State VMT guidelines are presented in the Technical Advisory on Evaluating Transportation Impacts in CEQA, State of California Governor's Office of Planning and Research, dated December 2018. The State publication establishes that projects generating less than 110 daily trips are exempt from any further VMT analysis. The proposed project will generate approximately 630 daily trips, with 49 trips during the AM peak hour and 70 during the PM peak hour. However, as a church use, the primary source of VMT is related to attendance and, according to the traffic analysis would fall under a retail use category (retail development over 50,000 s.f.) and therefore is considered

regional-serving and does not require further VMT analysis. According to the Technical Advisory on Evaluating Transportation Impacts on CEQA dated December 2018[11], a retail development under 50,000 sf. tends to attract local trips which reduces VMT. Thus, lead agencies are presumed to categorize retail uses as less-than-significant impact. Below is a table representing the projects trip activity (Table 6).

Table 6: Project Trip Activity

Trip Generation Rates[1]	ITE Land Use Code	Daily Trip Rate	AM Peak Hour				PM Peak Hour			
			Peak Hour Rate	% of ADT	% In	% Out	Peak Hour Rate	% of ADT	% In	% Out
Church	560	0.90	0.07	8%	60%	40%	0.10	11%	45%	55%
Proposed Use	**Project Size**	**Daily Trips**	**Peak Hour Trips**	**% of ADT**	**In**	**Out**	**Peak Hour Trips**	**% of ADT**	**In**	**Out**
Church	700 seats	630	49	8%	29	20	70	11%	32	38

Note:
1. Trip generation rates per *Trip Generation Manual*, 11th Edition, Institue of Traffic Engineers, 2021.

Although the property is in the unincorporated Santa Clara County, project access and surrounding roads are within the City of San Jose. The City of San Jose has an adopted threshold which provides that local-serving retail screening is not required for retail square footage over 10,000 sf. As the proposed project is approximately 35,000 sf. no additional screening would be required under City standards pursuant to City Counsel Policy 5-1 for Small Infill projects[12].

The project site is served by local bus route 42 located at Silicon Valley Road and Eden Park Plan intersection. According to the City of San Jose the existing pedestrian and bicycle facilities in the project vicinity provide good connectivity to points of interest in the area.

Access to the site is through Piercy Road which provides a full ingress and egress access. Therefore, the project will not generate substantial new traffic, impair existing transportation facilities, or result in inadequate emergency access. The project was reviewed by the County Fire Marshal's Office and Cal Fire and each has proposed conditions of approval to ensure adequate fire safety access is proposed.

Construction activities for the proposed structures would involve a small number of vehicle trips related to delivery of materials and workers commuting to the site. Because the number of trips would be temporary and mainly on Saturday and Sunday the proposed project would not have impacts on traffic and circulation. The project will provide on-site parking including accessible parking in conformance with the County parking requirements.

MITIGATION: None required.

11 Office of Planning and Research, Technical Advisory on Evaluating Transportation Impacts in CEQA, dated December 2018, accessed July 18, 2024: https://opr.ca.gov/docs/20190122-743_Technical_Advisory.pdf
12 City of San Jose, Council Policy 5-1, accessed July 18, 2024: https://www.sanjoseca.gov/home/showpublisheddocument/96688/638176810753900000

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	☐	☐	☐	☒	41, 42
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.	☐	☐	☐	☒	41, 42, 52

SETTING: The proposed project consists of the construction of a new church and multi-purpose building along with parking and other improvements. This project will involve the necessary grading, trenching, and other earth moving activities. The 5.84-acre site ranges in elevation from approximately 250 to 350 feet. An archaeological report was prepared by Archaeological Resource Management dated May 23, 2023, to assess whether there are any sensitive resources on site.

Regulatory

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 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)

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-i & a-ii) No Impact. – The site-specific archaeological report determined that the project would not have any impacts on tribal resources and 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 church proposed single-family residence would not cause a substantial adverse change in the significance of a tribal cultural resource, and no mitigation measures would be necessary. However, County standard conditions of approval offer additional protections if a concentration of artifacts or human remains is unexpectedly encountered during earth disturbing activities.

