MITIGATED NEGATIVE DECLARATION

The Director of Planning, Building and Code Enforcement has reviewed the proposed project described below to determine whether it could have a significant effect on the environment as a result of project completion. “Significant effect on the environment” means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

NAME OF PROJECT: Rocketship Jackson.

PROJECT FILE NUMBER: C13-049 and CP13-085

PROJECT DESCRIPTION: A Conventional Rezoning from the R-1-8 Single-family Residential zone district to the CP Commercial Pedestrian zone district and a Conditional Use Permit to allow the construction and operation of a public charter elementary school. The project includes the acquisition of a portion of the former San Fernando Street right-of-way (APN 484-41-163), the conversion of an existing U.S. post office building into a classroom building, the construction of a new 12,295 square foot classroom building, and the development of a parking lot and play areas on a 1.24 gross acre site.

PROJECT LOCATION & ASSESSORS PARCEL NO.: 70 S. Jackson Avenue, about 400 feet south of the intersection of Jackson Avenue and Alum Rock Avenue (APNs 484-41-162 and -63).

COUNCIL DISTRICT: 5

APPLICANT CONTACT INFORMATION: Launchpad Development Twelve, LLC, 350 Twin Dolphin Drive, Suite 109, Redwood City, CA 94065

FINDING: The Director of Planning, Building & Code Enforcement finds the project described above will not have a significant effect on the environment in that the attached initial study identifies one or more potentially significant effects on the environment for which the project applicant, before public release of this draft Mitigated Negative Declaration, has made or agrees to make project revisions that clearly mitigate the effects to a less than significant level.

MITIGATION MEASURES INCLUDED IN THE PROJECT TO REDUCE POTENTIALLY SIGNIFICANT EFFECTS TO A LESS THAN SIGNIFICANT LEVEL

I. AESTHETICS. The project will not have a significant impact on aesthetics or visual resources, therefore no mitigation is required.

II. AGRICULTURE AND FOREST RESOURCES. The project will not have a significant impact on agriculture or forest resources, therefore no mitigation is required.
III. **AIR QUALITY.** The project will not have a significant air quality impact, therefore no mitigation is required.

IV. **BIOLOGICAL RESOURCES.** The project will not have a significant impact to biological resources, therefore no mitigation is required.

V. **CULTURAL RESOURCES.**

**Impact CUL-1:** The project site is located within an archeologically-sensitive area, so subsurface cultural resources could be uncovered and disturbed during demolition/construction of the proposed project, resulting in a significant impact to archaeological materials.

**Mitigation Measure CUL-1.1:** If artifacts or unusual amounts of shell or bone or other items indicative of buried archaeological resources or human remains are encountered during earth-disturbance associated with the proposed project, the onsite contractor shall immediately notify the Division Manager of the Environmental Section of the City of San José Planning Department and Launchpad Development Twelve LLC and all soil-disturbing work shall be halted within 100 feet of the discovery until a qualified archaeologist completes a significance evaluation of the finds pursuant to Section 106 of the National Historic Preservation Act. Any human remains unearthed shall be treated in accordance with California Health and Safety Code Section 7050.5 and Public Resources Code Sections 5097.94, 5097.98 and 5097.99, which include requirements for consultation with Native American representatives determined to be the most likely descendants.

**Mitigation Measure CUL-1.2:** Should any evidence of paleontological resources (e.g. fossils) be encountered during grading or excavation either onsite or offsite as a result of project construction, work shall be suspended within 100 feet of the find, and the Division Manager of the Environmental Section of the City of San José Planning Department and Launchpad Development Twelve LLC shall be immediately notified. At that time, the Division Manager of the Environmental Section of the City of San José Planning Department and Launchpad Development Twelve LLC shall coordinate any necessary investigation of the site with a qualified paleontologist as needed to assess the resource and provide property management recommendations, such as avoiding the resource and/or excavating and recording data on the resource. The contractor shall implement any measures deemed necessary by the paleontologist, the City of San José and Launchpad Development Twelve LLC for the protection of the paleontological resource.

VI. **GEOLOGY AND SOILS.** The project will not have a significant impact due to greenhouse gas emissions, therefore no mitigation is required.

**Impact GEO-1:** The project site is located on expansive soils and within an area susceptible to liquefaction.

**Mitigation Measure GEO-1:** Launchpad Development 12, LLC, shall ensure that building construction plans incorporate the site-specific design and construction recommendations provided in Section 8 of the Geotechnical report prepared for the project, titled *Geotechnical Investigation and Geologic Hazards Evaluation*, prepared by Cornerstone Earth Group and dated May 31, 2013, to ensure foundations will be capable of tolerating the anticipated liquefaction-induced settlement.
VII. **GREENHOUSE GAS EMISSIONS.** The project will not have a significant impact due to greenhouse gas emissions, therefore no mitigation is required.

VIII. **HAZARDS AND HAZARDOUS MATERIALS.** The project will not have a significant impact resulting from hazards or hazardous materials, therefore no mitigation is required.

IX. **HYDROLOGY AND WATER QUALITY.** The project will not have a significant impact on hydrology and water quality, therefore no mitigation is required.

X. **LAND USE AND PLANNING.** The project will not have a significant land use impact, therefore no mitigation is required.

XI. **MINERAL RESOURCES.** The project will not have a significant impact on mineral resources, therefore no mitigation is required.

XII. **NOISE.**

**Impact NOISE-1:** The project will expose persons to or generate noise levels in excess of standards established in the *Envision San Jose 2040 General Plan.*

**Mitigation Measure NOISE-1.1:** To reduce excess noise exposures in the lunch area due to Jackson Avenue traffic sources, the following noise control barrier will be required: Construct a 6-foot high acoustically-effective barrier that connects the existing and new buildings to shield the lunch area. The barrier height is in reference to the nearest lunch area elevation. The location and height of the noise control barrier will be consistent with Figure 3 in the Noise Assessment Study for the project, titled *Noise Assessment Study Prepared for Rocketship School, Jackson Avenue, San Jose,* prepared by Edward L. Pack, Associates and dated July 26, 2013. The barrier can include a gate to accommodate a pedestrian exit in this location. The gate and associated fence or other barrier must meet acoustical fence detail and gate design requirements. Specifically, to achieve an acoustically-effective barrier, it must be made air-tight, i.e., without cracks, gaps, or other openings and must provide for long-term durability. The barrier can be constructed of wood, stucco, masonry, earth berm or a combination thereof and must have a minimum surface weight of 2.5 lbs. per sq. ft. If wood fencing is used, homogeneous sheet materials are preferable to conventional wood fencing as the latter has a tendency to warp and form openings with age. However, high quality, air-tight, tongue-and-groove, shiplap, or board and batten construction can be used, provided the minimum surface weight requirement is met and the construction is air-tight. The noise control barriers must be constructed so that all joints, including connections with posts or pilasters are sealed air-tight and no openings are permitted between the upper barrier components and the ground.

**Mitigation Measure NOISE-1.2:** The applicant shall perform a detailed acoustical analysis of all outdoor mechanical equipment at such time the buildings are designed. Noise mitigation measures shall be included in the design of the mechanical system and/or building for compliance with the noise standard of the City of San José’s *Envision San Jose 2040 General Plan* Noise Element.

**Mitigation Measure NOISE-1.3:** The classrooms with a direct or side view to Jackson Avenue must install one of the following two window glazing alternatives: a single-pane ½” laminated glass, or a
dual-pane thermal insulating window comprised of ¼” monolithic glass, a minimum 1” air-space, ¼” monolithic glass.

The windows on facades with a side or direct view of Jackson Avenue may be operable as the requirement does imply a “fixed” condition. The windows shall be installed in an acoustically-effective manner. The window frames shall be caulked to the rough opening using a non-hardening caulk or acoustical sealant to prevent sound infiltration. Spray foams are not acceptable. Operable window panels/sashes must close air-tight. Additionally, the windows shall remain closed during classroom sessions.

Mitigation Measure NOISE-1.4: A noise barrier will be required along the eastern boundary of the project site to reduce excess noise levels resulting from playground activity, drop-off, and pick up for residences to the east of the project site. The noise barrier location and heights must be consistent with the figure included in the Noise Control Barrier Reconfiguration memo prepared by Edward L. Pack Associates, dated November 4, 2013. This noise barrier shall have the following characteristics:

a) Construct a 6 to 9 foot high acoustically-effective barrier along the easterly property line of the site contiguous with the residences to the east and along a portion of the northerly property line of the site, consistent with the sound barrier description, height, and location indicated in the Noise Control Barrier Reconfiguration memo. The barrier shall extend from southeast corner of the site at the former San Fernando Street right-of-way to the northeast corner of the site, excluding the former San Fernando Street right-of-way (APN 484-41-163). To the northeast corner of the site and along the northern site boundary westerly for approximately 50 feet. Starting from the southeast corner, the barrier shall be a minimum of 6 feet high and continue for 100 feet. The barrier shall then continue at 7 feet high for 90 feet, at 8 feet for 50 feet, at 9 feet high for 80 feet to reach the northeastern corner. The barrier shall then be extended westerly at a height of 9 feet for 50 feet. These lengths may be adjusted slightly to facilitate the installation of standard fence/wall/panel lengths and posts. The barrier heights are in reference to the nearest playground/driveway elevation.

b) To achieve an acoustically-effective barrier, it must be made air-tight, i.e., without cracks, gaps, or other openings and must provide for long-term durability. The barrier can be constructed of wood, stucco, masonry, earth berm or a combination thereof and must have a minimum surface weight of 2.5 lbs. per sq. ft. If wood fencing is used, homogeneous sheet materials are preferable to conventional wood fencing as the latter has a tendency to warp and form openings with age. However, high quality, air-tight, tongue-and-groove, shiplap, or board and batten construction can be used, provided the minimum surface weight requirement is met and the construction is air-tight. The noise control barriers must be constructed so that all joints, including connections with posts or pilasters are sealed air-tight and no openings are permitted between the upper barrier components and the ground.

Impact NOISE-2: The project will create a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

Mitigation Measures: See Mitigation Measures NOISE-1.1 to NOISE-1.4, above.
XIII. **POPULATION AND HOUSING.** The project will not have a significant population and housing impact, therefore no mitigation is required.

XIV. **PUBLIC SERVICES.** The project will not have a significant impact on public services, therefore no mitigation is required.

XV. **RECREATION.** The project will not have a significant impact on recreation, therefore no mitigation is required.

XVI. **TRANSPORTATION / TRAFFIC.** The project will not have a significant impact on transportation or traffic, therefore no mitigation is required.

XVII. **UTILITIES AND SERVICE SYSTEMS.** The project will not have a significant impact on utilities and service systems, therefore no mitigation is required.

XVIII. **MANDATORY FINDINGS OF SIGNIFICANCE.** With implementation of the mitigation measures above, the project will not substantially reduce the habitat of a fish or wildlife species, be cumulatively considerable, or have a substantial adverse effect on human beings.

**PUBLIC REVIEW PERIOD**

Before 5:00 p.m. on **December 3rd, 2013**, any person may:

1. Review the Draft Mitigated Negative Declaration (MND) as an informational document only; or

2. Submit written comments regarding the information, analysis, and mitigation measures in the Draft MND. Before the MND is adopted, Planning staff will prepare written responses to any comments, and revise the Draft MND, if necessary, to reflect any concerns raised during the public review period. All written comments will be included as part of the Final MND.

Joseph Horwedel, Director  
Planning, Building and Code Enforcement

[Signature]

Deputy

Circulation period, from **November 14, 2013** to **December 3, 2013**
INITIAL STUDY
ROCKETSHIP PUBLIC CHARTER ELEMENTARY SCHOOL
SOUTH JACKSON AVENUE

Lead Agency:
City of San José
File Numbers C13-049 and C13-085

Prepared for:
Rocketship Education

Prepared by:
DUDEK

NOVEMBER 2013
ROCKETSHIP PUBLIC CHARTER ELEMENTARY SCHOOL
SOUTH JACKSON AVENUE
INITIAL STUDY

PROJECT TITLE: Rocketship Jackson Avenue Charter Elementary School
LEAD AGENCY: City of San José
200 E Santa Clara
San José, CA 95111
CONTACT PERSON: David Keyon
david.keyon@sanjoseca.gov
(408) 535-7898
PROJECT LOCATION: 70 S Jackson Ave
San José, CA 95116
APNs: 484-41-162 and 484-41-163
PROJECT APPLICANT: Launchpad Development Twelve LLC
350 Twin Dolphin Drive, Suite 109
Redwood City, CA 94065
GENERAL PLAN: Public/Quasi-Public
ZONING: R-1-8 (residential)
EXISTING LAND USE: Vacant building (former post office) and vacated city right-of-way

PROJECT SUMMARY
The proposed project would remodel an existing building and construct a new building for a
Transitional Kindergarten through 5th Grade public elementary school that would be part of
the Rocketship Education Public Charter School system. The school would allow for enrollment
of up to 650 students and would include onsite parking and play areas. The requested project
approvals include a Conditional Use Permit and a rezone to the CP – Commercial Pedestrian
district.

PROJECT LOCATION
The project is located in the northeast portion of the City of San José, near Interstate 680. The
project’s regional location is shown on Figure 1 while the project vicinity is shown in Figure 2.

The project site is located at 70 S. Jackson Avenue, San José, California. The site includes two
parcels – the location of the former post office at this address and the adjacent parcel to the
south which currently supports a paved alley that was formerly a City of San José right-of-way:
a short segment of East San Fernando Street. The City of San José vacated this property in 1998.
Easements for Public Service and stormwater release are recorded on the property.
The site is located on the east side of S. Jackson Avenue, south of the intersection of S. Jackson Avenue and Alum Rock Avenue. A bank is located north of the project site and residential land uses border the site to the east. A parking lot is adjacent to the southern boundary of the project site, and a small retail center is located south of the parking lot.

**PROJECT SITE CHARACTERISTICS**

The project site comprises approximately 1.5 acres, consisting of 1.25 acres on APN 484-41-162 and 10,800 square feet on APN 484-41-163. The northern parcel, APN 484-41-162 currently supports one building, approximately 10,270 square feet in size. The existing building operated as a U.S. Post Office from 1961 to 2010. As shown in the aerial photograph in Figure 3, the rest of this northern parcel is paved. The southern parcel, APN 484-41-163, supports a paved alley. This segment of East San Fernando Street was vacated by the City in 1998. The site slopes gently down towards the south. There is no vegetation onsite.

**SURROUNDING LAND USES AND SETTING**

The project site is located in a mixed residential and commercial area. Commercial and retail uses in the vicinity include a bank, gas station, and two small retail centers (one slightly north of the site on the west side of Jackson Avenue and one south of the site on the east side of the street). Single-family residences are located east and southwest of the site while multi-family residences and a church are located to the west.

**PROPOSED PROJECT CHARACTERISTICS**

**Zoning and Conditional Use Permit**

The project proposes changing the zoning designation for the site from R-1-8 (residential) to CP (Commercial Pedestrian). The CP district is intended to support pedestrian oriented retail activity at a scale compatible with surrounding residential neighborhoods. This district is designed to support the goals and policies of the general plan related to neighborhood business districts. The CP Commercial Pedestrian District also encourages mixed residential/commercial development where appropriate. Under the CP zone district, the proposed project would require a Conditional Use Permit.

