

**ADDENDUM TO
THE NORTH SAN JOSÉ DEVELOPMENT POLICIES UPDATE FINAL EIR
AND THE ENVISION SAN JOSÉ 2040 GENERAL PLAN FINAL EIR**

Pursuant to Section 15164 of the CEQA Guidelines, the City of San José has prepared an Addendum to Environmental Impact Reports (EIR) because minor changes made to the project that are described below do not raise important new issues about the significant impacts on the environment.

PROJECT DESCRIPTION AND LOCATION

Vista Montana Residential Area 2 Grading Permit (Public Works file no. 3-18025) and Removal Action Workplan Explanation of Significant Differences (RAW ESD). This Addendum evaluated the environmental impacts of proposed changes to the construction activity anticipated for approved residential development. The residential development was approved under Planned Development Rezoning File No. PDC07-055 and Planned Development Permit File No. PD07-091. The final site condition would be consistent with the current approved land use entitlements from the City of San Jose which allow high density residential development.

The proposed changes to the construction activity entail the importation of 12,000 cubic yards (cy) of clean soil from a site in Palo Alto so that the site, which is located in a floodzone, can receive a Letter of Map Revision (LOMAR) from the Federal Emergency Management Agency (FEMA). Once the LOMAR is obtained, certifying the site is elevated above base flood, the project will then implement a remediation plan as detailed in a proposed Removal Action Workplan Explanation of Significant Differences (RAW ESD) that will entail the excavation and off-haul of 66,000cy of soil, some of which would require disposal at a Class II landfill at Altamont Pass and some would require disposal at a Class I landfill in Kettleman City. The import of 12,000cy of clean soil from a site in Palo Alto, CA will require approximately 1,000 truckloads, assuming 12cy/truck, and 225 trucks/day over five days. The off haul of 66,000cy (based on planned excavation volumes of impacted and clean soil of 43,200 cy and 22,800cy respectively), of soil to be excavated and disposed of at appropriate landfill facilities will require approximately 5,500 truckloads, assuming 12cy/truck, and 225 trucks/day over 25 days.

These actions require a 1) a grading permit application (Public Works file no. 3-18025) with the City of San Jose, and 2) a proposed Explanation of Significant Differences to a Removal Action Workplan (RAW ESD) filed with the State Department of Toxic Substances Control (DTSC). The actions of both public agencies are subject to CEQA. The City of San Jose acts as the lead agency, and the DTSC is a responsible agency relying upon San Jose's EIR Addendum.

The subject 8.68 gross acre site is located in an A(PD) Planned Development zoning district in North San Jose at the northwest intersection of West Tasman Drive and Vista Montana in the City of San Jose. **Council District: 4. County Assessor's Parcel Numbers:** 097-52-013, 097-52-029, 097-52-015, and 097-57-028.

The environmental impacts of this project were addressed by a Final EIR entitled, "North San José Area Development Policies Update Final EIR," and findings were adopted by City Council Resolution No. 72768 on June 21, 2005 and by a Final EIR entitled, Envision San José 2040 General Plan Final EIR," and

findings were adopted by City Council Resolution No. 76041 on November 1, 2011. Specifically, the following impacts were reviewed and found to be adequately considered by the EIRs:

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| <input checked="" type="checkbox"/> Traffic and Circulation | <input checked="" type="checkbox"/> Soils and Geology | <input checked="" type="checkbox"/> Noise |
| <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Hazardous Materials | <input checked="" type="checkbox"/> Land Use |
| <input checked="" type="checkbox"/> Urban Services | <input checked="" type="checkbox"/> Biotics | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Airport Considerations | <input checked="" type="checkbox"/> Microclimate |
| <input checked="" type="checkbox"/> Energy Impacts | <input checked="" type="checkbox"/> Relocation Issues | <input checked="" type="checkbox"/> Construction Period |
| <input checked="" type="checkbox"/> Transportation | <input checked="" type="checkbox"/> Utilities | <input checked="" type="checkbox"/> Facilities and Services |
| <input checked="" type="checkbox"/> Water Quality | <input checked="" type="checkbox"/> Greenhouse Gas Emissions | |

ANALYSIS:

In 2007 the City prepared an Initial Study, tiering from the 2005 North San Jose (NSJ) EIR that evaluated the potential environmental impacts which might reasonably be anticipated to result from a project which included two primary elements:

1) The proposed rezoning of approximately 21 acres in North San José from IP – Industrial Park to A(PD) – Planned Development to allow for the development of between 866 and 998 attached residential units and a total of six acres of public parkland (File Nos. PDC07-055 and PDC07-054); and 2) the approval of a Site Development Permit and Development Agreement to increase the maximum allowable floor area ratio (F.A.R.) from 0.4 to approximately 1.1 to allow for 870,000 additional square feet (a transfer of 270,251 existing square feet and 599,749 new square feet) of industrial development on approximately 27 acres in North San José (File No. H07-035). The various applications comprising the project were approved in 2007.

In September 2011, the City of San José certified the Final Program Environmental Impact Report (EIR) for the Envision San José 2040 General Plan (#2009072096) that provides capacity for the development of up to 470,000 new jobs and 120,000 new dwelling units through 2035.

Given the proposed project description and knowledge of the project site (based on the proposed project, site-specific, project-level environmental review completed in 2007 for the Initial Study/Addendum for Planned Development Zoning PDC07-055, and environmental review prepared for the North San José Development Policies Update EIR and the Envision San José 2040 General Plan EIR), the City has concluded that the proposed project would not result in any new impacts not previously disclosed in the North San José Development Policies Update EIR and the Envision San José 2040 General Plan EIR; nor would it result in a substantial increase in the magnitude of any significant environmental impact previously identified in the EIRs. For these reasons, a supplemental or subsequent EIR is not required and an addendum to the North San José Development Policies Update EIR and the Envision San José 2040 General Plan EIR has been prepared for the proposed project, and the City of San José may take action on the proposed project as being within the scope of the Final EIRs.

This addendum will not be circulated for public review, but will be attached to both the North San José Development Policies Update EIR and the Envision San José 2040 General Plan EIR, pursuant to CEQA Guidelines §15164(c).

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9/5/2013
Date

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