The Amah Mutsun Tribal Band and the Tamien Nation have requested notice on all County CEQA projects, and letters notifying them of the project and asking if they wanted to consult on the project pursuant to AB 52 were sent on July 10, 2024. Neither responded within the 30-time frame provided in the law and the County therefore did not enter into formal consultation with the Amah Mutsun Tribal Band or the Tamien Nation for this project.

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?	☐	☐	☐	☒	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, 39
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 area surrounding the project has electrical utility services provided by PG&E, potable water is provided by Great Oaks Water Company, and wastewater treatment system are provided via an on-site septic system. The proposed project includes a proposed on-site well, four 5,000-gallon water tanks, primary and secondary drain fields, and a septic tank.

DISCUSSION:

a) - e) No Impact – The project would be served by PG&E electrical utility service via an underground extension of electrical service lines to the project site. Great Oaks Water Company has agreed to serve the subject site via a letter dated February 15, 2023. Drinking and water used for fire suppression will be provided by nearby fire hydrants owned by Great Oaks Water Company. Along the northeast corner of the site a new onsite wastewater treatment system (OWTS) connecting to a leach field and septic tank will be developed. The proposal the new OWTS was reviewed, approved, and conditioned by the Department of Environmental Health to confirm that the septic system is adequate and sufficient to serve the project. The proposed onsite well and septic system would be sufficient to serve the project, and therefore there would be no impact to items b and c listed above.

As a standard condition of approval for all projects within the County of Santa Clara, property owners are to provide proof of garbage service at the time of final occupancy sign-off. Garbage service in the unincorporated areas of Santa Clara County is mandatory. As such, there is no impact to item d and e listed above.

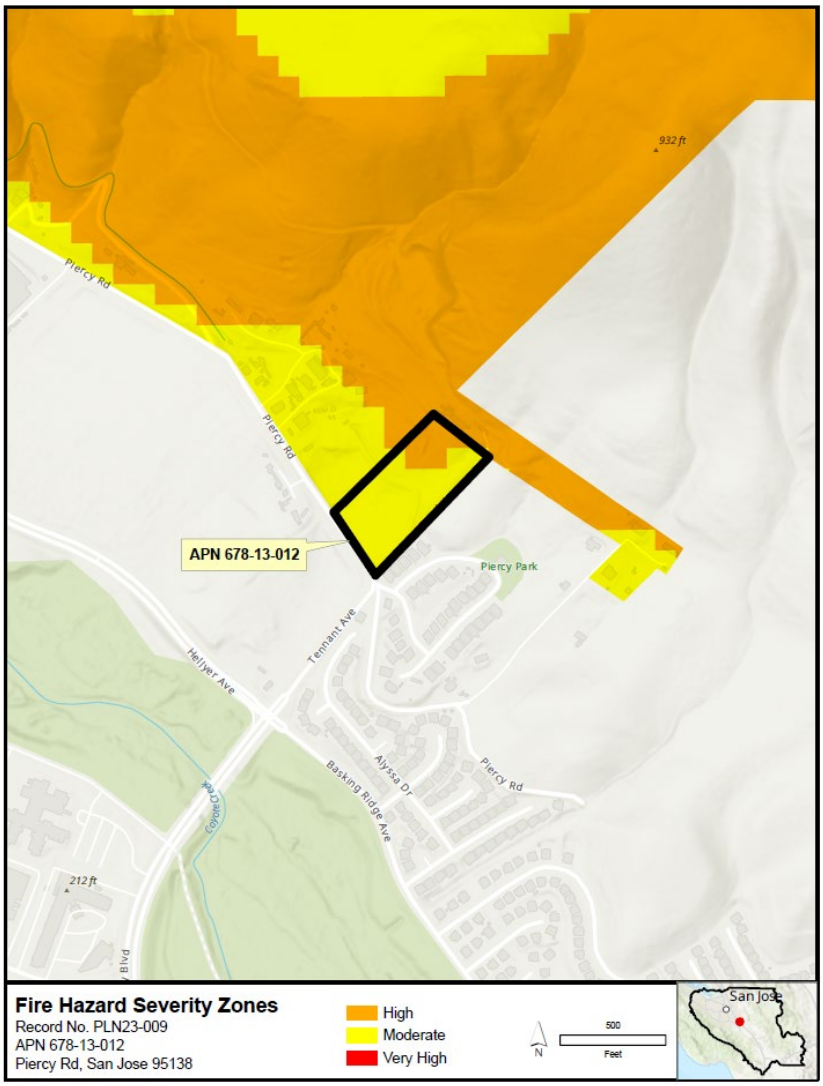
MITIGATION: None required.