**School Site Layout**

The proposed site plan is provided in Figure 4. The proposed elementary school would include the existing 10,270 square foot building located in the center of the project site and a new 12,295 square foot building that would be constructed in the middle of the project site. The existing paved alley in the southern portion of the site would be used for vehicular access to the site during school drop-off and pick-up periods and for a portion of the project site parking. The former loading dock and courtyard space between the two buildings would function as the lunch area and part of the play area. The existing structure would be improved with interior modifications to accommodate the school use (replace ceiling, remove floor tiles and blast and stain existing concrete floor, remove existing dividing walls and construct new walls, install new plumbing) and exterior improvements to include replacing the roof, modifying windows and installing skylights, installation of roof-mounted HVAC, and upgrading the structural
integrity of the building to meet current requirements of California’s Field Act. As discussed in the Air Quality and Hazards and Hazardous Materials sections below, renovations to the existing post office building could disturb materials containing asbestos and/or lead, and appropriate standards would be followed to control for release of these materials during renovations.

The school would be constructed in the spring and summer of 2014. It would have a maximum capacity of 650 students and 32 staff. There would be a total of approximately 21,000 square feet of building space onsite. The two buildings would include classroom spaces for grades K – 5 (including transitional kindergarten), a parent work room, a conference room, administration space and offices, and student and staff restrooms. The new building would be a site-built metal building with a concrete foundation, with steel framing and beams. The building’s exterior walls would be painted and would include louvered sun protection panels. Paint colors would likely include deep and medium teal with purple and orange accents. Light fixtures mounted on the building would be used to illuminate the pedestrian pathways and door entries. Additional pole mounted lights would be used to safely illuminate the campus.

Recreation and communal spaces on the project site total 12,160 square feet, including a 1,520-square foot basketball court, a 25-yard dash race track, a four square court, a 1,640-square foot play equipment area, a 4,350-square foot courtyard, and a 1,520-square foot basketball court. The play area and play equipment area would both be located in the eastern portion of the site, between the existing and proposed buildings and the rear property line. The basketball court would be located in the northeastern corner of the site.

The school site would also include a parking lot containing 35 parking spaces (33 standard spaces and 2 handicapped spaces). Nineteen of the parking spaces, including the handicapped spaces, would be located on the northern portion of the site and the remaining 16 spaces would be located on the alley parcel at the southern end of the site. Outside of school drop-off and pick-up periods, access to the site would be from the existing driveway on S. Jackson Avenue. This driveway would be widened from 17 feet to 26 feet.

During school drop-off and pick-up periods, access to the site would be from an existing driveway on East San Fernando Road at the southeast corner of the site. Vehicles would enter the site from this driveway, travel north along the eastern site boundary, passing through the basketball court play area (no children would be allowed to play in this area during drop-off and pick-up periods), then turn left and travel westerly to exit the site onto S. Jackson Avenue. Traffic exiting the site during drop-off and pick-up periods would be restricted to right turns only. The driveway on E. San Fernando Street would be gated outside of drop-off and pick-up periods.

The student loading area would be located at the western end of the parking lot, with the western end of the loading areas approximately 100 feet east of the property line. The loading zone would be 125 feet long, which would accommodate 10 vehicles in a dual queue lane configuration (i.e., two lanes, each with 5 vehicles). Student drop-off would be from 7:15 a.m. to 8:00 a.m. Afternoon pick-up would be from 3:45 p.m. to 3:55 p.m. for kindergarten, 4:00 p.m. to 4:10 p.m. for grades 1 and 2, and 4:10 p.m. to 4:20 p.m. for grades 3 through 5. For those students in after-school programs, pick up would be between 5:50 p.m. and 6:05 p.m. School
personnel would manage traffic and place cones in the drive aisle while children load/unload. After all children have cleared the loading zone, staff would remove the cones and allow traffic to move again so that the next 10 vehicles can enter the loading zone.

The school campus perimeter would be defined with concrete masonry unit (CMU) walls, chain link fencing and sound walls. A two-foot high CMU wall would be constructed along the west and south site frontages in front of the buildings, with landscaping between the CMU wall and the street frontage. A two-foot high CMU wall would also be constructed along the northern site boundary, which would serve as the footings for a six-foot tall chain link fence. A sound wall ranging between 6 and 9 feet high would be constructed on the eastern site boundary and a portion of the northern site boundary. Site landscaping would be consistent with City of San José requirements and would include a raised-bed garden area, shrubs, ground cover and trees, incorporating native California plants where possible. Bioswales would be located along the alley on the southern side of the new construction, between the post office and basketball court, and in the courtyard.

The design of the new building at the site is expected to be LEED eligible. Green building concepts incorporated into the proposed project include low-flow urinals; high efficiency HVAC system; solar screens on the west and south portions of the buildings and louvered sun protection for certain exterior facing windows; energy efficient windows; electricity usage forty percent better than Title 24 requirements, including LED bulbs for all interior lighting and all lights equipped with sensors to turn off the lights when there is sufficient daylight in a room; low-emitting VOC materials/products; recycled aggregate base product; recycled landscape mulch; and C-3 compliance with onsite mitigation of all stormwater runoff using a vegetation swale (bioswale).

**School Operations**

School activities would occur between 7:15 a.m. and 6:00 p.m., with classes held between 8:00 a.m. and 4:00 p.m. Monday through Friday. Student drop-off would be from 7:15 a.m. to 8:00 a.m. Afternoon pick-up would be between 3:45 p.m. and 4:25 p.m., with Kindergarten dismissal at 3:45, grades 1 and 2 dismissed at 4:00 and grades 3 through 5 dismissed at 4:10. If a transitional kindergarten program is included at the school, those students would be onsite for approximately 4 hours each day, either between 8:00 a.m. and noon or between noon and 4:00 p.m. For those students in after-school programs, pick up would be between 5:50 p.m. and 6:05 p.m. At capacity, approximately 100 students would be dismissed at 3:45 p.m., approximately 160 students would be dismissed at 4:00 p.m., approximately 220 students would be dismissed at 4:10 p.m., and approximately 170 students would be dismissed at 6:00 p.m. Play periods would occur throughout the day with a maximum of 135 students at play at any one time.

**Construction Activities**

Project construction would begin in March 2014 and be complete in August 2014. Construction hours would be from 8:00 a.m. to 5:00 p.m. Monday through Friday and would include the following activities and equipment:
Table 1: Construction Activities

<table>
<thead>
<tr>
<th>Activity</th>
<th>Duration</th>
<th>Equipment/Import/Export</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Renovations</td>
<td>20 days</td>
<td>One each: tractor, saw (2 hours daily), generator set</td>
</tr>
<tr>
<td>Site Preparation</td>
<td>9 days</td>
<td>Three tractors/loaders/backhoes 520 cubic yard paving export</td>
</tr>
<tr>
<td>Grading</td>
<td>14 days</td>
<td>One each: grader, scraper, tractor/loader 480 cubic yard soil export 740 cubic yard aggregate import</td>
</tr>
<tr>
<td>Utilities/Trenching</td>
<td>75 days</td>
<td>One each: excavator, loader/tractor/backhoe 150 cubic yards soil export 110 cubic yards aggregate/sand import</td>
</tr>
<tr>
<td>Building Construction</td>
<td>90 days</td>
<td>Two cranes used for two days (two hours daily), one forklift and one tractor/loader used a limited number of days, and one ach: generator set,</td>
</tr>
<tr>
<td>Paving Work</td>
<td>3 days</td>
<td>One each: paver, roller</td>
</tr>
<tr>
<td>Architectural Coatings</td>
<td>4 days</td>
<td>Two compressors</td>
</tr>
</tbody>
</table>

Grading cuts and fills are expected to range between one and three feet. The amount of material that would need to be hauled off the site during each construction phase is shown above in Table 1. It is expected that a total of approximately 125 truck trips may be necessary to accomplish the anticipated materials movement.

The project would file a Notice of Intent (NOI) with the State Water Resources Control Board prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) in compliance with the requirements of the State Construction General Permit under the National Pollutant Discharge Elimination System (NPDES) requirements of the Clean Water Act. The SWPPP will specify the use of appropriate best management practices (BMPs) for erosion control and spill prevention during construction and permanent post-construction stormwater management measures following construction. BMPs would include perimeter straw waddles at all disturbed grading areas, inlet protection at all new and existing inlets subject to potential sediment flow, rock construction entrances and designated protected concrete washout areas.
ENTITLEMENTS AND REQUIRED APPROVALS

- Rezone approval from the City of San José.
- Conditional Use Permit from the City of San José.
- Site Development Permit from the City of San José.
- Division of the State Architect (DSA) approval for the renovation of the existing building and approval for the new building, disabled access, fire and life safety systems.
- San Francisco Bay Regional Water Quality Control Board for NPDES General Permit and Storm Water Pollution Prevention Plan (SWPPP).
- Santa Clara Valley Water District for potable water hookups.
- City of San José Department of Public Works for off-site improvement approvals, road encroachment permit, storm drain and sewer hook-ups.
- San José Fire Department for site access and fire hydrants/water pressure.
- Santa Clara County Health Department for food server at the school.

TECHNICAL STUDIES COMPLETED FOR THE PROPOSED PROJECT

Several technical studies were completed to evaluate the potential environmental impacts associated with the proposed project. The reports referenced throughout this Initial Study are included as appendices as indicated below:

APPENDIX A: Historic Resources Report

APPENDIX B: Cultural Resources Inventory

APPENDIX C: Geotechnical Investigation and Geologic Hazards

APPENDIX D: Phase I Environmental Site Assessment

APPENDIX E: Floodplain Analysis

APPENDIX F: Noise Assessment Study

APPENDIX G: Traffic Impacts Analysis
ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:
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.

☐ Aesthetics  ☐ Agriculture and Forestry Resources  ☐ Air Quality
☐ Biological Resources  ☐ Cultural Resources  ☐ Geology/Soils
☐ Greenhouse Gas Emissions  ☐ Hazards & Hazardous Materials  ☐ Hydrology/Water Quality
☐ Land Use/Planning  ☐ Mineral Resources  ☐ Noise
☐ Population / Housing  ☐ Public Services  ☐ Recreation
☐ Transportation/Traffic  ☐ Utilities / Service Systems  ☐ Mandatory Findings of Significance
☐  ☐ None with Mitigation

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 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 attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.

☐ 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.

Signature:   Date:   November 13, 2013
Printed Name: Katherine Waugh For: Dudek
EVALUATION OF ENVIRONMENTAL IMPACTS:

I. AESTHETICS
Would the project:

a) Have a substantial adverse effect on a scenic vista? ☐ ☐ ☐ ☒

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? ☐ ☐ ☒ ☐

c) Substantially degrade the existing visual character or quality of the site and its surroundings? ☐ ☐ ☒ ☐

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? ☐ ☐ ☒ ☐

a. The project site does not contribute to any scenic vistas. A scenic vista is generally defined as an expansive view of a highly valued landscape observable from a publicly accessible vantage point. In the project vicinity, publically accessible vantage points are limited to public roads. However, views from public roads, including S. Jackson Avenue are constrained by urban development. Occupants of vehicles on S. Jackson Avenue have brief views of the Diablo Range foothills to the east across the southern portion of the project site, as shown in the site photographs in Figure 5. Because the views of the foothills are constrained by urban development, these views are not considered a scenic vista. The proposed school building and site improvements would further constrain views from S. Jackson Avenue but the project would have no effect on any scenic vistas.

b. Scenic resources are physical features that provide scenic value to a project site and its surroundings. These typically include topographic, geologic, hydrologic, and biological resources (for example, hills, rock outcroppings, creeks, woodlands or landmark trees). Photographs of the project site are provided in Figure 5. The project site is paved and supports the parking lot for the closed U.S. Post Office. Limited landscaping is provided at the project site’s frontage on S. Jackson Avenue. The proposed project would have no effect on that landscaping. Several small bushes are planted adjacent to the existing building. Due to their limited size and health, these bushes are not considered scenic resources. As noted above, views of the foothills to the east are available across the southern portion of the project site. However, there is extensive urban development in the middle-ground of these views, including the existing post office building and other development in the area. The existing level or urban development in the area limits the vividness and expansiveness of the foothill views, as well as the scenic value of the landscape.
Photo 1: Existing building and parking lot.

Photo 2: Rear portion of property showing view of adjacent residences and foothills to the east.

Photo 3: Southern portion of site.

Photo 4: Adjacent residences and foothills to the east.

Photo 5: Jackson Avenue

Photo 6: Residences on western side of Jackson Avenue.
b. As shown in the site photographs, the site does not provide any substantial scenic resources. The addition of the proposed elementary school building, play equipment, playground (including basketball half-court), and landscaping to the project site would have no effect on scenic resources. There are no state-designated or eligible scenic highways or routes in the project vicinity.

c. As stated above, the site is located in a neighborhood that contains a mixture of commercial, multi-family, and single-family residential land uses, while the project site supports a vacant post office building. The visual character of the site and its immediate surroundings is highly urban. The school building would be similar in scale to the nearby commercial buildings. The building’s exterior walls would be finished with cement board siding or stucco. Paint colors would likely include beige and forest green with purple accents. The proposed project would be consistent with the visual character of the area. The addition of the proposed elementary school building, play equipment, playground (including basketball half-court), and landscaping would not change the visual character of the project area.

As discussed above, the Diablo Range foothills are visible when looking east across the southern portion of the project site. However, the extensive urban development in the middle-ground of these views limits their vividness and expansiveness, as well as the scenic value of the landscape. This reduces the significance of the foothills relative to the visual character of the project site and surrounding area. Construction of the proposed project would further constrain these views. Because the existing foothill views from the project site are compromised by intervening development, the changes in or loss of these views that would result from construction of the proposed school building is considered a less than significant impact of the project.

d. As noted in the Project Description above, light fixtures would be mounted on the existing and proposed building to illuminate pedestrian pathways, door entries, and the play area. Pole mounted lights would be located in the parking lot. The project lighting would comply with the City of San José Outdoor Lighting Policy, which requires use of low pressure sodium lights and light shielding to ensure lighting does not adversely affect neighboring properties or nighttime views. The proposed school building would be finished with cement board siding or stucco. No reflective surfaces, other than windows, would be used.

While the project would create a new source of nighttime lighting for building security, this is considered a less than significant impact because site lighting would comply with the City of San José Outdoor Lighting Policy and light from the project site would not shine onto adjacent residential property, adversely affect daytime or nighttime views in the area, or create obtrusive glare.

**Mitigation Measures**

No mitigation measures are necessary.
II. AGRICULTURE AND FOREST RESOURCES

Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

c) 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))?

d) Result in the loss of forest land or conversion of forest land to non-forest use?

e) 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?

---

a. - b. The proposed project site is located in an urban area and is developed with a 10,270 square foot building as well as asphalt and concrete paving. The site is not identified as prime farmland, unique farmland or farmland of statewide importance and the project site is not under a Williamson Act contract. It is designated P/QP (Public/Quasi-Public) in the City’s General Plan and zoned R-1-8 (Residence District, 8 dwelling units per acre). Schools are a permitted use under these designations. The site is not planned for or used for any agricultural purposes and the addition of the proposed elementary school building, play equipment, playground (including basketball half-court), and landscaping would not result in the conversion of any agricultural land, conflict with any agricultural use, or conflict with a Williamson Act contract.

c. - d. The project site is not zoned as forest land, does not contain forest land or forest resources, and does not support any forest uses. The addition of the proposed elementary school building, play equipment, playground (including basketball half-court), and landscaping to the project site would not result in the conversion of any forest land to a non-forest use.

e. As discussed above, the site is located an in urban area and does not support any farmland, agricultural or forest uses. The addition of the proposed elementary school
building, play equipment, playground (including basketball half-court), and landscaping to the project site would not result in conversion of any farm, agricultural, or forest land to non-agricultural or non-forest uses.

**Mitigation Measures**

No mitigation measures are necessary.

### III. AIR QUALITY

*Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.*

Would the project:

<table>
<thead>
<tr>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
<th>No Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>a) Conflict with or obstruct implementation of the applicable air quality plan?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c) 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>d) Expose sensitive receptors to substantial pollutant concentrations?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>e) Create objectionable odors affecting a substantial number of people?</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

a. The federal and state Clean Air Acts define allowable concentrations of several air pollutants. When monitoring indicates that a region regularly experiences air pollutant concentrations that exceed those limits, the region is designated as non-attainment and is required to develop an air quality plan that describes air pollution control strategies to reduce air pollutant emissions and concentrations.

The project site is located within the San Francisco Bay Area Air Basin, which is designated non-attainment for the federal 8-hour ozone standard. The area is in attainment or unclassified for all other federal standards. The area is designated non-attainment for state standards for 1-hour and 8-hour ozone, 24-hour small particulate matter (PM10), annual PM10, and annual respirable particulate matter (PM2.5).

To address the region’s non-attainment status, the Bay Area Air Quality Management District (BAAQMD) adopted the Bay Area 2005 Ozone Strategy (BAAQMD 2006) and the Bay Area 2010 Clean Air Plan (BAAQMD 2010a), which is an update to the 2005
Ozone Strategy and the prior Clean Air Plan (BAAQMD 2000). The 2010 Clean Air Plan provides “an integrated, multi-pollutant strategy to improve air quality, protect public health, and protect the climate.” This strategy includes a number of control measures to be adopted or implemented to reduce emissions of ozone, PM, air toxics, and greenhouse gases.

Because the proposed project would not violate air quality standards or exceed emissions thresholds as discussed in Subsection b below, is consistent with the City of San José General Plan, and is generally consistent with current air quality management policies, the project is not anticipated to conflict with the BAAQMD’s attainment plan and would have no impact related to implementation of applicable air quality plans.

b. The BAAQMD CEQA Guidelines establish thresholds of air pollutant emissions to identify whether a project would violate any applicable air quality standards or contribute substantially to an existing or projected air quality violation. They also establish screening criteria based on the size of a project to determine whether detailed modeling to estimate air pollutant emissions is necessary.

The BAAQMD most recently adopted thresholds in 2010 (the 2010 BAAQMD Guidelines, BAAQMD 2010b). Compared with the previous thresholds adopted in 1999, the 2010 BAAQMD Guidelines lower the thresholds for determining when pollutant emissions and health risk impacts are considered a significant environmental impact.

**Construction Period Emissions**

The BAAQMD screening criteria described in Section 3.5 of the 2010 BAAQMD Guidelines indicate that construction projects meeting the following characteristics have a less than significant amount of construction-related air pollutant emissions because they would not result in generation of construction-related criteria air pollutants and/or precursors that exceed the thresholds of significance:

1. For an elementary school, a project that is less than 277,000 square feet and/or has a capacity of less than 3,904 students;
2. The following Basic Construction Emission Control Measures must be included in the project design and implemented during construction:
   a. All active construction areas shall be watered at least two times per day.
   b. All exposed non-paved surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and access roads) shall be watered at least three times per day and/or non-toxic soil stabilizers shall be applied to exposed non-paved surfaces.
   c. All haul trucks transporting soil, sand, or other loose material offsite shall be covered and/or shall maintain at least two feet of freeboard.
   d. All visible mud or dirt track-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.
   e. All vehicle speeds on unpaved roads shall be limited to 15 miles per hour.
f. 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.

g. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations). Clear signage regarding idling restrictions shall be provided for construction workers at all access points.

h. All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

i. The prime construction contractor shall post a publicly visible sign with the telephone number and person to contact at the City of San José and/or Rocketship Education and/or Launchpad Development Twelve LLC regarding dust complaints. Launchpad Development Twelve LLC and the construction contractor shall take corrective action within 48 hours. The Air District’s phone number shall also be visible to ensure compliance with applicable regulations;

3. Construction-related activities would not include any of the following:
   a. Demolition;
   b. Simultaneous occurrence of more than two construction phases;
   c. Simultaneous construction of more than one land use type;
   d. Extensive site preparation; or
   e. Extensive material transport (greater than 10,000 cubic yards).

The proposed project meets all of these requirements: it is well below the project size screening levels (total new construction building space of 10,270 square feet and capacity of 650 students), it would include the Basic Construction Emission Control Measures listed above, and while the project would includes some overlap in construction phases, no more than two would occur at any one time and material transport (including removed pavement, removed building materials, and soil export and import) would be approximately 3,500 cubic yards. Therefore modeling the construction period air pollutant emissions is not warranted. With implementation of the Basic Construction Emission Control Measures listed above, construction of the proposed elementary school would have less than significant impacts related to air pollutant emissions and potential to violate air quality standards.

**Operational Emissions**

The BAAQMD screening criteria (BAAQMD 2010b) indicate that air pollutant emissions associated with operation of the proposed Rocketship Jackson Avenue Public Charter Elementary School would be below the BAAQMD significance thresholds, and operation of the project would not result in emissions that violate any applicable air
quality standards or contribute substantially to an existing or projected air quality violation. Specifically, the screening criteria for operation of elementary schools are 271,000 square feet or 2,747 students. The proposed Rocketship Jackson Avenue Public Charter Elementary School would consist of less than 25,000 square feet and accommodate a maximum of 650 students, both of which are well below the screening criteria thresholds. Operation of the proposed elementary school would have less than significant impacts related to air pollutant emissions and potential to violate air quality standards.

**Carbon Monoxide:** Emissions of carbon monoxide (CO) from idling vehicles can create pockets of high CO concentrations, called “hot spots.” These pockets can exceed the state standards for CO. High CO concentrations can cause headaches, dizziness, and nausea and can contribute to chronic health conditions. At very high concentrations and/or with prolonged contact, CO exposure can be fatal.

Typically, high CO concentrations are associated with roadways or intersections operating at unacceptable levels of service and/or with extremely high traffic volumes. More specifically, CO hot-spots occur where there are many thousands of cars idling. Screening criteria included in the BAAQMD 2010 CEQA Guidelines are designed to identify potentially significant CO hot-spots. Those criteria indicate that project-related CO emissions would not cause a significant impact on air quality if the project does not increase traffic volumes at affected intersections to more than 44,000 vehicles per hour (or 24,000 vehicles per hour in an area where air flow is limited, such as a tunnel or parking garage).

The Traffic Impacts Analysis report prepared for the proposed project found that all of the signalized study intersections would operate at an acceptable LOS under project conditions and that the project would not cause significant increases in traffic on any of the freeway segments studied, nor would the project result in extremely high traffic volumes on neighborhood streets. Because all intersections would operate at acceptable LOS and none of the local roadways carry volumes of traffic that exceed 44,000 vehicles per hour, the project would not cause or contribute to a significant impact related to CO concentrations.

As described in Section I.2 of the BAAQMD 2010 CEQA Guidelines, Thresholds of Significance, “by its very nature, air pollution is largely a cumulative impact. No single project is sufficient in size to, by itself, result in nonattainment of ambient air quality standards.” Therefore, the thresholds of significance developed by the BAAQMD reflect the “emission levels for which a project’s individual emissions would be cumulatively considerable.” A project with emissions that are below the thresholds of significance would not make a considerable contribution to any cumulative impacts. Because the proposed project would remain substantially below the screening criteria and therefore would have emissions that are substantially below the thresholds of significance, the project would make a less than significant contribution to cumulative air quality impacts.

d. Land uses such as schools and hospitals are considered to be more sensitive than the general public to poor air quality because of an increased susceptibility to respiratory distress within the populations associated with these uses. “In general, children are more vulnerable than adults to air pollutants because they have higher inhalation rates,
narrower airways, and less mature immune systems. In addition, children with allergies may have an enhanced allergic response when exposed to diesel exhaust” (Southern California Environmental Health Sciences Center 2005 as cited in BAAQMD 2010c). The primary pollutants of concern when considering health and sensitive receptors are toxic air contaminants (TAC), which are substances known to cause serious health effects (including cancer), and PM2.5 (which are particles that are small enough to be inhaled into the respiratory system). A particular concern associated with PM2.5 in urban areas is that it contains substantial quantities of diesel particulate matter (DPM), which is known to be carcinogenic.

Existing residents in the project vicinity are sensitive receptors that could be affected by project construction while the proposed project would constitute a new sensitive receptor that could be significantly affected by existing or future air pollutant emissions.

The analysis of potential exposure to and creation of TACs and other potential air hazards presented below was prepared in accordance with the Recommended Methods for Screening and Modeling Local Risks and Hazards (BAAQMD 2012a).

**Health Risk Exposures for Existing Residents**

**Construction Period Emissions**

As discussed in the 2010 BAAQMD Guidelines construction activity using diesel-powered equipment emits TAC, PM2.5, and DPM. Residents near the project site could be exposed to these emissions, and such exposure could result in adverse health effects.

It is expected that construction emissions from the project would be less than significant in terms of exposing nearby sensitive receptors to substantial pollutant concentrations because the project meets all of the construction period screening criteria described above. According to the 2010 BAAQMD Guidelines, a project that meets all of the screening criteria can be assumed to have a less than significant impact related to air pollutant emissions exceeding the applicable thresholds.

The proposed project would implement the BAAQMD Basic Construction Emission Control Measures. This includes requirements for reduced idling time and proper equipment maintenance for diesel equipment, which would reduce emissions of TAC, PM2.5, and DPM from this equipment and therefore reduce potential impacts to nearby receptors.

In addition, because the existing building onsite was constructed in 1960 and 1961, some building materials could contain asbestos. Building renovation that disturbs asbestos-containing material could release asbestos into the air. Airborne asbestos is a known carcinogen while lead is known to cause a wide range of adverse health effects including brain damage, damage to other organs, hearing and vision impairment, behavioral problems, and in extreme cases, death. As a Standard Project Condition, the project would be required to comply with state and federal regulations regarding handling of these materials.

Under the requirements of the California Occupational Safety and Health Administration (OSHA) standards (Title 8, California Code Regulations, 1529) and the National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines, an
asbestos survey must be completed prior to initiation of the proposed building renovation activities. Should Asbestos Containing Building Materials (ACBMs) be identified within the building, the Cal/OSHA regulations and NESHAP guidelines require that the BAAQMD be notified prior to renovation and require removal of potentially friable ACBMs prior to undertaking renovations that could disturb those materials. These requirements may include use of HEPA filter dust collection systems, enclosure or isolation of activities involving the ACBMs, and ventilation of the work area. The requirements also include prohibitions on specific activities or methodologies known to increase the likelihood of causing asbestos to become airborne.

Under the requirements of the Cal/OSHA Lead and Construction Standards (Title 8, California Code Regulations, 1532.1) a lead survey must be completed prior to initiation of the proposed building renovation activities. If lead-based paint is found within the building, it must be removed prior to demolition if it is flaking, peeling, or blistering. If it is bonded to the building materials, removal is not required. Cal/OSHA Lead and Construction Standards provide specific requirements to be implemented during lead-based paint removal to ensure lead is not released to the environment. The specific requirements applicable at a given project site are based on the site-specific conditions (such as the lead concentration of the materials present onsite) that would be determined through the lead survey. Typical measures to control for release of lead and/or exposure of workers and other people to lead include appropriate isolation of the affected area, employee education and training, worksite ventilation, use of protective clothing and appropriate cleaning of the protective clothing, and good housekeeping practices to ensure that lead is not allowed to accumulate within the construction area.

Implementation of the specific handling and disposal practices required by the applicable regulations would ensure that the project’s impacts related to release of asbestos and/or lead associated with renovation of the existing building remain less than significant.

**Health Risk Exposures at the Project Site**

Dudek completed Health-Risk Screening Analysis to evaluate health effects associated with the proximity of the site to Interstate 680, three nearby gas stations (the Chevron station at the corner of S. Jackson and Alum Rock avenues, the 76 station at Foss and Alum Rock avenues, and the Shell station on Alum Rock east of I-680) an additional unnamed stationary source at the 76 station, and the two high volume roadways in the area (S. Jackson and Alum Rock avenues). Emissions from these sources could expose people at the project site to increased risks for adverse health effects.

Three types of health risks are evaluated: cancer risks, chronic health hazards (noncancer), and PM2.5 concentrations (high concentrations of PM2.5 can contribute to cardiovascular and respiratory symptoms and effects; these emissions are associated with mobile sources).
Stationary Sources

The BAAQMD Stationary Source Screening Analysis Tool (2012b) was used to identify potential cancer and chronic health hazards associated with emissions from the four stationary sources within one-quarter mile of the project site listed above.

The health risks were then modified for some or all of the following factors:

- **Distance:** air pollutants disperse and become less concentrated as they move away from the emission source. For each gas station, the BAAQMD data for health risks at the property line was obtained. The BAAQMD Distance Adjustment Multiplier Tool for Gasoline Dispensing Facilities (BAAQMD 2012c) was applied to the cancer and chronic hazard health risk data to obtain the health risk data for exposures at the project site.

- **Exposure Period:** The BAAQMD health risk data assumes a 70-year exposure period, with exposure occurring 24 hours per day for 350 days per year. Elementary school students will be at the proposed school for a maximum of 7 years, approximately 180 days per year, and most students would be onsite for fewer than 12 hours per day. For this assessment, the cancer health risk data was adjusted to reflect this reduced exposure period.

- **Age:** Children have a higher breathing rate and greater sensitivity to pollutants than adults. The BAAQMD health risk data applies a range of breathing rates and age sensitivity factors over the 70-year exposure period. For this assessment, the cancer health risk data was adjusted to reflect the highest breathing rates and age sensitivity factors over the 7-year exposure period.

The cancer health risk data and modifications to that data are summarized in Table 2 below and the chronic hazard health risk data and modifications to that date are summarized in Table 3. Note that the chronic hazard health risk data was adjusted only for distance, not for exposure period and age.

### Table 2: Cancer Health Risks from Stationary Sources
*(cancer cases per one million population)*

<table>
<thead>
<tr>
<th>Source</th>
<th>Distance to Site</th>
<th>Health Risk</th>
<th>Distance Adjusted Health Risk</th>
<th>Exposure and Age Adjusted Health Risk</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chevron at S. Jackson/Alum Rock</td>
<td>200 feet</td>
<td>23.1</td>
<td>4.54</td>
<td>0.3</td>
</tr>
<tr>
<td>76 at Foss/Alum Rock</td>
<td>240 feet</td>
<td>6.072</td>
<td>0.94</td>
<td>0.1</td>
</tr>
<tr>
<td>Additional Source at 76</td>
<td>350 feet</td>
<td>2.31</td>
<td>0.19</td>
<td>0.0</td>
</tr>
<tr>
<td>Shell on Alum Rock</td>
<td>1,100 feet</td>
<td>36.2</td>
<td>0.54</td>
<td>0.0</td>
</tr>
<tr>
<td>Total Stationary Source Cancer Health Risk at Project Site</td>
<td></td>
<td></td>
<td></td>
<td>0.4</td>
</tr>
</tbody>
</table>
Table 3: Chronic Hazard Health Index

<table>
<thead>
<tr>
<th>Source</th>
<th>Distance to Site</th>
<th>Health Hazard Index</th>
<th>Distance Adjusted Health Hazard Index</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chevron at S. Jackson/Alum Rock</td>
<td>200 feet</td>
<td>0.038</td>
<td>0.007</td>
</tr>
<tr>
<td>76 at Foss/Alum Rock</td>
<td>240 feet</td>
<td>0.008</td>
<td>0.001</td>
</tr>
<tr>
<td>Additional Source at 76</td>
<td>350 feet</td>
<td>0.001</td>
<td>0.0</td>
</tr>
<tr>
<td>Shell on Alum Rock</td>
<td>1,100 feet</td>
<td>0.060</td>
<td>0.008</td>
</tr>
<tr>
<td>Total Chronic Hazard Health Risk at Project Site</td>
<td></td>
<td></td>
<td>0.016</td>
</tr>
</tbody>
</table>

While Tables 2 and 3 indicate cancer and chronic health hazard risks substantially below the BAAQMD thresholds (for cancer risk the threshold is 10 in one million and the threshold for hazards is a chronic hazard index of 1), these health risks must be combined with the risks from mobile sources in the vicinity, as discussed below.