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:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact	
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐	1, 2, 4, 5, 17h, 48, 53, 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, 53, 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, 17h, 53, 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, 53, 54

SETTING: The proposed project consists of the construction of a new church and multi-purpose building along with parking and other improvements. A Wildfire Management Plan was prepared by Wildlife Resource Management dated April 2024. According to the Wildfire Management Plan, the site is part of a broad, uniform slope rising in the same manner toward a ridgeline that runs southeast through the open space a butting the property. Several canyons cut through the ridgelines in these higher elevations, which could produce a minor "funneling" effect for easterly or northeasterly winds. West and south of the project site runs the relatively flat valley floor, interrupted only by a canyon in lower Coyote Creek southeast of the site. This relatively flat topography means that there is nothing to block westerly winds blowing onto the project site.

The entirety of the project site is currently covered with grassland, the vast majority of which is classified as dry climate grass fuel type. Tiny patches of taller grasses in the drainage ditches cutting through the center of the project site are mapped as moderate load, dry climate grass, as is a small blackberry patch on the northeast border of the property. Much of the site is listed as a Moderate Fire Hazard Severity Zone with a small portion designated as a High Fire Hazard Severity Zone (Refer to Figure 7 below). The property is also located within a Wild Urban Interface (WUI) fire protection area.

Figure 7: Fire Hazard Severity Map



The area of the proposed development gently slopes with an average slope of approximately 17.2 percent (17.2%). According to the November 7, 2022, Tukman Geospatial report on Santa Clara, Santa Cruz, and San Mateo County Wildfire Risk to Structures and Classified Wildfire Hazard Maps for Fire Prevention Planning, the property is in the moderate fire risk area, with an existing density of -.05 and -.09 structures per acre. The property is accessed via Piercy Road, which begins at the terminus of Tennant Avenue (a city-maintained road). Therefore, there is only one ingress/egress to and from route from the project site.

DISCUSSION:

a) Less Than Significant Impact – The project does not impair an adopted emergency response plan or emergency evacuation plan. The project will not prevent people at other existing developments from evacuating or being serviced by emergency responders.

MITIGATION: None required.

b), c), d) Less Than Significant with Mitigation Incorporated - The approximate 5-acre site is located on a gently southwest-facing slope. The average slope of the property 17.2 percent (17.2%)

with the flatter portion of the parcel being the area of the proposed development and currently covered almost entirely with low-volume grassy fuels.

Fire susceptibility
The site immediately abuts vast stretches of open space that extend north, east, and south of the site. Steeply sloped and densely wooded areas are particularly susceptible to fires that burn hot and are fast moving. Fire spread and structure loss is more likely to occur in low- to intermediate-density developments. Just south of the project site, beyond a graveled access road, is a residential neighborhood with backyards abutting the gravel road. According to the Wildfire Management Plan prepared for the project, structures in this residential neighborhood were built in compliance with WUI construction codes, although they do have connected wooden fences and five of the residences are close enough to the project site that their defensible space zones extend onto the project site. To the north of the project site is a horse boarding and training facility with two old, weathered wooden barns and newer wooden buildings forming facilities for the horses and a residence. The barns could be easily ignited in the event of a fire. There are minimal vegetative fuels in the paddocks and corral. Abutting the project site to the west is another proposed development currently covered with grass and herbaceous fuels on terrain that – like the project site – slopes gently eastward.

Wind
Wind direction and velocity profoundly affect fire behavior, but wind is considered the most variable and unpredictable weather element. Wind increases the flammability of fuels both by removing moisture through evaporation and by angling the flames so that they heat the fuels in the fire's path. The topography of Santa Clara County, coupled with the proximity to the Pacific Ocean, greatly influences wind patterns. The winds that create the most severe fire danger, known as the "Santa Ana" or "Diablo" winds, typically blow from the northeast. Because the site is situated west of a major expanse of open space, the worst-case scenario would be a northeasterly wind that would cast countless embers into the dry grass that surrounds the project site, and into ignition-prone structures and backyards in the residential neighborhood abutting the project site. The canyons further uphill in the open space to the northeast of the project site would create a “funneling” effect for northeasterly winds, which could blow embers from a fire in the open space onto flammable fuels on the project site and adjacent residential properties. The greatest wind speeds occur in spring and summer, with sometimes strong afternoon and evening winds on summer days. Summer ‘Diablo Winds’ can carry hot, dry air from the Central Valley over the Diablo Range and flow across Santa Clara Valley and then upslope over the Santa Cruz Mountains from a northerly direction towards the Monterey Bay.

California has seen a dramatic increase in the number, size, longevity, and destructiveness of wildfires since 2016. Although wildfire ignitions are primarily human-caused in California, wildfire behavior is largely driven by topography, fuel, climatic conditions, and fire weather (such as low humidity and high winds). Project patrons will be exposed to an increased risk to life and property from wildfires due to these factors which must be mitigated. The project was reviewed and conditions of approval proposed by the State Fire Marshal’s Office and Santa Clara County Fire Marshal’s Office. In addition, the project would be required to comply with mitigation measures WF-MIT 1 through WF-MIT 10 below.

One of the most effective ways to change fire behavior and thus reduce potential damage to structures and the environment is to manage fuels. This includes treatments to vegetation and construction and design practices to minimize ignition of structures. The following recommendations not only comply with fuel management standards as referenced in the County Fire Code but also include recommendations that provide additional protection. In the project area, vegetation treatments focus on

achieving a two to four-foot predicted flame length immediately after treatment. In all areas, vegetation treatment for evacuation support focuses on prohibiting highly flammable trees and understory shrubs that could enable torching, along with trees that may block access/egress should they fall. The goal for treatments is to provide safety to visitors and reduce loss of life and property from wildfires.

Vegetation Management Plan

WF – MIT 1: Standards for Defensible Space (within 100 feet of all structures, bounded by the property line)

a. A minimum of five-foot wide zone (the Non-Combustible Zone) nearest the structure shall be kept free of all woody plants and combustible materials.
b. The ground shall be kept free of dead leaves, mulch, needles or other plant debris. In addition, the ground surface shall be composed of inorganic, non-combustible, material such as decomposed granite, pebbles, or rock/flagstone.
c. Vegetation in the non-combustible zone shall include irrigated lawns and succulents but would exclude woody plants.
d. Dead material that drapes over ground cover shall be removed. This includes leaves, bark, and branches.
e. Dead plants and dry vegetation shall be removed.
f. Grass and weeds shall be kept to less than four inches in height.
g. Leaves, bark, and humus under trees and shrubs (including vines and semi-woody species) shall not exceed two inches in depth anywhere in a defensible space within a year. However, do not expose bare earth in over 50 percent of the site.
h. Remove all dead branches from within live ground covers, vines, shrubs (including semi-woody species), and immature trees.
i. Prune trees and large tree-form shrubs.
j. All lower tree branches, under three inches in diameter, shall be removed to provide vertical clearance of three times the height of the understory plants, or eight feet above understory plants, whichever is greater. Retention of short understory shrubs provides aesthetic benefits and wildlife habitat without sacrificing fire safety; alternatively, trees will be pruned to a higher height in order to allow for screening from the understory shrubs.
k. In young trees, remove the branches on the lower one-third of the height of the tree. Example: if a tree is 10 feet tall, prune the lower 3-4 feet and keep the understory plant material to less than one feet in height. As the tree grows to 24 feet in height, it can achieve the eight-foot distance from the ground, and the understory plant material can reach 2.5 feet in height.
i. Prune branches to a height of 8 feet above the ground. In young trees, prune branches on the lower one-third of the height of the tree. Do not disturb or thin the tree canopy. This promotes growth in the understory, which is more easily ignited.
l. All dead branches smaller than three inches in diameter shall be removed. All dead limbs greater than three inches in diameter shall be retained where they do not pose a public safety of fire risk.
m. Maintain at least eight feet of vertical clearance between roof surfaces and overhanging portions of trees.
n. Remove and safely dispose of all cut vegetation and hazardous refuse, using a gasifier or air curtain type burner wherever possible.
o. Chipped materials may remain on site, provided the mulch layer is no greater than three inches in depth.