**On-Road Mobile Sources**

BAAQMD recommends evaluating health risks when the site of a potential new sensitive receptor is within 1,000 feet of a roadway with greater than 10,000 vehicles per day (BAAQMD 2010b). In accordance with the BAAQMD-recommended methodology, this analysis uses the California Department of Public Health Environmental Health Tracking program to determine roadway volumes and county-specific PM2.5 concentrations and cancer risk data prepared by BAAQMD to determine the specific health risks at the project site. The cancer risk data was also modified as described for stationary sources above.

The BAAQMD *Recommended Methods for Screening and Modeling Local Risks and Hazards* states that the chronic hazard index was not included in the local roadway screening tables because the “maximum hazards estimated from the highest AADT were found to be extremely low.” The chronic health hazard index for I-680 at the project site is 0.008.

The Environmental Health Tracking program indicates that Jackson Avenue carries 15,500 vehicles daily and that Alum Rock Avenue carries 29,750 vehicles daily. Portions of the lunch area and project buildings are located within 15 to 20 feet of Jackson Avenue. The project site is located approximately 380 feet south of Alum Rock Avenue. In addition, I-680 is located approximately 430 feet east of the site. For I-680, health risk data was obtained from BAAQMD Stationary Source Screening Analysis Tool (2012b) while for the surface streets, health risk data was obtained from the Santa Clara County screening tables (BAAQMD 2011). The BAAQMD health risk data and adjusted values are shown in Tables 4 and 5 below.
Table 4: Cancer Health Risks from Mobile Sources
(cancer cases per one million population)

<table>
<thead>
<tr>
<th>Source</th>
<th>Distance to Site</th>
<th>Health Risk</th>
<th>Exposure and Age Adjusted Health Risk</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jackson Ave</td>
<td>10 feet</td>
<td>4.26</td>
<td>0.3</td>
</tr>
<tr>
<td>Alum Rock Ave</td>
<td>380 feet</td>
<td>1.82</td>
<td>0.1</td>
</tr>
<tr>
<td>I-680</td>
<td>430 feet</td>
<td>8</td>
<td>1.2</td>
</tr>
<tr>
<td>Total Mobile Source Cancer Health Risk at Project Site</td>
<td></td>
<td></td>
<td>1.6</td>
</tr>
</tbody>
</table>

Table 5: PM2.5 Concentrations
(micrograms per cubic meter)

<table>
<thead>
<tr>
<th>Source</th>
<th>Distance to Site</th>
<th>PM2.5 Concentration</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jackson Ave</td>
<td>10 feet</td>
<td>0.166</td>
</tr>
<tr>
<td>Alum Rock Ave</td>
<td>380 feet</td>
<td>0.066</td>
</tr>
<tr>
<td>I-680</td>
<td>430 feet</td>
<td>0.062</td>
</tr>
<tr>
<td>Total PM2.5 Concentration at Project Site</td>
<td></td>
<td>0.294</td>
</tr>
</tbody>
</table>

Combined Cancer Health Risks
Combining the cancer health risks from stationary and mobile sources (Tables 2 and 4) students at the proposed Jackson Avenue school would be exposed to a cancer risk of two in one million. Given that the BAAQMD threshold for cancer risk is 10 in one million, the project is expected to have less than significant impact from exposure of students or staff at the proposed school to cancer risks related to toxic air contaminants.

Combined Chronic Health Hazards
As noted above, chronic health hazards in the project vicinity would come from stationary sources and I-680, but chronic health hazards are not associated with the volume of vehicles present on surface streets in the vicinity. Combining the chronic health hazard index associated with stationary sources and that of I-680, people at the project site would be exposed to a chronic health hazard index of 0.024. This is less than the BAAQMD threshold of a chronic health hazard index of 1. Therefore the project would result in a less than significant impact related to chronic health effects due to toxic air contaminant exposure at the site.

Onsite PM2.5 Concentrations
As shown in Table 5, the total PM2.5 concentration at the site (measured in micrograms per cubic meter) is 0.294. This is less than the National and State Ambient Air Quality Standards for PM2.5 of 12 micrograms per cubic meter (measured as the Annual
Arithmetic Mean) and less than the National Ambient Air Quality Standard for PM2.5 of 35 micrograms per cubic meter (measured as the 24-hour average. (The BAAQMD has not recommended or adopted a separate threshold for PM2.5 concentrations.) Because exposures to PM2.5 at the project site are below the State and National standards, the project would have a less than significant impact associated with adverse health effects related to PM2.5 exposure.

e. The addition of the proposed elementary school building, play equipment, playground, and landscaping to the project site is not expected to generate any objectionable odors. Some objectionable odors may be generated from the operation of diesel-powered construction equipment during the construction period. However, these odors would occur only during the relatively short duration of the construction activities. Therefore this impact is considered less than significant provided that the project implements BAAQMD’s Basic Construction Emission Control Measures. There are no existing sources of objectionable odors in the area surrounding the project site.

**Mitigation Measures**

No mitigation measures are required. Implementation of the Basic Construction Emission Control Measures and compliance with state and federal regulations regarding disturbance of ACBMs and building materials that contain lead are Standard Project Conditions that would ensure impacts will remain less than significant.

### IV. BIOLOGICAL RESOURCES

Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife 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 Wildlife or U.S. Fish and Wildlife Service?

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

d) 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
IV. BIOLOGICAL RESOURCES

Would the project: nursery sites?

a. – f. The project site currently supports an existing building, asphalt paved parking lot, and other asphalt and concrete pavement. Additionally the site is located in an urban setting. There are a few small bushes adjacent to the existing building. There are several trees near the site in the backyards of the residences east of the site, as well as on the sidewalk in front of the site.

The project site does not contain any habitats or biological resources with the potential to support any plant or wildlife species that are designated as threatened or endangered or to support nesting raptors, which are considered to have special-status under the federal Migratory Bird Treaty Act and the California Fish and Game Code. The addition of the proposed elementary school building, play equipment, playground (including basketball half-court), and landscaping to the project site would have no impact on any species identified as candidate or sensitive species by the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service or local plans, policies and regulations.

The project site does not contain riparian habitat, federally protected wetlands, or other sensitive natural communities, and does not provide any wildlife movement corridors or fish habitat. The addition of the proposed elementary school building, play equipment, playground (including basketball half-court), and landscaping to the site would have no impact on these resources and would not conflict with local policies regarding protection of biological resources.

The project site is located within the Urban Development Land Use Classification of the recently-adopted Santa Clara Valley Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP, or the Habitat Plan). None of the special-status species covered by the Habitat Plan have potential to occur at the project site. The project would not conflict with implementation of the Plan or attainment of the Plan’s goals.

Mitigation Measures

No mitigation measures are necessary.
V. CULTURAL RESOURCES

Would the project:

a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

d) Disturb any human remains, including those interred outside of formal cemeteries?

a. The project would affect the entire 1.5 acre property of the former post office site and the paved alley that was formerly a public right-of-way. The site was an active post office from 1961 to 2010 (Cornerstone 2013a). The building is more than 50 years old, which indicates there is potential for this building to be an historic resource. Buildings can be considered an historic resource if they meet one or more of the following criteria:

- The building is the first, last, only, or most significant of its type in the state or within a large geographic region.

- The building is associated with an individual or group having a profound influence on the history of California.

- The building is a prototype of, or an outstanding example of, a period, style, architectural movement or construction or is one of the more notable works or the best surviving work in a region of a pioneer architect, designer or master builder.

A Historic Resources Report was completed by JRP (2013, provided as Appendix A) to assess the potential historical significance of the former post office site. The site evaluation was conducted in accordance with CEQA Guidelines Section 15064.5(a)(2)-(3) using the criteria outlined in Section 5024.1 of the California Public Resources Code, and according to San José’s Historic Preservation Ordinance.

The Historic Resources Report concludes that the post office that operated at the project site did not have an influence on the development of the local neighborhood, did not play a significant role in the history of the United States Postal Service, and does not appear to be associated with any historically significant people at the local, state, or national level. Further the building does not embody distinctive qualities for its type, period, or method of construction, is not an important example
of a significant designed, and does not possess high artistic values. Therefore, the project site is not eligible for listing in the California Register of Historical Resources, nor is it eligible as a City of San José Landmark (under City of San José Qualitative Criteria, per City Code Section 13.48.1103). The Historic Resources Report further concludes that the project site does not meet the criteria for listing in the National Register of Historic Places (NRHP). Therefore, implementation of the proposed project would result in no impacts to historical resources.

b. The project site lies within an archeologically-sensitive area. A Cultural Resources Inventory, including a records search and literature review, was completed by Dudek (2013) and is provided as Appendix B. No cultural resource sites have been recorded within the project site. The Cultural Resources Inventory identifies that 15 archaeological and/or historic resources studies have been conducted within a quarter-mile radius of the project area. Those studies have resulted in identification of six resources (all historic addresses) that have been recorded within a quarter-mile radius of the project. Further, of the six previously recorded historic buildings, five have been recommended as not eligible for listing in Local, State or Federal Registers. One building at 2254 Luz Avenue has been recommend as not eligible for National Register of Historic Places listing but remains potentially eligible for listing in the California Register of Historic Resources.

The Cultural Resources Inventory concludes that based on results provided through observation of the aerial imagery for the area and a NWIC records search, that there is very low potential for the inadvertent discovery of undocumented cultural resources during ground breaking activities. Further, the report recommends that archaeological monitoring is unnecessary during future ground disturbing activities associated with the project. While it is unlikely that previously unknown cultural resources would be encountered during grading to support construction, to ensure that impacts to cultural resources remain less than significant should any such resources be encountered during project grading and construction, Launchpad Development Twelve LLC will implement Mitigation Measures CUL-1.1 and CUL-1.2.

c. & d. There are no known historic or paleontological resources or human remains onsite. Grading to support project construction is expected to require cuts and fills ranging from one to three feet in depth. It is unlikely that previously unknown paleontological resources or human remains would be encountered during this grading. However, to ensure that impacts to these resources remain less than significant should any such resources be encountered during project grading and construction, Launchpad Development Twelve LLC will implement Mitigation Measures CUL-1.1 and CUL-1.2.

Mitigation Measures

Mitigation Measure CUL-1.1: If artifacts or unusual amounts of shell or bone or other items indicative of buried archaeological resources or human remains are encountered during earth-disturbance associated with the proposed project, the onsite contractor shall immediately notify the Division Manager of the Environmental Section of the City of San José Planning Department and
Launchpad Development Twelve LLC and all soil-disturbing work shall be halted within 100 feet of the discovery until a qualified archaeologist completes a significance evaluation of the finds pursuant to Section 106 of the National Historic Preservation Act. Any human remains unearthed shall be treated in accordance with California Health and Safety Code Section 7050.5 and Public Resources Code Sections 5097.94, 5097.98 and 5097.99, which include requirements for consultation with Native American representatives determined to be the most likely descendants.

Mitigation Measure CUL-1.2: Should any evidence of paleontological resources (e.g. fossils) be encountered during grading or excavation either onsite or offsite as a result of project construction, work shall be suspended within 100 feet of the find, and the Division Manager of the Environmental Section of the City of San José Planning Department and Launchpad Development Twelve LLC shall be immediately notified. At that time, the Division Manager of the Environmental Section of the City of San José Planning Department and Launchpad Development Twelve LLC shall coordinate any necessary investigation of the site with a qualified paleontologist as needed to assess the resource and provide property management recommendations, such as avoiding the resource and/or excavating and recording data on the resource. The contractor shall implement any measures deemed necessary by the paleontologist, the City of San José and Launchpad Development Twelve LLC for the protection of the paleontological resource.

VI. GEOLOGY AND SOILS
Would the project:

a) Expose people or structures to 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.
   ii) Strong seismic ground shaking?
   iii) Seismic-related ground failure, including liquefaction?
   iv) Landslides?

b) Result in substantial soil erosion or the loss of topsoil?

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the
VI. GEOLOGY AND SOILS

Would the project:

project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

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<th>Potentially Significant Impact</th>
<th>Less Than Significant Impact</th>
<th>Less Than Significant Impact with Mitigation Incorporated</th>
<th>No Impact</th>
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d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

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 wastewater?

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a. & c. **Surface Fault Rupture**

According to the *Geotechnical Investigation and Geologic Hazards Evaluation* report prepared for the project (Cornerstone 2013b), included as Appendix C to this Initial Study, the site is not located within the limits of an Alquist-Priolo Earthquake Fault Zone or a City of San José Potential Hazard Zone of 1983. Based on Cornerstone’s conclusion that there is no significant risk of fault rupture at the site. Construction of the Rocketship Jackson Avenue Public Charter Elementary School project would not expose people to substantial hazards related to surface rupture. No impact related to surface fault rupture would occur as a result of the project.

**Seismic Shaking**

The San Francisco Bay area is recognized by geologists and seismologists as one of the most seismically active regions in the United States (Cornerstone 2013b). As shown in Table 1 and Figure 3 of the geotechnical report, the San Andreas Fault, which generated the great San Francisco earthquake of 1906 and the Loma Prieta earthquake of 1989, passes 15 miles southwest of the proposed school site. Other major active faults near the project site are the Calaveras Fault, approximately 5.5 miles from the project site, the Hayward-Rodgers Creek Fault, approximately 6.75 miles from the site, and the Monte Vista-Shannon Fault, approximately 9.75 miles from the site.

The proposed school could be subject to substantial seismic shaking. Implementation of site-specific design and construction recommendations provided in the *Geotechnical Investigation and Geologic Hazards Evaluation* would ensure that the project buildings can withstand the likely seismic activity at the project site. This would ensure that potential seismic shaking impacts would remain less than significant. Compliance with the geotechnical recommendations is a Standard Project Condition.
**Liquefaction**

Liquefaction is a process in which seismic shaking can result in a loss of strength and coherence in soil layers beneath the project site. This can lead to differential settlement and surface rupture. Cornerstone notes that “soils most susceptible to liquefaction are loose, non-cohesive soils that are saturated and are bedded with poor drainage.” As reported by Cornerstone (2013b), the site is located within a State-designated Liquefaction Hazard Zone and within a Santa Clara County Geologic Hazard Zone for liquefaction. The mapped geology and historic highest ground water level for the project site indicate that there is potential for liquefaction-induced settlement during a significant seismic event.

To evaluate risks of liquefaction, the ratio of the estimated cyclic shaking is compared to the soil’s estimated resistance to cyclic shaking. The Cornerstone investigation included sampling potentially liquefiable layers to a depth of 80 feet and found “several thin sandy layers could potentially liquefy during a design-level earthquake” and that liquefaction-induced settlement would likely range between one-quarter and one half of an inch. Mitigation Measure GEO-1 requires that Launchpad Development 12, LLC implement the site-specific design and construction recommendations provided in the *Geotechnical Investigation and Geologic Hazards Evaluation* to ensure foundations will be capable of tolerating the anticipated liquefaction-induced settlement.

Additionally, Cornerstone reports that “based on the depth to potentially liquefiable soils, thickness of liquefiable soils, and the thickness and consistency of the capping layer, the potential for liquefaction-induced ground rupture at the site is considered low.” The proposed project would result in less than significant impacts related to liquefaction.

**Landslide**

The site is essentially flat and the nearest hills are over 2 miles east. The risk of landslide at the project site is considered low and the proposed project would result in less than significant impacts related to landslides.

**Soil Stability and Lateral Spreading**

Lateral spreading is when relatively flat soils move horizontally towards a free face, which may be associated with an excavated area, a channel or an open water body. The nearest free face is associated with the Silver Creek channel, approximately 1,650 feet southwest of the site. The shallowest depth to potentially-liquefiable soils encountered was approximately 22 feet. Lateral spreading is typically associated with liquefaction. Due to the depth and discontinuous nature of the potentially-liquefiable soils, the risk of lateral spreading at the project site is low and the proposed project would result in less than significant impacts related to lateral spreading.

b. Topsoil previously present at the project site has already been disturbed and covered by site paving and buildings. Construction activities would include removal of the existing paving and movement of the underlying soil. This soil disturbance could result in soil erosion. Grading cuts and fills are expected to be less than three feet in depth. The site does not support unique geologic or soil resources, so soil erosion is
considered a less than significant impact with respect to Geology and Soils. The effect of soil erosion on water quality is discussed further under Section IX Hydrology and Water Quality.

d. Based on observations, mapping, and testing Cornerstone interprets that the surface of the project site is asphaltic concrete that is underlain by Holocene alluvial fan deposits (“fine facies” Qhff). Cornerstone reports that prior research has indicated that finegrained alluvial fan and floodplain overbank deposits have been deposited in very gently sloping portions of the alluvial fan or valley floor. These deposits are dominated by clay and silt, with interbedded lobes of coarser alluvium (sand and occasional gravel). Based on a compilation of geotechnical explorations within the Qhff soil unit, the unit is characterized as consisting of approximately 75% lean clay, 17% silt and 8% other constituents.

Borings at the project site indicate that the total thickness of the existing pavement section is up to 10 inches. Beneath the pavements, borings encountered Holocene alluvial fan deposits consisting of very stiff to hard clayey soils with interbedded medium dense to dense clayey sands and poorly graded sands with clay and gravel to a depth of 80 feet.

One Plasticity Index (PI) test was completed for the near-surface soils and found a PI of 34, which indicates high plasticity and expansion potential. Visual observation of samples for near-surface soils indicated that clays exhibit moderate plasticity. Implementation of site-specific design and construction recommendations provided in the Geotechnical Investigation and Geologic Hazards Evaluation will ensure that risks associated with soil expansion remain less than significant.

e. No septic tanks or alternative wastewater disposal systems are proposed and the project would have no impact related to these types of wastewater disposal.

**Mitigation Measures**

**Mitigation Measure GEO-1**: Launchpad Development 12, LLC, shall ensure that building construction plans incorporate the site-specific design and construction recommendations provided in Section 8 of the Geotechnical report prepared for the project, titled Geotechnical Investigation and Geologic Hazards Evaluation, prepared by Cornerstone Earth Group and dated May 31, 2013, to ensure foundations will be capable of tolerating the anticipated liquefaction-induced settlement.

### VII. GREENHOUSE GAS EMISSIONS

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<th>Would the project:</th>
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<tr>
<td>a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?</td>
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<tr>
<td>b) Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</td>
<td>□</td>
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a. & b. **Effects of Greenhouse Gas Emissions**

Climate change, which involves significant changes in global climate patterns, has been associated with an increase in the average temperature of the atmosphere near the Earth’s surface, or global warming. This warming has been attributed to an accumulation of greenhouse gases (GHGs) in the atmosphere. These GHGs trap heat in the atmosphere, which in turn heats the surface of the Earth. GHGs include carbon dioxide (CO2), methane (CH4), nitrous oxide (N2O), tetrafluoromethane, hexafluoroethane, sulfur hexafluoride, HFC-23 (fluoroform), HFC-134a (1, 1, 1, 2-tetrafluoroethane), and HFC-152a (difluoroethane). While CO2 is the most prevalent GHG, other GHGs have a higher “global warming potential” than CO2. To account for these differences, most GHG analyses convert all GHG emissions to CO2 equivalents (CO2e). The conversion process reflects the relative global warming potential of each individual GHG.

While the greenhouse effect is a naturally occurring process that aids in maintaining the Earth’s climate, human activities, such as burning fossil fuels and clearing forests, generate additional GHG emissions which contribute to the greenhouse effect and result in increased average global temperatures. Further, GHGs may have long atmospheric lifetimes (for example, CO2 may remain in the atmosphere for decades or even centuries) ensures that atmospheric concentrations of GHGs will remain elevated for decades. Increasing GHG concentrations in the atmosphere are primarily a result of emissions from the burning of fossil fuels, gas flaring, cement production, and land use changes.

Data indicate that global surface temperatures have increased 0.8°C (1.4°F) in the past century, and 0.6°C (1.1°F) in the past three decades. Temperatures are expected to continue to increase as a result of increasing concentrations of GHGs. The increased temperatures are anticipated to lead to modifications in the timing, amount, and form (rain vs. snow) of precipitation; changes in the timing and amount of runoff; deterioration of water quality; and elevated sea levels. In turn, these changes could be associated with increased flooding and other weather-related events, increased salinity levels in coastal groundwater basins, changes in water supply availability, changes in agricultural activities, changes in the range and diversity of wildlife and vegetation, and changes in conditions related to wildfires.

**State GHG Regulations**

In 2006, the State of California enacted Assembly Bill (AB) 32, the Global Warming Solutions Act. AB 32 requires reducing statewide greenhouse gas (GHG) emissions to 1990 levels by 2020. Meeting the AB 32 reduction targets will require an approximately 30 percent reduction compared with a “business as usual” scenario. The state’s plan for meeting these reduction targets is outlined in the California Air Resource Board’s (CARB) Climate Change Scoping Plan (CARB 2008).

CARB’s Scoping Plan fact sheet states “This plan calls for an ambitious but achievable reduction in California’s carbon footprint – toward a clean energy future. Reducing greenhouse gas emissions to 1990 levels means cutting approximately 30% from business-as-usual emissions levels projected for 2020, or about 15% from today’s levels. On a per-capita basis, that means reducing annual emissions of 14 tons of carbon dioxide for every man, woman and child in California down to about 10
tons per person by 2020.” CARB’s Emissions Inventory Report found the total statewide GHG emissions in 2009 were equivalent to 457 million tons of CO2 (CARB 2012b). Compared with the emissions in 1990, this is a 5.5% increase.

The strategies in the AB 32 Scoping Plan most applicable to the proposed project are goals to increase the energy efficiency of buildings and appliances and to reduce emissions associated with transportation – both by encouraging use of alternative forms of transportation and by increasing vehicle fuel efficiency.

**Regional and Local GHG Plans and Policies**

Locally, the City of San José has enacted the Green Vision program, adopted a GHG Reduction Strategy in conjunction with the recently adopted the Envision San José 2040 General Plan Update, and signed on to the Bay Area Climate Change Compact.

The City’s Green Vision program was adopted in October 2007 with the intent to “transform San José into the world center of Clean Technology innovation, promote cutting-edge sustainable practices, and demonstrate that the goals of economic growth, environmental stewardship and fiscal responsibility are inextricably linked.” The program is centered on achievement of ten goals related to jobs, energy, water, waste, trees, and transportation. Goal 4 targets construction or retrofitting of 50 million square feet of green buildings.

The City’s GHG Reduction Strategy was designed to be consistent with the implementation requirements of AB 32. The GHG Reduction Strategy identifies existing GHG reduction efforts, summarizes General Plan policy direction on GHG control, quantifies the GHG reductions expected to result from implementation of the General Plan, provides a framework for monitoring ongoing implementation of the Reduction Strategy, and supports the environmental impact assessment and compliance efforts associated with adoption of the General Plan. Projects that are consistent with the City’s General Plan are also considered to be consistent with the GHG Reduction Strategy.

The City of San José, along with the cities of San Francisco and Oakland, adopted the Bay Area Climate Change Compact in March 2009 with a goal of “advancing ambitious targets for growing the clean energy economy and safeguarding Bay Area resources.” This program does not regulate GHG emissions but supports local, state, and federal legislative efforts in this area. In addition, this program is intended to create a collaborative regional approach to reducing GHG emissions by encouraging development of a sustainable built environment, creating economic opportunity that supports green jobs, ensuring people have access to renewable energy options, allowing for transportation and commuting choices that improve quality of life, and diverting more waste from landfills. Several specific goals were adopted with the Compact, including specific targets for increasing building energy-efficiency and decreasing water consumption.

**GHG Impacts**

As stated above, the City of San José has adopted a GHG Reduction Strategy. This document was adopted concurrent with the Envision San José 2040 General Plan Update and was evaluated in the General Plan EIR. As provided in CEQA Guidelines
Section 15183.5, compliance with an adopted Greenhouse Gas Reduction Plan for which an EIR was certified would ensure that the project’s impacts related to GHG emissions would remain less than significant.

As a standard project condition, the project will use best management practices to limit construction related air pollutant emissions, including GHG emissions. The applicable best management practices include those discussed in the Air Quality section above and the following:

- Alternative-fueled (e.g., biodiesel, electric) construction vehicles/equipment shall be included in the construction fleet;
- At least 10 percent of building materials shall be locally sourced (within 100 mile) or produced from recycled material; and
- At least 50 percent of construction waste shall be recycled.

The proposed Rocketship Jackson Avenue Public Charter Elementary School project is consistent with the City’s General Plan and zoning designations for the project site and consistent with the City’s GHG reduction strategy. With compliance with the standard project conditions described above, the project is not expected to result in a significant impact related to GHG emissions.

Further, the project includes green building and low impact development measures that would ensure the project does not adversely affect implementation of the AB 32 Scoping Plan, the San José Green Vision Plan, or the Bay Area Climate Change Compact. Each of these documents anticipates that development will continue to occur and continue to create new sources of GHG emissions.

**Mitigation Measures**

No mitigation measures are necessary.

### VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

   ![ ] ![ ] ![ ] ![ ]

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?

   ![ ] ![ ] ![ ] ![ ]

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

   ![ ] ![ ] ![ ] ![ ]

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,
VIII. HAZARDS AND HAZARDOUS MATERIALS

Would the project:

would it create a significant hazard to the public or the environment?

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

h) Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?


a. – b. The Phase I Environmental Site Assessment (ESA) prepared for the project site by Cornerstone Earth Group (2013a, provided as Appendix D) found that the site was undeveloped until the late 1950s when the post office was constructed. The post office occupied the site from 1961 to 2010.

To consider the potential for ground-disturbing activities at the project site to releases Naturally Occurring Asbestos (NOA) into the air, Cornerstone evaluated whether the project site is likely to support NOA. Cornerstone relied upon the analysis completed in the Phase II ESA for the Rocketship Brilliant Minds school, located on Story Road approximately 1.1 miles from the Jackson Avenue project site. These sites are both within the Silver Creek watershed and in a similar geologic setting. Cornerstone concludes that the alluvial deposits at the two sites originated from similar bedrock sources. Because the sites share similar bedrock sources, soil characteristics are expected to be similar between the two sites. The analysis of four soil samples from the Story Road site did not detect asbestos above the laboratory reporting limit of 0.0001%. Cornerstone concludes that the Jackson Avenue site is also unlikely to support NOA (Cornerstone 2013a).

As discussed in the Air Quality section above, because the existing building onsite was constructed in 1960 and 1961, some building materials could contain asbestos or lead. Building renovation that disturbs asbestos-containing or lead-containing materials could release asbestos or lead into the environment. Airborne asbestos is a known carcinogen while lead is known to cause a wide range of adverse health effects including brain damage, damage to other organs, hearing and vision
impairment, behavioral problems, and in extreme cases, death. As a Standard Project Condition, the project would comply with state and federal regulations regarding handling of these materials.

Under the requirements of the California Occupational Safety and Health Administration (OSHA) standards (Title 8, California Code Regulations, 1529) and the National Emissions Standards for Hazardous Air Pollutants (NESHAP) guidelines, an asbestos survey must be completed prior to initiation of the proposed building renovation activities. Should Asbestos Containing Building Materials (ACBM) be identified within the building, the Cal/OSHA regulations and NESHAP guidelines require that the BAAQMD be notified prior to renovation and require removal of potentially friable ACBMs prior to undertaking renovations that could disturb those materials. These requirements may include use of HEPA filter dust collection systems, enclosure or isolation of activities involving the ACBMs, and ventilation of the work area. The requirements also include prohibitions on specific activities or methodologies known to increase the likelihood of causing asbestos to become airborne.

Under the requirements of the Cal/OSHA Lead and Construction Standards (Title 8, California Code Regulations, 1532.1) a lead survey must be completed prior to initiation of the proposed building renovation activities. If lead-based paint is found within the building, it must be removed prior to demolition if it is flaking, peeling, or blistering. If it is bonded to the building materials, removal is not required. Cal/OSHA Lead and Construction Standards provide specific requirements to be implemented during lead-based paint removal to ensure lead is not released to the environment. Typical measures to control for release of lead and/or exposure of workers and other people to lead include appropriate isolation of the affected area, employee education and training, worksite ventilation, use of protective clothing and appropriate cleaning of the protective clothing, and good housekeeping practices to ensure that lead is not allowed to accumulate within the construction area.

Implementation of the specific handling and disposal practices required by the applicable regulations would ensure that the project’s impacts related to release of asbestos and/or lead associated with renovation of the existing building remain less than significant.

To evaluate the potential for ground-disturbing activities at the site to encounter contaminated groundwater or contaminated soil, Cornerstone conducted a database search to identify locations of prior known or potential releases of hazardous materials from businesses in the area. Cornerstone identified five known or potential dry cleaning businesses within 0.25 miles of the site, with the nearest being located 0.066 miles south of the site. Based on the information in the database report, Cornerstone concludes that “no off-site facilities were reported that appear likely to significantly impact ground water beneath the site. The potential for impact was based on [Cornerstone’s] interpretation of the types of incidents, the location of incidents in relations to the site and the assumed ground water flow direction.”
c. The project would not create hazardous emissions or hazardous waste and would not handle hazardous materials or substances. BAAQMD reported that no facilities within 0.25 miles of the site emit toxic substances.

The Cornerstone Phase I ESA for the proposed project identified three high pressure natural gas transmission pipelines present approximately 1,000 feet east of the project site. Based on the distance and experience at similar sites, it is unlikely that individual risk will exceed the significance threshold of one in one million. A Pipeline Safety Hazard Analysis (Planning Center 2013) was prepared to further evaluate these pipelines. The study identifies the size, pressure, age, construction materials, and inspection/maintenance regime for each pipeline. The study also calculates the risk associated with potential releases from the pipelines, and concludes “The total individual risk (TIR) for all pipelines is $8.0 \times 10^{-9}$. Since the calculated risk is much less than one in a million ($1.0 \times 10^{-6}$), which is the TIR criterion specified in the CDE [California Department of Education] manual, the risk is considered to be less than significant.”