WF – MIT 2: Standards for Roadside Treatments (within 10 feet of road pavement edge):

a. Grassland vegetation and invasive weeds shall be mowed to a 4-inch height or treated with herbicide annually before the grass grows to an average of four inches in height. In unusual circumstances when rains occur after grass is mowed, grass may be allowed to regrow or need to be re-mowed.
b. Understory shrubs shall be removed under trees or shortened to create a vertical distance between the top of the shrub and the bottom of the tree canopy of three times the shrub height.
c. Trees shall be pruned of lower branches (to 8 feet in height, or the lower third of branches).
d. All tree branches extending over roadway surfaces shall be pruned to ensure at least 15 feet of vertical clearance.
e. In evacuation support treatment areas, Southridge Church shall remove lower branches of all trees to a minimum height of 8 feet.

Access for Emergency Responders and Evacuation

WF - MIT 3: The portions of gravel road (on the southwest boundary) within the subject property shall be maintained as an all-weather access route that connects to a fire a fire road northeast of the parcel.

Emergency Planning and Notification

WF - MIT 4: Applicant shall submit annually an Evacuation Plan to ensure safe and efficient evacuation for site staff and guests. Verification of the Evacuation Plan shall be provided to the Planning Department every year for the first five-years and then made available upon request thereafter.

The Evacuation Plan shall include the following:

a. A contingency plan for events held during conditions of high fire danger. The highest priority is to provide safe evacuation routes in case of fire.
b. Identified safe access routes for emergency vehicles, including firefighting equipment, to access the scene of the fire.
c. During on-site events, the applicant shall monitor Red Flag fire conditions. If an event occurs on a Red Flag Day, a shuttle system shall be included to reduce the number of vehicles that will be required to evacuate if a wildfire were to occur.
d. During on-site events, all shuttle buses shall stay on site to facilitate evacuation in case of emergency.

WF - MIT 5: The property owner shall coordinate with adjacent landowners to share notification systems and practice their evacuation and emergency plan together annually. In all cases, evacuation should be done under guidance of the Santa Clara County Sheriff Department and its designee. Evacuation should be initiated earlier than required and considered whenever a wildfire is reported in the broader area. Verification of notification to adjacent landowners (invitation to practice annual evacuations) and any agreements shall be provided to the Planning Department every year for the first five-years and then made available upon request thereafter.

Fire Protection Equipment

WF - MIT 6: The property owner shall have a set of radios on-site at all times to coordinate both evacuation and to support emergency response.

WF - MIT 7: The property owner shall ensure that a water hose is connected during events.

Wildland Fire Response Training

WF - MIT 8: Wildfire training shall be provided to all staff present during on-site events. Verification of employee training shall be provided to the Planning Department for the first five-years and thereafter upon request. Training shall include the following:

a. Procedures for what to do if a wildfire starts including detection, reporting, operations (extinguisher training) and evacuation (i.e., what protocols are there for notifying guardians of minors, site residents, other employees and visitors). Participation of at least one staff member in a local Community Emergency Response Team is advisable.
b. Procedures for use of radios and other means of communication during an evacuation, including how staff is to use the visual/audio system during emergencies.
c. Training on how to use fire extinguisher and location of a connected water hose.
d. Pre-attack planning protocol and location of fire trails and resources during a fire event shall be included.
e. Detection procedures for when to mobilize emergency response and evacuate in an emergency.
f. Training on use of radio and procedures for notification of wildfire to Santa Clara County Fire Department and other emergency responders.

Pre-Attack Planning

WF - MIT 9: The property owner shall conduct pre-emergency planning which includes the preparation of site-specific maps with building locations, nonobvious blockages or narrow or steep paths, fire trails that lead off property, water sources and fire department connections, and locations of hazards. Verification of pre-emergency planning shall be provided to the Planning Department for the first five-years and thereafter upon request.

Verification of Pre-Attack Planning

WF – MIT 10: The property owner shall invite the Santa Clara County Fire Department or other responding agencies to the premise for familiarization of emergency access locations on an annual basis, if not more frequently. Verification that Santa Clara County Fire Department or other responding agencies were invited to review the emergency access plans shall be provided to the Planning Department for the first five-years and thereafter upon request.