Although the risk is less than significant, Cornerstone recommends coordination and exchange of emergency contact information between Launchpad Development Twelve LLC and PG&E as a preventative measure in the event of an emergency and that the site’s emergency response and evacuation plan address the possibility of a pipeline release. These recommendations will be implemented as a Standard Project Condition.

While water pipes are not a source of hazardous emissions or hazardous waste, they do pose potential safety risks. Cornerstone also evaluated the potential safety impacts to the proposed school due to the presence of one 12-inch water main located more than 50 feet away from the project site beneath S. Jackson Avenue, southwest of the road center line between two southbound lanes. The CDE requires an analysis of potential for flooding and subterranean erosion from rupture of high-volume water lines, which are defined as 12 inches or greater. Referencing the CDE 2007 Guidance, the Phase I ESA states that a significant impact would occur if rupture of the water line could cause water ponding with a depth of one foot or greater in a five-minute release period. The CDE Guidance indicates that rupture of a 12-inch water line would likely cause ponding with a depth of one foot or greater within a 39-foot radius where topography is generally flat and within a 59-foot radius where the release area forms a rectangular pool (such as with a street bordered by a curb). The proposed school facility is located on a flat surface more than 50 feet away from the pipeline. Additionally, the road crown and curbing on S. Jackson Avenue would likely prevent significant flooding in the event of a rupture.

The project would have less than significant impacts related to exposure of the project site to hazards and hazardous materials.

d. A search of federal, state, and local databases regarding hazardous material releases and site cleanup lists was conducted as part of the Phase I ESA. The project site was not identified in any of the records, is not included on the Department of Toxic Substance Control’s site cleanup list, and is not expected to be affected by any offsite
spill incidents. The project would have no impact related to the site being included on or affected by other sites that are included on a hazardous material release site.

e. - f. The project site is located less than two miles from the Reid-Hillview Airport, but is not located within the boundaries of the Airport Influence Area. It is well outside the airport safety zones and noise contours as documented in the Comprehensive Land Use Plan (Santa Clara County Airport Land Use Commission 2007). The site is greater than two miles from the San José International Airport. The project would have no impact related to airport safety.

g. The project would not interfere with any adopted emergency or evacuation plans. Rocketship Education maintains a comprehensive set of standard Emergency Response Procedures that address health and safety issues for onsite emergencies and emergency evacuation procedures in the event it is necessary to evacuate the school. As noted above, the Phase I ESA found one water main and three natural gas pipelines located near the project site. Due to ample distance between the pipes and the project site, a pipeline rupture would likely not expose the proposed school facility to significant flooding or safety hazards. As recommended in the Phase I ESA, the schools emergency procedures will include contact information for PG&E and procedures to be implemented in the event of a pipeline release. The project would have no impact related to implementation of emergency plans.

h. The project site is not located adjacent to any wildlands and development of a school at this site would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. The project would have no impact related to wildland fires.

Mitigation Measures

No mitigation measures are necessary. Compliance with state and federal regulations regarding disturbance of ACBMs and building materials that contain lead is a Standard Project Condition that would ensure impacts will remain less than significant.

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<td>a) Violate any water quality standards or waste discharge requirements?</td>
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<td>b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?</td>
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IX. HYDROLOGY AND WATER QUALITY

Would the project:

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

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d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

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e) 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?

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f) Otherwise substantially degrade water quality?

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g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

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h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?

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i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

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j) Inundation by seiche, tsunami, or mudflow?

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a. & f. While the project would not increase the amount of impervious surface at the project site, and therefore would not change hydrologic patterns in the area, construction and operation of the proposed project could introduce pollutants and sediment into water runoff from the site. Runoff from the site flows through stormdrains to nearby water bodies and eventually into the San Francisco Bay, which provides important fish and wildlife habitat.

**Water Quality During Construction**

The proposed project includes redeveloping the 1.35-acre northern parcel with typical school facility construction activities including cuts, fills and grading. The most likely pollutants that would be generated from the site would be sediment.
created by soil disturbance during or immediately after site grading. Surface water runoff from the site could carry this sediment through stormdrains to local waterways. In addition, accidental release of pollutants associated with construction could also degrade the quality of water runoff from the site and contribute pollution to local waterways. Construction activities include the use of gasoline and diesel-powered heavy equipment, such as bulldozers, backhoes, water pumps, and air compressors. Chemicals such as gasoline, diesel fuel, lubricating oil, hydraulic oil, lubricating grease, automatic transmission fluid, paints, solvents, glues, and other substances could be used during construction, and could be released into surface water runoff. Onsite portable toilets could leak or tip over and spill, releasing sanitary waste, bacteria, solids, nutrients, and pathogens into surface water runoff.

The project would file a Notice of Intent (NOI) with the SWRCB and prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) in compliance with the National Pollutant Discharge Elimination System (NPDES) requirements of the Clean Water Act. The requirements of the NPDES program are administered in California by the State Water Resources Control Board and the Regional Water Quality Control Boards (RWQCBs) and enforced through the State Construction General Permit process. The SWPPP must identify specific Best Management Practices (BMPs) that will be used at the project site to treat and control stormwater, reduce sedimentation, and prevent erosion. The SWPPP is expected to include site maps showing existing and proposed physical site conditions, stormwater collection and discharge points, and drainage patterns; a description of BMPs to be implemented to prevent construction pollutants from contacting storm water, prevent or control erosion, and manage non-storm water and construction materials; figures showing how and where specific BMPs would be implemented; and a schedule for maintaining BMPs.

Compliance with NPDES requirements is a Standard Project Condition that would ensure the project does not result in a significant impact related to changes in the quantity, rate, or quality of stormwater runoff from the site. The SWPPP must determine the project’s risk level and include the appropriate BMPs and other measures to ensure compliance with all requirements of the Clean Water Act, the NPDES program, and the Construction General Permit.

All development projects, whether subject to the State Construction General Permit or not, shall comply with the City of San José’s Grading Ordinance, which requires the use of erosion and sediment controls to protect water quality while the site is under construction. Prior to the issuance of a permit for grading activity occurring during the rainy season (October 15 to April 15), the project would submit to the Director of Public Works an Erosion Control Plan detailing BMPs that would prevent the discharge of stormwater pollutants.

Typical measures that would be implemented to prevent stormwater pollution and minimize potential sedimentation during construction include but are not limited to:

1. Utilize on-site sediment control BMPs to retain sediment on the project site;
2. Utilize stabilized construction entrances and/or wash racks;
3. Implement damp street sweeping;
4. Provide temporary cover of disturbed surfaces to help control erosion during construction;
5. Provide permanent cover to stabilize the disturbed surfaces after construction has been completed.

With implementation of the SWPPP and erosion control plan, the proposed project construction would comply with the applicable water quality and waste discharge standards and would not otherwise substantially degrade water quality. Therefore, hydrology and water quality impacts would be reduced to a less than significant level during construction of the proposed project.

**Water Quality Post Construction**

The City of San José is required to operate under a Municipal Stormwater NPDES Permit to discharge stormwater from the City’s storm drain system to surface waters. On October 14, 2009, the San Francisco Bay Regional Water Quality Control Board adopted the San Francisco Bay Region Municipal Regional Stormwater NPDES Permit (MRP) for 76 Bay Area municipalities, including the City of San José (NPDES Permit No. CAS612008).

The MRP mandates the City of San José use its planning and development review authority to require that stormwater management measures such as Site Design, Pollutant Source Control and Treatment measures are included in new and redevelopment projects to minimize and properly treat stormwater runoff.

In the existing condition the project site is almost fully covered in impervious surfaces (64,050 square feet of impervious surface on a 65,050 square foot site). The northern project site parcel supports approximately 1.24 acres in concrete and asphalt paving and approximately 0.25 acre of existing building. The proposed project would remove approximately 1 acre of the existing concrete and asphalt and replace it with an additional 0.25 acre of building and 0.85 acres of new asphalt and concrete. The alley parcel will include ten 90 degree parking stalls on pervious pavement, four parallel parking stalls on asphalt, the removal and resurfacing of the asphalt drive isle leading to the parcel containing the post office, a bioswale for drainage and the trash enclosure. Overall, the proposed project would result in a 12% reduction in impervious surfaces onsite. Based on its size and land use, the project will be required to comply with the Low Impact Development (LID) stormwater management requirements of Provision C.3 of the Municipal Regional Permit and must include LID practices, such as pollutant source control measures and stormwater treatment features aimed to maintain or restore the site’s natural hydrologic functions. The MRP also requires that stormwater treatment measures are properly installed, operated and maintained.

The MRP also requires regulated projects to include measures to control hydromodification impacts where the project would otherwise cause increased erosion, silt pollutant generation, or other adverse impacts to local rivers and creeks. Development projects that create and/or replace 1 acre or more of impervious surface and are located in a subwatershed or catchment that is less than 65%
impervious, must manage increases in runoff flow and volume so that post-project runoff shall not exceed estimated pre-project rates and durations.

Based on its location within a catchment that is greater than or equal to 65% impervious, the project will not be required to comply with the hydromodification requirements of Provision C.3 of the Municipal Regional Permit. The City has developed policies that implement Provision C.3, consistent with the MRP. The City’s Post-Construction Urban Runoff Management Policy (6-29) establishes specific requirements to minimize and treat stormwater runoff from new and redevelopment projects. The City’s Post-Construction Hydromodification Management Policy (8-14) establishes an implementation framework for incorporating measures to control hydromodification impacts from development projects.

Implementation of the following standard conditions, consistent with NPDES Permit and City Policy requirements, will reduce potential construction and post-construction impacts to surface water quality to less than significant levels:

- The project shall comply with applicable provisions of the following City Policies: City Council Policy 6-29 Post-Construction Urban Runoff Management and City Council Policy 8-14 Post-Construction Hydromodification Management.

- Details of specific Site Design, Pollutant Source Control, and Stormwater Treatment Control Measures demonstrating compliance with Provision C.3 of the Municipal Regional Stormwater Permit (NPDES Permit Number CAS612008), shall be included in the project design, to the satisfaction of the Director of Planning, Building and Code Enforcement.

Conformance with the above Standard Project Conditions will ensure that hydrology and water quality impacts would be reduced to a less than significant level during operation of the proposed project.

b. The Santa Clara Valley Water District (SCVWD) manages the groundwater basin in Santa Clara County, under the provisions of the District’s Groundwater Management Plan, which is also coordinated with the District’s Integrated Water Resources Plan. “In 2000, the groundwater basin supplied nearly half of the 390,000 acre-feet used in the County” (SCVWD 2001). The groundwater basin is divided into three interconnected subbasins that transmit, filter, and store water. The project site is located within the Santa Clara Valley groundwater subbasin, which is in the northern portion of the overall basin and the County. This subbasin has a surface area of 225 square miles. Soils in the northern portion of the subbasin primarily consist of a series of clay layers that result in a low permeability zone, while natural groundwater recharge is not restricted in the southern portion of the subbasin (SCVWD 2001). The project site is already paved and does not contribute to natural groundwater recharge. The proposed project would not increase the amount of impervious surfaces at the site and would have no effect on groundwater recharge. The project site does not support any public or private groundwater wells. The project would have no impacts related to groundwater supplies and recharge.

c. The potential for erosion or siltation to occur during project construction is discussed above, and implementation of the SWPPP required as a Standard Project Condition
would ensure that this potential impact remains less than significant. There are no water courses on or adjacent to the site, and project construction would not result in the alteration of the course of a stream or river. The nearest watercourse is a channelized portion of Lower Silver Creek, located approximately 1,650 feet southwest of the project site. The project would have no impacts related to altering a water course.

d. Because the project site is already paved and the proposed project would not increase the amount of impervious surfaces at the site, construction of the project is not expected to result in changes to the existing drainage pattern of the site or area or increase the rate or amount surface runoff and there would therefore be no impact. As discussed in responses a and f above, the project must comply with applicable provisions of the following City policies: City Council Policy 6-29 Post-Construction Urban Runoff Management and City Council Policy 8-14 Post-Construction Hydromodification Management. Compliance with these Standard Project Conditions would ensure that the project does not alter the drainage pattern of the project site or area. The project would have no impacts related to altering a water course.

e. As discussed above, because the project site is already paved and the proposed project would decrease the amount of impervious surfaces at the site, construction of the project is not expected to increase the rate or amount of surface runoff that would exceed the capacity of existing or planned stormwater drainage systems or increase the amount of polluted runoff. The project would have no impact related to stormwater drainage systems and stormwater runoff quality.

g. – i. The project does not include construction of housing.

A portion of the project site is located in a 100-year floodplain associated with Lower Silver Creek. As documented in the Floodplain Analysis memorandum (Schaaf & Wheeler 2013, provided as Appendix E), the southern portion of the site is in a Zone AO floodplain area on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs). The Zone AO floodplain area is subject to possible shallow overland flow flooding with an average depth of less than three feet. The expected flood depth at the project site is one foot. The northern portion of the project site is in Zone D, which is defined as an area of possible but unknown flood risk.

The Santa Clara Valley Water District (SCVWD) is constructing a flood projection project for Lower Silver Creek. The first phase of this project is complete and the second phase is scheduled to be complete in 2013. The overall project is scheduled for completion in 2016. Based on the ground topography and existing floodplain maps, it is expected that the second phase of the SCVWD Lower Silver Creek Flood Protection Project will provide sufficient capacity to contain overflows from the channel of Lower Silver Creek upstream of the project site, providing the project site with 100-year flood protection. Schaaf & Wheeler conclude that after construction of the current phase of the Lower Silver Creek Flood Protection Project “there should be no potential overflows from the channel to the north toward the project site. The project would not be affected by the 100-year flood event, and would not affect flood flows in the area.”
With the 100-year floodplain protection in place, the SCVWD and/or individual land owners could apply for a Letter of Map Revision (LOMR) to change the floodplain designation of the site or project area. However, until an LOMR has been processed, development on the project site must be evaluated based on the current floodplain designation on the effective FEMA FIRM. No LOMR application has been filed for the project site.

Chapter 17.08 of the City of San José Code of Ordinances, Special Flood Hazard Area Regulations identifies the City’s requirements for development within the floodplain. These regulations require compliance with minimum standards defined by FEMA as part of the National Flood Insurance Program. They require that any “new building or substantial improvement of an existing building be flood protected to be reasonably safe from flooding. For a site in Zone AO, the building shall have the lowest finished floor or basement elevated to or above the depth number specified on the FIRM, or be dry flood proofed. Dry flood proofing may include watertight wall with structural components capable of resisting hydrostatic and hydrodynamic loads, and flood protected utility and sanitary facilities” (Schaaf & Wheeler 2013).

The proposed project includes construction of a floodwall system to flood protect the project consistent with the City’s regulations and FEMA standards for Zone AO conditions based on the FEMA Technical Bulletin 3.93, Non-Residential Floodproofing – Requirements and Certification. The floodwall system would include floodgates or flood barriers at the driveway and pedestrian access from Jackson Street. Therefore the proposed project is in compliance with the applicable flood protection regulations and would not expose structures or people to significant hazards associated with flooding.

j. The project site is physically removed from any large body of water and is not subject to inundation by seiche, tsunami, or mudflow. The project would have no impact associated with these hazardous conditions.

**Mitigation Measures**

No mitigation measures are necessary. Preparation and implementation of the SWPPP and compliance with City policies in support of the MRP are Standard Project Conditions that would ensure impacts will remain less than significant.

**X. LAND USE AND PLANNING**

Would the project:

a) Physically divide an established community? □ □ □ ☒

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? □ □ □ ☒
X. LAND USE AND PLANNING

Would the project:

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?

   | Potentially Significant Impact | Less Than Significant Impact | No Impact
   |--------------------------------|-------------------------------|------------
   | [ ]                           | [ ]                          | [ ]        |

   a. The project would not physically divide the existing neighborhood. The project would construct an elementary school on a site that is currently developed with a 10,270 square foot building as well as asphalt and concrete paving. The site supported a U.S. Post Office between 1961 and 2010. It is surrounded by residential and commercial development. The proposed school would support the residential uses in this neighborhood. The project would have no impact related to dividing existing neighborhoods.

   b. The proposed project would not conflict with the City of San José General Plan and Zoning Ordinance. The General Plan designates the site P/QP (Public/Quasi-Public) while the site zoning designation is R-1-8 (Residence District, 8 dwelling units per acre). These designations allow public elementary schools by right (City of San José Municipal Code Sections 20.30.100 and 20.40.100). The project proposes to change the zoning designation of the site to the CP (Commercial Pedestrian). Under this zoning designation, a Conditional Use Permit is required to allow a public elementary school at the site. Either under the current zoning designation or with approval of the rezoning and issuance of the Conditional Use Permit, the project would have no impact related to compliance with applicable land use plans, policies, or regulations.

   c. As discussed in Section IV above, the project would not conflict with the recently adopted Santa Clara Valley Habitat Conservation Plan. Therefore there is no environmental impact.

Mitigation Measures

No mitigation measures are necessary.

XI. MINERAL RESOURCES

Would the project:

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?

   | Potentially Significant Impact | Less Than Significant Impact | No Impact
   |--------------------------------|-------------------------------|------------
   | [ ]                           | [ ]                          | [ ]        |

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?

   | Potentially Significant Impact | Less Than Significant Impact | No Impact
   |--------------------------------|-------------------------------|------------
   | [ ]                           | [ ]                          | [ ]        |
a. – b. The project site is designated Public/Quasi Public by the San José General Plan and has been developed with a U.S. Post Office since 1961. There are no known mineral resources within the project site and no mineral recovery activities have been known to occur onsite. The addition of the proposed elementary school building, play equipment, playground (including basketball half-court), and landscaping to the project site would not adversely affect any mineral resources of value to the state or region. The project would have no impact related to mineral resources.

**Mitigation Measures**

No mitigation measures are necessary.

### XII. NOISE

Would the project:

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a. & c. A Noise Assessment Study for the proposed project was prepared by Edward L. Pack Associates, Inc. (Pack 2013a). In addition, the proposed location of the basketball court was revised following completion of the Noise Assessment Study. Edward L. Pack Associates prepared a memo (Pack 2013b) to evaluate the effect of that relocation and confirm the requirements for mitigation of noises associated with this project feature. The report and memo are provided in Appendix F to this Initial Study. To determine the existing noise environment at the project site, continuous
recordings of the sound levels were made at two locations. Location 1 was 50 feet from the centerline of Jackson Avenue at the front setback of the existing building on site and Location 2 was 150 feet from the centerline of Jackson Avenue and 600 feet from the centerline of Interstate 680 at the rear setback of the existing building on the site. The measurements were made on May 23-24, 2013 for a continuous period of 24 hours. The noise exposures at the site were evaluated against the standards of the City of San José General Plan Noise Element and the American National Standards Institute (ANSI), as discussed below.

ANSI specifies an interior noise level limit of 35 dBA \( L_{eq(h)} \) in core classrooms from exterior sources. The City of San José General Plan Noise Element uses the Day-Night Level (DNL) 24-hour noise descriptor to define project-generated noise impacts and limits project-generated noise to 55 dB DNL at the adjacent/nearby residences. The City of San José General Plan Noise Element also limits noise outdoor levels at elementary schools to 60 dB DNL.

**Existing Exterior Noise Levels**

The \( L_{eq} \) at measurement Location 1, which is 50 feet from the centerline of Jackson Avenue, ranged from 62.6 to 69.3 dBA during the daytime and from 55.7 to 65.0 dBA at night. The corresponding DNL at measurement Location 1 is 69 dB. Under future traffic conditions, the noise exposure is expected to increase to 70 dB DNL. Thus, the noise exposure will be up to 10 dB in excess of the 60dB DNL “Normally Acceptable” limit of the City of San José Noise Element standards for elementary schools.

At measurement Location 2, 150 feet from the centerline of Jackson Avenue, the \( L_{eq} \) ranged from 57.9 to 63.3 dBA during the daytime and from 52.9 to 62.1 dBA at night. During school hours, the \( L_{eq} \) ranged from 57.9 to 61.8 dBA. The noise exposure at measurement Location 2 at the rear of the building was calculated to be 65 dB DNL. At the ground floor elevation at the rear of the building, noise exposure was calculated to be 63 dB DNL. Of this 63 dB, 62 dB is due to I-680 traffic and 55 dB is due to Jackson Avenue traffic.

The existing noise exposures in the rear yards of the homes along Foss Avenue that back to the school site were calculated to be 63 dB DNL under existing traffic conditions and up to 64 dB DNL under future traffic conditions. There are two homes that back to the project site that have second stories. The existing and future noise exposures at the setbacks of these second floors were calculated to be 63 and 64 dB DNL, respectively. These will be significant impacts, as discussed below.

**School Site Exterior Noise Level Impacts**

As noted above, noise levels near the lunch area would be 69 dB DNL, which is 9 dB above the City’s standard for elementary schools. This is a significant impact.

Mitigation Measure NOISE-1.1 requires the project construct a six foot tall barrier that connects the existing and new buildings. Construction of this barrier will reduce excess traffic noise to 60 dB DNL or lower in the lunch area of the project site.

At this time, building and mechanical plans are not available, and therefore an
acoustical analysis could not be performed. The potential for excess noise occurs, but can be preventatively reduced by implementing Mitigation Measure NOISE-1.2, which requires an acoustical analysis of outdoor mechanical equipment as well as requiring mitigation measures to be included in the design of the mechanical system.

**School Building Interior Noise Level Impacts**

The classroom building shell with windows closed provides an exterior-to-interior noise reduction of 25 dB. The closed window condition assumes that the classroom windows will be maintained closed during school hours, mechanical ventilation will be provided and that the windows will be fitted with standard dual-pane thermal insulating glass. With this reduction, hourly average noise levels in the most impacted class from I-680 traffic will range from 30 to 34 dBA $L_{eq(h)}$ under existing and future traffic conditions. Thus, the noise levels will be within the 35 dBA $L_{eq(h)}$ limit of the ANSI S12.60 standard. Hourly average noise levels in the most impacted classrooms from Jackson Avenue traffic will range from 48 to 54 dBA $L_{eq(h)}$ under existing conditions and to 49 to 55 dBA $L_{eq(h)}$ under future conditions. Thus, the noise levels will be up to 20 dB in excess of the 35 dBA $L_{eq(h)}$ limit of the ANSI S12.60 standard. This will be a significant impact. Mitigation Measure NOISE-1.3 outlines the window requirements necessary for the classrooms with a direct or side view to Jackson Avenue to obtain acceptable levels of noise. With implementation of Mitigation Measure NOISE-3, the impact will be less than significant.

**Project-Generated Traffic Noise Increase Impacts**

Traffic associated with the proposed project would add between 0.06 and 0.21 dB to the existing and background traffic noise exposures created by traffic sources on Jackson Avenue and San Antonio Street. As traffic from the project will add less than 0.5 decibels to the overall existing noise environment, noise created will be negligible in relation to existing traffic volumes. Project-generated traffic noise would create a less than significant impact on noise levels in the area.

**Parking Lot Noise Impacts**

Noise generated by vehicles accessing the parking lot for staff and guest parking would have less than significant impacts on adjacent residents. The project-generated noise exposure was calculated to be 47 dB DNL at the most impacted residences east of the site on Foss Avenue. Project-generated noise exposures from the parking lot operations will be within the 55 dB DNL limit of the City of San José Noise Element standards.

The existing and background noise exposures in the rear yards and second floor setbacks of the residences range from 63 to 64 dB DNL. The parking lot noise level will be at least 10 decibels below the existing and background noise exposures at adjacent residential properties. Therefore, project traffic noise generated in the parking lot will be less than significant.
Student Drop-Off and Pick-Up Noise Impacts

Vehicles will access the parking lot for student drop-off and pick-up during the AM peak hour and three primary afternoon hours from 3:00pm to 6:00pm. The AM period analysis included 310 vehicles arriving for staff parking and student drop-off and 260 vehicles leaving after drop-off. In the afternoon, the drop-off/pick-up analysis includes 537 total vehicles; 221 vehicles entering and exiting for pick-up during the peak hour, and 162 vehicles entering and exiting during each of the non-peak hours. The total drop-off and pick-up noise exposure was measured to be 65 dB DNL, 10 dB in excess of the 55 dB DNL limit of the City of San José Noise Element.

The existing noise exposure in the rear yards of the homes along the drop-off area is 63 dB DNL. Adding the drop-off and pick-up noise exposure to the existing and background noise exposure yields a total noise exposure of 67 and 68 dB DNL under existing and future traffic conditions, respectively. Thus, the project will add 4 dB to the existing and background noise environment, which will be a significant impact. Mitigation Measure NOISE-1.4 requires the project to include a noise barrier along the easterly property line of the site contiguous with the residents to the east. Implementation of Mitigation Measure NOISE-1.4 will reduce noise impacts to a less than significant level.

Playground Noise

The Noise Assessment Study determined that playground noise will exceed the 55 dB DNL limit of the City of San José Noise Element by up to 12 dB, and the play structure will exceed the limits by up to 7 dB. The total play area noise exposure was calculated to be 68 dB DNL, which is up to 13 dB above the standard of 55 dB DNL. The result of both the existing plus project and background plus project noise levels will be 69 dB. Playground and play structure activity noise will result in noise exposure of 6 and 5 dB over the existing and future background noise exposures. This will be a significant impact. Mitigation Measure NOISE-1.4 requires the project to construct a noise barrier and rotate the basketball court so the basketball hoop is adjacent to the school building. Implementation of this mitigation measure will reduce playground noise levels to a less than significant level.

Combined Project-Generated Noise Exposures

A summary of the existing, project-generated and cumulative noise exposures at the residential areas adjacent to the site are provided in Table 6. The combined project-generated noise exposures at the most impacted residences to the east of the site along the project driveway will reach 70 db DNL, up to 15 dB in excess of the City of San José Noise Element standards. This will add 8 dB to the existing noise environment. Total project-generated noise exposure at the second floor setback of adjacent two-story homes was calculated to be 64 db DNL. This is 9 dB in excess of the standard. Under existing and future traffic conditions, the combined noise exposure will be 67 db DNL, adding 4 dB to existing conditions. Implementation of Mitigation Measure NOISE-1.4 will reduce the combined project-generated impact on noise to less than significant levels.
Table 6

<table>
<thead>
<tr>
<th></th>
<th>DNL</th>
<th>Playground</th>
<th>Play Structure</th>
<th>Parking</th>
<th>Drop-Off/Pick-Up</th>
<th>PG Noise Exposure</th>
<th>Combined</th>
<th>Impact</th>
</tr>
</thead>
<tbody>
<tr>
<td>Existing Rear Yard</td>
<td>63</td>
<td>67</td>
<td>58</td>
<td>47</td>
<td>65</td>
<td>70</td>
<td>71</td>
<td>Yes</td>
</tr>
<tr>
<td>Existing Second Fl.</td>
<td>63</td>
<td>61</td>
<td>52</td>
<td>40</td>
<td>60</td>
<td>64</td>
<td>67</td>
<td>Yes</td>
</tr>
<tr>
<td>Background Rear Yard</td>
<td>64</td>
<td>67</td>
<td>58</td>
<td>47</td>
<td>65</td>
<td>70</td>
<td>71</td>
<td>Yes</td>
</tr>
<tr>
<td>Background Second Fl.</td>
<td>63</td>
<td>61</td>
<td>52</td>
<td>40</td>
<td>60</td>
<td>64</td>
<td>67</td>
<td>Yes</td>
</tr>
</tbody>
</table>

*Source: Edward L. Pack Associates, Inc., 2013a*

b. Limited groundborne vibration may occur during project construction but would not occur during project operation. Based on the anticipated depths of grading excavations, groundborne vibration during construction would not create excessive disturbance to neighboring land uses and impacts from groundborne vibration would remain less than significant.

d. Construction of the proposed project would require a variety of equipment. Construction equipment generates noise levels in the range of 70 to 90 dBA at a 50-foot distance from the source. Typical maximum noise levels for construction equipment at 50 feet from the source are shown in Table 7.

The noisiest construction phase is normally site grading, trenching, and foundation work. Grading equipment and backhoes would be the loudest equipment used at the site.

Noise generated during construction could disturb residents along Foss Avenue. The highest noise levels at the residential property boundaries will be up to approximately 84 to 104 dBA at the residences adjacent to the school site. Hourly average noise levels will range from 72 to 87 dBA Leq with the highest noise levels occurring during grading of the site near the residences. The noise exposures are likely to be up to 80 dB DNL on the noisiest days. Typical noise exposures from construction will range from 64 to 74 dB DNL. This is a temporary significant impact that would occur during the construction period.

As a Standard Project Condition, the project would be required to use quiet and “new technology” equipment, as well as equipment in good mechanical condition during the construction phase of the project and that construction take place in accordance within the requirements of the City of San José Municipal Code. Construction noise is not subject to the City of San José Noise Element standards.
The project site is located less than two miles from the Reid-Hillview Airport, but is not located within the boundaries of the Airport Influence Area. It is well outside the airport safety zones and noise contours as documented in the Comprehensive Land Use Plan (Santa Clara County Airport Land Use Commission 2007). The project will have no impact related to airport or airstrip traffic and associated noise.

**Mitigation Measures**

In addition to the following mitigation measures, compliance with the City of San José standards and construction time limits is a Standard Project Condition that would ensure construction noise impacts remain less than significant.

**Mitigation Measure NOISE-1.1:** To reduce excess noise exposures in the lunch area due to Jackson Avenue traffic sources, the following noise control barrier will be required:

- Construct a 6-foot high acoustically-effective barrier that connects the existing and new buildings to shield the lunch area. The barrier height is in reference to the nearest lunch area elevation. The location and height of the noise control barrier will be consistent with Figure 3 in the Noise Assessment Study for the project, titled *Noise Assessment Study Prepared for Rocketship School, Jackson Avenue, San Jose*, prepared by Edward L. Pack, Associates and dated July 26, 2013. The barrier can include a gate to accommodate a pedestrian exit in this location. The gate and associated fence or other barrier must meet acoustical fence detail and gate design requirements. Specifically, to achieve an acoustically-effective barrier, it must be made air-tight, i.e., without cracks, gaps, or other openings and must provide for long-term durability. The barrier can be constructed of wood, stucco, masonry, earth berm or a combination thereof and must provide for long-term durability. The barrier can be constructed of wood, stucco, masonry, earth berm or a combination thereof and must provide for long-term durability.
have a minimum surface weight of 2.5 lbs. per sq. ft. If wood fencing is used, homogeneous sheet materials are preferable to conventional wood fencing as the latter has a tendency to warp and form openings with age. However, high quality, air-tight, tongue-and-groove, shiplap, or board and batten construction can be used, provided the minimum surface weight requirement is met and the construction is air-tight. The noise control barriers must be constructed so that all joints, including connections with posts or pilasters are sealed air-tight and no openings are permitted between the upper barrier components and the ground.