MITIGATION: Refer to **WF - MIT 1** through **WF - MIT 10**.

U. MANDATORY FINDING OF SIGNIFICANCE		
	IMPACT	**SOURCE**

	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?	☐	☒	☐	☐	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) Less Than Significant with Mitigation Incorporated - As discussed in the Aesthetics section, there would be minimal visual impacts of the project to the surrounding area as well as minimal lighting disrupting nighttime views. Impacts to Biological Resources were analyzed and the project's potential impacts to special-status species would be less than significant or 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.

MITIGATION:

- **BIO-MIT 1: Western Burrowing Owl Avoidance.**
- **BIO-MIT 2: Avoidance Measures for Western Burrowing Owl.**
- **BIO-MIT 3: Non-Breeding Season protection measures for Western Burrowing Owl.**
- **BIO-MIT 4: Construction Monitoring for Western Burrowing Owl.**
- **BIO-MIT 5: Passive Relocation if burrows are found.**
- **BIO-MIT 6: Exceptions to Passive Relocation Prohibition.**
- **BIO-MIT 7: Pre-construction Survey American Badger.**
- **BIO-MIT 8: Avoidance Measures for American Badger.**
- **BIO-MIT 9: Tailgate Training for American Badger.**
- **BIO-MIT 10: Nesting Raptors protection.**

b) Less Than Significant with Mitigation Incorporated - No cumulatively considerable impacts would occur with development of the proposed project. During construction of the project there will be hazards associated with dust and noise which will be limited to a less than significant level. These impacts are temporary in nature and will only span the time during which the church, multi-purpose building and associated facilities are under construction.

During assessment of the geology of the site, two secondary faults were identified within the southwestern half of the site in the general location of the church. The geologist recommended that structures adhere to a building setback from both fault features and a mitigation is being implemented to ensure that development is not within these faults. In addition, an abandoned gully located on the site could have the potential to cause future erosion therefore, the geologist recommended this gully be fully filled prior to development of the parcel.

To reduce the impacts of the GHG emissions from vehicles accessing the site and align with current CalGreen code requirements, the applicant will be required to incorporate EV parking spaces.

Most of the site is listed as Moderate for Fire Hazard Severity, with a small portion designated as High Fire Hazard Severity. The property is also located within a Wild Urban Interface (WUI) fire protection area. Mitigation measures to reduce the risks to persons from wildfire have been incorporated into the project to reduce this risk to less than significant.

MITIGATION:

- **NOI-MIT 1: Construction Noise reduction measures.**
- **GHG-MIT 1: GHG Emission reduction, EV parking stalls.**
- **WF-MIT 1 & 2: Standards for Vegetation Treatment.**
- **WF-MIT 3: Access for Emergency Responder and Evacuation.**
- **WF-MIT 4 & 5: Communication Protocols**
- **WF-MIT 8: Wildland Fire Response.**
- **WF-MIT 9: Pre-Attack Planning**
- **WF-MIT 10: Detection**

c) Less Than Significant Impact - 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. 2023 CEQA Statute Guidelines [Current Edition]
https://www.califaep.org/docs/CEQA_Handbook_2023_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)
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]
https://stgenpln.blob.core.windows.net/document/ALUC_E16_CLUP.pdf

22b. Los Gatos Hillsides 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-businesses-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 (2022)-
https://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/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
https://www.sccgov.org/sites/dpd/DocsForms/Documents/Tree_Ordinance.pdf

Section C16, Santa Clara County Guide to Evaluating Oak Woodlands Impacts

Initial Study Source List*

https://www.sccgov.org/sites/dpd/DocsForms/Documents/Oakwoodlands_Guide.pdf

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

34. Clean Water Act, Section 404
https://www.epa.gov/cwa-404/permit-program-under-cwa-section-404

35. Santa Clara Valley Water District – GIS Data:
https://www.valleywater.org/learning-center/watersheds-of-santa-clara-valley

36. 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. California Geological Survey, Special Publication #42

45. State Division of Mines and Geology, Special Report #146

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

54. Office of the Attorney General. 2022. Best Practices for Analyzing and Mitigating Wildfire Impacts of Development Projects Under the California Environmental Quality Act

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***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.**