**Mitigation Measures NOISE-1.2:** The applicant shall perform a detailed acoustical analysis of all outdoor mechanical equipment at such time the buildings are designed. Noise mitigation measures shall be included in the design of the mechanical system and/or building for compliance with the noise standard of the City of San José *Envision San Jose 2040 General Plan* Noise Element.

**Mitigation Measure NOISE-1.3:** The classrooms with a direct or side view to Jackson Avenue must install one of the two window glazing alternatives:

- Single-pane $\frac{1}{2}''$ laminated glass or,
- A dual-pane thermal insulating window comprised of $\frac{1}{4}''$ monolithic glass, a minimum $1''$ air-space, $\frac{1}{4}''$ monolithic glass.

The windows on facades with a side or direct view of Jackson Avenue may be operable as the requirement does imply a “fixed” condition. The windows shall be installed in an acoustically-effective manner. The window frames shall be caulked to the rough opening using a non-hardening caulk or acoustical sealant to prevent sound infiltration. Spray foams are not acceptable. Operable window panels/sashes must close air-tight. Additionally, the windows shall remain closed during classroom sessions.

**Mitigation Measure NOISE-1.4:** A noise barrier will be required along the eastern boundary of the project site and a portion of the northern boundary to reduce excess noise levels resulting from playground activity, drop-off, and pick-up for residences to the east of the project site. The noise barrier location and height must be consistent with the figure included in the Noise Control Barrier Reconfiguration memo (Pack 2013b). This noise barrier shall have the following characteristics:

- Construct a 6 to 9 foot high acoustically-effective barrier along the easterly property line of the site contiguous with the residences to the east and along a portion of the northerly property line of the site, consistent with the sound barrier description, height, and location indicated in the Noise Control Barrier Reconfiguration memo. The barrier shall extend from southeast corner of the site at the former San Fernando Street right-of-way to the northeast corner of the site, excluding the former San Fernando Street right-of-way (APN 484-41-163). to the northeast corner of the site and along the northern site boundary westerly for approximately
50 feet. Starting from the southeast corner, the barrier shall be a minimum of 6 feet high and continue for 100 feet. The barrier shall then continue at 7 feet high for 90 feet, at 8 feet for 50 feet, at 9 feet high for 80 feet To reach the northeastern corner. The barrier shall then be extended westerly at a height of 9 feet for 50 feet. These lengths may be adjusted slightly to facilitate the installation of standard fence/wall/panel lengths and posts. The barrier heights are in reference to the nearest playground/driveway elevation.

- To achieve an acoustically-effective barrier, it must be made air-tight, i.e., without cracks, gaps, or other openings and must provide for long-term durability. The barrier can be constructed of wood, stucco, masonry, earth berm or a combination thereof and must have a minimum surface weight of 2.5 lbs. per sq. ft. If wood fencing is used, homogeneous sheet materials are preferable to conventional wood fencing as the latter has a tendency to warp and form openings with age. However, high quality, air-tight, tongue-and-groove, shiplap, or board and batten construction can be used, provided the minimum surface weight requirement is met and the construction is air-tight. The noise control barriers must be constructed so that all joints, including connections with posts or pilasters are sealed air-tight and no openings are permitted between the upper barrier components and the ground.

XIII. POPULATION AND HOUSING

Would the project:

a) Induce substantial 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)?

b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

a. The project would locate a new school in a residential and commercial neighborhood in response to existing demands for education facilities. The project would not induce substantial population growth either directly or indirectly and it would have no impact related to population growth.

b. - c. The site does not currently support any housing or residential use. No housing or residents would be displaced by the proposed project and the project would have no impact on housing or require construction of new housing.
Mitigation Measures
No mitigation measures are necessary.

XIII. PUBLIC SERVICES
Would the project:

a) Would the project 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:

- Fire protection?
- Police protection?
- Schools
- Parks
- Other public facilities?

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a. The project would locate a new school in a residential and commercial neighborhood in response to existing demands for education facilities. The project site is presently developed with a 10,270 square foot building as well as asphalt and concrete paving. The project would not induce substantial population growth either directly or indirectly. As the project would not increase population in the area, the project would not substantially increase demands for public services. The project would have no impact on provision of public services, including police and fire protection, schools, and parks.

Mitigation Measures
No mitigation measures are necessary.

XV. RECREATION
Would the project:

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical

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XV. RECREATION

Would the project:

deterioration of the facility would occur or be accelerated?

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might, have an adverse physical effect on the environment?

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a. – b. The project would not increase the residential population of the area (it is proposed in response to existing demand for educational facilities) and would not cause an increase in use of existing neighborhood and regional parks. The project would include a play area for student use during school hours. The project would have no impact related to increased use of existing recreational facilities, deterioration of existing facilities, or construction of new facilities.

Mitigation Measures

No mitigation measures are necessary.

XVI. TRANSPORTATION/TRAFFIC

Would the project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

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b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

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c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous
XVI. TRANSPORTATION/TRAFFIC

Would the project:

- Result in inadequate emergency access?

  e) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?

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<th>Potentially Significant Impact</th>
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a. The proposed project would not significantly conflict with any applicable transportation-related plans, policies or ordinances, as discussed below.

b. Hexagon Transportation Consultants, Inc. prepared the Rocketship School Jackson Avenue Transportation Impact Analysis (2013) for the proposed project. This report is attached to this Initial Study as Appendix G. Potential traffic impacts related to the proposed project were evaluated following the standards and methodologies set forth by the City of San José and the Santa Clara Valley Transportation Authority (SCVTA). SCVTA administers the County Congestion Management Program (CMP).

The traffic study analyzed the AM and PM peak-hour traffic conditions for 8 signalized intersections. The project would generate a total of 570 vehicle trips during the AM peak hour and 254 trips during the PM peak hour. With the addition of project-generated traffic, all of the 8 signalized study intersections would operate at an acceptable level of service (LOS) during both the AM and PM peak hours of traffic. The minimum acceptable LOS for City of San José intersections is LOS D and the minimum acceptable LOS for CMP intersections is LOS E.

Hexagon Transportation Consultants also evaluated whether the project-generated traffic would increase queues for left-turn movements at the following study intersections: Jackson Avenue at Alum Rock Avenue, Jackson Avenue at Capitol Expressway/San Antonio Street, and Jackson Avenue at McKee Road. While the project would contribute vehicles to these queues, the additional vehicles would not significantly affect intersection LOS or safety, as discussed below.

**Jackson Avenue at Alum Rock Avenue**

The proposed project would add a substantial number of cars to both left-turn queues at this intersection, which is located approximately 400 feet north of the project site. The resulting queues would exceed the available storage space, especially during the AM peak hour. Extending the storage space would adversely affect other traffic movements and is not recommended. In addition, the queues are not expected to adversely affect operations at any nearby intersections and the impact would remain less than significant. In order to facilitate efficient circulation within the project site, the project’s conditions of approval would include a requirement that school staff monitor and direct outbound traffic from the project site such that vehicles leaving the site from the
northern drop-off/pick-up queue use the right-hand lane on S. Jackson Avenue and do not wait for an opportunity to access the left-hand lane on S. Jackson Avenue.

**Jackson Avenue at Capitol Expressway/San Antonio Street**

The addition of project traffic to this intersection, located approximately 650 from the project site, would result in a southbound left-turn queue that exceeds the existing turn pocket storage by one vehicle length. This is expected to have little effect on intersection operations. Extending the turn pocket would adversely affect other traffic movements and is not recommended. In addition, the existing eastbound left-turn queue exceeds the available storage during the AM peak hour and the proposed project would increase that queue length by four vehicles. These additional vehicles would be accommodated by the existing median striping and would result in a less than significant impact to traffic operations and safety at this intersection.

**Jackson Avenue at McKee Road**

Under existing, background, and project conditions, the available storage capacity for northbound left-turn queues at this intersection is projected to be sufficient during the AM and PM peak hours. The project would have a less than significant impact to traffic operations and safety at this intersection.

c. The addition of the proposed elementary school building, play equipment, playground and landscaping to the project site would have no effect on air traffic patterns. Therefore, there is no environmental impact.

d. **Sight Distance**

There is sufficient sight distance at the project driveway on Jackson Avenue to ensure safety and the site plans do not indicate any improvements or modifications that would reduce sight distance. Therefore, there is no significant environmental impact.

**Site Access and Drop-off/Pick-up Operations**

During drop-off and pick-up periods vehicles would enter the project site from the existing driveway on East San Fernando Street, travel across the eastern site boundary and through the parking lot on the northern side of the site. Vehicles would exit the site through the existing driveway on South Jackson Avenue. Traffic exiting this driveway would be restricted to right-turns only during peak school drop-off and pick-up periods. All traffic onsite during the drop-off and pick-up periods would be restricted to one-way flow and dual queue lines would be used across the entire site.

The student loading zone would be 125 feet in length and would begin about 100 feet east of the Jackson Avenue driveway. The loading zone would include two lanes of cars, accommodating 5 vehicles in each lane. The remainder of the drive aisle would support dual queues, with a total storage of 650 feet. It is estimated that a total of 550 feet of storage would be needed during AM drop-off and 475 feet would be needed during PM pick-up. Because the onsite storage would exceed the required amount, no vehicles queues are expected to offsite and into the public right-of-way. Further, San Fernando Street is 50 feet wide, which would accommodate dual queue lanes as well as on-street parking, ensuring that there is sufficient space for site access and circulation, and no queuing would extend onto Jackson Avenue.
To ensure efficient pick-up operations, Rocketship staff and/or volunteers would obtain the names of students being picked up and radio ahead to yard duty staff so they can ensure the student is ready for pick up by the time the parent reaches the loading zone.

e. The Transportation Impact Analysis evaluated site access using vehicle turning movement templates to determine the adequacy of the site plan for truck and emergency vehicle access. SU-30 trucks, representing medium-size emergency vehicles and delivery trucks, and WB-40 trucks, representing large fire trucks and semi-trailer trucks would be able to safely enter, circulate through, and exit the site in the same route as is used for drop off and pick up operations. Within the site, these vehicles would be able to access the building and other facilities on the site.

As discussed above, the traffic generated by the proposed project would not reduce LOS at any of the study intersections, thus it would not interfere with emergency response that requires use of those intersections. Additionally, vehicle queues would be managed to avoid queuing on Jackson Avenue during drop-off and pick-up, thus the project would not adversely affect emergency access along Jackson Avenue.

The addition of the proposed elementary school building, play equipment, playground and landscaping to the project site would not result in inadequate emergency access to the project site and would not interfere with emergency response activities in the project vicinity. Therefore, there is no environmental impact.

f. Due to the low pedestrian, bicycle and transit mode splits for a K-5 school, there would not be a significant adverse effect on the existing pedestrian, bicycle and transit facilities in the project area. Pedestrian facilities in the study area consist of sidewalks located on both sides of Jackson Avenue in the vicinity of the project. All of the signalized intersections in the vicinity of the project site have crosswalks. In addition there are Class II bicycle facilities (on-street bicycle lanes) on the following roadway segments, as well as several bicycle/pedestrian bridges in the area:

- Jackson Avenue, north of McKee Road and between Alum Rock Avenue and San Antonio Street
- San Antonio Street, between King Road and Jackson Avenue
- Capitol Avenue, between Capitol Expressway and Great Mall Parkway

The proposed site plans include bicycle parking consistent with the requirements of the City of San José. As a Standard Project Condition, the project would be required to install or fund installation of all the necessary school zone signage along Jackson Avenue in accordance with the California Manual on Uniform Traffic Control Devices (MUTCD) standards. As a Condition of Approval, the project would be required to install a bus shelter at the existing bus stop on Jackson Avenue near the project site.

**Mitigation Measures**

No mitigation measures are necessary.
XVII. UTILITIES AND SERVICE SYSTEMS

Would the project:

<table>
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<tr>
<th>Would the project:</th>
<th>Potentially Significant Impact</th>
<th>Less Than Significant With Mitigation Incorporated</th>
<th>Less Than Significant Impact</th>
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<tbody>
<tr>
<td>a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?</td>
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<tr>
<td>b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
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<tr>
<td>c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?</td>
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<td>d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?</td>
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<td>e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?</td>
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<tr>
<td>f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?</td>
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<td>g) Comply with federal, state, and local statutes and regulations related to solid waste?</td>
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a. The proposed project would be served by the San José/Santa Clara Water Pollution Control Plant (WPCP). The WPCP meets all applicable wastewater treatment requirements of the San Francisco Bay Regional Water Quality Control Board. Currently the WPCP cleans an average of 110 million gallons of wastewater per day, and has the capacity to clean up to 167 million gallons per day. Wastewater generated from the proposed project would not cause the WPCP to violate any wastewater treatment requirements and the project would have no impact related to treatment requirements.

b. Water service bills from the San Jose Water Company for several existing Rocketship schools were reviewed to determine water demands at each school. Based on current water consumption patterns, it is estimated that the proposed Rocketship Jackson Avenue Public Charter Elementary School would demand approximately 800 gallons of water daily and would generate a similar or lesser amount of wastewater daily. Low-flow urinals and plumbing fixtures would be installed at the school, which would ensure that water demand and wastewater generation is reduced to the extent feasible. As the proposed school includes minimal landscaping, water usage would be less than
at schools that include turf areas. Direct water service to the school would be provided by the San Jose Water Company, which obtains water from the Santa Clara Valley Water District. The project would be served with existing capacity and would not cause the need to expand existing water or wastewater treatment facilities. The project would have no impact related to expansion of water or wastewater treatment facilities.

c. As the project site is already paved, the proposed project would not increase impervious surfaces at the project site and would not increase the amount or rate of stormwater runoff from the site. The project would have no impact related to requirements for new stormwater drainage facilities.

d. It is estimated the project would result in a demand for water of about 800 gallons per day. This demand is not anticipated to adversely affect existing and planned water supplies provided by the Santa Clara Valley Water District and would be a less than significant impacts of the project.

e. Sanitary sewer service would be provided by the San José/Santa Clara WPCP. The project would result in wastewater generation of less than 1,000 gallons per day. This is not anticipated to adversely affect the WPCP’s ability to meet existing commitments and planned development and would be a less than significant impact of the project.

f. The project would generate solid waste; however, the project proposes recycling measures to reduce waste. Consequently, project-generated waste is not anticipated to adversely affect landfill capacity and would have a less than significant impact on landfill services. During construction activities, a minimum of 50 percent of construction waste would be recycled and the school would install recycling bins throughout the campus to collect recyclables including paper, plastic and glass.

g. The project would comply with federal, state and local statutes and regulations related to solid waste and would have no impact related to solid waste regulations.

Mitigation Measures

No mitigation measures are necessary.
### XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

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a) Does the project have the potential to 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, 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?

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a 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)?

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

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a. The project site does not provide substantial habitat for wildlife, nesting birds, or fish, and does not support any sensitive natural vegetation communities. Addition of the proposed elementary school building, play equipment, playground and landscaping to the project site would not reduce habitat for fish or wildlife species, threaten to eliminate a plant or animal community, adversely affect rare or endangered species, or eliminate important cultural resources.

b. The analysis provided throughout this Initial Study demonstrates that the project’s contribution to cumulative impacts would be reduced to less than significant levels through mitigation.

c. The analysis provided throughout this Initial Study identifies project impacts that may be potentially significant and identifies mitigation measures that would reduce each impact to a less than significant level.
PREPARERS

Dudek prepared this Initial Study on behalf of the City of San José and Rocketship Education.

DUDEK

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REFERENCES


California Department of Public Health. California Environmental Health Tracking Program.  

http://www.quake.ca.gov/gmaps/ap/ap_maps.htm

City of San José, Department of Planning, Building and Code Enforcement, Planning Division.  


